



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, January 17, 2024
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 Mayor Wheatley.

4) Invocation/Moment of Silence:

Pastor J.C. Baysinger from Hope Community Church provided the invocation. Mayor Wheatley called a moment of silence in honor of Preston Lord and any youth impacted by violence.

5) Remarks from Mayor Julia Wheatley and QCPD Chief Randy Brice regarding the Oct. 28 homicide investigation.

Mayor Wheatley acknowledged the heartache felt from the passing of Preston Lord and teen violence happening in the region. She said the murder of Preston continues to be heavy on our minds and heavy on our hearts. Mayor Wheatley reflected on the impact of this action and said this will not be tolerated in our community. She said there isn't a day that has gone by since Oct. 28 that Preston's name hasn't come up - she said she has met with concerned parents and non-profits on how we can come together to navigate the unique challenges facing our youth.

Mayor Wheatley said while we continue to work towards justice through an arrest

and conviction, we also must evaluate how we can make positive changes as a result of this tragedy. She said at the Dec. 20 Town Council meeting, we discussed creating a Mayor's Youth Advisory Committee - we are working to expedite this effort to hear firsthand from our youth how we can help them and how we can partner with them. Mayor Wheatley said we have more youth than adults in this community and we must help them navigate and we have a responsibility to keep them safe. Other steps include discussing youth violence at the For Our Town meeting, an initiative started last year to bring the community together. Mayor Wheatley said these are just the first steps in continuing this conversation about how adults and leaders can help foster a safe and loving community for our youth and this must happen simultaneously as Preston's case moves forward.


Police Chief Randy Brice provided an update on the Preston Lord case and said this is our top priority. He said QCPD submitted charges to the Maricopa County Attorney's Office (MCAO) against seven individuals related to the homicide investigation from Oct. 28. Chief Brice said we continue to communicate with the MCAO as they review the case and the submitted charges against the individuals. A link to the MCAO press conference that occurred on January 10 is available on the Queen Creek Police Department website at www.QueenCreekAZ.gov/QCPDUpdate.

Chief Brice said while the MCAO reviews the submittal, the investigation is not over and QCPD continues to perform a thorough investigation. The scope of this case necessitates an extensive review and the department is focused on justice for Preston Lord. He explained the complex process taken by QCPD and the County Attorney to assure a conviction. He said there are details that cannot be shared that will compromise the investigation that is ongoing. He said there will be accountability and arrests and details will be provided when they can.

Chief Brice adamantly condemned acts of violence and outlined the safety measures in place such as extra patrols in areas where teens gather, utilizing school resource officer presence in all district high schools and building community connection. He concluded by saying arrests are coming and he applauded the community support that continues to occur on behalf of Preston.

Mayor Wheatley invited everyone to attend the next For Our Town Meeting on Jan. 23 at 8:30 a.m. at the Queen Creek Library.

6) Public Comments:

Dawn Snow (Email) 


The following spoke in regards to teen violence, law enforcement, accountability, community involvement and in support of Preston Lord. Dory Harrington, Cassandra Erwin, Eric Hebert, Risa Anderson, Joelle Murray, Pat Shaeffer, Brad Moore, and Ann Doucette. Mayor Wheatley thanked everyone in attendance for their support for Preston Lord and for their commitment to change.

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

7.A) Proclamation: Speak Up, Stand Up, Save a Life

Mayor Wheatley read the proclamation and recognized January as Speak Up, Stand Up, Save a Life Month. She spoke about Queen Creek Police Department and their focus on community policing and the opportunity for young people, local communities, government entities and law enforcement to work together in a positive way.

7.B) Recognition of Eagle Scout Luke Ochoa

Eagle Scout Project 

Luke Ochoa presented his Eagle Scout project to build and place Little Free Libraries in the Municipal Services building and the Parks and Recreation Annex. Council commended Luke on his achievement and took photos at the dias.

7.C) Recognition of Firefighter Robert Keay for receiving the award of Paramedic of the Year representing Queen Creek Fire and Medical for 2023

Fire Chief Vance Gray recognized Firefighter Robert Keay for receiving the Paramedic of the Year Award for 2023. Chief Gray provided a brief background of the award from Banner Ironwood Medical Center and presented Rob with the award and thanked him for his service.

