



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

Tuesday, May 5, 2020 @ 6:00PM

Call To Order

Invocation

Moment of Silence

Roll Call

Mayor Hall called to order the Regular City Council Meeting of May 5, 2020 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 Vice Mayor Judd, Council Members; Winters, Hayden, Duffy, Sanders and Remley.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

National Day of Prayer Proclamation

City Manager Report

1. Reports

City Clerk Report

1. Reports

Call To The Public

Regular City Council Meeting Agenda

CONSENT AGENDA:

Vice Mayor Judd made the motion to approve the consent agenda excluding items 3 and 6. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

1. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Capital and Operating List of Items Over \$50,000 by increasing the AZ Municipal Risk Retention Pool premium line item by \$55,000; Resolution # 2020-45 - APPROVED

2. Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of April 21, 2020 - APPROVED

3. Consideration and action to approve a request by Jeffrey Craig Miller (Agent) for a Series 07 (Beer & Wine Bar) liquor license for Player 1 Arcade located at 17239 N. Litchfield Road, Ste. 60, Surprise, AZ 85374. - APPROVED WITH STIPULATION

Council Member Remley removed this item from consent. He inquired about their business hours.

City Clerk Aguilar explained that they are going to serve beer and wine after 5 PM to 21 and older during those hours.

Council member Remley - what is the necessity of remaining open until 2 AM, to play video games?

Mr. Ehlers via telephone - reported on their business model and business hours.

Council Member Remley - any other locations in the valley?

City Clerk Aguilar - Love to Play on Reems and Bell.

Mr. Ehlers - one in Gilbert that just opened

Council Member Remley what is the necessity of staying open until 2 AM?

Mr. Ehlers - reviewed the hours and stated that at this time they are planning on closing at midnight.

Council Member Remley - I'm confused about the LLC and who the real owners are. Any experience serving alcohol?

Mr. Ehlers - Kevin Miller and are half owner both have had alcohol training

Council Member Remley made the motion to approve the request by Jeffrey Craig Miller (Agent) for a Series 07 (Beer & Wine Bar) liquor license for Player 1 Arcade located at 17239 N. Litchfield Road, Ste. 60, Surprise, AZ 85374 with the stipulation not to stay open past midnight. Council Member Hayden seconded the motion. Four yes votes, three no votes (Judd, Sanders and Duffy), motion carried.

City Attorney Wingo clarified and stated: you are making a recommendation. The Liquor Board is not bound by the stipulation that they close at midnight. I'm sure the Liquor Board will consider that recommendation but I don't believe they will legally have to follow it.

4. Consideration and action pertaining to approval of a Final Plat entitled, "W Ranch" and dated February 26, 2020, an approximately 10.65 acre property generally located 3,000 feet west of the intersection of Litchfield and Waddell Roads - APPROVED

5. Consideration and action pertaining to the approval of the Final Plat entitled, "Civic Center Plaza" and dated April 4, 2020, an approximately 132.5 acre property generally bounded by Bell Road on the north, Greenway Road on the south, Litchfield Road on the east, and Bullard Avenue on the west - APPROVED

6. Consideration and action pertaining to approval of the Final Plat entitled, "Surprise Farms Villas" and dated January 22, 2020, an approximately 36.66 acre property generally located south of Bell Road and west of 175th Avenue, in the Surprise Farms PAD - APPROVED

Item #6 was removed by Council Member Winters.

Council Member Winters asked Mr. Abrams to give some highlights of Surprise Farms Villas.

Mr. Abrams gave a brief report.

Council Member Winters - is that similar to Christopher Todd?

Mr. Abrams - yes.

Council Member Winters made the motion to approve Final Plat entitled, "Civic Center Plaza" and dated April 4, 2020, an approximately 132.5 acre property generally bounded by Bell Road on the north, Greenway Road on the south, Litchfield Road on the east, and Bullard Avenue on the west. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

7. Consideration and action pertaining to conditional acceptance of the streets and public utility improvements at Austin Ranch West Parcel 5, generally located at N. 187th Avenue and W. Carlota Lane; Resolution # 2020-38 - APPROVED

8. Consideration and action pertaining to conditional acceptance of the public utility improvements at Toll at Prasada Phase 1 Unit 3, generally located at W. Cactus Road and N. Cotton Lane; Resolution # 2020-41 - APPROVED

9. Consideration and action pertaining to approval of the Final Plat entitled, "Rosiles Land Division" and dated February 19, 2020, an approximately 2.23 acre property generally located west of the 169th Avenue alignment and south of Dale Lane - APPROVED

