



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

Tuesday, December 13, 2011 @ 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 **Tuesday, December 13, 2011**. Also in attendance with Mayor Truitt were Vice Mayor Hall, Council Member Biundo, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Woodard.

Staff Present: City Manager, Chris Hillman, 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 Council reported on and/or attended the following:

Council Member Woodard: Groundbreaking of medical center Statler and Litchfield in complex; AARP Meeting on Senior Scams; Dreamcatcher Park - Disabled children Christmas Party; Town Hall Party for Districts 1 & 2. 3 & 5 will be having their town hall party on Council Member Monday night @ Marley Park School and no coffee this Saturday.

Council Member Biundo: Surprise Medical Plaza Groundbreaking

Council Member Villanueva: Attended churches around Surprise to help out the needy families in our community; Quality of Life Meeting; presentation on economic development.

Council Member Alton: spent time downtown at Arizona Corporation Commission; Town Hall

meeting; Strategic Plan topic of discussion; Peoria Chamber of Commerce event, casino issue and Chamber of Commerce breakfast.

Vice Mayor Hall: Mayor's last official meeting for the city, 4 great years and all Council appreciate what he has done. Presented Mayor Truitt with wall clock and photo opportunity with Council.

Mayor Truitt: thanked Council, honored to work with staff in this organization.

E. City Manager and Staff Reports:

#1. *Current Events

City Manager Hillman - Fire Department Report - Graduates

CALL TO THE PUBLIC:

Roland Winters: thanked Mayor for his 4 years of service to Surprise. Having issues with Dial-A-Ride, have talked to several members of the Council and staff about this issue. Called 15 times, and had one ride. Suggested that the disabled and elderly can call 14 days in advance and everyone else 5 days in advance.

James Truman: Cotton Lane and Waddell Road - Presentation on Light Pollution and how it relates to the General Plan and Design Guidelines. Prasada is going to be the largest light pollution factor in Surprise.

F. 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:

Vice Mayor Hall made the motion to approve the consent agenda. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action on a liquor license application request for Safeway Food and Drug #1997 located at 17049 W. Bell Road Surprise, Arizona 85374 for a Location Transfer - APPROVED**

***#3. Consideration and action on a Series # 10 (Agent Change/Acquisition of Control) for Cindy's Mini Market located at 12865 W. Grand Avenue, Surprise, Arizona 85374 requested by Applicant, Houda Nooh - APPROVED**

***#4. Consideration and action on a Series #09 Sampling Privileges for Safeway Store #1520 located at 14505 W. Grand Avenue, Surprise, Arizona 85374 - APPROVED**

***#5. Consideration and action on the minutes of the Special City Council Work Session of November 15, 2011 and the Regular City Council Meeting of November 22, 2011 - APPROVED**

***#6. Consideration and action on Resolution 2011-137, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat entitled "Amended Final Plat for Lot 3 at Skyway Business Park," located on the southeast corner of Solar Canyon Way and Desert Cove Road - APPROVED**

***#7. Consideration and action on Resolution No. 2011-134, a Resolution of the Mayor and Council of the City of Surprise, Arizona, declaring its intention to create a lighting improvement district pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the AUTOSHOW EAST 1 #126 Street Lighting Improvement District - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#8. Consideration and action on Resolution 2011-131, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat, entitled "AutoShow Parcels 03 & 04," located generally on the southwest corner of Waddell Road and Loop 303 within the "303 AutoShow at Prasada." - APPROVED

Assistant City Manager, Jeff Mihelich gave a presentation regarding Resolution No. 2011-131, Colter Nissan and Auto Mall.

Vice Mayor Hall inquired about elevation.

Council Member Williams made the motion to approve Resolution 2011-131, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat, entitled "AutoShow Parcels 03 & 04," located generally on the southwest corner of Waddell Road and Loop 303 within the "303 AutoShow at Prasada." Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#9. Consideration and action to affirm/ratify the City Manager's recommendation regarding Holiday Time Off and closing City Hall Offices on December 27, 28 & 29, 2011, excluding essential City services - AFFIRMED

Council Member Woodard stated that the public should be allowed to speak on this topic.

Mayor Truitt stated that time off was the most efficient and cost effective way to reward the employees.

City Manager Hillman stated that this is the 4th year that no raises have been given to employees and that this seemed to be the most logical and cost effective.

Council Member Alton asked how many employees opted to take the time off during this time and how much would 3 days cost the city.

Council Member Biundo stated that this is clearly an administrative decision that the City Manager has made, that he is very concerned that the item is on the agenda to ratify. He further stated that he supports the decision of the City Manager.

Vice Mayor Hall stated that we were the lowest in Maricopa County for rewarding employees and ratio of employees vs. residents. He further stated that he fully agrees with this.

Mayor Truitt stated that he personally believes that the City Manager should be congratulated for this effort and appreciating the employees.

Public comments:

Ken Wright made the following statement: 100% behind the 3 days off. He strongly disagrees with the way this was handled and was a violation of policy. The City Manager should be right up front in following policy. The financial accountability is convoluted.

