



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, January 18, 2023
6:30 PM

1) Call to Order:

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

2) Roll Call:

Present: Vice Mayor Brown, Mayor-Elect Wheatley, Council Member Benning, Council Member Oliphant, Council Member Martineau
Absent: Council Member Turley

3) Pledge of Allegiance:

Led by Vice Mayor Brown.

4) Invocation/Moment of Silence:

A moment of silence was held for first responders and men in women in uniform who keep us safe.

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

5.A) Swearing-In Ceremony for Mayor-Elect Julia Wheatley, Council Members-Elect Bryan McClure and Travis Padilla, and incumbent Dawn Oliphant.

Vice Mayor Brown recognized local and state dignitaries and community partners who were in attendance at the meeting.

Ben Wheatley gave the oath of office to Mayor Wheatley; Rick Oliphant gave the oath of office to Council Member Oliphant; Michelle McClure gave the oath of office to Council Member McClure; and Congressman Andy Biggs gave the oath of office to Council Member Padilla.

Council Member Oliphant thanked the community for their vote of confidence to vote her back to office and she looks forward to the next four years. She thanked her family for their support over the years.

Council Member McClure said it is an honor to serve and thanked his family. He

said he is excited to work with council and staff to serve his hometown.

Council Member Padilla thanked all who supported him during the campaign. He introduced his family and thanked them for their support. He looks forward to working with council and thanked town staff.

Mayor Wheatley thanked the residents and appreciated their vote of confidence. She said she is excited for her new role as mayor and thanked her family for their continued support over the years. She thanked her fellow council members and town staff for their support and said she is proud of the changes and accomplishments the Town has achieved over the years. She recognized former Mayor Gail Barney and Town Manager Kross and thanked them for their support. She pledged her commitment to the Town and residents of Queen Creek.

Vice Mayor Brown said he looks forward to working with council to serve the residents of Queen Creek. He said he appreciates the range of viewpoints and perspective from all members and feels it will serve the residents of Queen Creek very well. He thanked the regional elected officials present tonight for their partnerships.

Council Member Martineau welcomed the new council members. She said she is grateful for the opportunity to serve Queen Creek and thanked council and staff for their support. She recognized Town Manager John Kross for his service and welcomed Bruce Gardner as the new town manager. She thanked everyone in attendance for supporting Queen Creek.

5.B) Proclamation - Anti-Human Trafficking Month

Council Member Martineau read the proclamation and also thanked the Queen Creek Police Department(QCPD) for their efforts on this cause. She invited the QCPD Special Victims Unit members Detective Lauren Wallace; Detective Jaymi Driskill; Detective Melissa Winch and Chief Brice to the dias for pictures.

Mayor Wheatley presented the proclamation to Pastor Mike Gowans of Bethel Church, founder of Night of Hope and Not in Our City. Pastor Gowans spoke briefly on the the dangers of human trafficking. He invited everyone to take a stand against human trafficking and attend The Night of Hope at the ASU Gammage Auditorium, Tempe on February 10, 2023. He said the free event will be attended by NFL football players and it will raise awareness for the cause. More details can be found at <https://notinourcity.org/>.

5.C) Proclamation - School Choice Week

Mayor Wheatley read the proclamation for School Choice Week and recognized the role that education plays in preparing students in Queen Creek to be successful adults and thanked teaching professionals in all school settings.

5.D) Reception


The meeting was recessed at 7:33 p.m. to honor the newly elected officials. The meeting was called back into order by Mayor Wheatley and the new Town Council at 7:45 p.m.

PRESENT:

Julia Wheatley, Mayor
Jeff Brown, Vice Mayor
Robin Benning, Council Member
Leah Martineau, Council Member
Bryan McClure, Council Member
Dawn Oliphant, Council Member
Travis Padilla, Council Member

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) Consent Agenda:

- 8.A) Consideration and possible approval of the December 21, 2022 Regular Session minutes.

Department: Town Clerk's Office

Staff Report 

12-21-22 Minutes 

- 8.B) Consideration and possible approval of Council Committee assignments for 2023.