7.D) Proclamation: Art of the Cowgirl Week

Council Member Benning read the proclamation for Art of the Cowgirl Week. He said this week provides an opportunity for individuals to come together at Horseshoe Park and Equestrian Centre to appreciate and support the arts, culture and skills associated with the cowgirl way of life.

Mayor Wheatley recognized Jamie Stolfus and Mesa Pate, and also Kennedy Riggs, who won Miss Rodea America 2023, who were all in attendance to receive the proclamation for Art of the Cowgirl Week.

7.E) Proclamation: School Choice Week

Council Member Padilla read the proclamation for School Choice Week (January 21-27, 2024) and thanked the many high-quality teaching professionals in all types of school settings committed to educating our children. He said Queen Creek has many school choice options and he spoke about the benefits of school choice.


7.F) Proclamation: Anti-Human Trafficking Awareness Month

Council Member Martineau read the proclamation for Anti-Human Trafficking Awareness Month. She said that the Town of Queen Creek joins community members including law enforcement, federal and state coalitions, and the Not In Our City.Org movement in its commitment to increase public awareness of the human trafficking. She said January 11 was Wear Blue Day in support of this movement.

Mayor and Council presented the proclamation to Jason Turner from Not in Our City who was in attendance at the meeting.

8) Committee Reports:

8.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 


8.B) Committee and outside agency reports (only as scheduled): None.

9) Consent Agenda:

9.A) Consideration and possible approval of the December 20, 2023 Regular Session minutes.

Department: Town Clerk's Office

Staff Report 

Minutes 12-20-2023 DRAFT.pdf 

9.B) Consideration and possible approval of Council Committee assignments for 2024.


Department: Town Clerk's Office

Staff Report 

9.C) Consideration and possible approval of the Annual Report on Dedicated Sales Tax Revenues.

Department: Finance

Staff Report 

FY 2020-21 through FY 2022-23 Dedicated Sales Tax Report 

9.D) Consideration and possible approval of a Permanent Extension of Premises/Patio Permit Liquor Application submitted by Timothy Michael Shaughnessy on behalf of Nando's Mexican Cafe, 20734 E Victoria Lane, Queen Creek.

Department: Town Clerk's Office


Staff Report 

[Permanent Extension of Premises/Patio Permit.pdf](#) 

- 9.E) 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](#) 

- 9.F) Consideration and possible approval of FY 2023-24 budget amendments totaling \$1,459,884 in expenditure reallocations from contingency to accommodate advance orders of materials and equipment due to long-lead order times and construction scheduling, and to allow the Town Manager to sign all necessary contracts and agreements

Department: Community Services

[Staff Report](#) 

[Attachment 1 - Recreation & Aquatic Facility and Frontier Family Park long-lead list](#) 

- 9.G) Consideration and possible approval to authorize and direct 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 right-of-way and drainage easements acquisition for the Power Road: Riggs Road to Chandler Heights Road Improvement Project (CIP Project No. A1405) in an amount not to exceed \$904,000 and a budget adjustment from CIP Contingency totaling \$904,000.

Department: Capital Improvement Projects

[Staff Report](#) 

[A1405 Project Site Location Exhibit.pdf](#) 

[A1405 ROW Drainage Easements Strip Map.pdf](#) 

[A1405 Land Aquisition Estimated Costs.pdf](#) 

- 9.H) Consideration and possible approval of the Arizona Mutual Aid Compact (AZMAC).

Department: Fire & Medical


[Staff Report](#) 

[2024 Arizona Mutual Aid Compact](#) 

- 9.I) Consideration and possible approval of a Cooperative Purchase Agreement with Cross the Line Transportation, LLC using the City of Scottsdale contract #155RFP23 for the first year of removal and disposal of organic livestock waste material services at HPEC in an amount not to exceed \$30,000. (FY24 Budgeted Item)

Department: Economic Development

Staff Report 


Cooperative Purchase Agreement 

Council Member Martineau pulled Item 9(I) for a comment and separate vote.

