

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, MAY 7, 2013**

Minutes

I. ROLL CALL

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

II. 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.

III. PROCLAMATIONS/CERTIFICATES

P1 Acknowledgement of award presented to Ms. Iva Rody from the Police Department. (Police)

Police Chief Steve Campbell gave an explanation of the award recently presented to Police Department employee Ivy Rody, showed a brief video about the award presentation and then presented Ms. Rovy to the Council. On April 23, 2013, El Mirage Police Victim Advocate Iva Rody was awarded the 2013 Distinguished Service Award for Leadership during the 2013 Crime Victims' Rights Week Recognition ceremony by the Arizona Attorney General's Office.

P2 Public Works Department Proclamation to proclaim the week of May 19 – 25, 2013 as National Public Works Week (Public Works)

Public Works Director Larry Dobrosky requested Council proclaim the week of May 19 – 25, 2013 as National Public Works Week in recognition of the work performed by the Public Works department. He noted that the PW staff provides safe drinking water, runs an efficient waste water treatment plant, and cares for streets, parks, facilities, signs and regulatory requirements with pride and professionalism. Mayor Mook proclaimed May 19-25, 2013 as National Public Works Week and passed along thanks from the Council to the Public Works staff for their efforts.

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.

Resident Ammanda Pottle restated her comments from the last Council meeting regarding sewer connections citing cost concerns and asking why the push now for compliance. She requested the code be amended rather than enforce the current code. Mayor Mook advised it is a long-standing issue that is being addressed and City Manager Isom noted it is a public policy that needs to be dealt with; staff is currently researching this matter.

Resident Mary Koestner commented on how beautiful the Community Garden is looking even though located on a prime commercial corner; she asked if any City funds had been expended on the project. Dr. Isom asked Garden Administrator Pat Gregan to respond. Ms. Gregan reported the garden has been funded completely by sponsorships, donations and grants and invited all to attend the May 24th Community Garden ribbon cutting ceremony at 10 AM.

Resident Cheryl LoGalbo showed her water bill at \$44 with less than 1000 gallons usage and stated she had noticed improvements being made in the City. She stated she is particularly happy with the way finding signs noting how helpful they are for people not from El Mirage.

Kaitlyn Ciara Smith (through her mother Denise) thanked the Council for lifting the scooter restriction at Gateway Park and Kaitlyn presented the Mayor and Council with a Thank You card signed by other children who are appreciative that the restriction was lifted.

Surprise Regional Chamber of Commerce Director Ab Jackson advised Council of the free monthly breakfast on Tuesday, May 14th in Sun City West featuring two speakers. He also congratulated Tom Doyle on his appointment to the City of El Mirage as the Economic Development Specialist and looked forward to a long-time working partnership.

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.

There were not consent items.

VI. REGULAR AGENDA

- A. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, April 16, 2013. (Acting City Clerk)

Vice Mayor Ramirez moved to approve the minutes of the Regular Council Meeting held Tuesday, April 16, 2013 as presented; seconded by Councilor Palladino. Motion carries unanimously (6/0). Councilor Shapera abstained from voting on this item as he was absent from this meeting.

- B. Consideration and action to approve Resolution R13-05-14 authorizing staff to submit an application to ADWR for the potential purchase of Non-Indian Agricultural (NIA) water to assist in addressing the City's renewal water resource challenges. (Public Works)

Public Works Director Larry Dobrosky gave Council a brief history of the City's water utility system that serves approximately 11,500 water customers. The City did not take advantage of past opportunities to participate in the Central Arizona Project (CAP) which allowed cities to receive an allocation of surface water. The City has a one hundred year Assured Water supply designation and as such, is obligated to replenish pumped groundwater on an annual basis at a very high fee. Alternative long term solutions are being researched and the request of Council at this time is to support an application to ADWR (Arizona Department of Water Resources) for allocation of newly available CAP water credits.

Vice Mayor Ramirez moved to adopt Resolution R13-05-14 as presented; seconded by Councilor Delgado. Motion carries unanimously.

- C. Consideration and action recommending to Maricopa County Board of Supervisors the re-appointment of Councilman Roy Delgado (primary) and Councilman Jack Palladino (alternate) to the Community Development Advisory Committee (CDAC) for FY 2013-14. The appointment of a primary and an alternate representative from each member community of the Urban County is required under CDAC bylaws. (Administration).

Grants Coordinator Pat Gregan advised Council that the Maricopa County Board of Supervisors makes annual appointments/re-appointments of Primary and Alternate representatives to CDAC from Urban County participating cities as required in their bylaws. The City needs to notify the County by May 31st for communities to be represented effective July 1, 2013.

Vice Mayor Ramirez moved to reappoint Councilman Roy Delgado as the City's primary representative and Councilman Jack Palladino as the alternate representative to CDAC as required for FY 2013-14; seconded by Councilor Selby. Motion carries unanimously.

- D. Consideration and action requesting the Mayor and City council to give signature authority to the City Manager to enter into a Construction Manager at Risk (CM@Risk) Construction Phase services agreement with Reliance Build, Inc. to provide construction phase services for the new El Mirage Recreation Facility with Pool (EM12-F02) in an amount no to exceed \$4,957,000. (Development and Community Services).

DCM/City Engineer Sue McDermott gave a slide presentation regarding the proposed project and contract with RBI noting the groundbreaking is tentatively scheduled for July, 2013 with project completion anticipated in April, 2014.

City Manager Dr. Isom introduced Valley of the Sun YMCA President George Scobus who expressed his excitement at seeing this project coming to El Mirage after nearly four years of discussions and planning. He stated the project will benefit the City and the Region in many ways including adding value to home properties and bringing in commercial business.

