

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
TUESDAY, OCTOBER 16, 2012**

**Minutes**

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**I. CALL TO ORDER**

The meeting was called to order by Mayor Lana Mook at 6:00 p.m. The Council led the public in the Pledge of Allegiance and a Moment of Silence.

**II. ROLL CALL**

Present: Mayor Lana Mook, Vice Mayor David Shapera, Councilor Roy Delgado, Councilor Jim McPhetres, Councilor Joe Ramirez, Councilor Lynn Selby.

Excused: Councilor Jack Palladino.

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**III. 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.

Mary Koestner expressed her concerns regarding the cost of the El Mirage News.

Amy Heusted expressed her concerns regarding the proposed new water meters, the property tax presentation at the last meeting and the cost of the proposed YMCA; and requested that phone calls be returned by the elected officials

Diana Sparrow expressed her concerns regarding the El Mirage News and the YMCA.

Jim Henrick invited the Mayor and Council to the 50<sup>th</sup> Anniversary of Dysart High School and the Homecoming Festivities.

Tip Combs expressed his concerns of the dynamics of the Council.

Jimmy Farley requested the red light cameras be reactivated for safety reasons.

**IV. PRESENTATION**

- Presentation to the Mayor and Council by the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial

**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 requesting that the Mayor and City Council award a contract for a Railroad Sewer Crossing Project (No. EM12-WW02) to ALR Construction in the amount of \$69,821.21, approve a construction contingency in the amount of \$3,178.79, and BNSF contingency in the amount of \$10,715.00 for BNSF to provide flagger during construction for a total amount requested of \$83,715.00. Also request that a transfer of \$35,000.00 from the Sewer Enterprise Capital Fund (account code 54-408-699) be transferred into the Sewer Enterprise Capital Fund (account code 54-408-698) to fund the project. (Development & Community Services)
2. Consideration and action authorizing the City Manager to amend the Communications Site Lease Agreement with American Tower Asset Sub, LLC for the Cell Tower located at 14406 N. Alto Street. (Finance)
3. Consideration and action approving Resolution R12-10-31, temporarily suspending El Mirage City Code §130.01, and allow the possession and consumption of alcoholic beverages only in the designated area of Gateway Park on Saturday, November 17, 2012 between the hours of 12:00 pm and 9:00 pm for the City's Annual Fall Festival. (Administration)
4. Consideration and action awarding of Landscape Maintenance Contract to ISS Grounds Control, Inc. (Public Works)
5. Consideration and action awarding Job Order Contracts for asphalt, concrete, and grading projects to Cactus Asphalt, Specialized Surfacing Utility Paving & Construction, L.L.C., and Regional Pavement Maintenance of Arizona, Inc. (Public Works)
6. Consideration and action awarding Job Order Contracts for landscaping projects to Landscape Construction Services, Inc.; Tangela's Landscaping; and Tree Care Plus, Inc. (Public Works)
7. Consideration and action approving a purchase agreement between the City of El Mirage and the City of Goodyear for Long Term Storage Credits. (Public Works).
8. Consideration and action to authorize the Finance Director to transfer budget authority as outlined in the agenda report. (Finance)

9. Consideration and action to authorize the Finance Director to loan \$75,000 from the General Fund (10) to the Capital Projects Fund (58) as of June 30, 2012 and to reverse the loan as of July 1, 2012. (Finance)
  10. Consideration and action to authorize the Finance Director to close the Home Rehab Fund to the General fund in the FY 11-12 budget year. (Finance)
  11. Consideration and action to authorize the Finance Director to close the Senior Center Funds to the General Fund in the FY 11-12 budget year. (Finance)
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Vice Mayor Shapera made a motion to approve consent items 1 thru 11 as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

## **VI. REGULAR AGENDA**

- A. Consideration and action to approve the concept by the Maricopa County Library District on plans to remodel the interior of the Library located in the City of El Mirage. (Public Works) - This item was removed from the agenda.
  - B. Consideration and action approving Ordinance O12-10-09, an ordinance fixing the dates, times and location of the 2013 City Council meetings. (City Clerk)
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Vice Mayor Shapera made a motion to approve Ordinance O12-10-09, an ordinance fixing the dates, times and location of the 2013 City Council meetings as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

- C. Public Hearing – Conditional Use Permit (Development & Community Services)
  - (1) Title Loans in Urban Corridor Zoning – 12333 NW Grand Ave.
  - (2) Tattoo and Piercings in Urban Corridor – 12333B NW Grand Ave.

