



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

Tuesday, October 15, 2019 @ 6:00PM

Call To Order

Invocation

Roll Call

Mayor Hall called to order the Regular City Council Meeting of October 15, 2019 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 Winters, Council Members; Duffy, Hayden, Judd, 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, Council and Staff from Senator McSally's office will acknowledge Larry Brown, recipient of the 4th Annual Congressional Veterans of Distinction Award.Â Â

E. City Manager Report

1. Reports

City Clerk Report

1. Reports

Call To The Public

[Chandler Brown - Deficiencies in parks and recreation, lack of park space throughout the City. Not keeping up with the growth of the City.](#)

[Linda Cabrera - Community Garden update at Benevilla. Rough summer, construction, some quit gardening from June to September.](#)

[Connie Whitlock - WHAM Art Association Calendar, thanked Council for their continued support.](#)

[Joe Urshan - Concerned about pedestrian safety in the City of Surprise. I have had some close calls, something more needs to be done, the Council needs to address this issue. Very impressed on what Chandler is doing regarding pedestrian safety.](#)

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Sanders made the motion to approve the consent agenda excluding item # 4 and 7. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

1. Consideration and action pertaining to approval of the Final Plat entitled "Fulton Homes Escalante" Parcel 5" and dated July 25, 2019, located on the southeast corner of 163rd Avenue and Asante Boulevard in the Verdugo PAD - APPROVED

2. Consideration and action pertaining to approval with stipulations of the Final Plat entitled "Desert Oasis" Baer Parcel B9" and dated August 23, 2019, generally located south of Jomax Road and west of 163rd Avenue; Resolution # 2019-124 - APPROVED

3. Consideration and action pertaining to approval of the Replat entitled "Thompson Thrift at Surprise Center" and dated September 24, 2019, located in the Surprise Center Planned Area Development ("PAD") - APPROVED

4. Consideration and action pertaining to a dedication of a right-of-way to the Maricopa County Department of Transportation at 163rd avenue and Pinnacle Peak Road.

[Vice Mayor Winters removed this item from the consent agenda.](#)

[Vice Mayor Winters questioned why we had not done the annexation first.](#)

[Vice Mayor Winters made the motion to approve the right of way. Council Member Hayden seconded the motion. Seven yes votes, motion carried.](#)

5. Consideration and action declaring the intent to establish a street light improvement district entitled, "City of Surprise, Arizona, SU-Surprise Center 190 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-112 - APPROVED

6. Consideration and action pertaining to deleting a portion of the territory within Fulton Homes at Escalante 154 Street Lighting Improvement District; Resolution #2019-109 - APPROVED

7. Consideration and action pertaining to the approval of a Replat entitled, "Lots 6140 through 6142 and tract I6 of Marley Park Parcel 6" and dated August 22, 2019, a property generally located northeast of the corner of Reems Road and Cactus Road - CONTINUED INDEFINITELY

Council Member Judd made the motion to continue item #7 indefinitely. Vice Mayor Winters seconded the motion. Seven yes votes to continue indefinitely, motion

carried.

8. Consideration and action to approve a request by Howard Everett Magee (Agent) for a Series 10 (Beer & Wine Store) liquor license for Carioca Shell #3 located at 16520 W. Greenway Road, Surprise, AZ 85388 - APPROVED

9. Consideration and action to approve a request by Sheila M. Ford (Agent) for a Series 12 (Restaurant liquor license for the Chicken Ranch located at 14051 W. Grand Avenue, Surprise, AZ 85374 - APPROVED

10. Consideration and action to approve a request by Andrea Lewkowitz (Agent) for a Series 09 (Liquor Store) liquor license for Costco Wholesale located at 16385 W. Waddell Road, Surprise, AZ 85388 - APPROVED

11. Consideration and action pertaining to an amendment of the Fiscal Year 2020 budget by reallocating appropriations of \$161,600 within the personnel lines of the Human Service & Community Vitality Department to increase the full time equivalent count by 1.5 while having no financial impact to the General Fund; Resolution # 2019-116 - APPROVED

12. Consideration and action on the October 1, 2019 Regular City Council Work Session and Regular City Council Meeting - APPROVED

13. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$154,300 within the Grants Fund and authorizing acceptance of (7) grant awards from the AZ Governor's Office of Highway Safety (GOHS) to support impaired driving enforcement overtime, education, materials and supplies, and equipment; Resolution # 2019-123 - APPROVED

14. Consideration and action declaring the intention to consolidate several Rancho Mercado lighting improvement districts pursuant to A.R.S. Â§ 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-126 - APPROVED

15. Consideration and action pertaining to authorizing submission of the Request for Exemption from posting deposit to the Industrial Commission of Arizona - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

16. Consideration and action regarding the Revised Preliminary Plat entitled "Units F & C" Toll at Prasada and dated July 25, 2019, approximately 37 acres located generally Cotton Lane, between Cactus Road and Peoria Avenue.Â Planning case # FS19-184 - APPROVED

