

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE MUNICIPAL COURT/COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 P.M., THURSDAY, JUNE 10, 2010**

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 Ben Lewis, Councilmember Adam Super.
- III. **CONSENT AGENDA**
1. **Consideration and action approving the minutes of the Regular Council Meeting held Thursday, May 13, 2010.**
 2. **Consideration and action approving the minutes of the Regular Council Meeting held Thursday, May 27, 2010.**
 3. **Consideration and action approving the minutes of the Work Session held Thursday, May 27, 2010.**
 4. **Consideration and action to give signature authority to the City Manager to execute an agreement with APS to provide new street lights and to relocate existing overhead power lines at the Thunderbird Road and Dysart Road intersection. The total authorized amount for this project will be \$503,230.00.**
 5. **Consideration and action approving an agreement with Electrical District Number Seven (ED7) for payment of stranded power recovery costs in the amount of \$93,569 (to be paid \$7,797 per month for twelve months) that have been imposed by Arizona Public Service (APS) for the inclusion of four City Water Wells transferred from APS service area to the ED7 District.**

Councilmember Super made a motion to approve the Consent Agenda; seconded by Vice Mayor Shapera.

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

IV. REGULAR AGENDA

A. Consideration and action to appoint to the City of El Mirage's Planning & Zoning Commission: Mary Koestner and Doug Doede to terms expiring June 30, 2012, as per the recommendation of the Commission Review Board.

Councilmember Delgado made a motion to appoint Mary Koestner and Doug Doede to the Planning & Zoning Commission, terms expiring June 30, 2012; seconded by Vice Mayor Shapera.

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

B. Consideration and action approving Resolution R10-06-15, adopting the Estimated Expenditures and Revenues of the City of El Mirage for FY 2010-11.

Jim McPhetres – 12613 W. Sierra St.

Mr. McPhetres said that he is concerned about the impact that the proposed tax increases will have on El Mirage tax payers and is troubled with the financial priorities of the Council.

Councilmember Super made a motion to approve Resolution R10-06-15, adopting the Estimated Expenditures and Revenues of the City of El Mirage for FY 2010-11; seconded by Vice Mayor Shapera.

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

C. Consideration and action regarding increasing the following fees for the City of El Mirage:

- 1) Increase the residential sanitation fee from the current rate \$8.13 per month.
- 2) Increase the annual residential rental business license fee from the current fee of \$25.00 for the first property and \$10 for each additional property.
- 3) Increase the restaurant/bar tax rate by one percent (1%), from three percent (3%) to four percent (4%).
- 4) Increase the primary property tax by 1.98%

Jeff Hockett – 11740 W. Tierra Grande, Sun City, AZ

Mr. Hockett stated that he is a member of the West Maricopa County Association of Realtors and that he opposes the increase in the residential rental business license fee and the property tax increase

because he believes that these policies will make homes less affordable and discourage economic recovery.

Amanda Wright – 3033 N. Central Ave., Phoenix, AZ

Ms. Wright stated that she is from Mario E. Diaz and Associates and is a member of the West Maricopa Regional Association of Realtors. Ms. Wright expressed her concerns over the proposed increase in the residential rental business license fee and the proposed increase to the primary property tax. These increases will make homes less affordable and would slow down economic growth and recovery.

Sue Flucke – 14525 W. Mulberry Dr., Goodyear, AZ

Ms. Flucke stated that she represents the West Maricopa Association of Realtors and is concerned over the proposed increase in the residential rental business license fee because she feels that investors will be encouraged to go to other cities that haven't raised their rate.

Jeff Cantor – 13915 N. Dysart Rd.

Mr. Cantor stated that he is a business owner in El Mirage and that he opposes the proposed 1% increase in the restaurant/bar tax. Mr. Cantor said that current business is down as much as 70% due to the economic times and the road construction.

Lana Mook – 11201 N. El Mirage Rd. F140

Ms. Mook stated that she is concerned over the proposed tax increases. Raising so many taxes at the same time will have a devastating effect on the community. Spending money on non-essentials, cutting funding on public safety, and raising taxes is not a good solution.

Lynn Selby – 11201 N. El Mirage Rd. F115

Mr. Selby asked Council to reconsider the proposed taxes. Raising taxes at this time would cripple the city. Mr. Selby asked what has the city done to decrease expenditures and asked to open the budgeting process to the public so that new ideas could be brought to the table.

1) Increase the residential sanitation fee from the current rate \$8.13 per month.

Councilmember Super made a motion to approve allowing staff to bring back the residential sanitation fee increase at the next regularly scheduled Council meeting; seconded by Vice Mayor Shapera.

VOTE: Yea: Cleveland, Delgado, Kern, Lewis, Shapera, Super
Nay: None

Motion: Carried

- 2) **Increase the annual residential rental business license fee from the current fee of \$25.00 for the first property and \$10 for each additional property.**

Councilmember Super made a motion to approve allowing staff to bring back the increase of the annual residential rental business license fee from the current \$25.00 for the first property and \$10 for each additional property at the next regularly schedule Council meeting; seconded by Vice Mayor Shapera.

