



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

Thursday, September 9, 2010 @ 06:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 06:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Thursday, September 9, 2010**. Also in attendance with Mayor Truitt were Vice Mayor Alton, Council Member Wolcott, Council Member Williams, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

Staff Present: Interim City Manager, Mark Coronado, City Attorney, Michael Bailey, City Clerk, Sherry Aguilar, and Deputy City Clerk, Linda Stevens.

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 Council commented on and/or attended the following:

Council Member Wolcott: monthly coffees attendance, transportation, summit and active in district.

Council Member Villanueva: League of Cities conference, CDBG and work sessions.

Vice Mayor Alton: Town Hall meeting, League of Cities, Coffee Chats, Westmarc and Foreign Trade Zone.

Council Member Hall: Chamber Luncheon, Loss Trust Fund Board interviews, League of Cities, Westmarc Water Committee, Navajo Generation and Hotel Association Meeting.

Council Member Woodard: ground breaking New Dignity Funeral Home, Surprise Historical Society,

OTS, Kingswood Park HOA Meeting, 4-10 Hearing, MAG Human Services Technical meeting, Hotel Association Meeting, Area agency on Aging, home weatherization program and Cancer Run/Walk.

Council Member Williams: League of Cities Conference, Boy Scout meeting, Archie's Deli 4th Sat of every month, District meetings, HOA meeting, soccer program, Dysart School District, email blast, Dog Park, commended Jeff Mihelich and Christina Ramirez and Youth Leadership Council.

Mayor Truitt: trip to Texas, F-35 Lightning II slide presentation and video.

E. City Manager and Staff Reports:

Interim City Manager, Mark Coronado reported on 4-10 Schedule, Community Youth, Adaptive Prom and 50th anniversary.

#1. *Current Events

CALL TO THE PUBLIC:

Jim Farley of Coco's Towing presented a donation.

- 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, excluding items 5 and 8. Council Member Wolcott seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action on liquor license application request for Coco's Bakery and Restaurant, located at 15955 W Clearview Blvd., Surprise, Arizona 85374 for a Series 12 Interim/New License/Corporation - APPROVED**

***#3. Consideration and action on liquor license application request for Bistro Milano at Sun Health Colonnade, LLC, located at 19116 N Grand Avenue, Surprise, Arizona 85374 for a Series 12 New License/Partnership -APPROVED**

***#4. Consideration and action to approve a partnership with MAG, Peoria, El Mirage and Burlington Northern Santa Fe (BNSF) to submit a joint application for the TIGER II Planning Grants to fund an Alternatives Analysis (AA) of the Grand Avenue Corridor, stretching from Wittman south to downtown Phoenix - APPROVED**

***#5. Consideration and action to extend the terms for members of the Arts & Cultural Advisory Board, Quality of Life Commission, Personnel Appeals Board, Judicial Selection Advisory Commission and Disability Advisory Commission who have expired. The new expiration shall be December 31, 2010. - APPROVED - EXTENDED TO JUNE 30, 2011**

Council Member Hall requested that the expiration date be extended to June 30, 2011.

Council Member Wolcott made the motion to approve extending the terms for members of the Arts & Cultural Advisory Board, Quality of Life Commission, Personnel Appeals Board, Judicial Selection Advisory Commission and Disability Advisory Commission who have expired. The new expiration shall be June 30, 2011. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

***#6. Consideration and action on the Regular City Council Meeting Minutes of August 12, 2010 and the Special City Council Meeting (Council Retreat) of August 17, 2010 - APPROVED**

***#7. Consideration and action on a request by the Community & 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 October 20-24, 2010. The City sponsored special event will be held at the Surprise Tennis and Racquet Complex at 14469 W. Paradise Lane, Surprise, AZ 85374 - APPROVED**

***#8. Consideration and action approving Resolution No. 2010-93; and the associated department budget transfers for the proposed fire department functional re-alignment - APPROVED**

Council Member Woodard asked for clarification regarding item #8.

Council Member Woodard made the motion to approve Resolution No. 2010-93; and the associated department budget transfers for the proposed fire department functional re-alignment. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

***#9. Consideration and action on Resolution 2010-85, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat case FS10-132, entitled "DUSD #89," located on the northeast corner of Peoria Avenue and Perryville Road - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#10. Consideration and action on funding to support Fighter Country Partnership's sponsorship programs FY2010 - 2011 - APPROVED

Intergovernmental Relations Director, Michael Celaya and Executive Director of Fighter Country Partnership, Steve Yamamori gave a presentation regarding sponsorship programs.

