



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, August 20, 2024 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Hall called the Regular Council Meeting of August 20, 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 a Moment of Silence.

B. Roll Call

In attendance with Mayor Hall were Vice Mayor Nick Haney, Council members Chris Judd, Alyson Cline, Patrick Duffy, Ken Remley and Jack Hastings.

C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

E. City Manager Report

2. City Manager sub-text

3. Reports

City Manager Bob Wigenroth introduced, Glenn Stark from Nicky D Bacon VFW Post 285 he presented awards to both Officer Philip Ortega and Captain Ronald Steinhilber.

Officer Ortega has been awarded a Certificate of Special Recognition from the State HQ

Captain Steinhilber has been chosen as the VFW State First Place winner as Fire fighter of the Year.

Shelby Fenwick introduced the Youth Council members.

Peyton Anthony, Highland Prep

Maddie Mize, Paradise Honors

Councilmember Remley talked about Highland Prep and praised their involvement with the Youth Council.

F. City Clerk Report

4. Reports

G. Regular City Council Meeting Agenda

5. CONSENT AGENDA:

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

1. Consideration and action to approve the August 6, 2024 Regular Work Session Minutes, Regular City Council Meeting Minutes, Special City Council Meeting Minutes, and Executive Session Minutes.
2. Consideration and action declaring the intent and ordering the enlargement of an existing lighting improvement district known as City of Surprise, Arizona, Surprise Valley Station pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2024-69.
3. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Alta Surprise, generally located at the northwest corner of North Litchfield Road and West Statler Boulevard; Resolution #2024-121.
4. Consideration and action pertaining to the approval of a modification to the Memorandum of Understanding with the U.S. Department of Justice, U.S. Marshals Service to provide additional funding for overtime expenses associated with the participation of one Surprise Police Officer in the JLEO Task Force and approval of a Fiscal Year 2025 budget amendment moving budget in the amount of \$2,600; Resolution #2024-126.
5. Consideration and action to approve a Cell Tower License Agreement with DISH Wireless L.L.C. to locate on an existing structure at the Surprise Stadium Campus; Resolution #2024-134.
6. Consideration and action pertaining to approval of an amendment to the Employment Agreement with City Attorney.
7. Consideration and action pertaining to an amendment to the Surprise Municipal Code, Sections 2-61 and 2-65 regarding placement of items on agendas and convening special meetings; Ordinance # 2024-28.
6. REGULAR AGENDA ITEM - PUBLIC HEARING:
8. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 299903, requested by Ryan Winter Anderson, for Arizona Traditions Community Center for Series 14 Liquor License. Arizona Traditions Community Center is located at 17221 N Citrus Road, Surprise, AZ 85374.

Motion: To Approve

Initiated By: Aly Cline

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

9. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 296751, requested by Howard Everett Magee, for Carioca Shell #5 for Series 10 Liquor License. Carioca Shell #5 is located at 15470 W Cactus Road, Surprise, AZ 85379.

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

10. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 296995, requested by Charles Huellmantel, for Quiktrip #1430 for Series 10 Liquor License. Quiktrip #1430 is located at 12294 N Prasada Parkway, Surprise, AZ 85388.

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

11. Consideration and action pertaining to a Zone Change for the Surprise Foothills Southwest 40 project to rezone approximately 40 acres from Rural Residential (RR) to Residential Medium Density (R-2) generally located east of 243rd Avenue, south of Deer Valley Road and north of Beardsley Road; Ordinance #2024-25.

Chris Sexton, came to present this item. She talked about the existing zoning, proposed zoning, Roadway network, Lotting, and Outreach, and P&Z Recommendations.

Mrs. Massie, a Surprise resident, came to voice her concerns about the item.

Jeff Blilie, came to talk about this item on behalf of the developer. He talked about the history of this item. He talked about the actual range for the number of lots, and the development going into the area. He talked about the lack of concern at previous outreach attempts.

Councilmember Hastings, talked about the development in Surprise. He asked if it was even legal to stop? Attorney Wingo said it wouldn't be possible. Councilmember Hastings, talked about standing up to bad projects. He talked about the impact council has on development. He asked what happens when land is annexed and the default zoning it receives? Chris said it depends, sometimes it's similar to what's already decided, other times by the developer. Lloyd said it comes in like-to-like. Councilmember Hastings, asked about the number of units? And said there is a difference.

