

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, APRIL 16, 2013**

Minutes

I. ROLL CALL

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

Absent: Councilor David Shapera

II. 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.

III. PROCLAMATIONS/CERTIFICATES

P1 That the Mayor and City Council proclaim the month of May 2013 (5/16 – 5/31/13) as Building Safety Month (Fire, Building & Life Safety)

Building Official Mary Dickson presented the proclamation explaining the purpose is to raise awareness of the importance of building safety in creating safe places to live, work and play through the implementation and enforcement of the building codes.

P2 Presentation of Certificate of Appreciation for 2013 National Crime Victims' Week (Police)

Chief Steve Campbell and Assistant Chief Terry McDonald presented each Councilor with a Certificate of Appreciation for their outstanding service on behalf of crime victims and support of National Crime Victims' Rights Week April 21-27, 2013.

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.

Resident Julie Smith presented a request to remove the restriction that currently prohibits the use non-motorized scooters at Gateway Park. She stated there is a sign at the park but that she could not find an ordinance supporting the restriction. Signed petitions from 158 supporters were turned over

to the Acting City Clerk requesting a lifting of the current ban. Mayor Mook requested Dr. Isom to review this matter and bring a recommendation back to Council.

Resident Mary Koestner called attention to Councilor McPhetres being named Councilman Hero -- "great job Jim."

Resident Ammanda Poddle spoke regarding the requirement for converting from septic to City sewer citing high cost concerns. She stated the City of Mesa requires residents to hook up to available City sewer when the resident's septic system is up for renewal and requested the City of El Mirage adopt a similar requirement. Dr. Isom responded that the hook up policy is currently in fact-finding mode and more information would be forthcoming in the near future.

Resident Amy Heusted, representing Relay for Life, reported that several Council members as well as the City Manager had signed up and committed teams for the upcoming Relay for Life event. She again encouraged more Council members and staff departments to form teams to make the Relay for Life event in El Mirage a huge success.

Surprise resident Scott Brown thanked the Council for giving consideration to remove the ban on non-motorized scooters at Gateway Park. He believes the ban is a waste of public safety resources and he could provide data in support of allowing non-motorized scooters if required.

Surprise residents Guinevere and Adrian Brown rescinded their requests for public comment.

Surprise resident DD Brown (mother to Guinevere and Adrian) spoke in support of allowing the scooters at Gateway Park and commented that she had observed, with few exceptions, users to be very polite and considerate when using the skate park. Dr. Isom again stated he would review the matter and check on the wear factor to the park.

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 Tuesday, April 2, 2013. (Acting City Clerk)
2. Consideration and action regarding the destruction of municipal documents that have reached the end of their retention period as determined by the State of Arizona and/or the City of El Mirage. (Acting City Clerk)
3. Consideration and action to approve an MOU with the Maricopa County Recorder's Office to allow electronic/digital recording of City documents (Acting City Clerk)
4. Consideration and action approving Resolution R13-04-11 temporarily suspending El Mirage City Code 13.01 and allowing the possession and consumption of alcoholic beverages in the designated area of El Mirage City Plaza (Gentry Park) on Saturday, May 4, 2013 between the hours of 4:00 PM and 9:00 PM for the City's Cinco de Mayo Fiesta event (Special Events)

5. Consideration and action to approve a contract for traffic signal maintenance and repairs with Siemens Industry for a term of three (3) years, with two (2) on-year extensions, in an amount not to exceed \$100,000 annually. (Public Works Administration and Operational Services)
6. Consideration and authorization for the City to enter into a contract with Vertech Industrial Systems, LLC in an amount not to exceed \$120,0090 and to waive the competitive bid process pursuant to the City Code Section §30.23-B. (Public Works Administration and Operational Services)
7. Consideration and action to approve a contract for fiscal year 2013 Financial Statement Audit Services with Heinfield, Meech & Company in an amount not to exceed \$35,700. (Finance)

Vice Mayor Ramirez moved to approve consent items as presented; seconded by Councilor Delgado. Motion carries unanimously (6/0).

VI. REGULAR AGENDA

- A. Consideration and action to approve Ordinance O13-04-07 amending City Sanitation Code §52.16 regarding placement of trash containers and recycling containers. (Public Works Administration and Operational Services)

DCM/Public Works Director Larry Dobrosky explained the proposed ordinance amendment was required primarily to address no trash containers in alleys and the change from two days per week trash pick-up to one day per week pick-up. He reported that a majority of residents reported a very positive response to the change in schedule for pick up to combine trash and recycling on the same day each week and are excited about the upcoming street side bulk trash pick up.