- 9.J) Consideration and possible approval of a Cooperative Purchase Agreement with Plan B Facility Services using the City of Scottsdale contract #1908IFB24 for the first year of Temporary Contract Labor at HPEC in an amount not to exceed \$90,000. (FY24 Budgeted Item)

Department: Economic Development

Staff Report 

Cooperative Purchase Agreement 

Council Member Martineau pulled Item 9(J) for a comment and separate vote.

- 9.K) Consideration and possible approval of a Cooperative Purchase Agreement with EMS Management and Consultants (EMS MC) for Third-Party Emergency Medical Billing services through the City of Tempe Contract #T17-085-01 in an amount not to exceed \$65,000 and a budget adjustment in the amount of \$65,000.

Department: Fire & Medical

Staff Report 


Cooperative Purchase Agreement with EMS Management Consultants 


- 9.L) Consideration and possible approval of the On-Call Project Orders 03, 04, 05, 06 and 07 with Sunrise Engineering Contract 2023-006 in an amount not to exceed \$294,678 for engineering services for the well equipping for Homeplace North Well WA291, Homeplace South Well WA292, Homeplace East Well WA290, Coyote Well WA014 and Stagecoach Well WA025 (and necessary budget adjustment).


Department: Utilities


Staff Report 


Project Order #3 - Homeplace South 

[Project Order #4 - Coyote Ware Farms Well #1](#) 

[Project Order #5 - Homeplace East](#) 

[Project Order #6 - Homeplace North](#) 


[Project Order #7 - Stagecoach Ware Farms Well #2](#) 

[Exhibit](#) 

- 9.M) Consideration and approval of Ordinance 830-24 of the Common Council of the Town of Queen Creek, Arizona, to annex a portion of the Chandler Heights Road right-of-way from Recker Road to six hundred (600) feet west of Power Road extending (north side – annexed from Maricopa County) 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(o) by annexing certain territory contiguous to the existing Town limits.

Department: Capital Improvement Projects

[Staff Report](#) 

[Annexation Ordinance 830-24 Location Exhibit.pdf](#) 


[Annexation Ordinance 830-24 Chandler Heights North Side.pdf](#) 

[IGA for Chandler Heights Rd Improvements.pdf](#) 

- 9.N) Consideration and approval of Ordinance 831-24 of the Common Council of the Town of Queen Creek, Arizona, to annex a portion of the Chandler Heights Road right-of-way from Recker Road to six hundred (600) feet west of Power Road extending (south side – deannexed from the Town of Gilbert) and increasing the corporate limits of the Town of Queen Creek, Maricopa County, State of Arizona, pursuant to A.R.S. § 9-471.02 by annexing certain territory contiguous to the existing Town limits.

Department: Capital Improvement Projects

[Staff Report](#) 

[Annexation Ordinance 831-24 Location Exhibit.pdf](#) 

[Annexation Ordinance 831-24 Chandler Heights Road South Side.pdf](#) 

[IGA Chandler Heights Rd Improvements.pdf](#) 

Council Member Martineau commented on Item 9(F) and said although she does not generally support parks, she recognized the cost savings on this item and will be in support.

Council Member Martineau commented on Items 9(I) and 9(J) and said although she is

not in support of these items, she acknowledged and appreciated that these items do find a way to save money.

MOTION: To approve the Consent Agenda, less Items 8(I) & 8(J)
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


MOTION: To approve Consent Agenda Items 8(I) & 8(J)
RESULT: Approved (5-2)
MOVER: Robin Benning, Council Member
SECONDER: Bryan McClure, 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

10) Public Hearing Consent Agenda:


10.A) Public hearing and possible action on Cases P23-0024 and P23-0028 AT&T Monopalm at U-haul Conditional Use Permit, and Site Plan, a request for Site Plan and Conditional Use Permit approval for the construction of a new 80-foot tall monopalm cell tower within a 1200sq.ft. walled equipment compound.

