

**REGULAR/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, JULY 10, 2008**

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 (via phone), Councilor William Conner, Councilor Roger Cleveland, Councilor Roy Delgado, Councilor Adam Super.
- III. CONSENT AGENDA**

Mayor Waterman removed agenda item A from the Regular Agenda.

- 1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, June 26, 2008.**
- 2. Consideration and action to approve a one year contract with Area Agency on Aging to receive funding awarded for FY 2008-09 in the amount of \$187,357 toward the operation of the El Mirage Senior Center congregate meals, home delivered meals and multipurpose center operation programs.**
- 3. Consideration and action to accept a proposal from Whitfill Nursery for the purchase and installation of Palm trees in the Thunderbird Road medians in the amount of \$66,198.38.**
- 4. Consideration and action approving Resolution R08-07-19, authorizing the submission of an application for grant consideration by the Arizona Department of Transportation and the Maricopa Association of Governments relating to facilities for pedestrians and bicycles.**
- 5. Consideration and action approving Resolution R08-07-20, rescinding in its entirety the 1988 Personnel Manual, as amended, and approving and adopting the City of El Mirage Personnel Policy Manual dated June 30, 2008.**
- 6. Consideration and action approving a Memorandum of Understanding between the City of El Mirage and the El Mirage Fire Fighters Association for fiscal years 2008-09, 2009-10, and 2010-11.**

- 7. Consideration and action authorizing staff to negotiate and the City Manager to enter into a contract with the consulting firm, The Planning Center, to prepare an updated comprehensive General plan for the City of El Mirage in an amount not to exceed \$280,500 over an 18-month period.**

Councilor Delgado made a motion to approve the Consent Agenda, items 1 through 7; seconded by Vice Mayor Kern.

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

IV. REGULAR AGENDA

- A. Consideration and action approving an Intergovernmental Agreement between the City of El Mirage and the City of Surprise for the City of El Mirage to provide water service to the Surprise Original Townsite.**

Regular Agenda item A has been removed.

- B. Presentation by COX Communications.**

Jamie Boyett gave a brief overview of services provided to the City of El Mirage as well as to the citizens. Ms. Boyett stated that there are approximately 4,500 basic cable customers within the City.

- C. Consideration and action approving an IGA between the Maricopa County Library District and the City of El Mirage to provide library service to the citizens of El Mirage.**

Councilor Super made a motion to approve the IGA between the Maricopa County Library District and the City of El Mirage; seconded by Vice Mayor Kern.

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

- D. Public Hearing – To receive citizen comments regarding a proposed change to the Zoning Code of the City of El Mirage regulating the location of pawn shops and non-chartered financial institutions (payday loan stores).**

Mayor Waterman opened the public hearing.

No comments were received.

Mayor Waterman closed the public hearing.

E. Consideration and action adopting Ordinance No. O08-07-11, amending the Zoning Code of the City of El Mirage to provide regulations and restrictions regarding the placement of pawn shops and non-chartered financial institutions (payday loan stores).

Councilor Conner made a motion to approve Ordinance O08-07-11; seconded by Councilor Super.

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

F. Public Hearing – To receive citizen comments regarding a proposed change to the Zoning Code of the City of El Mirage regulating the location of sexually oriented businesses.

Mayor Waterman opened the public hearing.

No comments were received.

Mayor Waterman closed the public hearing.

G. Consideration and action adopting Ordinance No. O08-07-12, amending the Zoning Code of the City of El Mirage to provide regulations and restrictions regarding the placement of sexually oriented businesses.

Vice Mayor Kern made a motion to approve Ordinance O08-07-12; seconded by Councilor Super.

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

H. Public Hearing – to receive citizen comments as to whether the City of El Mirage should seek voter approval for an alternative expenditures limitation – Home Rule Option.

Mayor Waterman opened the public hearing.

No comments were received.

Mayor Waterman closed the public hearing.

I. Consideration and action approving Resolution R08-07-18, proposing an extension of the alternative expenditure limitation – Home Rule Option.

