



MINUTES
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
September 15, 2021
6:30 PM

1. Call to Order:

The meeting was called to order at 6:32 p.m.

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

Gail Barney	Mayor	Present
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 Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held for first responders and men and women in uniform that are keeping our country safe.

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

A. Queen Creek Little League

Mayor Barney congratulated the 12 U District Queen Creek Little League State Champions and their coaches D.L. Brewer and Darry Lane, and assistants Brendan Brewer and Grant Lane. The team joined their coaches and Council for photos.

B. QC Youth Attend AZ League

Eastmark High School student Grace Stevenson spoke on behalf of the group that attended the Arizona League of Cities and Towns Conference. Ms. Stevenson gave a brief summary of issues important to Town's youth and suggested that Queen Creek consider forming a local youth leadership committee.

Students Grace Stevenson, Jaxon Bailey, Jade Berry, Lydia Carter, Thomas Goates and Reagan Richardson joined Council for a photo.

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.

B. Committee and outside agency reports (only as scheduled)

1. Economic Development Commission (August 25, 2021)

Council Member Wheatley delivered the report. The Commission announced Matt McWilliams as the new Planning & Zoning representative and re-elected Shane Randall as Chair and Grant Tayrien as Vice-Chair. They approved the Economic Development FY21-22 Annual Work Plan and updates to the Façade Improvement Program. The next meeting is September 22, 2021.

2. Downtown Arts & Placemaking Advisory Subcommittee (September 9, 2021)

Council Member Benning delivered the report. The committee heard a presentation from founder Danielle Foushee on the PHX Mural Project. They also discussed the possibility of creating an Arts & Placemaking Master Strategic Plan for Queen Creek and the RFP process for hiring a consultant to create the plan. The next meeting is November 4, 2021.

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@QueenCreekAZ.gov by 6:30 p.m. on September 15, 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.*

None.

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.

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

- A. Consideration and possible approval of the August 18, 2021 Regular Session Minutes.
- B. Consideration and possible approval of Expenditures Over \$25,000. (FY 21/22 Budgeted Items)
 - 1. Western Garage Doors - Roll up doors for Fleet and Utility Buildings: \$25,475 (Public Works)
 - 2. Fennemore Craig PC - Legal Services: \$129,500 (Town Manager)
 - 3. CompuNet, Inc. - Back-up Recover, Continuous Data Protection: \$107,000 (Workforce & Technology)
 - 4. Custom Storage, Inc. dba CStor-Data Center Infrastructure Solution (HPe): \$34,000 (Workforce & Technology / Police)
 - 5. L.N. Curtis & Sons - Self-Contained Breathing Apparatus (SCBA) for the new replacement fire apparatus: \$54,216 (Fire & Medical)
- C. Consideration and possible approval of the reappointment of Carson Brown to the GPEC Board of Directors for FY 21/22.
- D. Consideration and possible approval of the reappointment of Jason Barney, Chris Clark, Jenna Kahl, Derek Neighbors, Perry Rea and Mark Schnepf to the Economic Development Commission.
- E. Consideration and possible approval of the Economic Development Commission Work Plan for FY 21/22.
- F. Consideration and possible approval of deferring the Town's status as a Community Development Block Grant (CDBG) Entitlement Grantee for the FY 21/22.

- G. Consideration and possible approval of a 60-Day Notice of Intention to apply fees associated with public requests for police records.
- H. Consideration and possible approval of an Intergovernmental Agreement with the Town of Gilbert for the purpose of conducting joint law enforcement training or attending law enforcement training hosted by either party.
- I. Consideration and possible approval of a purchase agreement with Whitebox Technology not to exceed \$82,000 for Data Conversion Professional Services, and related budget adjustments for the Police and Information Technology Departments.
- J. Consideration and possible approval of a change order for the Versaterm Records Management Contract for Required Interface, Data Migration, and Professional Services, in an amount not to exceed \$167,940, and any related budget adjustments for the Police Department.
- K. Consideration and possible approval of a purchase agreement with Dataworks Plus, for an AFIS LiveScan Plus Machine, Associated Equipment, Software, and Professional Services, through a State of Arizona Contract #CTR040050, not to exceed \$41,000, and related budget adjustments for the Police Department.
- L. Consideration and possible approval of an Intergovernmental Agreement with the City of Mesa for Law Enforcement Dispatch Services Not to Exceed \$1,431,184. (FY 21/22 Budgeted Item)
- M. Consideration and possible approval of Project Order #10 (Master On-Call Contract 2016-114) with Kimley-Horn and Associates for the engineering design to widen and improve Chandler Heights Road from Sossaman Road to Hawes Road (CIP Project A0602) in an amount not to exceed \$1,011,610 and the necessary budget adjustments.
- N. Consideration and possible approval of a Cooperative Contract Agreement with Haydon Building Corp., through the Town of Gilbert Job Order Contract (Contract No. 321000249) for General Utility Projects on an as needed basis.
- O. Consideration and possible approval of an On-Call Project Order with Sunrise Engineering in an amount not to exceed \$59,818 for Engineering Services for a Master Plan for future infrastructure in State Land. (FY 21/22 Budgeted Item)
- P. Consideration and possible approval of a five-year cooperative purchase agreement with Public Trust Advisors, LLC in an amount of approximately \$80,000 per year for investment management services. (FY 21/22 Budgeted Item)

