

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 P.M., THURSDAY, NOVEMBER 8, 2012**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

Note: The Common Council of the City of El Mirage, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. Section 38.431.03 including legal advice from the City Attorney.

Amended - Agenda

I. CALL TO ORDER

Pledge of Allegiance
Moment of Silence

II. ROLL CALL

Mayor Lana Mook	Vice Mayor David Shapera
Councilmember Roy Delgado	Councilmember Jim McPhetres
Councilmember Jack Palladino	Councilmember Joe Ramirez
Councilmember Lynn Selby	

III. PRESENTATION

- Recognition/Presentation to employee, John Ramirez as the Employee-of-the-Quarter for July - September 2012 by Mayor Lana Mook. (Administration)
- Presentation by Paul Gregory from the American Cancer Society - Relay for Life event to be held in April 2013 in the City of El Mirage. (Council)

IV. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and (3) direct that the matter be put on a future agenda.

V. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, October 2, 2012; Regular Council Meeting held Tuesday, October 16, 2012 and the Work Session held Tuesday, October 2, 2012. (City Clerk)
2. Consideration and action to purchase of a Replacement 45 Horsepower Pump in the amount of \$38,132.58 at the Water Reclamation Facility. (Public Works)
3. Consideration and action requesting that the Mayor and City Council award the contract for the Security Improvements to the WWTF Project (No. EM12-SC01) to Sand Dollar Construction, Inc. in the amount of \$188,850.15 and approve a contingency in the amount of \$18,885.00 for a total amount requested of \$207,735.15. (Development & Community Services)
4. Consideration and action to accept an agreement between the El Mirage Police Department and the Surprise Police Department guiding the use of the El Mirage Crime Scene Technician within the City of Surprise. (Police Department)

VI. REGULAR AGENDA

- A. Consideration and action to award a contract to Sunland Asphalt in an amount not to exceed \$364,814 to apply a rubberized asphalt treatment to City streets as part of the pavement management plan. (Public Works)
- B. Consideration and action requesting that the Mayor and Council authorize the City to enter into a contract with Ferguson Waterworks for the purchase of materials and labor to replace one hundred and fourteen (114) old water service lines in downtown alleyways prior to the approved alleyway paving project scheduled to begin in January 2013, in the amount not to exceed \$110,000. (Public Works)
- C. Consideration and action approving Ordinance O12-11-12, adopting §92.29 Prohibiting sleeping and/or camping in parks and on public property. (Police Department).
- D. Public Hearing – Zoning Code Amendments (Development & Community Services)
 - (1) Ordinance O12-11-10 – amending the definition of “Church”
 - (2) Ordinance O12-11-11 – adding the definition of “Mural”
- E. Consideration and action approving Ordinance O12-11-10, amending the definition of “Church” in City Code to include “religious assembly” per A.R.S. and whether churches, community centers, indoor amusements, and private clubs

are permitted or conditional in various districts. (Development & Community Services)

- F. Consideration and action approving Ordinance O12-11-11, adding the definition of “Mural” in City Code and approve murals by conditional use permit in commercial districts. (Development & Community Services)
- G. Public Hearing (as the Board of Adjustment) and recommendation to the City Council – Zoning Variance Request to allow for the stacking of storage containers. (Development & Community Services).
- H. Public Hearing (as the City Council) – Conditional Use Permit for recycling facilities in an Employment/Industry District at 9305 N. El Mirage road. (Development & Community Services).
- I. Consideration and action on a request form Vicki Tofte-Odgen for conditional use permit for recycling facilities in an Employment/Industry District at 9305 N. El Mirage road. (Development & Community Services).
- J. **Consideration and action authorizing a new location for the digital billboard previously to be located at 12343 NW Grand Avenue (Acoma Drive and Grand Avenue) to the 66-foot right-of-way of El Mirage Road between Grand Avenue and the Santa Fe Railway as dedicated on the plat of El Mirage No. 3 as recorded in Book 34, Map 32, in the Office of the Recorder of Maricopa County, Arizona. (Finance)**

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not discuss or act upon any matter in the City Manager’s summary unless the specific matter is properly noticed for legal action.

VIII. MAYOR’S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

IX. ADJOURNMENT

Accommodations for Individuals with Disabilities. Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 12145 NW Grand Avenue, El Mirage, Arizona (623)876-2925, TDD (623)933-3258, or FAX (623) 876-4606. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

AFFIDAVIT OF POSTING – CITY COUNCIL MEETING OF NOVEMBER 8, 2012

I hereby certify that this agenda was posted by 5:00 p.m. on November 7, 2012 at the following locations: 1) City of El Mirage Lobby Area, 12145 N.W. Grand Ave. 2) City of El Mirage Human Resources Office, 12145 N.W. Grand Ave. 3) City Community Services Department, 14010 N. El Mirage Road; and 4) Maricopa County Library, 14011 N. First Avenue, El Mirage.

s/Richard Saathoff, City Clerk