



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, May 1, 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

3) Pledge of Allegiance:

Led by Mayor Wheatley.

4) Invocation/Moment of Silence:

Reverend Sylvia Harris, Song of Life Methodist Church 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: Brooke Matthews, Queen Creek Junior High School; Nicholas Cartagena, Queen Creek High School; Roger Bell III, Queen Creek Virtual Academy; and Pierce Rothmeyer, Queen Creek Virtual Academy.

Mayor Wheatley thanked the Queen Creek schools, principals and teachers for helping to recognize the students. She also thanked local businesses Cold

Stone Creamery, Jeremiah's Italian Ice, Dairy Queen, Bahama Buck's and Menchie's Frozen Yogurt for their donations.

5.B) Proclamation: Economic Development Week

Mayor Wheatley recognized Economic Development Week held May 6-10 and the staff who promote well-being and quality of life for their communities; attract and retain high-quality jobs and promote the creation, retention and expansion of jobs that facilitate growth, enhance wealth, and provide a stable tax base.

Mayor Wheatley announced that Queen Creek's Economic Development Director Doreen Cott was named Economic Developer of the Year for a Medium-Sized Community by the Arizona Association for Economic Development. Mayor and Council presented the award to Ms. Cott and thanked her for her accomplishments and the work she does for our community.

5.C) Proclamation: Small Business Week

Mayor Wheatley recognized Small Business Week, which began April 28 and continues through the end of this week.

5.D) Proclamation: Travel and Tourism Week

Mayor Wheatley recognized Travel and Tourism Week, which will be held May 19-25.

5.E) Proclamation: Public Works Week

Mayor Wheatley recognized Public Works Week held May 19-24. She said our Queen Creek Public Works professionals focus on infrastructure, facilities and services that are of vital importance to keeping Queen Creek sustainable and resilient. She thanked the Queen Creek Public Works staff under the direction of Mohamed Youssef.

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.

Agenda Item 6A - Committee Reports.pdf 

Council Member Brown commented on the Maricopa County Animal Care & Control East Valley Shelter Ribbon Cutting he attended on May 1. He encouraged residents to visit the new facility and adopt a pet in need.

6.B) Committee and outside agency reports (only as scheduled):

1. None.

7) **Public Comments:**


Bridget Vega shared her concerns regarding teen violence.

8) **Consent Agenda:**

- 8.A) Consideration and possible approval of the April 17, 2024 Regular Session minutes.

Department: Town Clerk's Office


Staff Report 

Draft Minutes 04-17-24.pdf 

- 8.B) Consideration and possible approval of the April 8 and April 9, 2024 Town Council Budget Meeting minutes.

Department: Town Clerk's Office


Staff Report 

Budget Minutes 04-08-24 -04-09-24 Draft.docx 

- 8.C) 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 - May 1, 2024.pdf 

- 8.D) Consideration and possible approval of Job Order #02 under Contract 2023-039 with Nesbitt Contracting Co., Inc. for the Town Center Structure Demolition (CIP Project No. TC020) totaling \$84,041 (FY23/24 budgeted item within the Town Center Fund).

Department: Capital Improvement Projects

Staff Report 

TC020 Project Site Exhibit.pdf 


TC020 Nesbitt Job Order #2.pdf 


- 8.E) Consideration and possible approval of Job Order #002 with Haydon Companies LLC. for the Wales Ranch Sewer Line Extension (CIP Project No. WW104) in an amount not to exceed \$676,650 and related budget adjustments.

Department: Capital Improvement Projects

Staff Report 

WW104 Wales Ranch Sewer Staff Report.pdf 

WW104 Project Site Map.pdf 

WW104 Haydon Job Order #002.pdf 


- 8.F) Consideration and possible approval of three items: (1) A budget adjustment totaling \$1,036,987 from Contingency and to the Town Center Streets: Aldecoa Drive, Munoz Street and Summers Place Improvements (CIP Project No. AR050) to true up the total budget programmed for this project as reflected in the Town's five-year Capital Improvement Plan, per the Town's newly adopted budgeting approach for CIP non-priority projects; (2) A budget adjustment to true up the funding required among the three funding sources wastewater, water and roads, which has a net zero impact; and (3) Amendment #03 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 the construction and completion of the Town's Center Streets: Aldecoa Drive, Munoz Street and Summers Place Improvements (CIP Project No. AR050) increasing the total Resolution amount by \$370,605 for a total amended Resolution not to exceed the amount of \$14,196,095.


