



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

Tuesday, March 17, 2020 @ 6:00PM

Call To Order

Invocation

Led by Deborah Welch.

Roll Call

Mayor Hall called to order the Regular City Council Meeting of March 17, 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

[Mayor read aloud the proclamations listed on the agenda.](#)

1. Developmental Disabilities Awareness Month Proclamation

2. Fix a Leak Week Proclamation

City Manager Report

City Clerk Report

Call To The Public

Alexis Cruz:

To whom it may concern/Mayor of Surprise,

I come to you as a representative for quite a few restaurant industry employees. We all are wondering if/when restaurants will be closed in Surprise, following in the steps of the city of Phoenix and other cities in state as well as out of state.

Restaurant employees are still being exposed to the public. A 50% capacity doesn't disregard the fact that we are all exposed and could bring it back to our families. It only takes one person.

I would also bring awareness to work compensation or something along those lines. Many restaurants are still open, which means they won't have to compensate their employees even though our hours are cut in half or more. I myself have already felt the effect of it.

Please hear us all out as we too, like many, are worried about our own health as well as our families. Thank you for your time.

Brittney Dawn:

WILL THERE BE ANY MEASURES TAKEN FOR EMPLOYEES THAT WORK WITHIN THE CITY THAT ARE APART OF THE DIFFERENT DEPARTMENTS THAT AREN'T JUST IN A OFFICE ENVIRONMENT ? I would like further information on the employees that are working within the outside community , parks and rec, baseball division , sanitary divisions and those type of employees since they are outside around quite a few people , is there anything in place in regards to these employees and to contain social distancing as they have families that we need to be limiting exposures.

Jen Mayer:

What is the city of surprise doing to limit social distancing? There are bars and restaurants hosting St Patrick's Day parties in the city limits. If a state of emergency was declared by the mayor of surprise this would not be happening. you have many elderly residents that live in surprise?

James Dare:

My wife and I are the ones who appealed Community Development's interpretation that the 70 or so units in the Sunflower Resort with offset posts supporting their carport canopies are in violation of the code. The Board of Construction Review ruled that Community Development's interpretation stands, but we want you to be aware of the following.

1. In the hearing, when asked directly, Chief Abbott said the steel posts would be the last thing standing if a fire in one unit was hot enough to spread to the adjacent unit. This seems obvious to residents

- the posts are steel; the units are wood and aluminum. So the posts don't seem to contribute to the spread of fire, which is the code section under which we're being required to remove them.

2. The offset posts actually contribute to safety. Lots of straight posts have been damaged by cars backing out as they turn while drivers were looking behind them for walkers, golf carts, bicycles and cars. The offset posts provide room for drivers to devote their full attention to avoiding conflicts with pedestrians and vehicles behind them. The code was designed with an eye toward use on housing developments; not RV parks. This application to the Sunflower will reduce public safety without any discernible public benefit.

3. Sunflower is a 55+ resort and has an older demographic than most of Surprise. The Board of Construction Review seemed to believe that owners of the 26 units who had removed their offset posts were, "happy to do so." This was not the case. The people who have removed their offset posts did so because these are older people who were threatened with eviction in the notice requiring them to remove the offset posts and they were fearful of losing their homes. The 30 - 40 Sunflower residents who attended that hearing can all attest to that. We do not believe it was the intent of the City to scare older residents - but eviction is the only enforcement tool the Sunflower has, so when the City pressures the Sunflower to get the posts out, people are faced with losing their homes. That's scary for anyone, but especially so for those of us who are not quite as nimble as we once were.

We ask that the City put a pause on enforcement actions until it can figure out a code that makes sense for this RV park. We believe Sunflower residents should have an opportunity to participate in this effort. Unfortunately, most are already leaving until next fall because of the Coronavirus.

Finally, since Chief Abbott is the only person involved in the proceedings so far who is an expert in fire prevention, we strongly suggest he be consulted and involved in these decisions. If, as he said, the steel posts will still be standing after a fire from one unit has spread to another, the posts themselves are not a fire safety issue that must be addressed before residents return. Especially since many of the posts have been in place for decades and at least one of the original homes has had theirs since 1984.

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Sanders made the motion to approve the consent agenda, excluding items 10 and 11. Council Member Remley seconded the motion. Seven yes votes, motion carried.