Mayor Mook opened the public hearing at 6:41.

City Engineer Mark Smith presented both requests and the stipulations recommended by City Staff.

Representatives of the applicants stated the Title Loan Store will be an asset to the community. We have been cleaning up the property, installing landscaping and will be installing new fronts.

Representatives of the applicant stated the Tattoo/Piercings will also be an asset to the City. Most of the employees will be coming from other shops in the area. We do artwork.

Mayor Mook closed the public at 6:51.

- D. Consideration and action on a request for a conditional use permit for Title Loans in Urban Corridor Zoning – 12333 NW Grand Ave.

Councilor McPhetres a made a motion to approve the request for a conditional use permit for Title Loans in Urban Corridor Zoning – 12333 NW Grand Ave with the aforementioned stipulations plus additional lighting as presented; seconded by Vice Mayor Shapera. Motion Carries, unanimously.

- E. Consideration and action on a request for a conditional use permit for Tattoo and Piercings in Urban Corridor Zoning – 12333 NW Grand Ave.

Vice Mayor Shapera made a motion to approve the conditional use permit for Tattoo and Piercings in Urban Corridor Zoning – 12333 NW Grand Ave with the aforementioned stipulations plus additional lighting as presented; seconded by Councilor Ramirez. Motion Carries, unanimously.

- F. Consideration and action to approve Amendment No. 121-48-2012-03 to the IGA between the Regional Public Transit Authority/Valley Metro and the City of El Mirage for the purchase, construction, and installation of two (2) bus shelters with bus pullouts in the City. (Development & Community Services)

Councilor McPhetres made a motion to approve Amendment No. 121-48-2012-03 to the IGA between the Regional Public Transit Authority/Valley Metro and the City of El Mirage for the purchase, construction, and installation of two (2) bus shelters with bus pullouts in the City as presented; seconded by Vice Mayor Shapera. Motion Carries, unanimously.

- G. Consideration and action approving a Notice of Intent to Implement New User Fees associated with the New Wayfinding Sign Program. (Public Works)

Councilor Delgado made a motion to approve the Notice of Intent to Implement New User Fees associated with the New Wayfinding Sign Program as presented; seconded by Vice Mayor Shapera. Motion Carries, unanimously.

## **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.

City Manager Isom announced the City's October event is a Halloween Harvest Festival that will feature costume contests, pumpkin carving and decorating contests along with food, games and music. The evening will also be used to feature the El Mirage Police Department G.A.I.N. Night which is "Getting Arizona Involved in Neighborhoods." The public is invited and encouraged to this free event at the El Mirage City Plaza, Friday, October 26, 2012 from 5 – 8 pm.

Dr. Isom reminded everyone the General Election is scheduled for Tuesday, November 6, 2012 and polling locations are open from 6:00 a.m. to 7:00 p.m. Numerous websites are available for checking the status of your voter registration, polling locations or to request an early ballot. If you do not have access to the internet, you can call Maricopa County Elections at 602-506-1511 for more information. Handouts are available here tonight listing the websites and the phone number to Maricopa County Elections.

The City Manager reminded everyone the next Council meeting, is being held on Thursday, November 8, 2012 due to the General Election being held on Tuesday, November 6<sup>th</sup>.

**VIII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS**

Vice Mayor Shapera reported of his attendance at the grand opening of Windy City Dogs at Gateway Park. He also reported the park is being heavily used by many organizations.

**IX. ADJOURNMENT**

Mayor Mook adjourned the meeting 7:16 p.m.

  
Lana Mook, Mayor

ATTEST:

  
Richard Saathoff, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held October 16, 2012 and a quorum was present.

  
Richard Saathoff, City Clerk