



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

Tuesday, December 15, 2015 @ 06:06 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:06 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, December 15, 2015**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Winters, Council Member Biundo, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

Pledge of Allegiance led by Sunset Hills Elementary School.

Paul Bernardo - Sunset Hills Elementary School (6-8) presentation; Friends of Rachel's Club and High 5 Fridays, greeting each student.

City Manager, Bob Wingenroth - Great honor, Robert Wingo named as the City Attorney for Surprise.

Special Recognition for City Manager, Bob Wingenroth - Assistant City Manager, Mike Frazier, Tim Swann Patrick McDermott presented Mr. Wingenroth an honorary award for service to Veteran's in Arizona.

City Attorney Report

City Clerk Report

Candidate Packets are available January 4, 2016 for Mayor and Districts 2, 3 and 4.

Consent Agenda

1 - Consideration and action amending the fiscal year 2016 budget by reallocating appropriations of \$118,000 from Grants Fund Contingency to Neighborhood Revitalization Fund and extending the HOME Intergovernmental Agreement with Maricopa County as part of the Maricopa County Home Consortium; Resolution # 2015-118 - APPROVED

2 - Consideration and action to approve a request by Andrea Lewkowitz (applicant) for an Acquisition of Control request by New York Pizza Dept. located at 13980 W. Bell Road, Suite 1, Surprise, AZ. 85374 for existing license 12077756 - APPROVED

3 - Consideration and action on the meeting minutes of December 1, 2015 Regular City Council Meeting and December 4, 2015 Special City Council Meeting (Annual Summit) - APPROVED

4 - Consideration and action amending the fiscal year 2016 budget by reallocating appropriations of \$585,000 from General Fund Contingency to General Fund, Legal, General Operations, and General Capital Fund, Legal, General Operations, for the purpose of funding litigation; transferring actual funds of \$400,000 from General Fund to General Capital Fund; Resolution # 2015-122 - APPROVED

Council Member Winters made the motion to approve the consent agenda. Council Member Tande seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Public Hearing

5 - Consideration and action pertaining to a Minor General Plan Amendment (GPA) changing the Land Use Designation of approximately 29.64 acres from Suburban Residential (1-3 DU/Ac) to Medium Density Residential (5-8 DU/Ac) for Verdugo, property generally located east of 163rd Avenue between Pinnacle Peak Road and the San Ysidro Road alignment; Resolution # 2015-107 - APPROVED

City Planner, Robert Kuhfuss gave an overview regarding this item.

Council Member Hall - Public outreach efforts? How did we answer the entry questions, one way in and one way out? Is the developer here tonight? What is the trade off for this development?

Anthony Sumner of Sandlot Development was available for questions.

Council Member Winters - 163rd Avenue, glad to hear there will be improvements. When you have these community outreaches, I think the Council person from the area, should get a notice by email.

Mr. Kuhfuss - We will make sure this happens.

No public comments were made.

Council Member Winters made the motion to approve Resolution 2015-107. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

6 - Consideration and action pertaining to rezoning, by major PAD amendment,

property generally located east and adjacent to 163rd Avenue between Pinnacle Peak Road and the San Ysidro Road alignment, from PAD (Medium Density Residential 5-8 DU/Ac), PAD (Medium/High Density Residential 9-15 DU/Ac), PAD (Neighborhood Commercial), PAD (Office), and PAD (Suburban Residential 1-3 DU/Ac) to PAD (Medium Density Residential 5-8 DU/Ac) and PAD (Suburban Residential 1-3 DU/ac) for Verdugo; Ordinance # 2015-22 - APPROVED

City Planner, Robert Kuhfuss gave an overview on Ordinance No. 2015-22.

Council Member Hall - What will we get for what we gave?

Mr. Kuhfuss - Linear land use configuration along 163rd Avenue. Gaining trails.

Council Member Winters - How much of the infrastructure improvements to 163rd Avenue?

Mr. Kuhfuss - Dedicating San Ysidro through the final plat. The City will have the right-of-way to develop.

Council Member Villanueva - Can you explain Suburban Medium High.

Mr. Kuhfuss explained, it's a density factor.

Council Member Winters - Cluster housing, single family homes, has this been decided?

Mr. Kuhfuss - Not at this time.

No public comments were made.

Council Member Winters made the motion to approve Ordinance 2015-252. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

7 - Consideration and action pertaining to the "Preliminary Plat for Verdugo", a 5-Parcel, 409-Lot residential subdivision in the Verdugo PAD, generally located east of 163rd Avenue between Pinnacle Peak Road and the San Ysidro Road alignment - APPROVED

City Planner, Robert Kuhfuss reported on the Preliminary Plat for Verdugo.

No public comments were made.

Council Member Hall made the motion to approve a 5-Parcel, 409 Lot, Preliminary Plat for Verdugo. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

8 - Consideration and action on a major amendment to the Surprise General Plan 2035, re-writing the land use element; changing from a village planning to a character area planning concept; updating all other elements of the General Plan 2035 to conform; modifying the reporting and amendment processes in the implementation section; and repealing the existing village plans; Resolution # 2015-120 - CONTINUED TO DECEMBER 19, 2015 SPECIAL CITY COUNCIL MEETING

Public Comments:

Jeff Blilie - opposed to wildlife corridor
John Berry - opposed to wildlife corridor
Mike Schwab - opposed to wildlife corridor
Danny Martino - opposed to wildlife corridor
Peter Gooding - opposed to wildlife corridor
Marty Makaus - opposed to wildlife corridor
Rick Merritt - opposed to wildlife corridor
Alexis Wasson - opposed to wildlife corridor
Andrew Chang - opposed to wildlife corridor
Jeff Gibbs - proposed to not accept these proposals at all
Bjorn Bondo - Asked Council to support Council recommendations

Council Member Winters - We had a plan that the residents approved in 2012, and now we are changing it. Why are we proposing this?

