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, JUNE 28, 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 followed by a Moment of Silence

II. **ROLL CALL** – Present were: Mayor Fred Waterman, Vice Mayor Michele Kern, Councilor Xavier Bedolla, Councilor Roger Cleveland, Councilor Bill Connor, Councilor Roy Delgado, Councilor Adam Super.

Present were: City Manager BJ Cornwall, Attorney Fredda Bisman, Deputy Police Chief Bill Hindman, 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: Fire Chief Scott Alvord, Police Chief Ken Holmes.

III. **CONSENT AGENDA**

1. **Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, June 14, 2007.**

2. **Consideration and action regarding entering into an IGA between Maricopa county and the City of El Mirage, Arizona on behalf of Maricopa County Sheriff's Office for coordination of the Bureau of Justice Assistance (BJA), Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET).**

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

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

IV. **MAYOR'S COMMENTS**

Mayor Waterman reported that Walmart will be opening in twenty (20) days. He is very pleased the Walmart choose to open a store in El Mirage. This is a big step for El Mirage and will lead to other stores opening in the City.

V. REGULAR AGENDA

A. Consideration and action regarding Ordinance No. O07-06-04, approving and adopting the property tax levies for Fiscal Year 2007-08. The Primary Property Tax Levy is $1,499,963. The Secondary Property Tax Levy is $376,438. The total levies for FY 2007-08 is $1,876,401, and an emergency is being declared.

Finance Director Larry Price presented the Ordinance for adoption.

Councilor Kern made a motion to approve the Ordinance No. O07-06-04; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Delgado, Kern, Waterman.
Nay: Connor, Super
Motion Carried, not as an emergency.

City Attorney Bisman clarified that since the Ordinance was not approved by a super majority, the Ordinance was adopted without the emergency clause which means it doesn't go into effect immediately.

B. Consideration and action regarding the approval of Resolution No. R07-06-12, to implement measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Non-attainment Area

Pat Dennis, Intergovernmental Affairs Coordinator presented the Resolution for adoption, gave a brief summary of the requirements of PM-10 and the City's proposed plan.

Councilor Super made a motion to approve Resolution No. R07-06-12; seconded by Councilor Bedolla.

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

C. Consideration and action regarding the appointment of Michael Barvitz, Trent Kubasiak, and Keith Turley to the Planning and Zoning committee for the term of July 1, 2007 thru June 30, 2009.

Councilor Super made a motion to approve the appointment of Michael Barvitz, Trent Kubasiak, and Keith Turley to the Planning and Zoning Committee; seconded by Councilor Delgado.

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

D. Consideration and action regarding entering into an Intergovernmental Agreement (IGA) and approving a Memorandum of Understanding (MOU) between Maricopa County Department of Transportation, City of Surprise and the City of El Mirage for the El Mirage Road New Construction and Widening Project – Northern Avenue to Bell Road.

City Manager Cornwall reported the IGA and MOU are only for the DCR for the proposed project. After the DCR is finalized, all three (3) jurisdictions will need to approve the project before the project is let out for bid. This is the next step in the project that was discussed in November 2006.

Mary Izaguirre questioned how the value was going to be placed on the properties that would be required to be purchased if this project is completed.

City Attorney Bisman stated the item open for current discussion is the IGA and MOU for the DCR.

Councilor Kern made a motion to approve the Intergovernmental Agreement and the Memorandum of Understanding; seconded by Councilor Connor.

VOTE: Yea: Bedolla, Cleveland, Connor, Kern, Waterman. Super
Nay: Delgado, ~~Super~~
Motion Carried

VI. COUNCIL SUMMARY OF CURRENT EVENTS

Councilor Super reported:

1) The first semester of the Junior Councilmembers has ended. He would like to thank all for their assistance, especially JoAnne Garrett for coordinating the tours.
2) He addressed the West Valley Kiwanis Club.
3) Reported the Councilor Cleveland and he had attended the League of Arizona Cities and Towns seminar for newly Elected Officials.
4) He is forming a new Committee, Administrative Procedures Committee, to address the meeting format. The Committee will consist of himself, a staff member and three (3) members at large.
5) Reported that he had sent a letter to the Dysart School Board suggesting two (2) El Mirage Residents for appointment to fill vacancy on the Board. The Board appointed the losing candidate from the last election. He requests that staff draft a Resolution expressing the Council's displeasure with the recent appointment and that the City Attorney investigate the resignation and subsequent rescinding of the resignation.

Councilor Connor reported the proposed animal code has been presented to staff for review and will be presented to Council at the next meeting.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Manager reported that all the road projects have been completed and within budget. Police recruitment is going well. The grand opening for Walmart will be July 18th. He introduced his intern from Grand Canyon University, Andy Rumpeltes. He reported that the Fire Chief is in Florida, inspecting the new fire truck. Wednesday, July 11th at 5:30 p.m. the Dysart School Board will hold a public hearing on the Las Brisas school site. The City Manager encourages the Council to attend this meeting.

VIII. CALL TO THE PUBLIC

Mary Izaguirre reported that on May 30th the City of El Mirage was without a Police Officer on duty from 5:30 am to 6:00 am. The dispatching is still not good and the City is discussing contracting with the City of Surprise (which can't handle the City of El Mirage) for dispatching service. She feels the City's meeting postings should be published in either the Surprise News or the Arizona Republic. She also requests a report at the next meeting regarding Maricopa County's request for the City of El Mirage to either complete the contract for Police Services or end it now.

IX. EXECUTIVE SESSION

No Executive Session has been requested.

X. ADJOURNMENT

Councilor Super made a motion to adjourn at 6:37 p.m.; seconded by Connor.

VOTE: Yea: Bedolla, Cleveland, Connor, 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 City of El Mirage Regular Council Meeting held on June 28, 2007 and a quorum was present.

Richard Saathoff, City Clerk