

CITY OF SURPRISE
Regular City Council Meeting
16000 North Civic Center Plaza
Surprise, AZ 85374
Tuesday, November 1, 2022 @ 6:00PM

- **A. Call To Order:**

Mayor Hall called the Regular Council Meeting of Tuesday, November 1, 2022 to order at 6:00 p.m. at the Surprise City Hall located at 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

- **B. Roll Call**

In attendance with Mayor Hall were Vice-Mayor, Aly Cline; Councilmembers Jack Hastings, Ken Remley, Patrick Duffy, Roland Winters and Chris Judd.

- **1. Invocation**

Pastor, Paul Outlaw with Transformation Community Church (TCC) led the Invocation.

- **C. Pledge of Allegiance**

The Pledge was led by Valley Vista High School National Honor Society

- **1. Purple Heart Anniversary Proclamation**

- **Mayor Hall read the proclamation allowed and presented it to Veteran, Larry Brown.**

- **E. City Manager Report**

Valley Vista High National Honor Society, Andrea Coseo, President and Lindsey Miles, Treasurer gave a brief report on activities taking place and the role of the Honor Society. Vice-Principal Martinez attended as well from Valley Vista High School.

Maya Caluguru, 11th grade student from Liberty High School, 2nd year of service. Maya gave a brief update on the youth council activities.

- **G. Call To The Public**

No public comments received.

- **1. CONSENT AGENDA:**

Councilmember Judd made the motion to approve the Consent Item that includes items 1 - 7. Vice-Mayor Cline seconded the motion. 7 yes votes, motion carried.

The following items were approved by Consent.

1. Consideration and action on the Special Council Meeting of October 11, 2022 and Regular City Council Work Session and the Regular City Council Meeting Minutes of October 18, 2022.

2. Consideration and action to approve a request by Sargis Gewargis for a new series 12 (Restaurant) liquor license for Tap House Sports Grill located at 13699 N. Litchfield Road, Surprise, AZ. 85379.

3. Consideration and action to approve a request by Minesh Patel for a new Series 10 (Beer & Wine Store) for Bubba's Drive Thru located at 15445 N. Greasewood Street, Surprise, AZ. 85378.

4. Consideration and action to approve a series 07 (Beer & Wine Bar) new license requested by Theresa June Morse, Agent for Dickey's Barbecue #1413 located at 16581 W. Bell Road #101, Surprise, AZ. 85388.

5. Consideration and action pertaining to approval of the Intergovernmental Agreement with the City of Phoenix for Arizona Internet Crimes Against Children (ICAC) Task Force participation and training; Resolution #2022-105.

6. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 Budget by moving budget authority of \$40,000 from General Contingency to Project G31226 to account for the acceptance of One Arizona Department of Homeland Security (UASI) grant to receive funding for specialized tactical team training and the purchase of equipment; Resolution #2022-107.

7. Consideration and action pertaining to the City of Surprise granting a Utility Easement to APS to facilitate the service of the new recreational fields at Countryside school.

8. Consideration and action pertaining to approval of a zone change of approximately 320 gross acres from Rural Residential (RR) to Residential Low Density (R-1), Residential High Density (R-3), and Community Commercial (C-2), generally bounded by Pinnacle Peak Road to the north, 227th Avenue to the east, Deer Valley Road to the south, and 231st Avenue to the west; Ordinance #2022-22.

City Planner, Trever Fleetham gave a powerpoint presentation regarding Ordinance No. 2022-22.

Councilmember Winters asked about the public hearings held, was there discussion with the public hearing signs not being readable or visible to the public? Mr. Fleetham commented that the applicant posted the signs per statute, but the terrain made it difficult to view, but met the legal requirements.

Councilmember Winters also brought up the issue of flooding for this area. Mr. Fleetham commented that we will require more extensive drainage studies on the property.

Mayor Hall asked about 227th Avenue, if it continues? Mr. Fleetham commented, no the road ends.

Councilmember Judd asked about the southwest corner and which wash cuts through the property? Mr. Fleetham confirmed that it is Tribley Wash.

Council member Judd asked why are we paving over this major wildlife corridor. I cannot support this at this zoning, why are we doing it this way? Mr. Fleetham pulled up the map and explained LDO zoning for this area. The applicant has not requested the rezone at this time for open space. The applicant would still be required to follow the wildlife preserve zoning according to Mr. Fleetham.