Vice Mayor Ramirez moved to approve entering into a CM@Risk contract with Reliance Build, Inc. for construction of a new Recreation Facility with Pool as presented; seconded by Councilor Delgado.

Mayor Mook requested a roll call vote on this item.

Councilor McPhetres	YES
Councilor Selby	YES
Councilor Palladino	YES
Vice Mayor Ramirez	YES
Councilor Delgado	YES
Councilor Shapera	YES
Mayor Mook	YES

Motion carries unanimously.

- E. Public Hearing on request by Fightertown Paintball Park, LLC, for a conditional use permit (CUP) to allow outdoor recreation in Employment/Industry zoning with 65-70db Ldn overlay at 9825 N. 121st Avenue. (Development and Community Services)

DCM/City Engineer Sue McDermott made a slide presentation on the CUP request by Fightertown Paintball Park, LLC mentioning general operation and stipulations recommended by the Planning & Zoning Commission.

Goodyear residents Brian Zakaras along with friends Noah and Joseph from Phoenix spoke in support of allowing this business to operate in El Mirage and praised the owner for operating other very safe facilities.

Glendale resident Josh Denning spoke in favor of allowing Fightertown Paintball to operate in El Mirage stating he has played at other facilities run by Owner Ruiz who he believes runs a good business and gives of his time and resources for good causes.

Chandler resident Clay Brown gave a detailed explanation of paintball citing facts and figures in support of allowing Fightertown Paintball Park to operate in El Mirage. He stated that the owner runs a very safe and professional business and provides a service to the community. While there are other paintball businesses currently in Tempe, Scottsdale, Mesa, Glendale and Peoria, this would be the first one to locate on the west side of the Valley.

Owner Henry Ruiz came forward and answered several questions posed by Council relative to signs, hours of operation, lighting, skill levels, number of fields, sales of equipment, restrooms, and possible expansion, including the possibility of opening a retail store in the City of El Mirage.

- F. Consideration and action to approve a conditional use permit (CUP) to allow outdoor recreation in Employment/Industry zoning with 65-70db Ldn overlay at 9825 N. 121st Avenue. (Development and Community Services)

Vice Mayor Ramirez moved to approve the conditional use permit as presented; seconded by Councilor Delgado. Motion carries unanimously.

- G. Consideration and action to adopt Resolution R13-05-13 adopting the FY 2014-2018 Capital Improvement Plan. (Finance)

Finance Director Robert Nilles presented a short PowerPoint presentation showing a list of the current Council goals and stating that the CIP document is a disclosure product for transparency.

Vice Mayor Ramirez moved to adopt Resolution R13-05-13 adopting the FY 2014-2018 CIP as presented; seconded by Councilor Shapera. Motion carries unanimously.

- H. Consideration and action to approve Resolution R13-05-12 adopting the estimated expenditures and revenues of the City of El Mirage tentative budget for FY 2013-2014. (Finance)

Finance Director Robert Nilles presented a comprehensive PowerPoint presentation with a budget overview and addressing changes to the budget, revenues, property tax information, fees, other revenues, expenditures, wages and benefits, a recap and next steps. The action requested is to approve the tentative budget with a final adoption to be presented at the May 21, 2013 Council meeting.

Vice Mayor Ramirez moved to adopt Resolution R13-05-12 adopting the FY 2013-2014 tentative budget as presented; seconded by Councilor 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 Dr. Isom reported that Open Enrollment for benefit eligible employees will be held Wednesday, May 15, 2013 and Council member enrollment packets would be available through HR if unable to make this meeting; scooters were made available for use at Gateway Park and signs have been changed to reflect the decision; CAP services would commence one day per month beginning in June, 2013 by appointment only for El Mirage residents; a ribbon cutting ceremony will be held for the Community Garden on Friday, May 24th at 10:00 AM; and the new Economic Development Specialist, Tom Doyle, was introduced and asked to make a few comments to the Council. Mr. Doyle expressed his enthusiasm and excitement to be working for El Mirage and is looking forward to bringing new business into the City and supporting existing businesses. Dr. Isom also complimented several staff with special recognition to Finance Director Robert Nilles and Accounting Manager Christy Eusebio for their efficient budgeting and financial process as well as to Public Works Director Larry Dobrosky and Grants Administrator Pat Gregan for their efforts in negotiating and coordinating the return of the CAP program to El Mirage.

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

Councilor Selby thanked Councilor Delgado and CM Dr. Isom for their efforts in bringing the CAP program back to El Mirage.

Councilor Palladino stated it was a pleasure working with Councilor Delgado on CDAC and he looked forward to continuing their representation on CDAC committee for El Mirage.

Councilor Delgado expressed his thanks to the Police Officers who were presented with awards at the recent Police Department Awards Picnic; hearing the stories of what the officers experienced and reasons for their recognition gave him great pride in the City's Police Department.

Vice Mayor expressed similar thoughts on the Police Department awards stating many times the good done by the Police Officers is unknown and these ceremonies bring their experiences to light; he also mentioned meeting recently with a Principal from an elementary school in El Mirage and hopes regular updates on school happenings will resume as happened in the past.

Mayor Mook noted that the Council and City Management had gone above and beyond to reach out to all citizens and will continue to do so.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting at 6:56 p.m.



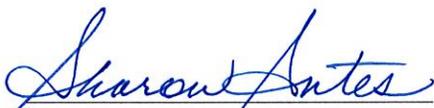
Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held May 7, 2013 and a quorum was present.



Sharon Antes, City Clerk