Mayor Truitt presented Mr. Yamamori a retirement gift basket.

Council Member Woodard made the motion to approve funding to support Fighter Country Partnership's sponsorship programs FY2010 - 2011. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#11. Consideration and action on the repeal of Ordinance No. 9-20; an ordinance of the Mayor and Council of the City of Surprise, Arizona adding Section 3.35 Residency Requirement to Chapter 3 of the Municipal code and amending sections 2.146 Appointment and 3.2 Definitions - APPROVED

Assistant City Manager, George Kolb gave an update on the repeal of Ordinance No. 09-20. He suggested resending and re-visiting it due to the current economy.

Council Member Hall commented on the report: 8 out of 12 require it.

Mayor Truitt stated that this should be revisiting.

Council Member Woodard commented on financial hardship.

Council Member Williams commented setting a permanent ordinance.

Council Member Wolcott inquired how other cities are handling this issue and if any employees have taken action.

City Attorney Bailey commented on Charter Cities.

No public comments were made.

Vice Mayor Alton made the motion to approve the repeal of Ordinance No. 9-20, with the stipulation that Council would not get involved in personnel matters except for appointed employees. Council Member Woodard seconded the motion. Five yes votes, two no votes. Motion carried.

#12. Consideration and action on Resolution 2010-86 - altering the speed limit to 35 mph from 25 mph on the northbound portion of Bullard Avenue between Paradise Lane and Bell Road and on the Southbound portion of Bullard Avenue between Bell Road and Young Street - APPROVED

City Engineer, Nick Mascia reported on the recommendation and the study.

Vice Mayor Alton commented on front end parking.

Council Member Hall made the motion to approve Resolution 2010-86, a resolution altering the speed limit to 35 mph from 25 mph on the northbound portion of Bullard Avenue between Paradise Lane and Bell Road and on the Southbound portion of Bullard Avenue between Bell Road and Young Street. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#13. Consideration and action on COS10-025 with Weitz Company for the construction of the Department of Energy Photovoltaic grant demonstration project in the amount of \$680,700 (Contract \$648,040 plus an owners contingency of \$32,660) - APPROVED

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

Vice Mayor Alton inquired about grants.

No public comments were made.

Council Member Williams made the motion to approve COS10-025 with Weitz Company for the construction of the Department of Energy Photovoltaic grant demonstration project in the amount of \$680,700 (Contract \$648,040 plus an owners contingency of \$32,660). Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#14. Consideration and action Resolution 2010-92 - enter into an intergovernmental agreement (IGA) with Arizona Department of Transportation (ADOT) for administering the federal funds obtained as Maricopa Association of Government (MAG) closeout funds for advancing the design of Bell Road multiuse path project - APPROVED

Director of Public Works reported on the Intergovernmental Agreement.

Vice Mayor Alton made the motion to approve Resolution 2010-92, a resolution of the Mayor and Council of the City of Surprise, Arizona to enter into an intergovernmental agreement (IGA) with Arizona Department of Transportation (ADOT) for administering the federal funds obtained as Maricopa Association of Government (MAG) closeout funds for advancing the design of Bell Road multiuse path project. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#15. Consideration and action on Resolution 2010-89, a comprehensive long range plan for Village 1 (LPD09-008) - APPROVED

Project Manager, Vineetha Kartha reported on the project.

Public Comments:

Scott Phillips commented on the process and top notch product.

Council Member Woodard made the motion to approve Resolution 2010-89, a comprehensive long range plan for Village 1 (LPD09-008). Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#16. Consideration and action on Resolution 2010-94 - an extension of the temporary sign policy that allows business owners to display temporary signs - APPROVED

Community and Economic Development Director, Jeff Mihelich reported on Resolution No. 2010-94.

No public comments were made.

Council Member Woodard commented on sign walkers.

Council Member Williams made the motion to approve Resolution 2010-94, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an extension of the temporary sign policy that allows business owners to display temporary signs. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

EXECUTIVE SESSION:

#17. 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.

Discussion/consultation with the City Attorney and City Manager to receive an update, to consider its position, and to provide instruction/direction to the City Attorney and City Manager regarding Surprise's position in connection with development agreements relating to public and private development in the area of the Loop 303 Corridor, which is the subject of negotiations. (A.R.S. §§ 38-431.03 (A)(3)(4)).

#18. Consideration and action on executive session items - NONE

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of September 9, 2010 at 8:12 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 9, 2010.**

Sherry Ann Aguilar, City Clerk,