

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE MUNICIPAL COURT/CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
THURSDAY, JULY 8, 2010**

Minutes

I. CALL TO ORDER - The meeting was called to order by Mayor Michele Kern at 6:01 p.m. Council led the public in the Pledge of Allegiance and a Moment of Silence.

II. ROLL CALL

ROLL CALL - Present: Mayor Michele Kern, Vice Mayor David Shapera, Councilmember Roger Cleveland, Councilmember Roy Delgado, Councilmember Ben Lewis, Councilmember Adam Super.

III. PROCLAMATIONS/PRESENTATIONS

1. Proclaiming the month of August, 2010 as DROWNING AWARENESS MONTH in the City of El Mirage.

Mayor Kern so proclaimed the month of August 2010 as Drowning Awareness Month in the City of El Mirage.

IV. CONSENT AGENDA

2. Consideration and action approving the minutes of the Work Session held June 3, 2010, Regular Council Meeting held June 10, 2010, Work Session held June 17, 2010, Special Council Meeting held June 22, 2010, Special Council Meeting held June 24, 2010 and Regular Council Meeting held June 24, 2010.
3. Consideration and action approving Resolution R10-07-20, allowing the City to submit a grant application to the Pascua Yaqui Tribe (Tucson, AZ) under the Tribe's 12% Shared Revenue Grant Program, for the purchase and rehabilitation of a home in the City's downtown area, using the latest in energy efficiency/energy conservation building techniques and materials, as well as resident workers trained in such techniques and materials use.
4. Consideration and action approving Resolution No. R10-07-21, authorizing the City Manager to execute on behalf of the City a Memorandum of Understanding between the City and the El Mirage Police Employees Association for fiscal year 2010-11.

Mayor Kern removed consent item #3 and #4; and moved them to the regular agenda to be voted on separately.

Vice Mayor Shapera made a motion to approve Consent Agenda item #2; seconded by Councilor Cleveland.

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

V. REGULAR AGENDA

Consideration and action approving Resolution R10-07-20, allowing the City to submit a grant application to the Pascua Yaqui Tribe (Tucson, AZ) under the Tribe's 12% Shared Revenue Grant Program, for the purchase and rehabilitation of a home in the City's downtown area, using the latest in energy efficiency/energy conservation building techniques and materials, as well as resident workers trained in such techniques and materials use.

Vice Mayor Shapera questioned the purchase and rehabilitation of a single home and how this is considered Economic Development. He also stated that he felt this was a redundant program with the various Federal programs in existence and shouldn't be the main focus of economic development.

Economic Director Chesney reported that the project is designed to build economic development by providing construction training and a start to the artist program.

City Manager Cornwall reported this only a request for the submission of a grant request.

Councilor Super made a motion to approve Consent Agenda item #3 as presented; seconded by Councilor Cleveland.

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

Consideration and action approving Resolution No. R10-07-21, authorizing the City Manager to execute on behalf of the City a Memorandum of Understanding between the City and the El Mirage Police Employees Association for fiscal year 2010-11.

Councilor Delgado inquired how close the budget short fall is from being closed. He also asked for more advance notice regarding agenda items and if there would be any additional layoffs.

City Manager Cornwall reported it was never his intention to have any layoffs and can't guarantee there will not any more, depending on the economy. Negotiations are continuing with the Fire Department.

Mayor Kern reported the Police Union asked that the City amend tonight's agenda, and to accommodate them, the agenda was amended late yesterday.

Councilor Super made a motion to approve Consent Agenda item #3 as presented; seconded by Vice Mayor Shapera.

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

- A. Public Hearing – to receive public comment on the proposed City of El Mirage General Plan Update.

Mayor Kern opened the public hearing at 6:15.

Community Development Director Flores made a brief presentation and explained the procedures that were followed. The Planning and Zoning Commission recommends approval of the General Plan Update and placement on the November 2010 General Ballot.

John Hathaway, Norris Novdvold, Patricia Riley, Kristi Vater, Carol Ketcherside, Anthony Galto, Tomas Schultz, Janet Kubat, and Mike Humes thanked the City Council and staff for their work that went into the document, for including so many stakeholders (land owners, residents and outside agencies) in the development of the update. They also expressed support of the arts district.

Flores also reported that Thompson Ranch Partnership and ASU Global Institute of Sustainability, sent letters in support of the General Plan Update. The City of Glendale sent a letter opposing the General Plan Update.

The public hearing was closed at 6:44.

- B. Consideration and action on Resolution R10-07-19, approving and adopting the General Plan update and directing the General Plan Update be presented to the voters for ratification at the November 2, 2010 General Election.

Councilor Super made a motion to approve Resolution R10-07-19, as presented; seconded by Councilor Cleveland.

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

- C. Consideration and action to approve Ordinance O10-07-11 to levy as increased FY 2010/11 Primary Property Taxes.

Amanda Wright expressed her concerns regarding the proposed increase in property tax and requested the Council vote against the ordinance.

Councilor Delgado made a motion to approve Ordinance O10-07-11, as presented; seconded by Councilor Super.

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

- D. Consideration and action to approve Resolution R10-07-13, to set the fee for residential rental property business license.

Amanda Wright, John Taylor and Sue Flucke spoke against the residential rental property business license and request the resolution be tabled.

Councilor Super questioned the effect if the resolution was tabled.

Finance Director Nilles reported that due to a change in State Law, the Council should take action on the proposed increase prior to July 29, 2010

Councilor Super made a motion to table Resolution R10-07-13, for two (2) weeks; seconded by Councilor Delgado.

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

- E. Request to have staff research and report to Council information regarding the Home Detention Program, Pretrial Video Conferencing, and the feasibility of implementing these programs for the City of El Mirage.

Judge Mapp addressed the Council and explained some of the procedures that could be used.

Council directed staff to look at potential savings and possibly move forward.

- F. Consideration and action to amend the City Code to require all contracts and expenditures greater than \$25,000 each be approved by the City Council.

After much discussion, Council directed the City Attorney to draft an Ordinance to require Professional Services contract to come before Council if the cost is \$25,000 or greater.

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

The Mayor and City Council had nothing further to report.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Manager announced the intersection of Dysart and Thunderbird is official opened. He also praised the Police Union for assisting to close with the budget shortfall.

VIII. CALL TO THE PUBLIC

Joe Ramirez, Jay Kleiner, Frank Carnal and Michelle Palladino expressed their concerns regarding the public safety and the culvert situation.

Veronica McPhetres expressed he concerns that the Police and Fire are paying the price for past poor fiscal management.

Dan Reilly expressed his appreciation for lower the age at the Senior Center for lunch to 55, the flying of the POW/MIA flag at City Hall and he also expressed concerns that the artist program will take over the Senior Center.

Hugh Flisyn reported on the condition of the city prior to City Manager Cornwall being named City Manager, the grand opening of the treatment facility before completion and the amount of time and money it has taken to get the facility up and running. There are many positive things happening but everybody is dwelling on the negative which hurts the City of El Mirage.

Mary Koestner asked the Council to reconsider the funding cut to the Dysart Community Center.

Mike Humes reported that the City has great potential; more has been completed under this administration. We need to hear more about the positive things and less about the negative. The Police Union agreed to the change in their contract, the Fire Union is still in negotiations.

IX. ADJOURNMENT

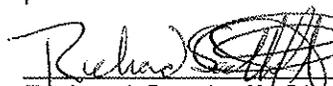
Mayor Kern adjourned the meeting at 8:10 p.m.


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 July 8, 2010 and a quorum was present.


Richard Saathoff, City Clerk