

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM – MONDAY, August 10, 2015**

Minutes

I. ROLL CALL

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

II. CALL TO ORDER

The meeting was called to order by Mayor Mook at 6:04 PM.
Pledge of Allegiance
Moment of Silence

III. PRESENTATION

P1. Presentation of Oath of Office to re-appointed Planning & Zoning Commissioner Justin McCarty for the two-year term ending June 30, 2017. (Clerk)

City Clerk Sharon Antes administered the Oath of Office to Justin McCarty for his re-appointment to the Planning & Zoning Commission for a two-year term ending June 30, 2017.

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.

Property Owner Anita Norton currently resides in Waddell but owns property in the Dysart Ranchettes. She had issues with the denial of her building permit for a new home in the Dysart Ranchettes. Ms. Norton does not believe the City is acting legally. She has met with Jorge Gastelum, Jose Macias and other City officials to no avail. Mayor Mook asked Attorney Robert Hall if he wished to make a comment. Mr. Hall reported he had discussions with her attorney today and felt they were productive and he will continue to work with the attorney.

Resident Henry Mercado has been a member of the El Mirage community since 1969. He went to school at Luke and worked the fields. Mr. Mercado owns

property in the Dysart Ranchettes and has also been denied a building permit. When he originally contacted the City he had been told he could build on his property. He believes he has rights under the Constitution and should be able to build a home in the Dysart Ranchettes. He wanted Council to be clear he has been a long-term resident of El Mirage, is a business owner and pays taxes. Though he was told Luke Air Force Base denied the permit he does not believe the City is working for the citizens of El Mirage. He responded to a notice from the City to clean up his lot and spent a lot of money to purchase it and the right and legal thing to do is issue a building permit.

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 Regular Council Meeting held Tuesday, July 7, 2015. (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)
3. Consideration and action to approve Ordinance O15-08-07 adopting Codification Supplement S-6 from American Legal Publishing Corporation to bring City/Zoning Codes current through Council actions taken as of February, 2015. (City Clerk)
4. Consideration and action to approve a Memorandum of Understanding (MOU) with Arizona Department of Revenue (DOR) setting forth fees imposed and performance measures to promote the timely efficient and accurate processing of municipal tax matters. (Finance)
5. Consideration and action to approve an amended and Restated Transit Services Intergovernmental Agreement (IGA) between the City and the Regional Public Transportation Authority (RPTA) for Dial-a-Ride services. (Finance)
6. Consideration and action to approve Resolution R15-08-14 to temporarily suspend City Code § 130.01 to allow alcoholic beverages to be served and consumed at specific City of El Mirage Special Events for the 2015/2016 event season. (Administration)

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

VI. REGULAR AGENDA

- A. Consideration and action to adopt a notice of intent to adjust the City's fee schedule to reflect fees required through the IGA (Intergovernmental Agreement) with the Office of Manufactured Housing (OMH) not sooner than 60 days from the date of posting the notice pursuant to A.R.S. §9-499.15. (Building)

Building Official Mary Dickson stated this is an adjustment that came forward after the 2015 Fee Schedule was approved. The notice needs to be posted for 60 days.

Vice Mayor Ramirez moved to adopt a notice of intent to adjust the City's fee schedule to reflect fees required through the IGA with the Office of Manufactured Housing not sooner than 60 days from the date of posting the notice; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- B. Consideration and action to fund one (1) additional Maintenance Worker I – Right-of-Way and Street Beautification Specialist position to assist in the citywide community appearance efforts. (Public Works)

Deputy City Manager Larry Dobrosky presented department background information and advised issues have materialized that require increased staff for the maintenance, repair, upkeep and beautification of areas throughout of the City. City Manager Spencer Isom added that while the Public Works staff makes every effort to maintain public areas of the City, there has been a recent awareness of the necessity for an additional employee to be solely dedicated to picking up debris and trash throughout these public areas 40 hours per week. It is anticipated that filling this position would reap immediate visible benefits.

