

Regular City Council Meeting Minutes – May 22, 2008

Call to Order:

A. Roll Call:

Mayor L.E. Truitt called the **Regular City Council Meeting** to order at 6:00 p.m., at Surprise City Hall Council Chamber 12425 West Bell Road, Suite D-100 Surprise, Arizona 85374, on **Thursday, May 22, 2008**. Also in attendance with Mayor Truitt were Vice Mayor Roy Villanueva and Council Members: Richard Alton; Skip Hall; Joe Johnson; John Longabaugh and John Williams.

Staff Present:

Interim City Manager, Prisila Ferreira, Assistant City Manager, Doug Sandstrom; Assistant City Manager, Kathy Rice; City Attorney, Michael Bailey; Deputy City Manager, Sintra Hoffman; Special Assistant to the City Manager, Stephanie Wilson; Director of Intergovernmental Relations, Michelle Lehman; Intergovernmental Relations Program Manager, Michael Celaya; Chief Information Officer, Randy Jackson; City Engineer, Robert Maki; Traffic Engineer, Nick Mascia; Police Chief, Dan Hughes; Fire Chief, Michael White; Public Information Officer, Ken Lynch; Management and Budget Director, Michael Schrock; Finance Director, Robert Nilles; Director of Economic Development, John Hagen; Director of Human Resources, James Bowers; Director of Community and Recreation Services, Mark Coronado; Director of Public Works, Robert Beckley; Information Technology Specialist, Stephanie Cross; City Planner Adam Copeland and Deputy City Clerk, Linda Stevens

B. Pledge of Allegiance:

C. Invocation:

D. Current Events and Reports by Mayor and City Council:

Council Member Johnson attended and/or commented on the following events/meetings:

- Shafer Memorial – thanks to Sherry Aguilar, Mark Coronado and staff, Police and Fire Departments
- Softball Tournament
- Sands Chevrolet
- Commended John Hagen
- RPTA Meeting
- High School Graduates

Council Member Longabaugh attended and/or commented on the following events/meetings:

- Impressed with Memorial Services – was a great send off
- Ultrastar Cinema
- Was on vacation last week
- Crime statistics in Surprise and surrounding areas

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Council Member Alton attended and/or commented on the following events/meetings:

- HOA Meeting
- Foreclosure Committee Meeting
- Sun City Grand CAMJAM Meeting
- Ultrastar Reception

Council Member Hall attended and/or commented on the following events/meetings:

- Mayor Memorial on May 9th commended Mark Coronado and staff
- Sands Chevrolet
- Ultrastar opening
- Western Trails

Vice Mayor Villanueva attended and/or commented on the following events/meetings:

- Ultrastar Cinema Reception
- Tour of Original Town site, 10 projects and 10% set aside

Council Member Williams attended and/or commented on the following events/meetings:

- HOA connection Meeting
- Encouraged participation
- Foreclosure Committee Meeting
- Ashton Ranch Graduation
- Memorial Day Parade
- Neighborhood Meeting of June 2nd
- Coffee Talk – possible time and location change
- HOA Meeting

Mayor Truitt attended and/or commented on the following events/meetings:

- Appreciates Council Member Johnson - RPTA
- Ball Game – well attended
- High School graduates
- Graduations on Channel 11
- Governor at Surprise Senior Center
- American Legion #96 – meaning of Poppy Flower
- Memorial Day Parade

E. City Manager and Staff Reports:

- **Current Events**
- **Community Development** – Kathy Rice, Assistant City Manager
- **Memorial Day Parade** – Mark Coronado, Director of Community and Recreation Services

ITEM # 1 – CALL TO THE PUBLIC:

Harriet Feinberg commented on Wal-Mart, needing up scale stores, and stated that she enjoys living in Surprise.

G. CONSENT AGENDA:

All items listed with an asterisk (*) are considered to be routine by the City Council, and were enacted by one motion. There was no separate discussion of these items during this meeting.

Council Member Longabaugh made the motion to approve the consent agenda. Council Member Johnson seconded the motion. Seven yes votes. Motion carried.

