



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, September 20, 2023
6:30 PM

1) **Call to Order:**

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

2) **Roll Call:**

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

3) **Pledge of Allegiance:**

Led by Council Member Benning.

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

The invocation was provided by Philip Stowell, Chaplain of Queen Creek Fire & Medical Department.

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.

09-20-2023 Committee Report DRAFT 

Council Member Martineau commented on the many Town events that are well attended by the community, in particular the recent Founders Day Event. She thanked staff for organizing the events and the residents for attending.

Mayor Wheatley commented on the Legislative tour of Queen Creek and the opportunity to highlight the story of Queen Creek.

Council Member McClure thanked Molly Jacobs of the QC Performing Arts Center for her assistance on the Constitution Week Concert.

6.B) Committee and outside agency reports (only as scheduled):
1. Queen Creek Cultural Foundation Annual Report

Queen Creek Performing Arts Center Director Molly Jacobs provided the report and noted that it is the 20-Year Anniversary for the center.

Queen Creek Performing Arts Center Annual Report 

7) **Public Comments:**

None.

8) **Consent Agenda:**

- 8.A) Consideration and possible approval of the September 6, 2023 Regular Session minutes.

Department: Town Clerk's Office

Staff Report 

Minutes.pdf 

- 8.B) Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 23/24 Budget Items)

Department: Finance

Staff Report 

Expenditures over \$25,000.pdf 

- 8.C) Consideration and possible approval of a Class "A" Bingo License Application from Ovation at Meridian Homeowners Association.

Department: Town Clerk's Office

Staff Report 

ToQC 2023-001 

QCPD Report 

- 8.D) Consideration and possible approval of the appointment of Aaron Ballard to the Planning and Zoning Commission.

Department: Development Services

Staff Report 

Aaron Ballard Notice of Interest.pdf 

PZ Terms 09.20.2023.pdf 

- 8.E) Consideration and possible approval of the Economic Development Commission Work Plan for FY23-24.

Department: Economic Development

Staff Report 

- 8.F) Consideration and possible approval of a Design Services Contract with Arrington Watkins Architects for a space needs analysis across all Town departments and master planning of the Field Operations Facility (FOF) (CIP Project No. MF018) in the amount of \$300,000 and necessary budget adjustments totaling \$300,000.

Department: Capital Improvement Projects

Staff Report 

MF018 Town Space Needs & FOF Master Planning Location Exhibit.pdf 

MF018 Arrington Watkins Architects Contract.pdf 

- 8.G) Consideration and possible approval of a professional services contract with GHD, Inc. for an amount not to exceed \$129,408 for asset life-cycle and replacement costing analysis of the Town's roadways and transportation infrastructure assets. (FY23-24 Budgeted Item)

Department: Finance

Staff Report 

Professional Services Contract with GHD, Inc. 

- 8.H) Consideration and possible approval of Job Order Contracting (JOC) Construction Services Contracts for Water and Wastewater Distribution Services with Achen-Gardner Construction, LLC., Garney Companies, Inc.,

Haydon Companies, LLC., and TF Contracting Services, LLC., on an as-needed basis for an amount not to exceed \$5,000,000 per contract per year for a total of up to \$20,000,000 annually.

Department: Capital Improvement Projects

Staff Report 

JOC Water and Wastewater Distribution Construction Services Contracts.pdf 

- 8.I) Consideration and possible approval of Amendment #02 to Delegation Resolution #1461-22 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 Town Center Streets: Aldecoa Drive, Munoz Street and Summers Place Improvements (CIP Project No. AR050) increasing the total Resolution amount by \$2,769,133 for a total amended Resolution not to exceed \$13,825,490, related budget adjustments totaling \$2,769,133 from CIP Contingency, and a budget adjustment of \$2,769,133 to CIP Transfers.

