

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
TUESDAY, FEBRUARY 18, 2013**

**Minutes**

**I. ROLL CALL**

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilor Roy Delgado, Councilor Jim McPhetres, Councilor Palladino (arrived at 6:14), Councilor Lynn Selby, Councilor David Shapera

**II. CALL TO ORDER**

The meeting was called to order by Mayor Lana Mook at 6:00 p.m.  
Pledge of Allegiance  
Moment of Silence

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

Resident Dan Reilly stated he is member of a group called A Veteran of El Mirage. He would like to have the park at Cactus Park renamed the Military Veteran's Memorial Park. He has the approval of the HOA President and would like to see the Council approve the name change. He will be taking private contributions for the monument.

Resident Cheryl LaGalbo stated she would like to see the yellow light timing lengthened to reduce accidents at intersections. She stated her research showed that if the yellow light timing is lengthened by 3 seconds, 30% of the lives could be saved.

**IV. 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.

No Consent Agenda items were presented.

**V. REGULAR AGENDA**

A. Consideration and action to appoint B. Monte Morgan as Presiding Judge for the remainder of the term ending September 16, 2017. (Council)

Councilor McPhetres questioned the process regarding the JSARB recommendation. It was his understanding that the Judicial Selection Advisory and Review Board (JSARB) convened in July, 2013 and the Council usually gets a selection of candidates at this point. He asked if there a reason for not having candidates in this process?

Dr. Isom stated the JSARB did meet and gave authorization for the appointment of Judge Morgan as Presiding Judge. Judge Morgan has appeared before the Council at least on one or two occasions reporting on how the Court is progressing. The JSARB recommended, due to the fact the Council-imposed emergency has been satisfied, Judge Morgan be appointed for the permanent position that was identified in the packet.

Mayor Mook pointed out if he wanted to be Interim Judge and the emergency passed he could be appointed the Presiding Judge.

Human Resource Director Sandy King confirmed that the JSARB met and made the specific motion which was in Council's packet. Council declared an emergency at the time, Judge Morgan was appointed as Interim Judge, and is now being appointed the Presiding Judge. The process was entirely legal.

City Attorney Bob Hall also confirmed that the JSARB met and the process was as explained in the Council packet. The City has nothing in the Code beyond what JSARB approved. The JSARB Chair is a Superior Court Judge who ran everything and under his guidance every law was followed.

Councilor Delgado asked Judge Morgan directly if he wanted to stay on until the end of the term to which Judge Morgan replied yes and he is very happy with the terms and conditions.

**Vice Mayor Ramirez moved to appoint B. Monte Morgan as Presiding Judge for the remainder of the term ending September 16, 2017; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

- B. Consideration and action to approve a contract with Corporate Technology Solutions LLC, in an amount not to exceed \$39,454 for the installation of a card access control system at City Hall. (Public Works)

DCM Larry Dobrosky advised the system is the same system used in the Police Department, Fire Department and Wastewater Treatment Facility. He explained the State Procurement contract saved approximately 6% to the cost of the system. If approved, the system could be completed in approximately 60 days. The contract also includes contingency funds. Councilor Delgado was very pleased there would be a card system to enter the administrative offices as well as other offices within City Hall.

**Vice Mayor Ramirez moved to approve a contract with Corporate Technology Solutions, LLC, in an amount not to exceed \$39,454 for the installation of a card access control system at City Hall; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

- C. Consideration and action to authorize the City Manager to enter into a contract with Trim & Tidy Landscape Maintenance for landscape maintenance services at Basin Park in the amount of \$24,600 annually. (Public Works)

DCM Larry Dobrosky explained that bidding and contracting with a local company saved the City approximately 50%; the proposed contract is for one year with the option of two one-year renewals.

Vice Mayor Ramirez and Councilor McPhetres expressed surprise at the proposed cost and asked if the price was maintenance of the entire park. DCM Larry Dobrosky stated it covers the whole park including all maintenance.

**Vice Mayor Ramirez moved to authorize the City Manager to enter into a contract with Trim & Tidy Landscape Maintenance for landscape maintenance services at Basin Park in the amount of \$24,600 annually; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

## VI. EXECUTIVE SESSION

- D. Adjourn into Executive Session:

1. For discussion and consultation with the City Attorney, pursuant to A.R.S. §38-431.03, regarding a legal demand on a zoning issue.
2. To consult and discuss with Council representatives, pursuant to A.R.S. §38-431.03, relative to Council's position regarding compensation for City employees, including but not limited to employee organizations.

