



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

Thursday, September 5, 2019 @ 6:00PM

A. Call To Order

1. Invocation

B. Roll Call

Mayor Hall called the Regular City Council Meeting to order at 06:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Thursday, September 5, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Duffy; Council Member Hayden, Council Member Sanders; Council Member Judd and Council Member Remley.

Staff present:

Assistant City Manager, Mark Schott, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

[Proclamation - issued drafting of the constitution, Constitution Week.](#)

E. City Manager Report

[Youth Services Coordinator, HSCV - West point Elementary Orchestra Academy.](#)

City Clerk Report

1. Presentation of "Storm Ready" certification to the City of Surprise.Â

Tracy Montgomery, Emergency Management conducted a brief report on the award being received by the National Weather Service.

2. Consideration and action on the appointment of LaCoya Shelton to fill a vacancy on the Personnel Appeals Board with a four year term expiration of June 30, 2023 and directing City Clerk Aguilar to administer the Oath of Office - APPROVED

Council Member Judd made the motion to approve the appointment of LaCoya Shelton. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Call To The Public

[Dale Deal - business affected by dividers being put in front of my business. I am losing business now and I have had my business here for over 10 years.](#)

[Hall Ewing - Also concerned about dividers being put in on Waddell Road and affecting the business. Spoke with Mr. Mike Gent, then referred to Karl Zook.](#)

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Sanders made the motion to approve the consent agenda. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

3. Consideration and action on the minutes of August 6, 2019 Regular City Council Work Session, Executive Session and Regular City Council Meeting - APPROVED

4. Consideration and action pertaining to the renewal of the Federal fiscal year 2020 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement and accompanying budget amendment reallocating \$300; Resolution #2019-102 - APPROVED

5. Consideration and action pertaining to approval of a Quit Claim Deed to TR Surprise, LLC, releasing deed restrictions on one acre of real property located near Bullard Avenue and Greenway Road, within city center - APPROVED

6. Consideration and action pertaining to acceptance of a Drainage Easement from The Estate of Larry Klinger for roadway improvements along 171st Avenue between Jomax and Dale Lane - APPROVED

7. Consideration and action pertaining to the dissolution of the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District (SLID); Resolution #2019-15 - APPROVED

8. Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A13" dated March 15, 2019, a property located in the Rancho Mercado PAD - APPROVED

9. Consideration and action pertaining to approval of the Final Plat entitled, "McMicken Way" dated June 28, 2019, a property located in the Rancho Mercado PAD - APPROVED

10. Consideration and action pertaining to approval of the Final Plat entitled, "Plath Peakview Estates" dated July 1, 2019, a property generally located north of

Peakview Road and east of 163rd Avenue, in a RR (Residential Ranch) zoning district - APPROVED

11. Consideration and action pertaining to approval of the CorrectedÂ Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated July 15, 2019, a property generally north of Old Oak Lane and east of the 145th Avenue alignments in Marley Park - APPROVED

12. Consideration and action regardingÂ the annexation of approximately 201 acres generally located northeast of Happy Valley Road and 163rd Avenue, and establishing Surprise zoning districts Residential Medium Density (RM-9) and Rural Residential (RR). Planning case FS18-149,Â Paloma Creek annexation; Ordinance #2019-07 - APPROVED

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

[Jim Rogesse - 155th Avenue, will we have access to get in and out of the area.](#)

[Gail Leigh - Lives on 158th Avenue, the back of the property are where the houses are going to be built. A lot of us have horses, will there be access to the dessert?](#)

[Mr. Kuhfuss asked for clarification of her home location.](#)

[Leticia Sanchez - I am part of the County next to the development. I am not seeing any environmental things in place. We are not climate change ready. This will not go with our horse properties, this should be kept in mind. Minimize the cement where possible, gravel and dirt walkways, etc.](#)

[Scott Richardson - See the plan ingress and egress, what is the actual plan to get in and out of this area? How many roads are going north to Jomax to accommodate all of this traffic?](#)

[Oliver Coe - Hard to get the building permit due to flooding issues, will the County and City resolve this issue? Something should be done.](#)

[Hall Ewing - Live on 163rd Avenue and Jomax, someone needs to watch the traffic on this roadway, traffic backs up already without this housing development. If you would consider the horse properties environment for our area.](#)

[Leticia Sanchez, we are not technically Surprise but your actions have an impact on us. The flooding will be a problem. Please consider your actions.](#)

[Vice Mayor Winters - Is the applicant obligated to widen 163rd?](#)

[Council Member Remley - Clarification lot sizes.](#)

[Council Member Duffy - How many different ways can you get in and out of this area?](#)

[Council Member Judd - Going back to transition, our general plan mandates that we make a smooth transition, correct? How does our math work on this?](#)

[Council Member Judd - We have no public pools north of Surprise. We should be](#)

[building pools in this area.](#)

[Bill Alley - Tiffany Bosco - explained the plan and minimum requirement of footage from porch to the fence.](#)

[Council Member Hayden - Are any of the roads going to be made into 4 lanes?](#)

[Vice Mayor Winters made the motion to approve Ordinance 2019-07. Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

REGULAR AGENDA ITEM - PUBLIC HEARING:

13. Consideration and action pertaining to approval of a rezoning of approximately 151 acres generally located east of 163rd Avenue between Happy Valley Road and Jomax Road from Residential Medium Density (RM-9), Residential Ranch (RR), and Planned Area Development (PAD) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD). Planning Case FS18-150 for Paloma Creek zone change; Ordinance #2019-22 - APPROVED

No public comments were made.

