



CITY OF SURPRISE
City Council Meeting Minutes
100 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, November 19, 2013 @ 06:00 PM

Call To Order

Roll Call

Mayor Wolcott called the **Special City Council Meeting** to order at 06:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, November 19, 2013**. Also in attendance with Mayor Wolcott were Vice Mayor Biundo, Council Member Alton (telephonically), Council Member Williams, Council Member Villanueva, Council Member Mankiewicz, and Council Member Hall.

Staff Present: City Manager, Chris Hillman, City Attorney, Misty Leslie, and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Mayor Wolcott stated that they would enter into executive session first.

Council Member Mankiewicz made the motion to adjourn the Special Council Meeting and enter into executive session at 6:02 p.m. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

EXECUTIVE SESSION:

#3 Executive Session: Discussion/consultation with the City Attorney to receive legal advice; and to consider its position, and to provide instruction/direction to the City Attorney regarding Surprise's position re: council authority, review and avoiding possible litigation involving development (A.R.S.§38-431.03 (A)(3) &(4)).

Mayor Wolcott reconvened the Special Council Meeting at 6:31 p.m.

SPECIAL COUNCIL MEETING AGENDA - PUBLIC HEARING:

#1 Public Hearing, presentations by guests and discussion by Council regarding land use and applicable zoning ordinances pertaining to the commercial property located at the southwest corner of the Bell Road and Loop 303 (the proposed WinCo Foods location). Invited guests include the owners of Safeway Shopping Center; the Surprise Coalition of Concerned Citizens; Bell Road and Loop 303, LLP; and WinCo Foods - NO ACTION

Mayor Wolcott explained the purpose and process of the public hearing.

Safeway Representatives - Attorney, Paul Gilbert (Beus Gilbert) gave a powerpoint presentation relating to land use of the proposed Winco (powerpoint is available in the City Clerk's Office).

Attorney, Ed Bull concerned Citizens of Surprise is made up a number of residents and business interests in the area (a powerpoint presentation is available in the City Clerk's Office).

No representation from Bell Road/303.

Attorney, Cameron Artigue - Winco elected not to make a presentation tonight for the record. Mr. Bull filed a lawsuit 15 days ago so those circumstances my client declined to speak this evening.

Public comments:

Michelle Headen - Opposed to this development, resident located directly behind. She commented on noise; the view will be obstructed; may affect land value and already have several grocery stores in the area already.

Kathryn McKinney - Opposing Winco development for many reasons. Winco has a problem with hiring practices and wishes to go on record for this reason.

Daniel Hisaw - Concerned about the noise from this development. Sam's Club is a warehouse but not a 24 hour operation.

Reverend Jarret Maupin - Progressive Christian Coalition - opposed to this project because of the area. Most employees are part-time and you already have other stores in the area that have full-time. What you gain from Winco, you lose value for our residents of the City? Winco is not a fair partner for our community. Winco in Phoenix has some issues with crime and semi-truck parking, etc. This will shatter 3 existing grocery stores in the area and ruin the cost of living for our residents.

Michelle Headen - Frustrated with public comment process, the meeting was first scheduled at 4:00 p.m., then was scheduled for 6:00 p.m. She suggests putting something in this area for the youth and stated she does not want to see Winco go into that space, they should go through the correct process.

Katie Hoagan - Store Manager at Safeway, the community is so saturated with grocery stores, when other grocers came in, some of our employees were laid off.

Attorney Ed Bull, commented about Winco representative here to make a statement about the lawsuit. It is correct that my firm filed suit on the site plan related issues. We intentionally have not filed on the City, merely filed as a placeholder. We wished Winco and the other landowner was participating. We hope the suite becomes academic and is dismissed.

SPECIAL COUNCIL MEETING AGENDA - NON-PUBLIC HEARING ITEM:

#2 Consideration and possible action regarding information presented during public hearing - TABLED

Council Member Williams made the motion to table item #2. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

Adjournment:

Council Member Hall made the motion to adjourn the Special Council Meeting of November 19, 2013 at 7:26. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk,

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 Special City Council Meeting of **Tuesday, November 19, 2013.**

Sherry Ann Aguilar, City Clerk,