**Vice Mayor Ramirez moved to adjourn from the Regular Session into Executive Session at 6:20 pm; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

**Vice Mayor Ramirez moved to adjourn from the Executive Session to reconvene into Regular Session at 7:55 pm; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

## VII. REGULAR AGENDA (Continued – reconvened at 7:57 pm)

- E. Consideration and action to affirm the City's position relative to a legal demand on a zoning issue. (Administration)

City Attorney Bob Hall reported the City received a Letter of Demand for zoning issues for property located at Grand Avenue and Thompson Ranch Road. The City answered the demand and was requested to provide a more formalized answer from Council.

**Vice Mayor Ramirez moved that the City hereby adopts the legal position set forth in the letter of City Attorney Robert M. Hall, dated January 21, 2014, to Bryan Cave, LLP, and continues to acknowledge and affirm the terms and**

**conditions of the annexation Ordinance No. 103, dated June 1976; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

- F. Consideration and action to provide a recommendation to the City Manager regarding staff wages. (Finance)

Finance Director Robert Nilles made a brief presentation to Council explaining three possible scenarios for policy direction on staff wages using the 5-year CIP budgeting process as a template. The options varied in percentages, lump sum and/or one-time increases over a 5-year period with declining projected deficits after 5 years in all three options. Staff presented the considerations in creating the spreadsheet and recommended the option that resulted in the lowest projected deficit at the end of 5 years.

**Vice Mayor Ramirez moved to recommend the City continue the pattern, process, and percentages for annual wage increases established in FY 2013/14; more specifically, a lump-sum payment in odd fiscal years and a permanent increase to base salaries in even years; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

- G. Consideration and action to provide a recommendation to the City Manager regarding staff benefits. (Finance)

Finance Director Robert Nilles reported on a salary survey conducted by Fox Lawson that compared the City benefits with other West Valley communities. Based on the findings, El Mirage is in line with other communities.

**Vice Mayor Ramirez moved to recommend the City maintain existing employee benefits through fiscal year 2019, with the understanding the Manager may adjust for changes related to external requirements such as required contributions to current benefit plans, changes in State or Federal Law, etc.; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

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

Dr. Isom reported the City will be having a Car Show on February 28, 2014 from 5:00-9:00 p.m. at the El Mirage Civic Plaza. There will be cars, food, craft booths and local goods. The Farmers' Market is accepting application forms from farmers, crafters, gardeners, artists and entertainers. Applications are available on the City Website or for questions, please contact Pat Gregan at 623-876-2973. The City has received the results of the salary and benefits study and will continue working with employee organizations to bring results to Council. City Engineer Jorge Gastelum introduced the City's newest employee, Assistant City Engineer Chris Hauser. Mr. Hauser graduated from ASU and is very happy to be working for the City of El Mirage. Dr. Isom also recognized Public Works Director Larry Dobrosky for the installation of new directional and diagram signs at both Gateway and Gentry parks. He further introduced Judge Morgan to give a brief Court update to the Council.

Judge Morgan reviewed the last six months he has been in the City and is very pleased with the people he works with and expressed confidence that the Court is progressing as expected. He advised Council that the formal results of the recent AOC (Arizona Office of the Court) audit has not yet been received; he briefly explained the audit process and advised Council he will provide a report as soon as the final report is issued.

**IX. MAYOR’S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS**

Mayor Mook reported that she and Vice Mayor Ramirez were taken on a tour of the new Mormon Temple in Gilbert on invitation from the architectural firm, Architekton. The architect for the new Temple is also the architect who designed the new Northwest Valley Family YMCA building currently under construction in El Mirage. Both Mayor Mook and Vice Mayor Ramirez stated they were very impressed with the new Temple and Vice Mayor Ramirez added he has never seen such perfection and craftsmanship in his over 30 years in the construction business.

**X. ADJOURNMENT**

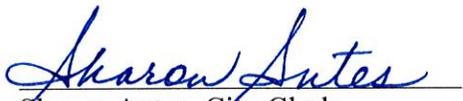
Mayor Mook adjourned the meeting at 8:21 p.m.

  
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Lana Mook, Mayor

ATTEST:

  
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Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage and Regular Council Meeting held February 18, 2014 and a quorum was present.

  
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Sharon Antes, City Clerk