

CITY OF SURPRISE
Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, December 20, 2016 @ 06:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, December 20, 2016**. Also in attendance with Mayor Wolcott were Council Member Winters, Council Member Hayden, Council Member Williams, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Led by the JR Honor Society - Sunset Hills Elementary

Proclamation and Community Acknowledgements

City Manager Report

City Manager Wingenroth recognized Council Member Villanueva for her service and dedication to the City and the employees. Council Member Villanueva thanked all of the City staff, Council and asked that the Council consider what is best for the City as a whole.

Mike Cassidy, Youth Specialist introduced the National Jr. Honor Society - Sunset Hills Elementary School. No pledge led by students at the January 3rd 2017 meeting, students are on school break. Several students spoke of the school and responsibilities of the National Jr. Honor Society such as food drive, water bottle drive, blood drive, various festivals throughout the Communities.

City Attorney Report

City Clerk Report

City Clerk Aguilar will administer the Oath of Office for Associate Judge, Catherine Gaudreau.

Associate Judge Catherine Gaudreau addressed the Mayor and Council after the Oath of Office. Thanked the members of the Judicial Advisory Commission for the hiring process and especially wanted to thank Judge Louis Dominguez for his recommendation.

Call to the Public

Medelon Jeffreys - Thanked the Mayor and Council for their efforts in supporting the Community Outreach Program - Youngtown Community Fund.

Ken Remley - Holiday decorations throughout the communities. Several contests being held and a few that are outstanding, one display has a program and is 45 minutes long. Maui Lane and Port Royale.

Consent Agenda

1 – Consideration and action pertaining to an amendment to the Fiscal Year 2017 budget by reallocating appropriations of \$11,500 within the Grants and General Funds to adjust for acceptance of the Fiscal Year 2016-2017 Victim Assistance Grant; Resolution # 2016-152 - APPROVED

2 – Consideration and action pertaining on the Final Plat entitled "Quiktrip #494" dated September 29, 2016, an approximately 4.3 acre property located on the north side of Bell Road, between Avenue of the Arts and 115th Avenue - APPROVED

3 – Consideration and action pertaining to an amendment to the fiscal year 2017 budget by reallocating appropriations of \$10,000 from the Grants Fund to the Donations Fund for the Human Service & Community Vitality Department (HSCV), Neighborhood Services Division; Resolution # 2016-156 - APPROVED

4 – Consideration and action on the minutes of December 6, 2016 Regular Work Session and Regular City Council Meeting - APPROVED

5 – Consideration and action pertaining to the prescribed standards for Financial Disclosure for local elected officials; Resolution # 2016-155 - APPROVED

6 – Consideration and action authorizing the Mayor to execute an Intergovernmental Agreement with Dysart Unified School District for the operation of schools as community centers; Resolution # 2016-158 - APPROVED

Council Member Williams made the motion to approve the consent agenda, excluding item #7. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

7 – Consideration and action pertaining to approval of the Final Plat entitled "Thompson Thrift at Surprise Center" dated November 30, 2016, a property generally located on the Southwest corner of Bell Road and North Civic Center Drive within the Surprise Center Planned Area Development (PAD) - APPROVED

City Planner Wingard reported on this item.

Council Member Tande - Applicant would have to come back in for a Final Plat, correct?

Mr. Wingard - Yes.

Council Member Winters - It appears that this development has 3 different buildings, correct?

City Planner Wingard - The 1st phase has 3 buildings.

Council Member Tande - I see 2 drive-thru's on here, is that going to be able to handle the intensity coming off of Bell Road? This site was fully vetted and had a traffic analysis recommending approval.

City Planner Wingard asked the applicant to come forward to discuss the item in detail. Andrew Call with Thompson Thrift, developer not an actual tenant.

Scott Phillips with Carefree Partners gave a detailed explanation of the item being presented tonight.

Mayor Wolcott - there are not 2 drive thru's but 3 drive thru's on this proposed lot. If it's needed now, then why not in the future when lot 4 is developed. Mr. Fitzer was very instrumental in bringing up the issue of entrances, drive-thru's and parking access for this development. We anticipate when the site plan comes thru all of these issues will be discussed and reviewed, especially through the planning and zoning process. I'm concerned about congestion and access to the project and how the traffic will flow along

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Elm Street.

Council Member Villanueva - Questioned layout of the project and asked to identify drive thru's.

Mayor Wolcott - I appreciate the landscaping on Bell Road, the lots 1, 2, 3. I am not as concerned about those but I know this is the last chance that the City Council has a chance to say anything about it, this is the Council chance to approve the whole site and we will not have any say what comes into lot 3 & 4, so this is our chance to express our concerns.

Council Member Tande - I don't want us to be victim of our success, I don't want to look back later and regret not taking time to review all of the details. Is there a strict timeframe?

Yes, March 2017 to get started.

Council Member Tande - Who has lot 4?

Mr. Phillips - Surprise Development Company. We are not in contract for this site yet.

Council Member Tande - You mentioned you would be willing to work with staff on landscaping, etc., as the City's Gateway, do you anticipate a gateway entrance?

Council Member Hall - I appreciate all of the concerns I am looking at this realistically, I don't think we are going to have a downtown on Bell Road, it will be off of Bell Road, it's not pedestrian friendly. I look at this, this is 144th on the west side of the site, that's the alignment. The Civic Center also has a D cell lane, lot 4 has the highest parking ratio out of all 3 lots. I had a lot of questions for Eric Fitzer today, and he answered all of my questions, and you guys are at 87% leased already. I really commend you guys, you put a lot of thought into this.

