



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

Tuesday, February 21, 2017 @ 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, February 21, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Williams, Council Member Remley, and Council Member Hall.

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

Pledge of Allegiance

The Pledge was led by Westpoint Elementary students.

Proclamation and Community Acknowledgements

City Manager Report

City Manager Wingenroth introduced Mike Cassidy and Westpoint Elementary students. Students Emma Smith and Emily Skirvin spoke of their school.

City Attorney Report

City Clerk Report

Call to the Public

Mr. Hanzel spoke of his gratitude and thanks for two groups of people who makes it a much better place to live in; Mayor, City Council, City Manager and staff. Ottawa University is now a part of our city. Our kids no longer have to travel to Glendale or Avondale they can now get a full education in Surprise. He also acknowledged PD for breaking up a huge marijuana ring in Surprise.

Ken Wright - Bell Grand overpass, he referred to an article in Valley and State regarding setting up Community Engagement Districts, franchise businesses.

Consent Agenda

1 - Consideration and action pertaining to acceptance of an Arizona Department of Homeland Security (AZDOHS) grant in the amount of \$9,000 and amending the Fiscal Year 2017 budget by reallocating same within the Grants Fund to purchase communication headsets for the Police Department's Tactical Team; Resolution # 2017-08 - APPROVED

2 - Consideration and action pertaining to an amendment to the Fiscal Year 2017 budget by reallocating appropriations of \$145,300 from the Neighborhood Revitalization Fund to the Contingency within the Grants Fund for the purpose of adjusting various grants within the Human Service & Community Vitality Department (HSCV); Resolution # 2017-013 - APPROVED

3 - Consideration and action pertaining to an amendment of the FY2017 budget by reallocating appropriations of \$8,700 within the Grants Fund, \$800 within the General Fund, and authorizing the addition of 0.2 full-time equivalent to support operations at the Surprise Resource Center; Resolution # 2017-014 - APPROVED

4 - Consideration and action pertaining to establishment of the City of Surprise Workers' Compensation Trust and authorizing submission of the Request for Exemption from posting statutory deposit to the Industrial Commission of Arizona - APPROVED

5 - Consideration and action pertaining to approval of the Intergovernmental Agreement (IGA) with the City of El Mirage for the Dysart Road medians and amending the Fiscal Year 2017 budget by reallocating appropriations and actual funds in the amount of \$500,000 from the Economic Development Contingency Fund to the General Capital fund to establish the project; Resolution # 2017-12 - APPROVED

6 - Consideration and action on the meeting minutes of February 7, 2017 Regular City Council Work Session and Regular City Council Meeting - APPROVED

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

Regular Agenda Item - Public Hearing

7 - Consideration and action pertaining to approval of a Major Amendment to the Sycamore Farms PAD, by amending, among other things, land uses, density, certain commercial development standards, and allowing off-premise signage, all within a 266.7 acre property generally bounded by West Cactus Road to the north, North Sarival Avenue to the east, West Peoria Avenue to the south, and North Cotton Road to the west; Ordinance # 2017-05 - APPROVED

City Planner, Hobart Wingard reported on Ordinance 2017-05.

Council Member Hall - likes commercial orientation on to Peoria. He questioned the park reduction.

Mr. Wingard - it is more condensed.

Council Member Hall - Maintenance of trails?

Mr. Wingard - HOA's will maintain.

Council Member Williams - attended the first attempt of a community meeting on August 10th. A lot of questions were addressed. Clarification: movement of traffic, 165th drive - that's what will connect to the commercial round-about and then eventually connect to Peoria Avenue?

Mr. Wingard - that is correct.

Council Member Williams - love commercial orientation, programmability, referred to parks on I-10. On number 6 and 7 - where are kids going to go to school? He referred to the area for institutional use.

Mr. Wingard - addressed schools, they can go anywhere in there, he then referred to the eastern side.

Council Member Winters - objective analysis, more "appropriate" dwelling units. What do you mean by appropriate?

Mr. Wingard - good question, it's more of what the residents people want on a higher scale: no higher density, this is addressing more of the medium density.

Mayor Wolcott - is the sign on the cover page?

Mr. Wingard - this is in more inline of what our code allows.

Mayor Wolcott - referred to pile-on signs, being limited and tasteful, doesn't want to look like the 101.

Council Member Hall - Peoria Avenue is two lanes? They will improve the North side as it develops.

Mr. Wingard - yes that's correct.

Public Works Director Gent - my guess is the County will be very interested in that plan.

