

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, DECEMBER 3, 2024**

Minutes

1. ROLL CALL

Present: Mayor Alexis Hermosillo; Vice Mayor Monica Dorcey; Councilmember Ryan Eldridge; Councilmember Scottie Gentry; Councilmember Anita Norton; Council Member Jacquelyn Parsons; Councilmember Donna Winston

2. CALL TO ORDER - the meeting was called to order at 6:00 p.m.

Pledge of Allegiance
Moment of Silence

3. PRESENTATIONS

1. Presentation for District 4 Maricopa County Supervisor Clint Hickman to celebrate his 11 years of public service to the City of El Mirage. (Mayor and Council)

Public Affairs Director Amber Wakeman introduced Maricopa County District 4 Supervisor Mr. Clint Hickman. Mayor Hermosillo provided a history of the partnership with Mr. Hickman, noting his unwavering support and service to various projects in El Mirage and his leadership of West Valley growth during his 11 years as a member of the Maricopa County Board of Supervisors. Mr. Hickman addressed Council stating support is everything and that El Mirage was one of his favorite cities with which to work. He thanked Council for the recognition and inviting him to this meeting.

2. Special staff gift presentation. (Council members Shapera, Delgado, and Jones)

Outgoing Councilmembers David Shapera, Roy Delgado, and Bob Jones presented an engraved crystal award to City Manager Crystal Dyches to express their appreciation for her leadership and commitment to the City of El Mirage during their tenure on Council.

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 Council meeting held Wednesday, November 6, 2024, minutes of the Regular Council meeting held Wednesday, November 13, 2024, minutes of the Special Council meeting held Thursday, November 14, 2024, and minutes of the Special Council meeting held Wednesday, November 20, 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 adopt the 2025 update to the Design & Development Standards Manual as an official City document. (Development Services)
4. Consideration and action to approve a Final Plat to accept and record public utilities and roadway easements for a 3.4-acre parcel at 12545 W Butler Drive, El Mirage, Arizona 85335 submitted by Erie & Associates, Inc. (Development Services, Planning & Zoning)
5. Consideration and action to enter into a contract with Maintain X for a Computerized Maintenance Management System (CMMS) to be utilized by the Parks and Facilities divisions in an amount not to exceed \$4,990. (Parks and Recreation/Public Works)

Vice Mayor Dorcey moved to approve Consent Agenda items 4.1 through 4.5; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

5. **REGULAR AGENDA**

1. Consideration and action to accept the Fiscal Year Ended June 30, 2024, Annual Comprehensive Financial Report. Finance)

Finance Director Robert Weddigen introduced Mr. Brian Hemmerle from Baker Tilly LLP who presented Council with an overview of the City's 2024 comprehensive Annual Financial Report related to their recent audit.

Vice Mayor Dorcey moved to accept and approve the Fiscal Year Ended June 30, 2024 Annual Comprehensive Financial Report; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

2. Administer Oaths of Office to three newly elected Council members, Ryan Eldridge, Scottie Gentry, and Jacquelyn Parsons for four-year terms ending 2028. (City Clerk)

At this time, outgoing Councilmember David Shapera noted his 16 years of service to El Mirage as a Council member and expressed his hope that the new council members would do a good job. Councilmember Delgado said goodbye and wished the new members good luck with their service on the Council. Councilmember Jones thanked his colleagues and congratulated new members to the Council. Vice Mayor Dorcey thanked the outgoing Council members for their service and all the knowledge she learned from them. Mayor Hermosillo also thanked outgoing Councilmembers Shapera, Delgado and Jones for their many years of dedicated service on Council.

Former Mayor John Garza gave the Oath of Office and swore in newly elected Councilmember Scottie Gentry.

Mr. Keith Forte gave the Oath of Office and swore in newly elected Councilmembers Ryan Eldridge and Jacquelyn Parsons.

There was a brief break in the meeting to allow for photo opportunities with family and friends and repositioning of Council members at the dais.

3. Consideration and action to approve Resolution R24-12-28 to amend Chapter 151 under Title XV of the El Mirage City Code to allow revisions and clarification regarding Public Right-Of-Way and Encroachments. (Development Services)

Assistant City Engineer Bryce Christo gave a PowerPoint presentation explaining the need for and the proposed revisions to certain sections of the City Code Chapter 151. He made note that if approved, Section 151.999 did not need to be changed and should remain as the original version when making the motion.