Councilor Jones asked if this position would be fulltime, seasonal or temp and was advised the position will be fulltime, 40/hours per week.

Councilor Shapera asked how this position would be funded and was advised the initial cost for this year would be from Council contingency but would become a Public Works budgeted item in future years.

Councilor Delgado questioned why the City doesn't charge residents for trash left in alleys and was informed that the challenge is in identifying the individuals responsible. Unless someone can be seen actually discarding trash in the alley it is very difficult to know who to charge.

Vice Mayor Ramirez agreed it is almost impossible to identify the individuals discarding trash in the alleys. He asked about the equipment needed for this position and was advised that the City's Procurement Officer is checking vehicle and trailer costs for this new position.

Vice Mayor Ramirez moved to approve the funding of one additional Maintenance Worker I – Right-of-Way and Street Beautification Specialist position to assist in the citywide community appearance efforts; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- C. Public hearing, closure of public hearing, followed by Council's consideration and action to accept a final plat, dedication of right-of-way and easement for the Family Dollar Store site at 12101 W. Thunderbird Road contingent on final project completion and acceptance of the project by the City Manager. (Development & Community Services)

Mayor Mook opened the Public Hearing.

Development and Community Services Director Jorge Gastelum reported the Family Dollar Store is located at 12101 W. Thunderbird Road and includes 1.13 acres with an 8,320 sq. ft. building and a Zoning of UC (Urban Corridor). He then reviewed the landscape plan, elevations and recommendations. The recommendations include dedication of right-of-way, public green space, and off-site improvements consistent with the Thunderbird Road Improvements Project. Staff recommends approval of the Final Plat. The store opening is anticipated by Labor Day weekend.

Councilor Delgado asked about a sign on the East side of the store. Mr. Gastelum stated the intent is to remove it as part of Thunderbird Road Project. The Thunderbird Project is anticipated to commence March 2016.

Resident Albert Gang, co-owner of Maggie's Market next to the Family Dollar Store, expressed concern about delivery trucks not being able to access his store because of the proposed median on Thunderbird Road. His store has been in business approximately 40 years and he does not want the median to block his entrance. There was discussion regarding possible misunderstandings on what the City would acquire in the project acquisition process and possible alternative solutions to allow access for deliveries to his store. There was also discussion on the City negotiating with an adjoining property owner to assist in a solution. Mayor Mook requested Dr. Isom and Mr. Gastelum work with the City's agent, Tierra-Right-of-Way and Mr. Gang to resolve this matter.

Mayor Mook closed the Public Hearing

Vice Mayor Ramirez moved to approve a final plat, dedication of right-of-way and easement for the Family Dollar Store site at 12101 W. Thunderbird Road contingent on final project completion and acceptance of the project by the City Manager; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- D. Public hearing, closure of public hearing, followed by consideration and action to approve a major site plan amendment for Southwest Steel Fabrications located at 10211 N. El Mirage Road. (Development & Community Services)

Mayor Mook opened the Public Hearing.

Development and Community Services Director Jorge Gastelum reported Southwest Steel Fabrications is located at 10211 N. El Mirage Road with a lot size of 9.07 acres that houses an office, workshop and storage unit. The Zoning is EI (Employment/ Industry) with a land use of industrial. The General Plan regards this area as Commerce/ Industry Park. Luke AFB has no objections to the proposed expansion. The surrounding vicinity on the north is industrial use, on the east is civil use, on the south is vacant and on the west is manufacturing/storage. Southwest Steel Fabrications is requesting an increase of 20,000 sq. ft., bringing the total square feet to 53,500 sq. ft. for office, workshop and storage. Historically, in 1991 this was Lee Fabrications; in 2007 there was a Site Amendment for Southwest Stairs and now in 2015 there is a Major Site Amendment request for Southwest Steel. City staff has reviewed, has no objections and recommends approval of the Major Site Plan Amendment with any stipulations to be addressed during the building permit review process. Southwest Steel Fabrication's Civil Engineer Dennis Keogh, President Phil Helm and Operations Manager Fred Elmen were present to answer questions

Mr. Keogh stated he prepared the current site plan and also did the 1992 site plan for Lee Fabricating. The business is taking raw steel and fabricating to make arena style platforms, beams, etc. A new fire hydrant will be installed for the expansion. There will be 30-40 new employees added with a second shift. They have plenty of area to increase parking as needed.

