

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE MUNICIPAL COURT
14010 N. EL MIRAGE ROAD
6:00 P.M., THURSDAY, FEBRUARY 8, 2007**

Minutes

- I. **CALL TO ORDER** – The meeting was called to order by Mayor Fred Waterman at 6:00 p.m. Council led the public in the Pledge of Allegiance and a Moment of Silence.
- II. **ROLL CALL** – Present were: Mayor Fred Waterman, Vice Mayor Michele Kern, Councilor Xavier Bedolla, Councilor Roy Delgado, Councilor Roger Cleveland, Councilor Adam Super, City Manager BJ Cornwall, Attorney Fredda Bisman, City Engineer Chris Young, Police Chief Bryan Beamish, Fire Chief Scott Alvord, Finance Director Larry Price, City Clerk Edith Hoover. Excused: Councilor Bill Conner.

III. **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 a Maintenance Agreement with Sundial West III Homeowners Association for Tracts K through Y with a 10 year term.**
2. **Consideration and action approving the Regular Meeting Minutes of January 11 and January 25, 2007.**

Councilor Super made a motion to approve the Consent Agenda Items; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Delgado, Kern, Super, Waterman
Nay:
Absent: Conner
Motion: Carried

IV. **MAYOR'S COMMENTS**

Mayor Fred Waterman thanked the Sheriff's Department for helping the City with the Police Department audit.

The Mayor stated that the Sheriff's Department will be reviewing a new contract with the City of El Mirage.

The City will have a 90 day period to review the contract and decide what action to take.

The Mayor asked all groups, HOA's, boards, etc. to invite him to their meetings in order to discuss current issues.

Mayor Fred Waterman announced that the City Clerk, Edith Hoover will be retiring. The Mayor thanked her for her seven years of hard work for the City and exclaimed how great of a help she is.

Mayor Sal Arias said that El Mirage was very fortunate to have Edith come work for the City.

Mayor Roy Delgado thanked Edith for all of the work that she has done.

Mayor Robert Robles thanked Edith for being so dependable and helping out in any way that she could. Mayor Robert Robles congratulated Edith about her retirement.

V. REGULAR AGENDA

A. Consideration and action on opening a Public Hearing on zoning request for rezoning from B-2 to B-3 & site plan for a crematorium at Sunwest Funeral Home at 12525 NW Grand Ave.

Councilor Delgado made a motion to open a Public Hearing; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Delgado, Kern, Super, Waterman
Nay:
Absent: Conner
Motion: Carried

Paul Gabriel – Sunwest Funeral Home Cemetery

Mr. Gabriel stated that he wants to build a crematorium that would sit behind the existing funeral home.

Ben Lewis – 12721 W. Redfield Rd. Rancho El Mirage HOA President

Ben Lewis said that he is concerned with the emissions and possible odor that will be coming out of the crematorium.

Ben Lewis asked who regulates the crematorium itself and why do they want to locate the crematorium close to a community.

Steele Moran – 12575 Lisbon Lane, El Mirage

Steele is concerned about the emissions that will be coming out of the crematorium.

Steele is worried about the close proximity to schools.

John Bigelow – 12807 W. Mauna Loa Lane

John is concerned about the close proximity to a residential neighborhood.

John said that if the crematorium is passed, he would like to see restrictions on when the crematorium is allowed to burn in order to better mix emissions with moving air.

John was also curious about how many other crematoriums the City is willing to allow within City limits.

Paul Gabriel – Sunwest Funeral Home Cemetery

Paul stated that the chambers that do the burning are highly efficient and create about half of the particulate matter that a fireplace generates.

Paul said that no odor is generated from the burners.

Stan Stabursky – Owner of Sunwest Funeral Home

Stan said that he has another crematorium in a residential neighborhood and has not received any complaints.

Stan exclaimed that he originally was going to put the crematorium in the cemetery but opted to move it closer to Grand Ave. to maximize the distance between the crematorium and the residential neighborhood.

Councilor Super asked if any odor would be present during a burn.

Stan Stabursky replied that the burners are state of the art and they will not emit any obnoxious odors.

Stan Stabursky said that the crematorium is licensed and bonded and Maricopa County as well as the Arizona State Board of Funeral Directors and Embalmers do regular checks to see if the burn systems are working properly.

Vice Mayor Michele Kern asked how long the average cremation process takes.

Stan Stabursky replied that the process normally takes 2 ½ hours and slightly shorter for the second or third burn of the day.

Councilor Delgado questioned whether or not the proposed crematorium would attract business from Surprise since they do not have a crematorium.

Stan Stabursky said that he usually receives business from the cities and towns surrounding El Mirage but does not necessarily increase the total number of burns in a year.

