



CITY OF SURPRISE
Regular City Council Meeting
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, September 21, 2021 @ 6:00PM

Call To Order

Invocation

Led by Pastor Steve Liebrecht.

Roll Call

Mayor Hall called to order the Regular City Council Meeting of September 21 2021 at 6:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Council Members: Cline, Judd, Hastings, Remley and Winters participated telephonically. (Excused - Vice Mayor Duffy)

Staff Present: City Manager, Michael Frazier; City Attorney, Ellen Van Riper and Deputy City Clerk, Linda Stevens.

Pledge of Allegiance

Willow Canyon High School-Key Club members.

City Manager Report

Ashlynn Miller and Bryson Wilke briefly address Mayor and Council about their club.

City Clerk Report

Call To The Public

CONSENT AGENDA:

Council Member Hastings made the motion to approve the consent agenda. Council Member Hastings seconded the motion. Six yes votes, one excused (Duffy), motion carried.

1. Consideration and action on the minutes of September 7, 2021 Regular City Council Work Session, Regular City Council Meeting and Executive Session - APPROVED

2. Consideration and action pertaining to the approval of the Final Plat entitled, "CCV North Surprise", and dated November 24, 2020, generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue. (Case FS20-557) - APPROVED

3. Consideration and action pertaining to approval of the Condominium Plat entitled, "Toll at Prasada Cottages" and dated August 23, 2021, an approximately 1.4975 acre property generally located west of Cotton Lane, between Cactus Road and Pieria Avenue. (Case FS21-432) - APPROVED

4. Consideration and action pertaining to approval of the Final Plat entitled, "Re-Plat of Lot 2 of Rancho Trugold" and dated August 25, 2021, an approximately 40.77 acre property generally located south of Waddell Road and east of 175th Avenue. (Case FS20-060) - APPROVED

6. Consideration and action declaring the intention to enlarge an existing lighting improvement district entitled, "SU-Paradise Honors 195" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2021-41 - APPROVED

7. Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Rico" Parcel A dated May 22, 2020, an approximately 46.6 acre property generally located at northwest corner of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution # 2021-137; Case FS18-485 - APPROVED

8. Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Rico" Parcel B dated May 22, 2020, an approximately 26.35 acre property generally located north of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution #2021-138; Case FS18-683 - APPROVED

9. Consideration and action pertaining to acceptance of a Drainage Easement from Randy and Catherine Brazil for roadway improvements along Peakview, near 171st avenue - APPROVED

10. Consideration and action pertaining to acceptance of a Warranty Deed from Randy and Catherine Brazil for Right of Way for roadway improvements at Peakview between 171st and 173rd Avenues - APPROVE

11. Consideration and action pertaining to acceptance of a Drainage Easement from the Lim Family Revocable Living Trust for roadway improvements along 171st Avenue and Dynamite - APPROVED

12. Consideration and action pertaining to approval of the Map of Dedication entitled, "Tierra Rico"; Resolution # 2021-139 - APPROVED

13. Consideration and action pertaining to acceptance of a Drainage Easement from the Steven Z Jones Living Trust, for roadway improvements along 171st Avenue and Olea Way - APPROVED

14. Consideration and action pertaining to acceptance of a Warranty Deed from Surprise Land Holdings, LLC for Right of Way for roadway improvements on Peakview between 173rd and 175th Avenues - APPROVED

15. Consideration and action pertaining to acceptance of a Drainage Easement from Surprise Land Holdings, LLC for roadway improvements along Peakview, near 171st Avenue - APPROVED

16. Consideration and action pertaining to acceptance of a Drainage Easement from John and Angela Thomas for roadway improvements along 171st Avenue near Dale Lane - APPROVED

17. Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$106,000 within the Highway User Capital Fund from Project A61070 to Projects A61712 and A61713 for the purchase of two street sweepers; Resolution # 2021-136 - APPROVED

18. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 5, generally located at W. Happy Valley Road between N. 149th Avenue and N. 155th Avenue; Resolution # 2021-141 - APPROVED

19. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 6, generally located at W. Happy Valley Road between N. 147th Avenue and N. 149th Avenue; Resolution # 2021-142 - APPROVED

20. Consideration and action to designate the City of Surprise Sports and Tourism Department as the designated official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT); Resolution #2021-143 - APPROVED

21. Consideration and action pertaining to the approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$137,800 from the Contingency Fund to the Arizona Office of Tourism Fund and increase the Arizona Office of Tourism Fund revenue budget in association with anticipated increased Prop.302 funding; Resolution #2021-144 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

22. Consideration and action pertaining to approval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs; Ordinance # 2021-16 - APPROVED

City Planner, Robert Kuhfuss reported on Ordinance 2021-16.

