



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, January 16, 2024 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Hall called the Regular Council Meeting of January 16, 2024 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 in a Moment of Silence.

B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Chris Judd, Councilmembers Nick Haney, Alyson Cline, Patrick Duffy, Ken Remley (Telephonic) and Jack Hastings.

C. Pledge of Allegiance

The Student Council group from Arizona Charter Academy led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

E. City Manager Report

2. The City Manager may present a brief summary of current events, including recognition of community members, employees, and programs, pursuant to A.R.S. § 38-431.02(K). The City Council will not discuss or take action on any matter within the City Manager Report.

3. Reports

City Manager Bob Wigenroth introduced Glen Stark. Glen gave the Firefighter and Police Officer of the year award. They presented the award for Officer Philip Ortega to Police Chief Pina. They gave the Firefighter award to Captain Ron Steinhillber.

Bob Wigenroth, presented Shelby Fenwick who introduced the Youth Council Members

Peyton Anthony, from Highland Prep.

Ian Huskinsons, from Paradise Honors.

F. City Clerk Report

4. Reports

5. Consideration and action pertaining to selection of a Vice Mayor in accordance with City Code Sec. 2-41 and directing the City Clerk to administer the Oath of Office.

City Clerk, Kristi Passarelli, introduced the topic of choosing a new Vice-Mayor.

Councilmember Remley nominated Nick Haney.

Councilmember nominated Councilmember Hastings.

Vice-Mayor Judd, thanked council for being allowed to serve. He further nominated Councilmember Hastings.

Mayor Hall thanked Vice-Mayor Judd for this help as Vice-Mayor.

Council voted and elected Councilmember Haney as the new Vice-Mayor.

G. Call To The Public

Linda Cabrera, a Sun City West Resident, Came to talk about the Community Garden.

H. Regular City Council Meeting Agenda

6. CONSENT AGENDA:

Motion: To Approve

Initiated By: Chris Judd

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

1. Consideration and action to approve the January 2, 2024 Regular City Council Meeting Minutes.
2. Consideration and action pertaining to approval of the Final Plat entitled, "Replat of Lots 1, 2, 3 of 'Replat of Lots 4 and 5'" and dated October 6, 2023, a property located at the northwest corner of Sweetwater Avenue and Prasada Parkway; Case FS23-0432.
3. Consideration and action pertaining to approval of the Final Plat entitled, "Final Plat MEL" and dated October 02, 2023, a property generally located on the southeast corner of Jomax Road and 239th Avenue; Case FS23-0641.
4. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada, Unit H – Phase 3 Lots 1730 & 1731 & Tracts H-B & H-D" and dated October 25, 2023, a property located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS23-0813.
5. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada, Phase I Unit A Lots 392 & 393 & Tract A" and dated October 25, 2023, a property located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS23-0814.
6. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada, Unit Q – Phase 3 – SF Lots 2424 & 2425 & Tract A" and dated October 25, 2023, a property located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS23-0821.
7. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada, Phase I Unit A Lots 318, 319, 327, 328, 357 & Tracts A, B, & C" and dated October 25, 2023, a property located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS23-0822.
8. Consideration and action pertaining to the grant of a Utility Easement to APS to service the Multi-Generational Community Center at Hollyhock Street and Santa Fe Drive.

9. Consideration and action pertaining to acceptance of a Quit Claim Deed for dedication of Right of Way from the Kamarata Trust and Paloma Creek Water Coordinator, LLC, along Happy Valley and 147th avenue.
10. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Paradisi Parcel I, generally located at the northwest corner of West Peoria Avenue and North Sarival Avenue; Resolution # 2024-09.
7. REGULAR AGENDA ITEM - PUBLIC HEARING:
11. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 264174, requested by Richard Joseph Velenti, for Portillo's Hot Dogs for Series 12 Liquor License. Portillo's Hot Dogs is located at 16320 W Waddell Road, Surprise, AZ 85379.

Motion: To Approve
Initiated By: Patrick Duffy
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

12. Consideration and action pertaining to approval of a rezone and release of deed restrictions for an approximately 12 acre parcel from Neighborhood Commercial with Planned Unit Development Overlay (C-1 PUD) and Rural Residential (RR) to Residential High Density (R-3), for a property generally located on the northeast corner of Reems Road and Tierra Buena Lane; Ordinance #2024-01.