Council Member Williams - Thank you to staff and Mr. Phillips for the detailed presentation. What I don't want to lose that is very frustrating for people that have been here for a while, we bought the brochure and seen nothing. As we look 50 to 60 years into the future of develop, needs to be sustainable. Residents get frustrated and move to other Cities that already have what we want here.

Mr. Phillips - Yes what we are looking at in the downtown area, looking at a constant redefining of our City.

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Mayor Wolcott- To Council Member Williams point, the transition of the Auto Mall moving into our downtown area, it speaks to the desire of everyone that they know that we are doing the right thing. We are basically approving an unknown, but this will set the stage for the future. The hard corner is the one that gives me serious heartburn, it is not in my vision. Correct me if I am wrong, but there is another piece to this is to approve the avigation easements and dedication.

Attorney Wingo - I would request a more specific motion other than just item #7.

Council Member Wingard - Whenever we present a plat we always ask for avigation easement to allow Luke to continue to flyover. This is standard avigation language.

Council Member Tande - Please keep an open mind if this does pass, to have an open communication with other developers coming in.

Youth Student - Ms. Garcia - Branding the area to make more popular, will each pad in the lot have their own design or a uniform design?

Council Member Villanueva made the motion to approve the Final Plat entitled "Thompson Thrift at Surprise Center" dated November 30, 2016, a property generally located on the Southwest corner of Bell Road and North Civic Center Drive within the Surprise Center Planned Area Development (PAD). Council Member Williams seconded the motion. Seven yes vote. Motion carried.

Regular Agenda Item - Public Hearing

8 – Consideration and action pertaining to a Major Amendment of the Desert Oasis at Surprise PAD by changing the land use from Commercial to Medium Density Residential on approximately 8.08 acres of Parcel L8 located on the Northwest corner of 171st Avenue and Jomax Road; and increasing Front Setback for garages in Parcels L7 and L8-B - APPROVED

City Planner Angulo gave an overview of this item.

Council Member Winters - I really appreciate the setbacks to 20 ft., rather than 18 ft. Do you have any idea what might go into the commercial area. I appreciate the lower density as well.

Mr. Angulo - To date, no inquiries.

Regular Agenda Item - Non-Public Hearing

9 – Presentation and discussion on the launch a safe driving campaign in the City of Surprise in January 2017 - NO ACTION

Police Chief, Terry Young led the presentation on the Safe Driving Campaign. Chief Young commented that this is not a Police Department project alone, it includes Communications, Public Works as a team effort.

Public Works Director, Mike Gent held up the proposed signs to the Council for review.

Chief Young commented that financial impact is none, no impact to the general fund. The rollout is late January 2017.

Council Member Hall- Love the program and slogans. I know there are hotspots in Surprise to create more accidents, do you have a map, where are they?

Council Member Tande - Lexis Nexis has a map that outlines areas high in accidents.

Council Member Hall - Waddell between Litchfield and Bullard would be one area.

Chief Young - Strategically place signs at the main corridors of the City. Will take to social media to find out the concerns of the residents, of where they have concerns.

Council Member Hall - How do we stand in terms of intersection accidents? Are we out of balance, or is it typical?

Chief Young - Generally most of the accidents in Surprise are intersection related, speed, rear ends vehicle sitting at intersection, etc.

Council Member Hall - 1949 Chevy at intersection of Bell and Reems, totally engulfed in fire. You guys were right on it.

Council Member Winters - Speed and distracted drivers are the biggest, particularly driving and talking or texting on their phones. I hope we can make some progress.

10 – Consideration and action pertaining to acceptance of a U.S. Department of Justice Community Oriented Policing Services Hiring Program Grant in the amount of \$250,000 for the hiring of two police officers; Resolution # 2016-131 - APPROVED

Chief Young reported on the grant through the Department of Justice.

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Council Member Hall made the motion to approve Resolution 2016-131. Council Member Tande seconded the motion. Six yes votes, one absent for this item (Wolcott). Motion carried.

11 – Consideration and action pertaining to the "Surprise Foothills Water Supply Facility Development Agreement" between the City of Surprise and Buena Vista Holdings LLC, Surprise Foothills Master LLC, Mesquite Mountain Ranch Investments LLC, and Management 317 LLC for Surprise Foothills Water Supply Facility, property generally located North of Sun Valley Parkway and West of 243rd Avenue; Resolution # 2016-154 - APPROVED

Mr. Lowe reported on this item.

Council Member Villanueva - homes north of Grand Avenue, are they included in this agreement?

Mr. Lowe - No, south and west of Grand Avenue.

Council Member Tande - Are they anticipating building out in this area soon?

Council Member Williams made the motion to approve Resolution 2016-154. Council Member Hayden seconded the motion. Seven yes votes. Motion carried.

Other Business

Council Members Tande and Williams - requested Bell/Grand update for overpass aesthetics.

Council Members Hayden and Williams - Bring forward an Ordinance in January for reporting authority regarding the City Attorney.

Mayor/Council Report

Council Member Tande made the motion to recess into executive session at 8:21 PM. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Executive Session

12 - Consideration and action to enter into executive session with the City Attorney for discussion and consultation for legal advice pertaining to zoning of property within the vicinity of City Hall pursuant to A.R.S. 38-431.03(A)(3).

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Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of December 20, 2016 at 9:11 PM. Council Member Williams 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, December 20, 2016.**

Sherry Ann Aguilar, City Clerk