

# 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, SEPTEMBER 8, 2022**

**Minutes**

**1. ROLL CALL**

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

**2. CALL TO ORDER - MEETING CALLED TO ORDER AT 6:00 PM.**

Pledge of Allegiance  
Moment of Silence  
Introduction of new City employees

Human Resources Director Dawn Kurek introduced Program Coordinator Jennifer Pullin.

**3. 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 public comments received.

**4. 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 to approve the minutes of the Special Meeting held on August 17, 2022, and the Work Session and Regular Council meeting held Tuesday, August 23, 2022. (City Clerk)
2. Consideration and action to approve the destruction of Personnel Records that have reached the end of their retention period as authorized under ARS §41-151.19. (Human Resources)
3. Consideration and action to approve the Master Services Agreement with Off Duty Management that provides the PD a fully customizable, centrally administered solution that manages all aspects of off-duty work by Officers. (Police)  
*This item was tabled for review and discussion at a future date.*

4. Consideration and action to approve a contract with CORE Construction for construction services required to complete the capital improvement project (62109) Senior Center Remodel for Offices for a total amount not to exceed \$86,000 (\$75,590 plus contingency of \$10,410). (Public Works)
5. Consideration and action to approve purchase of water meters for FY 23 from Mountain States Pipe and Supply (MSPS) in an amount not to exceed \$107,815.32 including a 9.3% estimated sales tax. (Public Works)
6. Consideration and action to approve a contract with PLG Lighting to upgrade the light system at Gateway Park for a total amount not to exceed \$60,000 (\$53,483.16 plus contingency of \$6,516.84), authorize the Finance Department to make any necessary transfers, and waive the competitive bid process. (Public Works)
7. Consideration and action to authorize the City Manager to enter into a Professional Services Contract with LEA-Architects L.L.C. to provide design services and construction documents for the New Public Works Building in an amount not to exceed \$159,015.50. (Activity No. 62343) (Development Services)
8. Consideration and action to extend the BizConnectPro contract to an amount not to exceed \$35,000 annually as permitted in the current contract. (Finance)

Vice Mayor Dorcey moved to approve consent agenda items 1,2 and 4-8, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

## 5. **REGULAR AGENDA**

1. Consideration and action to approve Resolution R22-09-20 amending Title XV, Sections 151.140, 152.030 and 155.057 of the El Mirage City Code allowing revisions and clarifications regarding the undergrounding of utilities for both existing and proposed lines. (Development Services)

Assistant City Engineer Bryce Christo presented information related to the code revisions and clarifications regarding the undergrounding of the utilities.

Vice Mayor Dorcey moved to approve Resolution R22-09-20 amending Title XV, Sections 151.140, 152.030 and 155.057 of the El Mirage City Code allowing revisions and clarifications regarding the undergrounding of utilities for both existing and proposed lines, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

2. Consideration and action to approve Ordinance O22-09-05 amending Title XV, Sections 151.140, 152.030 and 155.057 of the El Mirage City Code allowing revisions and clarifications regarding the undergrounding of utilities for both existing and proposed lines. (Development Services)

Vice Mayor Dorcey moved to approve Ordinance O22-09-05 amending Title XV, Sections 151.140, 152.030 and 155.057 of the El Mirage City Code allowing revisions and clarifications regarding the undergrounding of utilities for both existing and proposed lines, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

3. Consideration and action on a site plan approval application for a Distribution/Warehousing Center Indoor use located at the northeast corner of Olive Avenue and Dysart Road, and the approval of a zoning relief request from Chapter §152.030 requiring utilities and electrical powerlines 13 KV and under to be relocated underground submitted by DPML Copperwing LLC. (Development Services)

Senior Planner Jose Macias provided background information on the site plan and zoning relief request. **Councilmember Shapera** stated it looks to be a nice project. **Councilmember Delgado** asked if they would require rail service in the future and Mr. Macias stated he was not aware of that need for this project.

Vice Mayor Dorcey moved to approve a site plan approval application for a Distribution/Warehousing Center Indoor use located at the northeast corner of Olive Avenue and Dysart Road, and the approval of a zoning relief request from Chapter §152.030 requiring utilities and electrical powerlines 13 KV and under to be relocated underground submitted by DPML Copperwing LLC, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

4. A public hearing, closure of public hearing followed by a discussion and action on a Master Sign Program Conditional Use Permit application to allow modified signs from the zoning code to be placed throughout the Copperwing LogistiCenter properties located south of Peoria Avenue, east of El Mirage Road, north of the Northern Parkway and east of the city limit boundary submitted by Dermody Properties. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Senior Planner Jose Macias provided information on the master sign program being submitted. The applicant, Pat Gallagher stated they are proud to work with El Mirage on this development. **Councilmember Norton** asked if the trailer to be used would be permanent and Mr. Gallagher stated it is a mobile use for the sign and not permanent. **Councilmember Norton** also asked if it would be replaced with a different sign upon completion of the project and Mr. Gallagher answered yes. **Councilmember Delgado** asked if the signs would be removed upon completion of the project and Mr. Gallagher stated there would be some permanent signage at the location.

Hearing no further comments, Mayor Hermosillo closed the Public Hearing.

**Councilmember Norton** stated the signage is important to attract attention to the project and therefore approves this item. **Councilmember Shapera** stated the signage is in line with what they had previously projected for this area of property and is reasonable. **Vice Mayor Dorcey** stated it is a reasonable necessity.

