



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

Tuesday, June 21, 2016 @ 07:28 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 07:28 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, June 21, 2016**. Also in attendance with Mayor Wolcott were Vice Mayor Biundo, Council Member Winters, 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

City Attorney Report

City Clerk Report

City Clerk Aguilar reported on the upcoming election.

Call to the public

Consent Agenda

1 - Consideration and action to reappoint the following Board/Commission Members: David Farago, Arts and Cultural Advisory Commission; Bruce Hertzog, Disability Advisory Commission and Judge Peter Swann, Judicial Selection Advisory Commission all listed members have 4 year term expirations to expire on June 30, 2020 - APPROVED

Council Member Winters removed item 1 from the consent agenda.

Council Member Winters made the motion to approve the appointment of the Board/Commission

Members. Council Member Hall seconded the motion. Six yes votes. Motion carried.

City Clerk Aguilar administered the Oath of Office.

2 - Consideration and action to approve a request by Nikollas Arapi for a Series 12 New License/LLC, for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, Arizona 85379 - APPROVED

3 - Consideration and action to approve a request by Cori Infranco for a Series 12 liquor license for Grand Central Eatery, LLC, located at 17300 N. Sun Village Parkway #D, Surprise, AZ. 85374 (Sun Village - New License/LLC) - APPROVED

4 - Consideration and action to approve a Series 12 Liquor license request by Mark Russell for Oregano's Pizza Bistro located at 16914 W. Bell Road, Surprise, AZ. 85374 (New License, Corporation) - APPROVED

5 - Consideration and action on the minutes of June 7, 2016 Regular City Council Work Session and Regular City Council Meeting - APPROVED

6 - Consideration and action pertaining to approval of a replat of a final plat entitled "A Replat of Lot 6 of the 'Replat of Lot 1 of the Final Plat for Sierra Montana Crossing' " dated April 25, 2016, a 5.38 acre parcel generally located at the southwestern corner of North Cotton Lane and West Greenway Road within the Sierra Montana PAD - APPROVED

7 - Consideration and action declaring the City's intent to create the "City of Surprise, Arizona, Sycamore Farms Parcel 12 Phase 2 #138 Lighting Improvement District" pursuant to A.R.S. 48-616; Resolution # 2016-82 - APPROVED

8 - Consideration and action pertaining to approval of the final plat entitled "The Retreat at Sycamore Farms Parcel 12, Phase 2" dated May 9, 2016, a 16.62 acre 69 lot, 8 tract property generally bounded by SR303 to the west, West Cholla Street to the north, and North 165th Drive to the east - APPROVED

9 - Consideration and action pertaining to approval and acceptance of contract and grant funds for fiscal year 2017 in the amount of \$50,000 from Area Agency on Aging Region One; Resolution # 2016-91 - APPROVED

10 - Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County to continue providing Community Action Program services for fiscal year 2017 and acceptance of grant funding in the amount of \$87,452 to support operations of the Surprise Resource Center; Resolution # 2016-88 - APPROVED

11 - Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County Community College District for water technology education at Surprise-Gateway Training Center; Resolution # 2016-05 - APPROVED

12 - Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County for access to, and participation in, AZLink criminal

justice information sharing system; Resolution # 2016-93 - APPROVED

13 - Consideration and action pertaining to approval of an Intergovernmental Agreement with the Arizona State Forestry Division for providing assistance in suppressing wildland fires; Resolution # 2016-94 - APPROVED

14 - Consideration and action pertaining to approval of an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the Intelligent Transportation System (ITS) Strategic Plan; Resolution # 2016-83 - APPROVED

15 - Consideration and action pertaining to approval of an Intergovernmental Agreement with the Maricopa County Sheriff's Office to provide access to and participate in the Arizona Automated Fingerprint Identification System Full Access System Terminal Site; Resolution # 2016-96 - APPROVED

Vice Mayor Biundo made the motion to approve the consent agenda, excluding item 1. Council Member Tande seconded the motion. Six yes votes. Motion carried.

Regular Agenda Item - Public Hearing

16 - Consideration and action pertaining to approval of a non-exclusive License Agreement with Cox Communications Arizona, LLC, for the use of public rights-of-ways; Resolution # 2016-78 - APPROVED

Communications Director, Tammie Hollowell reported on the license agreement. Jamie Boyet and Susan Anable of Cox Communications were available for questions.

Council Member Hall - Please tell us why you are doing these boxes.

Council Member Hall - Do you set up a system to call for service?

Vice Mayor Biundo - Is the Dysart Channel 99 under the City Agreement?

Yes correct, we are granting permission on our license.

Mayor Wolcott - What is the average going to cost for a family?

Ms. Boyet - Difficult question to answer, packages, boxes, etc.

Council Member Winters - How do you install these boxes?