Leslie Carnie, came to talk about this item. She gave a background about this location and proposed applicaiton.

Ben Graffiti, from Goldstream Development, came to thank staff and offer to answer any questions about the application.

Councilmember Hastings, talked about the location and mixing the age groups within the City. He asked about what kind of traffic would be expected compared to commercial developments and high-density apartments? Ben talked about being cautious of any higher traffic count. He said this traffic peak would be comparatively low. Councilmember Hastings talked about how this development would create jobs as well. Mayor Hall asked if they had a van on site? Ben said they would have one for medical purposes and general transportation.

Councilmember Cline, asked about single family homes and how the community has accepted that proposal? Ben said that this would be a mixed-use property and that it has been well received. Councilmember Cline, asked if the neighbors thought the single family homes would be positive? Ben said that they talked to the local area for their input.

Vice-Mayor Haney, said his concern was how this is a multi-generational City and that it is important for people to age gracefully within the City. He said he was concerned that if the property isn't ran property it could drain city resources. He wanted to make sure this is a quality facility. Ben said the typical rating is pretty high, he said the owners are long term.

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

Yes: Aly Cline, 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 Zoning Text Amendment (ZTA) to amend the Surprise Land Development Ordinance (LDO) by removing the development standard restricting marijuana facilities to having a single entrance, thereby bringing the Land Development Ordinance into compliance with Arizona Revised Statutes; Ordinance #2024-02.

Chris Sexton, came to present this item; she gave background on the current rules and the proposed amendment. The Applicant, Lindsey Schube, thanked staff, and said how this would bring it up to state law.

Councilmember Cline, asked if this ordinances would change to match state statue. Lindsey agreed.

Councilmember Hastings, asked what Robert's input was on the situation. Robert said they review the code occasionally, and that the information was accurate.

Motion: To Approve
Initiated By: Nick Haney
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

14. Consideration and action pertaining to the abandonment of the Final Plat entitled, "Final Plat for Legacy Village" a property generally located north of Jomax Road and east of 163rd Avenue; Resolution #2024-03.

Chris Sexton came to talk about this item as well. She gave a background on the item and the proposed changes. The Applicant, Andrew Yancy, came to show his approval of this abandonment. Mayor Hall is the previous project wasn't marketable? Andrew said that it was not marketable and that it would be apart of a larger project.

Councilmember Cline, asked if there has been a change of ownership. Andrew said there has been.

Motion: To Approve
Initiated By: Nick Haney
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

15. Public hearing, presentation and discussion pertaining to the Land Use Assumptions (LUA) and Infrastructure Improvements Plan (IIP).

Chief Finance Officer Andrea Davis, and Assistant Finance Director Erick Martin came to present this item. Erick talked about Development Impact Fees. He talked about why this was being brought forth for a public hearing. He gave a category overview, and a contrast of existing and proposed fees.

James Ashley, came to talk about this item on behalf of Home Builders Association of Arizona. He thanked the City for their work. He gave a background of their involvement with the current plans. He talked about the possible impact of these fees and voiced caution about the increases.

Mayor Hall, asked if there was a consultant who helped worked with this? He asked what helped determined these fees and if inflation was involved? Benjamin Griffin said they try to limit assumptions. Andrea talked about where the numbers came from. Mayor Hall asked about the big number increase? Andrea said that the high development was driving the cost. Mayor Hall asked if the developer has the option of offering more? Andrea said that they do and if they do, then they don't have to pay the impact fee.

Councilmember Cline, talked about the growth and inflation that occurred within the City. She thanked staff for their work and research on the matter. Said she was looking forward to future updates and comparisons with other cities.

Mayor Hall asked if the consultant was working with other cities? They said they were working with Buckeye, Goodyear, Glendale, and Peoria. Andrea said they want to make sure the fee isn't too high or too low so it wouldn't negatively impact growth or service. Mayor Hall talked about his previous experience with developers undertaking projects. Andrea talked about the hazards of under/over building projects.

8. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

16. Consideration and action pertaining to the 2024 Utility Rate Study, adoption of a Notice of Intention to increase utility rates for water, wastewater, and solid waste, and setting the public hearing date for March 18, 2024; Resolution #2024-05.

