



**Minutes**  
**Town Council Regular Session**  
Community Chambers, 20727 E. Civic Parkway  
Wednesday, February 21, 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, Council Member  
Robin Benning, Council Member  
Leah Martineau, Vice Mayor  
Bryan McClure, Council Member  
Dawn Oliphant, Council Member  
Travis Padilla, Council Member

**3) Pledge of Allegiance:**

Led by Boy Scout Troop 50.

**4) Invocation/Moment of Silence: James Washburn, Sun Valley Community Church**

Pastor James Washburn from Sun Valley Community Church provided the invocation.

Mayor Wheatley called for a moment of silence for Preston Lord.

**5) Remarks from Mayor Julia Wheatley and QCPD Police Chief Randy Brice regarding the ongoing October 28 homicide investigation.**

Mayor Wheatley condemned violence and supported the process to hold offenders accountable. She encouraged the community to remain vigilant and to work together.

Police Chief Randy Brice provided an update on the October 28 homicide investigation. He said the medical examiner confirmed the manner of death was ruled a homicide, which was consistent with the QCPD investigation from day one. Chief Brice said this has been the one of the most challenging investigations of his career due to the complexity and scope. He said the County Attorney's Office is making ground

and he said it has been a cooperative effort among many agencies, the Council and the public. He said the process does take time and we continue to work closely with the County Attorney and we are committed to reducing violence and will continue to provide updates.

Mayor Wheatley said we appreciate the Maricopa County Attorney's Office and the support from the community. She said we are expediting the creation of the Mayor's Youth Advisory Committee in an effort to directly involve our youth. She said the next *For Our Town* meeting is scheduled for March 27 at 8:30 a.m. where we will continue the conversation around youth wellbeing and bring some of the ideas that were shared to fruition.

Public Comment: Bridget Vega, 137 E Elliot Rd #325, Gilbert, AZ 85299 expressed her concerns regarding teen violence.

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

None.

**7) Committee Reports:**

7.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.

7.B) Committee and outside agency reports (only as scheduled):  
1. Parks and Recreation Advisory Committee (February 6, 2024).  
2. Transportation Advisory Committee (February 8, 2024).

Parks & Recreation Advisory Committee Chair Dave Dobbs provided the report. The Committee heard the year-end San Tan Youth Football League report from League President Adam NeVille; the Cost Analysis and Fee Study presented by Jess Myott; a Parks & Trail project update; a special events update and there was a discussion on volunteer opportunities. The next meeting is scheduled for May 14.

Transportation Advisory Committee (TAC) Chair Bob Adelfson provided the report. The Committee approved the TAC 2024 Work Plan; heard updates from Planning Administrator Erik Swanson on private development; Capital Improvement Program Updates from CIP Manager Brad Novacek; and Public Works Director Mohamed Youssef provided an update on the State Route 24 extension and the Transportation Master Plan. The next meeting is scheduled for May 9.

**8) Public Comments:**

James Russell, 1362 S Vineyard, #2084, Mesa 85210 encouraged the Council to establish a 35 MPH around Heritage Academy and addressed parking concerns on


Alamosa Rd.

9) **Consent Agenda:**

- 9.A) Consideration and possible approval of the February 7, 2024 Regular Session minutes.

**Department:** Town Clerk's Office

Staff Report 

Minutes - DRAFT 

- 9.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 

- 9.C) Consideration and possible approval for fire apparatus repairs and refurbishment to the ladder truck recently purchased by the Town as a reserve ladder truck utilizing cooperative contract #2020-007 with Hughes Fire Equipment in the amount of \$115,000 and necessary budget adjustment in the amount of \$115,000.

**Department:** Fire & Medical

Staff Report 


Town Contract #2020-007 Hughes Fire Equip.pdf 

- 9.D) Consideration and possible approval of a Project Order No. 05 with Y2K Engineering, LLC. for professional traffic engineering and related design services for a traffic signal at Riggs Road and Harvest Lake Drive (CIP Project No. I0082) in an amount not to exceed \$50,318 and a related budget adjustment totaling \$50,318 from CIP Contingency.

**Department:** Capital Improvement Projects

Staff Report 

I0082 Project Site Location Exhibit.pdf 


I0082 Project Order No. 5 for Y2K Engineering, LLC.pdf 

I0082 Proposal for Traffic Engineering Services.pdf 

- 9.E) Consideration and possible approval of a change order, Amendment #4, for the Versaterm records management contract for the addition of the CI Technologies EI Pro and Public Portal software, SPIDR Tech Victim notification software, Visual Labs camera systems, the required interfaces, and professional services, in an amount not to exceed \$180,000. (Budgeted Item)

**Department:** Police


Staff Report 

QCPD\_Versaterm Amendment 4.pdf 

- 9.F) Consideration and possible approval of the First Amendment to the Utility Rate Study Services Agreement with Stantec Consulting Services Inc. for professional services increasing the total contract amount by \$241,475 for a total amount not to exceed \$508,500.