Vice Mayor Dorcey moved to approve Resolution R24-12-28 to amend Chapter 151 under Title XV of the El Mirage City Code to allow revisions and clarification regarding Public Right-Of-Way and Encroachments with the addendum that Section 151.999 remains in its original version, seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

4. Consideration and action to approve Ordinance O24-12-11 to amend Chapter 151 under Title XV of the El Mirage City Code to allow revisions and clarification regarding Public Right-Of-Way and Encroachments. (Development Services)

With the addendum noted to Resolution R24-12-28, there was no discussion on this item.

Vice Mayor Dorcey moved to approve Ordinance O24-12-11 to amend Chapter 151 under Title XV of the El Mirage City Code to allow revisions and clarification regarding Public Right-Of-Way and Encroachments, with the addendum that Section 151.999 remains in its original version, seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

5. Consideration and action on a site plan amendment zoning application for a data center at 12901 W Olive Avenue, El Mirage, Arizona 85335, submitted by Stantec Consulting Services. (Development Services - Planning and Zoning)

Senior Planner Jose Macias presented a PowerPoint presentation on the application for phase five of the data center at the southeast corner of Dysart Road and Olive Avenue. A representative from the applicant, Stantec Consulting Services, was present to answer any additional questions.

Councilmember Eldridge asked how much water consumption would be required for this additional center and was advised that with the implementation of a newer design, the water consumption would be greatly reduced. He also asked if there were additional centers planned on this site for the future and was informed this is the last building for this site. Vice Mayor Dorcey stated she was pleased to see the expansion and the progress of this development.

Vice Mayor Dorcey moved to approve a site plan amendment zoning application for a data center at 12901 W Olive Avenue, El Mirage, Arizona 85335, submitted by Stantec Consulting Services; seconded by Councilmember Parsons.

Vote: 7 - 0 Passed - Unanimously

6. Consideration and action on a site plan approval zoning application for an industrial use for a steel manufacturing business at the northwest corner of El Mirage Road and Olive Avenue, El Mirage Arizona 85335 submitted by PHNX Design LLC. (Development Services - Planning and Zoning)

Senior Planner Jose Macias presented a PowerPoint presentation for this item making note that the location is on the northeast corner rather than the northwest corner of El Mirage Road and Olive Avenue to the north of Burger King. Mr. Mike Hills from PHNX Design LLC and Mr. Michael Foley, CFO for Castle Steel, were present by phone and in person to answer any Council questions.

Vice Mayor Dorcey stated that she noted in reading through the material provided, there was a lengthy, if not daunting, list of items needing attention and inquired of the applicant if they were prepared to address such a long list. She was assured by the applicant that they were confident they would complete the requirements and have already addressed a number of items on the list.

Councilmember Eldridge expressed concern over a possible increase in traffic, noise, and dust with this project, but was advised there would be no significant increase in trucks entering/exiting and the noise and dust would be minimal per permitting requirements.

Vice Mayor Dorcey moved to approve a site plan zoning application for an industrial use for a steel manufacturing business at the northwest corner of El Mirage Road and Olive Avenue, El Mirage Arizona 85335 submitted by PHNX Design LLC with the correction that the site is the northeast corner; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

7. Consideration and action on a site plan approval zoning application for a retail commercial building at 12130 W Thunderbird Road, El Mirage, Arizona 85335 submitted by ProCa Design LLC. (Development Services - Planning & Zoning)

Senior Planner Jose Macias presented a PowerPoint presentation on this item and representatives from ProCa Design LLC were present to answer questions of Council.

Councilmember Norton inquired about what types of businesses would be secured for this building, would a real estate agent be involved in soliciting businesses, and had this company done business in other cities. She was informed that no particular type of business was determined at this point, a real estate agent would be involved to assist in securing businesses and the cities of Phoenix, Scottsdale, Surprise, and Peoria have been represented by this company with various types of businesses.

Councilmember Eldridge asked how long the building would remain vacant once work is complete and was advised that they wanted business occupants as quickly as possible. He also stated he hoped the businesses would promote the small town appeal of El Mirage and the applicant agreed.

Vice Mayor Dorcey stated she believed this was a good project with great promise and wished the applicants well in proceeding. **Councilmember Gentry** stated she, too, is pleased with this project and bringing more small businesses to the downtown area.

Vice Mayor Dorcey moved to approve a site plan zoning application for a retail commercial building at 12130 W Thunderbird Road, El Mirage, Arizona 85335 submitted by ProCa Design LLC; seconded by Councilmember Winston.

Vote: 7 - 0 Passed - Unanimously

8. Consideration and action on a zoning relief request from Chapter §152.030 requiring utilities and electrical 13KV power lines, and under, to be relocated underground at the Castle Steel site plan located at 12210 W Olive Avenue submitted by Castle Steel, Inc. (Development Services - Planning and Zoning)

Senior Planner Jose Macias presented a PowerPoint presentation explaining the previously approved Castle Steel site plan request for a City Code waiver requiring utility lines to be placed underground when there is an exemption provision within the Code.

