

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 6, 2025**

Minutes

1. ROLL CALL

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

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

Pledge of Allegiance
Moment of Silence

3. PROCLAMATION

1. Proclaiming May 2025 as Mental Health Awareness Month.

Mayor Alexis Hermosillo read a Proclamation declaring May 2025 as Mental Health Awareness Month.

2. Proclaiming May 4-10, 2025, as the 56th Annual Professional Municipal Clerks Week.

Mayor Alexis Hermosillo read a Proclamation declaring May 4-10, 2025, as the 56th Annual Professional Municipal Clerks Week.

3. Proclaiming May 18-24, 2025, as Emergency Medical Services Week in the City of El Mirage. (Fire)

Mayor Alexis Hermosillo read a Proclamation declaring May 18-24, 2025, as Emergency Medical Services 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.

Jeff Lach, resident, stated a lot of residents do not agree with the spending that has been going on at City Council. He stated that he would like to see the budget cut by 10% and to put a hold

on large venture capital projects. Mr. Lach stated that water meters should last 25 years and the city should hire someone to read the meters instead of replacing all the water meters.

John Leep, resident of Goodyear, Arizona, stated that he is putting on a car show in El Mirage this Saturday and people from all over the state are coming, as well as news channels to raise money for Hartlee who was diagnosed with brain cancer. He asked if the El Mirage Police Department could block off two lanes in front of El Mirage Elementary School, so additional cars would be able to participate in the event since there is limited space inside the school. Mr. Leep requested that Council and residents attend to support the effort.

Mark Hill, resident, stated he was contacted last month by the City Manager about his newsletter and asked to stop using the city logo and the word official in the title. Crystal Dyches, City Manager, replied by reading the email that she sent to Mr. Hill regarding the publication of his newsletter.

Tracy Wilson, resident, stated she wanted to address the recent discussion on Facebook regarding El Mirage Cares. She stated that she did not approve of Councilmember Norton's approach to taking El Mirage Cares and the unwillingness to engage with Councilmembers more positively. Councilmember Norton responded that the citizens of El Mirage elected her by a great majority, and she responded to the discussion on Facebook. Councilmember Norton stated that she is willing to have a discussion in private and council chambers is not a place to come forward. Mayor Hermosillo stated the public can come forward with commentary and anyone who wishes to speak is allowed to share their opinion at council meetings.

Cindy Oliveres, resident, stated she had concerns about raising the water rates. She asked Councilmembers to give residents a break this year and not raise the rates.

Jim McPhetres, resident, thanked the Mayor, Vice Mayor, and Councilmembers Eldridge and Winston for showing up to the ribbon cutting and showing support for Hartlee on Saturday. He stated that spending is out of control and would like to see a freeze on hiring except for public safety. Mr. McPhetres stated how the budget is presented now is very confusing and should be made simple so that a high school graduate can read and understand where the money is coming and going. He stated that the city does not need to publish its own newspaper, and he appreciates Mr. Hill's opinion on his newsletter.

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, April 15, 2025. (City Clerk)
2. Consideration and action to approve Resolution R25-05-07 adopting the City of El Mirage's updated Title VI Implementation Plan, which includes a Public Participation Plan and Limited English Proficiency Plan, for the purpose of complying with federal, state, and regional transit mandates. (Administration)

3. Consideration and action to approve a Memorandum of Understanding (MOU) between Maricopa County Superior Court and El Mirage City Court, allowing the Maricopa County Superior Court to continue conducting Initial Appearance Hearings for El Mirage in-custody defendants. (City Court)
4. Consideration and action to approve the multi-year agreement with PowerDMS (NeoGov) for a total of \$19,044.67 (including taxes) for year one (Police).
5. Consideration and action to approve the ten-year extension to the agreement between the El Mirage Police Department and Arizona State University (Police).
6. Consideration and action to approve an amendment to the intergovernmental agreement (IGA) between the City of El Mirage and the City of Surprise for water services. (Public Works)
7. Consideration and action to approve contract(s) PW24-RFP-JOC02 with selected vendors. (Public Works)
8. Consideration and action to award a contract to Weems Asphalt using the City Contract PW23-JOC01 to install the speed cushions on Varney Road between 127th Avenue and El Mirage Road in the amount of \$48,303, including a 10% contingency. (Development Services)
9. Consideration and action to enter into a construction contract with Omni Electric in an amount not to exceed \$65,903, including a 10% contingency. (Development Services - Engineering)
10. Consideration and action to authorize the City Manager to enter into a construction contract with Devco Dirtworks, LLC to construct an outdoor learning pavilion in the area east of the El Mirage Library located at 13513 North El Mirage Road in an amount of \$348,040.50 plus a construction contingency of \$34,959.50 for a total amount of \$383,000. (Development Services - Engineering)
11. Consideration and action to approve a final plat to accept and record a lot split, public right-of-way, utility easement, vehicle non-access easement, and cross-access easements for the Black Rock Coffee on a 2.1-acre property located at the northwest corner of Grand Ave and Acoma Dr submitted by Helix Engineering, LLC. (Development Services - Planning and Zoning)

