



**Minutes**  
**Town Council Regular Session**  
Community Chambers, 20727 E. Civic Parkway  
Wednesday, November 16, 2022  
6:30 PM

1) **Call to Order:**

The meeting was called to order at 6:37 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

3) **Pledge of Allegiance:**

Led by Council Member Turley.

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


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

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

None.

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)

Transportation Advisory Committee (November 10, 2022)  
Downtown Arts & Placemaking Advisory Sub-Committee

Transportation Advisory Committee Vice Chair Bob Adelfson provided the report. The committee heard the following updates from staff: Marissa Garnett presented on Economic Development in Queen Creek; Erik Swanson provided a community development update; Brad Novacek provided an update on road projects and the Capital Improvement Program; and Mohamed Youssef provided an update on the Small Area Transportation Study, State Route 24 extension and the Pinal Parkway. The next meeting is scheduled for February 9, 2023.

Council Member Robin Benning provided the Downtown Arts & Placemaking Advisory Sub-Committee report. The committee discussed the Work Plan priorities and selected Chair and Vice Chair positions. The committee discussed the proposals received for the Downtown Arts Master Plan and holiday lighting for the Town Center. The next meeting is on January 12, 2023.

7) **Public Comments:**

None.

8) **Consent Agenda:**

- 8.A) Consideration and possible approval of the November 2, 2022 Regular Session minutes.

**Department:** Town Clerk's Office


Staff Report 

11-02-22 Minutes.pdf 

- 8.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 

11\_16\_2022 Expenditures over \$25k - Google Sheets.pdf 

- 8.C) Consideration and possible approval of the "Map of Dedication" for Crismon Road & Sonoqui Wash, a request by Jorde Farms 1 LLC.

**Department:** Development Services

Staff Report 

Aerial Exhibit - Crismon Road & Sonoqui Wash Map of Dedication.pdf 

Map of Dedication - Crismon Road and Sonoqui Wash.pdf 

- 8.D) Consideration and possible approval of renewal of a professional services agreement with CapitalEdge (Contract #2021-114) in the amount of \$36,000, 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, and the necessary budget adjustments

**Department:** Town Manager's Office

Staff Report 

Professional Services Contract #2021-114 

*Council Member Martineau removed Item 8(D) for a separate vote.*

- 8.E) Consideration and possible approval of a contract with Union Pacific Railroad (UPRR) for Preliminary Engineering Review of the Sossaman Road and Germann Road Intersection Improvement Project (CIP Project No. A0904) in the amount of \$82,500 and the necessary budget adjustments.


**Department:** Capital Improvement Projects

Staff Report 

A0904 Project Location Exhibit 

A0904 Project Site Exhibit 

UPPR A0904 Agreement 

IGA With Town of Queen Creek and City of Mesa- Germann Rd. 


WSP USA Environment & Infrastructure Design Contract 

- 8.F) Consideration and possible approval of a contract with Westwood Professional Services, Inc. for design services of the Ellsworth Road and Cloud Road offsite improvements (CIP Project No. A1006) in the amount of \$178,800. (This is a FY 2022/23 Budgeted Item)

**Department:** Capital Improvement Projects

Staff Report 

A1006 Project Location Exhibit 


A1006 Project Site Exhibit 

Westwood Professional Services Contract 

- 8.G) Consideration and possible approval of the Intergovernmental Agreement (IGA) with the Town of Gilbert for fire support services, in an amount not to exceed \$150,000. (FY 22/23 Budgeted Item)

**Department:** Fire & Medical


Staff Report 

IGA Between the Town of Gilbert and Queen Creek for Fire Resource Services 2022.pdf 

- 8.H) Consideration and possible approval of a Contract Project Order #2 with Ardurra for professional engineering and land surveying services for Crismon Road improvements from Cloud Road to Riggs Road (CIP Project No. A1005) in the amount of \$387,814.30. This price includes additional funding needed to capture the full scope of design with the traditional 10% contingency added. (This is a FY 22/23 Budgeted Item)

**Department:** Capital Improvement Projects

Staff Report 


A1005 Project Location Exhibit 

A1005 Project Site Exhibit 

Ardurra Project Order #2 

- 8.I) Consideration and possible approval of Delegation Resolution #1501-22 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 Recreational and Aquatic Center (CIP Project No. RQ030) within Frontier Family Park in an amount not to exceed \$64,285,432. (This is a FY 22/23 Budgeted Item).

**Department:** Capital Improvement Projects

Staff Report 

RQ030 Project Location Exhibit 

RQ030 Project Site Exhibit 

Delegation Resolution #1501-22 Exhibit 1 


*Council Member Martineau removed Item 8(I) for a separate vote.*

- 8.J) Consideration and possible approval of Resolution 1504-22 authorizing \$10.2M of interfund loans and \$23.2M of interfund transfers related to corrections of the use of development impact fees and capacity fees, providing for the financing of various capital projects, and providing for the loan repayments thereof.