Mayor Waterman adjourned the Regular Session and convened into Special Session to decide the placement of an Alternative Expenditure Limitation ballot question on the November 4, 2008 Special Election ballot.

Vice Mayor Kern made a motion to approve Resolution R08-07-18; seconded by Councilor Delgado.

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

J. Consideration and action approving Resolution R08-07-17, calling a Special Election to be held November 4, 2008, to submit to the question of selling and issuing \$16,000,000 of General Obligation Bonds payable for secondary (ad valorem) property taxes.

Councilor Super made a motion to approve Resolution R08-07-17; seconded by Councilor Conner.

Vice Mayor Kern asked whether or not the City expects to pay 10% annum regarding the General Obligation Bonds.

City Manager BJ Cornwall stated that when the City goes to the bond market, the City expects to pay well below 10%.

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

K. Consideration and action approving Ordinance O08-07-13, amending the Code of the City of El Mirage to provide mechanisms for the completion of public improvements prior to the development of adjoining property by the City or private developers.

Vice Mayor Kern made a motion to approve Ordinance O08-07-13; seconded by Councilor Delgado.

Councilor Delgado stated that this Ordinance has been a long time coming and it should help bring in and set up businesses more quickly.

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

L. Consideration and action approving Ordinance O08-07-14, amending the Code of the City of El Mirage, Chapter 17, relating to graffiti.

Councilor Super made a motion to approve Ordinance O08-07-14; seconded by Councilor Conner.

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

M. Consideration and action approving the appointment of Teena Chavez to the Youth Interests and Program Committee.

Councilor Cleveland made a motion to approve the appointment of Teena Chavez to the Youth Interests and Program Committee; seconded by Councilor Conner.

Vice Mayor Kern thanked Teena Chavez for volunteering.

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

V. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

Mayor Waterman discussed an upcoming proposition that, if passed, would raise the sales tax 1% in order to raise money for the state transportation fund.

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall said that the groundbreaking for Heritage Park, located at the corner of Peoria Ave and El Mirage Road, will be held next Thursday, July 17th at 8:30 a.m.

The City of El Mirage has distributed 640 of 1000 free passes for the swimming pool located in Surprise so far. El Mirage residents can obtain these passes at the Dysart Community Center.

City Manager BJ Cornwall thanked El Mirage resident Richard Arias for his heroic deeds. On June 18th at approximately 11:00 a.m. there was a vehicle collision in the 7900 block of West Wacker Road in Peoria. Richard Arias happened to be working in the area and was close by when he heard the collision. Upon rushing to the scene, he saw that a young woman had struck a parked vehicle and the driver's side of her car had caught fire. The doors of the car were pinched shut by the force of the crash; the driver who was restrained by her seatbelt was unable to get out of the burning car, Richard

attempted to open the passenger side door but was unable to. Thinking quickly and knowing there wasn't much time, he then broke the passenger door window and bent the upper part of the door frame with his bare hands. He was then able to partially enter the vehicle through the passenger door window, disconnect the female driver's seat belt and remove her from the burning vehicle through the passenger door window. A few seconds later, the vehicle was fully engulfed in flames.

The police officers at the scene stated that there was no doubt the women would have been burned to death without the heroic rescue effort by Richard Arias.

City Manager BJ Cornwall presented Mr. Arias with a plaque honoring him for his heroism.

VII. CALL TO THE PUBLIC

Steele Moran, 12575 W. Lisbon Lane, El Mirage

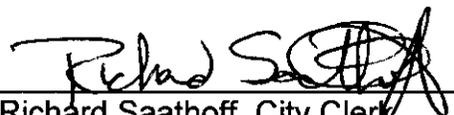
Mr. Moran stated that he would like to see the washes trim, neat and clean.

VIII. ADJOURNMENT

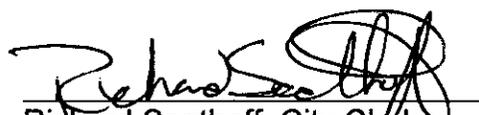
Mayor Waterman adjourned the meeting at 6:34 p.m.


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 July 10, 2008 and a quorum was present.


Richard Saathoff, City Clerk