- Q. Consideration and possible approval of the Groundwater Savings Facility Storage Intergovernmental Agreement with Queen Creek Irrigation District.
 - R. Consideration and possible approval of the "Replat" for Encanterra Casitas, a request by The Club at Encanterra LLC.
 - S. Consideration and possible approval of the "Final Plat" for Orchard Cove, a request by Schoolhouse Signal Butte LLC.
 - T. Consideration and possible approval of the "Final Plat" for Bungalows at Combs & Gantzel, a request by Bungalows on Combs LLC.
 - U. Consideration and possible adoption of Ordinance No. 764-21, an Ordinance of the Mayor and Council of the Town of Queen Creek, Arizona, deleting and replacing Chapter 4 Police Department, Chapter 9 Offenses, Chapter 11 Traffic, and Chapter 15 parks and recreation of the town code; and amending certain sections of Chapter 1 General, Chapter 10 Health and Sanitation, and Chapter 18 Fire Prevention and Protection, of the Town Code; to remove duplication and inconsistency in, and consolidate and clarify, the Code provisions to be enforced by, and facilitate the operations of, the newly formed Queen Creek Police Department; and provide for consistency and proper coordination between amended Chapters of the Town Code, and between the impacted Town Departments and the Police Department; providing for penalties; providing for repeal of conflicting ordinances; and providing for an effective date for the Code revisions of January 11, 2022.
- 9. 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@QueenCreekAZ.gov (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 QueenCreekAZ.gov/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.*

Mayor Barney opened the public hearing. There were no comments from the public or from Council and the public hearing was closed.

Queen Creek Town Council

Regular Session

September 15, 2021

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

- A. Public Hearing and possible approval of two liquor license applications for a new Series 007 Beer & Wine Bar and a new Series 009 Liquor Store submitted by Jeffrey Craig Miller on behalf of Fry's Marketplace #693, 25105 S. Ellsworth Road, Queen Creek, AZ 85142.
- B. Public Hearing and possible approval of a new Series 010 Beer & Wine Store Liquor License application submitted by Jeffrey Craig Miller on behalf of Fry's Fuel Center #693, 25307 S. Ellsworth Road, Queen Creek, AZ 85142.
- C. Public Hearing and possible action on P21-0095 and P21-0096 Circle K at Riggs and Rittenhouse Conditional Use Permit and Site Plan, a request from Jodi Hammill (Land Development Consultants LLC) for a Conditional Use Permit (CUP) for fuel sales and Site Plan approval on approximately 2.04 acres located at the northwest corner of Riggs and Rittenhouse roads.
- D. Public Hearing and possible action on Resolution 1425-21 Case P21-0133 Town Initiated Annual Update to the 2018 General Plan Update, a staff initiated annual update to provide a brief list of updates to the document's maps to reflect changes since its approval and provide additional clarification.

10. 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@QueenCreekAZ.gov (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 QueenCreekAZ.gov/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.*

Council Member Benning recused himself due to a conflict. Mayor Barney opened the public hearing. There were no comments from the public or from Council and the public hearing was closed.

MOTION:	To approve the Ordinance 761-21, Case P21-034 Drive-Thru Conditional Use Permit
RESULT:	Approved (6-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Dawn Oliphant, Vice Mayor
ABSTAIN:	Benning
AYES:	Barney, Oliphant, Brown, Martineau, Turley, Wheatley

- A. Discussion and possible action on Ordinance 761-21, Case P21-0134 Drive-Thru Conditional Use Permit, an amendment to the Zoning Ordinance Section 1.14, Definitions, Table 4.6-1, Permitted Uses, and Section 6.5, Supplemental Use Regulations, requiring a Conditional Use Permit for drive-thru restaurants that are located within 1200-feet (with a possible amendment to 300-feet) of a residential zoning district when operating between the hours of 10 pm and 6 am.