[City Planner, Robert Kuhfuss gave a brief powerpoint presentation on this item.](#)

[Council Member Remley - Along Peoria Avenue, is this the paved portion of the road? Where is this coming out at?](#)

[Toll Brother representative, Erin Ensko explained.](#)

[Council Member Sanders - Who owns the area highlighted on the map?](#)

[Council Member Hayden - Closure time?](#)

[Mr. Kuhfuss - Intermediate closures, over a 2 week period.](#)

[Vice Mayor Winters - On the driveways, are the shrubbery for aesthetic reasons?](#)

[Mr. Kuhfuss - Yes that is correct.](#)

[Public comments:](#)

[Jetuan Whedon, love to know if you are going to notify the local schools for road closures? We have warning and notices posted for upcoming closures.](#)

[Council Member Duffy made the motion to approve FS19-184. Council Member Hayden seconded the motion. Seven yes votes, motion carried.](#)

17. Consideration and action declaring as a public recordÂ the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes;Â the 2017 National Electrical Code; and the Local Amendments thereto; Resolution # 2019-108 - APPROVED

[Interim CD Director, Chris Boyd gave a brief powerpoint presentation on this item.](#)

[No public comments were made.](#)

[Council Member Duffy made the motion to approve Resolution 2019-108. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.](#)

18. Consideration and action pertaining to adoption of the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; and The 2017 National Electrical Code; and the corresponding Local Amendments thereto; Ordinance # 2019-25 - APPROVED

Interim CD Director, Chris Boyd gave a brief powerpoint presentation on this item.

City Attorney Wingo commented that the ordinance number was issued twice, therefore the new number will be 2019-31 instead of Ordinance No. 2019-25.

No public comments were made.

Vice Mayor Winters made the motion to approve Ordinance 2019-31. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

19. Consideration and action pertaining to the selection of Logan Simpson for the Public Works Operations Facility art project - APPROVED

[Paul Bernardo gave a power point presentation on this item. Representatives from Logan Simpson and Arts Chair, Margaret Lieu were available for questions.](#)

[Vice Mayor Winters - I like the way you incorporated the existing sign in this project. What was the final cost?](#)

Mr. Bernardo - \$50,000.

Council Member Judd - Questioned the actual total amount being approved. He commented that he is questioning the location because he has an issue of where it is to be located. It seems like it is being tucked away from public view.

Council Member Remley - Change in access to location?

Public Works Director, Mike Gent - A road will be built from the cul-de-sac to the public works building.

Mayor Hall - questioned lighting specifically at night.

Yes, there will be lighting at night.

Mayor Hall - Will the installation withstand a microburst?

Yes, that is correct.

Vice Mayor Winters made the motion to approve the selection of Logan Simpson for the Public Works Operations Facility art project. Council Member Judd seconded the motion. Seven yes votes, motion carried.

20. Presentation of Completed Internal Audit Reports presented and approved by the City of Surprise Audit Committee on September 25, 2019 - NO ACTION

City Auditor, Carol Holley gave a brief powerpoint presentation on this item.

Mayor Hall recognized the efforts and hard work of Council Members Judd and Remley and staff.

21. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations in the amount of \$513,000 within the Grants Fund and General Fund and accepting a grant from the Federal Emergency Management Agency for Adequate Fire and Emergency Response (SAFER) grant program to hire eight firefighters; Resolution # 2019-127 - APPROVED

Fire Chief, Tom Abbott and Finance Director, Andrea Davis gave a brief powerpoint presentation on this item.

Council Member Judd made the motion to approve Resolution 2019-127. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

Other Business and Future Agenda Items

Council Member Sanders - Public/Private Partnerships, seconded by Council Member Judd.

City Council Reports

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

Council Member Duffy - Ottawa Football game on Saturday.

Council Member Hayden - Memory Café, Surprise Fiesta Grande, Creative Aging with the Arts.

Council Member Judd - District 6 Meet & Greet and shout-out to Mike Gent for addressing issues.

Vice Mayor Winters - Oct. 2nd Community outreach meeting regarding a development, Care and Share Fair in the courtyard thanked staff,

Council Member Sanders - GPEC event, Care and Share expo., Fiesta Grande, Sunday in the Park coming up and Ottawa Game on Saturday.

Council Member Remley - thanked Parks and Recreation Department for Fiesta Grande and Police Department (Officers on the Beat) - addressing homelessness under the bridge (riverbed), transformation of the city.

Mayor Hall - tour of Toll Brothers project, thanked Valley Vista HS Students, Fiesta Grande was a fabulous event. Dept. Counsel General of Mexico Esparza., thanks to Donna Miller and her staff and Memory Café event.

Executive Session

Executive Session Items

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Meeting of October 15, 2019 at 7:31 PM. Council Member Hayden 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, October 15, 2019.**

Sherry Ann Aguilar, City Clerk, MMC