

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, JULY 2, 2024

Minutes

1. ROLL CALL

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

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

Pledge of Allegiance
Moment of Silence

Introduction of New Employee

City Engineer Jorge Gastelum introduced David Mohler, Code Enforcement Officer.

3. PROCLAMATION

1. To proclaim the month of July 2024 as Drowning Prevention Month in the City of El Mirage. (Fire)

Fire Chief Michael Long provided background information on Drowning Prevention Month.

Mayor Alexis Hermosillo proclaimed July 2024 as Drowning Prevention Month in the City of El Mirage.

2. A proclamation to proclaim July 2024 as Parks and Recreation Month in the City of El Mirage. (Parks and Recreation)

Parks and Recreation Director Sean VanRoenn gave a brief presentation providing background on Parks and Recreation Month with the theme of "Where You Belong" and discussed the improvements made to the City since the inception of the Parks and Recreation Department. Mr. VanRoenn also introduced acting Parks Supervisor, Robert De La Cruz.

Mayor Hermosillo proclaimed July 2024 as Parks and Recreation Month in the City of El Mirage.

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.

Resident Thomas George stated he is in favor of the donation of the fire engine and the heliport. Mr. George then asked why there was no ramp provided for Councilmembers to exit the dais and City Manager Crystal Dyches pointed out there was a ramp behind the dais.

Resident Jim McPhetres asked if there are statistics that show how money from Maricopa County is helping residents. Mr. McPhetres also stated he does not agree with the donation of the fire engine, and it should be rotated into the fleet to maximize usage.

Resident Scottie Gentry asked if the heliport would be used for medical purposes only. Ms. Gentry stated she is in favor of donating the fire engine, but the City should receive something for it.

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.

1. Consideration and action to approve the minutes of the Regular Council meeting held Tuesday, June 18, 2024. (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 -15I.19. (City Clerk)
3. Consideration and action to extend the agreement with Maricopa County Human Services Department for fiscal year 24/25 in an amount not to exceed \$30,000. (Administration)
4. Consideration and action to approve an agreement with the Greater Phoenix Economic Council (GPEC) for FY 2025 at an annual cost not to exceed \$17,892. (Economic Development)
5. Consideration and action to approve a final plat to accept and record public utility easements for a 2.19-acre development at the southeast corner of El Mirage Road and Thunderbird Road submitted by The KGR Group, LLC. (Development Services - Planning and Zoning)
6. Consideration and action to approve a donation of a de-commissioned 2007 Pierce Pumper fire engine, owned by the City of El Mirage, to be made to the City of Payson Fire Department. (Fire)
7. Consideration and action to request and accept funds, if awarded, from Walmart Spark Good Local Grants in an amount of up to \$2,000 to be used for public safety community outreach by the El Mirage Police Department. (Grants/Police)

8. Consideration and action to approve Resolution R24-07-17 in order to allow alcoholic beverages to be served and consumed at specific City of El Mirage Special Events for the FY2024/2025 event season. (Parks & Recreation)
9. Consideration and action to enter into a contract with NJB Soft LLC for an amount not to exceed \$38,469.60 for the purchase and implementation, under the terms of a cooperative purchasing agreement, for the first year subscription for water and wastewater regulatory compliance software and authorize the finance department to make any necessary transfers. (Public Works)
10. Consideration and action to approve a contract with Holbrook Asphalt for FY25 pavement maintenance work for an amount not to exceed \$1,350,000 and authorize finance to make any necessary transfers. (Public Works)
11. Consideration and action to approve Amendment No. 2 to the Intergovernmental Agreement (IGA) with the City of Glendale to provide law enforcement security services at the State Farm Stadium in Glendale, AZ, to extend from July 1, 2024, to June 30, 2027. (Police)

Vice Mayor Shapera moved to approve Consent Agenda items 1-11 as presented; seconded by Councilmember Dorcey.

Vote: 7 - 0 Passed - Unanimously

6. **REGULAR AGENDA**

1. A public hearing and closure of public hearing, followed by a discussion and action on Resolution R24-07-18 for proposed zoning text amendments to the City of El Mirage, Arizona Code of Ordinance Chapter 154: Zoning Code Book, to allow the use of a heliport in the Urban Corridor Zoning District. (Development Services - Planning & Zoning)

Mayor Hermosillo opened the Public Hearing.

Senior Planner Jose Macias presented information on the proposed zoning text amendments.

Resident Jim McPhetres asked if the traffic would be coming into or out of the medical center. Mr. McPhetres also stated he was concerned about what the actual use of the heliport would be. Mr. Macias explained there is no application for a heliport at this time. Mr. Macias explained this item is only to change the code text, and that discussion will be held when and if an application is received. Resident Jeff Lach asked why the City would open up the industrial section of the City to allow heliports. Resident Thomas George stated he is still in favor of this item, especially because it is only to change the code at this time and there is no application for a heliport yet. Mr. George suggested charging fees for use of the heliport for nonmedical reasons. Resident Scottie Gentry stated the heliport should only be used for medical purposes.

