



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

Tuesday, January 24, 2012 @ 06:00 PM

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, January 24, 2012**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Biundo, and Council Member Alton.

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 announced awards for the following:

Nicole Olmstead & Liliana Childress - Self Insurance Program - Recognition Award - Gold Level Status for Fit Friendly Company.

2nd Award - First time giving out this award. Gina Busby (Employee Association) - Top 3 cities in the country for customer service from the Citizens survey. We are here to serve the residents.

Jack Hensley, Facilities Maintenance Division was selected for this award. Started Block Watch in Ashton Ranch and was elected to serve on the Ashton Ranch HOA Board.

F. City Attorney Report:

City Attorney Bailey announced the executive session.

G. Regular City Council Meeting Agenda:

Consent Agenda:

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

***#1. Consideration and action on the minutes of January 3, 2012 Special City Council Meeting and January 10, 2012 Regular City Council Meeting - APPROVED**

***#2. Consideration and action on Resolution No. 2012-03, A Resolution of the Mayor and Council of the City of Surprise, Arizona to accept a Warranty Deed for right of way along Peoria and Reems - APPROVED**

***#3. Consideration and action on Resolution No. 2012-02, A Resolution of the Mayor and Council of the City of Surprise, Arizona to accept a Warranty Deed for right of way along Peoria and Sarival - APPROVED**

***#4. District Citywide Consideration and action on a request by the Community & Recreation Services Department on behalf of the Arizona Major League Baseball Alumni Association for a Special Event Liquor License to benefit the Arizona Major League Baseball Alumni Association's Youth Charities - APPROVED**

***#5. Consideration and action on Resolution No 2012-12, a resolution accepting maintenance of the public water utilities located adjacent to Westfield Commons Subdivision located at the southwest corner of Bell Road and Sunrise Boulevard - APPROVED**

***#6. Consideration and action on Resolution #2012-11 authorizing the City Manager to execute an Intergovernmental Agreement with the City of El Mirage by which Surprise will provide police dispatch and related services to El Mirage - APPROVED**

Regular Agenda Item - Non-Public Hearing:

#7. Consideration and action on the City of Surprise's proposed FY 2012 State Legislative Agenda for the Second Regular Session of the 50th Arizona State Legislature - APPROVED

IGR, Mike Celaya gave a powerpoint presentation regarding FY 2012 State Legislative Agenda.

Council Member Biundo made the motion to approve the City of Surprise's proposed FY 2012 State Legislative Agenda for the Second Regular Session of the 50th Arizona State Legislature. Council Member Alton seconded the motion. Four yes votes. Motion carried.

#8. Consideration and action on the 2012 Council Meeting and Work Session Calendar and to approve cancellations for Summer Break and Holidays and to allow flexibility for calling additional Work Session and Special Meetings and start times - APPROVED OPTION "A" AS AMENDED

Vice Mayor Williams made the motion to approve the 2012 Council Meeting and Work Session Calendar and to approve cancellations for Summer Break and Holidays and to allow flexibility for calling additional Work Session and Special Meetings and start times and adding moving the August 28, 2012 meeting to August 21, 2012 due to the League of Cities conference. Council Member Alton seconded the motion. Four yes votes. Motion carried.

#9. Consideration and action on Resolution 2012-16 accepting the Monthly Financial Report as of December 31, 2011 - APPROVED

Finance Director, Scott McCarty gave a powerpoint presentation regarding Resolution No. 2012-16 - Monthly Financial Report as of December 31, 2011.

Council Member Alton made the motion to approve Resolution 2012-16 accepting the Monthly Financial Report as of December 31, 2011. Vice Mayor Williams seconded the motion. Four yes votes. Motion carried.

#10. Consideration and action on COS12-016 with HW Johnson Concrete Construction LLC for the construction of the Bell Road Sidewalk Improvement project located West of Grand Avenue to West City Limit in the amount of \$138,873.83 plus a owners contingency of \$14,000. - APPROVED

City Engineer, Nick Mascia reported on the construction contract.

Council Member Biundo made the motion to approve COS12-016 with HW Johnson Concrete Construction LLC for the construction of the Bell Road Sidewalk Improvement project located West of Grand Avenue to West City Limit in the amount of \$138,873.83 plus a owners contingency of \$14,000. Vice Mayor Williams seconded the motion. Four yes votes. Motion carried.

#11. Consideration and action on Resolution #2012-14 a Resolution to enter into an IGA with the City of Phoenix on two pass through grants for reimbursement of preventative maintenance costs for City of Surprise Dial a Ride grant vehicles as part of the Federal Transit Authority (FTA) pass through grant program - APPROVED

Public Works Director, Robert Beckley gave an overview of Resolution No. 2012-14.

