



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

Tuesday, October 11, 2011 @ 06:06 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 06:06 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, October 11, 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 attended and/or commented on the following:

Council Member Woodard: concerns with city or district 5, meetings with staff, SADD regarding graduation, retirement Randy Jackson, tennis tournament events, open house Asante Rehabilitation Center, reminder and council coffee this Saturday.

Council Member Williams: acknowledged CRS staff regarding event this weekend, this Saturday free spay and neuter through the 13th.

Council Member Biundo: Fall meeting with former District 1 Council Members, Cliff Elkins/Desert Oasis long term issues. Town Hall at Sun City Grand, Happy Trails, AZ Traditions, Sun Dial Public Hearing Southwest Gas and Arizona Public Service.

Council Member Villanueva: Tennis Tournament and Community Meeting at Villanueva Center on October 20.

Council Member Alton: Chamber "Doing business in Surprise" and discussed issues with HOA president.

Vice Mayor Hall: Grand Opening for Asante Rehab Center, AZ Townhall Meeting, AZ Office of Tourism, Tennis Tournament, AZ Highway's Magazine, Compassion Surprise Meeting and smoke detector walk.

Mayor Truitt: West Valley Mayor's and Manager's Meeting.

David Mitchell of AARP spoke of Chief Services Officer.

#1. *Current Events

E. City Manager and Staff Reports:

Election Update by City Clerk, Sherry Aguilar.

City Manager Hillman spoke of Mark Coronado and crew, Gina Busby/interim CIO.

CALL TO THE PUBLIC:

Gerald Clement: purchased items from the city store and encouraged Council to buy American products.

Statement for Bob Vukanovich

Ken Wright commented on Rules and Regulations.

Lloyd Clark commented on Dysart Road Postal Station and closing probability.

Frank Diaz commented on Photo Radar Permitting and fees.

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 consent agenda. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action on the Special City Council Work Session minutes of September 20, 2011 and the Regular City Council Meeting minutes of September 27, 2011 - APPROVED**

***#3. Consideration and action on a Series 12 (New License/Restaurant) for Beef-O-Brady's**

Family Sport's Pub located at 13699 N. Litchfield Road, Surprise, Arizona 85374 - APPROVED

***#4. Consideration and action on a Series 12 liquor license (New License/Restaurant) for Lou's Tivoli Gardens located at 12535 W. Bell Road, Surprise, Arizona 85374 - APPROVED**

***#5. Consideration and action on Resolution 2011-101, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat, entitled "Final Plat Amendment for CVS Pharmacy #5477," located on the northeast corner of Reems and Greenway Roads - APPROVED**

***#6. Consideration and action on Resolution No. 2011-108; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into Grant No. 2012-410-011 with the Governor's Office of Highway Safety, State of Arizona, conduct all negotiations and execute and submit all documents in connection with said grant and authorizing a transfer of \$30,000 from the FY 2012 Unforeseen Grants Fund budget to the center assigned to record all applicable grant activity - APPROVED**

Council Member Woodard inquired about items 6 and 7 regarding the transfer.

***#7. Consideration and action on Resolution No. 2011-109; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into Urban Area Security Initiative Program Subgrantee agreement# 09-AZDOHS-HSGP-555821-02 with the Department of Homeland Security, State of Arizona, to continue its Homeland Security efforts and to conduct all negotiations and execute and submit all documents in connection with said grant and authorizing a transfer of \$15,000 from the FY 2012 Unforeseen Grants Fund budget to the center assigned to record all applicable grant activity - APPROVED**

***#8. Consideration and action to officially retro-fit the (2) Community park tennis courts to (8) permanent pickleball courts at no cost to the city - APPROVED**

Council Member Alton inquired about cost, financing and when the job will be completed.

Vice Mayor Hall made the motion to approve officially retro-fit the (2) Community park tennis courts to (8) permanent pickleball courts at no cost to the city. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#9. Consideration and action on the city making a financial contribution to the HOA interverter group - APPROVED \$100,000

Mayor Truitt reported on supporting a financial contribution.

Public Comments

Mitzi Mills clarified that this is not about HOA's it's about citizens of Surprise who might live in an HOA.

Mayor Truitt spoke of two ways to consider: out of same fund as intervener or discretionary funds that Council sets aside.

Vice Mayor Hall suggest \$1.25 per resident.

Council Member Alton spoke of residents who have a different water service.

Public Works Director, Robert Beckley stated that there are 38,000 accounts.

Council Member Villanueva inquired about ground water.

Council Member Biundo spoke of committing to 100,000 from contingency fund to support the effort.

Council Member Williams inquired about who the check would go to.

Council Member Woodard spoke of the 100,000 commitment.

Council Member Williams stated that this affects the entire city.

City Manager Hillman clarified the accounting process.

Council Member Biundo made the motion to approve the city making a financial contribution of \$100,000.00 to the HOA intervener group. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#10. Consideration and action on Resolution No. 2011-110; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the Uptown Alley II, LLC Development Agreement between the City of Surprise and Uptown Alley II, LLC. - APPROVED

Community and Economic Development Director, Jeff Mihelich reported on items 10 and 11.

Steve Uphoff thanks Mayor and Council for their support.

Council Member Williams made the motion to approve Resolution No. 2011-110; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the Uptown Alley II, LLC Development Agreement between the City of Surprise and Uptown Alley II, LLC. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

#11. Consideration and action on Resolution No. 2011-112; a resolution of the Mayor and Council of the City of Surprise, Arizona, amending the fiscal year 2012 budget, in the amount not to exceed \$40,000. - APPROVED

Council Member Woodard made the motion to approve Resolution No. 2011-112; a resolution of the Mayor and Council of the City of Surprise, Arizona, amending the fiscal year 2012 budget, in the amount not to exceed \$40,000. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

#12. A resolution of the Mayor and Council of the City of Surprise, Arizona, approving LPD09-335, Streetscape Design Guidelines for the City of Surprise - APPROVED

Community and Economic Development Director, Jeff Mihelich gave a presentation regarding the

recommended Streetscape Design Guidelines.

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

Mayor Truitt: Asante and surrounding area projects update.

Council Member Alton: 73 million update, restacking of city hall, Council task list update, explanation of newspaper article addressing \$250,000. - tennis tournament funding.

Council Member Williams: made in USA products.

Council Member Villanueva: how can city help to save the closing of the Dysart Post Office.

Council Member Hall: reviewing of permits and photo radar requested by resident Frank Diaz.

#14. Consideration and action to adjourn the Council Meeting and enter into executive session - NO ACTION

EXECUTIVE SESSION: NONE

#15. 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.

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

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of October 11, 2011 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 **Tuesday, October 11, 2011.**

Sherry Ann Aguilar, City Clerk,