

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
THURSDAY, MAY 26, 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, Councilor Lynn Selby.

**III. CONSENT AGENDA**

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the City of El Mirage's support 2011 sponsorship of Fighter Country Partnership in the amount of \$2,000.00.
2. Consideration and action approving Resolution R11-05-20, approving the Lot Split Map of Gold Badge Lot 2 at the NEC of Dysart and Thunderbird Roads.

Vice Mayor Shapera made a motion to approve the consent agenda items 1 and 2 as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

**IV. REGULAR AGENDA**

**A. Public Hearing - Board of Adjustment**

Request for landscaping variance for B&F Construction at 9755 N El Mirage Road (1/2 mile South of Peoria Avenue).

**B. Discussion and action on request for landscaping variance for B&F Construction at 9755 N El Mirage Rd.**

**C. Public Hearing - site plan approval of B&F Construction at 9755 N El Mirage Rd.**

Mayor Mook called the Public Hearing to order at 6:03PM

Mark Smith presented a brief overview of the site plan and requested landscape variance Mr. Smith outlined the 15 stipulations for approval and the staff's recommendations.

Andy Moore representing B&F Contracting, presented a brief history of the company and presented a couple requests; requesting that stipulation #4 be amended to include after "perimeter wall", add "and temporary office" and the second request is to limit the right-of-way on the eastside to the existing dedicated 30' right-of-way.

Vice Mayor Shapera questioned the amount of right-of-way required and if a time limit can be placed on the temporary building.

Mayor Mook how soon the temporary building be placed and please describe the building. Two weeks was the answer.

Lance Calvert reported it would be longer than 2 weeks due to the installation of the water and sewer lines.

Mr. Moore reported that they need to be on site by June 30<sup>th</sup>.

Dr. Isom requests an additional 10' of right-of-way on the eastside. Mr. Moore agrees to the additional 10' of right-of-way.

Dr. Isom what is your definition of temporary, how short of timeframe before a permanent structure is built. Mr. Moore depends on the economy and the temporary building is open-ended.

Dr. Isom what is the timeframe of completing the development agreement. Mr. Moore will to put the time into the process.

Dr. Isom recommends delaying action until the development agreement is in place. Staff what is the timeframe.

Bill Pupo reported that staff is able to put time into the development agreement in time to make the last meeting Council meeting in June. Council is willing to hold a special council meeting.

Mayor Mook adjourned the Public Hearing at 7:06 PM

D. Discussion and action on a request for site plan approval of B&F Construction at 9755 N El Mirage Rd.

Councilor Delgado made a motion to continue all issues involving the requests from B& F Contracting as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

E. Consideration and action approving the Intergovernmental Agreement between the City of El Mirage and the Regional Public Transportation Authority to provide On-Demand Shared Ride Transportation Services for disabled and low income residents.

Councilor Delgado made a motion to approve the IGA for On-Demand Shared Ride Transportation Services with Regional Public Transportation Authority as presented; seconded by Councilor Selby. Motion Carries, unanimously.

F. Consideration and action requesting that the Mayor and Council award a contract for the purchase and regeneration of arsenic removal media at the Dietz Crane well site to Purulite Company.

Vice Mayor Shapera made a motion to award a contract for the purchase and regeneration of arsenic removal media at the Dietz Crane well site to Purulite Company as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

G. Public Hearings:

1. Setting sanitation, water and wastewater rates; rate components, fees and service charges.
2. Setting miscellaneous fees and service charges.

Mayor Mook called the Public Hearing to order at 7:22PM

Robert Nilles, Finance Director reported 10% increase for 2011 and 2012 for water, wastewater and sanitation rates; and work with the Dysart Ranchettes to address and funding issues. Recycling containers, the city will provide the initial container.

Rick Gardenia of Red Oak presented the proposed rates.

Dan Reilly expressed concerns regarding the 10% increase and the effect on the residents on a fixed income.

Mayor Mook adjourned the Public Hearing at 7:40PM

H. Consideration and action approving Resolution R11-05-18, setting sanitation, water and wastewater rates; rate components, fees and service charges.

