



**Minutes**  
**Town Council Regular Session**  
Community Chambers, 20727 E. Civic Parkway  
Wednesday, November 2, 2022  
6:30 PM

1) **Call to Order:**

The meeting was called to order at 6:30 p.m.

2) **Roll Call:**

**PRESENT:**

Jeff Brown, Vice Mayor  
Robin Benning, Council Member  
Leah Martineau, Council Member  
Dawn Oliphant, Council Member  
Emilena Turley, Council Member  
Julia Wheatley, Mayor-Elect

Council Members Martineau and Turley attended electronically.

3) **Pledge of Allegiance:**

Led by the East Valley Young Marines.

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):**

5.A) **Proclamation - Lung Cancer Awareness Month**

Vice Mayor Brown read the proclamation and recognized organizations who are committed to lung cancer education and encourage early lung cancer screening.

5.B) **Proclamation - East Valley Marines National Red Ribbon Campaign**


Vice Mayor Brown read the proclamation and recognized the East Valley Young Marines and invited them to the podium for photos.

5.C) Proclamation - Small Business Saturday

Mayor-Elect Wheatley read the proclamation and encouraged everyone to shop local small businesses on Small Business Saturday on November 26.

6) **Committee Reports:**

- 6.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.

Committee Reports 

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

None.

7) **Public Comments:**


None.


8) **Final Action:**

- 8.A) Consideration and possible approval of Resolution 1500-22 maintaining the same Primary Property Taxes for existing taxpayers beginning July 1, 2023 for five years.

**Department:** Finance

Staff Report 

Resolution 1500-22 

Presentation: A New Policy to Maintain (Freeze) Primary Property Taxes for Five Years 

Finance Director Scott McCarty provided a brief follow up discussion summarizing Resolution 1500-22. He said, if approved, the new Primary Property Tax Policy will be in effect on July 1, 2023. He said the new policy will affirm public safety as a Council priority; create certainty for tax payers with no increases for five years; property tax revenues will increase only by new construction; and a shift in the funding of public safety costs will occur by using more of the Town's general revenue sources.

Council voiced their excitement on this item and commented on the

importance of reducing taxes for the residents. They appreciated the collaboration involved to get this achieved.

**MOTION:** To approve Resolution 1500-22 maintaining the same Primary Property Taxes for existing taxpayers beginning July 1, 2023 for five years.

**RESULT:** Approved unanimously (6-0)

**MOVER:** Julia Wheatley, Mayor-Elect


**SECONDER:** Dawn Oliphant, Council Member

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Emilena Turley, Council Member, Julia Wheatley, Mayor-Elect

- 8.B) Consideration and possible approval of Resolution 1503-22 setting Streetlight Improvement District (SLIDs) property taxes at zero dollars effective July 1, 2023.

**Department:** Finance

Staff Report 

Resolution 1503-22 

Presentation: Elimination of SLIDs 

Finance Director Scott McCarty provided a brief presentation on eliminating the annual cost of SLIDs on the property tax bill.

**MOTION:** To approve Resolution 1503-22 setting Streetlight Improvement District (SLIDs) property taxes at zero dollars effective July 1, 2023.

**RESULT:** Approved unanimously (6-0)


**MOVER:** Emilena Turley, Council Member


**SECONDER:** Julia Wheatley, Mayor-Elect

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Emilena Turley, Council Member, Julia Wheatley, Mayor-Elect

- 8.C) Consideration and possible approval of a Wired Telecommunications License and Right-of-Way Use Agreement, and Reimbursement Agreement, with Wyyerd Connect, LLC.

**Department:** Town Manager's Office

Staff Report 

Wired Telecommunications and Right-of-Way Use 

Reimbursement Agreement 

Draft Town Presentation 

Assistant Town Manager Bruce Gardner provided a presentation on the Wired Telecommunications License and Right-of-Way Use Agreement, and Reimbursement Agreement, with Wyverd Connect, LLC. Mr. Gardner provided a background on the Wyverd Group and the fiber internet services that they provide and how it can benefit the Town. He thanked the legal team and Engineer Salamatullah Sayeed for their work on the project. Mr. Gardner addressed the legal considerations and the agreement terms, including reimbursements to the Town for staff time. He outlined the timeline for communication to residents and the HOAs while the infrastructure work is being done.

Wyverd representatives Jason Tamura, Market Development Director; Jenn Rogers, Director of Marketing; Nick, Open Trench Project Manager; and Travis Nance, Regional General Manager were in attendance.

Mr. Nance discussed the company business model and said they will be provide quality transparent customer service and will be a good community partner to Queen Creek throughout the installation process and beyond.

Mr. Tamura provided a presentation outlining their services, the communication plan and the construction process.

Council asked how long it would take to provide wireless to the community. Mr. Tamura said that it will be done in phases and could take two to three years for the first phase and could be adjusted based on Council direction.

**MOTION:** To approve the Wired Telecommunications License and Right-of-Way Use Agreement, and Reimbursement Agreement with Wyverd Connect, LLC.

**RESULT:** Approved unanimously (5-0)

**MOVER:** Robin Benning, Council Member

**SECONDER:** Julia Wheatley, Mayor-Elect

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**ABSENT:** Emilena Turley, Council Member

*Council Member Turley left the meeting at 7:12 p.m.*

9) **Consent Agenda:**

9.A) Consideration and possible approval of the October 19, 2022 Regular Session minutes.