Councilmember Norton stated that given the circumstances and the fact there is an exemption provision, it would be unreasonable to require placement of the utilities underground. **Vice Mayor Dorcey** agreed and stated it would be unreasonable in this location and there was no benefit in requiring it to be done.

Vice Mayor Dorcey moved to approve a zoning relief request from Chapter §152.030 requiring utilities and electrical 13KV power lines, and under, to be relocated underground at the Castle Steel site plan located at 12210 W Olive Avenue submitted by Castle Steel, Inc.; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

9. Consideration and action on a final subdivision plat to record eight one-acre residential lot splits, three private tracts, and public utility easements for a twelve-acre property at the northwest corner of El Mirage Road and Peoria, El Mirage, Arizona 85335 Submitted by Crux Solutions. (Development Services - Planning & Zoning)

Senior Planner Jose Macias presented a PowerPoint presentation on the revised plan for the subdivision plat previously presented which failed to pass Council. The applicant was present and addressed a number of major concerns Council had. In particular, there will be no on-street parking, lot fees were increased to \$200/lot, and landscaping concerns were addressed.

Vice Mayor Dorcey thanked the applicant for their additional efforts and bringing this request back to Council and her previous concerns were addressed. **Councilmembers Eldridge and Parsons** stated they were very pleased to see this project brought back before Council and excited about more residential homes in El Mirage. **Councilmember Norton** also stated she was pleased to see this project come back before Council but noted that the plans showed more landscaping than was required, and they may be able to save on costs by reducing the amount of landscaping planned. **Councilmember Gentry** asked for clarification regarding what appeared to be conflicting dates from LAFB correspondence; Mr. Macias explained the sequence of events for the differing dates. She further stated she was in agreement with other Council members and excited to welcome this project.

Vice Mayor Dorcey moved to approve a final subdivision plat to record eight one-acre residential lot splits, three private tracts, and public utility easements for a twelve-acre property at the northwest corner of El Mirage Road and Peoria, El Mirage, Arizona 85335 Submitted by Crux Solutions; seconded by Councilmember Dorcey.

Vote: 7 - 0 Passed - Unanimously

10. Consideration and action to approve the Memorandum of Understanding (MOU) with the Arizona Department of Public Safety (DPS) for the transfer of controlled substances to the El Mirage Police Department to be used as K9 training aids (Police).

Police Chief Marzocca explained the request to approve the MOU with DPS and stated the request for three 10 gram units was for each of the three canine Officers Nyak, Mando, and Gunner.

Vice Mayor Dorcey moved to approve the Memorandum of Understanding (MOU) with the Arizona Department of Public Safety (DPS) for the transfer of controlled substances to the El Mirage Police Department to be used as K9 training aids; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

11. Consideration and action to fill two vacancies and recommend Councilmember Monica Dorcey to serve as the primary committee member, and Councilmember Jacqueline Parsons to serve as the alternate committee member on the Community Development Advisory Committee (CDAC) for the remainder of the FY2024-2026 term. (Mayor Hermosillo)

Administrative Program Coordinator Martina Longoria explained the need to appoint a new CDAC primary committee member and a new CDAC alternate committee member because these seats were previously held by two outgoing Council members.

Councilmember Eldridge asked if he could make an amended motion to appoint Councilmember Norton as the primary committee member because she had previous CDAC experience. **Vice Mayor Dorcey** commented that she did not seek this position, but stated caution was necessary because the role is a very responsible position. Councilmember Eldridge was advised by the City Attorney that he could amend the motion.

Councilmember Eldridge moved to fill two vacancies and recommend Councilmember Anita Norton to serve as the primary committee member, and Councilmember Jacqueline Parsons to serve as the alternate committee member on the Community Development Advisory Committee (CDAC) for the remainder of the FY2024-2026 term; seconded by Councilmember Gentry.

Vote: 4 - 3 Passed

NAY: Mayor Alexis Hermosillo
Vice Mayor Monica Dorcey
Councilmember Donna Winston

12. Consideration and action to establish a temporary, special Parks and Recreation Advisory Task Force. (Parks & Recreation Department)

Parks & Recreation Director Sean VonRoenn gave a PowerPoint presentation on the formation of a temporary parks and recreation Advisory Task Force. He explained that the Task Force would work with the company, 110%, who was hired for the parks and rec master planning effort, as well as assist in initial planning for the upcoming 75th City anniversary, and prepare a proposal with specific criteria for a standing Parks & Recreation Committee.

