

# DRAFT

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
10000 N. EL MIRAGE ROAD  
6:00 PM -TUESDAY, MAY 18, 2021**

**Minutes**

1. **ROLL CALL**

Present: Mayor Alexis Hermosillo; Vice Mayor Monica Dorcey; Councilmember Roy Delgado; Councilmember Mike Hutchinson; Councilmember Anita Norton; Councilmember David Shapera; Councilmember Donna Winston

2. **CALL TO ORDER - The meeting was called to order at 6:00 PM.**

Pledge of Allegiance  
Moment of Silence

3. **PROCLAMATION**

1. Proclamation to declare the month of May 2021 as Building Safety Month. (Community Development).

Building Official Brigham Bennett presented. One of the key strengths and drivers of growth of the City of El Mirage is our commitment to design and construct resilient and sustainable homes, buildings, and infrastructure that serve our citizens and showcase our emergence in the West Valley. Building and Safety Month is a public awareness campaign celebrated by jurisdictions worldwide for the past 41 years. The campaign reinforces the need for the adoption of the latest building codes, for strong and efficient systems that work well for the community. The 2021 Building Safety Month theme is **Prepare, Prevent, Protect** and each week we will be sharing educational messages via social media with the citizens of El Mirage.

Mayor Hermosillo declared the month of May, 2021 as Building Safety Month.

2. A proclamation to proclaim May 16 - 22, 2021 as Public Works Week in El Mirage. (Public Works)

Public Works Director Nick Russo presented. Since 1960, the American Public Works Association has endorsed National Public Works Week across North America, and thousands of municipalities in the U.S. and Canada use this week to energize and educate the public on the importance of public works to their daily lives; planning, building, managing and operating at the heart of their local communities to improve everyday quality of life. The theme for this year is "Stronger Together."

Mayor Hermosillo declared May 16-22, 2021 National Public Works Week.

**4. CALL TO THE PUBLIC**

Citizens desiring to speak on any issue within the jurisdiction of the public body 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 follow up on the matter, and/or (3) direct that the matter be put on a future agenda.

No yellow cards of phone calls were received.

**5. 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. (City Clerk)

1. Consideration and action to approve the minutes of the Regular Council meeting held Tuesday, May 4, 2021. (City Clerk)
2. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (Community Development)
3. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (Police Department)
4. Consideration and action to approve an Intergovernmental Agreement (IGA) with the Regional Public Transportation Authority (RPTA), Valley Metro, for Regional ADA Paratransit Service for FY21-22. (Grants)

*This agenda item was pulled from the Consent agenda.*

5. Consideration and action to request, and accept funds if awarded, from the Department of Justice (DOJ) Bulletproof Vest Program in an amount of approximately \$10,500 to pay for a minimum of 28 bulletproof vests and authorize Finance to make necessary budget transfers. (Grants/Police)
6. Consideration and action to authorize the City Manager to enter into a construction contract with Lincoln Constructors, Inc to install 6" C900 PVC water mains in 2nd, 3rd, and 4th Avenues between Ventura Street and the alley approximately 470' south of Ventura Street in an amount of \$412,354 including a 10% contingency. (Community Development)
7. Consideration and action to authorize the City Manager to enter into a Professional Services Contract with EPS Group, Inc. to prepare an additional traffic signal design plan to implement flashing yellow left-turn arrow on the westbound approach at the intersection of El Mirage Road & Peoria Avenue in an amount not to exceed \$3,840. (Activity No. 62112) (Community Development)
8. Consideration and action to approve Resolution R21-05-14 designating Deputy City Manager Robert Nilles as the City of El Mirage Chief Fiscal Officer for FY 2022 as required by Arizona Revised Statutes [§41-1279.07\(E\)](#). (Finance)

9. Consideration and action to authorize the Finance Department to make budget adjustments for FY2021-2022 to adjust the balance of FY20-21 carry forward projects. (Finance)
10. Consideration and action to authorize the Finance Department to make transfers as necessary for FY2020-21 to adjust fund and department balances to comply with state law. (Finance)
11. Consideration and action to approve Resolution R21-05-13 a Memorandum of Understanding between the City of El Mirage and the El Mirage Police Employee Association (EMPEA).

**Vice Mayor Monica Dorcey moved to remove Consent Agenda #4 and approve Consent Agenda Items # 1-3 and 5-11; seconded by Councilmember David Shapera.**

**Vote:** 7 - 0 Passed - Unanimously

## 6. **REGULAR AGENDA**

1. A Public Hearing, closure of Public Hearing followed by consideration and action to approve a Conditional Use Permit for an Exterior Storage Yard, Auto/RV Sales and Repair Use located at 12301 W. Butler Drive, El Mirage, Arizona 85335 submitted by PHX Motor Homes, LLC. (Community Development)

Planner/GIS Jose Macias presented. The property location is 12301 W. Butler Drive which is a 2.0 acre lot size and zoned Commercial Park. The land is currently vacant. Mr. Macias showed maps of the area, the building elevations and discussed the staff stipulations for proceeding. Mr. Jack Gilmore of Gilmore Planning & Landscape Architecture was present representing Mr. Ludwig Langenback, owner of Phoenix Motor Homes, LLC. Mr. Gilmore has been working with the applicant for many months and stated they are anxious to get sales and rentals going; they have been finalizing plans for the project, including landscape. Community Development has been very helpful.

They will complete the garage area first followed by office space. He complimented the Community Development staff and stated they have been very helpful in this process.

Mayor Hermosillo opened the Public Hearing.

