



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

Tuesday, September 5, 2017 @ 06:19 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:19 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, September 5, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Remley, Council Member Hall, and District 3 - 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

City Attorney Report

City Clerk Report

National Voter Registration Day, September 26, 2017.

Call to the Public

Consent Agenda

1 - Consideration and action pertaining to a Intergovernmental Agreement (IGA) with Maricopa County department of transportation (McDOT), to waive traffic control permit fees for City of Surprise projects; Resolution #2017-36 - APPROVED

2 - Consideration and action on the Regular City Council Work Session and Regular Council Meeting Minutes for August 15, 2017 - APPROVED

3 - Consideration and action pertaining to an Intergovernmental Agreement (IGA) with Maricopa County Department of Transportation (MCDOT) for uniform design and

construction standards associated with roads that will be annexed into the City; Resolution #2017-37 - APPROVED

4 - Consideration and action by Mayor and Council of the City of Surprise, Arizona, declaring its intention to create a lighting improvement district pursuant to A.R.S. 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Bell Pointe South #157 Street Lighting Improvement District; Resolution # 2017-94 - APPROVED

5 - Consideration and action to amend the City of Surprise Public Art Policies and Procedures Guide to include minor revisions which were inadvertently omitted in the document adopted by the City Council on March 21, 2017 - APPROVED

6 - Consideration and action by Mayor and Council of the City of Surprise, Arizona, declaring its intention to create a lighting improvement district pursuant to A.R.S. 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Bell Pointe North #156 Street Lighting Improvement District; Resolution # 2017-93 - APPROVED

7 - Consideration and action amending the fiscal year 2018 Capital and Operating List of Items over \$50,000 and the fiscal year 2018 budget by reallocating appropriations of \$20,000 from Contingency within the Grants Fund to the Donations Fund for the donation from the Friends of the Library; Resolution #2017-102 - APPROVED

8 - Consideration and action amending the fiscal year 2018 budget by reallocating appropriations of \$36,200 within the Grants Fund and approving 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 # 2017-96 - APPROVED

9 - Consideration and action pertaining to approval of a Final Plat entitled "Bell Pointe II - North and Tract LL of the Bell Pointe I Plat" dated July 7, 2017, a property generally located at the northeast corner of Bell Pointe Boulevard and Weatherly Drive - APPROVED

10 - Consideration and action pertaining to approval of a Final Plat entitled "Bell Pointe II - South" dated July 7, 2017, a property generally located on the northeast corner of Bell Pointe Boulevard and Ewers Drive within the Bell Pointe 2 Planned Area Development (PAD) - APPROVED

11 - Consideration and action pertaining to approval of the Final Plat entitled "Re-Plat of Marley Park Parcels 15 & 16" dated August 3, 2017, generally north of Cactus Road and east of Bullard Avenue - APPROVED

12 - Consideration and action pertaining to approval of the Final Plat entitled "Christopher Todd Collection at Marley Park" dated May 19, 2017, dedicating public recreation/trail and sidewalk easements for a 14.77 acre property generally located south of Old Oak Lane and west of Whisperwood Drive - APPROVED

Council Member Winters made the motion to approve the consent agenda. Council Member Hayden seconded the motion. Six yes votes, one vacant (D3), motion carried.

Regular Agenda Item - Non-Public Hearing

13 - Consideration and action pertaining to the Committee on Community Outreach, Partnerships and Grants recommendations for Surprise Community Outreach Program funding for Fiscal Year 2018 - APPROVED AS AMENDED

Community Initiative, Seth Dyson and Jodi Tas, City Manager's Office gave a presentation on this item.

Council Member Hall - Friends of the Library, recommend giving money to this organization, they do so much for our community. He questioned the Lutheran Social Services that do not have a location in Surprise. This would be for a future project.

Ms. Tas - Friends of the Library was looking to add locations for the proposed reading program. Serve 30 families with this funding.

