



AMENDED AGENDA
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
December 1, 2021
6:30 PM

Pursuant to A.R.S. §§ 38-431.02 and 38-431.03, notice is hereby given to the members of the Town Council and to the general public that, at this Regular Meeting, the Town Council may vote at any time during the Council Meeting to go into Executive Session, which will not be open to the public, for legal advice and discussion with the Town Attorney(s) for legal advice on any item listed on the following agenda, pursuant to A.R.S. § 38-431.03(A)(3).

The public can watch the meeting live streamed at [QueenCreekAZ.gov/WatchMeetings](https://www.queen-creek-az.gov/WatchMeetings) by selecting "video" next to the applicable meeting (once the meeting begins) or by visiting the Town's Ustream account at <https://video.ibm.com/councilmeeting>.

Public comment: In addition to attending in-person, there are two options for residents to submit public comment for the December 1 Town Council meeting:

- *Email: Submit a comment to PublicComment@QueenCreekAZ.gov. Every email received will be entered into the official record. Please include your name, address, comment and note if your comment is for call to the public.*
- *WebEx Online Meeting: Using a computer, tablet or smartphone, log into the meeting through WebEx (LINK) and provide a public comment. To participate, register with your name, address and comment. View details at [QueenCreekAZ.gov/WatchMeetings](https://www.queen-creek-az.gov/WatchMeetings).*

Comments without identifying name and address will not be read or submitted as part of the written record.

The Mayor or other presiding officer at the meeting may change the order of Agenda Items and/or take items on the Agenda in an order they determine is appropriate. Some members of the Town Council and staff may attend electronically.

1. Call to Order:
2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)
3. Pledge of Allegiance:

4. Invocation/Moment of Silence:

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

- A. Queen Creek Police Department Oath of Office / Swearing-In Ceremony (Official start date for Queen Creek Police Department is January 11, 2022)
- B. Recognition of retiring Public Works Director Troy White
- C. A Holiday Season Proclamation - *New Agenda Item*

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. 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@QueenCreekAZ.gov by 6:30 p.m. on December 1, 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.*

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.*

- A. Consideration and Possible Approval of the November 3, 2021 and November 17, 2021 Regular Session Minutes. - *New Agenda Item*
- B. Consideration and possible approval of Expenditures over \$25,000. (FY 21/22 Budgeted Items)

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1. Vertech - Well Equipment: \$850,000 (Utilities)
 2. Western Environmental Equipment Company - Wastewater Equipment: \$62,000 (Utilities)
 3. Southern Tire Mart - Tires for Fleet, Fire and Medical, and Police: \$60,000 (Public Works)
- C. Consideration and Possible Approval of FY 2021-22 Budget Amendments (Not an Increase to the FY 2021-22 Budget) Totaling \$3,689,700 in Expenditure Reallocations from Contingencies to Accommodate Advance Orders of Materials and Equipment Due to Long Lead Times and Supply Chain Issues.
- D. Consideration and possible approval of the "Maps of Dedication" for Empire Road, Signal Butte Road, Crismon Road, and Riggs Road, a request by Jorde Farms Inc.
- E. Consideration and possible approval of the "Final Plat" for Pecan Plaza, a request by Riggs & Ellsworth NW LLC.
- F. Consideration and possible approval of the "Final Plat" for Mickey 40, a request by KB Homes Arizona.
- G. Consideration and possible approval of a Job Order with MGC Contractors, in an amount not to exceed \$732,895 for the construction of Meridian Road Phase 1 (Barney Farms Wellsite to Queen Creek Road) water lines (WA021); and necessary budget adjustments.
- H. Consideration and Possible Approval of a Professional Services Agreement with Capital Edge for Government Relations Services for the Monitoring of Federal Funding Opportunities to Support the Town's Initiatives Relative to Public Safety, Transportation, Water Sustainability and Wastewater Strategies in the Amount of \$36,000 and the Necessary Budget Adjustments.
- I. Consideration and possible approval of Resolution 1432-21 and the Utility (Sewer) Improvement and Easement Agreement with Barney Farms I LLC in an amount not to exceed \$282,260 for the design and installation of sewer improvements off of Ryan Road and Signal Butte Road (WW099); and necessary budget adjustments.
- J. Consideration and possible approval of Resolution 1433-21 approving the Pre-Annexation Development Agreement between the Town and Earnhardt Durham to facilitate development of approximately 20 acre development located at the southeast corner of Cloud and Ellsworth Roads.