**Department:** Finance


Staff Report 

First Amendment to the Utility Rate Study Services Agreement 


- 9.G) Consideration and possible approval of Resolutions related to the financing of water rights acquisitions and utility infrastructure projects by: (1) adopting Resolution No. 1566-24 approving and authorizing the execution and delivery of a First Supplement to Third Subordinate Lien Trust Agreement; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such Resolution; (2) adopting Resolution No. 1567-24 declaring official intent to be reimbursed in connection with certain capital expenditures; (3) authorizing proceeds in an amount not to exceed \$40 million from the 2021 U.S. Bank Interim Loan to be used for the purchase and sale of a lot with groundwater rights and escrow instructions, located within Harquahala Acres, Maricopa County, Arizona; and (4) authorizing the Town Manager, Town Clerk and Town Attorney to modify, negotiate, finalize and sign all documents necessary to effectuate the transaction.

**Department:** Finance

Staff Report 

Resolution No. 1566-24 


First Supplement to Third Subordinate Lien Trust Agreement 


Resolution No. 1567-24 

- 9.H) Consideration and possible approval of Resolution 1568-24 approving the Town Center/Downtown Core Plan.

**Department:** Economic Development

Staff Report 


Resolution 1568-24 


Town Center Plan/Downtown Core Update Priority Action Plan 

- 9.I) Consideration and possible approval of Amendment 1 to Resolution 1561-24 designating the Primary Election and General Election dates and purposes of the elections; designating the deadlines for voter registration; and designating the place and last date for candidates to file nomination papers pursuant to HB 2785 signed by Governor Hobbs on February 9, 2024 with an emergency measure that is operative immediately as provided by law.

**Department:** Town Clerk's Office

Staff Report 

Resolution 1561-24 (Amend 1) 

Resolution 1561-24 (Amend 1) - SPA 

Town Attorney Scott Holcomb pulled Item 9.I) for comment. Mr. Holcomb recognized Town Clerk Maria Gonzalez for her efforts regarding the actions needed as a result of the Primary Election date change.

**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, Council Member, Robin Benning, Council Member, Leah Martineau, Vice Mayor, Bryan McClure, Council Member, Dawn Oliphant, Council Member, Travis Padilla, Council Member

**10) Public Hearing Consent Agenda:**


None.


**11) Public Hearings:**


- 11.A) Public hearing and possible action on Ordinance 832-24 Magma PAD Rezone (P23-0081), and Magma Site Plan (P23-0131), a request to rezone approx. 0.5 acres from R1-43 to DC PAD to allow for the reuse and modification of the existing building for a restaurant/retail use with associated site improvements.


**Department:** Development Services


Staff Report 


[Aerial Exhibit.pdf](#) 


[General Plan Exhibit.pdf](#) 

[Existing Zoning Exhibit.pdf](#) 

[Proposed Zoning Exhibit.pdf](#) 

[PAD Narrative.pdf](#) 

[Site Plan.pdf](#) 

[Landscape Plan.pdf](#) 

[Neighborhood Meeting Summary.pdf](#) 

[Ordinance 832-24 Magma Engineering.pdf](#) 

[Staff Presentation.pdf](#) 

Planner Mallory Ress presented the Magma PAD Rezone and Site Plan for 0.5 acres from R1-43 to Downtown Core Pad for the reuse and modification of an existing building for a restaurant and retail. Ms. Ress outlined the site location and surrounding properties. Ms. Ress discussed deviations being requested that relate to parking and landscaping. She reviewed the architectural design and building elevations for the project and said it is consistent with the surrounding area. She said a neighborhood meeting was held with no opposition to the project and staff and the Planning Commission are in support.

Greg Davis, I Plan Consulting, provided a brief history of the site and the building and said the proposed primary use is for a restaurant with some retail uses to be determined. Mr. Davis said the Downtown Core Zoning will allow flexibility and help create a walkable downtown core which is the Town's vision for the area. He discussed the improvements, code updates, landscaping and design being proposed. Mr. Davis discussed access, onsite parking and shared overflow parking and the challenges for infill projects. He said the applicant understands that retail uses will be limited somewhat because of parking and spoke about other current and long term solutions for parking in that area.

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

Council thanked Magma Engineering for their business in Town for many years and were in support of the new project and the updates it will bring to the area.

**MOTION:** To approve Ordinance 832-24 Cases P23-0081 Magma PAD Rezone and P23-0131 Magma Site Plan, subject to the Conditions of Approval outlined in this report.

