



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

Tuesday, February 6, 2018 @ 06:23 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:23 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, February 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.

Pledge of Allegiance

Proclamation and Community Acknowledgements

A proclamation designating Surprise as a Golden Rule City.

City Manager Wingenroth conducted a power point presentation on the National Citizens Survey.

Student acknowledgements - Canyon Ridge School

City Manager Report

City Attorney Report

City Clerk Report

**The City Clerk will conduct the Ceremonial Oath of Office for Vice-Mayor Ken Remley
- NO ACTION**

Consideration and action to appoint an applicant to fill the vacancy for District 2 through December 2018. The City Clerk will issue the Oath of Office immediately following the appointment - NANCY HAYDEN WAS SELECTED

Council Member Tande nominated Nancy Hayden.

Council Member Winters nominated Alyson Cline.

Council Member Duffy nominated Glenn Stark

Public comments:

Rachel Villanueva - Surprise has majority vote. This concern comes up all of the time.

City Clerk Aguilar read the votes:

Nancy Hayden - Mayor Wolcott, Vice Mayor Remley and Council Member Tande.

Alyson Cline - Council Member Winters and Council Member Hall

Glenn Stark - Council Member Duffy

City Attorney Wingo announced that they did not have a majority vote.

Re-vote:

Nancy Hayden - Mayor Wolcott, Vice Mayor Remley, Council Member Tande and Council Member Duffy.

Alyson Cline - Council Member Winters and Council Member Hall.

City Clerk Aguilar administered the Oath of Office for newly selected Council Member Nancy Hayden.

Consideration and action to appoint Krista Watson to fill the vacancy on the Disability Advisory Commission with a term expiration of June 30, 2019 and Connie Bowers to fill the resident vacancy on the Audit Committee with a term expiration of June 30, 2020 - APPROVED

Vice Mayor Tande made the motion to approve filling the vacancies. Council Member Tande seconded the motion. Seven yes votes, motion carried.

Call to the Public

Ted Eastman - Transit

Consent Agenda

1 - Consideration and action on the Regular City Council Work Session, Regular City Council Meeting and Executives Session minutes of January 16, 2018 - APPROVED

2 - Consideration and action to approve a request by Andrea Lewkowitz (Agent) for a Series 06 (New License/Corporation) for AMC Surprise Pointe 14, located at 13649 N. Litchfield Road, Surprise, AZ. 85379 (License #06073627) - APPROVED

3 - Consideration and action pertaining to amending the Fiscal Year 2018 Budget by reallocating appropriations \$10,800 within the General Fund and \$327,100 within

Grants Fund to facilitate the acceptance of Victims of Crime Act (VOCA) grant funds in the amount of \$327,079 over three years to fund the City Attorney's Office Victim Services Program; Resolution # 2018-16 - APPROVED

4 - Consideration and action pertaining to approval of an amendment to the Fiscal Year 2018 Budget by reallocating appropriations of \$145,200 from contingency within the Grants Fund to the 2017 Home Project and approving an Amended Intergovernmental Agreement with Maricopa County for extension of the 2016 HOME contract deadline to September 30, 2019 and accepting additional funds of \$145,126; Resolution # 2018-10 - APPROVED

5 - Consideration and action pertaining to approval of an amendment to the Fiscal Year 2018 Budget by reallocating appropriations of \$19,100 from Fire Department General Fund to Fleet General Fund for continued vehicle maintenance costs; Resolution # 2018-15 - APPROVED

6 - Consideration and action pertaining to an amendment to the Fiscal Year 2018 Budget Capital and Operating List of items over \$50,000 by increasing the City of Glendale GRPSTC contract to \$103,500; Resolution # 2018-18 - APPROVED

7 - Consideration and action to grant a Utility Easement to APS at the Ashton Ranch well site located along Bullard Avenue - APPROVED

Council Member Hall made the motion to approve the consent agenda. Vice Mayor Remley seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Public Hearing

8 - Consideration and action pertaining to approval of a Preliminary Plat for Austin Ranch East dated November 11, 2017, a property generally located on the southwestern corner of Pinnacle Peak Road and 175th Avenue within the Austin Ranch Planned Area Development (PAD) - APPROVED

City Planner Hobart Wingard reported on this item.

Council Member Hall - conditions - traffic impact analysis, inquired about Williams.

Council Member Winters - increase in open space. How much improvement on Deer Valley Road?

Vice Mayor Remley - traffic circulation, green space in center of project, park and parking.

No public comments were made.

Council Member Winters made the motion to approve the Preliminary Plat for Austin Ranch East. Council Member Hall seconded the motion. Seven yes votes, motion carried.

