



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

Tuesday, March 6, 2018 @ 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, March 6, 2018**. Also in attendance with Mayor Wolcott were Vice Mayor Remley, Council Member Winters, Council Member Hayden, Council Member Duffy, Council Member Tande, and Council Member Hall.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and City Clerk, Sherry Ann Aguilar.

Call to Order

Pledge of Allegiance

Proclamation and Community Acknowledgements

Proclamation acknowledging March 2018 as Procurement Month.

Mayor Wolcott acknowledged the Procurement Staff with a proclamation proclaiming March 2018 as Procurement Month.

City Manager Report

Recognition of 2018 Mini Baseball Bat decorating contest winners.

Susan deJong, Arts Commission Chair, awarded prizes for the Mini Baseball Bat decorating contest winners.

Awards go to:

3rd prize - Ryan Henderson - Surprise Elementary - 6th grade

2nd Prize - Tiffany Seich - Mountain View - 7th Grade

1st Prize - Sydney Do - Mountain View - 8th grade

Grand Prize - Christian Do - Mountainside - 5th Grade

Mike Cassidy, Youth Services - Introduced special guests, students from Countryside Elementary for Rachel's Challenge. 3 students gave a few words on their school and Rachel's Challenge. Cassidy Ryan, Natalia Click, Kenzie Dore Quarters for Kindness at school.

City Attorney Report

City Clerk Report

Call to the Public

Ken Wright - Talk about leadership, National Citizens Survey completed in 2015. Purpose of this is to find out what people think should be done to prioritize with limited funds. Read from a prepared statement and page from Surprise website. Negative Leadership side, newspapers, letters, etc., condemning the Council's vote to place Patrick Duffy and Nancy Hayden on the Council. Described as "Yes votes". I would like to see the yes votes continue, keep it coming. It is Council's right to vote the way they see it.

James Truman - Briefly talk about light pollution in Surprise, have come before Council, planning & zoning and committee outreach meetings, etc. Recently, another Arizona City became a dark sky City, maybe we should jump on the band wagon, and be a leader. It's not your fault, it's APS's fault. There answer is we don't have a lot of requests for lights. A light with a small shield will work sufficiently, this is so important.

Consent Agenda

1 - Consideration and action pertaining to approval of an amendment to the FY2018 Budget by reallocating appropriations of \$7,400 within the Grants and Contingency fund to the Arizona Lottery Fund (ALF) for the increase in City allotted funds; the application, and acceptance of, FY2018 ALF funds in the amount of \$357,324, and amending the FY2018 Operating List of Items Over \$50,000; Resolution #2018-32 - APPROVED

Council Member Winters - How are we going to use these funds?

It will be used on transit services.

Council Member Winters made the motion to approve Resolution 2018-32. Council Member Tande seconded the motion. Seven yes votes, motion carried.

2 - Consideration and action pertaining to approval of a grant of a non-exclusive revocable license to MCImetro Access Transmission Services Corp. DBA Verizon Access Transmission Services for the use public streets, roads and alleys for installation, operation, and maintenance of fiber optic cable; Resolution # 2018-25 - APPROVED

3 - Consideration and action pertaining to amending the FY2018 budget for the Impact Fee Study Project, #A15010, by reallocating appropriations for various development impact fee funds and adjusting budget authority pertaining to same;

Resolution #2018-34 - APPROVED

4 - Consideration and action to approve a liquor license request by John Warren Bossmann, Agent for Amuse Bouche located at 17058 W. Bell Road, Suite #104, Surprise, AZ. 85374 (New License/LLC - License #1207B298 - Restaurant) - APPROVED

5 - Consideration and action on the meeting minutes of February 20, 2018 - APPROVED

Council Member Hall made the motion to approve the consent agenda, excluding item #1. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Public Hearing

6 - Consideration and action pertaining to declaration of a public record and approval of a Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs; Ordinance # 2018-04 - APPROVED

City Planner, Robert Kuhfuss gave a brief overview of the changes requested by Council at a previous meeting. 2 versions are being presented for Council consideration including Council requested changes, and the version that Planning & Zoning approved. Mr. Kuhfuss explained the scrivener's errors.