*Vice Mayor Parsons moved to approve Consent Agenda Items 1-11; seconded by Councilmember Winston
Vote 7 - 0 PASSED - Unanimously*

6. **REGULAR AGENDA**

1. Public Hearing, closure of Public Hearing followed by consideration and action to approve Resolution R25-05-04 setting water and wastewater rates or rate components, fees or service charges. (Administration)

Mayor Hermosillo opened the public hearing. Macy Walker, Budget Manager, gave a presentation on the rate study. Ms. Walker stated the last rate study was conducted in February 2023 which evaluated the sufficiency of existing water, sewer and sanitation revenues to provide funding for current and future operating, maintenance and capital expenses as well as

meet legal obligations associated with outstanding debt. Ms. Walker outlined the proposed changes: Sanitation - no change and keep opt-in for recycling; Sewer - change to flat rate model with a 3% increase in FY27; Water - debt option with 3% increase in both FY26 and FY27; Zero the recharge fee and accept water credits from Surprise; Add OTS (Surprise Original Town Site) oversized line fee.

Tom George, resident, stated that he is a renter in El Mirage, and he has seen rent increase 50% in the last five years. He asked the council not to raise the water rates.

Jim McPhetres, resident, asked the council to give the citizens a break.

Lupe Amarias, resident and virtual speaker, stated that it is fiscally irresponsible to raise the rates on citizens when there is no budget shortfall. She stated increased rates is excessive and cause issues and anguish for citizens, and we are in Mental Health Awareness Month.

Councilmember Eldridge questioned if the city was carrying any debt over. Ms. Walker stated there are currently loans in the water fund and this would help pay off old debt.

Councilmember Gentry questioned whether there were any other funds that could be used to pay debt, how many meters there are currently, the date the meters were last replaced, and did we get quotes for the meters. Ms. Walker stated the water fund is an Enterprise Fund and revenue collected is based on the service used, and those funds used to pay for the operating costs. Nick Russo, Public Works Director, stated there are approximately 12,000 water meters in the city and the last time the meters were replaced was in 2014 and the cost was approximately \$3.6 million.

Councilmember Norton questioned if the rate increase in 2014 was supposed to pay for the meters at that time, why the rate did not decrease once the meters were paid for and if the radios on the existing meters are not working properly they would have to be read manually. Mr. Russo stated that some of the meters in the field have reached the end of their useful life cycle and staff currently read 20% of the meters manually. He stated that is up 10% from the previous year and at that rate there would be total failure in a couple of years.

Councilmember Gentry questioned why the general fund could not be used to offset the rate increase. Robert Nilles, Deputy City Manager, stated the water utility operates as an Enterprise Fund. Mr. Nilles stated that means it is intended to function as a self-supporting business with revenues primarily from user fees covering the full cost of service including operations, maintenance, infrastructure investment and debt obligations.

Councilmember Norton questioned if it would be possible to transfer money from the General Fund to the Enterprise Fund. Mr. Nilles stated as a reminder, the water system is not just the City of El Mirage but also serves a square mile in the City of Surprise. He stated that by transferring monies from the General Fund, the council would be paying for City of Surprise residents' water rates with money collected only from City of El Mirage residents.

Mayor Hermosillo closed the public hearing at 6:53 p.m.

Councilmember Dorcey moved to approve Resolution R25-05-04 setting water and wastewater rates or rate components, fees or service charges; seconded by Mayor Hermosillo.