Mayor Mook asked if the new employees would be from El Mirage and was told many of their current employees are El Mirage residents and they would continue to try and recruit within El Mirage.

Councilor Delgado and Vice Mayor Ramirez asked questions regarding access with increased traffic, repairs to a damaged telephone box, and possible noise impacts from increased activity during a second shift. Mr. Keogh explained current traffic flow as well as new plans for expansion, and also stated that no noisy equipment would be used during the second shift hours. Mr. Gastelum added that most of these concerns will be addressed and handled with the El Mirage Road expansion project.

There were no public comments. Mayor Mook closed the Public Hearing.

Vice Mayor Ramirez moved to approve the public hearing, closure of public hearing and approve a major site plan amendment for Southwest Steel Fabrications located at 10211 N. El Mirage Road; seconded by Councilor Delgado. Motion carried unanimously (7/0).

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

Dr. Isom asked Deputy City Manager Dobrosky to report on the new proposed bulk trash program slated to resume in this fall.

The goal is to continue enhancing the community's appearance by providing the curbside bulk trash pick-up program but with established policies to address some of the challenges recently experienced that significantly increased costs. He presented photos of properties that presented difficulties in collection, showed charts of increased costs in labor and disposal, and discussed proposed new procedures on handling and charging offenders of the process. The next Curbside Bulk Trash Collection Event is scheduled for October 26 through November 16, 2015. Still left to accomplish with the new procedures is designing red tags, placing articles in El Mirage's monthly newsletter, inserting flyers in utility bills, posting on Xpressbillpay, posting on the City Website and the Gateway billboard. The City's goal is to continue enhancing the community's appearance by providing the curbside bulk trash pick-up program which allows residents to dispose of unwanted waste more easily, but at the same time controlling abuse of the program.

Questions were raised by Mayor and Council regarding length of time for the compliance process, notification to residents, and collection of fines by those in non-compliance. City Attorney Hall reminded Council that this was the City Manager report and not an agenda item; Mayor Mook requested and Dr. Isom affirmed that this topic will be brought forward at the next Council Meeting as a presentation by Mr. Dobrosky.

Dr. Isom then introduced the following new employees:

- I.T. Director Tom Bacome introduced Vincent Rostowsky, the City's new Network Engineer. He is from Fidelity Information Services and has a Bachelor of Science Degree in Communications Management and Network Administration. Mr. Rostowsky stated he is excited to be a part of the I.T. team.
- Police Chief Steve Campbell introduced new Police Officer Miles McLane who comes from the City of Wickenburg. Officer McLane Stated he is happy to be here and thanked the City.

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 Shapera stated he is happy with the photo enforcement in front of the Thompson Ranch Road School which makes this area much safer and is pleased to see City street lights being repaired. He also attended Chief Campbell's recent retirement celebration.

Councilor Delgado stated he attended Chief Campbell's retirement event and thanked the Chief for his service. He is following the Court security project and has notified Supervisor Hickman about the improvements around the Library.

Vice Mayor Ramirez stated he is sorry he could not attend the Chief's retirement event but stated he appreciates everything Chief Campbell has done for the City and wishes him well.

Councilor Selby congratulated Chief Campbell and hopes he enjoys his retirement. The City appreciates what he has done for the department and the City.

Mayor Mook also attended Chief Campbell's retirement event and expressed that there is sadness in his leaving but she wished him well on his retirement.

IX. EXECUTIVE SESSION

No Executive Session was held.

X. ADJOURNMENT

The meeting was adjourned at 7:36 PM.



Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular Council Meeting held on Monday, August 10, 2015 and a quorum was present.



Sharon Antes, City Clerk