City Attorney Wingo explained what is being presented tonight for Council consideration as stated above. On the February 6th meeting, there were changes recommended and staff brought back your recommendations. In the process we went through and corrected scriveners errors.

Rhett Cooney - Partner with Boulevard Media Company. We have heard you and share your concerns about your community. In the event of an emergency, our boards can be used for broadcasting. We are a committed community partner, the City can use the rotation to promote City and community events.

Liz Recchia - West Maricopa of Real Estate Realtors of Arizona - Temporary signs for the commercial complexes for business with lack of availability. We ask that you include provisions previously submitted to you.

Mayor Wolcott asked for a photo to be displayed that reflects signage along Grand Avenue and told the story of when she first arrived to Arizona on her way to Surprise and was saddened to see the shape of Grand Avenue. The photo is from a neighboring City and I don't want our City to look like this, we want a clean, safe and attractive City. I am very proud of the work that we have done and thank staff for their hard work on updating this ordinance.

Vice-Mayor Remley - Asked for slide that reflects changes.

Mr. Kuhfuss - Class 1 A frame signs would be an example.

Council Member Winters - Up until tonight, I don't know how the Council felt about this issue, but this one I agree with the Mayor on this.

Council Member Hall - With this ordinance, this could not happen on our City, correct? I am for the

billboards, there are only going to be two of them and they won't be obstructing the view of white tanks and will promote businesses that some may not know are in Surprise off the 303.

Council Member Tande - Asked for clarification on scrivener's errors. Also asked about getting rid of non-conforming signs. Do we know how many non-conforming signs in the City?

Council Member Duffy - Would the City info displayed on the billboards cost the City?

Rhett Cooney - 8 turns per minute on a digital billboard, we would give the City one of those turns. Wouldn't cost you anything.

Council Member Duffy - That part I didn't know last time, with this information, I can see a couple of departments that can use this, especially out of state visitors coming in. If it helps the City and small businesses, I think this could be helpful. I am okay with the billboards.

Mayor Wolcott - To clarify, the company's ability to control content. Government cannot interfere with freedom of speech. The Gilbert sign ruling.

Attorney Wingo - explained the law, the City has no way to enforce that commitment. It would be a nice gesture, but irreversible by the City.

Council Member Hayden - Six signs on Grand and 2 signs on the 303. Asked for clarification.

Rhett Cooney - All of these that are on Grand that have housing, will this affect the neighborhoods? Commercial and Industrial areas.

Vice Mayor Remley - I would love to see how we can write the ordinance that requires any person that puts up a billboard, put up 12% towards public service messages and no offensive advertising.

Mayor Wolcott - Is Council ready to vote?

City Attorney Wingo addressed the wording with Council. He explained and gave two examples one being adopting either the either Feb. 20, 2018 post Planning and Zoning revisions or the original Planning and Zoning recommendation.

Council Member Tande made the motion to approve Ordinance 2018-04 with the February 20, 2018 post Planning and Zoning revisions (the one without the billboards) along with the recommended scrivener's errors. Vice Mayor Remley seconded the motion. Five yes votes, two no votes (Duffy and Hall), motion carried.

City Attorney Wingo clarified the motion.

7 - Consideration and action pertaining to approval of the Preliminary Plat entitled, "Heritage Farm" dated December 20, 2017, an approximately 33 acre subdivision general located at the southeast corner of 175th Avenue and Waddell Road - APPROVED

Council Member Hall made the motion to approve the Preliminary Plat for Heritage Farms. Council Member Tande seconded the motion. Six yes votes, one no vote (Remley), motion carried.

