

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
THURSDAY, FEBRUARY 10, 2011**

Minutes

I. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:00 p.m. The Council led the public in the Pledge of Allegiance and a Moment of Silence.

II. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor David Shapera, Councilor Roy Delgado, Councilor Jim McPhetres, Councilor Jack Palladino, Councilor Joe Ramirez.

Excused: Councilor Lynn Selby.

III. CONSENT AGENDA

1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, January 13, 2011, the Special Council Meeting held Thursday, January 20, 2011 and the Regular Council Meeting held Thursday, January 27, 2011.
2. Consideration and action giving signature authority to the City Manager to award the contract for the Downtown Waterline Replacement (City's Project No. PW10-W01) to B&F Contracting, Inc. in the amount of \$382,587.46 and approve a 10% contingency in the amount of \$38,258.75. The total amount requested is \$420,846.21.

Vice Mayor Shapera made a motion to approve the consent agenda item number 1 as presented; seconded by Councilor Palladino. Motion Carries 6-0.

IV. REGULAR AGENDA

Consideration and action giving signature authority to the City Manager to award the contract for the Downtown Waterline Replacement (City's Project No. PW10-W01) to B&F Contracting, Inc. in the amount of \$382,587.46 and approve a 10% contingency in the amount of \$38,258.75. The total amount requested is \$420,846.21.

Vice Mayor Shapera made a motion to approve the request as presented; seconded by Councilor Ramirez. Motion Carries 6-0.

- A. Consideration and action approving Resolution R11-02-04, a resolution affirming the City's support for Luke Air Force Base and the F-35 mission.

Vice Mayor Shapera made a motion to approve Resolution R11-02-04 as presented; seconded by Councilor Delgado. Motion Carries 6-0.

- B. Consideration and action requesting signature authority be given to the City Manager to enter into a contract with Erin P. Collins & Associates, Inc. (ECA) for the provision of professional employee benefits consulting and brokerage services effective March 1, 2011.

Councilor Palladino made a motion to approve the contract with Erin P. Collins & Associates for employee benefit and brokerage services as presented; seconded by Vice Mayor Shapera. Motion Carries 6-0.

- C. Consideration and action appointing members to the Commissioner Review Board to review applications and make a recommendation to the City Council for appointments to the Planning and Zoning Commission. The Commissioner Review Board is made up of three (3) Council Members appointed by the Council.

Vice Mayor Shapera made a motion to approve to appoint Councilors Delgado, Palladino, as Chair and Ramirez to the Commission Review Board; seconded by Councilor Ramirez. Motion Carries 6-0.

- D. Consideration and action for approving Ordinance O11-02-04 to amend the Code of the City of El Mirage, Chapter 50, to allow tenants/lessees to establish a utility account with the City of El Mirage to provide utility services.

Amanda Wright, of WEMAR reported of their support of the Ordinance.

Councilor Delgado made a motion to approve Ordinance O11-02-04 as presented; seconded by Vice Mayor Shapera. Motion Carries 6-0.

- E. Consideration and action for approving Resolution R11-02-03 to set the deposit fee for tenants/lessees in establishing a utility account with the City of El Mirage at \$300.

Vice Mayor Shapera made a motion to approve Resolution R11-02-03 setting the deposit at \$250.00 for Tenants/Lessees; seconded by Councilor Palladino. Motion Carries 6-0.

V. EXECUTIVE SESSION

- A. Adjourn to Executive Session for discussion and legal consultation with the City Attorney in order to consider the City's position regarding the January 28, 2011 settlement offer letter, counter offer and response and in accordance with ARS § 38-431.01 (A) (3) and (A) (4).

Vice Mayor Shapera made a motion to adjourn into executive session; seconded by Councilor Palladino. Motion Carries 6-0.

The Council adjourned into executive session at 6:50.

The Council reconvened into regular session at 7:50

- B. Discussion and possible action with regard to settlement letter received January 28, 2011, counter offer and response.

Direct the City Attorney to continue the negotiations.

CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager Isom reported that there are two (2) West Valley locations operating misdemeanor jail detention : Glendale is not accepting additional workloads for this next year ; and Avondale PD has not stated for certain whether they will accept detainees but if they do, El Mirage would need to provide a detention staff employee and housing is limited to 30 days.

Isom reported the differences in the solar/energy savings between the Tolleson Fire Station and the design for the El Mirage Fire Station - were reported to be a cost saving of 20-40% and estimated to be only 10% for El Mirage Fire Station – there is a 20-40% energy savings in both the Tolleson station and El Mirage design but 10% of that is attributed to only the solar packages; the other 10-30% comes from other energy saving features.

The City Manager reported of the Police Office Award Nomination– El Mirage Officer Chris Culp has been nominated for the *Mothers Against Drunk Driving (MADD) DUI Officer of the Year*. He will attend the recognition dinner tomorrow night in Phoenix as a nominated guest; the Police Department hosted Shred-A-Thon – The event held yesterday at Gateway Park was very successful with approximately 200 participants delivering approximately 23,000 lbs. of paper for shredding as well an overwhelming amount of electronics to be recycled. The event was so successful it will most likely be brought back to this venue in the future and El Mirage received positive press through Channel 5 and newspapers on the event; the City Manager also said farewell to Chief Frazier and welcomed Acting Chief Steve Campbell.

Dr. Isom reported on the Santa Fe and Grand frontage road improvements – this intersection has been improved ahead of schedule under a CDBG grant and one of the consequences of this improvement has made a dramatic difference to one of our disabled residents. Jose Vasquez, a disabled veteran confined to a motorized wheelchair, contacted the City to express his joy and thanks that he can now safely navigate his way on a sidewalk to Food City where he does his shopping and stated the “ramps at the corners are perfect!”. The Scoreboards and Shade

Structures are being installed at Gateway Park this week through a grant from Arizona Sports and Tourism Authority (AZSTA).

The City Manager reported that the City received a letter of thanks from the United Way Valley of the Sun recognizing the City in its recent fund raising efforts. John Heffelfinger from the PD headed the Campaign which resulted in the City of El Mirage employees raising \$13,392.00.

He expressed the City's condolences for long-time El Mirage resident Howard Mattoon, passed away on February 5, 2011. He was active in the early days of El Mirage and served as Mayor, Councilman, Police Commissioner, volunteer firefighter, and a MAG and Maricopa County Surprise Sheriff's Posse founding member. We express our condolences to the Mattoon family.

City Manager Isom reminded everyone of the upcoming Music Festival – two days of jazz, blues and other music along with many activities will be held on Saturday and Sunday, February 26 and 27th at Gateway Park.

The City Manager reported of upcoming agenda items: Red Oak Consulting - A Council work session will be held Tuesday, February 22, 2011 for Red Oak Consulting, the company who performed our recent utility rate study, to present revenue requirements. A follow up work session with Red Oak Consulting will be held at the March 10th Council Meeting to review cost of service. Medical Marijuana – zoning changes are being prepared for your consideration in preparation of State licenses being offered for medical marijuana dispensaries. Signage – ordinance changes are being prepared for your consideration to provide flexibility especially to businesses

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

Councilor Delgado reported on the Library and the start of the "Friends of the Library" program in the City of El Mirage. He also reported on the recent CDAC meeting.

Councilor McPhetres reported on Power Commission, not much solar but there is natural gas and it is very clean.

Mayor Mook reminded that General Harris will be at the February 24th Council meeting and the planned open house in his honor. She also reminded that "Citizen Advisory" Committees are being formed. Mayor Mook also asked for nominations for "Citizen of the Year".

VII. CALL TO THE PUBLIC

Beth Semik reported of difficulty with the removal of graffiti in the subdivision. She also made a presentation on behalf of the Surprise Elementary PTA to Police Chief Frazier (Acting Chief Campbell accepted).

Michele Kern expressed her appreciation for Chief Frazier and felt disappointed that there no existing Council members in attendance at the farewell party for Chief Frazier.

VIII. ADJOURNMENT

Mayor Mook adjourned the meeting at 7:51 P.M.



Lana Mook, 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 February 10, 2011 and a quorum was present.


Richard Saathoff, City Clerk