- 1. Consideration and action on authorizing Mayor and Council to reallocate appropriations from Sewer Contingency to the Solar Biosolids Dryer project to advance the construction of the Small Scale Production phase (Phase II) of the project, P71110 and amend the \$50,000 item and capital list associated with this project; Resolution 2020-29 - APPROVED**
- 2. Consideration and action on the minutes of February 28, 2020 Special City Council Meeting and Executive Session and March 3, 2020 Regular City Council Meeting - APPROVED**
- 3. Consideration and action to approve a request by Jared Michael Repinsky (Agent) for a Series 12 Restaurant Liquor License for Mr. Mesquite Taqueria located at 16860 W. Waddell Road #112, Surprise, AZ 85388 - APPROVED**
- 4. Consideration and action pertaining to an amendment of the FY2020 budget by reallocating appropriations of \$25,000 from contingency within the Municipal Arts Fund to establish art projects R12080 Northwest Regional Library Mural Restoration in the amount of \$16,500 and R12090 Surprise Aquatic Center Art in the amount of \$8,500 to further the City's Public Art Program; Resolution# 2020-21 - APPROVED**

5. Consideration and action on authorizing Mayor and Council to reallocate appropriations of \$81,300 from the Southwest Gas (SWG) Capital Fund Contingency to the Waddell Road Capital Project, P61440; Resolution 2020-24 - APPROVED

6. Consideration and action pertaining to approval of the Map of Dedication entitled "Cactus Road at Cotton Lane," located on the northwest corner of Cotton Lane and Sweetwater Avenue within the Northwest Corner of Cactus Road and Cotton Lane Planned Unit Development ("PUD") - APPROVED

7. Consideration and action pertaining to approval of the Final Plat entitled "Final Plat for Santiago Acres", located on the southeast corner of San Ysidro Road and 158th Drive. (Case FS19-696) - APPROVED

8. Consideration and action regarding the Final Plat for Royals Housing at Surprise Center located generally north of Greenway Road and east of Bullard Avenue, in the Surprise Center PAD - APPROVED

9. Consideration and action on Granting a Utility Easement to APS at Fire Station 304 near Happy Valley Road and 163rd Avenue - APPROVED

10. Consideration and action pertaining to approval of the Final Plat entitled "Ryder Ranch Final Plat" located on the southwest corner of Cotton Lane and Sweetwater Avenue within the Ryder Ranch Planned Unit Development ("PUD") - CONTINUED INDEFINITELY

Council Member Duffy made the motion to continue item 10 indefinitely. Vice Mayor Judd seconded the motion. Seven yes votes, motion carried.

11. Consideration and action pertaining to approval of the Final Plat entitled "A Replat of Lot 1 of the "Replat of Lot 1 of the Final Plat for Sierra Montana Crossing," located south of the southwestern corner of Greenway Road and Cotton Lane - CONTINUED INDEFINITELY

Council Member Duffy made the motion to continue item 11 indefinitely. Vice Mayor Judd seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

12. Consideration and action pertaining to approval of the Shared Active Transportation Vehicle (SATV) Pilot Program Temporary Operating Agreement Extension with The Collective We, LLC - APPROVED

Lloyd Abrams reported on the SATV Pilot Program.

Council Member Duffy - Will you be wiping the scooters down on a regular basis?

Mr. Abrams - Yes, before and after use through the day.

Vice Mayor Judd made the motion to approve the Shared Active Transportation Operating Agreement Extension with The Collective We, LLC. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

13. Consideration and action on amending the Surprise Municipal Code, Chapter 2, Article II, Section 2-60(a), Attendance, to allow up to three Council Members, including the Mayor, to remotely participate in a City Council Meeting via electronic

means, including repealing conflicting ordinances; severability; and declaring an emergency; Ordinance 2020-12 - APPROVED

Mayor Hall commented that this ordinance so Council Members can participate remotely.

Vice Mayor Judd made the motion to approve Ordinance 2020-12. Council Member Hayden seconded the motion. Six yes votes, one no vote (Winters). Motion carried.

Other Business and Future Agenda Items

City Council Reports

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

Council Member Sanders - Vista ribbon cutting; thanked the City Manager for what he is doing.

Council Member Remley - echo's Council Member Sanders, great job Tracy Montgomery, stressful week, donations to schools or organizations.

Council Member Duffy - thanked staff in the last few weeks, staffs time on the weekend.

Council Member Winters - to residents, take care of yourselves, serious virus, important to stay home when necessary.

Council Member Hayden - ditto to everything, don't panic, stay home as much as possible until it settles down.

Vice Mayor Judd - echo the same sentiments, great job Tracy, please send concerns to Council.

Mayor Hall - were very concerned appreciative of staff, coordinating with state, feds and county. Reminder that state of the city has been moved to mid-April (electronically). visit surpriseaz.gov for details.

Executive Session

Adjournment

Council Member Winters made the motion to adjourn the Regular City Council Meeting of March 17, 2020 at 6:58 PM. Council Member Remley 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, March 17, 2020.**

Sherry Ann Aguilar, City Clerk, MMC