**Department:** Town Clerk's Office

Staff Report 

10-19-22 Minutes 

- 9.B) Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 22/23 Budgeted Items)

**Department:** Finance

Staff Report 

Expenditures over \$25,000.pdf 

- 9.C) Consideration and possible approval of the re-appointment of Patrick Camunez, Valerie Done, Brian McKean, Derek Neighbors, and Whitney Tolle to the Downtown Core Arts & Placemaking Advisory Sub-Committee.

**Department:** Economic Development

Staff Report 

Notice of Interest Applications.pdf 

- 9.D) Consideration and possible approval of the "Map of Dedication" for Ellsworth Road, a request by Sentry Storage LLC.

**Department:** Development Services


Staff Report 

Aerial Exhibit - Map of Dedication Ellsworth Road.pdf 

Map of Dedication - Ellsworth Road.pdf 

- 9.E) Consideration and possible approval of FY 2021-22 budget amendments totaling \$10.0 million in revenue and other sources adjustments and \$6.2 million in adjustments to budgets for transfers between funds (does not increase the FY 2021-22 budget).


**Department:** Finance

Staff Report 

Year-End FY22 Budget Adjustments Staff Report 

- 9.F) Consideration and possible approval of a one-year contract with Cyclone Door Service for door and gate preventative maintenance and repair services with up to four possible one-year renewals in an amount not to exceed \$50,000 on an annual basis. (FY 2022/23 Budgeted Item)

**Department:** Public Works

Staff Report 

DRAFT - CONTRACT- Cyclone.pdf 


- 9.G) Consideration and possible approval of Delegation Resolution #1502-22 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of the Grounds Maintenance Facility (CIP Project No. XX054) in an amount not to exceed \$450,000; and necessary budget adjustments.

**Department:** Capital Improvement Projects

Staff Report 

XX054 Project Location Exhibit 

XX054 Project Site Exhibit 

Delegation Resolution #1502-22 Exhibit 1 

**MOTION:** To approve the Consent Agenda.

**RESULT:** Approved unanimously (5-0)

**MOVER:** Julia Wheatley, Mayor-Elect

**SECONDER:** Dawn Oliphant, Council Member

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**ABSENT:** Emilena Turley, Council Member

**10) Public Hearing Consent Agenda:**

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


Council clarified that Consent Item B has been withdrawn and the vote will be on the approval of the withdrawal.

- 10.A) Consideration and possible recommendation for approval on a Class "A" Bingo License Application submitted by Ms. Beth A. Riley, a resident of Ironwood Crossings.

**Department:** Town Clerk's Office


Staff Report 

Bingo Application Riley 

QCPD Report 

- 10.B) This case has been formally withdrawn by the applicant. Public Hearing and possible action on Cases Barney Farms North Major General Plan Amendment (Case P22-0051) and PAD Rezone (P22-0178), a request by Greg Davis, Iplan Consulting, for a Major General Plan Amendment for approximately 36.6 acres from Industrial to Neighborhood and a PAD Rezone to rezone 36± acres from Employment Type-A to 25.3 acres of High Density Residential and 11.1 acres of Medium Density Residential. This project is generally located south of Germann Road west of Signal Butte Road.

**Department:** Development Services


Staff Report 


- 10.C) Public Hearing and possible action on Ordinance 801-22, P22-0205 Permitted Use Table – Data Centers, a staff initiated text amendment to Table 4.6-1 Permitted Uses of the Zoning Ordinance prohibiting data centers.

**Department:** Development Services

Staff Report 

Proposed Permitted Use Table - Redline.pdf 

Proposed Permitted Use Table - Clean.pdf 

Ord. 801-22.pdf 

*Public Hearing Consent Agenda Item 10(C) was pulled by Council Member Martineau for a separate vote.*

Council Member Martineau said she would like to see the water usage limited and did not support this item.

<p><b>MOTION:</b> To approve the Public Hearing Consent Agenda less item 10(C). <b>RESULT:</b> Approved unanimously (5-0) <b>MOVER:</b> Robin Benning, Council Member <b>SECONDER:</b> Julia Wheatley, Mayor-Elect <b>AYES:</b> Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect <b>ABSENT:</b> Emilena Turley, Council Member</p>
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<p><b>MOTION:</b> To approve Public Hearing Consent Agenda Item 10(C), an Ordinance 801-22, P22-0205 Permitted Use Table – Data Centers, a staff initiated text amendment to Table 4.6-1 Permitted Uses of the Zoning Ordinance prohibiting data centers.</p>
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**RESULT:** Approved (4-1)  
**MOVER:** Julia Wheatley, Mayor-Elect  
**SECONDER:** Dawn Oliphant, Council Member  
**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect  
**NAYS:** Leah Martineau, Council Member  
**ABSENT:** Emilena Turley, Council Member

11) **Public Hearings:**

None.

12) **Items for Discussion:**

None.

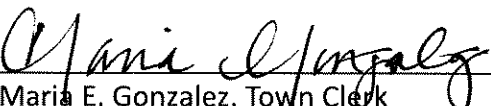
13) **Adjournment:**

The Executive Session reconvened at 7:38 p.m. The Regular Session reconvened and adjourned at 9:40 p.m.

TOWN OF QUEEN CREEK

  
\_\_\_\_\_  
Jeff Brown, Vice Mayor

ATTEST:

  
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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 Town Council Regular Session Minutes of the November 2, 2022 Town Council 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: November 14, 2022