Department: Capital Improvement Projects

Staff Report 

AR050 Town Center Streets Staff Report.pdf 

AR050 Project Site Exhibit.pdf 

AR050 DR 1461-22 Amend 03.pdf 

AR050 DR Amend #3 Exhibit 1.pdf 

- 8.G) Consideration and possible approval of Resolution 1587-24 creating Street Light Improvement District Number 143, (No. 2024-015 for Fulton Homes Barney Farms Phase 3).

Department: Development Services

Staff Report 

Aerial Map - Fulton Homes Barney Farms Phase 3.pdf 

Resolution 1587-24 - Fulton Homes Barney Farms Phase 3.pdf 


Attachments - Fulton Homes Barney Farms Phase 3.pdf 

- 8.H) Consideration and possible approval of Resolution 1588-24 creating Street Light Improvement District Number 164, (No. 2024-014 for Jorde Farms Phase 2).

Department: Development Services

Staff Report 

Aerial Exhibit - Jorde Farms Phase 2.pdf 


Resolution 1588-24 - Jorde Farms Phase 2.pdf 

Attachments - Jorde Farms Phase 2.pdf 

- 8.I) Consideration and possible approval of Resolution 1589-24 approving the transfer of approximately 3 acres of water service area from the Town of Queen Creek to EPCOR Water Arizona, Inc. and authorizing and directing the Town Manager and Town Attorney to take all actions necessary to carry out the final negotiation, drafting, execution and implementation of the transfer.

Department: Utilities

Staff Report 

Resolution 1589-24 

MOTION: To approve the Consent Agenda.

RESULT: Approved unanimously (7-0)

MOVER: Bryan McClure, Council Member

SECONDER: Robin Benning, Council Member

AYES: 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


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 012 Restaurant Liquor License application submitted by Andrea Dahlman Lewkowitz on behalf of Macayo's Mexican Food located at 24460 E Ocotillo Road, Queen Creek.

Department: Town Clerk's Office

Staff Report 

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

LGB Public Report 

QCPD Report 

- 9.B) 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 southeast corner of Power and Rittenhouse roads


Department: Development Services


Staff Report 


Aerial 


General Plan 


Zoning Map 

Site Plan 

Project Narrative 

Parking Analysis 

Letter in Support 

Staff Presentation 

- 9.C) **A CONTINUANCE HAS BEEN REQUESTED ON THIS CASE TO JULY 17, 2024.** Public Hearing and possible action on Case P23-0186 Rain Deck Bus Storage CUP, a request from Greg Davis, IPlan Consulting, for Conditional Use Permit approval to allow for the outdoor storage of school buses within the existing fenced property, located north of the Northeast corner of Ellsworth and Rittenhouse roads

Department: Development Services

Staff Report 

MOTION: To approve the Public Hearing Consent Agenda.

RESULT: Approved unanimously (7-0)

MOVER: Jeff Brown, Council Member

SECONDER: Robin Benning, Council Member

AYES: 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

10) Public Hearings:


10.A) **A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO MAY 15, 2024.** Public Hearing and possible action on Ordinance no. 834-24, case P23-0185 Queen Creek Industrial Campus a request to Rezone the subject site from EMP-B (General Industrial District) to EMP-B with a PAD Overlay to allow additional building heights up to 120'. The approximate 240-acre site is located at the southeast corner of Crismon and Germann roads.

Department: Development Services

There were no comments regarding the request for continuance from the applicant, staff or the public. The public hearing for this item will occur on May 15, 2024.

