



**Regular Session Minutes**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
October 6, 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	Absent
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present via WebEx

**3. Pledge of Allegiance:**

Led by Mayor Barney.

**4. Invocation/Moment of Silence:**

A moment of silence was held for the recent passing of State Representative Frank Pratt, who represented Legislative District 8 and subsequently Queen Creek. He served in the Arizona State Legislature since 2009 and was known as a friend to cities and towns.

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

Mayor Barney summarized the following proclamations:

- Fire Prevention Week (October 3 - 9, 2021)
- Cities & Towns Week (October 17 - 23, 2021)
- Cyber Security Awareness Month
- Domestic Awareness Month (read by Vice Mayor Oliphant)

**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.

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

**1. Economic Development Commission (September 22, 2021)**

Shane Randall, Chair presented the report via WebEx. The Commission heard a presentation from David Solum, General Manager of Horseshoe Park and Equestrian Centre, on an overview of the HPEC facilities and events. The Commission approved a Façade Improvement Application for property at 20515 E Ocotillo Road. The next meeting is October 27, 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](mailto:PublicComment@QueenCreekAZ.gov) by 6:30 p.m. on October 6, 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.*

Council Member Turley pulled Consent Agenda Item 8(B)(4) for a separate vote.

<b>MOTION:</b>	<b>To approve the Consent Agenda minus Item 8(B)(4)</b>
<b>RESULT:</b>	<b>Approved unanimously (6-0)</b>
<b>MOVER:</b>	Robin Benning, Council Member
<b>SECONDER:</b>	Emilena Turley, Council Member
<b>AYES:</b>	Barney, Oliphant, Benning, Brown, Turley, Wheatley
<b>ABSENT:</b>	Martineau

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- A. Consideration and possible approval of the September 15, 2021 Regular Session Minutes.
- B. Consideration and possible approval of Expenditures Over \$25,000. (FY 21/22 Budgeted Items)
  - 1. Courtesy Auto of Mesa - Town Wide Replacement and New Vehicles: \$285,075 (Utilities)
  - 2. Haaker Equipment - Equipment Rental as needed for Water Distribution Repairs and Maintenance: \$40,000 (Utilities)
  - 3. Corporate Technology Solutions (CTS) - Security Camera Upgrade: \$55,000 (Economic Development)
  - 4. Granicus - Annual Support for Meeting Management Software and Website: \$47,000 (Workforce & Technology)
- C. Consideration and possible approval of a 60-day Notice of Intention to establish a service fee on Development Services credit and debit card transactions.
- D. Consideration and possible approval of FY 20/21 year-end revenue budget adjustments of \$151,057,177; expenditure budget adjustments of \$1,662,825; adjustments to FY 20/21 Transfer budgets of \$7,476,288; and FY 21/22 carry-forward budget reallocations of \$13,517,878.
- E. Consideration and possible approval and ratification of Change Orders No. 7a, 8, 9, 10, and 11 with N. Harris Computer Corporation's Advanced Utility Systems for software implementation services, with corresponding budget amendment in an amount not to exceed \$275,100.
- F. Consideration and possible approval of a professional services contract with Kutak Rock LLP in an amount not to exceed \$60,000 for government relations services for a one-year term, with up to four one-year renewals. (FY21/22 Budgeted Item)
- G. Consideration and possible approval of an Intergovernmental Agreement (IGA) with Maricopa County for the provision of judicial services and operation of the Justice Court in Queen Creek.
- H. Consideration and possible approval of Resolution 1426-21 authorizing the application for a Drinking Water State Revolving Fund Loan from the Water Infrastructure Finance Authority of Arizona (WIFA) in an amount not to exceed \$8.3 million.

**Item(s) Removed from Consent Agenda:**

8(B)(4) Swain Electric - Parking Lot Light Poles at Horseshoe Park & Equestrian Centre: \$55,000 (Economic Development)

<b>MOTION:</b>	<b>To approve Consent Agenda Item 8(B) (4)</b>
<b>RESULT:</b>	<b>Approved (5-1)</b>
<b>MOVER:</b>	Dawn Oliphant, Vice Mayor
<b>SECONDER:</b>	Robin Benning, Council Member
<b>AYES:</b>	Barney, Oliphant, Benning, Brown, Wheatley
<b>NAYS:</b>	Turley
<b>ABSENT:</b>	Martineau

**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](mailto: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](http://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.

**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](mailto: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](http://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. Public Hearing and possible adoption of Ordinance No. 765-21 amending Chapter 3 Administration and adding Article 3-6 Revenue and Finance, Section 3-6-1 Outstanding Accounts Receivable, and 3-6-1.1 Collection creating a collection fee not to exceed 15% of the delinquent balance.