9 - Consideration and action pertaining to an amendment to the Surprise Citywide Comprehensive Fee Schedule regarding locating Wireless Facilities in the ROW; Resolution # 2018-14 - APPROVED

City Planner, Hobart Wingard reported on wireless facilities in the ROW.

Council Member Hall - good job on this.

No public comments were made.

Council Member Hall made the motion to approve Resolution 2018-14. Council Member Tande seconded the motion. Seven yes votes, motion carried.

10 - Consideration and action pertaining to approval of a Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs; Ordinance # 2018-04 - POSTPONED TO MARCH 6, 2018 REGULAR COUNCIL MEETING

City Planner, Robert Kuhfuss reported on this item.

Vice Mayor Remley - Any input from the Chamber on billboards? Did you have any requests from any businesses in Surprise to have billboards.

Vice Mayor Remley - Was there staff interest in billboards?

Mayor Wolcott - This has been an intense process, the planning & zoning commission made a recommendation to the Council, ultimately it is up to us to make the final decision.

Council Member Winters - 1 side, static side, is there a place for a static ad on the static side? Opportunity for electronic messaging on the other side. It would not necessarily be blank.

Council Member Duffy - Asked if any residents were opposed to these?

Council Member Hall - I like the approach of the billboards, but I think the final decision should be with the City Council for Conditional Use Permits.

Mayor Wolcott - I am very appreciative of what the planning commission did to sort out the majority of issues in the bulk of the sign code. I object to a ban on signs, I am with Peoria. We have a lot of land to develop, we can't control messaging anymore.

Council Member Hall - There are a few businesses in this City that has no visibility, some have no anchors, they are hidden and we have nothing in our sign code that addresses this and how do we help these people.

Public Comments:

Rhett Cooney - Boulevard Media, local operator.

Liz Recchia - Asked for specific zoning, read aloud her requests.

Doc Sullivan - I was on Council that prohibited billboard signs. It will cause blight in our City. Artie Moreno, he started the billboard sign industry, billionaire. Not in my City. I know you can't say open house sign or realty signs, there was a realtor having an open house, had 45 signs 10 feet apart. That realtor has caused problems for the other realtors.

Michelle Alesky - Clarify that Council mentioned my business, my business has been on the sign, I will

be closing my business, the summer killed my business. The only thing that helped me were the A-Frame signs.

James Carpenter - sign association, commend staff, most complex and challenging task by far for regulation. One recommendation to support local business, section 113-11, electronic message center of the code. I am here on behalf of the sign industry, but the real benefactor is the business every day.

Chumita Frazer - Sign association since 1980 and sign industry. The signage for the small property owners, Class 5 sign, being increased to 32 sq. ft., 8 foot high. This is a very small area, temporary sign.

Frank Cruz - Billboard company owner - Understands you either love them or hate them, lots of data highly in favor of electronic advertisement. 303 corridor advertising missing, missing children, criminal activity, amber alerts at a moment's notice.

Mayor Wolcott - Temporary signs class 2 - an option. Question about section 113 - signs that are over 20 years old.

Mayor Wolcott - Architectural embellishments.

Council Member Tande - I would like to make sure we have the next step of finality. Amendment language.

Mr. Fitzer - We brought 3 separate items before Planning & Zoning with options.

Council Member Hall made the motion to postpone Ordinance 2018-04 to March 6, 2018 Regular City Council Meeting. Vice Mayor Remley seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Non-Public Hearing

11 - Discussion pertaining to the fiscal year 2017 annual audit and Comprehensive Annual Financial Report, and associated reports - NO ACTION

Finance Director, Lindsey Duncan reported on the 2017 Annual Audit and Comprehensive Financial Report.

12 - Consideration and action pertaining to acceptance of a Special Warranty Deed from Surprise Center Development Company, LLC for conveyance of Real Property; Resolution # 2018-24 - APPROVED

Community Development Director, Eric Fitzer reported on this item.

Mayor Wolcott - Will the drainage be captured for reuse?

We are looking at all options at this point. Appreciate that we are at the phase to assist Ottawa on this project.

Council Member Winters - We have a university, it's growing and it has been a great experience on both sides.

City Attorney Wingo - On the record, when the original settlement and compromise agreement in 2016, we included a sample deed to convey this property. Since then we have been able to reconfigure the legal description. there is a nominal change.

Other Business

Council Member Winters - Autonomous vehicles

Mayor/Council Report

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

Executive Session

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of February 6, 2018 at 9:27 PM. Council Member Tande 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, February 6, 2018.**

Sherry Ann Aguilar, City Clerk,