Vice Mayor Ramirez moved to approve Ordinance O13-04-07 as presented; seconded by Councilor Delgado. Motion carries unanimously (6/0).

- B. Consideration and action adopt a notice of intention to increase water and sanitation fees not sooner than 30 days from the date of posting the notice pursuant to A.R.S. Section 9-511.01 and setting a public hearing on the proposed rate increases for May 21, 2013. (Finance)

Accounting Manager Christy Eusebio reported that this notice is a separate state requirement specifically for utility increases.

Councilor McPhetres stated he is in total support of what Council would be proposing for utility increases after attending the Budget Workshop meetings; the notification process was good.

Councilor Delgado thanked staff for working on this difficult issue and keeping the budget on track. The recommendation at the Budget Workshop will benefit all citizens.

Vice Mayor Ramirez stated that services need to be self-sufficient and the utility increase proposal from the Budget Workshop is a step in the right direction toward achieving that goal.

Mayor Mook noted that information from the Budget Workshop meetings would provide more understanding for residents and summarized that an average increase of \$5.10 in the upcoming fiscal year with no utility rate increases over the next 5 years would be beneficial for all.

Resident Mary Koestner requested clarification about water rates being raised. Dr. Isom explained through a brief history of the water rate issue that the proposal would be to raise the rates in the upcoming fiscal year with no rate increases over the next 5 years. The Red Oak Study that was commissioned by the previous administration was adjusted to reflect current conditions.

Resident Cheryl LoGalbo protested any rate increases stating she is using less water but her costs continue to rise. Increases put pressure on residents and cause more home defaults.

Vice Mayor Ramirez moved to adopt the notice of intention to increase water and sanitation fees as presented; seconded by Councilor Selby. Motion carries unanimously (6/0).

C. Consideration and action to approve budget and fund transfers as outlined in Exhibit A. (Finance)

Finance Director Robert Nilles explained the accounting need for making the transfers indicated in Exhibit A.

Vice Mayor Ramirez moved to approve the budget and fund transfers as presented; seconded by Councilor Delgado. Motion Carries unanimously (6/0).

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not discuss or act upon any matter in the City Manager's summary unless the specific matter is properly noticed for legal action.

City Manager Dr. Spencer Isom reported that the two days of Council Budget Workshops were successfully completed and a tentative budget would be brought to the next Council Meeting. The Court has placed 12 defendants on the home detention/electronic monitoring system serving 152 days for an approximate savings of \$10,000. The Clerk's office has identified 26 boxes of records that have reached their period of retention and will be shredded later this month. All were invited to attend the upcoming Cinco de Mayo Fiesta Special event scheduled for Saturday May 4, 2013 from 4 – 9 PM at El Mirage City Park. Fire Chief Howard Munding was welcomed back after his recent medical leave.

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

Councilor McPhetres stated that a proposed \$3M purchase of water credits was very important for the City and a very smart move. He complimented Staff on their hard work in presenting the Budget Workshops over the past two days.

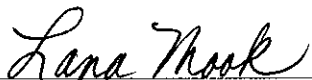
Councilor Delgado, on behalf of the County Library Advisory Committee, thanked staff for working with the County to remodel the Branch Library in El Mirage. He reported that 66,000 people used the library last year and the summer reading program was underway.

Vice Mayor reported he attended the recent Relay for Life event in Surprise and encouraged everyone to participate in the upcoming Relay for Life event in El Mirage

Mayor Mook stated she and Vice Ramirez attended a Tamale contest in Phoenix and in which El Mirage's Rio Mirage Café participated; the contest was to benefit and support Friendly House.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting at 6:56 p.m.



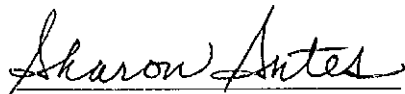
Lana Mook, Mayor

ATTEST:



Sharon Antes, Acting City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held April 16, 2013 and a quorum was present.



Sharon Antes, Acting City Clerk

Code Officials Keep You Safe



Proclamation

Building Safety Month — May, 2013

Whereas, our city's continuing efforts to address the critical issues of safety, energy efficiency, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

Whereas, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play, and;

Whereas, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;

Whereas, "Building Safety Month: Code Officials Keep You Safe" the theme for Building Safety Month 2013, encourages all Americans to raise awareness of the importance of building safety; green and resilient building; pool, spa and hot tub safety; backyard safety; and new technologies in the construction industry. Building Safety Month 2013 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local agencies, and,

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Lana Mook, Mayor of the City of El Mirage do hereby proclaim the month of May 2013 as Building Safety Month. Accordingly, I encourage El Mirage citizens to join our community in participation in Building Safety Month activities.

Lana Mook

Signature