Councilmember Norton asked if this change would open the door to other businesses applying for a heliport and Mr. Macias stated any application would be reviewed prior to approval.

Councilmember Winston asked if the heliport would be for medical use only and Mr. Macias answered no.

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

Councilmember Norton stated it is great to see the medical center looking at this possibility. **Vice Mayor Shapera** stated this is a prime example of the need for fluid zoning codes.

Councilmember Delgado thanked staff for the presentation.

Vice Mayor Shapera moved to approve Resolution R24-07-18 for proposed zoning text amendments as presented; seconded by Councilmember Dorcey.

Vote: 7 - 0 Passed - Unanimously

2. A public hearing and closure of public hearing, followed by a discussion and action on Ordinance O24-07-06 for proposed zoning text amendments to the City of El Mirage, Arizona Code of Ordinance Chapter 154: Zoning Code Book, to allow the use of a heliport in the Urban Corridor Zoning District and declaring a public record by reference in Resolution R24-07-18, including Exhibits A and B. (Development Services - Planning & Zoning)

Mayor Hermosillo opened the Public Hearing.

Senior Planner Macias explained the need for the Ordinance.

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

Vice Mayor Shapera moved to approve Ordinance O24-07-06 for proposed zoning text amendments, as presented: seconded by Councilmember Delgado.

Vote: 7 - 0 Passed - Unanimously

3. Consideration and action to enter into the Kroger Settlement Agreement (national opioid settlement agreement) by authorizing City staff to submit the Participation Form releasing all claims against Kroger in exchange for opioid-remediation monies. (Administration)

City Manager Dyches explained the need for this item to Council.

Vice Mayor Shapera moved to enter into the Kroger Settlement Agreement and authorize City staff to submit the Participation Form, as presented; seconded by Councilmember Dorcey.

Vote: 7 - 0 Passed - Unanimously

4. Consideration and action to recommend appointment of William Mejia to fill a Commissioner vacancy on the Planning & Zoning Commission with a term that expires June 30, 2026, and appoint Thomas Gouer and Juanita Garcia to fill two Alternate Commissioner vacancies on the Planning & Zoning Commission with each term expiring June 30, 2028. (Commission Review Board - Mayor Hermosillo, Vice Mayor Shapera, and Council member Norton)

Mayor Hermosillo thanked everyone who applied for the Commission. **Vice Mayor Shapera** stated they all were very good candidates and was glad they agreed to volunteer.

Councilmember Norton stated there were many good candidates and really appreciated everyone who showed interest.

Vice Mayor Shapera moved to recommend the appointment of William Mejia to fill a Commissioner vacancy on the Planning and Zoning Commission and appoint Thomas Gouer and Janie Garcia as Alternate Commissioners, as presented; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

5. Consideration and action to appoint Planning & Zoning Commissioner Phillip Bueno, pursuant to City Code § 154.036(D), as replacement Chairperson of the Planning & Zoning Commission to fill a vacancy created by the resignation of current Chair Marie Houston at the July 9, 2024, meeting. (Commission Review Board - Mayor Alexis Hermosillo, Vice Mayor Shapera, Council member Norton).

Vice Mayor Shapera moved to appoint Philip Bueno as replacement Chairperson of the Planning and Zoning Commission, as presented; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

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 had no comments.

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.

Vice Mayor Shapera thanked the Police Department for resolving the homicide that took place in the City, and he appreciated their efforts. He also acknowledged the increase in outreach provided by the Fire Department. **Councilmember Delgado** stated he was excited about the swim program, and he wished everyone a happy and safe holiday. **Councilmember Dorcey** stated the Community Action Program (CAP) is a partnership with the City of Surprise, El Mirage and Maricopa County that provides support to residents in financial crisis. She stated during the years of 2021 through 2024 a total of 855 unduplicated households in El Mirage received rental and utility assistance amounting to over \$6 million dollars being disbursed. **Councilmember Dorcey** then stated the City also utilized \$27,449 in American Rescue Plan Act (ARPA) funds to provide additional staff support to the CAP office, which increased hours to better serve residents. She thanked everyone who worked in the CAP office. **Councilmember Jones** thanked the Police Department for solving the homicide and agreed with the Vice Mayor about the Fire Department outreach efforts. **Councilmember Norton** thanked the Police Department for their work on the homicide case and stated she has spoken with the Parks and Recreation Director about offering more opportunities for young people to keep active in the City. **Councilmember Winston** asked everyone to be aware of how fireworks can affect those with PTSD as well as pets. **Mayor Hermosillo** thanked everyone who attended the birthday celebration.

9. EXECUTIVE SESSION

1. Consideration and action to adjourn into Executive Session pursuant to A.R.S. § 38-431.02A.1 for the purpose of reviewing high-level city employee succession plans. (Administration)

Vice Mayor Shaper moved to adjourn into Executive Session; seconded by Councilmember Delgado.

Vote: 7 - 0 Passed - Unanimously

10. ADJOURNMENT - MEETING ADJOURNED AT 7:19 PM

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, July 2, 2024, and a quorum was present.



Sharon Antes, City Clerk