



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

Tuesday, January 14, 2014 @ 06:00 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular 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, January 14, 2014**. Also in attendance with Mayor Wolcott were Council Member Winters, Council Member Williams, Council Member Tande, Council Member Hall, and Council Member Villanueva.

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

C. Pledge of Allegiance

D. Invocation

E. City Manager Report:

F. City Attorney Report:

G. Regular City Council Meeting Agenda:

Consent Agenda:

***#1. Consideration and action on the purchase and disposition of 15350 W. Lundberg St. for the Neighborhood Stabilization Program with the accepted purchase price of \$159,900.00 - APPROVED**

***#2. Consideration and action on the purchase and disposition of 15963 W Tasha Dr. for the Neighborhood Stabilization Program for the purchase price of \$164,900.00. - APPROVED**

***#3. Consideration and action on Resolution 2014-04, approving a final plat entitled "Avenue of the Arts Clinic, A Condominium," generally located on the northeast corner of Bell Road and Avenue of the Arts - APPROVED**

***#4. Consideration and action on Resolution #2014-01, approving the Maricopa HOME Consortium Intergovernmental Agreement - APPROVED**

***#5. Consideration and action on Resolution No. 2014-02, declaring the City's intention to create the Zanjero Trails PH 2 #133 Street Lighting Improvement District pursuant to A.R.S. § 48-616 - APPROVED**

***#6. Consideration and action on a liquor license request by Winco Food, LLC, for a series 09 Person Transfer/Location Transfer to be located at 16951 W. Bell Road, Surprise, AZ 85388 - APPROVED**

Council Member Williams removed item #6 from the consent agenda for discussion.

The City attorney explained the process for denying a liquor license application. The Council took a few minutes to review the 12 steps for disapproving this license request.

Kelly Lafko - Recommended approval of the license request.

Kurt Braatz - Recommended approval and support of the license request.

Jennifer Sweeney - recommended approval and in support of this license request.

Adam Baugh - Winco Applicant commented that he reviewed the reports from the departments recommending approval.

Mayor Wolcott asked if Winco were to end up at a different site, would this license need to be reapplied for.

Council Member Villanueva asked for clarification on Mayor's comments.

Council Member Williams made the motion to approve a liquor license request by Winco Food, LLC, for a series 09 Person Transfer/Location Transfer to be located at 16951 W. Bell Road, Surprise, AZ 85388. Council Member Hall seconded the motion. Six yes votes. Motion carried.

***#7. Consideration and action on the minutes of December 3, 2013 Special Work Session; December 10, 2013 Regular Council Meeting; December 17, 2013 Special Council Meeting and December 17, Special Work Session - APPROVED**

Council Member Hall made the motion to approve items 1-6 and 7 of the consent agenda. Council Member Winters seconded the motion. Six yes votes. Motion carried.

Non-Public Hearing:

#8. Consideration and action on the selection of a Vice-Mayor - SKIP HALL

Skip Hall was selected as Vice Mayor with a unanimous vote.

#9. Consideration and action on Resolution #2014 - 08 authorizing the use of Tourism funds to SCI Sports and Entertainment in an amount not to exceed \$20,000 - TABLED

Council Member Williams made the motion to table item #9. Council Member Tande seconded the motion. Six yes votes. Motion carried.

#10. Consideration and action on Ordinance #2014-02, amending Surprise City Code Chapter 18, Article II, an article regulating alarm systems within the City of Surprise - APPROVED

Police Chief Frazier gave an overview on Ordinance #2014-02, amending Surprise City Code Chapter 18, Article II, an article regulating alarm systems within the City of Surprise.

Council Member Winters asked for clarification of the proposed ordinance.

Public comments:

Julia Bogen - permitting system needs to be in place. Cox Communications would like to partner with the City that works for the residents, City and alarm companies. Against the 2 Zone for verified response.

Roger Score - President of Arizona Alarm Dealers Association. Discussed the logistics of adding additional sensors in your home if needed.

Dr. Tom Eggebrecht - owner of security company, strongly against the proposed ordinance.

Landon Barrup - Family in Surprise and they are my number one safety. Not sure of what verified response is, whatever you vote on, please make sure it is safe. Not many really know what is going on. Need more info for the community.

Steve Keefer - Security Alarm Coalition, prior Police Chief Sparks, Nevada, retired with 25 years. Recommends tabling this item and create a committee so that all have a voice at the table. If this passes tonight, you will be the only City that is verified response.

Paul Brooke - Board of Arizona Alarm Association - 50 year career in law enforcement, we are wasting police manpower.

Susan Brenton - Executive Director of the Arizona Alarm Association - one of many that are confused by this ordinance. Asked Council to not approve the ordinance in its current form.

Erin Clark - Alarm representative, commented that we are not the police and do not pretend to be. The police have other things that they could be doing instead of verified response.

