



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100

Surprise, AZ 85374

Thursday, September 25, 2008 @ 05:53 PM

CALL TO ORDER.

A. Roll Call

Vice Mayor Villanueva called the **Regular City Council Meeting** to order at 05:53 p.m. Surprise City Hall Council Chamber 12425 West Bell Road, D-100 Surprise, Arizona 85374 , on **Thursday, September 25, 2008**. Also in attendance with Vice Mayor Villanueva were Council Member Longabaugh, Council Member Alton, Council Member Williams, Council Member Johnson, and Council Member Hall.

Staff Present: City Manager, Randy Oliver, Assistant City Manager, Kathy Rice, Deputy City Manager, Sintra Hoffman, City Attorney, Michael Bailey, Director of Public Works, Robert Beckley, Director of Community Development, Jeff Mihelich, Revenue Division Manager, Linda Willis, and City Clerk, Sherry Aguilar.

B. Pledge of Allegiance

C. Invocation

D. Current Events and Reports by Mayor and City Council - Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.

Council Member Johnson attended and/or commented on the following events/meetings:
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Council Member Longabaugh - Retreat, Arizona Traditions Town Hall Meeting, Dreamcatcher Field, Dedication of Desert Oasis School and benefit auction.

Council Member Alton - Retreat, Chamber of Commerce and thanked City Manager Oliver.

Vice Mayor Villanueva - Retreat, Dreamcatcher Field, Dedication of Johnson Townhomes.

Council Member Williams - Boy scout Troops 698 and 862, Retreat, Rio Salado and Dysart, Ashton Ranch School and walking to school.

Council Member Hall - Retreat and commended City Manager Oliver

Council Member Johnson - Retreat, RPTA Meeting, sports auction and chambers and businesses.

E. City Manager and Staff Reports:

#1. *Current Events

***CTCA Tennis Tournament - Director of Community and Recreation Services, Mark Coronado**

#2. Foreclosure Ad Hoc Committee Code Enforcement Recommendation Update

#3 - CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins. Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Mike Woodard commented on the following; Council Retreat, history/politics and holding a Town Hall.

G. Approval of items on the Consent Agenda - all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA:

Council Member Williams made the motion to approve the consent agenda with the removal of items 5, 6 and 12 Council Member Johnson seconded the motion. Six yes votes. Motion carried.

***#4. Consideration and action on the final reading of Ordinance No. 08-42, an ordinance of the Mayor and Council of the City of Surprise, Arizona, Maricopa County adding Chapter 3 - Personnel to Surprise Municipal Code - APPROVED FINAL READING**

***#5. Consideration and action on the final reading of Ordinance No. 08-43- an amendment of Municipal Code 34-73, Restrictions on Discharge, Concealment and Handling, of the Surprise Municipal Code amended as follows: It is unlawful for any person within the limits of the city to fire or discharge any firearm, BB gun, air gun, pellet gun, dart gun, slingshot, gas-operated gun, bow and arrow, cross bow, blow gun, or other similar gun or instrument - APPROVED WITH STIPULATION**

Public Comments:

Eric Bennett spoke in opposition of the ordinance.

John Heffelfinger asked to remove bow and arrow section from the ordinance.

Cal Alexander spoke in opposition of ordinance.

Richard Egly is opposed to banning use of archery equipment.

Kari Jill Granville spoke in opposition, asked to removed bow and arrow from ordinance.

Pat Crouch with Arizona Game and Fish is opposed to ordinance.

Council Member Williams made the motion to approve Ordinance No. 08-43 with the stipulation to remove bow and arrow from the ordinance and bring back a separate ordinance that will address bow and arrow; an ordinance of the Mayor and Council of the City of Surprise approving an amendment of Municipal Code 34-73, Restrictions on Discharge, Concealment and Handling, of the Surprise Municipal Code amended as follows: It is unlawful for any person within the limits of the city to fire or discharge any firearm, BB gun, air gun, pellet gun, dart gun, slingshot, gas-operated gun, bow and arrow, cross bow, blow gun, or other similar gun or instrument. Council Member Hall seconded the motion. Six yes votes. Motion carried.

***#6. Consideration and action on the commemorative dedication plaque for the new City Hall - APPROVED WITH STIPULATION**

Council Member Longabaugh made the motion to approve the commemorative dedication plaque for the new City Hall with the stipulation that the plaque is not prepared until the dedication ceremony. Council Member Johnson seconded the motion. Six yes votes. Motion carried.