Bill Lipscomb made the following statement: His concern is the power of lack thereof the Mayor and Council. This underscores his concern, what power does the Mayor and Council have. We are falling apart here in our City; he looks to the Council to give direction to the City Manager. This was a policy in place already that was signed off by the Council. He asked Council to take control of this city.

Council Member Biundo asked if this is a violation of policy.

City Attorney Bailey quoted the city code.

Council Member Woodard made the motion to affirm the City Manager's recommendation regarding Holiday Time Off and closing City Hall Offices on December 27, 28 & 29, 2011, excluding essential city services. Vice Mayor Hall seconded the motion. 4 yes votes, 2 no votes, 1 abstained. Motion carried to affirm.

#10. Consideration and action on Resolution 2011-148 to accept a \$25,000 donation from the Surprise Pickleball Association and amending the FY2012 budget by authorizing a transfer of \$25,000 from the grants and contingency fund to the donations fund for the conversion of two (2) Community park public tennis courts to eight (8) public pickleball courts at no cost to the city - APPROVED

Community and Recreations Services Director, Mark Coronado gave a brief presentation accompanied by Norm Davis. A check in the amount of \$25,000. was issued to the Mayor Truitt and Council.

Vice Mayor Hall asked for clarification regarding the Resolution: first paragraph 2 community park public tennis courts and 8 pickleball courts and the 2nd paragraph says 2 and 2.

Mr. Coronado clarified it would go from 2 tennis courts to 8 pickleball courts.

Council Member Alton made the motion to approve Resolution 2011-148 to accept a \$25,000 donation from the Surprise Pickleball Association and amending the FY2012 budget by authorizing a transfer of \$25,000 from the grants and contingency fund to the donations fund for the conversion of two (2) Community park public tennis courts to eight (8) public pickleball courts at no cost to the city. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

#11. Consideration and action on COS 12-017 a contract with RK Sanders for the construction of a sidewalk along the Southside of Bell Road associated with the Park N Ride facility and a sidewalk at Greenway and Grand in an amount not to exceed \$186,654 plus an owners contingency of \$19,000. - APPROVED

Public Works Director, Robert Beckley reported on the project.

Vice Mayor Hall asked for clarification regarding connection of sidewalk.

Council Member Villanueva made the motion to approve COS 12-017 a contract with RK Sanders for the construction of a sidewalk along the Southside of Bell Road associated with the Park N Ride facility and a sidewalk at Greenway and Grand in an amount not to exceed \$186,654 plus an owners contingency of \$19,000. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

#12. Consideration and action on Resolution No. 2011-146; a Resolution of the Mayor and Council of the City of Surprise, Arizona, authorizing the City to enter into a Grant Agreement with AARP for the Cities of Service Grant - APPROVED

Mayor Truitt explained the purposed of this item.

Council Member Williams made the motion to approve Resolution No. 2011-146; a Resolution of the Mayor and Council of the City of Surprise, Arizona, authorizing the City to enter into a Grant Agreement with AARP for the Cities of Service Grant. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#13. Presentation, discussion, and recommended approval of Resolution No. 2011-149; Authorizing continuation of the existing System Development Fees to the extent authorized by Chapter 243 adopted by the Fiftieth Legislature, first regular session of 2011; providing for the repeal of conflicting resolutions, providing for severability; and declaring an emergency and establishing an effective date - APPROVED

Heinfeld Meech & Company CPA - Presentation regarding Resolution No. 2011-149 - Authorization continuation of the existing System Development Fees.

Council Member Woodard made the motion to approve Resolution No. 2011-149; Authorizing continuation of the existing System Development Fees to the extent authorized by Chapter 243 adopted by the Fiftieth Legislature, first regular session of 2011; providing for the repeal of conflicting resolutions, providing for severability; and declaring an emergency and establishing an effective date. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#14. Discussion and possible action regarding Resolution #07-65, a resolution establishing a policy for reviewing and adjusting mayor and council member salaries - RESCINDED

Council Member Woodard explained the purpose of putting this item on the agenda.

Council Member Williams suggested repealing the resolution and activating a Steering Community to take a look at this in January.

Public Comments:

Bill Lipscomb: Appreciates that Council is discussing this, it is commendable and would like to present a couple of thoughts to Council. Has a packet of info on nothing but Council pay. In 1999, I was asking Council to add salary recommendations to the vote of the people.

Ken Wright: A common procedure for voters to approve pay raises. The normal process would be to have a charter and a committee to review salaries to recommend taking to a vote of the people. The

Council should not be limited to the 5% increase, I would look at dollars and not percentages.

Chet Chetkauskas: asked Council to repeal Resolution 07-65, a no brainer. Why don't you ask the people in your districts, if you deserve raise?

Vice Mayor Hall made the motion to rescind Resolution No. 2007-65. Council Member Villanueva seconded the motion. Seven yes vote. Motion carried to rescind.

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

Council Member Alton: Work Session to discuss financial impact/City Manager Authority.

Vice Mayor Hall: Work Session to discuss Indicator Report from City Manager and Departments, what's going on in the city.

EXECUTIVE SESSION: NONE

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of December 13, 2011 at 8:15 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 **Tuesday, December 13, 2011.**

Sherry Ann Aguilar, City Clerk,