Vice Mayor Tande - near loop 303, commercial center, don't forget about including the landscape median in there as well, it's important.

Attorney for the applicant, Matthew R. Bereus - referred to the NE 80 acres is no longer of the control of the applicant. It will be moving forward after we finish with this portion of the application.

No public comments were made.

Council Member Williams made the motion to approve Ordinance 2017-05. Council Member Hall seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Non-Public Hearing

8 - Consideration and action pertaining to approval of an annexation of a 3.34 acre portion of Peoria Avenue, a contiguous public roadway located between Sarival

Avenue and Reems Road; Ordinance # 2017-06 - APPROVED

Long Range Planning Manager, Lloyd Abrams reported on the roadway annexation.

Council Member Williams - clarification - simply acceptance of roadway?

Mr. Abrams - yes, this is just accepting it in.

Council Member Williams made the motion to approve Ordinance 2017-06. Council Member Remley seconded the motion. Seven yes votes, motion carried.

10 - Consideration and action pertaining to repealing the Bell and Grand Temporary Sign and Temporary Use Permit Policy; Resolution # 2017-21 - APPROVED AS AMENDED

Community Development Director, Eric Fitzer gave a recap of Resolution 2017-21.

Council Member Hall - time frame?

Mr. Fitzer - spoke of, there was discussion regarding 30 days and 60 days, news release, working with the Chamber

Vice Mayor Tande - language regarding timing wise?

Mr. Fitzer - commented on the timing.

Vice Mayor Tande - kiosk program, I like those options.

Council Member Winters - 60 day period is fair.

City Attorney Wingo - recommended Council amend the resolution to provide a provision delaying the effectiveness for 60 days.

Council Member Remley - was going to make that same comment, it gives them sufficient time to pick up the signs.

Council Member Williams - it's heavy handed, it's about how they market their businesses, I think we need to do this and 60 days is warranted.

Mayor Wolcott - it sounds like there is a consensus for a 60 day period, there is a lot that has accumulated during construction.

Council Member Hall made the motion to approve amending Resolution 2017-21, to 60 days. Council Member Williams seconded the motion. Voice vote: seven yes votes, motion carried.

Council Member Hall made the motion to approve Resolution 2017-21 as amended. Council Member Williams seconded the motion. Seven yes votes, motion carried.

9 - Consideration and action pertaining to repealing the City Wide Temporary Sign Policy; Resolution #2017-20 - APPROVED AS AMENDED

Mr. Fitzer reported on Resolution 2017-20.

Council Member Winters made the motion to approve Resolution 2017-20.

City Attorney Wingo - recommended Council amend the resolution to include a 60 day effective date.

Vice Mayor Tande - commented on Churches and use of signs on weekends.

Council Member Winters made the motion to approve amending Resolution 2017-20, to include a 60 day effective date. Council Member Williams seconded the motion. Voice vote: seven yes votes, motion carried.

Council Member Winters made the motion to approve Resolution 2017-20, as amended. Council Member Williams seconded the motion. Seven yes votes, motion carried.

11 - Consideration and action pertaining to approving the purchase of 5.84 acres of real property within the Original Townsite commonly known as 15627 North Nash Street, Surprise, Arizona, and amending the Fiscal Year 2017 budget by reallocating appropriations of \$1, 350, 000 from the Grant Fund to General Capital Projects Fund to facilitate the purchase; Resolution # 2017-22.

Community Development Director, Eric Fitzer reported on the purchase of property.

Mayor Wolcott - this is a positive thing for the city.

Council Member Remley - this is a real win-win for the city and revitalization plan, we are putting some things into action.

Public comments:

Rachel Villanueva - we worked really in the past year, please consider purchasing it so we can move forward.

Council Member Remley made the motion to approve Resolution 2017-22. Council Member Hall seconded the motion. Seven yes votes, motion carried.

12 - Consideration and action pertaining to approval of a Fiscal Year 2017 budget amendment by reallocating appropriations and actually transferring \$500,000 from the General Fund to the General Capital Projects Fund to provide funding for the Surprise Farms Landscaping and Fence Project; Resolution # 2017-24 - APPROVED

City Manager Wingenroth reported on the area and project site.

Council Member Winters - will the pumps that are sticking out of the pond going to be covered up?

Mr. Wingenroth - will do all we can with the money that we have to construct this project, we won't go over the \$500,000.

Council Member Remley - opportunity with CRS to tour that park, it will be great for the community and will make it look nice.

Council Member Williams - thanked the HOA, spoke of Community partnership. He commented about the trail and extending it.

