

**REGULAR and SPECIAL 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, JUNE 14, 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 Bill Conner, Councilor Adam Super.

Present were: City Attorney Fredda Bisman, Watch Commander Bill Hindman, 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 Richard Saathoff. Excused: City Manager B.J. Cornwall, Police Chief Ken Holmes.

**III. CONSENT AGENDA**

- 1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, May 24, 2007.**
- 2. Consideration and action approving the submission of a grant application to GADA for technical assistance to conduct a feasibility study related to animal control/animal sheltering.**

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

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**IV. MAYOR'S COMMENTS**

Mayor Fred Waterman stated that he is very happy that the money is in the budget for all of the road improvement projects currently going on in the City.

**V. REGULAR AGENDA**

**1A. Presentation of the Oath of Office to the Junior Councilmember for the month of June by Councilor Adam Super.**

**A. Consideration and action on opening a Public Hearing regarding the City of El Mirage Primary Property Tax Levy and to receive public comments on the proposed FY 2007-08 Annual Budget.**

Councilor Super made a motion to go into a Public Hearing; seconded by Councilor Conner.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

Mayor Fred Waterman asked for public comments regarding the City of El Mirage Primary Property Tax Levy. There were no comments from the public regarding the Primary Property Tax Levy.

Mayor Fred Waterman asked for public comments regarding the proposed FY 2007-08 Annual Budget. There were no comments from the public regarding the FY 2007-08 Annual Budget.

**B. Consideration and action regarding closing the Public Hearing.**

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

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**C. Consideration and action regarding adjourning the Regular Meeting and convening a Special Meeting.**

Vice Mayor Michele Kern made a motion to adjourn the Regular Meeting and convene into a Special Meeting; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none

**Motion: Carried**

Finance Director Larry Price stated that tonight's action is to approve the Primary Tax Levy of \$1,499,963. In two weeks, the City Council will be adopting the Secondary and Primary Tax Levy.

Councilor Conner asked whether or not the City is going to continue to raise the Primary Tax Levy equal to the constitutional legal limit for perpetuity and is it possible for the levy to decrease in the future if economic circumstances turn around for the City?

Finance Director Larry Price said that the Primary Property Tax Levy is Constrained to what it can be each year by the Arizona constitution.

In 05-06, the City Council decided not to adopt that years Tax Levy which then subsequently created a future lower legal limit to Levy.

Finance Director Larry Price recommended to never cut the Tax Levy to zero for the fact that the City would possibly have to go back to the public to reestablish the Primary Tax Levy.

**D. Consideration and action regarding the approval of the FY 2007-08 City Primary Tax Levy equal to the constitutional legal limit of \$1,499,963.**

Councilor Delgado made a motion to approve the FY 2007-08 City Primary Tax Levy equal to the constitutional legal limit of \$1,499,963; seconded by Vice Mayor Michele Kern.

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

**E. Consideration and action on approving R07-06-10 and adopting the Final Budget for FY 2007-08.**

Vice Mayor Michele Kern made a motion to approve the Final Budget for FY 2007-08; seconded by Councilor Delgado.

VOTE:   Yea:       Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
          Nay:       none  
          Motion: Carried

**F. Consideration and action adjourning the Special Meeting and reconvening the Regular Meeting.**

Councilor Bedolla made a motion to reconvene; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**G. Consideration and action regarding convening as Board of Adjustment and into a Public Hearing to consider:**

(1) **A variance to allow 30.7 sq. ft. sign on the side of a multi-tenant building in I-2 at 10111 N. El Mirage Rd.**

(2) **A variance to allow an 8' fence in R-1a for Sundial #3 neighborhood park at 12801 W. Cherry Hills. Dr.**

Vice Mayor Michele Kern made a motion to convene as the Board of Adjustment and into a Public Hearing; seconded by Councilor Conner.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

Community Development Director George Flores said that if the building was A stand alone building, it would by right, have the allowance for a secondary Sign. Since there are multiple buildings in one complex, a variance is Needed. Staff recommends approval.

Applicant Toby, stated that since his building is on the corner, people can't see his sign if they are not directly in front of the building. His landlord had no problem with the secondary sign on the side.

The applicant for variance item number two was in attendance but chose not to speak on the item.

**H. Consideration and action regarding closing the Public Hearing.**

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

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**I. Consideration and action on the request by Quick Lube for a variance to allow a sign on the side of a multi-tenant building in I-2 at El Mirage Commerce Center at 10111 N. El Mirage Road.**

Vice Mayor Michele Kern made a motion to approve the sign variance; seconded by Councilor Cleveland.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**J. Consideration and action on the request from Sundial #3 Homeowners for a variance to allow an 8' fence in R-1a in a neighborhood park at 12801 W. Cherry Hills Dr.**

Councilor Super made a motion to approve the 8' fence variance; seconded by Vice Mayor Michele Kern.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

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

Councilor Cleveland made a motion to close the Board of Adjustment and reconvene into Regular Session; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

**VI. COUNCIL SUMMARY OF CURRENT EVENTS**

Councilor Delgado said that the City of El Mirage library usage rates have rebounded to 30% for the summer. He encourages everyone to get over to the library and use it.

**VII. CITY MANAGER SUMMARY OF CURRENT EVENTS**

The Wal-mart at Dysart and Thunderbird is on schedule for their July 18<sup>th</sup> opening.

All road construction projects throughout the City are on schedule and the improvements at Dysart and Thunderbird intersection will be completed prior to the Wal-mart grand opening.

**VIII. CALL TO THE PUBLIC**

Mary Izaguirre chose not to speak. She said that she will wait until the Police Chief returns.

**IX. EXECUTIVE SESSION**

No Executive Session has been requested.

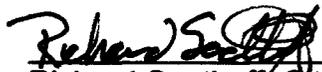
**X. ADJOURNMENT**

Councilor Delgado made a motion to adjourn at 6:25 p.m.; seconded by Councilor Conner.

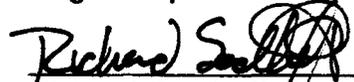
VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman  
Nay: none  
Motion: Carried

  
Fred Waterman, Mayor

ATTEST:

  
Richard Saathoff, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the Regular/Special meeting of June 14, 2007 and a quorum was present.

  
Richard Saathoff, City Clerk