

**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, September 27, 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 Bill Conner (via teleconference), Councilor Roger Cleveland, Councilor Roy Delgado (via teleconference), Councilor Adam Super (via teleconference).

Staff present were: City Attorney Rick Flaaen, Deputy Police Chief 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.

**III. CONSENT AGENDA**

- 1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, September 13, 2007.**
- 2. Consideration and action regarding the submission of grant application to Major League Baseball's "Baseball Tomorrow Foundation".**
- 3. Consideration and action regarding the Final Plat Approval for El Mirage Investors.**
- 4. Consideration and action regarding entering into an IGA between Maricopa County Superior Court and the City of El Mirage on behalf of the Community Development Department Code Enforcement Section, for coordination of Maricopa County Adult Probation Department, City of El Mirage Code Enforcement.**
- 5. Consideration and action approving an IGA with the Regional Public Transportation Authority to provide transportation services to the Citizens of El Mirage.**

Vice Mayor Kern made a motion to approve the consent agenda items;  
seconded by Councilor Bedolla.

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

#### **IV. MAYOR'S COMMENTS**

Mayor Fred Waterman had no comments.

#### **V. REGULAR AGENDA**

##### **A. Consideration and action regarding convening as the Board of Adjustment to consider variances to allow the following at El Mirage Marketplace at the SW corner of El Mirage & Cactus Roads:**

- 1. More than one freestanding sign per frontage for multiple businesses on parcel.**
- 2. Trash receptacles within the 10' landscape setback adjacent to residential zoning.**
- 3. 40' rather than 45' setback adjacent to residential zoning [on the south property line].**
- 4. 24-hour gas station [vs. 7 am to 11 pm per Sec. 21-5-8C2(f) of the Zoning Ordinance.**

Vice Mayor Kern made a motion to convene into the Board of Adjustment and into a public hearing; seconded by Councilor Bedolla.

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

Community Development Director George Flores stated that the applicant wanted to have more than one freestanding sign so that signs can be posted on the gas station, carwash, retail center etc.

The trash receptacles will be placed adjacent to the wash and the development will have a six foot wall which will hide the trash bins.

Mayor Fred Waterman asked what type of lighting the applicant is planning to have.

Developer, Joe David, stated that the lighting will sit flush with the canopy.

**B. Consideration and action regarding the closing of the Board of Adjustment public hearing.**

Vice Mayor Kern made a motion to close the Board of Adjustment public hearing; seconded by Councilor Cleveland.

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

**C. Consideration and action regarding variances for El Mirage Marketplace at the SW corner of El Mirage & Cactus Roads:**

- 1. More than one freestanding sign per frontage for multiple businesses on parcel.**
- 2. Trash receptacles within the 10' landscape setback adjacent to residential zoning.**
- 3. 40' rather than 45' setback adjacent to residential zoning [on the south property line].**
- 4. 24-hour gas station [vs. 7 am to 11 pm per Sec. 21-5-8C2(f) of the Zoning Ordinance.**

Councilor Delgado made a motion to approve the four variances;  
Seconded by Councilor Super.

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

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

Councilor Super made a motion to close the meeting of the Board of Adjustment and reconvene into regular session; seconded by Councilor Delgado.

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

**E. Consideration and action on opening a public hearing on site plan and conditional uses for gas station and car wash for El Mirage Marketplace located at the SW corner of El Mirage & Cactus Roads.**

Vice Mayor Kern made a motion to open a public hearing regarding site plan and conditional uses for El Mirage Marketplace; seconded by Councilor Bedolla.

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

Community Development Director George Flores stated that this is a request to approve the site plan for El Mirage Marketplace located at the southwest corner of El Mirage and Cactus Roads.

The Planning and Zoning Commission recommended approval on September 5, 2007, subject to the 13 stipulations noted in the packet.

**F. Consideration and action on closing the public hearing on zoning request.**

Councilor Delgado made a motion to close the public hearing; seconded by Councilor Super.

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

**G. Consideration and action on request for approval of site plan and conditional use permits for El Mirage Marketplace located at the SW corner of El Mirage & Cactus Roads.**

Vice Mayor Kern made a motion to approve the site plan for El Mirage Marketplace; seconded by Councilor Bedolla.

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

**VI. COUNCIL SUMMARY OF CURRENT EVENTS**

Councilor Super said that he is working on finalizing the administrative procedures committee and that the Junior Council will be rejoining the City Council in October.

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

Community Development Director George Flores stated that the bulk trash event held on September 22 was very successful. Over 650 El Mirage households participated.

There have been over 100 applications submitted for the El Mirage Police Department positions. Offers to police applicants will start to be made in early October.

Starting on October 11, the City of Surprise will begin to handle police dispatch responsibilities for the El Mirage Police Department.

The El Mirage Fire Department will be purchasing a new fire engine from the Pierce Manufacturing Company. This new fire engine should be available for final inspection within 45 days and will hopefully be in use by Thanksgiving.

**VIII. CALL TO THE PUBLIC**

The public had no comments.

**IX. EXECUTIVE SESSION**

No Executive Session has been requested.

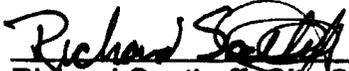
**X. ADJOURNMENT**

Vice Mayor Kern made a motion to adjourn at 6:15 p.m.; seconded by Councilor Super.

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 City of El Mirage Regular Council Meeting held on September 27, 2007 and a quorum was present.

  
Richard Saathoff, City Clerk