**Councilmember Shapera** asked where the signage will be located and was advised it will be in the same location as before but an upgraded version. **Councilmember Norton** asked if they had the same business elsewhere and how long they have been in business. She was told that yes they had this business in Glendale and have been in business for approximately 15 years. **Councilmember Hutchinson** asked if the buildings shown would be new or re-purposed and was informed they would be new. **Councilmembers Delgado, Shapera, Hutchinson, and Norton** all agreed this is an excellent project and **Vice Mayor Dorcey** added it is also in a good location for this type of project. No public comments were received.

Mayor Hermosillo closed the Public Hearing.

**Vice Mayor Dorcey moved to approve a Conditional Use Permit for an Exterior Storage Yard, Auto/RV Sales and Repair Use located at 12301 W. Butler Drive; seconded by Councilmember Shapera.**

**Vote:** 7 - 0 Passed - Unanimously

2. Public Hearing, closure of Public Hearing followed by consideration and action to approve Resolution R21-05-15 setting water recharge and other miscellaneous fees and service charges for FY 2021/22. (Finance)

**Mayor Hermosillo** opened the Public Hearing. Finance Director Robert Nilles presented a PowerPoint presentation in which he reviewed the Business License fee changes for Peddler's and Solicitor's License and Marijuana Related Businesses, Fire Fee changes, Sports Fields, Development Services, Court Fee changes, Police Fee changes, Utility Fee changes, Utility Fee changes, and, Property Taxes fee changes. He also explained that the Court fees were required to stay the same as before, thus, were not changed.

Hearing no public comments **Mayor Hermosillo** closed the Public Hearing.

**Councilmember Shapera** thanked Mr. Nilles for the presentation. **Councilmember Norton** expressed concern that it appeared Engineering fees are going from \$300 per sheet up to \$1,000 per sheet but was advised by Assistant City Engineer Bryce Christo that it was not an actual increase rather paying more up front to capture unfinished projects.

**Vice Mayor Dorcey moved to approve Resolution R21-05-15 setting water recharge and other miscellaneous fees and service charges for FY2021-2022; seconded by Councilmember Norton.**

**Vote:** 7 - 0 Passed - Unanimously

3. Consideration and action to approve Resolution R21-05-16 adopting the tentative budget thereby setting the maximum expenditure limit for FY21-22. (Finance)

Financial Analyst Macy Walker presented a PowerPoint presentation. Ms. Walker addressed the budget additions, budget changes to move funds from Labor Distribution in Court and General Fund transfer to Court for labor distribution. Ms. Walker explained reductions for Recreational Enhancements and ARPA money, and Police Dispatch Study. Next there was a comparison by Fund and then a comparison by Department. She addressed Personnel Costs, and transfers to balance funds.

**Vice Mayor Dorcey moved to approve Resolution R21-05-16 adopting the Tentative Budget thereby setting the maximum expenditure limit for FY21-22; seconded by Councilmember Shapera.**

**Vote:** 7 - 0 Passed - Unanimously

4. Consideration and action to approve Resolution R21-05-17. (Vice-Mayor Dorcey, Councilmember Shapera)

Vice Mayor Dorcey and Councilmember Shapera brought this Resolution forward after learning that the Council could not legally refer this item to the voters and believed it needed to be reconsidered, voted on one way or the other, and not left hanging unattended. They each gave their reasoning in support of the Resolution and Councilmember Shapera reminded Council that the recent classification and compensation study included Council members at their request. There was considerable discussion from all council members; Councilmember Hutchinson stated he finds the current compensation acceptable and will not support this agenda item, Councilmembers Norton and Winston both believed now was not the time for a salary increase, and Mayor Hermosillo also stated she felt this was not the right time for an increase to be approved; the matter can be revisited in the future if need be. Vice Mayor Dorcey clarified that any increase would not be effective until after the 2022 General Election and stated she believed El Mirage needs to keep pace with other

cities. Mayor Hermosillo called for the motion and requested a roll-call vote.

**Vice Mayor Dorcey moved to approve Resolution R21-05-17; seconded by Councilmember Shapera.**

**Roll Call Vote:**

- Vice Mayor Dorcey - AYE**
- Councilmember Delgado - NAY**
- Councilmember Hutchinson - NAY**
- Councilmember Norton - NAY**
- Councilmember Shapera - AYE**
- Councilmember Winston - NAY**
- Mayor Hermosillo - NAY**

**Vote:** 2 - 5 Failed

**7. CITY MANAGER'S COMMENTS & SUMMARY OF CURRENT EVENTS**

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions

City Manager Dyches thanked everyone for attending the Veteran's Monument Dedication ceremony this morning in Cactus Park and all the staff who made it happen.

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

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

**Councilmember Hutchinson** thanked the Tolleson Police Chief Rudy Mendoza for hosting a tour of the Tolleson Dispatch Center and police department. He also stated the Veteran's Monument Dedication was a great ceremony. **Councilmember Shapera** advised that he will be going on ride-alongs with the El Mirage Police and Fire Departments in the near future. **Mayor Hermosillo** thanked everyone for attending the Veteran's Monument Dedication Ceremony.

**9. ADJOURNMENT:**

Vice Mayor Dorcey moved to adjourn the meeting at 7:00 pm; seconded by Councilmember Shapera.

**Vote:** 7 - 0 Passed - Unanimously

\_\_\_\_\_  
Alexis A. Hermosillo, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular El Mirage City Council

Meeting held on Tuesday, May 18, 2021 and a quorum was present.

  
Sharon Antes, City Clerk