B. Consideration and action on closing the Public Hearing on zoning item.

Vice Mayor Michele Kern made a motion to close the Public Hearing; seconded by Councilor Bedolla.

VOTE: Yea: Bedolla, Cleveland, Delgado, Kern, Super, Waterman
Nay:
Absent: Conner
Motion: Carried

C. Consideration and action on Ordinance O07-01-01 to amend the City's zoning map from B-2 [General Business] to B-3 [General Services] for Sunwest Funeral Home & Heritage Crematorium at 12525 NW. Grand Ave.

Vice Mayor Michele Kern made a motion to approve Ordinance O07-01-01 with the stipulation that hours of operation occur between 8:00 a.m. and 4:00 p.m.; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Kern, Super, Waterman
Nay: Delgado
Absent: Conner
Motion: Carried

D. Consideration and action on request for site plan approval for a crematorium in B-3 behind Sunwest Funeral Home at 12525 NW. Grand Ave.

Vice Mayor Michele Kern made a motion to approve the site plan for a crematorium; seconded by Councilor Cleveland.

VOTE: Yea: Bedolla, Cleveland, Kern, Super, Waterman
Nay: Delgado
Absent: Conner
Motion: Carried

VI. COUNCIL SUMMARY OF CURRENT EVENTS

Councilor Super thanked everyone for showing support for him and his father and congratulated Monica Dorcey for attending the tour of the County call-center.

Councilor Super stated that his main goal is to provide the best services possible for the City of El Mirage.

Councilor Super commented that he was unable to uncover any evidence of citizens calling 9-1-1 and being hung up on during his tour of the call-center.

Regarding the non-emergency phone line, Councilor Super stated that the technological glitch is being fixed and that the main reason why citizens might be experiencing long wait times is the fact that it is a non-emergency line and that the 9-1-1 calls must take precedence over non-emergency calls.

Councilor Super said that when the County stepped in and helped with the audit of the El Mirage Police Department, they offered the City services such as extra patrol deputies, detectives, arson investigators, police vehicle maintenance, various task forces, etc.

Councilor Super asked for everyone to be patient and allow himself and others to go through the data and to implement solutions to the problems.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall said that Jane Chabek, an El Mirage employee, was involved in a car accident and wished her a speedy recovery.

Mr. Cornwall exclaimed that there was an article about the T.A.G. program in the latest edition of the American City and County magazine.

Maricopa County Environmental Services Division has come in and inspected the water treatment plant and the City is in full compliance.

The water tanks at Canterbury, Dietz Crane, and the east side of Alto are completed and they are in the startup, testing and sampling stage. The constructed recharge project at the water treatment plant has commenced and is on schedule and within budget.

Wal-Mart is on schedule for a July opening. Hiring will be conducted in April and May.

Judge Hoffman has signed the order for the lawsuit with the City of Glendale. The City has until February 16 to file the appeal. A notice has been drafted and will be filed before the deadline date.

Tescoe, the fifth largest retailer in the world has signed a letter of intent and is in escrow to bring their store to the corner of Greenway and Dysart.

The City has hired two firefighters and a new Human Resources Director, Toni Brown.

City Manager BJ Cornwall thanked Edith Hoover for all of her help and wished her a happy retirement.

VIII. CALL TO THE PUBLIC

Mary Izaguirre – 13505 S. El Frio, El Mirage

Mary requested a copy of the contract between the City of El Mirage and the Maricopa County Sheriff's office regarding the dispatching services.

IX. EXECUTIVE SESSION

~~Discussion and consultation with the City's attorneys in order to consider the City's position and instruct its attorneys regarding the City's position regarding a contract for dispatch services that is the subject of negotiations. A.R.S. Section 38-431.03(A)(4).~~

NO EXECUTIVE SESSION HAS BEEN REQUESTED.

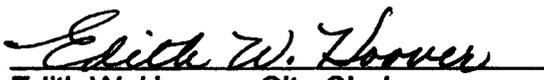
X. ADJOURNMENT

Councilor Delgado made a motion to adjourn at 7:00 p.m.; seconded by Councilor Cleveland.

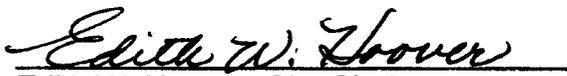
VOTE: Yea: Bedolla, Cleveland, Delgado, Kern, Super, Waterman
Nay:
Absent: Conner
Motion: Carried


Fred Waterman, Mayor

ATTEST:


Edith W. Hoover, 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 February 8, 2007 and a quorum was present.


Edith W. Hoover, City Clerk