



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

Tuesday, March 1, 2016 @ 04:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 04:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, March 1, 2016**. Also in attendance with Mayor Wolcott were Vice Mayor Biundo, Council Member Winters, Council Member Williams, Council Member Hall, and Council Member Tande.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and Deputy City Clerk, Linda Stevens.

Pledge of Allegiance

Call to the Public

Regular Agenda Item - Non-Public Hearing

1 - Presentation and discussion pertaining to two Temporary Sign Policy drafts. The first draft policy would encompass the area which is affected by the Bell Grand Overpass project. The second draft policy would cover the incorporated limits of the City of Surprise - NO ACTION

Community Development Director, Eric Fitzer reported the history, what the policy allows, proposal and duration.

Council Member Hall: if in the Bell/Grand area, rather than have them come in for a permit, how about we give them a map showing them where they are approved?

Mr. Fitzer - we can definitely look into that.

Council Member Hall - A-framed signs looks a little disheveled, feed back, remove A-framed and keep the banners, add educational component by sending them a letter first. We need to be proactive and give them 30 days and tell them in a nice way instead of enforcing.

Mr. Fitzer - yes a soft letter giving them time

Mayor Wolcott - while we are revisiting it all together this is one of the items we have gotten a lot of

feed back on.

Council Member Winters: Visibility triangle?

Mr. Fitzer - 25x25 triangle, that's adjacent to the corner.

Council Member Tande - treating Grand/Bell a little bit differently as a whole outside of what we looking at directional signs. He referred to a couple exceptions for discussion directional signage, 1 per intersection.

Mr. Fitzer - this is something we can look at separately.

Council Member Tande - some churches are not in a full time building yet, could we consider an exception?

Mr. Fitzer - deferred to the City Attorney

Vice Mayor Biundo - waive for special events, do we have a standard regarding directional signs?

Mr. Fitzer - we can regulate, but we are struggling with part of it.

Council Member Hall - asked for the Readers Digest version of Reed v. City of Gilbert.

City Attorney Wingo - it's a case where a church who was placing off sight signs challenged the City of Gilberts code claiming that it was not content neutral. Since it's not content neutral it implicated the first amendment the test applied to it would be strict scrutiny. It required a very narrow tailoring, the policy generally needs to be content neutral. What the case did in general was demarcated and expanded and opened up the parameters beyond what we had always referred to in the past as being content neutral. If you have to read the sign to determine what applies to it, it's not content neutral.

Council Member Hall - what does it mean to us?

City Attorney Wingo - if we had a provision in our sign code, say political signs and if we had a regulation that only applies to political signs based on it being a political sign it's not content neutral and it's going to be scrutinized by the Courts, should it be challenged.

Council Member Hall - specifically addresses a church, or a real-estate business or a restaurant, then it's not content neutral.

City Attorney Wingo - we haven't suspended the application of our sign code. At present, we are doing our best to apply them in a content neutral manner and are still enforcing the time, place and manner restrictions which don't rise to the level of requiring strict scrutiny.

Council Member Tande: A-frame signs Bell/Grand area - recommend some way of contacting the vendor.

Mayor Wolcott - I believe it's a disclosure requirement.

2 - Presentation and discussion pertaining to developing a Stormwater Utility to

generate a dedicated source of funding for the operation and maintenance of the City's stormwater conveyance systems. The Utility will also be responsible for Capital Improvement Project development and management - NO ACTION

Water Resource Management Director, Terry Lowe gave a recap of the stormwater discussion, update on the outreach efforts, receive final feedback from Council and discuss the next steps.

Council Member Hall - grant opportunities?

Mr. Lowe - they are slim other than the flood control district.

Council Member Hall - feedback from open houses, was the rate discussed?

Mr. Lowe - we went through the exact presentation.

Council Member Hall - give us a breakdown of the expenses.

Council Member Tande: infrastructure one time expense and the regulator credit program.

Mr. Lowe it's an annual renewal, we have to do it every year.

Vice Mayor Biundo - I agree the study was very well done and has great specifics. Walk me through how the benefit will be applied and when does it apply to the credit program?

Mr. Lowe - there's a reduction in their rate and the benefit to the city is less impact to the system.

Public comments:

Ken Remley - commended staff, stormwater conveyance is a big problem here, we have to have these systems. He referred to the proposals.

Council Member Tande - prefers scenario 2.

Council Member Hall - scenario 2.

3 - Presentation and discussion to review capital projects - NO ACTION

City Manager Wingenroth - we have been having conversation about the capital side during the work sessions and discuss the operating side during the regular session. This is our second meeting to discuss capital projects. The topic of tonight is taking care of what we already have; pavement preservation, asset replacement and vehicle replacement.

Budget Manager, Jared Askelson commented that we are going to focus on vehicle replacement, pavement preservation and other replacement/maintenance and those impacts to the general fund.

Mayor Wolcott - pavement preservation - go into a more advanced pavement program rather than a band-aid approach which we have been doing. How much longer can we save off that pavement replacement and how much more are we saving in the lifetime of our streets?

Public Works Director, Mike Gent - our streets vary life and cycle varies. A residential road, properly maintained we can get 50 years out of it. Bell Road would have to be replaced a couple of times

during that same time.

Council Member Tande: I am a strong believer of taking care of what you have first. He referred to vehicles.

Vice Mayor Biundo - the amount that was increased from the current year to the prior year , I think it made a significant difference, anxious to see the breakdown of the 800,000.

Executive Session

Adjournment

Mayor Wolcott adjourned the Regular City Council Work Session of March 1, 2016 at 5:30 PM.

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 Work Session of **Tuesday, March 1, 2016.**

Sherry Ann Aguilar, City Clerk,