



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

Tuesday, April 2, 2019 @ 6:00PM

A. Call To Order

B. Roll Call

Mayor Hall called the Regular City Council Meeting to order at 06:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, April 2, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Hayden, Council Member Judd, Council Member Duffy, Council Member Sanders and Council Member Remley.

Staff Present:

City Manager, Michael Frazier, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

The pledge was led by Rancho Gabriela Elem School.

D. Proclamation and Community Acknowledgements

1. Fair Housing Month 2019 Proclamation

Mayor Hall read the proclamation for Fair Housing Month 2019.

E. City Manager Report

City Manager Frazier asked that Youth Services Coordinator, Mike Cassidy to introduce students from Rancho Gabriela Elementary School.

Denisse Beteran Serrano

Caleb White

Chloe Nowling

Logan Beeman

The administration and faculty in attendance: Rebecca Selman, 7th grade teacher and NJHS advisor.

1. Reports

[The Surprise Youth Council members](#)

[Bailey Rice, Senior at Willow Canyon High School and Dakota Dolister, Senior at Paradise Honors High School](#)

[Dakota and Bailey SYC, gave comments on what projects they are working on. Youth employment, creating resumes, etc.,](#)

[Miss Rice also gave a report on her accomplishments for the past year.](#)

1. The one-year countdown is underway on Census 2020! This presentation and discussion is to provide a brief update to City Council on outreach as we close in on April 1, 2020.

[DCM, Diane Arthur gave a powerpoint presentation on the upcoming Census 2020, one year countdown.](#)

F. City Clerk Report

1. Reports

G. Call To The Public

[Alyson Cline - 16 resident of the City. Timing is everything, our press release Waveland Mayor's National Challenge on water conservation. Please look into reducing the City's water usage, reducing the water along Bell Road. The cost savings in water, employee time, etc., could help to pay for changes and repairs to the roadway.](#)

H. Regular City Council Meeting Agenda

1. CONSENT AGENDA:

Council Member Judd made the motion to approve the consent agenda, excluding item #3. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

2. Consideration action to approve a request by Navatogasingam Thuraisingham (Agent) for a Series 12 Restaurant liquor license for Macayo's Restaurant located at 15565 W. Bell Road, Surprise, AZ 85374 - APPROVED

3. Consideration and action pertaining to approval of the Master Plat entitled "Master Plat of Paradiso Asante Phase 1," dated January 2019, generally located north of Grand Avenue approximately 1.5 miles west of 163rd Avenue - APPROVED

[Vice Mayor Winters removed #3 from the consent agenda. He asked if this plat is part of the Asante project.](#)

[Sergio Angulo, City Planner commented on the project and that it is age restricted for this portion of the project.](#)

Vice Mayor made the motion to approve item #3 of the consent agenda. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

4. Consideration and Action on accepting Warranty Deeds for Right of Way, and Easements for Drainage and Water lines from Surprise/Dysart Properties, LLC for roadway improvements along Litchfield and Sweetwater - APPROVED

5. Consideration and Action on accepting an Easement for Drainage from the Reformed Church in America Classis of the SW for roadway improvements along Litchfield - APPROVED

6. Consideration and Action on accepting a Warranty Deed for Right of Way, and Easement for Drainage from the Larry R. Lemelson Revocable Living Trust, for roadway improvements along Litchfield and Sweetwater - APPROVED

7. Consideration and Action on accepting a Quit Claim Deed for 16 square feet from Marley Park Phase II LLC, near Bullard and Sweetwater - APPROVED

8. Consideration and Action on Acceptance of the Assignment of Easements from the Flood Control District of Maricopa County for a flood project near 115th Avenue and Bell - APPROVED

9. Consideration and Action on accepting a Warranty Deed for right of way from A&B Investments INC, near 175th Avenue and Sweetwater - APPROVED

10. Consideration and action on the minutes of March 11, 2019 Special City Council Meeting and March 19, 2019 Regular City Council Work Session, Regular City Council Meeting and Executive Session - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

11. Consideration and action pertaining to authorizing the City Attorney to defend the City in pending litigation; Resolution # 2019-36 - APPROVED

12. Consideration and action pertaining to adoption of an Ordinance annexing approximately 20 acres of unincorporated land generally located 1/2 mile north of Happy Valley Road, on the east side of 151st Ave; Ordinance 2019-08 - APPROVED

[Joshua Mike, City Planner commented that this is an annexation request. Saddlehorn Ranch.](#)

[Vice Mayor Winters 1 building per acre currently, correct?](#)

[Mr. Mike - yes correct.](#)

[Council Member Remley - If we are required to maintain like zoning, how do we maintain like zoning, then change to unlike zoning?](#)

[Mr. Mike - Establishment of entitlement from one jurisdiction to another. Separate public hearing process.](#)

Public Comments:

Russell Hutchinson - We are next to the proposed annexation, this is what we are dealing at right now, we are here to express our concerns.

Vice Mayor Winters made the motion to approve Ordinance 2019-08. Council Member Duffy seconded the motion. Seven yes votes, one no vote (Hayden), motion carried.