Andrea Davis, Michael Boule, and Kristen Tytler came to present this item. Andrea talked about the rate study and the proposed fees. She elaborated on the Rate Study Development, Rate Comparisons, and Rate Study History.

Michael talked about the water and waste water rates. He gave some background and talked about the Rate Analysis, Growth Projections. Mayor Hall asked about the location of certain locations? Michael confirmed them. Michael talked about Customer Accounts, Usage by Tier, Water Volumetric Rates, Monthly Base Changes, Water Rate Comparisons. Mayor Hall asked if Scottsdale uses a lot of surface water? Michael said that they do by contrast to Surprise. Michael continued to present about Waste Water, users, volumetric rates, and rate comparisons.

Kristen, talked about Solid Waste, she gave an overview of the statistics. She further elaborated on; Solid Waste Rates, Rate Comparisons, Industry Wide Rate Factors, Future Outlook and Proposals, and Rate Impacts, and Utility Rate Comparisons.

Andrea, talked about the next steps involved with the notice of intent.

Councilmember Cline, asked about the rate comparison between Surprise versus Epcor and if they were having rate increases as well? She also wanted to know how we compare with other cities with Waste rates? She asked if the grapple truck would help avoid injuries? Kristen said yes. She further asked what the actual cost of recycling is to the City? She also asked if there was an FTE risk involved with people retiring down the road?

Councilmember Duffy, talked about district 3 and what would impact them since its all Epcor and if the city could differentiate the impact for those customers.

Motion: To Approve
Initiated By: Judd
Seconded By: Cline

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

Vote Result: Passed

17. Consideration and action pertaining to the Final Plat entitled, "Visara – Phase 1" and dated October 13, 2023, a property generally located north of Jomax Road and east of 163rd Avenue; Case FS22-1028.

Chris Sexton came to present this item, she gave a background on the proposed project.

Vice-Mayor Haney, asked what this is voting on? Chris said this is just for final plats. Vice-Mayor clarified that this is just an administrative fix.

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

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

Vote Result: Passed

18. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2024 budget by moving budget authority of \$184,000 within the General Fund from Economic Development Contingency to Services for approval of matching funds for the FY2022 Arizona Broadband Development Grant; Resolution #2024-10.

Economic Development Director, Jeanine Jerkovic, came to present this item. She gave some background on the grant, proposed areas, and AZ Broadband Grant Overview.

Mayor Hall talked about how exciting this was.

Councilmember Cline, talked about how this impacted certain areas of the City. She talked about the progress the City has made in coming to this point.

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

Vice-Mayor Haney, asked if Teen Violence could be added for a work session item. Councilmember Cline Seconded, she also asked if Domestic Violence could be included as well? Vice-Mayor Haney seconded.

Mayor Hall asked about capital management and how they incorporate housing for their employees, and if Surprise could do something similar? Councilmember Cline Seconded.

J. City Council Reports

Councilmember Judd, said he will have his meeting at the Tap House tomorrow evening.

Councilmember Cline, said she will be attending the evening meeting at Sun Village from 6-7 PM for Councilmember Remley's District. She also thanked staff for help with a traffic sign.

Vice-Mayor Haney, talked about his community meeting earlier this month. He also talked about attending the MLK event last Saturday. He thanked Council for being elected as Vice-Mayor.

Councilmember Hastings, congratulated Vice-Mayor Haney. He talked about going to the State of the State. He talked about his previous meeting.

Councilmember Remley, talked about how the City helped with a woman he met at a local restaurant.

Councilmember Duffy, thanked the West Valley Mavericks.

Mayor Hall said that this Sunday is Sunday in the Park at Mark Coronado Park. He also said it was the Surprise Pops band will be at the Vista on January 28th at 3:00 PM.

K. Executive Session

9. Executive Session Items

10. Executive Disclaimer - Part 1

11. Executive Disclaimer - Part 2

12. Executive Disclaimer - Part 3

L. Adjournment

Motion: To Adjourn

Initiated By: Chris Judd

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 at 8:09 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 **Tuesday, January 16, 2024.**


Kristi Passarelli, City Clerk