Enterprise Finance Manager Jessica Platt gave a brief presentation on initiating a third party collection service and adding a collection service fee for delinquent accounts. She said it is a two-step process and tonight is the public hearing for possible adoption of the Ordinance to amend the Town Code to create a collection fee not to exceed 15% of the delinquent balance. If approved it would be effective on November 6, 2021.

Ms. Platt said we are one of the few towns that does not use a collection agency. She pointed out that the use of the collection agency is a last resort and said the Town does a good job of notifying customers and offering payment arrangements.

Ms. Platt outlined the contract terms and said the agency charges a 15% collection fee for their services, which would be paid by the delinquent customer.

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

<b>MOTION:</b>	<b>To approve Ordinance No. 765-21 amending the Town Code Chapter 3 Administration and adding Article 3-6 Revenue and Finance, Section 3-6-1 Outstanding Accounts Receivable, and 3-6-1.1 Collection and establishing an effective date of November 6, 2021.</b>
<b>RESULT:</b>	<b>Approved unanimously (6-0)</b>
<b>MOVER:</b>	<b>Jeff Brown, Council Member</b>
<b>SECONDER:</b>	<b>Robin Benning, Council Member</b>
<b>AYES:</b>	<b>Barney, Oliphant, Benning, Brown, Wheatley, Turley</b>
<b>ABSENT:</b>	<b>Martineau</b>

**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. None.

**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@QueenCreekAZ.gov](mailto: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](http://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. Publish the Town’s Biennial Development Impact Fee Audit Report for fiscal years 2018-19 and 2019-20 and set a Public Hearing for November 3, 2021.

Patrick Copeland, consultant from HeinfeldMeech, presented an overview of the Biennial Development Impact Fee Audit results. He said that in compliance with Arizona statute the audit must be done by a qualified professional not working for the town; be posted on the website; and must hold a public hearing within 60 days of release of the audit report to the public.

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Mr. Copeland summarized the Agreed Upon Procedures (AUP) that were performed in the audit and reviewed the Town's results. The only exception found was a variance in the growth estimates provide by the Town regarding population, housing permits and nonresidential square footage. There were no other exceptions identified and the Town's impact fee program and practices are in compliance. Mr. Copeland thanked staff for their assistance, in particular Matthew Rheames.

Deputy Finance Director Dan Olsen followed up with a summary of permit activity showing growth in several areas. He said that revenues collected by impact fees totaled \$50.4M and expense activity was \$21.5M, with the largest amount spent on streets.

<b>MOTION:</b>	<b>To publish the Impact Fee Biennial Audit Report for Fiscal Years 2018-19 and 2019-20 and set November 3, 2021 as the date of the Public Hearing for Acceptance of the Audit Report</b>
<b>RESULT:</b>	<b>Approved unanimously (6-0)</b>
<b>MOVER:</b>	<b>Emilena Turley, Council Member</b>
<b>SECONDER:</b>	<b>Jeff Brown, Council Member</b>
<b>AYES:</b>	<b>Barney, Oliphant, Benning, Brown, Wheatley, Turley</b>
<b>ABSENT:</b>	<b>Martineau</b>

**13. Adjournment**

The Regular Session adjourned at 7:00 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 October 6, 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 20, 2021



## **Council Committee Reports**

- 09/16 – Queen Creek Chamber of Commerce Business Awards Dinner (Barney, Oliphant, Wheatley)
- 09/17 – East Valley Transportation Infrastructure Action Subcommittee Meeting (Benning)
- 09/18 – Queen Creek Founders’ Day 2021 (Barney, Oliphant, Benning, Wheatley)
- 09/21 – Phoenix-Mesa Gateway Board of Directors Meeting (Barney)
- 09/21 – Transportation Town Hall with Supervisor Goodman (Barney, Brown)
- 09/22 – Queen Creek Economic Development Commission Meeting (Wheatley)
- 09/22 – Maricopa Association of Governments Regional Council Meeting (Barney)
- 09/22 – Central Arizona Governments Regional Council Meeting (Benning)
- 09/23 – Sonoqui Wash Trail Extension Groundbreaking Ceremony (Oliphant, Benning, Brown, Wheatley)
- 09/25 – Roots N’ Boots Annual Kick-Off Dinner and Show (Barney, Oliphant, Benning, Wheatley)
- 09/27 – Maricopa Association of Governments Meeting on Regional Homelessness Planning (Barney)
- 09/28 – The Change Project ‘Learning from Local Leaders’ Session/American Leadership Academy-Ironwood Campus (Oliphant)
- 09/29 – Meeting with State Representative David L. Cook (Benning)
- 09/30 – PHX East Valley Partnership Annual Statespersons’ Luncheon (Oliphant)
- 10/01 – East Valley Transportation Infrastructure Stakeholder Meeting (Benning)
- 10/02 – Pan de Vida 11th Annual Cultural Festival (Barney)
- 10/05 – Maricopa Association of Governments Economic Development Committee (Oliphant)