Department: Capital Improvement Projects

Staff Report 

AR050 Project Site Location Exhibit DR 1461-22 Amendment 02.pdf 

AR050 Delegation Resolution 1461-22 Amendment 02.pdf 

AR050 Delegation Resoluton 1461 Amendment #02 Exhibit 1.pdf 

- 8.J) Consideration and possible approval of Resolution 1533-23 approving the Development Agreement with Lavenue 2, LLC for the proposed development of The Perch Brewery and Restaurant on the 3.8 acres located in Downtown Queen Creek; and authorizing the Mayor, Town Manager, Town Attorney and Town Clerk to take all actions necessary to negotiate, finalize, execute, and implement the Development Agreement.

Department: Economic Development

Staff Report 

Resolution 1533-23 

Copy of the Development Agreement 

- 8.K) Consideration and possible approval of Delegation Resolution # 1537-23 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 Queen Creek Public Safety Support Facility (CIP Project No. MF019) in an amount not to exceed \$43,471,111. (This is a FY 2023/24 Budgeted Item)

Department: Capital Improvement Projects

Staff Report 

MF019 Public Safety Complex Project Site Exhibit.pdf 

MF019 Public Safety Complex Delegation Resolution 1537-23.docx 

MF019 Public Safety Complex DR 1537-23 Exhibit 1.pdf 

- 8.L) Consideration and possible approval of Resolution 1539-23 amending the bylaws of the Economic Development Commission.

Department: Economic Development

Staff Report 

Exhibit A - Economic Development Commission Bylaws 

Resolution 1539-23 

- 8.M) Consideration and possible approval of Annexation Ordinance 817-23 extending and increasing the corporate limits of the Town of Queen Creek, Maricopa County, State of Arizona, pursuant to the provisions of A.R.S. §9-471.02 by annexing certain County right-of-way contiguous to the existing Town limits, generally described as a portion of Chandler Heights Road right-of-way from Recker Road to Six Hundred (600) feet west of Power Road, located in Section 30, Township 2 South, Range 7 East, Maricopa County.

Department: Capital Improvement Projects

Staff Report 

Chandler Heights ROW Annexation Location Exhibit.pdf 

Ordinance 817-23 Chandler Heights ROW Annexation.pdf 

Annexation IGA for Chandler Heights ROW.pdf 

MOTION: To approve the Consent Agenda
RESULT: Approved unanimously (7-0)
MOVER: Robin Benning, Council Member
SECONDER: Bryan McClure, 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

9) **Public Hearing Consent Agenda:**

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

- 9.A) Consideration and possible recommendation of approval on a new Series 007 Beer & Wine Bar Liquor License application submitted by Donald Charles Greenburg on behalf of Valley Taproom located at 25166 S Ellsworth Rd, Ste. A101 in Queen Creek.

Department: Town Clerk's Office

Staff Report 

Rule R19-1-702 (9-24-22).pdf 

LGB Public Report 

QCPD Report 

MOTION: To forward a recommendation of approval to the Arizona Department of Liquor Licenses and Control on a new Series 007 Beer & Wine Bar Liquor License application submitted by Donald Charles Greenburg on behalf of Valley Taproom located at 25166 S Ellsworth Rd, Ste. A101 in Queen Creek.
RESULT: Approved unanimously (7-0)
MOVER: Jeff Brown, Vice Mayor
SECONDER: Leah Martineau, 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

10) **Public Hearings:**

None.

11) Items for Discussion:

- 11.A) Presentation and discussion on the Residential Density Buffer Manual, a supplemental document to the General Plan that outlines different strategies to provide a compatible transition between the varying types of residential zoning densities as required by the General Plan.

Department: Development Services

Staff Report 

Presentation - Buffer Manual.pptx 

Senior Planner Sarah Clark presented an overview of the Residential Density Buffer Manual and asked for feedback on the document. She explained that the General Plan outlines where different types of residential development may occur. She briefly discussed the different categories of buffer types, transitioning and design requirements and outlined several proposed buffering categories between differing development densities. She said the project will create a supplemental report to the General Plan to better illustrate the buffering strategies and help applicants and staff in the development process. She said that next steps will include outreach to the development community and Council, final drafts and potential Zoning Ordinance text amendments.

