

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, JANUARY 7, 2014**

Minutes

I. ROLL CALL

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

Excused: Mayor Lana Mook

II. CALL TO ORDER

The meeting was called to order by Vice Mayor Joe Ramirez at 6:05 p.m.

Pledge of Allegiance

Moment of Silence

III. PRESENTATIONS

P1 Recognition of Boy Scout Sam Alger for completion of an extensive project at the El Mirage Community Garden that helped him achieve the rank of Eagle Scout. (Council)

Staff member Pat Gregan gave background information on Scout member Sam Alger from Boy Scout Troup 86 and his quest to obtain his Eagle Scout rank. Work at the Community Garden met the service priorities established under the Eagle Scout program. Through Sam's work in planning the logistics of the project and organizing all parties involved, 16 new ADA-compatible garden boxes were completed in the Children's section of the Community Garden and the storage shed was repaired and painted. New Eagle Scout Sam Alger was introduced to the Council and he was presented with a City Coin and recognized by Council for this distinguished achievement and assistance to improve the City's community garden.

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/or (3) direct that the matter be put on a future agenda.

No comment cards were received.

At this time, Vice Mayor Joe Ramirez requested a motion and a second to remove Consent Agenda Item 1 to vote on the items separately.

Vice Mayor Ramirez moved to remove Consent Agenda Item 1 and place on the Regular Agenda to be voted on separately; seconded by Councilor Shapera. Motion carried unanimously (6/0).

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 to approve the minutes of the Workshop and Regular Council Meeting held Tuesday, December 3, 2013 and the Special Council Meeting held Tuesday, December 10, 2013. (City Clerk)
2. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (City Clerk)

Councilor Shapera moved to approve Consent Agenda item 2 as presented; seconded by Councilor Delgado. Motion carried unanimously (6/0).

VI. REGULAR AGENDA

- A1. Consideration and action to approve the minutes of the Workshop and Regular Council Meeting held Tuesday, December 3, 2013. (City Clerk)

Councilor Shapera moved to approve the minutes of the Workshop and Regular Council Meeting held Tuesday, December 3, 2013; seconded by Councilor Delgado. Motion carried unanimously (6/0).

- A2. Consideration and action to approve the minutes of the Special Council Meeting held Tuesday, December 10, 2013. (City Clerk)

Councilor Shapera moved to approve the minutes of the Special Council Meeting held Tuesday, December 10, 2013; seconded by Councilor McPhetres. Motion carried unanimously (6/0).

- A. Consideration and action to give signature authority to the City Manager to amend the existing professional services contract with Tierra Right of Way to provide Pre-Acquisition/Preparation services (Phase II) for the El Mirage Road project including Thunderbird Road from 127th Avenue to El Frio Street. (Development & Community Services)

City Engineer Jorge Gastelum presented the item to Council and introduced Danny Rodrigues from Tierra Right of Way, LTD to comment on the project and answer any Council questions.

Councilor Delgado asked for the total amount of dollars when project is complete and was advised that cost would be made available to him when fully determined. Councilor McPhetres asked whether full properties or just easements would need to be acquired and was advised there may be a few properties that would be acquired but that most of the acquisition would be easements and rights of way.

Councilor Palladino moved to give signature authority to the City Manager to amend the existing contract with Tierra Right of Way LTD to provide acquisition and preparation services for Phase II of the El Mirage Road project; seconded by Councilor Shapera. Motion carried unanimously (6/0).

- B.** Consideration and action to approve project agreement with MAG setting forth the terms and conditions for the land acquisition and improvements to El Mirage Road from Peoria Avenue to Cactus Road. (Development & Community Services)

City Engineer Jorge Gastelum advised Council that previous agreements with MAG were approved by Council in November 2013 and that this was another similar MAG agreement related to the El Mirage Road improvement project.

Councilor Shapera moved to approve the project agreement with MAG as presented; seconded by Councilor Selby. Motion carried unanimously (6/0).

- C.** Consideration and action to approve Ordinance O14-01-01 modifying the Parks City Code Chapter 92 by adding a section for Passive Park Recreation Area and declaring an emergency. (Public Works)

Deputy City Manager/Public Works Director Larry Dobrosky presented the proposed Ordinance and explained the reasons for adding a new section to the City Code to define a passive park recreation area and why an emergency was declared.