Vice Mayor Biundo made the motion to approve Resolution 2016-78. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

17 - Consideration and action pertaining to declaring as a public record the document entitled, "Code of Ordinances, Part II-Land Development Ordinances, Chapter 122-Surprise Unified Development Code, Article 6 - Zoning Districts, Division 9 Flexible Zoning"; Resolution # 2016-95 - APPROVED

City Planner, Joshua Mike gave an overview regarding this item and explained that this item is

actually tied to the next four items.

Mayor Wolcott thanked the staff and residents of the OTS, for the hard work on this project. This is a big deal, and not the first time of the City addressing this plan. This is so that we can make change for the betterment of the community.

Council Member Winters - Cottage Industry concept - small number of employees?

Mr. Mike - up to 5 .

Public Comments:

Tim Gonzalez - New to OTS, just bought a property, I think it is important for you to pass this. I can't get an appraisal for the property. So right now my project is on hold. I am hoping with this passing that things will change and I can proceed with the project. I am against HOA's, and there are a lot of people in the community upset with this, but for the future it may affect their children down the road. They have the option to opt out. Thank you Councilmember Villanueva and staff for this project.

Council Member Villanueva made the motion to approve Resolution 2016-95. Council Member Hall seconded the motion. Six yes votes. Motion carried.

18 - Consideration and action pertaining to approval of a zoning text amendment repealing Section 122-67, Original Town Site, of the Surprise Uniform Development Code and adopting Section 122-69.1 establishing the Surprise Heritage District and two corresponding overlay zones; Ordinance # 2016-16 - APPROVED

Council Member Villanueva made the motion to approve Ordinance 2016-16. Vice Mayor Biundo seconded the motion. Six yes votes. Motion carried.

19 - Consideration and action pertaining to approval of a rezoning action to apply the Residential Overlay (SHD-RO) zone to 1135 parcels within the Original Townsite; Ordinance #2016-17 - APPROVED

Council Member Villanueva made the motion to approve Ordinance 2016-17. Council Member Tande seconded the motion. Six yes votes. Motion carried.

20 - Consideration and action pertaining to approval of a rezoning action to apply the Commercial Overlay (SHD-CO) zone to 224 parcels within the Original Townsite; Ordinance # 2016-18 - APPROVED

Council Member Villanueva made the motion to approve Ordinance 2016-18. Council Member Tande seconded the motion. Six yes votes. Motion carried.

21 - Consideration and action pertaining to approval of a text amendment to Surprise Municipal Code Chapter 109, Sections 46 through 53, to update Infill Incentive provisions, definitions, and confirming the Plan for the Infill Incentive District; Ordinance # 2016-14 - APPROVED

Council Member Villanueva made the motion to approve Ordinance 2016-21. Council Member Winters

seconded the motion. Six yes votes. Motion carried.

22 - Consideration and action pertaining to ordering and calling a special election for November 8, 2016, to submit to the qualified electors of the City of Surprise one question authorizing the issuance and sale of \$63,000,000 principal amount of general obligation bonds; Resolution # 2016-98 - APPROVED

City Manager Wingenroth gave a powerpoint presentation overview for this item.

Council Member Winters - Very good presentation, what a great team you have and your staff did a great job with the community presentations. This is a worthwhile project and I hope that residents will approve this.

Vice Mayor Biundo - Information is great, provided us with good information. The presentation sells itself, another round of public meetings might be really helpful.

Council Member Hall - Thanked staff and the Bond Committee for their hard work in this.

Mayor Wolcott - Thanked staff and our bond committee for their dedicated efforts, and special thanks to DCM, Nicole Lance for putting this package together.

Council Member Hall made the motion to approve Resolution 2016-98. Council Member Winters seconded the motion. Six yes votes. Motion carried.

Regular Agenda Item - Non-Public Hearing

23 - Consideration and action approving an Original Townsite Incentive Program to pay for building permit and building plan review fees for the Dysart Mini Storage Project; Resolution # 2016-76 - APPROVED

City Planner, Hobart Wingard reported on this item.

Vice Mayor Biundo made the motion to approve Resolution 2016-76. Council Member Winters seconded the motion. Six yes votes. Motion carried.

Other Business

Mayor/Council Reports

Council Member Villanueva: thanked Ms. Aguilar for her work on event for Mr. McComb.

Council Member Winters made the motion to recess into executive session at 8:43 PM.. Council Member Tande seconded the motion. Six yes votes. Motion carried.

Executive Session

Consideration and action to enter into executive session for discussion or consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the lease of real property for a sport related mixed-use facility in the proximate vicinity of Surprise Stadium pursuant to ARS

38-431.03(A)(7).

Adjournment

Council Member Tande made the motion to adjourn the Regular City Council Meeting of June 21, 2016 at 9:05 PM. Vice Mayor Biundo 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, June 21, 2016.**

Sherry Ann Aguilar, City Clerk,