

**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, MARCH 22, 2007**

Minutes

- I. **CALL TO ORDER** – The meeting was called to order by Mayor Fred Waterman at 6:01 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 Bill Conner, Councilor Adam Super, Attorney Fredda Bisman, City Engineer Chris Young, Police Chief Ken Holmes, Fire Chief Scott Alvord, Finance Director Larry Price, Community Development Director George Flores, Human Resources Director Toni Brown, Technology Services Director Pat Timlin, Public Works Director Lance Calvert, City Clerk Edith Hoover. Excused absence, City Manager BJ Cornwall

III. **CONSENT AGENDA**

1. **Consideration and action regarding approval of an amendment to the City of El Mirage Code of Conduct for Elected Officials.**

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

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

IV. **MAYOR'S COMMENTS**

Mayor Fred Waterman said that he spoke with Mr. Otterman, the President of the Dysart Unified School District Board of Directors regarding the Las Brisas area where the school was supposed to go.

The Mayor clarified that it wasn't Luke Air Force Base that turned down the site approval, it was the Attorney Generals decision to not allow the school in that area.

V. REGULAR AGENDA

A. Consideration and action regarding convening as the Board of Adjustment and opening a Public Hearing to consider a requested variance to allow a screen room addition for 15' vs. 30' side yard at 12520 W. Desert Cove Rd.

Councilor Delgado made a motion to convene into the Board of Adjustment; seconded by Councilor Conner.

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

Community Development Director George Flores said that Mr. and Mrs. Freberg suffer from arthritis and they plan on having the screen room surround their spa.

B. Consideration and action regarding closing the Board of Adjustment Public Hearing regarding a variance request to allow a screen room addition at 15' setback at 12520 W. Desert Cove Rd.

Councilor Super made a motion to close the Board of Adjustment Public Hearing; seconded by Councilor Conner.

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

C. Consideration and action on variance request by Robyn Freberg to allow a screen room addition with 15' vs. 30' side yard setback in R-43/75db at 12520 W. Desert Cove Rd.

Councilor Delgado made a motion to approve the variance request; seconded by Councilor Conner.

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

D. Consideration and action regarding closing the Board of Adjustment and reconvening into Regular Session.

Councilor Conner made a motion to close the Board of Adjustment; seconded by Councilor Delgado.

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

E. Consideration and action regarding convening into Public Hearing for the purpose of hearing public comment for the following Liquor License:

1) Series 9 – Liquor Store, Clare Hollie Abel, Wal-Mart Supercenter #4336, 12900 W. Thunderbird Rd.

Vice Mayor Michele Kern made a motion to convene into Public Hearing; seconded by Councilor Super.

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

Police Chief Ken Holmes said that the background check regarding applicant Clare Abel has been completed and there was nothing found to deny her request for the liquor license.

Police Chief Ken Holmes commented that the current liquor license Ordinance 006-07-11 is vague as to who requires a background check and who does not.

City Attorney Fredda Bisman stated that the ordinance can be amended to be more straight forward as to who all needs a background check for liquor licenses.

F. Consideration and action regarding closing the Public Hearing and reconvening into Regular Session.

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

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

G. Consideration and action regarding a Series 9 – Liquor Store liquor license for Clare Hollie Abel for the Wal-Mart Supercenter #4336 located at 12900 W. Thunderbird Rd., El Mirage.

Councilor Delgado made a motion to approve a Series 9 Liquor Store liquor license for Clair Hollie Abel for the Wal-Mart Supercenter #4336 located at 12900 W. thunderbird Rd.; seconded by Councilor Conner.

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

H. Consideration and action approving the purchase of a Fire Engine/Pumper from E-One, (Emergency One, Frontier Emergency Products) plus required loose equipment in the amount of, not to exceed \$500,000.

Fire Chief Scott Alvord said that they had to leave the bid fairly broad because the Fire Department sent out a price proposal which would allow for price quotes from numerous manufacturers.

Emergency One was chosen since they came the closest to meeting the El Mirage Fire Department's needs.

Loose equipment was not included in the price of the bid but the funds are available so the Fire Department can go out and competitively purchase the equipment locally.

The new fire truck is extremely important due to the fact that currently the Fire Department has only one functional truck.

Councilor Super asked about the warranty for the fire truck.

Chief Alvord said that there is a one year service and maintenance agreement included in the purchase price of the new fire truck.

Vice Mayor Michele Kern made a motion to approve the purchase of a Fire Engine/Pumper from E-One and necessary loose equipment not to exceed \$500,000; seconded by Councilor Conner.

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

VI. COUNCIL SUMMARY OF CURRENT EVENTS

Councilor Conner said that he met with Anna Chavez from Governor Napolitano's office on February 14, 2007. Discussions included the Las Brisas school site, state shared revenue formulas, regional transportation integration and local autonomy for municipalities. A copy of Councilor Conner's memo is available in the City Clerk's office.

Councilor Super is extremely happy with the Junior Council program but said that he is aware of the problem of children who live in El Mirage but are being bussed to Surprise. Councilor Super stated that he is looking into this problem and is trying to figure out a solution. He also welcomes any suggestions or input from the citizens.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Clerk Edith Hoover said that the City of El Mirage will be having a Household Hazardous Waste and Surplus Electronics Drop Off Event on April 14, 2007 at the Mercado located at 12420 West Thunderbird Road from 8:00 a.m. to 1:00 p.m.

The City of El Mirage is also having a Wellness/Career Fair on Saturday April 7, 2007 at El Mirage Elementary from 10:00 a.m. to 2:00 p.m.

VIII. CALL TO THE PUBLIC

Mary Izaguirre – 13505 S. El Frio St, El Mirage

Mary Izaguirre said that she still hasn't been able to get a contract or minutes approving dispatching services. She has requested a copy of both.

IX. EXECUTIVE SESSION

Discussion and consideration of employment and appointment of City Judge, and discussion and consultation with the City Attorney for legal advice regarding such employment and appointment. A.R.S. 38-431.03(A)(1) and (3).

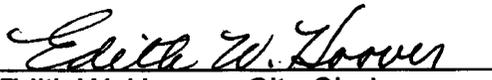
X. ADJOURNMENT

Councilor Super made a motion to adjourn at 6:50 p.m.; seconded by Councilor Conner.

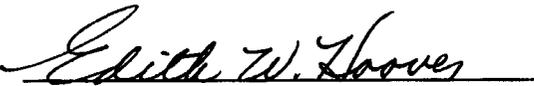
VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay:
Motion: Carried


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 March 22, 2007 and a quorum was present.


Edith W. Hoover, City Clerk