Vive Mayor Dorcey moved to approve a Master Sign Program Conditional Use Permit application to allow modified signs from the zoning code to be placed throughout the Copperwing LogistiCenter properties submitted by Dermody Properties, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

5. A Public Hearing, closure of public hearing followed by a discussion and action on a conditional use permit for an auto service in an urban corridor zone, and site plan approval application for an Automobile / Boat / RV, Repair Minor use located at 13051 W Thunderbird Road submitted by PWP Dysart & Thunderbird LLC. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Mr. Macias presented information on the conditional use permit and site plan application. Applicant John Rehling had no additional comments. Resident Tom Pemberton stated the excessive speed on Thunderbird Road would not provide a safe area for this business to operate, the noise created from the work at the site would be too loud and would prevent him from getting rest for his night shift at the hospital. Mr. Pemberton is also concerned about environmentally hazardous products that would be in use at this business. Architect for the project, Victor Olson stated the location and placement of the building relative to the residential property will aid in reducing noise from the business.

**Councilmember Shapera** stated this is a creative use for the property and would like to know where the sign is going to be located. Mr. Olson stated there are existing multi-tenant signage on two locations. There will not be any additional signage. **Councilmember Norton** asked if it has been considered to soundproof the block walls around the property and Mr. Olson stated they are open to discussion for soundproofing the walls, but is not in the plan at this time. **Councilmember Winston** asked if the proposed business could be built further to the west in the undeveloped area and Mr. Olson stated moving the building over would not alleviate sound concerns and the area to the west is being considered for future development. **Councilmember Winston** asked if the office portion of the building would be on the side closest to the residential properties and Mr. Olson stated it is. **Councilmember Winston** asked for further information on soundproofing the area around the business to address resident concerns. Mr. Olson stated the business is already implementing measures to reduce sound emanating from the business. **Vice Mayor Dorcey** asked how many jobs would be generated with this project and Mr. Olson stated typically there are five people on shift at a time. **Councilmember Norton** asked if the employees test-driving vehicles is normal and Applicant Mr. John Rehling stated employees would not be test-driving any vehicles. **Councilmember Delgado** asked what the days and hours of operation would be and Mr. Rehling stated Monday through Thursday from 8:00 am until 6:00 pm, Saturday from 7:30 am until 5:00 pm and Sunday from 9:00 am until 4:00 pm.

Hearing no further comment, Mayor Hermosillo closed the Public Hearing.

**Councilmember Shapera** stated he is aware the area is noisy already and if there are concerns about the noise when the business is operating residents should call Code Enforcement. **Councilmember Norton** stated this is a good location for this service as well as future development.

**Councilmember Winston** stated this is a great project and appreciates the developer listening to the concerns of the residents and being willing to work with them.

Vice Mayor Dorcey moved to approve a conditional use permit for an auto service in an urban corridor zone, and site plan approval application for an Automobile / Boat / RV, Repair Minor use submitted by PWP Dysart & Thunderbird LLC, as presented; seconded by Councilmember Shapera.

**Vote:** 6 - 0 Passed - Unanimously

6. A Public Hearing, closure of public hearing followed by a discussion and possible of the City Council on a request for a conditional use permit for an outdoor and mini-storage in an Urban Corridor zone, and site plan approval zoning application. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Senior Planner Jose Macias provided information on the conditional use permit and site plan being

presented. Applicant Greg Ellsworth provided information to distinguish this project from others that are already in use in El Mirage. Mr. Ellsworth outlined the amenities this project would provide as well as the proposed development of a future restaurant in phase III. Mr. Ellsworth stated he is currently interviewing businesses for the restaurant portion of the project.

Hearing no further comments, Mayor Hermosillo closed the Public Hearing.

**Councilmember Winston** stated she is excited about this project. **Councilmember Norton** stated this location is in the middle of a residential area and the idea of a restaurant in that location would be great, but she is opposed to the project. **Vice Mayor Dorcey** stated she is concerned about the location for this type of business and does not think there are enough residents in need of this facility. **Mayor Hermosillo** agreed with Vice Mayor Dorcey on the use of this particular space for another storage facility, and she is not excited about this project. **Councilmember Shapera** stated he is not in favor of this project.

**NOTE: Motion was amended to deny a conditional use permit and site plan approval for this project.**

Vice Mayor Dorcey moved to deny item 5.6 as presented; seconded by Councilmember Shapera.

**AYE: Mayor Hermosillo, Vice Mayor Dorcey, Councilmember Delgado, Councilmember Norton, Councilmember Shapera, Councilmember Winston**

**Vote: 6 - 0 Passed - Unanimously**

## 6. 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 Crystal Dyches stated Grants and Special Programs Administrator Dr. Grooms has been advised by Maricopa County of an award in the amount of \$319,840 towards the purchase of a fire apparatus pumper. She also reminded residents to register for an appointment for the Fall bulk trash event.

## 7. 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.

**Vice Mayor Dorcey** stated Dr. Grooms does a great job, and she is appreciated. She also stated she attended the League of Cities and Towns Annual conference last week, and it was well put together. **Councilmember Delgado** read a letter from the Rancho El Mirage HOA praising the Police Department for swiftly addressing concerns brought to their attention. **Councilmember Norton** thanked staff for participation in the League of Cities and Towns conference. **Councilmember Winston** reminded everyone that appointments for bulk trash pickup can be made on the City's website. **Mayor Hermosillo** thanked everyone who participated in the League of Cities and Towns, she reminded residents that there is an opening on City Council, and that the Fall Harvest Event is coming up. **Councilmember Norton** added a video conference will be held on Wednesday, September 21, 2022, focusing on Teen Suicide Prevention Awareness. Information will be coming soon on how to register for this event.

## 8. ADJOURNMENT - MEETING ADJOURNED AT 7:24 PM.

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Alexis A. Hermosillo, Mayor

ATTEST:

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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 Thursday, September 8, 2022, and a quorum was present.

  
Sharon Antes, City Clerk