



MINUTES

Regular Session

Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

April 7, 2021

6:30 PM

1. Call to Order:

The meeting was called to order at 6:42 p.m.

2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)

Gail Barney	Mayor	Present Via Webex
Dawn Oliphant	Vice Mayor	Present
Robin Benning	Council Member	Present
Jeff Brown	Council Member	Present
Leah Martineau	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present

3. Pledge of Allegiance:

Led by Council Member Brown.

4. Invocation/Moment of Silence:

A moment of silence was held for our communities across the Nation that are hurting with a reflection on how we can support one another.

5. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):

A. Best Footing Award to Horseshoe Park and Equestrian Centre Staff (Friends of Horseshoe Park)

Jon Wooten, Byron Kimbel and Dru Alberti presented the award to the Town. Mr. Wooten gave details on the qualifications for the Best Footing Award and remarked on the outstanding efforts by staff to provide consistent footings across all performances and events held at HPEC.

B. Proclamation: Week of the Young Child (April 10-16, 2021)

Vice Mayor Oliphant read the proclamation which supports quality learning environments for young children.

Vice Chair Shilo Murillo from First Things First Southeast Maricopa Regional Partnership Council attended via Webex and thanked Queen Creek for recognizing the importance of programs and services for young children.

6. Committee Reports:

- A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

See attached report.

- B. Committee and outside agency reports (only as scheduled)
1. None.

7. Public Comments: *Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org by 6:30 p.m. on April 7, 2021 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

Patrick Neilson, 3883 W Moon Dust Trail, Queen Creek
Keith Williams, 3745 W. Paradise Lane, Phoenix
Randall Arrington, 2425 E Whitton Avenue, Phoenix

All spoke on their disappointment related to the discontinuance of the flat track event at Horseshoe Park and Equestrian Centre and requested the Council reconsider. This item was not on the Agenda.

8. Consent Agenda: *Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Members of the Town Council and or staff may comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.*

Council Member Turley pulled Consent Agenda Item C (3) for a separate vote.

MOTION:	To approve the Consent Agenda minus Item C (3)
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

- A. Consideration and possible approval of the March 17, 2021 Regular Session Minutes.
- B. Consideration and possible approval of the February 26 and 27, 2021 Council Strategic Planning Session Meeting Summary and Action Plan.
- C. Consideration and possible approval of expenditures over \$25,000. (FY 20/21 Budgeted Items)
 - 1. Fluoresco Services LLC - Roadway Light Maintenance: \$100,000 (Public Works)
 - 2. Holbrook Asphalt - Residential Pavement Preservation: \$850,000 (Public Works)
 - 4. Carahsoft - Multi Factor Authentication: \$76,450 (Information Technology / Police Department)
- D. Consideration and possible approval of an amendment to the Intergovernmental Agreement with Maricopa County Department of Public Health and the Queen Creek Fire and Medical Department to include COVID-19 vaccines.
- E. Consideration and possible approval of an Intergovernmental Agreement (IGA) between Maricopa County and the Town of Queen Creek for the purpose of Animal Control services in the amount of \$27,359 (contingent on approval of FY 21/22 budget).
- F. Consideration and possible approval of an amendment to Delegation Resolution 1295-19 for the Roosevelt Water Conservation District Pecos Road Reclaimed Water Discharge Project #WW092 in an amount not to exceed \$150,613 and the Intergovernmental Agreement with the Town of Gilbert for delivery of reclaimed water; and necessary budget adjustments.
- G. Consideration and possible approve of Delegation Resolution #1404-21 authorizing and directing the Town Manager and/or Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to the design and construction and completion of Queen Creek Road-Ellsworth to 206th Place (Project #A0210) in an amount not to exceed \$700,000, and related budget adjustments.

Item(s) Pulled from Consent:

C (3) ACRO - Temporary Staffing Services: \$97,000 (Water, HPEC & Development Services)

MOTION:	To approve Consent Agenda Item C (3)
RESULT:	Approved (5-2)
MOVER:	Robin Benning, Council Member
SECONDER:	Julia Wheatley, Council Member
AYES:	Benning, Barney, Oliphant, Wheatley, Brown
NAYS:	Martineau, Turley

Vice Mayor Oliphant invoked the Chair’s privilege and moved Public Hearing Consent Agenda Item 10(A) ahead of Items for Discussion.

9. Items for Discussion: *These items are for Town Council discussion only and no action will be taken. In general, no public comment will be taken.*

- A. EPCOR Presentation - Chad Guzman, Director of Government Relations & Jacob Rogers, Director of Operations - San Tan District.

