REGULAR 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. THURSDAY, NOVEMBER 6, 2014

Minutes

I. ROLL CALL

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

II. CALL TO ORDER

Mayor Mook called the meeting to order at 6:00 P.M.
Pledge of Allegiance
Moment of Silence

III. PRESENTATION

P1. Presentation of a Certificate of Appreciation to resident Molly VanTienderen (Public Works and Mayor)

Miss VanTienderen was unable to attend this Council Meeting and the presentation was moved to the December 2, 2014 Council Meeting.

P2. Presentation by Economic Development Specialist Tom Doyle regarding a proposed "Buy Local" campaign for businesses and residents. (Development & Community Services)

Economic Development Specialist Tom Doyle gave an endorsement for the "Buy Local" program that Mr. David Moss would be presenting this evening and explained why he believed this program would be more sustainable than other "Shop Local" programs he has been involved with in other Arizona cities. He introduced Mr. Moss to explain the proposed program.

Mr. Moss owns BizConnectPro with whom the City has a contract. He introduced an enhancement to that program providing an on-line shopping experience to assist promotion of local businesses in El Mirage. He pointed out three major reasons why people do not buy locally: (1) convenience, (2) cost savings, and (3) lack of awareness of options. The proposed "Buy Local" program will allow local businesses to register as a local business and also allow residents to sign up (one-time) to receive weekly e-mail notifications of their local sales, coupons and special deals. The information will be available on the City website as well as hard copy information made available at City Hall and other City locations. The program will provide a listing of local businesses that many residents may not even know exist within El Mirage and provide convenience, cost savings and awareness to encourage residents to buy local.

Mayor Mook asked who will pay for this program and was advised by Mr. Moss that the program is free to the City, residents and businesses as an add-on to the current contract the City has with BizConnectPro.

Councilor Selby asked if participating businesses would receive a copy of the submission information and was told that neither businesses nor the City receives that information. He further asked if the City might have liability exposure from the program and was advised by City Attorney Bob Hall that the liability as a City-sponsored program is very limited because of the disclaimers and disclosures. Councilor Selby also asked if Mr. Doyle would be promoting the program to El Mirage businesses and was told by Mr. Doyle that he has been and will continue to generate interest in the business community and encourage participation in the program; once made available, the program will be closely monitored and Council will be advised of progress.

Councilor Palladino asked about a link to the City's website and Mr. Moss demonstrated how the program would look on the current City website. Mayor Mook asked how many local businesses now have e-mail and learned there are now over 90%. Councilor Shapera stated he supports this program and does not see any downside.

Vice Mayor Ramirez asked if, when it is implemented, there is a tracking mechanism. Mr. Moss stated the number of participating programs and website resident submissions received will be monitored. Ultimately, it will be the businesses telling the City how well it is working. Mayor Mook asked when this program would become functional and Mr. Moss stated it could probably be functional by the end of this month.

Dr. Isom reported the BizConnect Pro, Inc. contract will be amended to add this component. BizConnect Pro, Inc. has been a successful partner and the business licensing is working well for the City of El Mirage. Mayor Mook thanked Mr. Moss for the efficiency of the BizConnect Pro licensing program.

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 submitted.

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 Workshop and Regular Council Meeting held Tuesday, October 21, 2014. (City Clerk)

2. Consideration and action to approve Resolution R14-11-21 designating an authorized agent for federal and state emergency management funds. (Fire Department)

3. Consideration and action to approve Resolution R14-11-20 setting fees for digital billboards. (Development and Community Services)

Vice Mayor Ramirez moved to approve all items as listed on the Consent Agenda; seconded by Councilor Shapera. Motion carried unanimously (6/0).

VI. REGULAR AGENDA

A. Council's consideration and action to appoint Robyn Freberg to fill the Planning & Zoning Commission seat vacated by Bob Jones effective December 2, 2014. (Council)

Mayor Mook recommended Robyn Freberg be appointed to fill the Planning & Zoning seat to be vacated by newly elected Bob Jones effective December 2, 2014.

Vice Mayor Ramirez moved to appoint Robyn Freberg to fill the Planning & Zoning Commission seat to be vacated by Bob Jones effective December 2, 2014; seconded by Councilor Shapera. Motion carried unanimously (6/0).

Councilor Shapera added that he has worked with Mr. Freberg who previously served on the Planning & Zoning Commission and believes he will be an asset to the Commission.