Vice Mayor Williams Resolution #2012-14 a Resolution to enter into an IGA with the City of Phoenix on two pass through grants for reimbursement of preventative maintenance costs for City of Surprise Dial a Ride grant vehicles as part of the Federal Transit Authority (FTA) pass through grant program. Council Member Alton seconded the motion. Four yes votes. Motion carried.

#12. Consideration and action on a revision to the current City of Surprise Municipal Code Land Development Ordinances Chapter 117 regarding Stormwater Management - APPROVED

City Engineer, Nick Mascia reviewed the current topics of the city code.

Council Member Alton made the motion to approve Ordinance No. 2012-02; revisions to the current City of Surprise Municipal Code Land Development Ordinance Chapter 117 regarding Stormwater Management. Council Member Biundo seconded the motion. Four yes votes. Motion carried.

#13. Consideration and action on an Intergovernmental Agreement between the City of Surprise and the Flood Control District of Maricopa County for the improvements necessary to construct the Arizona Traditions Outfall Channel - APPROVED

City Engineer, Nick Mascia gave a brief report regarding the Intergovernmental Agreement.

Council Member Biundo made the motion to approve an Intergovernmental Agreement between the City of Surprise and the Flood Control District of Maricopa County for the improvements necessary to construct the Arizona Traditions Outfall Channel. Council Member Alton seconded the motion. Four yes votes. Motion carried.

#14. Consideration and action on COS 12-017, a contract with Sahuaro Contracting to construct a connection for Veramonte Subdivision to the public reclaimed water system for irrigation of landscaped common areas of the Subdivision in an amount not to exceed \$77,303 plus an owners contingency of \$12,000 and Resolution #2012-20 authorizing the transfer of associated funds - APPROVED

Public Works Director, Robert Beckley reported on COS 12-017.

Vice Mayor Williams made the motion to approve Resolution No. 2012-20; COS 12-017, a contract with Sahuaro Contracting to construct a connection for Veramonte Subdivision to the public reclaimed water system for irrigation of landscaped common areas of the Subdivision in an amount not to exceed \$77,303 plus an owners contingency of \$12,000. Council Member Alton seconded the motion. Four yes votes. Motion carried.

#15. Consideration and action on Resolution No. 2012-01 of the Mayor and Council of the City of Surprise, Arizona, revising specific development services fees affecting community development - APPROVED AS AMENDED

Assistant City Manager, Jeff Mihelich gave a power point presentation regarding Resolution No. 2012-01.

Public Comments:

Ted Carr commented on hot water heater installation, vendors and lack of inspection.

Chet Chetkauskus commented on support from Council he stated that no fee is the answer.

Council Member Alton made the motion to approve Resolution No. 2012-01 with the exception of no permit fee for hot water heater and the temporary use permits be approved as presented. Council Member Biundo seconded the motion. Four yes votes. Motion carried.

H. Call To The Public:

Jean Marie Elkins commented on: CVS pharmacy in SC Grand, no handicap carts, supporting a local dance business and family owned business.

Ted Carr commented on: open transparency and public comments for work sessions.

Daniel Flores commented on: Section 10, taking our money and not doing the job and setting up a session on Saturday to meet with residents for questions.

Chet Chetkauskus - Call to the public - most important issue on the agenda.

I. Other Business and Future Agenda Items:

J. Mayor/Council Reports:

Vice Mayor Williams - Joint meeting with Biundo; Literacy Programs;

Council Member Biundo - Attended the Governors west valley state address

Mayor Wolcott - Thanked Vice-Mayor Williams for running the meeting last week. Conference of Mayors; create jobs and invest in our infrastructure; 3 members of Council out ill; District 6 Town Hall Meeting postponed;

K. Executive Session:

#16. Consideration and action to adjourn the Council Meeting and enter into executive session - APPROVED

Council Member Alton made the motion to approve entering into executive session at 7:32 p.m. Vice Mayor Williams seconded the motion. Four yes votes. Motion carried.

#17. LITIGATION - Discussion/consultation with the City Attorney to receive an receive legal advice, to consider its position, and to provide instruction/direction to the City Attorney regarding Surprise's position in connection with pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(3)(4))

#18. Consideration and action on executive session items - NO ACTION

L. Adjournment:

Mayor Wolcott adjourned the Regular City Council Meeting of January 24, 2012 at 7:42 p.m.

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, January 24, 2012.**

Sherry Ann Aguilar, City Clerk,