**Department:** Finance

Staff Report 

Appendix A - Corrections by Project 

Resolution 1504-22 

Staff Report 

**MOTION:** To approve Consent Agenda less Items 8(D) & 8 (I)  
**RESULT:** Approved unanimously (6-0)  
**MOVER:** Julia Wheatley, Mayor-Elect  
**SECONDER:** Robin Benning, 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

**MOTION:** To approve the renewal of professional services agreement with CapitalEdge (Contract #2021-114) in the amount of \$36,000, 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, and the necessary budget adjustments.  
**RESULT:** Approved (4-2)  
**MOVER:** Robin Benning, Council Member  
**SECONDER:** Julia Wheatley, Mayor-Elect  
**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect  
**NAYS:** Leah Martineau, Council Member, Emilena Turley, Council Member

**MOTION:** To approve Delegation Resolution #1501-22 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 Recreational and Aquatic Center (CIP Project No.RQ030) within the Frontier Family Park in an amount not to exceed \$64,285,432. (This is a FY 22/23 Budgeted Item)

**RESULT:** Approved (4-2)  
**MOVER:** Robin Benning, Council Member  
**SECONDER:** Julia Wheatley, Mayor-Elect  
**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect  
**NAYS:** Leah Martineau, Council Member, Emilena Turley, Council Member

9) **Public Hearing Consent Agenda:**

- 9.A) Consideration and possible recommendation of approval on a new Series 006 Bar Liquor License application submitted by Andrea Dahlman Lewkowitz on behalf of Dave & Buster's located at 21000 S Ellsworth Loop Road, Queen Creek.

**Department:** Town Clerk's Office


Staff Report 


LGB Report\_Dave & Buster's 

QCPD Report\_Dave & Buster's 

- 9.B) Public Hearing and possible action on Ordinance 802-22, P22-0206 Signage Located in Roadway Medians Text Amendment, a staff initiated text amendment to Article 7 Signage Regulations of the Zoning Ordinance prohibiting signage from being located within roadway medians.

**Department:** Development Services

Staff Report 


Zoning Ordinance - Redline.pdf 

Zoning Ordinance - Clean.pdf 


Ordinance 802-22.pdf 


- 9.C) Public Hearing and possible action on Ordinance 804-22, P22-0124 and P22-0125 Phelan PAD Rezone and Site Plan, a request by Adam Baugh, Withey Morris, PLC for Rezoning and Site Plan approval for a rezoning of approximately 47 acres from R1-54 (Rural Estate District) to EMP-A/PAD (General Office/Business Park) for the development of a business park, located north of the northeast corner of Germann and Meridian Roads.


**Department:** Development Services


Staff Report 


1. Phelan Rezone and Site Plan Aerial.pdf 

[2. Phelan Rezone and Site Plan General Plan Exhibi.pdf](#) 


[3. Phelan Rezone and Site Plan Zoning Exhibit.pdf](#) 


[4. Phelan PAD Rezone and Site Plan Proposed Zoning Exhibit.mxd.pdf](#) 


[Phelan Meridian Road - Site Plan\\_2.pdf](#) 

[Phelan Meridian Road - Landscape Plan\\_2.pdf](#) 

[Phelan Meridian Road - Floors Plans and Elevations\\_2.pdf](#) 

[Phelan Meridian Road - Project Narrative\\_2.pdf](#) 


[TC STAFF Phelan Rezone and Site Plan.pdf](#) 

[Ordinance 804-22.pdf](#) 

- 9.D) Public hearing and possible action on Queen Creek Veterinary Clinic Building Expansion Conditional Use Permit and Site Plan (Cases P22-0118 and P22-0204), a request from Cain Garcia, SPS+ Architects, for a CUP and Site Plan approval for the construction of an approximately 4,400sq.ft. Building addition at the existing veterinary clinic, located east of the southeast corner of Ocotillo and Hawes roads.

**Department:** Development Services

[Staff Rpt TC QC Vet Bldg Expansion P22-0118 & P22-0204.pdf](#) 

[Aerial Exhibit](#) 

[Zoning Exhibit](#) 


[Site Plan](#) 

[Landscape Plan](#) 

[Elevations](#) 

[Project Narrative](#) 

[Public Comment](#) 

[Staff Presentation QC Vet Bldg Expansion CUP and Site Plan \(P22-0118 and P22-0204\).pdf](#) 

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

**MOTION: To approve the Public Hearing Consent Agenda**

**RESULT:** Approved unanimously (6-0)  
**MOVER:** Emilena Turley, Council Member  
**SECONDER:** Leah Martineau, 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

**10) Public Hearings:**

None.

**11) Items for Discussion:**

*Vice Mayor Brown used his discretion and re-ordered the agenda items as follows: Item for Discussion 11A; Final Action Item 12A; Items for Discussion 11B; and Final Action 12B.*

11.A) Workforce Development Services Available in Queen Creek

**Department:** Community Services

Workforce Development Services Available in Queen Creek 

Community Services Director Marnie Schubert introduced Maricopa County Workforce Development Program Manager Tina Russo to share information on a new program that will be offered at the Queen Creek Library.