Council Member Biundo - Complex issue. Need additional clarification on some of the points that consistently arise. We are hearing a great deal from the speakers, is the issue the corridors or the size of the corridors, we need to take a look at this. Maybe we need to re-establish the General Plan Committee to get their input.

Council Member Tande - What happens if we don't take action right now?

Mr. Fitzer - Yes we basically would start from scratch if it's not approved tonight. I think we need to separate the wildlife corridors and open space. All we were doing is showing the corridor on the map.

Council Member Biundo - I am not against the Character Area approach, if the corridors are in the current general plan, then I assume those could be amended. Should we relook at the size of the corridors if that's the issue. We need some analysis of 3 or 4 core points.

Council Member Villanueva - I also appreciate all the work that staff has put into this, but I also have heard that the owners of the property have issues with these changes. Can this result in lawsuits?

Council Member Tande - When we define the corridors, it's a tool that this envisions the open space.

Mayor Wolcott - I agree that we need to make a decision built on that it is not clear what the impact will be to the property owners. We have regulation now and staff is proposing to make the regulations more flexible for the property owners.

Council Member Winters made the motion to continue Resolution 2015-120 to December 19, 2015 Special City Council Meeting. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Non-Public Hearing

9 - Consideration and action to appoint Andrew Orlikoff to fill a vacancy on the Board of Trustees with a term expiration of June 30, 2017; and Merrill Edelstein to fill a vacancy on the Arts & Cultural Advisory Commission with a term expiration of June 30, 2019 (Pending that no other new applications were received for the Arts

Commission by the beginning of this meeting). The City Clerk will issue the Oath of Office - APPROVED

Council Member Winters made the motion to approve the appointments and directed the City Clerk to issue the Oath of Office. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

City Clerk Aguilar administered the Oath of Office.

10 - Consideration and action on the Surprise Parks and Recreation Master Plan Update - APPROVED

Assistant Community & Recreation Services Director, Donna Miller gave an overview of this item.

Council Member Winters - Crossing of Grand, was that a bridge over Grand?

Mr. Abrams commented that for years this has been a discussion to eventually have a safer crossing across Grand Avenue.

Council Member Winters - Park at Rancho Mercado?

Council Member Hall - Score board, what is the source of funds?

Council Member Hall - Do we have money in the library fund?

Ms. Miller - Yes 2.4 million.

Council Member Tande - A city of our size to be comparable to other cities, correct?

11 - Discussion and action amending the fiscal year 2016 budget by reallocating appropriations of \$14,000 for the completion of the City Hall Art Display Plan; and authorizing the Surprise Arts and Cultural Advisory Commission to move forward with obtaining a vendor to complete the work; Resolution # 2015-121 - APPROVED

Council Member Winters - Asked that the Chair of the Arts Commission give an update on the project.

Chair deJong explained the reasoning for the request of \$14,000. We need a total of \$44,000. for the display plan.

Council Member Hall - To get this done it is going to cost \$45,000. this is the Architect who designed the building.

Mayor Wolcott - Asked for further clarification on additional funding. The overall project will cost between \$40,000. to \$45,000.

Council Member Biundo - Overall, this is such a critical thing to be done and has been discussed for a few years now.

Council Member Villanueva - Do you have a plan already?

Council Member Hall made the motion to approve Resolution 2015-121. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

12 - Consideration and action pertaining to adoption of the City Council Boards and Commission Handbook (2015 edition); replacing all prior boards and commission handbooks - APPROVED

City Manager Wingenroth was available for any questions.

Council Member Hall made the motion to approve the 2015 City Council Boards and Commission Handbook. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Other Business

Mayor Wolcott: Transportation update in January; East-West Corridor review and Bus Rapid Transit Study.

Vice Mayor Williams and Mayor Wolcott: Bring Bond discussion forward

Council Member Tande and Vice Mayor Williams: Lost pets discussion

Mayor and Council reports

Council Member Biundo: 4th Annual Pearl Harbor Day

Council Member Tande: Have a safe and happy holiday

Council Member Hall: congratulated Seth Dyson; TechCelerator Re-launch

Council Member Villanueva: Third Thursday of month; dog code and moving meetings back to Wednesdays starting in February.

Mayor Wolcott: best wishes and happy holidays to citizens, staff and colleagues

Council Member Tande made the motion to recess the Regular City Council Meeting and enter into executive session at 8:40 PM. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Executive Session

Consideration and action to enter into Executive session to discuss and consider the personnel evaluations and 2016 position objectives for the City Manager and City Clerk pursuant to A.R.S. 38-431.03 (A)(1)

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of December 15, 2015 at 9:54 PM. Council Member Biundo 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 Regular City Council Meeting of **Tuesday, December 15, 2015.**

Sherry Ann Aguilar, City Clerk,