Department: Town Clerk's Office

Staff Report 

- 8.C) Consideration and possible approval of the appointment of Local Public Safety Retirement Board Members.

Department: Town Clerk's Office

Staff Report 

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

Department: Finance


Staff Report 

1-18-2023 Expenditure Report.pdf 

- 8.E) Consideration and possible approval of a Cooperative Purchase Agreement with Cleanview Sewer Inspections, through the City of Chandler contract PW3-962-4568, to purchase sewer and storm drain video inspection services in an amount not to exceed \$70,000 for fiscal year 22/23. (FY 22/23 Budgeted Item)

Department: Utilities

Staff Report 

Cooperative Purchase Agreement - Cleanview Sewer Inspections Inc. 

- 8.F) Consideration and possible approval of an Amendment #1 to Delegation Resolution #1438-22 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 Frontier Family Park Regional Drainage Improvements (CIP Project No. P0620) increasing the original resolution amount by \$200,000 for a total amended resolution not exceeding the amount of \$8,448,716; and related budget adjustments.

Department: Capital Improvement Projects

Staff Report 

P0620 Project Location Exhibit 


P0620 Project Site Exhibit 

DR 1438-22 Amendment #1 

- 8.G) Consideration and possible approval of Resolution 1515-23, a Resolution of the Common Council of the Town of Queen Creek, Arizona, approving the Recovered Reclaimed Water Agreement and Water Services Agreement between the Town and BHEG Ware Farms LLC and Pantano Ware LLC and the Purchase Agreement and Escrow Instructions for purchase of the associated well sites for the development commonly known as Ware Farms; and authorizing and directing the Mayor, Town Manager, Town Clerk and Town Attorney to take all actions necessary to finalize and effectuate the transaction. (FY22/23 Budgeted Item)

Department: Utilities

Staff Report 

Resolution 1515-23 

Recovered Reclaimed Water Agreement 

Water Services Agreement 

Well Purchase Agreement 

MOTION:	To approve the Consent Agenda.
RESULT:	Approved unanimously (7-0)
MOVER:	Bryan McClure, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member, Julia Wheatley, Mayor

- 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 by completing a Request to Speak Card and returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.**

Mayor Wheatley opened the Public Hearing. There were no comments and the Public Hearing was closed.

Item 9(A) was pulled by Council Member Martineau for a separate vote. She commented on the free market and said she did not see the need to change the Zoning Ordinance at this time.

- 9.A) **Public Hearing and possible action on P22-0263 Permitted Use Table, a staff initiated text amendment to Table 4.6-1 Permitted Uses of the Zoning Ordinance.**

Department: Development Services

Staff Report 

Permitted Use Table - REDLINE.pdf 

Permitted Use Table - CLEAN.pdf 


Ordinance 806-23.pdf 


MOTION: To approve Item 9(A), Ordinance 806-23, Case P22-0263 Permitted Use Table Text Amendment.
RESULT: Approved (5-2)
MOVER: Jeff Brown, Vice Mayor
SECONDER: Robin Benning, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Bryan McClure, Council Member, Julia Wheatley, Mayor
NAYS: Leah Martineau, Council Member, Travis Padilla, Council Member


- 9.B) Public hearing and possible action on Uhaul on Ocotillo Conditional Use Permit and Site Plan (Cases P22-0042 and P22-0043), a request from Jerod Negrette, RKAA Architect Inc., for a CUP and Site Plan approval for a self-storage facility and outdoor vehicle storage, located at the southeast corner of Ocotillo and Crismon roads.

Department: Development Services

Staff Rpt U-Haul on Ocotillo 

Aerial Exhibit 

General Plan Exhibit 

Zoning Exhibit 

UHaul Site Plan 

UHaul Landscape 

UHaul Elevations 

Project Narrative 

Staff Presentation U-Haul on Ocotillo P22-0042 P22-0043 

MOTION: To approve Item 9(B), Cases P22-0042 and P22-0043, Uhaul on Ocotillo CUP and Site Plan, subject to the Conditions of Approval included in this report.
RESULT: Approved unanimously (7-0)
MOVER: Robin Benning, Council Member
SECONDER: Dawn Oliphant, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member, Julia Wheatley, Mayor

- 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 completing a Request to Speak Card and returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov

(limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.

