



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Monday, November 6, 2023 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Hall called the Regular Council Meeting of November 6, 2023 to order at 6:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

1. Invocation

Mayor Hall led the invocation.

B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Chris Judd, Councilmembers Nick Haney, Alyson Cline (Late, arrived at 6:21), Patrick Duffy, and Jack Hastings. Councilmember Ken Remley was excused

C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

E. City Manager Report

1. Reports

City Manager Bob Wigenroth presented Holly Osborn, who introduced the Youth Council members.

F. City Clerk Report

1. Reports

G. Call To The Public

H. Regular City Council Meeting Agenda

1. CONSENT AGENDA:

Motion: To Approve

Initiated By: Jack Hastings

Seconded By: Chris Judd

Yes: Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

1. Consideration and action to approve the October 17, 2023 Regular Council Meeting Minutes and Regular City Council Workshop Minutes.

2. Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) between the cities of Goodyear, Peoria, and Surprise to develop a community paramedicine program and an amendment to the fiscal year 2024 budget by reallocating appropriations of \$25,000 within the Grants Fund; Resolution #2023-154.
3. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at The Fountains at Surprise Center, generally located east of Bullard Avenue between West Greenway Road and West Tierra Buena Lane; Resolution # 2023-162.
4. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Sunrise ROW Improvements on 171st Avenue, generally located at 171st Avenue between Jomax Road and West Bajada Road. Case FS19-599; Resolution # 2023-156.
5. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Sunrise ROW Improvements on Jomax Road, generally located at Jomax Road between 171st Avenue and North 163rd Avenue. Case FS19-601; Resolution # 2023-157.
6. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Toll at Prasada Unit G, generally located at the northwest corner of West Peoria Road and Cotton Road; Resolution # 2023-158.
7. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Bungalows at Asante, generally located at the northwest corner of West Pat Tillman Boulevard and North 163rd Avenue; Resolution # 2023-159.
8. Consideration and action to accept the Dedication of Public Right-of-Way With Conditions from High Desert Development, Inc. for right of way along Waddell near Cotton Lane.
9. Consideration and action to grant FirstDigital Communications of Arizona, LLC the non-exclusive revocable license to use public streets, roads and alleys for installation, operation, and maintenance of fiber optic cable; Resolution # 2023-166.

2. REGULAR AGENDA ITEM - PUBLIC HEARING:

10. Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise standards to update and clarify lighting provisions; Ordinance #2023-25.

Senior Planner, Trever Fleetham, came to present this item. He gave a brief review of previous actions regarding this item. He outlined key changes that the ordinance would address.

Motion: To Approve
Initiated By: Jack Hastings
Seconded By: Patrick Duffy

Yes: Jack Hastings, Ken Remley, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney
No: None
Abstain: None

Vote Result: Passed

11. Consideration and action pertaining to an amendment to the Windstone Ranch PUD by modifying the rear yard setback from 20-feet to 15-feet, a property generally located at the northeast corner of Happy Valley Road and 151st Avenue; Ordinance #2023-28.

Planner Chris Sexton presented this item. She gave a background and recommendation for this project.

Andrew Yancy, the applicant, came to talk about this item. He talked about the developer's interest in this plat.

Mayor Hall asked if these would be single-story homes? Andrew said it would be a mix of homes. He said they needed to move the setbacks to accommodate the single-story homes.

Councilmember Haney, clarified that all was changing was the setback. Andrew said it was, and that this amendment was also including a pool.

Motion: To Approve
Initiated By: Nick Haney
Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney
No: None
Abstain: None

Vote Result: Passed

12. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 260017, requested by Jared Michael Repinski, for Trapper's Sushi Co, for Series 12 Liquor License. Trapper's Sushi Co is located at 17200 W Peoria Ave #100, Surprise, AZ 85355.

Motion: To Approve
Initiated By: Jack Hastings
Seconded By: Chris Judd

Yes: Jack Hastings, Ken Remley, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney
No: None
Abstain: None

Vote Result: Passed

13. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 260017, requested by Lauren Kay Merrett, for Firebirds Wood Fired Grill, for Series 12 Liquor License. Firebirds Wood Fired Grill is located at 13388 Prasada Parkway, Surprise, AZ 85379.

Motion: To Approve
Initiated By: Patrick Duffy
Seconded By: Chris Judd

Yes: Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

3. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

14. Consideration and action pertaining to the Neighborhood Grant Program Awards for Fiscal Year 2024 as recommended by the sub-committee on Community Outreach, Partnerships and Grants.