Staff Report 

Aerial Exhibit.pdf 


Existing Zoning.pdf 

Proposed Zoning.pdf 


QCIC - Site Plan Height Exhibit v2 (1).pdf 

General Plan.pdf 

QCIC - Site Section (1).pdf 

QCIC - Proposed Access Locations v2 (1).pdf 

QCIC - PAD Narrative v2 (1).pdf 

Ord 834-24.pdf 

Council QCIC Staff Presentation.ppt 

MOTION: To approve a continuance to the May 15, 2024 Town Council meeting.
RESULT: Approved unanimously (7-0)
MOVER: Jeff Brown, 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

- 10.B) **THIS ITEM WAS OFFICIALLY WITHDRAWN BY THE APPLICANT. A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO JUNE 5, 2024. Public Hearing and possible action on Ordinance No. 835-24, Cases P23-0141 and P23-0142 Beckett Power Ranch Rezoning and Site Plan. The request is to Rezone the approximate 16.8 acre site from C-2 (General Commercial) to HDR (High Density Residential) along with Site Plan approval for the development of a 340-unit multi-family development. The subject site is located east of the northeast corner of Germann and Power roads.**

Department: Development Services

Development Services Director Brett Burningham provided an update and said the Town received a written request by the applicant to withdraw Item 10.B at 5:36 p.m. tonight. He said a withdrawn application means the application has been canceled and it is closed. He said, in theory, if they wished to start over again a new application would be needed and it would be a brand new case.

Council Member Brown noted that this is the second withdrawal for this case by the applicant and supported hearing feedback from residents.

Mayor Wheatley said that although the item was formally withdrawn at 5:36 p.m. by the applicant, we are allowing those in attendance wishing to be heard to provide comments. The following requested to speak:

- Joe Kolnick, 18585 E Raven Drive, Queen Creek spoke in opposition to the project.
- Andrew Bennett, 21899 E Puesta del Sol, Queen Creek spoke in opposition to the project.
- Connie Johnston, 18954 E Raven Drive, Queen Creek, spoke in opposition to the project.
- Victoria Obenour, 18646 E Seagull Drive, Queen Creek, spoke in opposition to the project.
- Meagan Zornes, 18892 E Seagull Drive, Queen Creek, spoke in opposition to the project.


Council thanked the residents for providing feedback in various formats throughout the process and said they listen to the concerns of all residents. They encouraged residents to stay engaged and stressed the importance of attending neighborhood meetings and


said they rely on feedback.


Comments from Council were in regards to the zoning change from commercial to residential and weighing what is in the best interest for the location. They commented on maintaining working relationships with developers; multifamily projects; private property rights; and the vision for the area and the Town. They did not support the rezone from commercial to residential for this parcel.


Mayor Wheatley said since the item was withdrawn a vote will not be taken.

[Staff Report](#) 


[Aerial Exhibit.pdf](#) 

[General Plan Map.pdf](#) 

[Current Zoning Map.pdf](#) 

[Proposed Zoning Exhibit.pdf](#) 


[Development Booklet.pdf](#) 

[Beckett Power Ranch Neighborhood Meeting Summaries.pdf](#) 

[Support - All.pdf](#) 

[Opposed - Residents.pdf](#) 

[Opposed - Non Resident.pdf](#) 

[Ord 835-24.pdf](#) 

[Council Presentation.pdf](#) 

11) **Items for Discussion:**

11.A) Discussion regarding nighttime construction for public and private construction and pavement preservation projects.


Department: Public Works

Development Services Director Brett Burningham presented information on construction options for private development. He reviewed the Queen Creek Town Code and when construction activities can occur during the year. He said no construction is allowed on Sundays and holidays, however emergency repairs can occur anytime.

Mr. Burningham said a Nighttime & Holiday Construction Permit (NHCP) was established in 2022 for consideration for unique construction projects (private and public) and he reviewed the application criteria. He provided examples which could include pouring concrete floors, impact on traffic, large equipment concerns or for projects not adjacent to residential.

Public Works Director Mohamed Youssef discussed pavement preservation maintenance and traffic control work which can often occur at night to minimize impact on traffic. He discussed the costs, strategies and the schedule for preventative maintenance in the Town.

Capital Improvement Project (CIP) Director Dave Lipinski said nighttime construction is considered when the impact to the traveling public would be substantial and also to complete large concrete pours. He discussed the pros and cons of night work for CIP projects and provided examples where it has been used in Town and how they inform area residents.