Vice Mayor Shapera made a motion to approve Resolution R11-05-18, setting sanitation, water and wastewater rates; rate components, fees and service charges as presented; seconded by Councilor Selby. Motion Carries, unanimously.

I. Consideration and action approving Resolution R11-05-19, setting miscellaneous fees and service charges.

Mayor Mook called the Public Hearing to order at 7:44PM

There were no public comments offered.

Mayor Mook adjourned the Public Hearing at 7:45PM

Councilor Palladino made a motion to approve Resolution R11-05-19, setting miscellaneous fees and service charges, as presented; seconded by Vice Mayor Shapera. Motion Carries, 6-1 (Councilor McPhetres)

J. Consideration and action approving Resolution R11-05-14, adopting the tentative budget of the City of El Mirage for FY 2011-12.

Robert Nilles, Finance Director presented a brief overview of the tentative budget.

Amanda Wright, of WEMAR voiced her concern regarding primary property tax increases and requests consideration of not increasing property tax.

Vice Mayor Shapera made a motion to approve Resolution R11-05-14, adopting the tentative budget of the City of El Mirage for FY 2011-12, as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

## **V. EXECUTIVE SESSION**

(1) Adjourn to Executive Session for discussion and legal consultation with the City Attorney in order to consider the City's position regarding the May 18, 2011 communication regarding settlement offer, counter offers, and settlement in accordance with ARS §38-431.01(A)(3) and (A)(4).

(2) Review contracts with Maricopa County Sheriff's Office.

Vice Mayor Shapera made a motion to adjourn to Executive Session for discussion and legal consultation with the City Attorney in order to consider the City's position regarding the May 18, 2011 communication regarding settlement offer, counter offers, and settlement in accordance with ARS §38-431.01(A)(3) and (A)(4) and to review the contracts with the Maricopa County Sheriff's Office; seconded by Councilor Delgado. Motion Carries, unanimously.

The Council adjourned into executive session at 8:21 pm.

The Council reconvened at 9:48 pm

## **VI. REGULAR AGENDA – CONTINUED**

Discussion and possible action with regard to acceptance of settlement offer received May 18, 2011, providing Attorney and staff authority to settle.

Councilor Delgado made a motion to approve the PERC settlement; seconded by Vice Mayor Shapera. Motion Carries, unanimously.

## **VII. CITY MANAGER SUMMARY OF CURRENT EVENTS**

City Manager Isom reported that eleven area women were recently assisted in completing the training to become nationally certified building analysts and building envelope professionals

through funding by a grant from the Tohono O'odham Tribe. The trainees experienced hands on training and had to pass a comprehensive set of national exams to become certified.

The Arizona Municipal Clerks Association has announced that City Clerk Richard Saathoff will be sworn in as Secretary of the AMCA at their Annual Business Meeting on July 14<sup>th</sup>.

Aaron's Rents building construction is underway with a target completion date anticipated in July of this year. Auto Zone's permits are complete and they will soon follow with their building construction; they anticipate completion before the end of this year.

Karen's Kreamery Café is waiting for a final Health Department permit to open their doors at the Gateway Park Concession. A Grand Opening ceremony, open to the public, is scheduled for Friday, July 17 at 11:00 AM.

The CFL Bulb Exchange is on-going and FREE bulbs are available tonight. Please take these bulbs and replace your incandescent bulbs at home to help save energy.

The City Manager reminded everyone of the Fourth Friday Art Fest will be held in the El Mirage Arts Plaza tomorrow evening, May 27<sup>th</sup>, from 6:00 PM to 9:00 PM. The El Mirage Arts Group (EMAG) and the City invite all to come and participate in an evening of arts.

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

There were comments offered.

#### **IX. CALL TO THE PUBLIC**

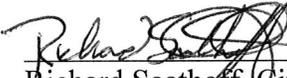
There were no public comments offered

#### **X. ADJOURNMENT**

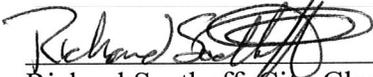
Mayor Mook adjourned the meeting at 9:53 P.M.

  
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Lana Mook, Mayor

ATTEST:

  
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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 May 26, 2011 and a quorum was present.

  
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Richard Saathoff, City Clerk