

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

**Minutes**

**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 Jack Palladino, Councilor Joe Ramirez.

Excused: Councilor Lynn Selby.

**III. PRESENTATION**

- Recognition to employee, John Ramirez as the Employee-of-the-Quarter for July - September 2012 by Mayor Lana Mook. (Administration)

John thanked the City for the opportunity to work for the City. He stated he really enjoys his job.

- 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)

Mr. Gregory explained the Relay for Life and the work that the American Cancer Society does.

Councilor Ramirez requests the use of Gateway Park for the Relay of Life.

Mary Bruga explained why in her opinion it is important for the event to take place in El Mirage.

**IV. CALL TO THE PUBLIC**

Mary Koestner expressed her appreciation for the campaign and she will continue to be vocal watchdog of the City.

Dan Reilly invited all to the Veteran's Day Celebration at Sunland Cemetery in Sun City on Monday, November 12<sup>th</sup>.

Mike Barvitz thanked most of the Council for the good work that they are doing and most support your actions. He also expressed his displeasure with Councilor McPhetres.

Mayor Mook reported the City Staff has collected several issues of neighboring community's newsletter. The cost of the mailing is actually \$1,370 not the \$2,200 as reported at the last meeting.

Joe Khawo announced the grand opening of Desert Star Auto on Saturday, November 10, 2012

Cheryl LoGalbo offered her idea that the City's Newsletter be published on-line, thus saving the mailing costs. Vice Mayor Shapera thanked her for her suggestion and reported the newsletter is published on-line.

## **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)

Vice Mayor Shapera made a motion to approve consent items 1 thru 4 as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

## **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)

Vice Mayor Shapera made a motion 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, as presented; seconded by Councilor McPhetres. Motion Carries, unanimously.

- 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)

Vice Mayor Shapera made a motion to award a contract to 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, as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

- 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).

Vice Mayor Shapera made a motion to approve Ordinance O12-11-12, adopting §92.29 Prohibiting sleeping and/or camping in parks and on public property, as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

- 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”

Mayor Mook opened the public hearing at 7:12 PM

Mark Smith, City Planner explained the proposed Ordinances.

There were no public comments offered.

Mayor Mook closed the public hearing at 7:22 PM

- 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)

Vice Mayor Shapera made a motion to approve 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, as presented; seconded by Councilor McPhetres. Motion Carries, unanimously.

- 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)

Vice Mayor Shapera made a motion to approve Ordinance O12-11-11, adding the definition of “Mural” in City Code and approve murals by conditional use permit in commercial districts, as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

- 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).

Mayor Mook recessed the Council and convened the Board of Adjustment at 7:24.

Mark Smith, City Planner explained the request.

There were no public comments offered.

The public hearing was closed at 7:39

Vice Mayor Shapera made a motion to approve the stacking of storage containers as requested, seconded by Councilor McPhetres. Motion Carries, unanimously.

Mayor Mook adjourned the Board of Adjustment and reconvened the City Council meeting at 7:40

- 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). (Development & Community Services).

Mayor Mook opened the public hearing at 7:41.

No comments were offered

The public hearing was closed at 7:42

- I. Consideration and action on a request from Vicki Tofte-Odgen for conditional use permit for recycling facilities in an Employment/Industry District at 9305 N. El Mirage Road. (Development & Community Services).

Councilor McPhetres a made a motion to approve a request form Vicki Tofte-Odgen for conditional use permit for recycling facilities in an Employment/Industry District at 9305 N. El Mirage Road, as presented; seconded by Vice Mayor Shapera. Motion Carries, unanimously.

- 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)

Vice Mayor Shapera made a motion to approve 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, as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

## **VII. CITY MANAGER SUMMARY OF CURRENT EVENTS**

Dr. Isom recognized Cactus Park HOA for developing an agreement with the City for landscaping and irrigation of the common grounds. Robert Jones, President of the HOA, there has been many changes made in the community and is pleased that the HOA is able to give back to the City.

The City Manager reminded everyone of the City's Fall Festival on Saturday, November 17<sup>th</sup> and Sunday, November 18<sup>th</sup> at Gateway Park.

Dr. Isom reported the City has received information from ADEQ that SCS Engineering of Phoenix has been awarded the contract to conduct final closure activities at the El Mirage Landfill. Work to complete these final closure activities include installing permanent monitoring wells and performing monitoring at each of the wells; obtaining/repairing/replacing groundwater monitoring wells and performing similar monitoring activities at each; and inspection, maintenance and repair of the existing flood protection along the Agua Fria River. All work is to be completed no later than December 31, 2014 at a cost not to exceed \$170,019 which are funds currently in a trust account for this purpose.

City Manager Isom presented a brief power point presentation of concept drawings for the YMCA.

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

Councilman McPhetres reported of his attendance of the WESTMARC's Best of the West and an update by APS regarding their efforts to ensure meeting the energy needs of the area.

Councilman Ramirez reported of his attendance at the dinner recognizing retiring Senator John Nelson and outgoing Glendale Mayor Elaine Scruggs.

Councilman Delgado reported there is no CDBG meeting in the month of November.

Vice Mayor Shapera reported of his attendance at a recent high school wrestling match.

Mayor Mook presented the video from the WESTMARC's Annual Best of the West dinner.

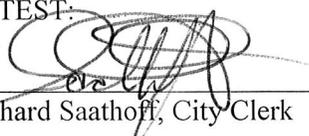
**IX. ADJOURNMENT**

Mayor Mook adjourned the meeting 7:52 p.m.



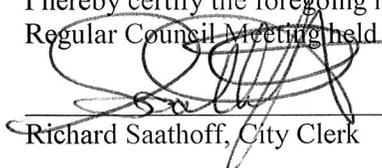
Lana Mook, Mayor

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 November 8, 2012 and a quorum was present.



Richard Saathoff, City Clerk