Nighttime Construction Presentation 

12) Final Action:

12.A) Consideration and possible action on the Town's FY 2024-25 Tentative Budget of \$723.8M and Request to set the Public Hearing for May 15, 2024 for the Final Budget per requirements under Arizona State Statutes.

Department: Finance

Town Manager Bruce Gardner presented the tentative budget of \$723.8M and explained the budget process. He said one of the Council's top priorities is to consider and adopt a balanced budget that is used as a spending plan and a communication tool and reflects the priorities of the Corporate Strategic Plan. Mr. Gardner thanked the Finance Department, the Department Directors and staff for their work on the budget. Finance Director Scott McCarty outlined the budget calendar and the two changes that were a result of the recommendations from Council from the Town Council Budget Committee Meeting: 1) elimination of the 0.25% Town Center sales tax and 2) addition of a Water Conservation position.; Mr. McCarty provided the following highlights of the FY24-25 Budget:

- New Financial Policies for this budget include 1) eliminate the 0.25% Town Center Tax; 2) voter approved property taxes will NOT be used to fund infrastructure; 3) create a \$10M construction sales tax revenue cap and a pay-as-you-go infrastructure reserve in the Operating Budget; 4) create an Operating Budget Fund Balance Policy; and 5) create an Operating Capital Funding Policy
- The total budget is \$723.8M, reduced 17% from prior year, with \$13.6M in tax and fee reductions
- Paying off \$1.7M of outstanding debt and avoiding \$309K of interest expense
- 87 new staffing positions; increases service levels; majority of new positions in Police Department Strong reserves continue; aggressive infrastructure construction continues

- FY 24-25 Operating Expenses total \$163.5M with a majority in Transportation, Fire & Medical, Parks & Recreation and Police which ties into the Corporate Strategic Plan
- Large priority projects total \$288M were highlighted

Mr. McCarty said adopting the budget is a two-step process required under State law. Tonight we are considering approval of the Tentative Budget of \$723.8M and setting May 15 as the date and time for the public hearing to adopt the Final Budget. He said tonight we are setting the maximum budget amount which cannot change or increase once approved.

Mayor Wheatley said the budget review process was changed from a three-member Budget Committee to review by the full Council. She thanked Council and staff for the in-depth presentation that took place over two Council Budget Meetings on April 8 and 9.

Vice Mayor Martineau commented that she liked the new process to have the full Council attend the Budget Meetings and said it was very effective. She appreciated many aspects of the budget and said she looks forward to more discussion throughout the year on certain items within the budget.

Council Member Padilla appreciated the 17% reduction in the budget and other fiscally responsible items and applauded staff for the direction we are going. However, he said there are some areas of spending that he does not support and for that reason will not be voting in favor of the budget.

Council Member Brown appreciated the new financial policies and the fiscally conservative approach to the budget. He commented on the strategic manner in which we support public safety as the population grows. He supports the Parks Master Plan and said this builds a well-rounded community. He thanked staff for their work and innovative approach to the budget.

Mayor Wheatley said we are a rapidly growing community and we are still able to reduce the budget while focusing on our priorities including public safety, police, fire and parks. She commented on the need to provide something for our youths to do and said the new parks along with the Recreation Center and Aquatic Center will fill this need. Mayor Wheatley spoke on the significant tax and fee reductions and thanked the Town Manger and Finance staff for helping us achieve our goals with strategic financial decisions and policies.

[Staff Report](#) 

[Schedule of FY 2024-25 Tentative Budget by Fund](#) 

[Required State Budget Forms \(Schedules A-G\)](#) 

[FY 2024-25 Budget Meeting Follow-Up Memo](#) 

[FY 24-25 Tentative Budget Presentation](#) 

MOTION: To approve the Town’s FY 2024-25 Tentative Budget of \$723.8 million and set May 15, 2024 at 6:30 p.m. as the date and time of the public hearing for the FY 2024-25 Final Budget as required under Arizona State statutes.

RESULT: Approved (6-1)

MOVER: Jeff Brown, Council Member

SECONDER: Bryan McClure, Council Member

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

NAYS: Travis Padilla, Council Member

13) Adjournment:

The Town Council reconvened into Executive Session at 8:29 p.m. The Regular Session reconvened and adjourned at 10:08 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 May 1, 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: _____