Seth, presented this item before council. He talked about the application process, and program guidelines.

Vice-Mayor Judd, talked about the committee and how it has grown in interest. He asked council to up the budget, and the benefits that the community is reaping. Mayor Hall said he agreed with the notion.

Councilmember Haney, talked about how many people were at the meetings, and his support for increasing the budget.

Councilmember Cline, talked about the community involvement.

Motion: To Approve

Initiated By: Patrick Duffy

Seconded By: Nick Haney

Yes: Aly Cline, Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

15. Consideration and action pertaining to an amendment to the comprehensive citywide fee schedule by adopting a police department video recording fee, and moving budget authority in the amount of \$37,500 within the General Fund Contingency to police records department charges for service; Resolution #2023-169.

Chief Pina, came to present this item. He talked about state legislation that impacts the redaction fee the police department could charge for body camera footage.

Mayor Hall talked about the number of video request that the City has to handle. Chief Pina talked about the man hours involved in redacting.

Councilmember Hastings, asked about the employees that have to redact these and how they manage their time? Chief Pina said they were all within the records division of the Police Department and the various duties they perform in addition to redaction. Councilmember Hastings, talked about the motivation for requesting video footage? Chief Pina talked about the criminal process, and the rights to request such records.

Councilmember Cline, talked about the types of people who would request these records. She talked about the legislation change at the state level. She thanked the Police Department for their work. Chief Pina talked about the department's willingness to sit down with the public to explain the process.

Councilmember Haney, asked if the City is tracking the people who request these types of videos? Chief Pina said they do keep track of everyone they make contact with in regards to

these requests.

Vice-Mayor Judd, talked about recovering costs with this new legislation. He said he invites scrutiny because he stands by our officers.

Motion: To Approve

Initiated By: Chris Judd

Seconded By: Aly Cline

Yes: Aly Cline, Jack Hastings, Ken Remley, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

I. Other Business and Future Agenda Items

J. City Council Reports

Councilmember Hastings, said his district meeting will be at 5 PM at Surprise Library on November 14th. He talked about the voting going on. Councilmember Hastings thanked Kendra Pettis and her involvement and work for the City. He talked about the World Series and how she helped put on an event for it.

Councilmember Duffy, talked about his meet and greet last Saturday. He said on Wednesday November 8th at 8:45 - 10 AM the Safeway will be opening up in his district.

Councilmember Haney, talked about the block party as Surprise Farms 3. He said that Noble Nails, and Barros have opened up for business. Tuesday November 14th at Western Peaks at 6 PM is his next district meeting. He encouraged citizens to reach out to connect with the City.

Councilmember Cline, said her newsletter will be out in a few days. She talked about Chick Fil A opening back up. She called out the We-Ride program for winning of an award. She thanked the Police Department for their response to handling of a situation. She said she has a meeting tomorrow night at the La Solana Community, and on the 9th at AZ traditions, and the 17th at AZ Traditions, and another meeting on November 28th at Sun City Grand. She talked about GAIN night.

Vice-Mayor Judd, said his next meeting is on the 15th at the Tap house at 6 PM. He said that WestMec will be having a tour on the same night as well.

Mayor Hall said that tomorrow is Election Day. On Saturday November 11th is the veteran's day parade.

K. Executive Session

Motion: To Enter Into Executive Session

Initiated By: Aly Cline

Seconded By: Jack Hastings

Yes: Aly Cline, Jack Hastings, Ken Remley, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

Meeting adjourned to executive session at 6:55 PM

1. Consideration and action to recess into executive session for discussion and consultation with the city attorney for legal advice and to consider the city council's position and instruct the city attorney pertaining to the 3M and Dupont PFAS public water provider settlements pursuant to A.R.S. 38-431.03A.3. and 4.
2. Executive Session Items
3. Executive Disclaimer - Part 1
4. Executive Disclaimer - Part 2
5. Executive Disclaimer - Part 3
- L. Adjournment

Meeting Reconvened at 7:55 PM

Motion: To Adjourn

Initiated By: Nick Haney

Seconded By: Chris Judd

Yes: Aly Cline, Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

Meeting Adjourned at 7:56 PM


Skip Hall, Mayor

ATTEST:


Kristi Passarelli, City Clerk

CERTIFICATION:

I, Kristi Passarelli, 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 **Monday, November 6, 2023.**

A handwritten signature in cursive script, appearing to read "K. Passarelli", written in black ink.

Kristi Passarelli, City Clerk