10. Consideration and action declaring the intent to enlarge an existing lighting improvement district known as, "City of Surprise, Arizona SU-Prasada Phase 2A 192" pursuant to A.R.S. Â§ 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2020-42 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

11. Consideration and action pertaining to approval of the rezoning of 285.2 acres of the 637.4-acre Sycamore Farms Planned Area Development ("PAD") from Community Commercial (CC-PAD), Low Density Residential (LDR-PAD), and Medium Density Residential (MDR-PAD) to zoning including all of those zones with the addition of Medium High Density Residential (MHDR-PAD) with modification of land uses and development standards, generally located on the northwest corner of Peoria and Sarival Avenues; Ordinance # 2020-13 - APPROVED

City Planner, Hobart Wingard reported on this item.

Council Member Sanders - History of the park and are there any other plans?

Mr. Wingard - reported on a 50 acre park

Council Member Duffy - Just zoning not the plat, correct.

Mr. Wingard - that's correct.

No public comments were made.

Council Member Duffy made the motion to approve Ordinance 2020-13. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

12. Â Consideration and action pertaining to approval of the rezoning of 19.92 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a Planned Unit DevelopmentÂ (PUD) Overlay, generally located on the northeast corner of the Happy Valley Road and 151st Avenue alignments; Ordinance # 2020-11 - APPROVED

[Council Member Winters asked if the developer has agreed to take care of 151st Avenue?](#)

[Council Member Winters made the motion to approve Ordinance 2020-11. Council Member Hayden seconded the motion. Seven yes votes, motion carried.](#)

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

13. Consideration and action adopting the tentative expenditure limitation budget for FY2021 and directing publication of said tentative budget; Resolution # 2020-43 - APPROVED

[Andrea Davis and Holly Osborn gave a powerpoint presentation on this item.](#)

[Council Member Duffy - Do you know when the county is setting the property tax values?](#)

[Council Member Remley - I am really troubled with this year's proposed budget, we fear what we don't know and that is this year. We are putting a lot of faith into staff on the budget. Never would I think there would be 30 million people apply for unemployment. We don't know if we are going to have second wave of COVID19, I feel insecure this year and we are putting a lot of faith in staff.](#)

[Mayor Hall - it is tough to predict what the future holds, we don't know what the numbers are yet for March and April, we won't know this for a while. We need to go through this together and staff's feedback is critical.](#)

Council Member Duffy made the motion to approve Resolution 2020-43. Council Member Winters seconded the motion. Seven yes votes, motion carried.

14. Presentation and discussion ofÂ recommended amendments to the Surprise Municipal Code pertaining to parking near crosswalks and school zones - NO ACTION

[Harold Brady gave a powerpoint presentation on this item.](#)

15. Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code to include a "resign to run" provision in City boards and commissions bylaws.; Ordinance 2020-17 - APPROVED

[Mayor Hall commented that he asked for this item to be added to the agenda and asked City Attorney Wingo to explain the amendments.](#)

[Vice Mayor Judd - What if someone is seeking appointment to a vacant council position, when would they have to resign?](#)

[City Clerk read the statement submitted by Susan Dejong for the record.](#)

[Council Member Winters asked for clarification on the section for member removal.](#)

[Council Member Winters made the motion to approve Ordinance 2020-17. Council Member Remley seconded the motion. Six yes votes, one no vote \(Sanders\), motion carried.](#)

Other Business and Future Agenda Items

City Council Reports

Council attended and/or reported on the following:

Council Member Sanders - Webinar last week Westmarc hosted - West Valley is open for business

Council Member Remley - Try to stay safe everyone; today was a happy day, at OTS at Heritage Apartments and display of WHAM mural original art.

Council Member Duffy - Thanked Mayor, Jodi Tas and staff for setting up the webinar with McSally and Governor's office; good webinar.

Council Member Hayden - Be safe and know my thoughts and prayers are with you, wear your masks and protect your selves.

Vice Mayor Judd - Excited that restaurants will be opening up soon, I hope we can all get out there and support our businesses; be courteous and wear a mask when you are out in stores

Mayor Hall - Thanked Jodi Tas who organized the webinar, it takes a lot to get a Senator and Governor's office staff to participate; good questions from our residents. Also thanked Bert in IT for assisting with setup. Veteran's Reflection Circle, won the American Public Works Association Project of the year. 1,942 seniors will graduate this year for Dysart School District.

Executive Session

Adjournment

Council Member Sanders made the motion to adjourn the Regular City Council Meeting of May 5, 2020 at 7:33 PM. Council Member Duffy seconded the motion.

Seven yes votes, 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, May 5, 2020.**

Sherry Ann Aguilar, City Clerk, MMC