Vice Mayor asked if competitive sports such as baseball and football leagues could be prevented from using this park and DCM Dobrosky responded that yes, that was the intent because the other City parks are used for those purposes and this area is designed for flood control with a greenbelt to include jogging and walking paths. Councilor McPhetres questioned the definition of organized sports and further stated that practice fields are hard to come by and this would be the perfect area for practice. Dr. Isom responded that organized sports that required scheduled reservations, permitting and parking would not be allowed but does not preclude a group of children from spontaneous play. Councilor Delgado asked about bathrooms and water fountains being added and Dr. Isom advised that those items were never included in the floodway design though it would not prevent Council from considering such facilities in future Capital Improvement projects. Councilor McPhetres asked whether parking that was discussed in the original planning was available. City Engineer Gastelum responded that at the time McFlood attempted to purchase an area along 125th Avenue the cost was prohibitive. Councilor McPhetres asked about the parcel owned by the City to which Dr. Isom responded that that parcel was redesigned as part of the floodway and that McFlood dedicated an area to the north of the current floodway to the City. In a future discussion

Council could consider the highest and best use of that frontage road commercial property.

Councilor Palladino moved to approve Ordinance O14-01-01 as presented and declare an emergency; seconded by Councilor Shapera. Motion passed (5/1). Nay vote cast by Councilor McPhetres.

NOTE: The Ordinance passed but the emergency portion was deemed not enforceable per City Code §32.083.

- D.** Consideration and action to approve Resolution R14-01-01 designating Basin Park as a Passive Park. (Public Works)

DCM Larry Dobrosky presented as follow up to approval of the above Ordinance Resolution R14-01-01 to designate Basin Park as a Passive Park.

Councilor Shapera moved to approve Resolution R14-01-01 as presented; seconded by Councilor Delgado. Motion passed (5/1). Nay vote cast by Councilor McPhetres.

- E.** Public hearing, closure of public hearing, followed by Council's consideration and action to approve Resolution R14-01-02 authorizing the City's submittal of applications to the Maricopa County Development Division (MCCD) for FY 2014-15 Community Development Block Grant (CDBG) funds, and to execute subsequent award agreements. (Grants)

Grants Administrator Pat Gregan presented the need for Council approval through a resolution to apply for CDBG funding. She outlined the first and second priority of the grant requests for the application to be submitted to Maricopa County.

Councilor Shapera moved to approve Resolution 14-01-02 as presented; seconded by Councilor Palladino. Motion carried unanimously (6/0).

- F.** Public hearing, closure of public hearing, followed by Council's consideration and action to recommend to the Arizona Department of Liquor Licenses & Control approval of an application for liquor license from Mr. Joseph Esiquio Plata for 12006 W. Thunderbird Road, El Mirage, AZ 85335 (Police Department).

Police Chief Steve Campbell gave a brief PowerPoint presentation on the request for a liquor license at 12006 W. Thunderbird Road. The Police Department found no conditions that they would recommend any actions that would prohibit this license and turned over decision to Council.

There were no comments from the public and the Public Hearing was closed.

Councilor Shapera noted that the applicant should be reminded that all sign regulations will be strictly enforced.

Councilor Shapera moved to recommend approval to the Arizona Department of Liquor Licenses & Control of the liquor license request as presented; seconded by Councilor Selby. Motion carried unanimously (6/0).

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 the Police Department has formally transitioned and are now located in the new Police facility on Cinnabar Avenue; the Grand Opening ceremony is scheduled for January 24, 2014. The Bus Bays along Thunderbird Road at 129th Avenue, that this Council approved the design for, are nearing completion. The YMCA construction is progressing on schedule and a soft opening is anticipated late May or early June this year. A new sign has been installed at the entrance of Gateway Park to identify the new police station and soon-to-open YMCA. The FY 2014/15 budget process has begun internally and is an open and transparent process that runs smoothly.

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

Councilor Delgado reported that the projects mentioned in the resolution approved tonight would be presented to the CDAC committee at their upcoming meeting.

IX. ADJOURNMENT

VM Ramirez adjourned the meeting at 6:44 p.m.



Joe Ramirez, Vice 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 January 7, 2014 and a quorum was present.



Sharon Antes, City Clerk