



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

Tuesday, September 20, 2016 @ 06:00 PM

Call to Order

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, September 20, 2016**. Also in attendance with Mayor Wolcott were Council Member Winters, Council Member Williams, Council Member Villanueva, Council Member Hall, Council Member Tande, and District 2 - Vacant.

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

Service Award for Jerry Hoyler and Steve Somers for years of service on the Planning & Zoning Commission.

Youth Services Administrator, Paul Bernardo - Kingswood Elementary Lady Knight Softball Team.

Service Award - Planning & Zoning Commission Members Jerry Hoyler and Steve Somers, years of service recognition. Mr. Hoyler was not present tonight.

November 1st, 2016 the City will take over the water billing so our project is on track, enhanced payment methods and a really nice feature will be our Surprise logo on the bill.

City Attorney Report

City Clerk Report

2016 General Election and Passport Services Update.

City Clerk Aguilar reported on the upcoming General Election, Nov. 8, 2016.

Call to the Public

Consent Agenda

1 - Consideration and action on the meeting minutes September 6, 2016 Regular City Council Work Session and Regular City Council Meeting - APPROVED

2 - Consideration and action pertaining to revising the Dial-a-Ride fares adopted on May 4, 2016; Resolution # 2016-119 - APPROVED

3 - Consideration and action pertaining to an amendment of the fiscal year 2016 budget by reallocating appropriations in the amount of \$50,000 to the clubhouse improvements project (21514), \$16,800 to Surprise Farms Skate Park project (21507), and \$88,000 to the Surprise Farms Park project (21417); Resolution # 2016-116 - APPROVED

4 - Consideration and action authorizing the City Manager to renew an Intergovernmental Agreement (IGA) between the City of Surprise and the Department of Justice Drug Enforcement Administration (DEA) for two (2) experienced officers to be assigned to the DEA Task Force for a period of not less than two years; Resolution # 2016-113 - APPROVED

5 - Consideration and action on a request by Troy Devos for Acquisition of Control for QuikTrip #410 located at 14007 W. Grand Avenue, Surprise, AZ 85374 for existing license No. 10075655 - APPROVED

6 - Consideration and action on a request by Troy Devos for Acquisition of Control for QuikTrip #494 located at 11420 W. Bell Road, Surprise, AZ 85378 for existing license 10074070 - APPROVED

Council Member Winters made the motion to approve the consent agenda. Council Member Hall seconded the motion. Six yes votes, one vacancy (District 2). Motion carried.

Regular Agenda Item - Non-Public Hearing

7 - Presentation and discussion pertaining to an update on the Bell and Grand construction project - NO ACTION

Economic Development Director, Jeanine Jerkovic gave an overview and update on the Bell & Grand Construction Project. A powerpoint presentation was reviewed. Upcoming educational event featuring financial options available for the businesses in this area.

Brock Burnhardt, ADOT - Phase 3C, currently in Phase 3B. Opening Bell Road target date of November 22nd, 2016. We now have a target date. Entire project complete by Spring 2017.

Council Member Hall - What caused the slip on timeline?

Mr. Burnhardt - contractor builds in float time in any type of contract.

Council Member Hall - referred to Feb. 1, what was that date?

Mr. Burnhardt - I'm not sure, but our target is Spring.

Council Member Hall - we need to be totally done by Spring Training, do you understand?

Council Member Winters - Great job that ADOT has done on this project.

Council Member Villanueva - The project has runs smoothly with transportation.

Karl Zook - We are assisting ADOT with the detours, as of now, things are running smooth. Hopefully with Bell opening up allow more access to the area.

Council Member Hall - When is the last gap filled?

Mr. Zook - Now and November.

8 - Consideration and action pertaining to approval of an amendment to the Surprise Center Development Company L.L.C. Compromise Settlement Agreement and Full and Final Release of All Claims - APPROVED

City Manager Bob Wingenroth gave an overview for this item. The amendment is to consider the deadline to December 6, 2016 and the incentive package to November 15, 2016.

Council Member Hall - that's not "floating-time" correct?

Mr. Wingenroth - no, it is not.

Council Member Williams made the motion to approve the first amendment to the Compromise Settlement Agreement and Full and Final Release of All Claims. Council Member Winters seconded the motion. Six yes votes, one vacancy (District 2).

9 - Discussion and action pertaining to the absences of, and/or non-responsiveness to contact from city staff by, certain City Board or Commission members - NO ACTION TAKEN

Council Member Winters explained the item and why it is on the agenda. He read the City Code regarding attendance for Boards/Commissions and referred to the members in question.

Mayor Wolcott commented that she asked the City Clerk to put together a list of boards/commission including the Mayor and Council attendance from 2014 to 2016. Attendance is an issue all across the board, but some commissions don't meet on a regular basis. Our goal as a Council should be to encourage participation to volunteer for our boards and commissions. It is difficult to find people to serve.

The planning and zoning commission meet 2 times per month same as Council, and the prep time is extensive and sight visits are common.

Shari Martin - Death in the family for her last absence. She has requested to continue.

Mayor Wolcott - We need to be sensitive to the volunteers, everyone has a life, vacations, deaths in the family, etc.,

Council Member Williams - Speaking as one of the Council Members with the worst attendance record. I will echo the sentiments of the Mayor. We need to deal with this at the very lowest level, and not go through this process of bringing these people before Council and disenfranchise them.

Council Member Hall - I agree John with most of what you said. I am wondering if we should not change our policy on this issue. The only commission we have to have is the Planning & Zoning commission mandated by State Law. I really think their attendance is very important and I don't think it needs to come to us. Years ago, we use to have a dinner for the Planning & Zoning Commission and all of the Boards/Commissions as a small token of appreciation.

Council Member Villanueva - I don't think they should be removed, I am on the committee, we spent 5 hours the other day. It's just not right to remove volunteers.

Mr. Fitzer - Commented that he has received a resignation from Shari Martin due to moving out of the City.

Council Member Tande - This is a good discussion, I want all the volunteers to know we appreciate their service. They are going to study and make decisions for the City. I wish we had more volunteers like this.

Council Member Hall - I witnessed a commission where Mark's people and they didn't have a quorum.

No action was taken on this item, it will be discussed at a future Council Meeting.

Public Comments:

Mike Planeta - I really appreciate your comments on this topic. I appreciate your position and your comments are right on track. I believe I bring a lot of experience and good ideas to the CRS Commission. I enjoy serving on the commission, we have two new people right now, so it takes a little while to get use to the routine.

Ken Wright - What we have here is a lack of exemption language. I think there is very clear language you can put in to take care of this. There are Council rules and procedures, areas that need to be clarified.

Other Business

Mayor/Council Reports

Council Member Tande - provide a tour to a group of ladies spoke about some functions of government.

Council Member Hall - Water campus - Gateway College building, Helping Partners - Benevilla, Achieve 60 and Professional Friends.

Council Member Villanueva - Senior Center tomorrow night, meeting regarding the Bond.

Council Member Tande made the motion to recess the Council Meeting and enter into executive session at 7:14 PM. Council Member Williams seconded the motion. Six yes votes, one absent (District 2). Motion carried.

Executive Session

- 10. Consideration and action to enter into executive session for discussions and consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the sale or lease of real property in the proximate vicinity of Surprise City Hall and Surprise Stadium pursuant to ARS 38-431.03(A)(7).**

Adjournment

Mayor Wolcott made the motion to adjourn the Regular City Council Meeting of September 6, 2016 at 7:47 PM. Council Member Tande seconded the motion. Six yes votes, one vacancy (District 2). 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, September 20, 2016.**

Sherry Ann Aguilar, City Clerk,