

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE MUNICIPAL COURT/CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 P.M., THURSDAY, OCTOBER 8, 2009**

Minutes

- I. **CALL TO ORDER** – The meeting was called to order by Mayor Michele Kern 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 Michele Kern, Vice Mayor David Shapera, Councilmember Roger Cleveland, Councilmember Roy Delgado, Councilmember Adam Super.
Absent: Councilmember William Conner.

III. **CONSENT AGENDA**

Mayor Kern removed consent agenda items (1) and (4) so they could be voted on separately.

1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, September 10, 2009.
2. **Consideration and action approving the Minutes of the Special Council Meeting held Thursday, September 24, 2009.**
3. **Consideration and action approving Resolution R09-10-33, a resolution updating the valuation and fee schedule for building permits, inspections and plan review fees.**
4. Consideration and action approving the Mayor and City Clerk to sign an Intergovernmental Agreement between the Arizona State Department of Transportation (ADOT) and the City of El Mirage, authorizing photo-enforcement at fixed locations and via the mobile speed-enforcement van on Grand Avenue within the El Mirage city limits.
5. **Consideration and action requesting that the Mayor and Council award a three (3) year contract for tree maintenance to Tree Pro's.**
6. **Consideration and action requesting that the Mayor and Council award a three (3) year contract for landscape maintenance to Artistic Land Management.**
7. **Consideration and action requesting that the Mayor and Council award a contract to Mueller Service Company, under City of Phoenix Contract #P-08695-09, to perform fire hydrant maintenance and**

refinishing throughout the City's water distribution system in an amount not to exceed \$50,000.

Councilmember Super made a motion to approve Consent Agenda items 2, 3, 5, 6, and 7; seconded by Vice Mayor Shapera.

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

IV. REGULAR AGENDA

1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, September 10, 2009.

Councilmember Super made a motion to approve the September 10, 2009 regular Council meeting minutes; seconded by Councilmember Cleveland.

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

4. Consideration and action approving the Mayor and City Clerk to sign an Intergovernmental Agreement between the Arizona State Department of Transportation (ADOT) and the City of El Mirage, authorizing photo-enforcement at fixed locations and via the mobile speed-enforcement van on Grand Avenue within the El Mirage city limits.

Councilmember Super made a motion to approve the IGA authorizing photo-enforcement at fixed locations and via the mobile speed-enforcement van on Grand Avenue within the El Mirage city limits; seconded by Councilmember Cleveland.

Discussion ensued between the Council regarding the placement of photo-enforcement cameras at fixed locations near the intersection of Grand Ave. and Primrose St.

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

A. Consideration and action to approve a contract with Education Network Meals, LLC to provide the Congregate Meals program to El Mirage residents at the Senior Center.

Councilmember Super made a motion to approve the contract with Education Network Meals, LLC; seconded by Councilmember Shapera.

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

B. Public Hearing – To receive citizen comments regarding a proposed change to the Zoning Code of the City of El Mirage regulating the location, placement, and use of cargo containers within the City.

Mayor Kern opened the public hearing.

No comments were received.

Mayor Kern closed the public hearing.

C. Consideration and action approving Ordinance O09-10-12, amending the Zoning Code of the City of El Mirage to regulate the location, placement, and use of cargo containers within the City.

Councilmember Cleveland made a motion to approve Ordinance O09-10-12; seconded by Councilmember Shapera.

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

D. Public Hearing – To receive citizen comments regarding a proposed conditional use permit to allow a 1,800 square foot accessory garage at 10770 N. 127th Avenue.

Mayor Kern opened the public hearing.

No comments were received.

Mayor Kern closed the public hearing.

E. Consideration and action regarding a proposed conditional use permit to allow a 1,800 square foot accessory garage at 10770 N. 127th Avenue.

Councilmember Super made a motion to approve the conditional use permit for an accessory garage at 10770 N. 127th Avenue; seconded by Councilmember Shapera.

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

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

Councilmember Shapera thanked the El Mirage Police Department for putting on a demonstration at Thompson Ranch Elementary school last Friday. The PD talked about drunk driving as well as how radar works. Councilmember Shapera also thanked the El Mirage Fire Department for putting on a fire prevention demonstration on Monday. Both events were well received.

Councilmember Shapera said that the bailiff position at the El Mirage Municipal Court has not yet been filled but it should be done shortly.

Councilmember Super said that the new CDAC construct which consists of Councilmember Super as the primary delegate, Councilmember Cleveland as the alternate, and Vice Mayor Shapera as the apprentice, will begin at the meeting in November.

Mayor Kern gave an update regarding the Dysart Ranchettes irrigation system and stated that the item will be placed on a future Council agenda in the November timeframe.

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall said that Maricopa County will be holding a public forum on November 4th from 5:00 p.m. to 7:00 p.m. at the Dysart Community Center in regards to the El Mirage Road DCR.

The Phoenix New Time newspaper does a "Best of Phoenix" award every year and this year, the award for "Best Reinvented Police Department" goes to the City of El Mirage PD. City Manager BJ Cornwall congratulated Chief Frazier and all of the members of the El Mirage PD for a job well done.

On September 25th, the Department of Homeland Security selected the El Mirage Fire Department as the recipient of the SAFER grant in the amount of \$650,280 which will be used to hire six new firefighters for the new fire station. City Manager BJ Cornwall congratulated Grants Coordinator Pat Gegan and Fire Chief Darrell Rezendes for all of their hard work in obtaining the grant.

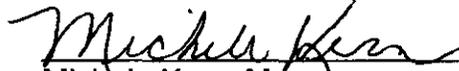
VII. CALL TO THE PUBLIC

Dan Reilly – 12905 W Windrose Dr.

Mr. Reilly asked what happened to the voter approved funding which was supposed to be used to fix Dysart Road and build a new city hall.

VIII. ADJOURNMENT

Mayor Kern adjourned the meeting at 6:17 p.m.


Michele Kern, 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 October 8, 2009 and a quorum was present.


Richard Saathoff, City Clerk