



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, May 6, 2025 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Sartor called the Regular Council Meeting of May 6th 2025 to order at 6:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

1. Invocation

Mayor Sartor led in a moment of silence.

B. Roll Call

In attendance with Mayor Sartor were Vice Mayor Jack Hastings, Council members Chris Judd, Earle Greenberg, Patrick Duffy, Johnny Melton and Nick Haney.

C. Pledge of Allegiance

City Court Academy participants led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

2. Shadow Ridge Soccer Team State Championship Recognition

Mayor Sartor recognized the Shadow Ridge Soccer Team State Champions.

3. Professional Municipal Clerks Week

Mayor Sartor Proclaimed that it was Municipal Clerk's Week

E. City Manager Report

4. City Manager sub-text

5. Reports

City Manager, Bob Wigenroth, introduced Judge Dominguez. Judge Dominguez presented the participants for the Court Academy as well as talk about the program.

Bob presented Shelby Fenwick. Shelby introduced the Youth Council Members.

Peyton Anthony, Highland Prep

Kenzie Mize, Paradise Honors

F. City Clerk Report

6. Reports

1. Municipal Clerks Week Open House

City Clerk, Kristi Passarelli, talked about Municipal Clerk's Week and the Clerk Open House.

G. Regular City Council Meeting Agenda

7. CONSENT AGENDA:

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

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg
No: None
Abstain: None

Vote Result: Passed

2. Consideration and action to approve the April 15th, 2025 Regular City Council Meeting Minute, April 15th, 2025 Work Session Minutes, and April 15th, 2025 Executive Session Minutes.
3. Consideration and action on approving a Water Meter Easement from Marley Park West, LLC, near Litchfield and Waddell Roads.
4. Consideration and action on accepting a transfer of right of way from Arizona State Land Department for the area of Patton Road and 195th Avenue.
5. Consideration and Action on accepting a Quit Claim Deed for dedication of right of way from Dysart Unified School District for right of way at Parkview Place north of Greenway Road.
6. Consideration and Action on accepting a Quit Claim Deed for dedication of right of way from Dysart Unified School District for right of way for the southeast corner of Perryville and Desert Cove Roads.
7. Consideration and action pertaining to accepting additional funding from the Area Agency on Aging related to Contract 2025-36-SUR, and approval of a Fiscal Year 2025 budget amendment moving budget in the amount of \$9,700 for the purchase of kitchen equipment for the City of Surprise Senior Center Congregate Meal Program; Resolution #2025-50.
8. Consideration and action pertaining to the approval of the Memorandum of Understanding between Maricopa County and the City of Surprise to complete facility improvements to the Surprise Community & Resource Center; Resolution 2025-49.
9. Consideration and action pertaining to authorizing acceptance of a grant award from the Governor's Office of Highway Safety and approval of a Fiscal Year 2025 budget amendment moving budget in the amount of \$6,000 for overtime expenses. Resolution 2025-44; RFLS 9979.
10. Consideration and action pertaining to approval of a Fiscal Year 2025 budget amendment moving budget in the amount of \$500,000 from General Contingency to the Tourism Fund for the purpose of securing entertainment for the FY26 Out of the Park Music Fest; Resolution #2025-56.
8. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:
11. Consideration and action pertaining to the reappointment of Louis Frank Dominguez to the position of Presiding Judge of the Surprise Municipal Court; Resolution #2025-54.

Mayor Sartor thanked the Judge for his efforts.

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

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg
No: None
Abstain: None

Vote Result: Passed

12. Consideration and action pertaining to the reappointment of Catherine Ann Gaudreau to the position of Associate Judge of the Surprise Municipal Court; Resolution #2025-55.

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

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg
No: None
Abstain: None

Vote Result: Passed

13. Consideration and action pertaining to the Second Amendment to the 2009 Intergovernmental Agreement for Water Service by the City of El Mirage to the City of Surprise within the Surprise Original Townsite. Resolution #2025-43.

Water Director, Michael Boule, came to present this item. He talked about the Intergovernmental Agreement Timeline, Second Amendment Items, and Water Recharge Fee.

Councilmember Melton, talked about his experience with the recharge fee, and the efforts that City staff took to come up with this solution.

Councilmember Judd, asked about the unique water recharge fee and asked how many other utilities have this same fee? Michael said there aren't any that he knows of. Councilmember Judd asked why other utilities don't charge this fee? Michael said that the city would need to require resources or rights that they would make that into their utility rate study which they would bring to the City Council. Councilmember Judd asked what third party utility companies would do if they wanted to change their rates? Michael said they would go to the Arizona Corporation Commission. Michael said that El Mirage brought their rates to their council in 2011. Councilmember Judd said he wanted to see a more long term solution. He asked Bob to seek out a better solution in the future.

Vice-Mayor Hastings, talked about the impact that local government has in daily life.

Mayor Sartor, talked about the efforts of Councilmember Melton and staff to address this issue.

Surprise Resident, Rachel Villanueva, came to talk about this issue and how important it is and the impact it will have in the Original Town Site.

Surprise Resident, Sherry Aguilar, came to thank everyone for their help as well.

Motion: To Approve
Initiated By: Johnny Melton

Seconded By: Nick Haney

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

14. Consideration and action pertaining to approval of a Cell Tower Lease Agreement at the Rancho Mercado Water Supply Facility; Resolution #2025-53.

Brad Mechan, came to present this item. He talked about the Location, Proposed Layout, and Terms.

