



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

Tuesday, February 14, 2012 @ 06:00 PM

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**A. Call To Order**

**B. Roll Call**

Mayor Wolcott 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, February 14, 2012**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Biundo, Council Member Alton, Council Member Woodard, and Council Member Hall.

**Staff Present:** City Manager, Chris Hillman, City Attorney, Michael Bailey, and City Clerk, Sherry Ann Aguilar.

**C. Pledge of Allegiance**

**D. Invocation**

**E. City Manager Report:**

City Manager Hillman reported on the following: Marathon and Half Marathon on Sunday, February 19th. Pass through Youngtown, El Mirage, Glendale and Peoria. Over 1,000 expected. Award - Fire Department - Knights of Columbus - Recognition of outstanding community service.

**F. City Attorney Report:**

City Attorney Bailey reported on: Outside Counsel for redistricting submitted package to DOJ.

**G. Regular City Council Meeting Agenda:**

**Consent Agenda:**

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

**\*#1. Consideration and action on the Special City Council Meeting Minutes of January 17, 2012 and the Regular City Council Meeting Minutes of January 24, 2012 - APPROVED**

**\*#2. Consideration and action on a request by Sun City Grand Community Association, Inc. for a Series 06 Liquor License (Interim Permit/Person Transfer) located at 19900 N. Remington Drive, Surprise, Arizona 85374 (Formerly known as Dillon's Restaurant) - APPROVED**

**\*#3. Consideration and action on Resolution # 2012-19, a resolution of the Mayor and Council of the City of Surprise Arizona ratifying previous council action rescinding Resolution #07-65 - APPROVED**

Regular Agenda Item - Non-Public Hearing:

**#4. Consideration and action to appoint Kathleen Kelley to the Loss Trust Fund Board with a term expiration of September 23, 2014 to replace Thomas Stemlar - APPROVED**

Council Member Biundo stated that they are recommending the appointment of Kathleen Kelly to the Loss Trust Fund Board.

Council Member Alton made the motion to approve the appointment of Kathleen Kelley to the Loss Trust Fund Board with a term expiration of September 23, 2014 to replace Thomas Stemlar. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**#5. Consideration and action on making an in-kind contribution for co-sponsorship of the American Cancer Society Relay for Life-Surprise being held on March 31 and April 1, 2012 - APPROVED**

Council Member Woodard asked that Alyson Cline come forward to discuss the relay for life event. He then asked for clarification regarding city participation, shirts with logo.

Council Member Alton inquired about the event conflicting with spring training.

Mayor Wolcott inquired about the use of the logo.

Council Member Woodard made the motion to approve making an in-kind contribution for co-sponsorship with the city. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**#6. Consideration and action on (3) General Operating Support Grants and (5) Project Grants from the CRS Arts and Cultural Advisory Board budget totaling \$25,000 - APPROVED**

Community and Recreation Services Director, Mark Coronado gave a presentation and review of this request.

Council Member Biundo stated that he appreciate the efforts the Arts Board made in recommending a variety of events and youth opportunities as well as cultural events.

Eric Cultum stated that he applauds the Arts board efforts, that he is an ex-board member and know what they have been doing to make this happen.

Council Member Hall thanked the Arts Board for their hard work and efforts to create this wonderful

programming.

Council Member Alton made the motion to approve the Community and Recreation Services Arts and Cultural Advisory Board operating and project grants totaling \$25,000. Vice Mayor Williams seconded the motion. Six yes votes. Motion carried.

**#7. Consideration and action regarding Resolution #2012-15, a resolution by Mayor and Council authorizing the purchase and installation of a modular office/lab at the SPA2 water reclamation facility (WRF), and appropriate budget adjustments - APPROVED**

Public Works Director, Robert Beckley reported on the project.

Council Member Biundo made the motion to approve Resolution NO. 2012-15 and agreement with Modular Space Corporation. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**#8. Consideration and action on Ordinance 2012-03, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a rezone for a project known as Western Towing Rezone, FS10-275 - APPROVED**

Assistant City Manager, Jeff Mihelich reported on the project.

Vice Mayor Williams made the motion to approve Ordinance 2012-03, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a rezone for a project known as Western Towing Rezone, FS10-275. Council Member Alton seconded the motion. Six yes votes. Motion carried.

**#9. Consideration and action on Ordinance #2012-05, an ordinance of the Mayor and Council of the City of Surprise amending Chapter 3 of the Surprise Municipal Code by adding Article VIII, Section 3-80 through 3-86 regarding whistleblower protection - APPROVED WITH AMENDMENTS NOTED ON THE BLUE SHEET**

Assistant City Manager, Jeff Mihelich gave an overview of Ordinance No. 2012-03.

**Blue Sheet Document**

Council Member Woodard inquired about an annual report.

Council Member Biundo commented on employee confidence and confidentiality.

**Public Comments:**

Chet Chetkauskas commented on: opposed to the proposed ordinance. For the record, we submit the following: Eye wash, a farce, it doesn't go far enough to protect the employee. if you don't attach a penalty, then it has no merit. There should be a dollar amount attached to this ordinance. The complaint should not be taken to any staff member of management, only to the Ombudsman. This version has little substance, a lot of legal mumbo jumbo.

Council Member Hall made the motion to approve Ordinance #2012-05, an ordinance of the Mayor and Council of the City of Surprise amending Chapter 3 of the Surprise Municipal Code by adding Article VIII, Section 3-80 through 3-86 regarding whistleblower protection - APPROVED AS AMENDED Vice Mayor Williams seconded the motion. Six yes votes. Motion carried.

#### **H. Call To The Public:**

Glen Klitzka commented on waiting until the end of the meeting for Call to the Public.

Judy Blackburn commented on having Call to the public at the end of the meeting, she stated that the people should be put first.

Chet Chetkauskas stated the following: ORCA is not concerned what you do for recreation but we care that your meetings are not held in seclusion. Luke Air Force Base - why have it at a place that the public cannot attend. Why not go to the new bowling alley coming to Surprise. You claim this Council is different, but it's the same old thing. We will be watching and ready to bring to the public's attention. Kudos to Councilmember Woodard, the only one that did not attend due to open meeting law conflicts.

#### **I. Other Business and Future Agenda Items: NONE**

#### **J. Mayor/Council Reports:**

Council Member Hall: Town Hall Wed., February 22nd 6:30 p.m. - Unitarian Universalist Church - Avenue of the Arts.

Vice Mayor Williams: Thanked our Police Dept., Greer Ranch HOA Mtg.

Council Member Biundo: Section 10 citizen meeting, thanked Council Member Alton, Jeff Mihelich and Christina Ramirez - follow up taking place already, Benevilla & CEO of Arizona Charter Academy - Family Resource Center pressed for space- Charter Academy may be able to assist, Desert Oasis Elementary School tour and met with Superintendent of Nadaburg School.

Mayor Wolcott commented on Nadaburg School, Section 10 and the questions posed by Mr. Vukanovich last week.

#### **K. Executive Session: NONE**

#### **L. Adjournment:**

Mayor Wolcott adjourned the Regular City Council Meeting of February 14, 2012 at 6:56 p.m.

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Sharon R. Wolcott, 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, February 14, 2012.**

Sherry Ann Aguilar, City Clerk,