Vice-Mayor Haney asked where the traffic will go? Jeff said the main access is 239th to Sun Valley Parkway and that residents could avoid the corridor. Vice-Mayor Haney talked about growing in a smart way and developing infrastructure, he asked about the timing involved? Jeff said a lot of it was worked on over the last 20 years. Vice-Mayor Haney asked if it was a requirement to have the infrastructure in? Jeff said it was. Vice-Mayor Haney asked if it was 90

units? Jeff said approximately it would be and how it would connect to the surrounding areas. Vice-Mayor Haney asked when this would be developed? Jeff said its under contract and that could be within the next year potentially. Vice-Mayor Haney asked how much of the roadwork is being developed by them? Jeff said they were building all of it. Vice-Mayor Haney talked about the importance of smart growth.

Councilmember Cline asked about stipulation C and the access to amenities? Jeff talked about local parks, pools, and schools; as well as trails. Councilmember Cline asked about school sites? Jeff said there is a school site nearby. She talked about how she wanted to accommodate the area appropriately. She asked about infrastructure lien timelines? Jeff said that the City can place a lien at any time.

Councilmember Remley, asked about 243rd and its location to Sun City Festival, he asked about models located there? Jeff said that Mesquite mountain ranch is around that area. He said 243rd doesn't connect right now.

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: Aly Cline

Vote Result: Passed

12. Consideration and action pertaining to a Zone Change for the Surprise Foothills Central 40 project to rezone approximately 40 acres from Rural Residential (RR) to a combination of Residential Low Density (R-1) and Residential Medium Density (R-2) generally located north of Deer Valley Road and east of Foothills Boulevard (future alignment); Ordinance #2024-24.

Chris Sexton, continued to present for this item. She talked about the zoning map, existing zoning, roadway network, roadways, development plan, Open Space Plan, Conceptual Lotting Plan, Outreach efforts, and P&Z Recommendations.

Mrs. Massie, a Surprise Resident, came to express her concerns about the location's development and emergency response.

Lloyd Abrams, came to talk about the incoming fire station development. He talked about impact fees supplementing to build the fire station. He also talked about mutual aid agreements. Mayor Hall asked if there was a fire station in SunCity Festival? Lloyd said there was.

Councilmember Cline, talked about Public Works developing a traffic light in the region.

Vice-Mayor Haney, asked about the land dedicated to the fire station and if it was in addition to the bond? Lloyd said it was in addition. Vice-Mayor Haney asked Chief Espie about response times and asked about automatic aid? He said the closets units will respond to emergencies. Chief Espie talked about Surprise, Glendale, and Buckeye supporting each other. Vice-Mayor Haney asked about a district station? Chief Espie talked about the need for multiple units, and building things right the first time, as well as future development.

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: Aly Cline

Vote Result: Passed

15. Consideration and action pertaining to approval of the Surprise Storage Pre-Annexation Development Agreement; Resolution #2024-127

Lloyd came to present this item. He talked about the region, and Agreement obligations.

Councilmember Hastings, asked about the benefit to them by annexation? Lloyd said it was water, sewage, and public safety services.

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

13. Consideration and action pertaining to the annexation of approximately 4.07 acres of county land, generally located south of the southeast corner of 163rd Avenue and 162nd Drive; Ordinance # 2024-15.

Chris Sexton came to present this item, she talked about the development map, vicinity, existing city boundaries, proposed boundaries, post annexation zoning, annexation steps, and Concurrent Cases.

Councilmember Cline, talked about storage units reputations; she talked about the importance of offering this service to the area.

Councilmember Hastings, said there is a demand for this type of development.

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

14. Consideration and action pertaining to a Zone Change of 0.41 acres from Rural Residential (RR) to Regional Commercial (C-3), on one (1) undeveloped parcel, located south of the southeast corner of 163rd Avenue and 162nd Drive; Ordinance #2024-13.

Chris Sexton, came to present this item. She talked about the development map, Vicinity Map, Existing Zoning, General Plan Map, Conceptual Site Plan, Outreach, and P&Z Recommendations.

Mrs. Massie, a Surprise Resident, came to voice her concerns about the project with traffic.

Lloyd Abrams, came to talk about the history of this project, and the proposed development.

Vice-Mayor Haney, asked about the access of the property? Lloyd said there will be two points.

Vice-Mayor Haney asked about the timing of the 163rd expansion, and if it will be complete by the time they start construction? Jeff talked about the right of way and that things can't be developed until the rest is put in. Vice-Mayor asked about how many trips the development would generate? Jeff said possible dozens a day. Vice-Mayor Haney asked if it was going to be developed either way? Jeff said it was already approved. He also talked about the possible financial impacts for the city. Vice-Mayor Haney asked if there was a way to make sure the infrastructure will be made first? Lloyd said they will need two points of access and this would grant it.