None.

11) Items for Discussion:

11.A) Presentation of the Town's new volunteer program.

Department: Community Services

Presentation 

Community Services Director Marnie Schubert said as the Town grows an organized volunteer program is needed and she introduced the Town's new Volunteer Coordinator Kim Nishihara.

Ms. Nishihara provided the goals and objectives of the new volunteer program which aims to increase active community involvement in an organized program across all departments and provide strategic outreach to reflect the diversity of the community.

Ms. Nishihara outlined the service requirements and notable program attributes which includes ethics, risk management strategies and an evaluation process to gather feedback from the volunteers. She reviewed the commitments the Town will make to the program and the volunteers including training, outreach, recognition and opportunities to increase collaboration and social gathering among volunteers. Ms. Nishihara provided data on current Town events and volunteer hours and other assignments and opportunities where we can expand going forward.

Council commented on the benefits of volunteerism and the sense of community it provides. Council thanked Ms. Nishihara for her efforts and the experience she brings to the program. There was discussion on collaboration with other community groups and preplanning for large projects and national dates of service.

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 returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.

12.A) Discussion and possible approval of the appointment of Council Member Jeff Brown to serve as Vice Mayor for a term ending January 2024.

Department: Town Clerk's Office

Staff Report 

Roles & Responsibilities of Office.pdf 

Mayor Wheatley discussed the role of vice mayor and recommended that Jeff Brown continue to serve as vice mayor to maintain continuity and provide assistance during her transition to mayor. She thanked Mr. Brown for leading the council over the past several months during former Mayor Barney's illness and passing.

Council Member Brown said he is humbled to serve another year as vice mayor and accepted the nomination.

MOTION: To approve Council Member Jeff Brown to serve as Vice Mayor for a term ending January 2024.

RESULT: Approved unanimously (7-0)

MOVER: Julia Wheatley, Mayor

SECONDER: Robin Benning, Council Member

AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member, Julia Wheatley, Mayor

MOTION: To adjourn into executive session at 8:18 p.m.

RESULT: Approved unanimously (7-0)

MOVER: Jeff Brown, Vice Mayor

SECONDER: Robin Benning, Council Member

AYES: Julia Wheatley, Mayor, Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Bryan McClure, Council Member, Dawn Oliphant, Council Member, Travis Padilla, Council Member

The Executive Session adjourned at 8:46 p.m. and the Regular Session reconvened at 8:51 p.m.

- 12.B) Consideration and possible approval of a Motion for the Town of Queen Creek to intervene and/or appear as amicus in the Mohave County, et al. v. United States Bureau of Reclamation, et al., Litigation filed in the United States District Court for the District of Arizona, Case No. 3:22-CV-08246-MTL, and directing and authorizing the Town Manager and Town Attorney to take all actions necessary to represent the Town's interests in relation thereto.

Department: Town Manager's Office

Staff Report 

Final Environmental Assessment 

Complaint 

Application for Preliminary Injunction

Court's January 11, 2023 Order

MOTION: To approve a Motion for the Town of Queen Creek to intervene and/or appear as amicus in the Mohave County, et al. v. United States Bureau of Reclamation, et al., Litigation filed in the United States District Court for the District Of Arizona, Case No. 3:22-CV-08246-MTL, and directing and authorizing the Town Manager and Town Attorney to take all actions necessary to represent the Town's interests in relation thereto.

RESULT: Approved unanimously (7-0)

MOVER: Robin Benning, Council Member

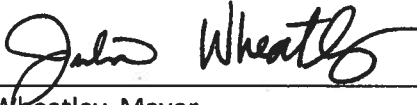
SECONDER: Leah Martineau, Council Member

AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member, Julia Wheatley, Mayor

13) Adjournment:

The meeting was adjourned at 8:54 p.m.

TOWN OF QUEEN CREEK



Julia Wheatley, 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 January 18, 2023 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: February 1, 2023