Vice Mayor Winters made the motion to approve Ordinance 2019-22. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

[14. Consideration and action pertaining to approval of a Preliminary Plat entitled, "Paloma Creek" dated January 28, 2019, a 542 Lot, 49 Tract Preliminary Plat of property generally located east of 163rd Avenue between Happy Valley and Jomax Roads; Resolution # 2019-114 - APPROVED](#)

No public comments were made.

Vice Mayor Winters made the motion to approve Resolution 2019-114. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

[15. Consideration and action pertaining to approval of a Preliminary Plat entitled, "Sunrise" dated June 7, 2019, a property located in the northeast corner of 171st Avenue and Jomax Road; Resolution 2019-113 - APPROVED](#)

[City Planner, Sergio Angulo gave a powerpoint presentation on this item.](#)

[No public comments were made.](#)

[Vice Mayor Winters - What type of tree are they asking to plant?](#)

[Vice Mayor Winters made the motion to approve Resolution 2019-113. Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

[Palo Verdes, substitute for an approved plant in the design standards.](#)

[16. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada Phase 2 Master Plat" dated June 18, 2019, a property generally located on Peoria Avenue west of Cotton Lane - NO ACTION TAKEN](#)

17. Consideration and action amending the Surprise Municipal Code, Chapter 2, Article VIII, Section 2-304 pertaining to Audit Committee membership; Ordinance #2019-23 - APPROVED

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

Mayor Hall - We talked about the recording process of the Chairman of the Audit Committee.

Identified in the bylaws.

Mayor Hall - E-Session changes.

Council Member Judd - What is the make of the Audit Committee now.

7 members, 2 council, 2 residents and 3 staff.

Council Member Remley - What we are trying to accomplish here is make things more transparent to the public.

Vice Mayor Winters - What is the purpose of the members on the Audit Committee that do not have a vote?

Staff members

Council Member Remley made the motion to approve Ordinance 2019-23. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

18. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations of \$371,000 from water operations and grant contingency to establish a new capital project and to account for acceptance of an Arizona Department of Water Resource Water Management Assistance Grant in the amount of \$200,000; Resolution #2019-104 - APPROVED

Council Member Hayden made the motion to approve Resolution 2019-104. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

Other Business and Future Agenda Items

Mayor Hall - traffic impacts on the northern portion of Surprise, due to growth.

Vice Mayor Winters - Report on drownings in Surprise and code requirements for barriers.

Executive Session

J. City Council Reports

Council Member Duffy - Ottawa has first football game on Friday night; Meet & Greet this Saturday. Attended League Conference.

Council Member Hayden - League Conference; how advanced our City is and what

we have accomplished; attended Chamber breakfast - school is our primary topic; Read on America meeting.

Council Member Judd - League conference; CAP Dinner last night; meet and greet at Freddy's Restaurant at 6:00 p.m. on September 16th;_

Council Member Remley - Glad to be back, out for a while. Attended the League conference; many of the elected officials let their hair down and share some of the challenges they are having at this conference. Last night I attending a meeting on Hollyhock, 3 residents showed up over a needs assessment, disappointing that it was a low turnout. Next meeting will be at the end of September for the same presentation. Another mailer will be sent out for this meeting. I am going to pay for half of the costs of the mailer. September 25th - 6:00 p.m.

Council Member Sanders - Attended League conference; attended Dysart community coalition; raising funds for various projects. Had a meet and greet last Saturday, well attended. Ottawa has their first home game on Saturday.

Vice Mayor Winters - League conference; attended CAP Dinner; went to Peoria dedication of Vietnam moving wall.

Mayor Hall - Hosted Fire and Police Chiefs - keeping the City safe; attended the League conference; Dale's business has been there for so long and the City screwed up on this construction project, we need to be more considerate. Very proud of our City staff.

Vice Mayor Winters made the motion to recess the Regular City Council Meeting and enter into executive session at 8:24 PM. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

19. Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2020 goals for the City Manager, City Clerk, and City Attorney pursuant to A.R.S. 38-431.03 (A)(1).

L. Adjournment

Council Member Sanders made the motion to adjourn the Regular City Council Meeting at 10:02 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 **Thursday, September 5, 2019.**

Sherry Ann Aguilar, City Clerk, MMC