



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100

Surprise, AZ 85374

Thursday, March 12, 2009 @ 06:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the to order at 06:00 p.m. Surprise City Hall Council Chamber 12425 West Bell Road, D-100 Surprise, Arizona 85374 , on **Thursday, March 12, 2009**. Also in attendance with Mayor Truitt were Vice Mayor Johnson, Council Member Longabaugh, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Hall.

Staff Present: City Manager, Randy Oliver;, Assistant City Manager, Kathy Rice;, Assistant City Manager, Doug Sandstrom;, City Attorney, Michael Bailey;, 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.

Mayor and City Council commented on or attended:

Council Member Hall: MCDOT presentation on widening El Mirage Road from Bell Road to Northern, Sand Chevrolet for grand opening, Heard Museum Luncheon at Stadium, GO Bond Committee meeting at Villanueva Gym and Chamber Recruitment Presentation.

Council Member Longabaugh - Power of Soccer article in Arizona Republic, next Tuesday is March 17th - Saint Patrick's Day.

Council Member Villanueva: Interfaith Open House, tour, Grand Opening on April 4th - Parade 10 - 2 p.m. and Bond Meeting in OTS.

Council Member Alton: Chamber of Commerce event and encourage more businesses to come to

Surprise and offer products to our residents.

Vice Mayor Johnson: Sands Chevrolet Grand Opening and trip to Washington, DC, informative meetings.

Council Member Williams: thanked Chief Hughes on article on criminal damage to vacant homes, several HOA meetings in the communities, promoted Block Watches, Risk Assessment Program - 222-4140 for more information, March 19th - 5:00 p.m. - Meeting with Block Watch Leaders, Community Pride Day planning meeting. Leadership Teen Group - Thanked Rio Salado and others who participated and Andre Agassi is coming to Surprise!

Mayor Truitt: Las Fuentes - Mexican Food - new restaurant, thanked Sands Chevrolet, traveling out of town to the National Conference on Aging, part of a panel with Interfaith, Rio Salado and presenting our collaboration of services.

E. City Manager and Staff Reports:

City Manager Oliver: attended Sands Grand Opening, GO Bond Meeting and met with new ADOT Director about future projects.

Director of Intergovernmental Relations, Michael Celaya - gave an update on the trip to Washington,. DC.

#1. *Current Events

CALL TO THE PUBLIC:

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

***#2. Consideration and action on Resolution No.09-17, a resolution accepting maintenance of the offsite sewer improvements located in Mountain Gate Phase 4 - APPROVED**

***#3. Consideration and action on Resolution No. 09-19, a resolution accepting maintenance of the streets and public water and sewer utilities located in Sierra Montana Parcel 6 - APPROVED**

***#4. Consideration and action on a Special Event Liquor License requested by West Valley Arts Council located at Marley Park Heritage Club Facility, 13243 N. Founder's Park, Surprise, Arizona 85379 for the following event: * March 20, 2009 (Friday) - Artist**

Reception - APPROVED

***#5. Consideration and action on the minutes for the following: Special City Council Meeting (Retreat) February 20 and 21, 2009; Regular City Council Work Session and Regular City Council Meeting of February 26, 2009 - APPROVED AS AMENDED**

Council Member Hall requested a correction to Page 5, Item #18 of the minutes, extra line that needs to be deleted.

***#6. City ordinance 08-32 specifies an ex-officio member from the West Valley Art Museum. The position has been vacant for several months. Dr. Griffith of the West Valley Art Museum Board of Directors has requested that the City of Surprise appoint Kendra Amburgey to the position - APPROVED**

***#7. Consideration and action on Resolution No. 09-58; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a one-time six-month preliminary plat extension for Tierra Verde East Parcel 3 (PP06-453). The site is located generally on the northwest corner of 151st Avenue and Happy Valley Road. The preliminary plat will be extended through August 28, 2009 - APPROVED**

***#8. Consideration and action on Resolution No. 09-56 a Resolution of the Mayor and Council of the City of Surprise, Arizona, to Accept Quit Claim Deeds from 13 Saguaro View Parcel Owners for the Saguaro View Road Paving Project - APPROVED**

***#9. Consideration and action to accept the Easement for a reclaimed water booster station granted by the Sierra Verde Home Owners Association located in the general vicinity of Litchfield and Greenway - APPROVED**

***#10. Consideration and action to accept the Quit Claim Deed for dedication of sidewalk improvement area from Imperial Manor West, LLC for Bell Road improvements located at Bell and Reems - APPROVED**

***#11. Consideration and action on authorizing the City Manager to approve the professional services agreement between the City of Surprise and CMX Engineering for the design of the SPA 2 Sewer Interceptor project, Capital Improvement Project #20616. The design and construction administration services are at a cost of \$233,965 with a 5% contingency for a total cost not to exceed \$245,663. - APPROVED**

***#12. Consideration and action on the final reading of Ordinance No. 09-10 amending Section 2-304 of the Surprise Municipal Code to provide for an additional ex-officio member for the Tourism Committee to assist the City in promoting and marketing tourism - APPROVED FINAL READING**