- *Item #3– Approved the final reading of **Ordinance No. 08-20**; an ordinance of the Mayor and Council of the City of Surprise increasing and extending the corporate limits of the City of Surprise by annexing thereto certain territory located within Sections 4, 5, 6, 8 and 9 and portions of Sections 3, 7, 10, 15 and 17, Township 5 North, Range 2 West, portions of Section 12, Township 5 North, Range 3 West and portions of Sections 31 and 33 of Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian Maricopa County, Arizona and generally located at the northeast corner of 211th Avenue and Dove Valley Road, (ANX07-150 – GRAND VISTA).
- *Item #4 – Approved the final reading of **Ordinance No. 08-24**; an ordinance of the Mayor and Council of the City of Surprise approving Planned Area Development consisting of approximately 5,485 gross acres for PAD07-228, Grand Vista. The project is bounded by Dove Valley Road to the south, 211th Avenue to the west, Black Mountain Road to the north and 183rd Avenue to the east.
- *Item #5 – Approved the final reading of **Ordinance No. 08-21**; an ordinance of the Mayor and Council of the City of Surprise, increasing and extending the corporate limits of the City of Surprise by annexing thereto two sections of Cotton Lane respectively located within a portion of Section 11, Township 3 North, Range 2 West and a portion of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian. (ANX08-089 Cotton Lane ROW Annexation).
- *Item #6 – Approved a liquor license application request for **MeiWei China Bistro** located at 15332 West Bell Road, Suite 132, Surprise, Arizona 85374 for a Series #12 New License.
- *Item #7 – Approved a liquor license application request for **Native New Yorker** located at 14051 West Grand Avenue, Surprise, Arizona for a Series #12 New License.
- *Item #8 – Approved **Resolution No. 08-90**; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Final Plat, FP07-430, "Offices on Reems", located generally north of Greenway Road and east of Reems Road. This is a final plat to convert the existing office buildings to office condominiums which will be sold as separate units.
- *Item #9 – Approved **Resolution No. 08-89**; a resolution of the Mayor and Council of the City of Surprise, Arizona a Final Plat Amendment, FPA08-058, "Sara Ann Ranch Well Site", located generally on the southeast corner of Citrus Road and Sweetwater Avenue. The Final Plat Amendment is proposing two residential lots to be combined into one lot for a well site to serve the community.

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- *Item #10 – Approved a recommendation from the Disability Advisory Commission to enter into **Services Agreements** with Perlman Architects of Arizona in the amount of \$7,550.00 and Knucks Corporation in the amount of \$67,413.72 from the ADA Enhancement Fund to complete the Community Initiatives Human Services Restroom Remodel Project.
- *Item #11 – Approved the **minutes** of the Special City Council Meeting of May 1, 2008, the Regular City Council Work Session and the Regular City Council Meeting of May 8, 2008.
- *Item #12 – Approved the agreement with **Suburban Land Reserve, Inc. (SLR)** to reimburse City of Surprise for the construction cost of Sewer and Water Utility Stubs for future Prasada Development along Reems Road between Waddell Road and Cactus Road – estimated reimbursement is **\$200,082.40**.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

- Item #13 – Consideration and action on the design for **public art** at Fire Station 301 – previously approved the concept and the contract for Mr. Tyler – the project is funded through the Arts and Cultural Advisory Board – **APPROVED**

Assistant City Manager, Kathy Rice introduced Mr. Tyler, who displayed his art design for City Council.

Council Member Johnson made the motion to approve the design for public art at Fire Station 301, City Council previously approved the concept and the contract for Mr. Tyler, the project is funded through the Arts and Cultural Advisory Board. Vice Mayor Villanueva seconded the motion. Seven yes votes. Motion carried.

- Item #14 – Consideration and action on **Resolution No. 08-91** – adopting the tentative expenditure limitation budget for fiscal year 2008-2009 in the amount of \$358,961,700.00 and setting the date of the public hearing on the budget to be June 12, 2008 – **APPROVED**

Director of Management and Budget, Michael Schrock reported on the tentative budget.

Council Member Alton commented on the following; eliminating \$100,000.00, general fund, lack of job description.

Mr. Schrock stated the following: one time roll over, and add to capital projects.

Public comments:

John Olbrantz commented on the affect that rain has on the church and asked if Council could move their project up.

Pastor Clarence Bradley asked Council to please make their project a priority.

First Motion:

Council Member Alton made the motion to allocate \$100,000.00 to Council Contingency. Council Member Johnson seconded the motion. Four yes votes, three no votes (Truitt, Villanueva and Longabaugh). Motion carried.

Second Motion:

Council Member Longabaugh made the motion to approve Resolution No. 08-91 as amended by the first motion; a resolution of the Mayor and City Council of the City of Surprise, Arizona, adopting the tentative expenditure limitation budget for fiscal year 2008-2009 in the amount of \$358,961,700.00 and setting the date of the public hearing on the budget to be June 12, 2008. Council Member Johnson seconded the motion. Seven yes votes. Motion carried.