Councilmember Remley, talked about the traffic in the area. He asked about making sure the roads going in would work. Lloyd said it is far enough out that it would interfere with anything in the future. Jeff said they could stipulate future development of the 303 that won't infringe on the property?

Councilmember Hastings, asked if this was going to be a storage unit regardless? and if the rezoning will financially benefit the City. He asked about the entrance? Jeff said it was around 162nd. He also said there is a lot between the development and the 303.

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

Yes: Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney
No: Ken Remley
Abstain: Aly Cline

Vote Result: Passed

7. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

16. Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code Chapter 2, Sec. 2-299 to update the mission, powers, responsibilities, and duties of the Arts and Cultural Advisory Commission; Ordinance #2024-14.

Arts & Culture Director, Julie Akerly, came to present this item. She introduced Taylor Ingro. Taylor talked about the need to update the language. She talked about the Purpose, Process, Mission, Powers, Duties, Responsibilities.

Motion: To Approve
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

17. Consideration and action pertaining to approval of the Greater Phoenix Economic Council FY2025 Annual Contract.

Economic Director, Jeanine Jerkovic, came to present this item. She introduced Chris Camacho to talk about this topic. He talked about GPEC Missions and Values, Regional Results, Recent West Valley Announcements, 5-Year Trend on Revenue Return, Results Through Regional Success, GPEC Partnership, Community Partnership Program, FY-25 Strategic Plan Goals, FY-24 Overview, Prospect Activity, Active Prospects and Type and Operation, and Prospects by HQ Locations.

Councilmember Hastings, talked about the development of the City of the years. He talked about the number of jobs being generated. He asked about TSMC and the role GPEC has? Chris gave history about getting TSMC into the Valley.

Councilmember Duffy, talked about the City's relationship with GPEC. He talked about the amount of work put in by GPEC.

Motion: To Approve
Initiated By: Aly Cline
Seconded By: Patrick Duffy

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 directing the recording of a blank petition for annexation in accordance with A.R.S. 9-471 of approximately 10.8 acres generally located at the southeast corner of 163rd Avenue and Pinnacle Peak Road; Case #FS24-0505; Resolution #2024-124.

Trever Fleetham, came to present this item. He talked about the Vicinity Map, Existing City Boundary, and Annexation Steps.

Motion: To Approve
Initiated By: Nick Haney
Seconded By: Patrick Duffy

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

Vote Result: Passed

19. Consideration and action pertaining to approval of a Fiscal Year 2025 budget amendment by moving budget in the amount of \$300,000, and amending the Fiscal Year 2025 Contract Awarding Authority List for office renovation expenses within the Police Department; Resolution #2024-128.

Chief Pena, came to present this item. He talked about the office tenant improvement, and Project Overview.

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

- H. Call To The Public

Mrs. Massie, a Surprise Resident, voiced her concerns about the City Attorney's salary.

- I. Other Business and Future Agenda Items

- J. City Council Reports
- K. Executive Session
- 8. Executive Session Items
- 9. Executive Disclaimer - Part 1
- 10. Executive Disclaimer - Part 2
- 11. Executive Disclaimer - Part 3
- 21. Consideration and action to recess into executive session for discussion and consultation with the City Attorney to consider its position and receive legal advice pertaining to contemplated litigation regarding the City's loss of long-term storage credits from water stored in the Maricopa Water District's groundwater savings facility pursuant to A.R.S §§ 38-431.03 and 04.

Motion: To Enter 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

Councilmember Remley left the meeting after the vote.

Executive Session was entered in at 7:59 PM

- 20. Consideration and action authorizing the City Attorney, or his designees, to take any and all action necessary, including but not limited to initiating litigation, to recover the City of Surprise's loss of long-term storage credits, and any damages related thereto, from water stored in the Maricopa Water District's groundwater savings facility.

Meeting reconvened at 8:16 PM

Motion: To Approve
Initiated By: Aly Cline
Seconded By: Jack Hastings

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

Vote Result: Passed

- L. Adjournment

Motion: To Adjourn
Initiated By: Aly Cline

Seconded By: Chris Judd

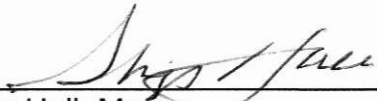
Yes: Aly Cline, Jack Hastings, Patrick Duffy, Skip Hall, Chris Judd, Nick Haney

No: None

Abstain: None

Vote Result: Passed

Meeting adjourned at 8:17 PM

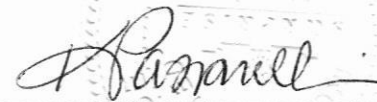

Skip Hall, Mayor

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, August 20, 2024.**


Kristi Passarelli, City Clerk