Council Member Hall - I surveyed some people and none of the comments were positive, they love the dog park. He commented on the grass maintenance and a lot of yellow/brown grass out there.

Vice Mayor Tande - he acknowledged staff, this is long overdue.

Mayor Wolcott - this is taking care of old business.

Public comments:

Scott Henderson - directly south of the pump, the green fence does not cover the fence.

Walter Montgomery - we appreciate the words and works, more grass for kids to practice soccer, thank you, we can't shovel sunshine.

Mark Beaudry - President of Surprise Farms III, we are almost built-out, it's such a plus for our community.

Council Member Winters made the motion to approve Resolution 2017-24. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

13 - Consideration and action pertaining to approval of a Fiscal Year 2017 budget amendment by reallocating appropriations and an actual transfer of \$700,000 within the General Fund to the General Capital Projects Fund to facilitate the construction of eight additional Pickleball courts (\$500,000) and recommended shade structures (\$200,000); Resolution # 2017-02 - APPROVED

City Manager Wingenroth reported on two projects.

Council Member Winters - this is another needed item in parks, he commented on the shade structures.

Vice Mayor Tande - spoke with Marley Park parents and they asked for shading, this is a good use of city funds. Pickleball - we already have the people here, this is already in-line.

Council Member Remley - spoke of pickleball and use of courts, I support this.

Council Member Williams - we spent a lot of money tonight, the shade structures need to be a component of everything we do. He spoke of pickleball and the bond that failed. He stated that he wants to make sure we are talking about the bigger picture.

Council Member Hall - shade structures - I think they are needed, shade in the dog park, it's good for the kids. Pickleball - I've always supported it. He spoke of economic impact - they never really make it concrete. He also spoke of our City Manager reaching out to the group regarding taking it off the bond. I am really concerned about the kids safety at the 8-acre park, putting pickleball in front of child safety bugged me to the core.

Council Member Hayden - spoke on pickleball court and shading. Lived in the valley 50 years, hand ball and racquet ball, drove to Glendale to play.

Assistant CRS Director, Donna Miller - we have looked at that area

Mayor Wolcott - addressed the fact that this item did go down, it just wasn't cooked yet. We should be considering shading in every new recreational facility that we explore, it's critical.

Vice Mayor Tande made the motion to approve Resolution 2017-02. Council Member Winters seconded the motion. Seven yes votes, motion carried.

14 - Consideration and action pertaining to approval of a third amendment to the Surprise Center Compromise Settlement Agreement by extending certain performance deadlines to March 29, 2017 - APPROVED

City Manager Wingenroth reported on the third amendment to the Surprise Center Compromise Settlement Agreement.

Council Member Williams made the motion to approve the third amendment to the Surprise Center Compromise Settlement Agreement. Council Member Hall seconded the motion. Seven yes votes, motion carried.

Other Business

Council Member Hall - 8-acre multi purpose field fencing with Council Member Winters as the second.

Mayor/Council Report

Mayor and Council attended and/or reported on the following:

Council Member Williams: recognized staff on Ottawa University, Economic Development along with every other department that were involved, people were excited.

Council Member Hall - congratulated Council for being a class representation with Ottawa, they felt really good with the leadership of Council and Mr. Wingenroth. It has more definition to it, I'm really excited about it.

Council Member Remley - since I've moved to the city I've never been so excited and optimistic. Ottawa and its possibilities, it brings it into focus.

Council Member Winters - City Manager Wingenroth did a lot of work on this and also City Attorney. Ribbon Cutting 99 Cent store and commented on the bridge.

Council Member Hayden - Ottawa University, looking forward to more growth like that in the future.

Vice Mayor Tande - attended a couple meetings, I got to talk about Surprise - Bell/Grand, come to Spring Training, good financial management and Ottawa University.

Mayor Wolcott - State of the City Address tomorrow. Thanked Economic Development, Ottawa is the right fit.

Vice Mayor Tande made the motion to recess into executive session at 8:07 PM. Council Member Winters seconded the motion. Seven yes votes, motion carried.

Executive Session

15 - Consideration and action to enter into executive session with the City Attorney for discussion and consultation for legal advice pertaining to zoning of property within the vicinity of City Hall pursuant to A.R.S. 38-431.03(A)(3).

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of February 21, 2017 at 8:49 PM. Council Member Winters seconded the motion. Four yes votes, three absent (Wolcott, Tande and Williams), 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, February 21, 2017.**

Sherry Ann Aguilar, City Clerk,