***#7. Consideration and action authorizing the City Manager to approve contracts with Cable Solutions for structured cable and wiring, and with NEC Unified for active electronics in wiring closets to support technology in the new City Hall. Project Cost is \$ 745,575.00 including a contingency of \$19,272.46. - APPROVED**

***#8. Consideration and action on Resolution No. 08-154, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving two nonstandard pavement management agreements (Cactus Power Center and Waddell Center West) - APPROVED**

***#9. Consideration and action on Resolution No. 08-164, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Commercial Subdivision, CS08-043, for a proposed project known as "Prasada Phase 1B North," consisting of platting 4 lots and one tract on approximately 169 gross acres. The subject site is located southeast of Waddell Road and Loop 303 - APPROVED**

***#10. Consideration and action on the final reading of Ordinance No. 08-37, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a rezone for a project known as "Truman Ranch Marketplace" to Planned Area Development case PAD08-015. The subject site consists of approximately 44 acres and is located on the southwest corner of Cotton Lane and Waddell Road - APPROVED FINAL READING**

***#11. Consideration and action on Resolution No. 08-122; a resolution authorizing the**

implementation of a supervised home detention program for eligible defendants - APPROVED

***#12. Consideration and action on Resolution No. 08-161; a resolution implementing fees associated with the issuance of ramada reservations and beer permits at Surprise City Parks - APPROVED**

Council Member Johnson made the motion to approve Resolution No. 08-161; a resolution of the Mayor and Council of the City of Surprise implementing fees associated with the issuance of ramada reservations and beer permits at Surprise city parks. Council Member Hall seconded the motion. Six yes votes. Motion carried.

***#13. Consideration and action authorizing the City Manager to approve the contract with Archer Western Construction for the construction of the Roseview Water Supply Facility Arsenic Treatment Plant for \$1,835,319 and the associated budget transfers - APPROVED**

***#14. Consideration and action authorizing the City Manager to approve Contract Amendment #2 for the Professional Services Agreement with Malcolm Pirnie for Construction Administration of the Roseview Water Supply Facility Arsenic Treatment Plant for \$197,185.00. - APPROVED**

***#15. Consideration and action on a Special Event Liquor License request by Happy Trails Resort Home Owner's Association at 17200 West Bell Road, Surprise Arizona - for the following events: Thrift Shop Ball - January 10, 2009, Wild West Barbeque Fest - February 4, 2009 and St Patrick's Day - March 17, 2009 - APPROVED**

***#16. Consideration and action on the minutes of the September 4, 2008 Special City Council Work Session; the September 11, 2008 Regular City Council Work Session and Regular City Council Meeting - APPROVED**

***#17. Consideration and action on a request by the Community and Recreation Services Department on behalf of the Surprise Sundancers for a Special Event Liquor License for the Cancer Treatment Centers of America (CTCA) Tennis Tournament November 5-9, 2008. The City sponsored special event will be held at the Surprise Tennis and Racquet Complex at 14469 W. Paradise Lane, Surprise, AZ 85374 - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#18. Consideration and action on Resolution #08-163 - approving and authorizing the City Manager to execute the professional services agreement for financial and customer services and operations and management services and to waive the competitive bidding requirements of the Surprise Procurement Code as referenced in Section 1.60 (e) - APPROVED

Revenue Division Manager, Linda Willis gave a brief report regarding the agreement.

Council Member Alton made the motion to approve Resolution No. 08-163; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving and authorizing the City Manager to execute the professional services agreement for financial and customer services and operations and

management services and to waive the competitive bidding requirements of the Surprise Procurement Code as referenced in Section 1.60 (e). Council Member Hall seconded the motion. Six yes votes. Motion carried.

#19. Consideration and action on accepting the recommendation of the Ad Hoc Foreclosure Committee's endorsement of the Crime-Free Rental Housing Program - APPROVED

Council Member Johnson made the motion to approve accepting the recommendation of the Ad Hoc Foreclosure Committee's endorsement of the Crime-Free Rental Housing Program. Council Member Longabaugh seconded the motion. Six yes votes. Motion carried.

#20. Concur with Staff request for Proposal for Strategic Marketing Consulting Services, in an amount not to exceed \$100,000 - APPROVED

Council Member Hall made the motion to approve the proposal for Strategic Marketing Consulting Services, in an amount not to exceed \$100,000. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#21. Consideration and action on Resolution No. 08-123 - amending the building safety and permit fee schedule as it relates to solar energy - APPROVED

Council Member Longabaugh made the motion to approve Resolution No. 08-123; a resolution of the Mayor and Council of the City of Surprise, amending the building safety and permit fee schedule as it relates to solar energy. Council Member Hall seconded the motion. Six yes votes. Motion carried.

OTHER BUSINESS:

Council Member Williams requested - Block Party Trailer (cul-de-sac)

EXECUTIVE SESSION: NONE

#22. Pursuant to A.R.S. § 38-431.03(A)(3), City Council may go into executive session with the City Attorney for legal advice on any item listed on the agenda.

#23. Consideration and action on executive session items.

ADJOURNMENT:

Vice Mayor Villanueva adjourned the Regular City Council Meeting of September 25, 2008 at 7:33 p.m.

L.E. Truitt, 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 **Thursday, September 25, 2008.**

Sherry Ann Aguilar, City Clerk,