AYES - Mayor Hermosillo, Councilmember Dorcey

NAYES - Councilmembers Eldridge, Gentry, Norton, Parsons and Winston

Vote 2 - 5 FAILED

Councilmember Dorcey expressed concerns regarding the outcome of the vote. She stated that

this item was heard in previous Work Sessions and this was not responsible behavior on the part of the council.

Councilmember Winston stated that Councilmember Dorcey was correct and that previous conversations about this item were had and she wanted to change her vote.

Justin Pierce, City Attorney, stated she would be allowed to motion for a reconsideration since she was on the prevailing side of the previous vote.

Councilmember Winston moved to reconsider item 6.1; seconded by Vice Mayor Parsons.

Councilmember Gentry called the question; seconded by Councilmember Dorcey.

Motion PASSED - Unanimously.

Vote: 7 - 0

Vote to reconsider item 6.1:

Ayes: Mayor Hermosillo, Vice Mayor Parsons, Councilmembers Dorcey and Winston

Nayes: Councilmembers Eldridge, Gentry and Norton

Vote: 4 - 3 PASSED

Councilmember Dorcey moved to approve Resolution R25-05-04 setting water and wastewater rate components, fees or service charges; seconded by Mayor Hermosillo.

AYES: Mayor Hermosillo, Vice Mayor Parsons, Councilmembers Dorcey and Winston

NAYES: Councilmembers Eldridge, Gentry and Norton

Vote : 4 - 3 PASSED

2. Consideration and action to approve Resolution R25-05-05 setting miscellaneous fees and service charges for Fiscal Year 2025/26. (Administration)

Macy Walker, Budget Manager, discussed setting miscellaneous fees and service charges for Fiscal Year 2025/26.

Vice Mayor Parsons moved to approve Resolution R25-05-05 setting miscellaneous fees and service charges for Fiscal Year 2025/26; seconded by Councilmember Winston.

AYES: Mayor Hermosillo, Vice Mayor Parsons, Councilmembers Dorcey and Winston

NAYES: Councilmembers Eldridge, Gentry and Norton

Vote: 4 - 3 PASSED

3. Consideration and action to approve Resolution R25-05-06 adopting the tentative budget, thereby setting the maximum expenditure limit for FY25-26. (Administration)

Macy Walker, Budget Manager, gave a presentation on the tentative budget for Fiscal Year 25-26.

Councilmember Eldridge questioned if this was a zero-based budget, and whether it would stay the same in the future. Ms. Walker stated it would be only for the fiscal year 2026 budget because the object code changes. She stated that typically it would be a hybrid process.

Vice Mayor Parsons moved to approve Resolution R25-05-06 adopting the tentative budget, thereby setting the maximum expenditure limit for FY25-26; seconded by Councilmember Winston.

AYES: Mayor Hermosillo, Vice Mayor Parsons, Councilmembers Dorcey, Eldridge and

Winston**NAYES: Councilmembers Gentry and Norton****Vote: 5 - 2 PASSED**

4. Public Hearing, closure of Public Hearing, followed by a consideration and action on a Zoning Text Amendment to the City of El Mirage, Arizona Zoning Code: Land Usage Volume 2 Chapter 154.052 Permitted Uses by Zone, Residential Use Category pertaining to Manufactured and Modular Homes prohibited in certain zoning districts. (Development Services - Planning & Zoning)

Mayor Hermosillo opened the public hearing at 7:29 p.m.

Jose Macias, Senior Planner, provided a proposed amendment to Land Usage Volume 2, Chapter 154.02: Permitted Uses by Zone. He stated the text amendment seeks to prohibit manufactured and modular homes in single-family zoning areas; permits them only in designated mobile home parks.

Jim McPhetres, resident, stated modular homes and manufactured homes are sometimes built better than stick homes, but there should still be restrictions on where they can be located. He stated that as the President of a homeowner's association, they would not allow manufactured or modular homes to be located in their neighborhood.

Jeff Lach, resident, asked where would the modular homes be located throughout the city. He stated that modular homes should be in the downtown area.

Tom George, resident, stated that if residents are planning on turning double wide into four apartments, renting them out would not be a good thing. He stated that it is not okay in any neighborhood.