**RESULT:** Approved unanimously (7-0)

**MOVER:** Robin Benning, Council Member

**SECONDER:** Jeff Brown, Council Member

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

**12) Items for Discussion:**

12.A) Presentation and update by Tony Smith, President/CEO for the Pinal Partnership

Tony Smith, President/CEO for the Pinal Partnership, reviewed the organizational structure and membership for Pinal Partnership. He said monthly breakfast events, various committees and specific projects help to achieve their mission to promote economic development and prosperity for our communities. He said discussions range from community issues, hot topics, problem solving and he said the partnership also provides a valuable networking resource. Mr. Smith discussed current projects and upcoming events.

Council thanked Mr. Smith and the Pinal Partnership for the support provided to the county, the region and to Queen Creek and thanked him for his contributions.


Presentation - Pinal Partnership 

**13) Final Action:**

13.A) Consideration and possible approval of Resolution No. 1565-24 accepting the Town's Fiscal Year 2022-23 financial statements and audit reports.

**Department:** Finance

Staff Report 


Resolution No. 1565-24 accepting the FY 2022-23 Annual Comprehensive Financial Report (ACFR) and associated financial reports 


Auditor's Presentation 

FY 2022-23 Financial Results Presentation 


The Town's Annual Comprehensive Financial Report (ACFR) 

Single Audit Report 

Staff memo re. Responses to Audit Findings and Comments 

Governance Letter 

Highway User Revenue Letter 

Annual Expenditure Limitation Report 

Finance Director Scott McCarty introduced Auditor Jean Dietrich from the independent auditing firm CliftonLarsonAllen. He said the auditors work directly for Council. Ms. Dietrich presented the results of the Queen Creek Audit for the fiscal year ending June 30, 2023. She discussed the auditing process and said the Town received an unmodified opinion or a “clean” opinion. She presented an overview of the Reporting Package including the findings and recommendations as follows:

1. Communication to Governance – no uncorrected misstatements were found
2. Annual Comprehensive Financial Report –(includes basic financial statements) unmodified clean opinion (the highest level achieved)
3. Single Audit Report – no weaknesses identified / clean unmodified opinion
4. HURF Compliance - determined that Town is in compliance
5. Expenditure Limitation Report – Town was well within expenditure limitations

Finance Director Scott McCarty reviewed FY2022-23 financial results. He said there was a slight delay in completing this year’s financial statements however issues have been resolved. Mr. McCarty reviewed operating funds and said revenues exceeded expectations. He provided an overview of infrastructure projects and costs; debt management; and pension funding.





**MOTION:** To approve Resolution No. 1565-24 accepting the Town's Fiscal Year 2022-23 financial statements and audit reports.  
**RESULT:** Approved unanimously (7-0)  
**MOVER:** Leah Martineau, Vice Mayor  
**SECONDER:** Robin Benning, Council Member  
**AYES:** Julia Wheatley, Mayor, Jeff Brown, Council Member, Robin Benning, Council Member, Leah Martineau, Vice Mayor, Bryan McClure, Council Member, Dawn Oliphant, Council Member, Travis Padilla, Council Member


- 13.B) Consideration and possible approval of Resolution No. 1557-24 accepting the Town's Fiscal Year 2022-23 Development Impact Fee and Capacity Fee Reports.


**Department:** Finance

Staff Report 

Resolution No. 1557-24 

Presentation: Acceptance of the FY 2022-23 Impact and Capacity Fee Reports 

Final FY 2022-23 Development Impact Fee Annual Report 

Final FY 2022-23 Capacity Fee Annual Report 

Finance Director Scott McCarty summarized the impact and capacity fee reports for FY 22-23. He explained the purpose of the fees which are one-time fees paid by new development to mitigate the cost of new infrastructure. State law provides guidance on the fees and an annual report for impact fees is required by State Law. The state law is silent on the annual report for capacity fees, however Town policy requires an annual report for both impact and capacity fees. Mr. McCarty provided a financial summary and a proposed calendar timeline for the process to conduct an impact fee update.

**MOTION:** To approve Resolution No. 1557-24 accepting the Town's Fiscal Year 2022-23 Development Impact Fee and Capacity Fee Reports.  
**RESULT:** Approved unanimously (7-0)  
**MOVER:** Bryan McClure, Council Member  
**SECONDER:** Robin Benning, Council Member  
**AYES:** Julia Wheatley, Mayor, Jeff Brown, Council Member, Robin Benning, Council Member, Leah Martineau, Vice Mayor, Bryan McClure, Council Member, Dawn Oliphant, Council Member, Travis Padilla, Council Member

- 14) **Adjournment:**

The Town Council meeting adjourned at 8:02 p.m.

TOWN OF QUEEN CREEK

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Leah Martineau, 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 February 21, 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: \_\_\_\_\_