



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

Council Member Brown attended remotely.

3) Pledge of Allegiance:

Led by Council Member Benning.

4) Invocation/Moment of Silence:

Curt McReynolds, the Campus Pastor for Christ's Church of the Valley Queen Creek provided the invocation.

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

5.A) Star Student Recognition

Mayor Wheatley introduced the Star Students program which recognizes Queen Creek students for their exemplary citizenship, service and integrity. The following students were recognized by Mayor & Council: Bowman Sunderhaus, Jack Barnes Elementary School; Presley Taylor, Queen Creek Elementary School; Parker Sutley, Frances Brandon Pickett Elementary; Madeline Gough, Faith Mather Sossaman Elementary; Jaxson

Davis, Katherine Mecham Barney Elementary and Amni Perez, Desert Mountain Elementary School.

Mayor Wheatley also recognized the school principals and teachers and thanked local businesses who helped celebrate our students including Cold Stone Creamery, Jeremiah's Italian Ice, Dairy Queen, Bahama Buck's and Menchie's Frozen Yogurt.

5.B) Proclamation: National Volunteer Week

Mayor Wheatley read the proclamation for National Volunteer Week and spoke about the volunteer program in Queen Creek. She thanked Volunteer Coordinator, Kim Nishihara for putting together a successful volunteer program and said the Town will recognize their volunteers at an appreciation event next week.

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):

1. None.

7) Public Comments:


There were no public comments.

8) Consent Agenda:

8.A) Consideration and possible approval of the April 3, 2024 Regular Session minutes.

Department: Town Clerk's Office


Staff Report 


Minutes 04-03-24 DRAFT.pdf 

8.B) Consideration and possible approval of the reappointment of Grant Tayrien, Nancy Hormann, Marc Valenzuela, Perry Berry, Brian McKean, Nate Knight, Brent White and the appointment of Neil Calfee and James Smith to the Economic Development Commission.

Department: Economic Development

Staff Report 


Notice of Interest forms for the recommended new appointments 

Copy of the bylaws for the Economic Development Commission 

- 8.C) Consideration and possible authorization to the Mayor to sign onto a letter of support seeking appropriations for Arizona's Environmental Infrastructure Program through the U.S. Army Corps of Engineers.

Department: Town Manager's Office


Staff Report 

AZLTC letter to Stanton re EI projects.pdf 

- 8.D) 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.E) Consideration and possible approval of Salt River Project Agricultural Improvement and Power District contracts 4220639, 4220930, and 4221110 for the Hawes Road from Rittenhouse Road to Ocotillo Road Improvement Project (CIP Project No. A0401) in the combined amount not to exceed \$778,364, and a budget adjustment from CIP Contingency totaling \$778,364.


Department: Capital Improvement Projects


Staff Report 

A0401 SRP Design Staff Report.pdf 

A0401 Project Location Exhibit.pdf 

SRP Contract 4220639.pdf 


SRP Contract 4220930.pdf 

SRP Contract 4221110.pdf 

- 8.F) Consideration and possible approval of a Uniform Video Service License Agreement with Orbitel Communications, LLC.

Department: Town Manager's Office

Staff Report 

[Queen Creek UVSLA 3-24 ORBITEL.pdf](#) 


[Queen Creek Application & Affidavit 3-24 ORBITEL.pdf](#) 


- 8.G) Consideration and possible approval of Project Order #2 with Arrington Watkins Architects for the FOF Fleet Maintenance Facility (CIP Project No. MF026) in an amount not to exceed \$1,969,618 and a budget adjustment from contingency totaling \$669,618.

Department: Capital Improvement Projects

[Staff Report](#) 

[MF026 Staff Report.pdf](#) 


[MF026 Project Location Exhibit.pdf](#) 

[MF026 Project Order #2.pdf](#) 


- 8.H) Consideration and possible approval of Amendment #3 to Delegation Resolution #1468-22 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 Arizona State Land Infrastructure Improvements Project (CIP project no. AR100) and increasing the original Delegation Resolution amount by \$8,737,526 for a total amended amount not to exceed \$85,659,229. (This is a FY 23/24 Budgeted Item)


Department: Capital Improvement Projects

[Staff Report](#) 

[AR100 Staff Report.pdf](#) 

[AR100 Project Location Exhibit.pdf](#) 


[AR100 DR 1468-22 Amend #3.pdf](#) 


[AR100 DR 1468-22 Exhibit 1.pdf](#) 


- 8.I) Consideration and possible approval of Resolution 1585-24 approving the Purchase and Development Agreements with A.T. Meridian Real Estate L.L.C for the proposed development on the +/- 2 acres of Town owned land located North of the United States Postal Service Office in 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 agreements.

Department: Economic Development

[Staff Report](#) 

[Resolution 1585-24](#) 


Copy of the Development Agreement 

Copy of the Purchase Agreement 

- 8.J) Consideration and possible approval of Ordinance No. 833-24 of the common council of The Town of Queen Creek, Arizona, amending the Queen Creek Town Code Chapter 9, Article 9-4-4, Fireworks.