13. Consideration and action pertaining to approval of the Preliminary Plat entitled "Preliminary Plat for Fulton Homes at Escalante - Parcel 5," located on the southeast corner of 163rd Avenue and Asante Boulevard - APPROVED

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

[Vice Mayor Winters asked what happened to Verdugo?](#)

[Mr. Angulo - Fulton homes preferred to brand their development as part of another development.](#)

[Mayor Hall asked about ingress/egress, where does 161st Drive go?](#)

[Mr. Angulo - From Pinnacle Peak Road on the south to Asante Boulevard.](#)

[Vice Mayor M Winters, also questioned entries into the communities.](#)

[Public Comments:](#)

[Russell Hutchinson - one lane going north on Pinnacle Peak, who is taking care of this?](#)

[Community Development Director, Fitzer commented on what the developers are required to complete for roadway improvements.](#)

[Mayor Hall - Is there a way to give a projected roadway construction plan?](#)

Vice Mayor Winters made the motion to approve the preliminary Plat for Fulton Homes at Escalante - Parcel 5. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

14. Consideration and action pertaining to approval of a Zone Change from Residential Ranch (RR) to Residential Low Density (RL-5) with a PUD Overlay of approximately 20 acres; Ordinance 2019-05 - APPROVED

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

[Council Member Remley - What was the reaction of the planning & zoning commission on this application?](#)

[Mr. Angulo - Setbacks, proposed density, they recommended for approval of this rezone.](#)

[Council Member Remley - How many folks attended the outreach?](#)

[Mr. Angulo - Citizen outreach report with the sign in sheet.](#)

[Council Member Remley - How did the residents feel about this project?](#)

[Mr. Angulo - Concerns from residents about how it will affect them and the two story homes and privacy of their lots.](#)

[Vice Mayor Winters - 9 people attended the meeting. The property owner promised the residents that there would be no two story homes next to the acre properties.](#)

[Council Member Hayden - High noise and accident potential area of Luke Air Force Base, isn't this an issue? Also, how many units will be built here?](#)

Mr. Angulo - Gave an explanation of the flight zone. There will be 62 lots proposed.

Council Member Duffy, single story for the lots on the northern side.

Mayor Hall - What are the walls going to look like on the north side?

Mr. Angulo - The applicant hasn't been through this part of the process yet.

Mayor Hall - No ingress or egress, correct? I like the way this is designed, it was well thought out.

Mayor Hall questioned the lighting for this project. Shielded?

All lights are pointing downward.

Council Member Remley - If we are to approve this, we are locked into this design presented today at 3.1 per acre, buffer, layout, etc.,

Public Comments:

Karen Hutchinson - Concerns about 151st Avenue, it's a county road, but the residents are the ones maintaining it. The developer has been very helpful.

Gale Wyman - lives on 151st avenue, 151st as it exists right now is a single road, no support from Maricopa or Surprise. Who is paying for this? The design that I saw today is nice, the developer has been very helpful. There were 9 at the meeting, one of the issues I had back then was the area of flooding. When it rains it's incredible. It is necessary to have a good buffer.

Council Member Judd, can you talk about Surprise annexing this property, can you talk about the maintenance of these roads?

Mr. Fitzer - No direct access to this area right now. We are talking about zoning at this point, ultimately there is an intent to meet this design.

Council Member Judd, can you describe the process and timeline?

Mr. Fitzer - Preliminary plat process to Planning & Zoning, then final plat to City Council for approval.

Developer, Kent Zander, two property owners for this project. Will be at least an 18 month process moving forward.

Vice Mayor Winters - asked the developer if this flooding can be controlled through designing?

Mr. Fitzer - Yes, we have the same engineering firm as Rancho Mercado.

Vice Mayor Winters made the motion to approve Ordinance 2019-05. Council Member Sanders seconded the motion. Six yes votes, one no vote (Remley), motion

carried.

I. Other Business and Future Agenda Items

J. City Council Reports

City Council reported on and/or attended the following:

Council Member Duffy - State of the City was amazing, the video was very well done. Large crowd. Hard to believe Spring Training is already over, thanked Sundancers, Citizens Patrol.

Council Member Sanders - Went to MV Ranch HOA meeting with Eric Fitzer. Attended the top 10 retailers and restaurant game; attended the Sundancers Reception; shocked by the energy that the Sundancers have, they are amazing; ribbon cutting and State of the City.

Council Member Judd - State of the City was very well done; Marley Park, April 15th and April 6th - Taste of Surprise at the Stadium; dunk tank.

Vice Mayor Winters - March 20th Grand Opening of Avenar, Behavioral Center; March 27th opening of the Rise at Parkview Place; Luncheon update on the Tohono Oodam Casino; State of the City event; 10 year anniversary of the City Hall Building; kudos to the Mayor for thinking out of the box.

Council Member Hayden, the State of the City was absolutely wonderful and was for the people. Youth Counsel, wonderful kids and the whole youth team is fabulous.

Council Member Remley - I am feeling a bit unloved tonight, Thursday we were here and there was standing room only, and tonight I counted 10 people. The State of the City was definitely worth attending, recognizing all of the departments, the employees are the ones that do the work. My sister came in to town, she brought her daughter and they were here to look at ASU, and encouraged them to visit Ottawa University. April 15th is right around the corner for tax returns, please remember to contribute to the school of your choice as a tax credit.

Mayor Hall - So proud of our staff at State of the City, the video is going to be used by Economic Development for prospects. Great community event. Spring training is an amazing time, and super busy, staff guided me every step, I really appreciate this. The Sundancers are so positive and energetic, Travis does a really good job when them.

K. Executive Session

L. Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Meeting of April 2, 2019 at 7:30 PM. Council Member Sanders 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, April 2, 2019.**

Sherry Ann Aguilar, City Clerk, MMC