11. 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. Credit Card Service Fee Program

Deputy Finance Director Dan Olson gave a presentation to address the rising cost of accepting credit cards for Development Services transactions. He asked Council for direction on two options:

1. Status Quo – continue to absorb credit card fees in the Operating Budget
2. Implement a new Service Fee Program on credit card transactions.

Mr. Olson said that actual cost to the Town for transaction fees in FY20-21 amounted to \$435K. The Town paid the cost and did not charge the customer. He reported that costs have increased significantly in recent years due to our transition to electronic plan review and an increase in building permit activity. He said homebuilders make up a bulk of the transactions.

Mr. Olson listed steps the Town has taken to reduce fees in the past, but said it has yielded minimal results. Staff is recommending a fee charged on all credit card transactions for Development Services only. The customer will pay the fee directly to Wells Fargo and it does not go to the Town. The proposed rate is 2.4% set by Wells Fargo and the estimated savings will be \$435K. Mr. Olson said other cities have similar service fees.

Mr. Olson explained options that will be available to the customer to avoid the fees, such as use of ACH/electronic checks and the use of a trust account for high volume customers.

Mr. Olson outlined the two-step process required to implement the service fees: 1) publish 60-day Notice of Intent to levy the 2.4% service fee and 2) after the 60-day notice period, hold a public hearing (December 15 Town Council meeting) on the new service fees. The service fee would be effective on Jan 17, 2022.

Council appreciated the efforts to save costs for the Town and the options provided to the customer if they wanted to avoid fees. They were in support of the Service Fee Program.

C. Police Department Update

Police Chief Randy Brice presented the monthly report and updated Council on their timeline. He said they are close to completion for the Code Amendments, radio and CAD testing, records management and the basic training academy started this week.

Chief Brice provided an update on the hiring process and said they are getting a balanced team of tenured/experienced officers and new recruits. He said the team is already forming a tight knit bond. He highlighted some of the areas of expertise and experience among the officers and said the team is well equipped and experienced to start on day one. Chief Brice reviewed the ongoing comprehensive training that will be provided in a range of topics and focus areas.

Council asked if they could receive a training for active shooters. Chief Brice said he would line up several training events for Council to attend including active shooters; driving courses; defensive tactics and law and legal.

Council thanked Chief Brice and his department for their hard work. Council Member Benning complimented Chief Brice for his presentation at the Arizona League of Cities and Towns Conference and said it was well received by other cities.

- 2. 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@QueenCreekAZ.gov (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 QueenCreekAZ.gov/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. None.

13. Adjournment

The Town Council reconvened to Executive Session at 7:31 p.m. The Regular Session adjourned at 9:23 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 September 15, 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 October 6, 2021.



Council Committee Reports (1)

- 08/19 – Meridian Road Extension Groundbreaking hosted by Pinal County (Barney, Oliphant, Brown, Wheatley)
- 08/20 – Pinal Partnership Let's Talk Homebuilders in Pinal County Virtual Event (Benning)
- 08/20 – East Valley Transportation Infrastructure Action Subcommittee Meeting (Benning)
- 08/24 – Queen Creek Unified School District Business Partner Breakfast (Oliphant, Benning)
- 08/24 – Queen Creek Hometown Heroes Awards Luncheon (Barney, Oliphant, Wheatley)
- 08/25 – Maricopa Association of Governments Regional Council Meeting (Barney)
- 08/25 – Regional Transportation Advisory Committee Rural Transportation Summit Update (Benning)
- 08/26 – Queen Creek Chamber of Commerce Business and Education Summit (Oliphant)
- 08/30 – Queen Creek Unified School District HS #3 Groundbreaking Ceremony (Oliphant, Brown, Wheatley)
- 08/30 – East Valley Transportation Infrastructure Subcommittee Meeting on Maintenance Funding (Benning)
- 08/31 – Escalante Community Center and North Tempe Multi-Generational Center Tours (Oliphant, Brown)



Council Committee Reports (2)

- 08/31 through 09/03 – League of Arizona Cities and Towns Annual Conference (Barney, Oliphant, Benning, Brown, Wheatley)
- 09/09 – Greater Phoenix Economic Council Mayors and Supervisors Council Meeting (Oliphant)
- 09/09 – Downtown Queen Creek Arts and Placemaking Advisory Committee Meeting (Benning)
- 09/14 – Chamber Network Queen Creek Luncheon (Brown)
- 09/14 – WeSERV Association of REALTORS | AJ, QC and Mesa: Imagine the Future (Brown)
- 09/14 – Pinal Regional Transportation Authority Board Meeting (Benning)
- 09/14 – Meeting with Maricopa County Supervisor Steve Chucuri, District 2 (Barney)
- 09/15 – Maricopa Association of Governments Transportation Policy Committee (Barney)