Cindy Oliveres, resident, stated the name old town needs to stop and downtown should be referred to as the original.

Councilmember Norton asked what would be multi-family use and what would be conditional use. Mr. Macias clarified that multi-family would only be modular homes and conditional use would be what is current, such as shouldn't become a nuisance to the neighborhood or create any noise or any kind of disturbance to the neighborhood.

Mayor Hermosillo closed the public hearing at 7:50 p.m.

Councilmember Norton moved to approve the zoning text amendment to the City of El Mirage, Arizona Zoning Code; Land Usage Volume 2 Chapter 154.052 Permitted uses by Zone as amended by City Council (amendment - permit modular homes in the mixed urban and suburban areas and not permit manufactured homes except in the permitted areas); seconded by Councilmember Winston.

Motion PASSED - Unanimously

5. Consideration and action to approve a one-time purchase to replace the digital billboard signs at Gateway and Bill Gentry Parks through a cooperative contract with Precise Sign Co., LLC. utilizing the IGPA Contract Number 25-05 for \$219,279.26, plus contingencies, for a total amount not to exceed the budgeted amount for FY25 of \$260,000 (Administration)

Serena Webbe, Marketing Specialist Senior, gave a presentation on the replacement of the digital billboard signs at Gateway and Bill Gentry Parks. Ms. Webbe provided the current status

of the signs, background, utilization, strategic goals for the signs and provided a recommendation on the replacement of the signs.

Councilmember Norton questioned what the warranty would be for the signs and if the company was local. Ms. Webbe stated the warranty would be for 10 years and Precise Sign Co. is a local company.

Councilmember Eldridge questioned if this could be put into the Parks Master Plan so we can do this at a later date. Amber Wakeman, Deputy Director Intergovernmental Relations and Public Affairs, stated that the money has already been budgeted by the Council and there is a need for the community now and the signs are getting worse. She stated this is time-sensitive, and the price is under the budgeted amount.

Vice Mayor Parsons moved to approve a one-time purchase to replace the digital billboard signs at Gateway and Bill Gentry Parks through a cooperative contract with Precise Sign Co., LLC. utilizing the IGPA Contract Number 25-05 for \$219,279.26, plus contingencies, for a total amount not to exceed the budgeted amount for FY25 of \$260,000; seconded by Councilmember Norton.

Motion PASSED - Unanimously

6. Consideration and action regarding El Mirage Cares (Mayor and Council)

Mayor Hermosillo gave background on the El Mirage Cares Program and recent developments that have occurred that raised some possible legal concerns. Mayor Hermosillo thanked Councilmember Norton for changing the name of her 501(c)(3) organization. She stated there were concerns that arose about how the program was represented. Mayor Hermosillo directed staff to review internal procedures to ensure this does not happen again.

Councilmember Winston stated that she has been receiving repeated, targeted and dismissive attacks. She stated that Councilmember Norton filed a trademark and created a nonprofit using the city's initiative name with no notice to council and there was no transparency, and it was deliberate and wrong. Councilmember Winston then stated the history of the El Mirage Cares Program from its inception, which was September 15, 2015.

Vice Mayor Parsons stated that she wanted to focus on where we go from here. She stated that she has seen the passion Councilmember Norton has for helping others and this should be recognized regardless of any disagreement about the process. She stated that public officials should operate within a shared framework when programs use city-affiliated names and involve staff or resources and be coordinated through proper channels to give credibility, consistency and accountability. She stated there is an opportunity to strengthen how we approach initiatives like El Mirage Cares by improving communication, being clear about roles and responsibilities and making sure we are pulling in the same direction. Vice Mayor Parsons stated she hopes this will lead to better collaboration, not just among the council, but with community partners as well.

Mayor Hermosillo asked Councilmember Norton if she was willing to cancel registrations made in relation to El Mirage Cares name with her affiliate organization.

Councilmember Norton stated that she will take it under advisement with the board that represents the organization.