Department: Fire & Medical

Staff Report 

Firework Ordinance 883-24.pdf 

Council Member Benning declared a conflict regarding Consent Agenda Item 8(I) and requested a separate vote in order to recuse himself.

MOTION: To approve the Consent Agenda less item 8(I)
RESULT: Approved unanimously (7-0)
MOVER: Dawn Oliphant, 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

MOTION: To approve Consent Agenda Item 8(I), a Resolution 1585-24 approving the Purchase and Development Agreements with A.T. Meridian Real Estate L.L.C for the +/- 2 acres of Town owned land located North of the United States Postal Service Office in 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 agreements.
RESULT: Approved unanimously (6-0)
MOVER: Leah Martineau, Vice Mayor
SECONDER: Dawn Oliphant, Council Member
AYES: Julia Wheatley, Mayor, Leah Martineau, Vice Mayor, Jeff Brown, 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) Public hearing and possible adoption of Resolution No. 1584-24 to amend the existing new water meter installation fees.

Department: Finance

Staff Report 

Resolution No. 1584-24 Related to New Water Meter Installation Fees 

Presentation 

- 9.B) A CONTINUANCE ON THIS CASE HAS BEEN REQUESTED TO THE MAY 1, 2024 COUNCIL MEETING. Public Hearing and possible action on Cases P23-0020 and P23-0165 Home Depot CUP and Site Plan Amendment, a request from Cassandra Permenter, Scott A Mommer Consulting, to amend the existing Site Plan and for a Conditional Use Permit to accommodate additional display areas, storage areas, and rental equipment, including rental trucks, within the existing parking lot, located within Power Marketplace, east of the northeast corner of Power and Rittenhouse roads.

Department: Development Services

Staff Report 

MOTION: To approve the Public Hearing Consent Agenda

RESULT: Approved unanimously (7-0)

MOVER: Robin Benning, Council Member

SECONDER: Dawn Oliphant, 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 Hearings:

None.

11) Items for Discussion:


- 11.A) Discussion on proposed text amendments to allow administrative approval of Final Plat and Residential Design Review applications.


Department: Development Services

Staff Report 

DRAFT - RDR Approval TA Zoning Ordinance Redlines.pdf 

DRAFT RDR Approval Design Standards Redlines.pdf 

DRAFT - Final Plat Approval - Subdivision Ordinance Redlines.pdf 

Text Amendments - Final Plat and RDR Approval WS.pptx 

Senior Planner Sarah Clark presented the proposed text amendments allowing administrative approval of applications. Ms. Clark said this is a follow up from the 2024 Council Strategic Planning Session where proposed efficiencies were presented to Council. She provided an update on areas where staff is making improvements as requested by Council.

1. Residential Design Review (RDR) - Applications proposed to be reviewed administratively (rather than Commission review and approval); disagreements or non-compliance issues would be resolved using a similar process that is used in Site Plan applications
2. Final Plats - Approval authority would be by the Development Services Director (rather than Council review and approval)

Ms. Clark said that this will result in approximately two month time savings for each application if approved administratively. She said there will also be general clean-up of outdated or duplicate information in the proposed text amendments.

Ms. Clark said the next steps will be to hold a public hearing at the May 8 Planning Commission Meeting and presentation for final approval at the May 15 Town Council Meeting.

Council Member Padilla asked for an explanation of the current process for Final Plat applications. Staff explained the process in detail and said the items are typically on the Consent Agenda with no issues and spoke on the time savings for the development community and staff.

Council commented on how the changes will help the development community and staff in regards to moving the process along and said it is a positive change for all involved.

Mayor Wheatley echoed those comments and said the Arizona Chamber of Commerce & Industry just announced that the *2024 Best City for Business* is the Town of Queen Creek. She said that although this is a change to residential review being discussed tonight, this truly speaks to what we are trying to accomplish.


12) Final Action:

- 12.A) Consideration and possible approval of Resolution 1586-24 seeking state legislation to ensure the protection of witnesses' names in the release of public records related to criminal investigations.

Department: Town Manager's Office

Intergovernmental Relations Director Heather Wilkey discussed a resolution that is seeking State legislation to ensure the protection of witnesses' names in the release of public records related to criminal investigations. She provided background history on the current law for witness protection details but said that the current law does not protect the name of the witness itself. Ms. Wilkey outlined the proposed solution to amend *Arizona Revised Statute § 39-123.01* to include the names of all adult witnesses, ultimately barring them from being publicly disclosed in the release of public records.

[Staff Report](#) 

[Witness Public Records Resolution.pdf](#) 

MOTION: To approve Resolution 1586-24 seeking state legislation to ensure the protection of witnesses' names in the release of public records related to criminal investigations.

RESULT: Approved unanimously (7-0)

MOVER: Dawn Oliphant, 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

13) Adjournment:

The Town Council reconvened into Executive Session at 7:09 p.m. The Regular Session reconvened and adjourned at 7:55 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 April 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: _____