Vice Mayor Dorcey stated she was very pleased with the plan and approach and believed the proposed Task Force members to be a very impressive group of residents. **Councilmember Gentry** asked for clarification on the purpose of the committee and Mr. VonRoenn outlined their specific tasks. She further asked how this committee was formed, who selected the members, and was it something anyone could sign up for. Mr. VonRoenn explained that the formation of the Task Force

and selection of members was not formalized but rather suggestions of long term residents and those who expressed interest in parks and recreation. **Councilmember Eldridge** stated he believed more resident input was needed in forming this Task Force and wants to be a part of the selection of committee members. Mr. VonRoenn explained this is just a temporary task force to primarily work on the parks master plan which will, indeed, involve open public meetings with resident input.

Councilmember Norton, also expressed a desire for more Council input and suggested each Council member put forward a name from the community to serve on the Task Force.

Councilmember Parsons asked for and received from Mr. Von Roenn clarification on the process for interviewing and serving on a future permanent Parks & Rec Committee. **Councilmember Winston** thanked Mr. VonRoenn for moving this project forward by putting together a temporary task force of qualified residents to engage all residents for public input into desires and needs for future parks and recreation. Mayor Hermosillo thanked all for their input and called the question for a motion followed by a roll call vote.

Mayor Hermosillo moved to approve the formation of a temporary special Parks and Recreation Advisory Task Force with the proposed five members for the purpose of assisting with the parks and recreation Master Plan, brainstorming initial ideas for the 75th City anniversary celebration, and preparing for Council review a specific plan with criteria to form a future standing Parks and Recreation Committee; seconded by Councilmember Winston.

Vote: 4 - 3 Passed

NAY: Councilmember Ryan Eldridge
Councilmember Scottie Gentry
Councilmember Anita Norton

6. 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 Cindy Oliveres spoke regarding previous Parks & Rec Directors and wants Council to correct more recent publications stating the recently appointed and current Parks & Rec Director is not the first the City has ever had. She admonished the Council for not knowing the history she lived and requested a press release to set the record straight.

Resident Phillip Bynum remarked about changes he is hopeful for with the new Council and is looking forward to more transparency and communication with the public. He referenced several items on the agenda tonight that he had questions and/or comments on relating to questions asked by Council. He also stated he hoped there was a way to get more residents informed and interested in attending Council meetings.

Resident Steve Gillium (on-line) stated there seemed to be a lot of "fluff" going on in the City. He stated rather than spending money on more parks, he hopes this new Council will focus on new ideas and substantial projects. He also mentioned there was lack of enforcement to maintain a clear distance from fire hydrants, causing difficulty for firefighters doing their jobs.

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 previous Councilmembers for their hard work and dedication to serving the community and welcomed all new Council members for future opportunities. She also invited all to join in the holiday cheer on Saturday, December 7th from 6:00 to 9:00 P.M. at Bill Gentry Park for the Winter Fest and holiday parade.

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 Dorcey updated everyone on the status of the City Clerk who suffered an injury while in Nevada, stating she was out of hospital and now in Surprise, AZ at a rehab center and doing well. She congratulated the new City Clerk Assistant, Corey Williams, who, after only two weeks on the job, had stepped up to expertly handle this meeting in the City Clerk's absence and also welcomed the assistance and support of the City's previous City Clerk, Edie Hoover. **Councilmember Gentry** thanked everyone for attending tonight's meeting and promised to do her best as a Council member to ensure transparency and fiscal responsibility, thanked Corey for doing a great job in handling tonight's meeting, hopes to see everyone at the Winter Fest and wished everyone a Merry Christmas. **Councilmember Eldridge** expressed his thanks for being elected to Council and is looking forward to working with everyone. He thanked the Mayor and City Manager for answering all his email questions and thanked Councilmember Norton for her assistance. **Councilmember Norton** welcomed the new Council members, thanked all for coming out tonight, and hoped all would attend the Gentry Park holiday celebration. **Councilmember Parsons** thanked all for coming, especially family and friends and all who voted and promised to do her best in serving on the Council. **Mayor Hermosillo** welcomed the new Council members and stated she looks forward to working together for the betterment of El Mirage.

Vice Mayor Dorcey moved to adjourn the meeting; seconded by Councilmember Parsons.

Vote: 7 - 0 Passed - Unanimously

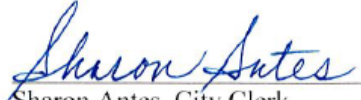
9. **ADJOURNMENT - meeting was adjourned at 8:04 p.m.**

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, December 3, 2024, and a quorum was present.



Sharon Antes, City Clerk