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- K. Consideration and Possible Approval of Resolution No. 1434-21 Approving the One Arizona Distribution of Opioid Settlement Funds Agreement and Authorizing the Town Attorney to Negotiate, Finalize and Execute All Documentation Necessary to Implement the Same and the One Arizona Memorandum Opioid Settlement Memorandum of Understanding Previously Approved by the Council.
 - L. Consideration and Possible Action on Ordinance No. 772-21, P21-0060 Durham Queen Creek Annexation, a Proposed Annexation of Approximately 20 Acres, Located at the Southeast Corner of Ellsworth and Cloud Roads.
 - M. Consideration and Possible Adoption of Ordinance No. 778-21, an Ordinance of the Mayor and Council of the Town of Queen Creek, Arizona, Deleting and Replacing Chapter 5 Municipal Court of the Town Code; 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.*
- A. Public Hearing and possible approval of a new Series 12 Restaurant Liquor License application submitted by Charlandra Coreen Thompson on behalf of ATL Wings located at 21803 S Ellsworth Road, Queen Creek, AZ 85142.
 - B. Public Hearing and possible action on Ordinance 771-21 Case P21-0100 Pegasus Airpark PAD Amendment, A request by Sean Lake (Pew and Lake, PLC), on behalf of the Pegasus Airpark Flight Association to amend the existing PAD conditions to allow helicopter operations at the airpark, located east of the northeast corner of Empire Blvd and Ellsworth Road.

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- C. Public Hearing and Possible Action on Ordinance 774-21, P21-0192 Arizona State Land Department Specific Plan Supplement 2, a Request from Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, to Request for Rezoning for an Amendment of Approximately 600 +/- Acres to the State Land Specific Plan by Amending the Zoning Designations for Planning Units 14 and 15 from Neighborhoods and Urban to Urban Employment.
- D. Public Hearing and Possible Action on Ordinance 775-21, P21-0125 and P21-0126 The Bungalows at Combs and Gantzel Phase II PAD Rezone and Site Plan, a request for a PAD rezone from C-2 to Medium Density Residential (MDR)/PAD and Site Plan approval for an 85 unit, single-story multi-family development on approximately 7.28 acres, located west of the northwest corner of Combs and Gantzel roads.

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.*

- A. Public Hearing and possible action on Ordinance 773-21, P21-0071 Durham Queen Creek Rezone, a Request for Rezoning on an Approximate 20-Acre Site from R1-43 (Rural Estate District) Upon Annexation from Maricopa County to C-2 (General Commercial District).
- B. Public Hearing and possible action on Ordinance 776-21, P21-0044 and P21-0132 Evergreen on Germann PAD Rezone and Site Plan, a request for a PAD rezone from R1-43 to Medium Density Residential (MDR)/PAD and Site Plan approval for a 65 unit, multi-family development on approximately 10 acres, located at the northeast corner of Germann and Rittenhouse roads.
- C. Public Hearing and possible action on Ordinance 777-21, P21-0121 and P21-0122 Rittenhouse Commons 1 PAD Rezone and Preliminary Plat, a request for a PAD rezone from R1-43 to Medium Density Residential (MDR)/PAD and Preliminary Plat approval for an 81 lot single-family residential development on approximately 10 acres, located at the northwest corner of Germann and Rittenhouse roads.

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. Presentation on the 2021 Citizen Survey Results.

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 (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. Final Action Requesting Direction Regarding the Town’s Upcoming Expenditure Limitation Election in August 2022.

B. Discussion and Possible Action to Construct and Issue \$115M of Bonds to Finance Projects in Phase 1 of the Parks Master Plan.

13. Adjournment

Pursuant to ARS 38-431.02 notice is hereby given to the members of the Queen Creek Town Council and to general public that the Queen Creek Town Council will hold a meeting open to the public as set forth above.

I, Maria Gonzalez, do hereby certify that I caused to be posted this 30th day of November the Agenda for the December 1, 2021 Regular and Possible Executive Session of the Queen Creek Town Council in the following places: 1) Queen Creek Town Hall; 2) Queen Creek Library; 3) Queen Creek Community Center bulletin board.

Maria E. Gonzalez, CMC

The Town of Queen Creek encourages the participation of disabled individuals in the services, activities, and programs provided by the Town. Individuals with disabilities who require reasonable accommodations in order to participate should contact the Town Clerk’s office at (480) 358-3000.