- Item #15 – Consideration and action on **Ordinance No. 08-23** – approving an amendment to the 2006 International Residential Code – relating to garage heat detectors – **APPROVED FIRST READING**

Building Official, Forrest Fielder reported on the amendment.

Council Member Johnson made the motion to approve moving Ordinance No. 08-23 to a final reading; an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving an amendment to the 2006 International Residential Code, relating to garage heat detectors. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

- Item #16 – Consideration and action on a **construction contract COS08-048 with Markham Contracting Co., Inc.** – for the construction of Litchfield Road (west side) between Bell Road and Statler Road in the amount of \$811,157.40 plus a contingency of \$162,231.48 for a total amount not to exceed \$973,388.99. – **APPROVED**

Dr. Robert Maki gave a brief report regarding the project.

Council Member Hall commented on the following; right turn lane, water usage and appearance.

Council Member Johnson commented on the following: repayment ordinance and using in negotiations.

Council Member Alton commented on the following: traffic, improvement of 3 parcels of land and liens.

City Attorney Bailey clarified the term for providing notice.

Council Member Johnson made the motion to approve a construction contract COS08-048 with Markham Contracting Co., Inc for the construction of Litchfield Road (west side) between Bell Road and Statler Road in the amount of \$811,157.40 plus contingency of \$162,231.48 for a total amount not to exceed \$973,388.99. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

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- Item #17 – Consideration and action on a **construction contract COS08-047 with Combs Construction, Inc.** – for the Saguaro View Improvements consisting of paving Dynamite Boulevard – from 163rd Avenue to 157th Avenue and 157th Avenue from Dynamite boulevard to Peak View – in the amount of \$743,349.75 plus a contingency of \$148,669.95 for a total amount not to exceed \$892,019.70 and modification to the Capital Improvement Plan and the associated budget transfer of \$650,00.00 – **APPROVED**

Council Member Hall commended staff for their hard work and long hours.

Council Member Alton commented on the following: number of homes, paved roads, and other projects.

Council Member Johnson commended staff on a great job.

Public Comments:

Rick Molera of the Board of Directors thanked Council for addressing this issue and stated it was a worth while endeavor.

Council Member Alton made the motion to approve a construction contract COS08-047 with Combs Construction, Inc. for the Saguaro View Improvements consisting of paving Dynamite Boulevard from the 163rd Avenue to 157th Avenue and 157th Avenue from Dynamite Boulevard to Peak View in the amount of \$743,349.75 plus a contingency of \$148,699.95 for a total amount not to exceed \$892,019.70 and modification to the Capital Improvement Plan and the associated budget transfer of \$650,000.00. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

- Item #18 – Consideration and action on **Resolution No. 08-73** – approving a Preliminary Plat for a project known as “Palo Cristi commerce Park” – PP07-308 – proposing to subdivide 48 lots on approximately 100 gross acres – generally located on the south west corner of Laurel Lane and Litchfield Road – **APPROVED AS AMENDED**

City Planner Adam Copeland gave a brief report regarding the project.

Paul Gilbert reported on the project and asked Council to consider removing a table/chart that is located on the plat map.

Public Comments:

James Twemlow expressed his concerns regarding the project.

Council Member Alton made the motion to approve Resolution No. 08-73 with the stipulation of removing the land use table from the preliminary plat. A Resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Preliminary Plat for a project known as “Palo Cristi commerce Park” PP07-308. The applicant is proposing to subdivide 48 lots on approximately 100 gross acres; the subject site is generally located on the south west corner of Laurel Lane and Litchfield Road. Council Member Johnson seconded the motion. Seven yes votes. Motion carried.

OTHER BUSINESS:

- Item #18 - Consideration and action on items to be placed on future agendas

Council Member Alton requested a work session regarding the "Travel Policy".

Council Member Williams requested bringing back residential sales tax.

Vice Mayor Villanueva requested that all foreclosure issues and/or information be provided the original townsite residents and suggested a mailer or utilizing the City of El Mirage water bill.

EXECUTIVE SESSION:

Council Member Alton made a motion to enter into executive session at 7:34 p.m. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of **Thursday, May 22, 2008 @ 8:03 p.m.**


L.E. Truitt, Mayor

ATTEST:


Linda Stevens, Deputy City Clerk

CERTIFICATION:

I, Linda Stevens, Deputy 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, May 22, 2008.**


Linda Stevens, Deputy City Clerk