Department: Development Services

Staff Report 

Aerial.pdf 

General Plan.pdf 

Zoning.pdf 



Site Plan.pdf 

Photo Simulations.pdf 


Staff Presentation AT&T Monopalm at Uhaul.pptx 

10.B) Public hearing and possible adoption of Resolution No. 1558-24 to amend the existing residential solid waste cart fee (for both the initial cost of carts for newly constructed homes charged at the time of the request for a single-family

permit and replacement carts). The proposed fee is \$100 per cart, an increase from \$75 per cart.

Department: Finance

Staff Report 

Resolution No. 1558-24 Related to Solid Waste Cart Fee 

Solid Waste Cart Fee Presentation 

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

MOTION: To approve the Public Hearing Consent Agenda

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

11) Public Hearings:

11.A) Public Hearing and possible action on Ordinance 828-24 Circle K at Ellsworth and Ocotillo Rezone (P23-0079), Conditional Use Permit (P23-0078) and Site Plan (P23-0080), a request from Jodi Hammill (Land Development Consultants LLC) to rezone approximately 0.64 acres from R1-43 to C-2 and for Site Plan and Conditional Use Permit approval for the expansion and redevelopment of an existing fuel station and convenience store for a new 5,200 square foot convenience store and 3,264 square foot fuel station on a 1.21 acre site located at the northeast corner of Ellsworth and Ocotillo roads.


Department: Development Services

Staff Report 

1. Aerial.pdf 

2. General Plan Exhibit.pdf 


3. Current Zoning.pdf 

4. Proposed Zoning Exhibit.pdf 


5. Project Narrative.pdf 


6. Site Plan and Site Details.pdf 

7. Landscape Plan.pdf 

8. Elevations.pdf 

9. Neighborhood Meeting Summary.pdf 

Presentation Circle K at Ellsworth and Ocotillo.pptx 

Ordinance 828-24.pdf 

Senior Planner Sarah Clark presented the rezone, Conditional Use Permit and Site Plan for a new Circle K located at the northeast corner of Ellsworth and Ocotillo Roads. She said the applicant is proposing to demolish the existing Circle K building and rezone two adjacent parcels to allow for expansion of a new 5200 sf convenience store with 5 fuel pumps. Ms. Clark noted that the existing non-conforming pole signage will be removed and replaced with new signage that conforms to Town standards. She outlined the access points, elevations and landscape buffers. Buffer standards for landscaping will be updated and will be in conformance with Town standards and surrounding areas.

Ms. Clark said a neighborhood meeting was held and two residents were in attendance and asked general questions and expressed no opposition to the case. No additional comments have been received to date.

Council inquired about storm water retention on the site and asked about the number of fuel pumps. Jodi Hamill, Project Coordinator at Land Development Consultants, LLC said they intend to have underground storm water storage and she said there are 5 fuel pumps totaling 10 fueling positions.

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

Attorney Holcomb noted a technical change to Ordinance 828-24 as it did not have the adoption language included. He asked the Council to authorize him to make the correction during the motion.

MOTION: To approve Ordinance 828-24 Circle K at Ellsworth and Ocotillo Rezone (P23-0079), Conditional Use Permit (P23-0078) and Site Plan (P23-0080) subject to the Conditions of Approval included in this report; including a technical correction to be made by the Town Attorney and staff.

RESULT: Approved unanimously (7-0)

MOVER: Bryan McClure, Council Member

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


- 11.B) Public Hearing and possible action on Resolution 1560-24 the Buffer and Transition Manual Minor General Plan Amendment (P23-0188) and associated Zoning Ordinance and Design Standards Text Amendments (Ordinance 829-24 Case P23-0189).

Department: Development Services


Staff Report 


Buffer and Transition Manual Final Draft.pdf 


REDLINED PAGES General Plan Update 2023.pdf 

Proposed Design Standards Text Amendments.pdf 

Proposed Zoning Ordinance Text Amendments.pdf 

Ordinance 829-24.pdf 

Resolution 1560-24.pdf 

Buffer Manual 01.17.24 TC.pptx 

Senior Planner Sarah Clark presented the General Plan Buffer and Transitions Manual for potential consideration tonight. She provided background information on the General Plan and the General Plan Land use Requirement Table. She said the objective of the new manual is a supplement to the General Plan to provide an overview of the strategies that may be used as a guide to new development.