8 - Consideration and action pertaining to approval of a Zone Change from

Residential Ranch (RR) to Medium Density Residential 4.3 Dwelling Units per Acre with a PUD Overlay (RM-6 PUD) and Medium Density Residential 4.5 Dwelling Units per Acre with a PUD Overlay (RM-9 PUD) for approximately 33 total acres generally located at the southeast corner of 175th Avenue and Waddell Road; Ordinance # 2018-02 - APPROVED

City Planner, Robert Kuhfuss gave a powerpoint presentation for this item.

Vice Mayor Remley - Swimming pool eliminated, tell me why? Community pool quite costly to maintain and the lot size lends to a privately owned pool. Basically, the owner doesn't want to pay or maintain a pool. To me, this is the first project I have seen that is a total giveaway to the developer.

Council Member Duffy - Will there be a right turn lane to enter into the development from 175th?

Mr. Kuhfuss - There will be a median, I would need to take a close look at the drawing.

Applicant, Mark Brady, yes there are left turn pockets into the development. Median breaks and turn lanes into the community. Also addressed the pool, as we studied the zoning code, there are challenges with the current zoning code and the smaller lots. We are forced to sue the medium density standards.

Ed Hanzel - I have addressed many times as look at the map, I see a big green spot in the middle and see narrow streets, one more time, where will mommy park? Most likely there will be playground equipment.

Council Member Duffy made the motion to approve Ordinance 2018-20. Council Member Hall seconded the motion. Five yes votes, one no vote (Remley) and one abstained (Hayden), motion carried.

Regular Agenda Item - Non-Public Hearing

9 - Consideration and action pertaining to approval of an amendment to the FY2018 Budget by reallocating appropriations in the amount of \$162,500 within the ground ambulance service fund related to expansion of services with a Full Time Administrative Technician Position and Fire Station 301 Remodel; amending capital list of items over \$50,000; Resolution # 2018-33 - APPROVED

Chief Tom Abbott gave a brief overview for this item.

City Manager Wingenroth - 3 to 5 years for cost recovery.

Vice Mayor Remley - Will this have a cash flow for us? Are we maybe jumping the gun in terms of trying to do too much too fast?

Chief Abbott - There is plans for this fall to place at 301 to service the east side of our community.

Council Member Duffy made the motion to approve Resolution 2018-33. Council Member Tande seconded the motion. Seven yes votes, motion carried.

10 - Consideration and action pertaining to approval of an amendment to the FY2018 Budget by reallocating appropriations of \$21,000 from the Services and Operations

Fund to the Personnel Fund to accommodate two Economic Development Department position changes; Resolution # 2018-38 - APPROVED

Economic Development Director, Jeanine Jerkovic gave a powerpoint presentation on this item.

Council Member Hall - The ED project manager, once there is a prospect in the pipeline, that person will manage it in terms of tours, etc., is this correct for this position? The Coordinator tees the new business? Where does Al Deangeles play in this?

Ms. Jerkovic - That is accurate for both positions.

Council Member Hall - Would the Coordinator focus mostly on Industrial companies?

Vice Mayor Remley - You had 2 vacancies, was your budget reduced?

Council Member Tande - You still have a ton of projects you are working on, this makes sense to me.

Council Member Winters made the motion to approve Resolution 2018-38. Vice Mayor Remley seconded the motion. Seven yes votes, motion carried.

11 - Consideration and action pertaining to approval an Intergovernmental Agreement (IGA) by and between Maricopa County, the City of Buckeye, and the City of Surprise expanding and defining their respective general plan areas, which will include certain areas outside their respective corporate boundaries, including the White Tank Mountain Regional Park: Resolution # 2018-37 - APPROVED

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

Council Member Winters - Great job, beautiful area and we don't want it to

Council Member Hall made the motion to approve Resolution 2018-37. Council Member Tande seconded the motion. Seven yes votes, motion carried.

Other Business

Mayor/Council Report

Mayor and Council reported on events and meetings that they attended.

Executive Session

Adjournment

Council Member Tande made the motion to adjourn the Regular City Council Meeting of March 6, 2018 at 8:22 PM. Council Member Hall seconded the motion. Seven 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, March 6, 2018.**

Sherry Ann Aguilar, City Clerk,