Councilmember Haney, talked about importance of wireless communication and history of the towers coming into the City. He asked how many additional towers are coming up in District one? Brad said there were plans for 6 potential sites in district one. He thanked staff for all their efforts.

Councilmember Greenberg, asked about potential litigation with Cingular and where the City would go for that? Jeff said it would be with Council.

Vice-Mayor Hastings, talked about the history of this project. He asked about plans for Bell Road? Brad said it would alleviate some pressure on existing towers. Vice-Mayor Hastings talked about wanting to see future development.

Mayor Sartor, thanked everyone for their help on this item and future cell tower growth.

Motion: To Approve

Initiated By: Nick Haney

Seconded By: Patrick Duffy

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

15. Consideration and action pertaining to adoption of the tentative expenditure limitation budget for FY2026; directing publication of said tentative budget; and setting a public hearing for June 3, 2025, at 6:00pm at the City of Surprise Council Chambers, 16000 N. Civic Center Plaza, Surprise, Arizona; Resolution #2025-51.

Chief Financial Officer, Andrea Davis, and Assistant Finance Director, Sany Simmons; came to present this item. Andrea talked about the Tentative Budget for FY26. Sandy talked about the Budget Process, Budget Summary, Citywide Revenues, General Fund Revenues, Local Sales Tax Break Down, Primary Property Tax Break Down, Citywide Budget, Citywide Expenses, Operating Expenses by Fund Type, Expenses by Category, and Expenses by Function.

Councilmember Judd, asked about Public Safety and the percentage Public Safety takes up. Andrea talked about the actual numbers that make up the percentages.

Vice-Mayor Hastings, asked about the general fund and what determines the size of it? Andrea said the general fund is largely dependent on revenue. He talked about the importance of how they prioritize the money in line with the Council's priority.

Sandy went on to compare the expenditures to other cities.

Mayor Sartor asked the difference between Surprise and other cities for expenditures? Andrea said it depends on revenue.

Councilmember Judd asked about the tax burden per resident? Andrea said it could equate to the tax burden.

Sandy talked about the number of FTE's per 1k residents. Andrea talked about the cost of outside services.

Councilmember Haney, talked about where tax payer money goes. He said the largest portion goes to public safety, and the investment the City makes into that.

Councilmember Judd, asked about the property tax break down, and how he liked the break down.

Councilmember Greenberg, wanted to reiterate that Surprise does not collect sales tax on food.

Mayor Sartor, Thanked staff for their efforts on this item and making the presentation easy to understand.

Motion: To approve

Initiated By: Nick Haney

Seconded By: Chris Judd

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

16. Presentation and discussion pertaining to annual updates to the City's financial policies.

Andrea Davis, talked about Policy Updates, Comprehensive Financial Management Policies, Recommended Policy Changes, Budget and Amendment Policies.

Vice-Mayor Hastings, said he expects the government to be transparent but efficient. He asked if we look at what other cities do? Andrea said the majority of other cities are consistent.

9. REGULAR AGENDA ITEM - PUBLIC HEARING:

17. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 338164, requested by Jeffrey Craig Miller, for Aldi #169 for Series 10 Liquor License. Aldi #169 is located at 17038 W Waddell Rd, Surprise, AZ 85388.

Motion: To Approve

Initiated By: Patrick Duffy

Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

18. Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 338190, requested by Jeffrey Craig Miller, for Aldi #175 for New Series 10 Liquor Application. Aldi #175 is located at 13723 W Bell Rd Surprise, AZ 85374.

Motion: To Approve

Initiated By: Johnny Melton

Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

19. Consideration and action pertaining to a rezone of approximately 7.9 acres from Business Park (BP) to Light Industrial (I-1) on a site generally located south of the southwest corner of Litchfield Road and Cactus Road. Case FS24-1195.

Leslie Carnie, came to present this item. She talked about the Vicinity Map, Zoning Map, Proposed Zoning, General Plan, Development Standards, Neighborhood Meeting, and Recommendation.

Councilmember Judd, asked about the location in proximity to residential and how did it become different? Leslie said it was never a part of the local residential. He asked about the height being brought down and it makes it the same as everything else? Leslie confirmed it does.

Motion: To Approve

Initiated By: Chris Judd

Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

20. Consideration and action pertaining to candidates for appointment to the position of City Attorney.

Motion: To Enter Executive Session.

Initiated By: Chris Judd

Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

Meeting went into executive session at 7:30 PM

Meeting reconvened at 8:04 PM

Council went to executive session at 8:04 PM

Motion: Judd, Second, Jack

H. Call To The Public

I. Other Business and Future Agenda Items

Meeting Reconvened at 8:23 PM

Vice-Mayor Hastings, asked about having changes to business license and discussions about the process. Councilmember Haney seconded.

J. City Council Reports

K. Executive Session

10. Executive Session Items

11. Executive Disclaimer - Part 1

12. Executive Disclaimer - Part 2

13. Executive Disclaimer - Part 3

21. Consideration and action to recess into executive session to discuss and consider final candidates for appointment to the position of City Attorney pursuant to A.R.S. 38-431.03(A)(1).

22. Recess into executive session pursuant to A.R.S. § 38-461.03(A)(3)(4) for the purpose of receiving legal advice regarding eminent domain and considering its position in contemplated litigation and potential settlement discussions.

L. Adjournment

Motion: To Adjourn

Initiated By: Nick Haney

Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

Meeting Adjourned at 8:24 PM



Kevin D. Sartor, 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, May 6, 2025.**



Kristi Passarelli, City Clerk