B. Public hearing, closure of public hearing, followed by Council's consideration and action for FPA14-05-25, a major amendment to the 2010 General Plan, proposing to change Transit Oriented Development to Residential at the NW & NE corners of Grand Avenue and Thompson Ranch Road. (Development and Community Services)

City Attorney Bob Hall asked to address Council to explain the background and reason for a request by the applicant to continue this Public Hearing. Council requested Mr. Hall read the following letter into the record:

"November 5, 2014: Robert Hall, Esq., City Attorney, City of El Mirage, 12145 NW Grand Ave., El Mirage, AZ 85335

Re: Major General Plan Amendment and Rezoning Request GPA 14-05-25, Thompson Ranch, and CV2014-012155 HERBERT and PATRICIA DREISESZUN, as Trustees of Trust dated January 29, 1986, and THOMPSON

RANCH PARTNERSHIP, an Arizona general partnership, plaintiffs, vs. CITY OF EL MIRAGE, an Arizona municipal corporation, Defendant.

Dear Mr. Hall,

As the authorized representative for Thompson Ranch Partnership (the "Partnership") with respect to the above-referenced Major General Plan amendment and rezoning applications, please accept this letter as a formal request for a continuance of this matter, which is currently scheduled for hearing before the Common Council of the City of El Mirage on November 6, 2014. The continuance is requested by the Partnership after consultation and coordination with City Staff to accommodate ongoing dialogue regarding a possible amendment to the above-referenced applications and to address potential settlement of a related Proposition 207 lawsuit. The Partnership, after consulting with City Staff and counsel, asserts that this continuance request is in full compliance with the statutory and City of El Mirage requirements for processing Major General Plan amendment and rezoning applications.

As such, we respectfully request that the public hearing before the Council be continued until January 2015. Should you have any questions regarding this request, please do not hesitate to call.

Best Regards, signed Susan E. Demmitt, Gammage & Burnham, PLC"

Councilor Shapera asked if the Public Hearing should be opened and then continued. Attorney Hall answered no because in his opinion the letter submitted gives the applicant the responsibility for continuance and keeps them compliant with the application process under state statute and City code.

Vice Mayor Ramirez moved to continue FPA14-05-25, A MAJOR AMENDMENT TO THE 2010 General Plan, proposing to change Transit Oriented Development to Residential at the NW & NE corners of Grand Avenue and Thompson Ranch Road to no later than and up to the last Council Meeting in January 2015; seconded by Councilor Palladino. 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 next City event will be the El Mirage Fall Festival to be held at Gateway Park on Friday and Saturday, November 14th and 15th and the next Farmers' Market will be held in conjunction with the Fall Festival at Gateway Park on Friday, November 14th from 4:00-8:00 PM.

He also reminded Council and residents that the Bulk Trash Event is currently underway and will continue through the week of November 17th.

Two events for prospective homebuyers was announced; 1) A free event on Saturday, November 8th from 9:00 AM – 3:00 PM for residents wishing to learn about Homebuyer Assistance and 2) a free information event conducted by Maricopa County on Saturday, November 15th on their new and expanded Mortgage Assistance Programs for Arizona homeowners. Flyers for both events with more information were provided.

Dr. Isom then asked Finance Director Robert Nilles to provide an update on the Preliminary Public Safety Retirement System Data. Mr. Nilles reviewed 2013 and 2014 data for the Police and Fire Departments. This data included Employer Rate, % Funded, Unfunded Liability, Active Members, Retired Members, DROP, Vested Inactive and Years of Services. Councilor Selby asked what is the average number of years served for El Mirage Police and Fire employees and was advised by Mr. Nilles that Police employees had an average 9.9 years of service and Fire personnel had an average 6.6 years of service.

Dr. Isom reminded Council that this was information only provided under the City Manager's report and if Council desired, the item, because of its complexity, could be placed on a future agenda for more in depth discussion. Mayor Mook agreed and asked that the item be placed on a future Council agenda.

VIII. 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 Selby thanked Building Official Mary Dickson for coordinating 70 volunteers two weeks ago for work with the Community Uplift Committee. He wanted to recognize her for doing the "heavy lifting" to move the program forward and believes the Committee is making a difference in beautifying the City through their efforts.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting at 7:04 P.M.

Lana Mook
Mayor Lana Mook

ATTEST:
Sharon Antes
Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage and the Regular Council Meeting held November 6, 2014 and a quorum was present.

Sharon Antes
Sharon Antes, City Clerk