Chad Guzman, Director of Government Relations for EPCOR, the water company that acquired Johnson Utilities, gave a presentation on the San Tan Water & Wastewater District. Mr. Guzman outlined the San Tan service area, which provides wastewater services to a portion of Queen Creek residents, and reported on their progress made during their time as Interim Manager of Johnson Utilities. He discussed the details of the transaction and settlement that was finalized in January 2021. Mr. Guzman highlighted the customer benefits from the settlement and said it resulted in a good balance for all parties.

Mr. Guzman gave a brief overview of the Interconnection Agreement that EPCOR entered with Queen Creek including the construction timeline, new customer wastewater connections that will be unlocked and said the Town will receive 20% of all effluent credits generated through the interconnect for treated water at the Mesa Greenfield plant. He said this is a productive partnership with mutual benefits and thanked the Town for their leadership and the Town Council for approval of this agreement.

Mr. Guzman discussed EPCOR’s long-term plans for wastewater solutions and their continued progress on improving customer service and workplace culture. He concluded with information on the upcoming Rate Case, which they were required to file per the Arizona Corporation Commission (ACC). He said the last rate case was in 2007 and this rate case represents a twelve-year update to operate safely and reliably. A vast majority will be for investments to the wastewater side, which will result in a proposed change of \$11.03 for average wastewater customers.

Jacob Rogers, Director of Operations for the San Tan District provided a brief update on projects and day-to-day operations.

- C. Discussion and update on the East Park Drainage Basin Project.
Public Works Director Troy White outlined the project boundaries and partnerships involved with the East Mesa Area Drainage Master Plan (2011). He said the focus tonight would be on the Rittenhouse Channel System, which will solve a major portion of storm flooding for the northeast section of Queen Creek. Mr. White discussed sheet flow and explained how it could affect the future East Park Site and new development occurring in that area. Mr. White said a main reason to get the East Park design phase completed was to determine where the water overflow would go so it does not impact the park. He reported that based on studies, the volume of water has dropped significantly in the area and the channel should accommodate a 100-year storm. He said the next steps in the East Park Drainage Basin Project are to take the design to 100% and get it out to bid and start construction so the future park can connect.

- D. Discussion of Parks Master Plan funding policy issues.
Scott McCarty, Finance Director / CFO identified the outstanding policy issues associated with funding the Adopted Parks, Trails, and Open Space Master Plan. He noted that all other masterplans (transportation, police, fire, water and wastewater) have been addressed and said staff is asking for feedback on approaches to take in regards to funding the Parks Master Plan.

Mr. McCarty gave a brief overview of the Parks Master Plan that was adopted in 2018 that established levels of services, proposed amenities to be built, and addressed the use of impact fees. Mr. McCarty said we need feedback on how quickly we want to move through the items outlined in the Parks Master Plan in regards to financing.

Adam Robinson, Service Recreation Manager provided further detail on the parks and trails level of service (LOS) and impact fees. Mr. Robinson discussed long-term goals; future parks; inventory of completed park space; available land and what needs to be purchased and built to meet LOS goals.

Mr. Robinson provided a brief overview of outstanding policy issues:

1. Carter Mansel Park Phase 2 – amenity options
2. East Park Concept Plan
3. Use of three remaining smaller park sites (Desert Wells, Sossaman Cloud and Sonoqui /San Marqui) and some proposals of what could be done on each site
4. Other considerations - recreation center and family aquatic center

Mr. McCarty explained the two funding sources available for parks (1) impact fees and (2) operating budget. He outlined what is allowed to be done with impact fees per statute and said a large amount of costs will come from the operating budget.

Mr. McCarty proposed FY 21-22 Recommended Budget options:

- Trails - \$12M over 5 years (100% from Impact Fees)
- Land Acquisition Placeholder - \$10M
- Park Design/Construction Placeholder - \$5M

Mr. McCarty said these are placeholders and a starting point and he asked for Council direction on the four outstanding policy issues and the timeline for each.

Council recognized the important decision-making and planning process in regards to parks. There was discussion on the need to start prioritizing parks since transportation, public safety and water have been the focus for many years and building placeholders in the budget for parks. Council discussed growth, land availability, benefits of parks for the community, needs vs. wants, taxpayer cost and impact fees. Further discussion in regards to the need and timing for an aquatic center and recreation center ensued.

Council discussed the three remaining smaller park sites and the possibility to use some of the available land for small parks that could be completed quickly while larger parks are being planned.

Council asked for clarification on the timeline and funding for East Park. Mr. McCarty responded that all we are doing with East Park is dealing with the drainage issue in that area and there is no definitive plans at this time. Discussion ensued on the levels of service goals for Queen Creek parks and how we compared to other area cities.

Council requested that a park survey be sent to residents, which provides the full picture on costs and maintenance for the different park options. They said this would be a valuable tool to see what residents want to spend for parks and which amenities are important to them.

Communications, Marketing & Recreation Director Marnie Schubert said that a resident survey could be done which would produce scientifically significant results and explained the timeline, costs and process to complete it.