Councilmember Judd commented that he wants this language incorporated into the ordinance as a stipulation in the ordinance to protect Trilby Wash. Attorney Wingo commented that we need to legally identify the boundary of the zones and we would not be able to do this tonight. This would have to come back at another date. Councilmember Judd commented that his preference is to not make this difficult for the applicant, but to make it as easy

as possible.

Councilmember Judd asked if we have data on how much commercial is needed for a certain size property or lot? How did we come up with 14 acres? Mark Ready, With RBI for the applicant, confirmed that the City ordinances clearly outline uses for this area and the applicant is not interested in developing within the wildlife preserve and wash, and have no issue of working with amending the language for the zoning, but would not want to have to start over. Mr. Ready further clarified the 14 acres for Commercial Use.

Councilmember Remley read the letter from the Department of Air Force arsenal, if the rezone is approved, it should have review of the sound attenuation requirements that the air force currently has. There should be a stipulation for this. Lloyd Abrams under current code, we require this for any properties within the sound attenuation zone.

Councilmember Hastings commented that these two stipulations are already in City Code so I feel we are making more work for ourselves. That is my thoughts on this.

Councilmember Duffy commented regarding the R-1 zoning, will this get locked for 10 years? What if another developer comes in and asks for something different? We have been through this before, don't want to do this again.

Open to public comments - None received.

Councilmember Judd made the motion to approve Ordinance 2022-22 including Stipulation "I" which is included to preserve Trilby Wash pursuant to the requirements of the City of Surprise land ordinance. Vice-Mayor Cline seconded the motion. 6 yes votes, 1 no vote (Councilmember Winters). Motion carried.

- **9. Consideration and action pertaining to the Neighborhood Grant Program Awards for Fiscal Year 2023 as recommended by the sub-committee on Community Outreach, Partnerships and Grants.**

Governmental Relations Administrator, Jodi Tas gave a powerpoint presentation on this item.

Mayor Hall complimented Jodi Tas and the committee on the hard work on task.

Councilmember Remley commented that he will be abstaining from the vote due to being a resident of Litchfield Manor.

Vice-Mayor Cline thanked staff for their efforts and was glad to be a part of this process. I would love it if we had more money to spend on the residents, on the other hand

Councilmember Judd also thanked Jodi and staff for organizing the meeting and coordinating the documentation.

Councilmember Judd made the motion to approve the Neighborhood Grant Program Awards for 2023. Seconded by Vice-Mayor Cline. 6 yes votes, 1 abstained (Councilmember Remley). Motion carried.

I. Other Business and Future Agenda Items

Councilmember Remley requested a work session item regarding Traffic issues on 303 and what are the alternatives to traffic. Seconded by Councilmember Judd

Vice-Mayor Cline requested a work session item on sustainability throughout the City (Example: solar, wind). Seconded by Councilmember Hastings.

- **J. City Council Reports**
- Councilmember Judd - no report tonight.

Councilmembers Winters reported on attending GAIN Night

Vice-Mayor Cline reported on the following: Attended 3 ribbon cuttings last week - Economic Development does a great job! Attended the Special Olympics fall games, the group did an awesome and an=mazing job, very impressed with the ceremony; District 2 meeting this month, next one in November, Tuesday before Thanksgiving; attended Best of the West Awards Ceremony.

Councilmember Hastings reported on the following: GAIN Night, great relationship with our police and fire departments; Meet and Greet coming up the 3rd Wednesday of this month.

Councilmember Remley reported on the following: I hope everyone gets out and votes, it's our one privilege we have to exercise our rights; Veteran's Day Parade - Grand Marshall, Veteran Larry Brown; no District meeting for November; if you belong to an HOA, please take note we have money through a grant each year, to do a project in the community, for next year ask your HOA Board to apply for grant money.

Councilmember Duffy reported on the following: This Saturday Meet and Greet at Spencer's Place - 9:00 a.m.

Mayor Hall reported on the following: Enjoyed opening ceremony for the Special Olympics, thanked staff for a great job; Served food at the Senior Center, Fall Senior Services event; November 6th Sunday in the Park 3 to 7 at Mark Coronado Park. November 11th - 10:00 a.m. 8th Annual; Veteran's Day Parade.

- **L. Adjournment**

- Councilmember Winters made the motion to adjourn the Regular Council Meeting at 7:02 p.m. Seconded by Vice-Mayor Cline. 7 yes votes to adjourn. 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, November 1, 2022.**

Sherry Ann Aguilar, City Clerk, MMC