

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, FEBRUARY 21, 2012**

Minutes

I. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:00 p.m.

II. ROLL CALL

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

Members of Boy Scout Troop #124 led the Pledge of Allegiance.

III. PRESENTATIONS

Recognition of employee Ms. Laura Pina as Employee-of-the Quarter for October through December, 2011 by Mayor Lana Mook and City Manager Dr. Spencer Isom.

Mayor Mook recognized Laura Pina as Employee-of-the-Quarter and presented her with a framed Certificate.

Ms. Pina expressed her appreciation for the support of the Police Chief and her co-workers for nominating her for Employee of the Quarter.

IV. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and (3) direct that the matter be put on a future agenda.

Joe Prontock, expressed his displeasure with the photo radar, Redflex and receiving points on his license.

V. 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 Minutes of the Regular Council Meeting held Thursday, January 12, 2012 and the Regular Council Meeting held Thursday, January 26, 2012. (City Clerk)
2. Consideration and action authorizing the purchase of two (2) replacement pumps, one forty-five (45) horsepower submersible pump and one sixty (60) horsepower submersible pump, to be used at the Water Reclamation Facility. (Public Works)
3. Consideration and action reappointing of Nancy Persichilli to a four-year term on the Public Safety Personnel Retirement System Local Board of the Police and Fire Departments. (Human Resources)
4. Consideration and action to approve Resolution No. 12-02-08 accepting membership in the Metropolitan Phoenix Municipal Employee Benefit Trust (MPMEBT) commencing July 1, 2012. (Human Resources)
5. Request that the Mayor and Council approve a contract amendment for electrical improvements to the Gentry Park Improvement Project (No. PW11-PK01) to Green Landscaping & Irrigation, Inc. in the amount of \$9,762.19 and authorize the Finance Director to transfer funds from Council Contingency for this additional expense. (Engineering)
6. Consideration and action to postpone the implementation of approved fees to recover the cost of lost water recharge credits associated with the City providing water "only" service to customers located in the Surprise Original Town Site (OTS), as the City reserves the right to ratify the OTS fees in conjunction with its consideration of fees for lost water recharge credits associated with water "only" customers located within the El Mirage City limits. Action on both items will occur at an upcoming Council Meeting. (Finance)
7. Consideration and action to direct the City Manager to select a firm to work with a Subcommittee of the Council toward assisting the Council as a whole in meeting its ongoing fiduciary responsibilities as they pertain to the City Court. (Administration)
8. Consideration and Approval of Court Request for additional staff, and extending for six months the Court Clerk hiring list which expired 1/22/12. (Court)

Vice Mayor Shapera made a motion to remove item 7; seconded by Councilor Delgado. Motion Carries, unanimously.

Vice Mayor Shapera made a motion to approve the consent agenda items 1 through 6 and item 8 as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

VI. REGULAR AGENDA

Consideration and action to direct the City Manager to select a firm to work with a Subcommittee of the Council toward assisting the Council as a whole in meeting its ongoing fiduciary responsibilities as they pertain to the City Court. (Administration)

Judge Mapp presented his argument regarding the performance audit and his ongoing disagreement with City Manager Isom. He stressed the importance of the separation the Legislative and Judicial branches.

City Manager Isom discussed the budget process and the hard work the City's Department Heads have done reduce their budgets while continuing to provide quality services.

Finance Director Nilles presented the budget numbers of the Court both with and without Redflex being included.

Vice Mayor Shapera made a motion to hold a work session within the next two (2) weeks to further discuss this item, seconded by Councilor McPhetres. Motion Carries, unanimously.

Mayor Mook called a brief recess to allow the Boy Scouts to discuss their requirements to receive their merit badge.

A. Public Hearing: (Administration)

To encourage citizen participation regarding priorities for funding under the Community Development Block Grant (CDBG) program and related programs for Urban County Communities for the FY 2012/13 grant cycle.

The public hearing was opened at 7:18

Pat Greagan, Grants Coordinator presented the list of proposed projects

There were no public comments offered.

The public hearing adjourned at 7:22

B. Consideration and action to approve Resolution No. R12-02-07, a Resolution authorizing the City of El Mirage to submit applications to the Maricopa County Human Services Department - Community Development division, for FY 2012/13 Community Development Block Grant (CDBG) funds and related funding opportunities, and to execute subsequent award agreements. (Administration)

Vice Mayor Shapera made a motion to approve Resolution R12-02-07, authorizing the City of El Mirage to submit applications to the Maricopa County Human Services Department - Community Development division, for FY 2012/13 Community Development Block Grant (CDBG) funds and related funding opportunities, and to execute subsequent award agreements as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

C. Public Hearings: (Development & Community Services)

- 1) Ordinance O12-02-01, amending Section 154.129 (C)(12) of the City Code by adding limitations on the number and location of billboards within the City.

- 2) Ordinance O12-02-02, amending Section 91.05 to add limitations on the number of livestock on properties within the City.

Motion by Vice Mayor Shapera to postpone indefinitely items C-1 and E; seconded by Councilor Selby. Motion Carries, unanimously

The public hearing was opened at 7:25

Mark Smith, Senior Planner presented an overview of the proposed Ordinances.

There were no public comments offered.

The public hearing adjourned at 7:30

- D. Consideration and action approving Ordinance O12-02-01, amending Section 154.129 (C)(12) of the City Code by adding limitations on the number and location of billboards within the City. (Development & Community Services)

Vice Mayor Shapera made a motion to approve Ordinance O12-02-01, amending Section 154.129 (C)(12) of the City Code by adding limitations on the number and location of billboards within the City as presented; seconded by Councilor McPhetres. Motion Carries, unanimously.

- E. Consideration and action approving Ordinance O12-02-02, amending Section 91.05 to add limitations on the number of livestock on properties within the City. (Development & Community Services)
- F. Consideration and action adopting Ordinance O12-02-04 approving an amendment by adding paragraph section (C) to the City's Code - §110.07 – Exemptions. (Administration)

Councilor McPhetres made a motion to approve Ordinance O12-02-04 approving an amendment by adding paragraph section (C) to the City's Code - §110.07 – Exemptions as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

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

Mayor Mook reported of her and several of the Councilors at the U.S. Air Force Public Hearings on the draft Environmental Impact Statement to assess the potential environmental impacts of the proposal to establish a Pilot Training Center with F-35 training aircraft.

Councilor McPhetres reported that his Water/Energy Conservation Committee is need of members.

Councilor Delgado reported of his attendance at the MAG Domestic Violence Committee meeting and asked that information regarding domestic violence be published in each issue of the "El Mirage News". He also reported of the increased usage at the City's Library. The Friends of the Library have raised enough money to cover the cost of the summer reading program at the Library.

VIII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager Isom reported that the 4th Friday Community FUN Fest promotes community, arts, and cultural events for residents to enjoy. February's theme is "*Blast to the Past!*" and will feature music and entertainment, art, food and drinks, dancing, a black and white photo contest and a classic car show. You are invited to the El Mirage City Plaza this Friday, February 24th from 6-9 PM.

The City Manager reminded everyone that starting this morning, El Mirage utility customers started paying their bills at the City's new customer service building located at 14406 N. Alto Street. At this one-stop location, customers can pay utility bills, start or stop utility services, reserve a park ramada and handle other municipal transactions. Bills can also be paid by mailing payment to 12145 NW Grand Avenue or by paying on-line at www.xpressbillpay.com.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting 7:41 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 21, 2012 and a quorum was present.



Richard Saathoff, City Clerk