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

- 3) **Increase the restaurant/bar tax rate by one percent (1%), from three percent (3%) to four percent (4%).**

Councilmember Super made a motion to refuse the increase of the restaurant/bar tax rate by one percent (1%); seconded by Councilmember Cleveland.

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

- 4) **Increase the primary property tax by 1.98%**

Vice Mayor Shapera made a motion to approve increasing the primary property tax by 1.98%; seconded by Councilmember Super.

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

D. Consideration and action regarding the establishment of the following new fees for the City of El Mirage:

- 1) **Neighborhood parks maintenance fee to generate \$325,000 to the General Fund.**
- 2) **Neighborhood street light fee to generate \$300,000 to the General Fund.**

Rachel Villanuevo – 12692 Greenway Rd., Surprise, AZ

Ms. Villanuevo stated that she is concerned about the possible dissolving of the El Mirage Fire Department and said that any change in service would be a safety concern for the residents.

1) Neighborhood parks maintenance fee to generate \$325,000 to the General Fund.

Councilmember Super made a motion to approve the Neighborhood parks maintenance fee to generate \$325,000 to the General Fund; seconded by Councilmember Lewis.

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

2) Neighborhood street light fee to generate \$300,000 to the General Fund.

Councilmember Super made a motion to approve the Neighborhood street light fee to generate \$300,000 to the General Fund; seconded by Vice Mayor Shapera.

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

Mayor Kern called for a five minute recess.

Mayor Kern reconvened the meeting at 7:46 p.m.

E. Consideration and action regarding continuation or discontinuation of Dial-A-Ride service by the City of El Mirage.

Intergovernmental Relations Director Pat Dennis gave a brief presentation regarding the Dial-A-Ride service.

Councilmember Delgado made a motion to approve the continuation of the Dial-A-Ride service by the City of El Mirage in a modified form; seconded by Councilmember Cleveland.

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

F. Discussion and possible action in dissolving the El Mirage Fire Department in favor of a Fire District.

Orion Godfrey – 12080 W. Valentine Ave.

Mr. Godfrey voiced his concerns over the proposed Fire District and asked how much additional taxes would be needed to support the Fire District? What kind of services would the residents receive? Would the Fire District be able to stay on the Phoenix Automatic Aid System? Can the city even

support the Fire District? Mr. Godfrey stated that he does not want to see any kind of reduction in staff since the Fire Department is already running at a minimum.

Hugh Flisyn – 12811 W. Willow Ave.

Mr. Flisyn said that he was troubled with item “F” because he felt that the item needed to be discussed more thoroughly before a decision could be made and he recommended that the item go before the voters.

Beth Simek – 12913 W. Crocus Dr.

Ms. Simek stated that she opposes the possible creation of a fire district and that response times to city emergencies would increase significantly which would be detrimental to the citizens.

Joe Ramirez – 12902 W. Peoria Ave.

Mr. Ramirez said that the agenda wording for item “F” was misleading. The proposed tax increases will have a huge impact on the citizens of the community and in order to balance the budget, the city should cut unessential programs/expenses. Mr. Ramirez urged the Council to not create a Fire District.

Jim McPhetres – 12613 W. Sierra St.

Mr. McPhetres said that a Fire District is controlled by a Fire Board. Residents are taxed 3 ¼ % to fund the District. If the city chooses to go to a Fire District, it will lose 1/3 of its budget. Mr. McPhetres urged the Council to look into matters before they are placed on the agenda to be voted upon.

Veronica McPhetres – 12613 W. Sierra St.

Ms. McPhetres said that she is very concerned over the proposal to dissolve the El Mirage Fire Department and asked the Council to reconsider.

Councilmember Super made a motion to approve having staff perform preliminary work regarding the proposed Fire District and to bring it back to Council to discuss if the Council would like to send it to the voters. There was no second. Motion Fails.

G. Discussion and possible action regarding pursuing an increase in the property tax to provide full funding for public safety.

Mayor Kern removed item (G) from the agenda.

H. Discussion and possible action regarding pursuing the consolidation of the El Mirage Municipal Court with another judicial body.

Tony Simek – 12913 W. Crocus Dr.

Mr. Simek said that once he moved to the city, he expected that three main services be provided: Police, Fire, and Judiciary.

Mayor Kern made a motion to approve having staff perform preliminary work regarding the possible consolidation of the El Mirage Municipal Court with another judicial body; seconded by Councilmember Cleveland.

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

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

Vice Mayor Shapera said that he had the opportunity to attend the grand opening of the ICC Collision Center on Greenway and it went very well.

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

No comments were received.

VII. CALL TO THE PUBLIC

No additional comments received.

VIII. ADJOURNMENT

Mayor Kern adjourned the meeting at 8:59 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 June 10, 2010 and a quorum was present.


Richard Saathoff, City Clerk