Council Member Hall made the motion to amend as follows: change Friends of the Library from zero to \$2,000 and change Youngtown Community Fund from \$2,000 to zero. Council Member Winters seconded the motion. Four yes votes, two no votes (Tande and Remley) and one vacant (D3), motion carried.

14 - Consideration and action pertaining to adoption of a Citywide Temporary Sign Policy; Resolution # 2017-98 - APPROVED

Community Development Director, Eric Fitzer gave a powerpoint presentation on this item.

Council Member Winters - This is a tough decision, need to think of businesses too. The businesses in homes in the OTS cannot have this type of signage. Definition of Cottage Industry?

Mayor Wolcott - Cottage Industry is generally allowed in the specific area, is this correct?

Mr. Fitzer - Yes correct.

Council Member Remley - Explained the Cottage Industry within the heritage district.

Council Member Remley - Temporary signs has no time restrictions.

Council Member Hall - Prohibitive signs, festoons, or hanging out of the window of a business?

Council Member Hall - A-frame signs, 15 feet from the entry of your business.

Vice Mayor Tande - This might solve some of the issues until we get to a permanent ordinance.

Council Member Remley - Prohibitive signs, nothing about tear drop signs. Currently not allowed under the ordinance.

Public comments:

Nate Brill - Thanked Council for bringing this forward. One arterial is not enough for Open House signs and the A-Frames 15 feet away from the door, this doesn't solve the problem for the smaller businesses that are located far away from the main roads.

Wendy Cosentino - Local business owner, would like to offer an opinion from a local business owner. The location is hard to find far away from main road. I cannot agree with what signage should be on private property. This has been tough to survive, please look at the new laws that are being proposed and revise immediately.

Liz Recchio - Thank City Council and staff, you have been listening to us and we appreciate this. Gave examples of different signage.

Michelle Leski - Have lost business dramatically because people cannot see my business, I have received 2 tickets that I cannot afford to pay them. I have lost employees because I can't afford to pay them. I am doing everything in my power to keep my business. The A-Frames really help and asked Council to reconsider this.

Council Member Hall - I know where the Imagine Spa is, there is a breeze way, her business faces east. There are some exceptions that we have to try and help these businesses.

Mayor Wolcott - I frequent many of the businesses that are tucked back off of the road, I am a customer of Michelle's business. The concern I have is that if we are start making exceptions and there are businesses that pay a premium along the roadways, if we start making exceptions we are going to be walking down the same slippery slope that was challenged by the Court saying we have to have rules. I just want to stand up for the planning department on this bata test project, it's not perfect but it will help us sort out the issues.

Council Member Hall- I am really surprised that the Chamber of Commerce is not here advocating for the businesses. They knew this was on the agenda tonight. I know we can't go back and reinvent the process.

Council Member Winters - Is there any kind of appeals process with this policy?

Mr. Fitzer - If adopted, this is the policy that will be in place.

Council Member Remley - I sympathize with the business folks that have come forward, I totally agree where Hall is coming from, we are going to need to work out something for some of these businesses. It is critical that we get this bata test on board now.

Vice Mayor Tande - This will solve a lot of people's problems. Would like to see solutions, maybe directories.

Council Member Hayden - It's our responsibility to support our small businesses, I am interesting in making this work for everyone.

Council Member Remley made the motion to approve Resolution 2017-98. Council Member Hayden seconded the motion. Five yes votes, one no vote (Winters), one vacancy (D3).

Other Business

Council Member Winters - renaming Bullard to Coronado Avenue, seconded by Council Member Hayden.

Council Member Hayden - poor ordinance waiver, seconded by Council Member Winters.

Mayor/Council Report

Mayor and Council reported on the activities/meetings that they attended.

Executive Session

Adjournment

Council Member Winters made the motion to adjourn the Regular City Council Meeting of September 5, 2017 at 8:31 PM. Council Member Hall seconded the motion. Six yes votes, one vacancy (D3), 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 5, 2017.**

Sherry Ann Aguilar, City Clerk,