Councilmember Eldridge stated that El Mirage Cares has been a vital resource for the residents of El Mirage. He stated he is 100% ok with a non-profit picking up the program and making

sure it receives the maximum exposure, but there seems to be a power struggle that is going on right now. He stated that he applauded Councilmember Norton's passion for the project but that recent actions and decisions, without stating intentions, were wrong, and he feels disrespected. He stated it is a slap in the face to anyone that has put work into the program and a slap in the face to the Council and, more importantly, to the residents. He stated they are here to represent the residents without any political agendas and ensure the best services for the people, and he hopes they can work together on this for the best interests of the people. He stated the council has a code of conduct and needs to follow it.

Councilmember Gentry asked if the City of El Mirage owns a trademark with the commissions and if they were talking about the name of El Mirage itself. She stated there are many social media pages that have El Mirage in the name and wanted clarification.

Justin Pierce, City Attorney, stated that cities and towns have rights to their names outside from official trademarks. He stated the use of the word El Mirage would be okay in a variety of contexts, but in the use of a city program an issue could arise.

Councilmember Gentry stated that she received an email from the City Manager on April 23, 2025, that Councilmember Norton had changed the name of the non-profit, so she was not sure why this was even on the agenda. She stated that she does not feel the program needs a new position because there are enough staff. She stated that Councilmember Norton had not been rude to her, and she wanted to make that clear.

Councilmember Norton stated that she had met with the City Attorney and City Manager on April 8, 2025, to advise them that she was forming the non-profit El Mirage Cares because she had created the El Mirage Cares program at the council meeting on May 8, 2018. She stated the program had been given over to administration and was no longer under the council, so she did not feel the need to talk to the council. She stated that when she advised the City Attorney he thought it was a great idea and later spoke to the City Manager with Councilmember Gentry and received a response that it would save the city over \$100,000. She stated that the board that she represents does not want the name El Mirage Cares, and she is going to continue with that non-profit to do work to address problems that survivors of domestic violence abuse, bullying, and suicide prevention are experiencing, whether it be in this city or this entire west valley.

Councilmember Dorsey stated that what Councilmember Norton did was a blatant breach of trust. She stated that what was done was out line for any elected official taking liberties with a city program name, utilizing staff resources and bypassing established process was not leadership and is reckless and ruthless. She stated that undermining a long-established initiative of the city cannot be seen as an act of selflessness done for the people of El Mirage but only as a clear effort to put her wishes and ambitions ahead of her duty as an elected official of El Mirage. She stated it was a deliberate and premeditated decision to act independently without regard to the rules that govern the Council or respect for her role as an elected Councilmember. She stated that each member on the Council cares deeply about the community but being elected does not grant any of them permission to just go rogue and programs like El Mirage Cares only succeed when they are built on collaboration.

Councilmember Norton stated no city resources were used. She stated that she created the logo, t-shirts, and every brochure for the program.

Councilmember Dorsey proposed that if the trademark and registration have not been withdrawn by the next Council meeting that it should be up for further action.

Mayor Hermosillo stated that trust among some Councilmembers has been severely broken, and she hopes that there is some way to move forward and build together.

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.

Crystal Dyches, City Manager, stated she 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 Parsons stated she attended the State of the City for Surprise and that it is very important to be involved and established with partner cities. She stated she also attended the Healthy Kids Day at the YMCA, the Easter event at Dysart Community Center, the day of Prayer at the City of Surprise, and the ribbon cutting at the dispensary.

Councilmember Dorsey stated she had no comments.

Councilmember Eldridge thanked John Leep for attending and telling the story about Hartlee. He asked if everyone could put a call to action for the car show happening this weekend to benefit her. He also stated he attended the Healthy Kids Day at the YMCA and attended the Easter event at the Dysart Community Center.

Councilmember Gentry stated she had a great time attending the State of the City for Surprise. She stated that she had just found out about Hartlee but planned on attending the event. She also stated she went on a tour of the Water Department and saw the wells and now has a better understanding of how the wells operate.

Councilmember Norton stated she had no comments.

Councilmember Winston stated she attended an event at the Senior Center and had a great time. She also attended the grand opening of the Mint and met Hartlee and planned on being at the upcoming event.

Mayor Hermosillo stated she would be at the event for Hartlee on Saturday.

9. ADJOURNMENT - meeting adjourned at 9:03 p.m.

Alexis A. Hermosillo, Mayor

ATTEST:

Jill A. Boltz, 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 6, 2025 and a quorum was present.



Jill A. Boltz, City Clerk