

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 P.M. TUESDAY, JUNE 3, 2014**

Minutes

I. ROLL CALL

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

II. CALL TO ORDER

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

III. SPECIAL MEETING AGENDA

- A.** Public hearing to permit any taxpayer to be heard in favor of or against any proposed expenditure or tax levy. (Finance)

Finance Director Robert Nilles gave a brief report stating the FY 2014-15 budget will be \$91,150,000 which is \$21,683,500 less than last year primarily owing to projects being updated. The property tax rate will decrease by \$0.50 from \$4.04 to \$3.54; the levy will remain the same and there will be no water, sewer, sanitation, or tax rate increases. No comments were received from the public.

- B.** Consideration and action to approve Resolution R14-06-15 adopting the spending limitation and budget of the City of El Mirage for the fiscal year 2014-2015. (Finance)

Finance Director Mr. Nilles offered to answer any questions from Council; no questions were asked.

Vice Mayor Ramirez moved to approve Resolution R14-06-15 adopting the spending limitation and budget of the City of El Mirage for the Fiscal Year 2014-2015, seconded by Jack Palladino. Motion carried unanimously (7/0).

IV. ADJOURNMENT – 6:07 PM



Mayor Lana Mook

ATTEST:



Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Special Council Meeting held on June 3, 2014 and a quorum was present.



Sharon Antes, City Clerk

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I. ROLL CALL

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II. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:07 PM.
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.

Travis Rhodes was represented by Michele Mathison who read a statement on behalf of Mr. Rhodes. As a representative of American Insurance Mr. Rhodes feels the widening of El Mirage Road will negatively impact his business. The results of the improvements will be a positive action for the City but not for his business. If he had known the parking was going to be restricted, he would never have moved his business to that location.

Debra Hague from Sun City West requested support from Council to protect their family-owned business located at 11902 W. Thunderbird Road on the northeast corner of El Frio Street. She stated she does not see the necessity of taking the front parking area for this project and does not understand how their property zoning can be downgraded without compensation and removing the front parking area. The proposed construction presents a potential significant loss of business income and property value.

Terri Curtis, representing the business at 11900 W. Thunderbird Road, stated her objections to the Grand Avenue improvements. She is concerned because the City charged for a variance regarding parking when the business was constructed and they were in compliance at that time. Improvements will reduce parking and cost the City. The curve of the re-alignment will become dangerous just to create a walking downtown.

Mayor Mook thanked them all for coming in and reported this is an ADOT project and the adjoining Thunderbird Road improvements is a MAG project. She requested Dr. Isom to meet with local businesses and provide follow up to the Council stating she understood the concerns expressed this evening.

Dr. Isom reported he had received the letters from Ms. Hague and distributed them to Council. He then contacted Jennifer Grintz and Alicia Beltran of ADOT and was assured the business owners' concerns will be heard and handled through the ADOT process. He believes the community has responded in a timely manner and ADOT will need to go through their process. This will be an interactive process and ADOT has a reputation of coming to decisions that are acceptable to both sides of the issue.

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.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, May 20, 2014. (City Clerk)
2. Consideration and action to direct the Finance Director to make the necessary fund and budget transfers in FY 2013-2014 to close all funds not included in the adopted FY 2014-2015 budget. (Finance)

Vice Mayor Ramirez moved to approve all items as listed on the Consent Agenda as presented; seconded by Councilor Delgado. Motion carried unanimously (7/0).

V. REGULAR AGENDA

- A. Consideration and action to authorize the purchase of 52 Model XT Taser devices and related accessories from ProForce Law Enforcement under State of Arizona contract #ADSP014-061291 in an amount not to exceed \$83,200. (Police Department)

Police Chief Steve Campbell explained the reason and background for the Taser purchase request stating the current Tasers have only one deployment and parts are no longer available. The use of the Tasers have digital download and can be tracked. The purchase will be paid from funds available in the Officer Safety Equipment account created under ARS §12-116.04.

Mayor Mook asked if there had been any failures with the Tasers and was advised they have never had a situation where the officer shot and the Tasers did not deploy. Vice Mayor Ramirez asked if the Tasers have the ability to increase power after being deployed and was told they are automatically regulated and when the prongs reach the intended target it adjusts the current relative to the target. Councilor Selby asked if one target was shot could an officer discharge a second target immediately thereafter and was advised yes and that was also the major difference between the old Tasers and the new Tasers. Vice Mayor Ramirez asked what would be done with the old Tasers and was there a price reduction for trade-ins; Chief Campbell reported they would be credited \$75.00 for each cartridge. Mayor Mook asked when they could be received and Chief Campbell advised in a matter of weeks once ordered. Councilor Delgado asked if these Tasers emitted 50,000 volts and Chief Campbell responded he did not know but would get back to him with an answer.

Vice Mayor Ramirez moved to authorize the purchase of 52 Model X2 Taser devices and related accessories from ProForce Law Enforcement under State of Arizona Contract in an amount not to exceed \$83,200; seconded by Councilor Selby. Motion carried unanimously (7/0).

- B.** 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 Ms. Marie Ester Rios for La Guadalupana, 12010 W. Thunderbird Road. (Police Department)

Police Chief Campbell reported the Police investigation shows an insignificant amount of calls to the facility and the distance requirements from schools and churches have been met. The Police Department finds no reason to deny this liquor license.