***#13. Consideration and action on the Wade settlement and release agreement.**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#14. Consideration and action on appointing the following to the Personnel Appeals Board: Stanley Mucha (Regular), Ron Loesch (Regular) and Lynda Foro (Alternate) with term expiring July 1, 2010; Paul Joseph Felice (Regular) , Frank Lauhoff (Regular) and Tom

Gallivan (Alternate) with term expiring July 1, 2011; Harry Grove (Regular), Jane Linville (Alternate) and B. "Chet" Chetkauskas (Alternate) with term expiring July 1, 2012 - APPROVED

Council Member Longabaugh reported on the Selection Committee's recommendation.

Council Member Longabaugh made the motion to approve appointing the following to the Personnel Appeals Board: Stanley Mucha (Regular), Ron Loesch (Regular) and Lynda Foro (Alternate) with term expiring July 1, 2010; Paul Joseph Felice (Regular) , Frank Lauhoff (Regular) and Tom Gallivan (Alternate) with term expiring July 1, 2011; Harry Grove (Regular), Jane Linville (Alternate) and B. "Chet" Chetkauskas (Alternate) with term expiring July 1, 2012. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#15. Consideration and action on the reclaimed water connection from the Sierra Verde Homeowners Association to the City of Surprise System, extension of the non potable water rate until December 27, 2009, and associated budget transfers necessary to complete the connection - APPROVED

Director of Public Works, Robert Beckley gave a brief presentation regarding this request.

Vice Mayor Johnson made the motion to approve the reclaimed water connection from the Sierra Verde Homeowners Association to the City of Surprise System, extension of the non potable water rate until December 27, 2009, and associated budget transfers necessary to complete the connection. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#16. Consideration and action on the connection of the Litchfield Manor Homeowner's Association irrigation system to the City of Surprise Reclaimed Water System, extension of the non potable water rate until December 27, 2009, modification to the capital improvements plan and associated budget transfers necessary to complete the connection - APPROVED

Director of Public Works, Robert Beckley reported on the project.

Council Member Williams made the motion to approve the connection of the Litchfield Manor Homeowner's Association irrigation system to the City of Surprise Reclaimed Water System, extension of the non potable water rate until December 27, 2009, modification to the capital improvements plan and associated budget transfers necessary to complete the connection. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

#17. Discussion of proposed Housing Needs Counseling Program - NO ACTION

CD Director, Jeff Mihelich gave a brief presentation regarding this item.

Council Questions:

Council Member Alton commented on: HUD Certification process is lengthy and caution on referrals.

Council Member Williams: importance of issue, asked Council to consider a full time person for this job, forming a coalition with businesses in the community.

Council Member Villanueva: certifying an employee.

Public Comments:

Ken Remley commented on the following: need to be proactive, time for talking is over, we need to get something accomplished.

#18. Consideration and action on the first reading of Ordinance 08-50 - rezone for a project known as "Happy Trails" to Planned Area Development case PAD08-130. The subject site consists of approximately 396 acres and is located on the northwest corner of Cotton Lane and Bell Road - APPROVED FIRST READING

Director of Community Development, Jeff Mihelich gave a brief presentation regarding Ordinance No. 08-50.

Vice Mayor Johnson inquired if it is currently allowed then why are you wanted to restrict.

Council Member Alton stated the following: understanding what snuggle wide is, lack of communication, putting a PAD in place for future reference. He further stated that the item can be tabled until research has been completed or can put a moratorium on all building temporarily.

Public Comments:

Noreen Thiele stated the following: bought in Happy Trails because of diversity, it's made up of manufactured homes and RV's and her rights have been infringed upon.

Frank Hanning stated the following: issues with the PAD, gave the City Clerk the original Grand Opening flyer for review, giving resort a different name, definition of manufactured homes and putting manufactured homes back in certain sections back in the PAD and return the control to the board.

Janet Fall stated the following: doesn't understand the issue with snuggle wide model in the resort, lifestyle at Happy Trails and wants to continue to visit every year.

Robert Fall stated the following: came to Happy Trails in 1999 and the definition of a manufactured home.

Patricia Castaluccio commented on the written statement given to Council and Clerk.

Council Member Longabaugh made the motion to approve the first reading of Ordinance 08-50 , an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a rezone for a project known as "Happy Trails" to Planned Area Development case PAD08-130. The subject site consists of approximately 396 acres and is located on the northwest corner of Cotton Lane and Bell Road. Council Member Villanueva seconded the motion. Five yes votes, two no votes. Motion carried.

#19. Consideration and action on items to be placed on future agendas.

Council Member Williams: Nuisance Ordinance and COPS Grant.

EXECUTIVE SESSION: NONE

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

#21. Consideration and action on executive session items.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of March 12, 2009 at 7:45 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 of **Thursday, March 12, 2009.**

Sherry Ann Aguilar, City Clerk,