Mr. McCarty recapped the feedback received by Council and said he would come back with more information on construction costs for smaller sites where we own land and the costs and impact fees if we were to move forward with East Park.

- 10. Public Hearing Consent Agenda:** *Matters listed under the Public Hearing Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Please address the Town Council on any items on the Public Hearing Consent Agenda by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per*

person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.

- A. Public Hearing for Case P19-0090 Jorde Farms South Annexation, a proposed annexation of approximately 632 acres, generally located east and west of the future Crismon Road alignment, 2,600 feet north of Empire Road, west of Signal Butte Road, and south of Cloud Road in Maricopa County.

Vice Mayor Oliphant opened the public hearing. There were no public comments and the public hearing was closed.

MOTION:	To approve the Public Hearing Consent Agenda.
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Council Member
SECONDER:	Emilena Turley, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

11. Public Hearings: *If you wish to speak to the Town Council on any of the items listed as a Public Hearing, please address the Town Council by sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

- A. Public Hearing and possible action on Ordinance 750-21, P21-0047 Arizona State Land Department Specific Plan Amendment, a request from Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, to Rezone approximately 950 acres of the State Land Specific Plan creating a new zoning designation of Urban Employment located north and east of the northeast corner of Germann and Meridian roads.

Erik Swanson, Planning Administrator gave a brief overview of the rezone request to create a new zoning designation for Urban Employment to allow a greater focus on employment and commercial uses while eliminating the residential. He said this request came from the State Land Department based on increased interest in employment uses in the area.

Mr. Swanson introduced Carolyn Oberholtzer - Bergin, Frakes, Smalley & Oberholtzer, PLLC on behalf of the Arizona State Land Department. Ms. Oberholtzer briefly defined the purpose of the State Land Trust and outlined the location of the zoning request. She said employment uses in this area are in high demand and we are just reconfiguring

the current Specific Plan, which was always intended to be flexible. She provided details on the Urban Employment category and said the existing zoning districts are simply being combined into one category, excluding residential. She discussed the establishment of development standards that are more specific to large-scale users in this category.

Vice Mayor Oliphant opened the public hearing. There were no public comments and the public hearing was closed.

MOTION:	To approve Ordinance 750-21, P21-0047 Arizona State Land Department Specific Plan Amendment, to Rezone approximately 950 acres of the State Land Specific Plan creating a new zoning designation of Urban Employment.
RESULT:	Approved unanimously (7-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

12. Final Action: *If you wish to speak to the Town Council on any of the items listed under Final Action Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

A. Discussion and Possible Action on Ordinance 751-21, an amendment to the Town Code Chapter 8 Business Regulations for Mobile Food Vendors, by amending Code Articles 8-1 (Business License) and creating a new Section 8-1-13 MOBILE FOOD VENDING, or by amending Code Articles 8-1 (Business License) and 8-2 (Peddlers, Solicitors and Transient Merchants) and creating a new Section 8-2-14 MOBILE FOOD VENDING.

Breena Watson, 39770 N Kennedy Drive, Queen Creek (Owner of the Exchange LLC) spoke in favor of Option 2 and said it is similar to licensing requirements in other cities.


Vice Mayor Oliphant said that Senior Planner Sarah Clark has a presentation prepared on the food truck amendment and is available for questions. Council said they were prepared to make a motion on the item and the presentation was not necessary.

MOTION:	To approve Option #2, Ordinance 751-21, an amendment to the Town Code Chapter 8 Business Regulations for Mobile Foods Vendors, by amending Code Articles 8-1 (Business License) and Section 8-2 creating a new Section 8-1-13 Mobile Food Vending.
RESULT:	Approved unanimously (7-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Emilena Turley, Council Member
AYES:	Martineau, Oliphant, Brown, Barney, Benning, Wheatley, Turley

13. Adjournment

The Regular Session adjourned at 8:47 p.m.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

ATTEST:



Maria E. Gonzalez, Town Clerk

I, Maria E. Gonzalez, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session Minutes of the April 7, 2021 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on:



Council Committee Reports (1)

- 03/19 – Pinal Partnership (Benning)
- 03/19 – EVTI Action Sub Committee Meeting (Benning)
- 03/24 – MAG Regional Council Meeting (Barney)
- 03/24 – Senator Sinema Call with Mayors and County Supervisors (Barney)
- 03/24 – Virtual 2021 Arizona Tuskegee Airmen Commemoration Day (Barney)
- 03/26 – EVTI Stakeholder Meeting (Barney and Benning)
- 03/26 – Ari-Son Megaregion Council Webinar (Barney)
- 03/27 – Queen Creek High School Car Show Fundraiser (Barney)
- 03/30 – EVP Critical Infrastructure & Transportation Committee Meeting (Martineau)
- 04/01 – EVP Board of Directors Meeting (Brown)