Ms. Clark provided detailed information and examples on the nine buffer types and buffer strategies. She explained the process and the benefits the new manual will provide to staff and the development community. She said it will also be a good resource for residents to better understand buffering. She highlighted that the items in the manual are not requirements and said that they are more of menu of options and a summary of strategies that could be used to meet the general plan transition requirement. Ms. Clark explained how it will be implemented and said all buffers are subject to approval through the rezoning process on a case-by-case basis.

Council commented that they like the flexibility that the manual provides and the options available to the development community. They thanked staff for their work on this project.

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

MOTION: To approve Resolution 1560-24 the Buffer and Transition Manual Minor General Plan Amendment (P23-0188) and associated Zoning Ordinance and Design Standards Text Amendments (Ordinance 829-24 Case P23-0189).

RESULT: Approved unanimously (7-0)

MOVER: Robin Benning, Council Member

SECONDER: Dawn Oliphant, 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

12) Items for Discussion:

12.A) Discussion of Water Conservation Program 5-year Plans.

Department: Utilities

Staff Report 

Water Conservation 5 Year Plan Presentation 


Utilities Director Mark Skocypiec introduced new team members, Water Resources Manager Nicole Sonnenburg and Water Conservation Program Manager Deina Burns.

Ms. Burns presented information on the Water Conservation 5-Year Plan. She highlighted the Town's current practices and conservation efforts and said that it is a Town effort among many departments. She said there are many tools available that are being utilized by other municipalities, but we are taking the opportunity to evaluate the Town's specific needs to adapt and grow the program to meet our needs. Ms. Burns said the initial focus will be on outdoor water use and she outlined the overall plan goals over the next five years. She said they will continue to evaluate results and expand on the most productive programs, establish new programs and provide resources, education and assistance to the residents.

Council recognized the importance of water conservation and thanked the team for their efforts.

12.B) Update on the Town's Volunteer Program

Department: Community Services

Town's Volunteer Program 

Volunteer Coordinator Kim Nishihara outlined the goals and objective of the town program. She said we had 1,410 volunteers in 2023 amounting in 91,000 hours served which equates to a taxpayer benefit of over \$2M and she explained the return on investment for the program.

Ms. Nishihara highlighted the positive feedback received from volunteers and the benefits that volunteerism has for staff, residents and the community. She concluded with some of the 2023 highlights in regards to the different programs, volunteer groups, projects and activities.

Council applauded the success of the program and recognized the value to the community. They thanked Ms. Nishihara for her efforts and said they have received a lot of positive feedback.

13) Final Action:

13.A) Discussion and possible approval of the appointment of Council Member Leah Martineau to serve as Vice Mayor for a term ending January 2025.

Department: Town Clerk's Office

Staff Report 

Roles & Responsibilities of Office.pdf 

Mayor Wheatley thanked Vice-Mayor Jeff Brown for serving for the last two years. She thanked him for his support to the community and for his leadership, dedication and also for the help he provided to her in her first year as Mayor.

Mayor Wheatley briefly outlined the roles of office and recommended Council Member Leah Martineau to serve as Vice-Mayor.

Council Member Brown said it was an honor to serve as Vice Mayor and was thankful for the support of Council during trying times when Mayor Barney passed. He thanked Mayor Wheatley for her kind words and he said he supports Council Member Martineau in her new role and will help in any way needed.

Vice-Mayor Martineau thanked Council for their support and said it will be an honor to serve in this capacity.

MOTION: To approve Council Member Leah Martineau to serve as Vice Mayor for a term ending January 2025.

RESULT: Approved unanimously (7-0)

MOVER: Julia Wheatley, Mayor

SECONDER: Jeff Brown, Vice Mayor

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

14) Adjournment:

The Council reconvened into Executive Session at 8:51 p.m. The Regular Session reconvened and adjourned at 9:55 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 17, 2024 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: _____