Jim Dragoo - License and compliance manager for ADT Alarm Company. We feel that this is not a good idea in the form the ordinance is currently in and asked Council to table.

Council Member Williams stated that he appreciates the speakers this evening and appreciates their concerns. He inquired about the amount of false alarms, and approximated 4,000 per year.

Chief Frazier concurred.

Council Member Williams clarified that this is not about funds, it's about safety and safety

first.

Council Member Winters spoke of his concerns about the ordinance and asked for clarification.

Chief Frazier explained the verified response process.

Council Member Villanueva asked for additional clarification on the public review process.

Sarah Fakhoury asked for clarification on the major difference on verified response and calling 911.

Chief Frazier explained that if two zones on alarm were tripped or an eye witness, it proves that someone knows there is activity at your home.

Council Member Tande stated that he appreciate making the change to not penalize the resident for the false alarms. He further stated that it is hard to get on this list and that he doesn't want us to collect a fee from alarm owners as well.

Mayor Wolcott commented that she appreciates everyone's feedback on this issue and further acknowledged that we have heard from the residents that they don't want to be charged a fee for false alarms, so we have very clearly heard them. I trust that this recommendation will be the best interest of the citizens as a whole.

Council Member Hall made the motion to approve Ordinance #2014-02, amending Surprise City Code Chapter 18, Article II, an article regulating alarm systems within the City of Surprise. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#11. Consideration and action on Resolution #2014-03 amending the FY14 budget in the amount of \$39,700 to establish same day trash and recycle collection - APPROVED

Mike Gent of Public Works reported on Resolution 2014-03.

Council Member Williams commented that this is a great idea and residents seem to be for it.

Council Member Villanueva stated that she appreciates this change.

Vice Mayor Hall stated that the residents are positive about this change and that we need to think about the residents who get their garbage picked up from Park & Sons and communicate with them.

Council Member Tande spoke of the following: same side of the street; concern for some that may have trouble placing two cans out to the street and work with HOA's for reasonable accommodation.

Council Member Winters inquired about rerouting.

Council Member Villanueva made the motion to approve Resolution #2014-03 amending the FY14 budget in the amount of \$39,700 to establish same day trash and recycle collection. Council Member Winters seconded the motion. Six yes votes. Motion carried.

Public Hearing:

#12. Consideration and action on Resolution #2014-09, approving a minor General Plan Map Amendment to change the General Plan Land Use designation for FS13-416, entitled "Grand Vista", an approximately 5,500 gross acres property generally bounded by Dove Valley, 211th Avenue, Black Mountain Road, and 183rd Avenue - APPROVED

Vice Mayor Hall stated that he wants to make sure that there is a good analysis about water; economic flow through of costs to serve and tax base revenue.

Council Member Winters inquired about the 15,000 homes in this development.

Public Comments:

Barbara Waller owns property west of 211th. She inquired about being added to the list.

H. Call To The Public:

I. Other Business and Future Agenda Items:

Council Member Williams - ASU report.

J. Mayor/Council Reports:

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

Council Member Winters: Second Saturday at Radiant Church 350 people volunteered for cleanup

Vice Mayor Hall: Congrats to Radiant Church, honored to serve; Chamber Breakfast this morning; Diane McCarthy now the Chairman

Council Member Tande: Coffee Chats in District 2; looking forward to the budget retreat

Council Member Williams - Congrats to Beth Maloney, AZ Teacher of the year; thanked Steve at Firestone, traveling by bike because car in the driveway.

Council Member Villanueva: attended the Grand Opening at the City Hall in Buckeye; new home on Hollyhock Street, really nice; working with Aguila Organization, scholarships for high school students; fundraiser on January 18th and Monthly meeting in the OTS tomorrow night.

Sarah Fakhoury, Civic Leader: College hunting, received a scholarship yesterday for \$25,000. Pursuing a Bio medical engineering. Would like to stay in Surprise in the medical field.

Mayor Wolcott: thanked Council for joining her in District 2, to find out what they are looking for. People everywhere are talking about what the Council is doing.

Council Member Villanueva made the motion to adjourn the Regular City Council Meeting and enter into executive session at 7:42 p.m. Council Member Winters seconded the motion. Six yes votes. Motion carried.

K. Executive Session:

#13. Discussion/consultation with the City Attorney to receive legal advice; and to consider its position, and to provide instruction/direction regarding Surprise's position on contract negotiations regarding development on property bounded by Bell, Litchfield, Greenway and Bullard Roads. (A.R.S. §38-431.03(A)(3) &(4)).

L. Adjournment:

Council Member Hall made the motion to adjourn the Regular City Council Meeting at 8:51 p.m. Council Member [redacted] seconded the motion. Six 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 Regular City Council Meeting of **Tuesday, January 14, 2014.**

Sherry Ann Aguilar, City Clerk,