Ms. Russo presented an overview of the Workforce Services Department which provides services in the East Valley through a partnership with regional libraries. She outlined career services that are available to job seekers and employers and provided contact information for Queen Creek residents. Ms. Russo discussed the process to match jobs to job seekers and outlined the outreach process. Ms. Russo said that a representative from the Human Services Department will also be at the Queen Creek Library once a month to provide other services such as rental and utility assistance.

Amy Altschul, Workforce Development Coordinator for Queen Creek, said she works out of the Queen Creek Library and is available by appointment or drop-in at the library to assist residents.

Council said they are eager to promote this program to the residents and share success stories. Ms. Schubert said she will work with the county and library partners to spread the word about all the resources now available.

11.B) Follow up from February, 2022 Town Council Strategic Planning Session - Recommendation to Evaluate the Expanded the Use of the Town's 2% Dedication Construction Sales Tax and Status Update on the Comprehensive Review of the Town's Key Financial Policies.

**Department:** Finance



Staff Report 

Presentation: Recommendation to Expand the Use of the 2% Dedicated Construction Sales Tax 

Finance Director Scott McCarty provided an overview of the 2% dedicated construction sales tax in regards to infrastructure costs in different categories. He said this is part of an ongoing comprehensive review of the Town's financial policies to help reduce costs and improve our bond rating to achieve the highest possible AAA rating.

Mr. McCarty said the 2% sales tax used to fund general infrastructure has historically been used to fund new roads. He said now is a good time to look at our infrastructure needs since much progress has been made on roads and possibly re-direct funds to other areas. He addressed the costs and projects needed over the next ten years and at build-out.

Mr. McCarty said tonight we are asking Council for feedback to allow staff to identify and evaluate the re-direction of funds in other needed areas such as water acquisition and public safety and provide options at a future meeting. He pointed out that this does not mean that we will stop building and funding roads. He said this will be for any funds that are left over after we finish out the adopted Transportation Plan.

Mayor-Elect Wheatley commented on the bond rating and said roads are a priority and reiterated that it will not affect the transportation plan. She said she is open to more flexibility in regards to the construction sales tax.


Vice Mayor Brown provided feedback and recommended that staff come back with options and more detail at a future meeting for excess funds after transportation costs are complete.

Council Member Turley commented that she appreciates putting the funds where most needed and working in collaboration with the stakeholders that it may impact.

**12) Final Action:**

12.A) Consideration and possible approval to adopt the Comprehensive Utility Master Plan.

**Department:** Utilities

Staff Report 

Comprehensive Utility Master Plan 2022 - Council Presentation 

Comprehensive Utility Master Plan 

Utilities Director Paul Gardner presented the Comprehensive Utility Master Plan (CUMP) which included updates to a series of master plans. He outlined the current master plan components and our water portfolio. He summarized future goals to diversify, cut costs and other impacts that could affect the Capital Improvement Program (CIP). Mr. Gardner said the CUMP will define our water and sewer services area; identify funding needed for CIP projects to prevent overbuilding; identify water resource needs and expansion; and will be used for the upcoming capacity fee and utility rates study updates.

Mr. Gardner concluded with a timeline for the process and said approval of the CUMP will allow us to perform the necessary studies.

Council appreciated the forward thinking and effort that went into developing the master plan.

**MOTION:** To approve the adoption of the 2022 Comprehensive Utility Master Plan (CUMP).

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

**MOVER:** Dawn Oliphant, 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

- 12.B) Consideration and possible approval of appointment of, and the Agreement to employ, Bruce Gardner as the Queen Creek Town Manager.

**Department:** Town Council

Staff Report 

Draft Employment Agreement 

Vice Mayor Brown discussed the Town's accomplishments and future goals and said it is critical to maintain momentum. He thanked John Kross for his service and said Mr. Gardner will provide stability, continuity and momentum to the organization in his new role as Town Manager.

Council voiced their appreciation to Mr. Kross and shared unanimous support and confidence for Mr. Gardner as the next Town Manager.

Bruce Gardner thanked Council, Mr. Kross and staff and shared comments on working in Queen Creek for the last 15 years. He said he is grateful for the opportunity to serve as Town Manager as the Town continues to make progress on future goals.

**MOTION:** To approve the appointment of, and the Agreement to, employ Bruce Gardner, the current Town of Queen Creek Assistant Town Manager,

as the Town Manager effective January 23, 2023, the effective date of the resignation of the current Town Manager, John Kross.

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

**MOVER:** Jeff Brown, Vice Mayor

**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

**13) Adjournment:**

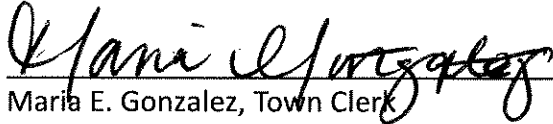
The meeting adjourned at 8:03 p.m.

TOWN OF QUEEN CREEK



Jeff Brown, Vice 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 Town Council Regular Session Minutes of the November 16, 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: December 7, 2022