Council Member Benning thanked staff for their efforts to make things easier for the development community and to protect the residents in regards to the voter approved General Plan.

12) Final Action:

- 12.A) Consideration and possible approval of Resolution 1538-23 approving the Horseshoe Park & Equestrian Centre Five Year Strategic Plan.

Department: Economic Development

Staff Report 

Resolution 1538-23 

HPEC Five Year Strategic Plan 

Consultant Brian Dygert provided details on the HPEC 5-Year Strategic Plan including a summary of economic returns to the Town in various areas. He gave an overview of the action items and discussed short-term and long-term recommendations to help decrease the gap between operating expenses and revenues.

Council thanked staff and the consultant for the work they did on the plan and appreciated that the items they asked about were addressed. Council commented favorably on the the RFP for the restaurant; addressing the rate and fee schedule; maximizing usage of the park and other internal

recommendations in the plan.

Mayor Wheatley appreciated the dedication by all the staff who work at HPEC. She recognized the commitment to grow the facility by adding events and also accommodating existing events and the current vendors. She would like to see, as we implement some of the ideas on the plan and see a recovery, if we can put it toward the barn stalls that the vendors are requesting and are so needed.

MOTION: To approve Resolution 1538-23 approving the Horseshoe Park & Equestrian Centre Five Year Strategic Plan.

RESULT: Approved (5-2)

MOVER: Robin Benning, Council Member

SECONDER: Dawn Oliphant, Council Member

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

NAYS: Leah Martineau, Council Member, Travis Padilla, Council Member

12.B) Consideration and possible approval of Resolution No. 1540-23 regarding masking and vaccinations as an individual personal responsibility.

Department: Town Manager's Office

Staff Report 

Resolution 1540-23 

Public Comment: Abe Boling 

Mayor Wheatley introduced the item. The resolution was brought forward by Mayor Wheatley and Council Member Martineau and focuses on declaring that the wearing of masks and/or vaccinations for employees and residents is a personal decision and employees will not be compelled to wear a mask or be vaccinated.

Town Manager Bruce Gardner read a public comment received by email from Abraham Boling, Queen Creek resident.

Council Member Padilla commented on the use of masks, vaccines and business closures and said he supports the resolution.

Vice Mayor Brown was in support of the resolution and proposed minor changes to the motion. There was a brief discussion on the necessity of the changes.

MOTION: To amend Resolution No. 1540-23 regarding masking and vaccinations as an individual personal responsibility noting a scrivener's error in the 1st "Whereas" changing the word "reintroduce" to "reintroducing" and adding "health care" between "personal decisions" in the 5th "Whereas".

RESULT: Failed (3-4)

MOVER: Jeff Brown, Vice Mayor

SECONDER: Robin Benning, Council Member

AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member

NAYS: Julia Wheatley, Mayor, Leah Martineau, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member

MOTION: To approve Motion to approve Resolution No. 1540-23 regarding masking and vaccinations as an individual personal responsibility.

RESULT: Approved unanimously (7-0)

MOVER: Leah Martineau, Council Member

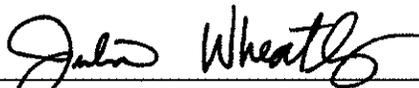
SECONDER: Travis Padilla, Council Member

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

13) **Adjournment:**

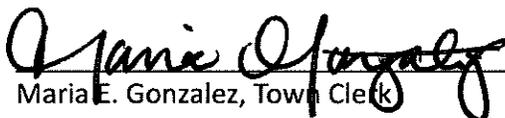
The Regular Session was adjourned at 7:32 p.m.

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 September 20, 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: October 4, 2023