Council Member Remley - inquired about the deleted provisions - added provision that allows one additional sign. What was that all about?

Mr. Kuhfuss - P/Z is concerned about sign clutter, commented on changes to this type of sign after already spending 3 years on this.

Council Member Remley - currently 15 feet of the front door.

Mr. Kuhfuss - yes.

Council Member Remley - what are we proposing to change it to?

Mr. Kuhfuss - took out 1000' separation, saying that you can put your signs along the right of way if you are 20' apart not in sight triangle and not within 50' of curb return.

Council Member Judd - thank you for your years of service we wish you well. Without a business license requirement, how do we decide who's allowed to have a sign?

Mr. Kuhfuss - complicated, look at time place and manner restriction to the sign, he gave example of the challenging situations.

Council Member Judd - again, how do we decide who gets to put a sign out?

Mr. Abrams - referred to the graphic magenta, yellow for the different signs and enforcement.

Community Development Director, Chris Boyd - spoke of exemptions, churches and certain real estate.

Council Member Judd - inquired about free permits

Mr. Boyd - we can allow signs in the right of way right, it's then very difficult to regulate who puts a sign in. He spoke of enforcement and free permits.

Council Member Hastings - max number of signs for one business.

Mr. Kuhfuss - the language says in addition to the one that is 15'

No public comments were made.

Council Member Judd made the motion to approve Ordinance 2021-16. Council Member Remley seconded the motion. Five yes votes, two excused (Duffy and Winters), motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

23. Consideration and action pertaining to approval of a rezone of approximately 187 acres generally located south of Dynamite Boulevard and east of 163rd Avenue from Rural Residential (RR) and Planned Area Development (PAD) to Residential Low Density with a Planned Unit Development Overlay (RL-5 PUD); Ordinance # 2021-19; Case FS20-225 - APPROVED

City Planner, Sergio Angulo reported on Ordinance 2021-19.

Council Member Remley - first slide, for clarification asked for SUDC, PUD and LDO meaning.

Mr. Angulo - SUDC - Surprise unified development code, PUD - planned unit development and LDO - land development Ordinance

Council Member Hall - P/Z had modification concerns? It took time, we have to look at the applicant.

Mr. Angulo - at that point the LDO wasn't adopted.

Council Member Cline - spoke of P/Z issues and their concerns, lot area, pools. It appears they are trying to accomplish what we wanted them to accomplish.

Council Member Judd made the motion to approve Ordinance 2019-19. Council Member Judd seconded the motion. Six yes votes, one excused (Duffy), motion carried.

24. Consideration and action pertaining to approval of an amendment to the City of Surprise Budget Amendment Policies and Procedures; Resolution # 2021-98 - APPROVED

Finance Director, Andrea Davis reported on this item.

Council Member Cline made the motion to approve Resolution 2021-98. Council Member Hastings seconded the motion. Six yes votes, one excused (Duffy), motion carried,

Other Business and Future Agenda Items

City Council Reports

Mayor and Council attended and/or reported on the following:

Council Member Hastings - 9-11 memorial ceremony, Meet and Greet and new Council Conversation.

Council Member Remley - no report

Council Member Cline - Meet and Greets - Arizona Traditions and Arizona Grand location on 9/27

Council Member Judd - LAFB turned 74 recently, Air Force Ball, District 6 meet and greet at Freddy's.

Mayor Hall - attended AZ League of cities and towns

Council Member Judd made the motion to recess the Regular City Council Meeting and enter into executive session at 6:54 PM. Council Member Cline seconded the motion. Five yes votes, two excused (Duffy & Winters), motion carried.

Executive Session Items

25. Consideration and action to recess into executive session to discuss and consider final candidates for appointment to the position of City Manager pursuant to A.R.S. 38-431.03(A)(1).

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Adjournment

Council Member Judd made the motion to adjourn the Regular City Council Meeting of September 21, 2021 at 7:52 PM. Council Member Cline seconded the motion. Five yes votes, two excused (Duffy and Winters), motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, September 21, 2021.**

Sherry Ann Aguilar, City Clerk, MMC