

**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 25, 2009**

**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, Councilmember Roger Cleveland, Councilmember William Conner, Councilmember Roy Delgado, Councilmember David Shapera, Councilmember Adam Super.
  
- III. **CONSENT AGENDA**
  1. **Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, June 11, 2009.**
  
  2. **Consideration and action approving and accepting dedication by gift to the City of El Mirage from Manya Long, Shirley Long and Jacob Long of approximately 1.989 acres, and directing and authorizing the Mayor and City Manager to sign all documents necessary to accept said dedications on behalf of the City.**
  
  3. **Consideration and approval of a Right-of-Way License to Plains LPG Services, L.P., to place and maintain two additional six inch (6") pipelines within Olive Avenue and Dysart Road within the City of El Mirage to be used to transport liquid propane and butane gases.**
  
  4. **Consideration and action to give signature authority to the City Manager to award the contract for the Southern Sewer System – El Mirage Road Project (City's project No. PW08-WW05) to Citywide Contracting, LLC. in the amount of \$505,212.17 and approve a 10% contingency in the amount of \$50,521.22. The total amount requested is \$555,733.39.**
  
  5. **Consideration and action to give signature authority to the City Manager to award the contract for the Southern Sewer System Project -121<sup>st</sup> Avenue Interceptor Sewer (City's project No. PW08-WW04) to Crush Construction, LLC. in the amount of \$211,178.01 and approve a 10% contingency in the amount of \$21,117.80. The total amount requested is \$232,295.81.**

- 6. Consideration and action to give signature authority to the City Manager to award the contract for the Cottonwood Street Waterline Improvements (City's project No.PW08-W04) to R.K. Sanders, Inc. in the amount of \$196,496.21 and approve a 10% contingency in the amount of \$19,649.62. The total amount requested is \$216,145.83.**

Councilmember Delgado made a motion to approve all Consent Agenda items; seconded by Vice Mayor Kern.

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

#### **IV. REGULAR AGENDA**

- A. Consideration and action approving Ordinance O09-06-06, establishing the City's property tax levies for Fiscal Year 2009-2010.**

Councilmember Super made a motion to approve Ordinance O09-06-06; seconded by Vice Mayor Kern.

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

- B. Consideration and action appointing to the City of El Mirage's Planning & Zoning Commission: Brandon Forrey, Ben Lewis and Bill Morrison, as per the recommendation of the Commission Review Board. The appointments are for a two (2) year period, July 1, 2009 to June 30, 2011.**

Councilmember Super made a motion to appoint Ben Lewis to the Planning and Zoning Commission; seconded by Vice Mayor Kern.

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

Councilmember Super made a motion to table Brandon Forrey's appointment to the Planning and Zoning Commission to the next regularly scheduled Council meeting due to his absence; seconded by Councilmember Conner.

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

Councilmember Super made a motion to appoint Bill Morrison to the Planning and Zoning Commission; seconded by Vice Mayor Kern.

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

Mayor Waterman congratulated Mr. Ben Lewis and Mr. Bill Morrison on their Planning and Zoning Commission appointments.

**C. Consider and provide city staff direction regarding the future rates and/or operation of the irrigation system providing irrigation service to the Dysart Ranchettes area of the City.**

City Manager BJ Cornwall made a recommendation to the City Council to give the City Manager up to 60 days and form a City Manager's working group which will include approximately three to five individuals from the Dysart Ranchettes, along with city staff, to go through all the questions, problems and possible solutions surrounding the irrigation system in the Dysart Ranchettes and then bring a recommendation back to the Council.

Vice Mayor Kern made a motion to table regular agenda item C indefinitely and grant the City Manager permission that he has requested; seconded by Councilmember Cleveland.

Brenda Eichsleod, 12934 W Sahuaro Dr, declined to comment and will wait to comment further down the road.

Mr. Jim Perry, 12636 W Peoria Ave, thanked staff and the City Council for giving the Dysart Ranchette owners more time to work through the irrigation issues.

Cathy Henderson, 12921 W. Wolfley Dr., thanked everyone for allowing more time to work through the irrigation issues. Cathy stated that she will notify staff of the committee members after their next scheduled meeting which is July 7<sup>th</sup>.

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

**D. Discussion and Council direction concerning the FY 09-10 Senior Center Program.**

Finance Director Larry Price gave a brief overview of the current Senior Center program and the five options that have been provided to the City Council for their recommendation for the FY 09-10.

Discussion ensued between Council and city staff as to the specifics of each of the five different options.

Councilmember Super made a motion to remove item D from the table; seconded by Councilmember Conner.

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

Councilmember Delgado made a motion to approve option #2; seconded by Vice Mayor Kern.

VOTE: Yea: Delgado, Kern  
Nay: Cleveland, Conner, Shapera, Super, Waterman  
Motion: Failed

Vice Mayor Kern made a motion to approve option #3; seconded by Councilmember Shapera.

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

**E. Consideration and action to approve a Memorandum of Understanding with Maricopa County and twelve Cities and Towns in the County to accept Edward Byrne Justice Assistance Grant Funds in the amount of \$11,334 for use by the El Mirage Police Department.**

Councilmember Delgado made a motion to approve item E; seconded by Vice Mayor Kern.

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

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

Mayor Waterman thanked the new Planning and Zoning Commission members for their service to the city.

Councilmember Conner said that he is glad to see so many people attend the Council meeting and he would like to see the same involvement in the future.

Councilmember Cleveland also stated that he would like to see more input from the community on future issues.

Councilmember Shapera complimented the great landscaping work that is being done in the Cactus Park area.

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

City Manager BJ Cornwall said that the power supply issue to the new park has been resolved with APS.

The city is still having problems obtaining the proper permits from the county for the splash pad. The county is classifying it as a public pool. The tentative completion date has been moved to August 1.

In celebration of the 70<sup>th</sup> anniversary of the Wizard of Oz, Margaret Pellegrini, one of the last known live munchkins from the movie, will be in attendance at the Senior Center on Tuesday, June 30<sup>th</sup> at 1:30 p.m.

**VII. CALL TO THE PUBLIC**

No comments were received.

**VIII. ADJOURNMENT**

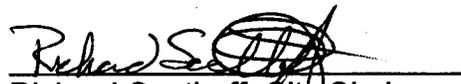
Mayor Waterman adjourned the meeting at 6:55 p.m.

  
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 June 25, 2009 and a quorum was present.

  
Richard Saathoff, City Clerk