There were no public comments.

Vice Mayor Ramirez moved to recommend to the Arizona Department of Liquor Licenses & Control approval of an application for a liquor license from Ms. Marie Ester Rios for La Guadalupana, 12010 Thunderbird Road; seconded by Councilor Palladino. Motion carried unanimously (7/0).

- C.** Public Hearing, closure of public hearing, followed by Council's consideration and action to approve Ordinance O14-06-04 to amend Zoning Code Section §154.101 Fences and Walls (D) Residential fences and walls. (Development and Community Services)

GIS/Development Services Coordinator Jose Macias stated the Planning staff requested the amendment as the current code does not give direction regarding chain link fences in front lawn areas. Councilor Delgado asked if the height would remain four feet and Mr. Macias stated yes.

No public comments were received.

Councilor McPhetres asked the purpose of this amendment and what was trying to be solved. He stated he likes chain link fences and believes they tend to protect personal property rights. Mr. Macias reported chain link fences are not allowed in the HOA's of newer neighborhoods and this amendment would help staff address this issue moving forward in non-HOAs.

Vice Mayor Ramirez moved to approve Ordinance O14-06-04 to amend Zoning Code Section §154.101 Fences and Walls (D) Residential fences and walls; seconded by Councilor Shapera. Motion carried unanimously (6/1). Nay vote case by Councilor McPhetres

VI. 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.

Chief Campbell introduced new Police Department employee, Sean Moncrieff, a new Police Officer who was a volunteer for El Mirage three years ago. He previously was selected by the Yavapai County Sheriff's Office to attend the Academy in Prescott Valley but was brought back to El Mirage when there was an opening. Officer Moncrieff thanked Council for the opportunity to return home to the El Mirage Police Department.

Dr. Isom stated Chief Campbell has an answer to Councilor Delgado's question regarding the number of volts; Chief Campbell reported the Tasers emit 1,400 volts at 3.5 amps per second.

Dr. Isom reflected on taking his son to his first day at summer camp at the new YMCA. He described what he saw, people working on the treadmill and other equipment. He went back later and saw a whole new group using the facilities. Dr. Isom called the Long's from the John F. Long Foundation to thank them for the land donation to the community for the YMCA, Police Department and Gateway Park. After dinner that evening, he returned to the YMCA with his son and saw more groups of people there from all over the area, not just El Mirage. There are still finishing touches but by all accounts, this is going to change the community for the good. He thanked the Council as a whole for seeing the vision and moving forward with the project. He reported the dedicating ceremony will be by July 2nd and encouraged all residents to check out the new YMCA.

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

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

Councilor McPhetres stated he attended the Quarterly WestMarc meeting regarding forest fires and reported how detrimental they are for water supplies because of sediments and contaminants. It costs a great deal of money to filter so he asked everyone to be wise about fire and ensure resources are protected.

Councilor Selby, Chairman of the Community Uplift Program, reported he searched for a trailer for over two year to hold tools for the Neighborhood Revitalization Program and he recognized Grants Administrator Pat Gregan for providing grant opportunities in locating the trailer for use in revitalizing and beautifying the City of El Mirage. This program assists residents in maintaining properties and increases community pride.

Councilor Palladino advised he attended the YMCA opening on Sunday, June 1st and reported it is an excellent facility. Councilor Shapera was also at the YMCA opening and stated the construction is top notch and the facility is good for the citizens.

Councilor Delgado reported the Friends of the El Mirage Library President and Board Member Laurie and Frank Carnell were able to donate an extra \$1,000 for the summer reading program as well as book shelves at the YMCA. He also stated he received an e-mail from Dr. Isom and Larry Dobrosky informing him a new gazebo is being built at Gentry Park. The City is on the move.

Vice Mayor Ramirez took his 12-year-old to the new YMCA and said it is gratifying to see people attending, not only El Mirage citizens but people from other areas as well. He is proud to have a regional YMCA in El Mirage. He also stated the new gazebo at Gentry Park is a great improvement to the downtown area. It is no longer just a baseball field but a community area. Mayor Mook informed all that the cement pad was donated and constructed by Vice Mayor Ramirez. Vice Mayor Ramirez pointed out he grew up here and it was a labor of love.

Mayor Mook stated she spent a good part of this past Sunday doing something she only hoped for three years ago and is proud to have this outstanding facility in her community. Citizens should be proud of their contribution to our children, our families and adults in El Mirage and the Northwest Valley for generations to come. The YMCA's Senior Director reported 70% of all new memberships thus far consist of families from around the region. This is the highest percentage of family memberships she's ever seen for a new YMCA. She thanked El Mirage citizens for believing El Mirage is worth more and can do more than many would think possible.

For those who withheld their support for the new YMCA, she stated she finds their refusal to understand the Y's importance misguided, misinformed, and a breach of that trust. She is troubled when a leader puts aside a commitment to the needs of the citizens to pander to a group of equally uninformed individuals with an agenda that clearly does

not represent the community's needs. She appreciates the believers who want an El Mirage where community pride defines us and brings continued prosperity.

Councilor Delgado stated the YMCA was a Grand Slam!

VIII. ADJOURNMENT

Mayor Mook adjourned the meeting at 6:52 PM.



Mayor Lana Mook

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 on June 3, 2014 and a quorum was present.



Sharon Antes, City Clerk