



# City of Apache Junction, Arizona

## Meeting Minutes City Council Meeting

Meeting location:

City Council Chambers  
at City Hall  
300 E. Superstition Blvd  
Apache Junction, AZ  
85119

apachejunctionaz.gov  
Ph: (480) 982-8002

*Doors are open to the public at least 15 minutes prior to the posted meeting start time.*

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Tuesday, December 3, 2024

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:00 p.m.

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Nesser gave the invocation and Councilmember Heck led the meeting attendees in the Pledge of Allegiance.

### C. ROLL CALL

**Present:** 7 - Mayor Wilson  
Vice Mayor Schroeder  
Councilmember Nesser  
Councilmember Heck  
Councilmember Johnson  
Councilmember Cross  
Councilmember Soller

#### **Staff in Attendance:**

Bryant Powell, City Manager  
Matt Busby, Assistant City Manager  
Joel Stern, City Attorney  
Evie McKinney, Acting City Clerk  
Kayla Fulmer, Director of Marketing and Communications  
Rudy Esquivias, Development Services Director  
Ted Wolff, Public Works Director  
Pam Harrison, Library Director  
Nicholas Leftwich, Planner  
Emile Schmid, City Engineer  
Rob Wisler, Management Analyst

### D. CONSENT AGENDA

Councilmember Soller moved, seconded by Councilmember Nesser to approve the Consent Agenda.

**Yes:** 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmember Nesser, Councilmember Heck, Councilmember Johnson, Councilmember Cross and Councilmember Soller

**No:** 0

1. [24-818](#) Consideration of acceptance of agenda.
2. [24-823](#) Consideration of approval of minutes of the regular meeting of November 19, 2024.
3. [24-949](#) Consideration of approval of contract with Sunland Asphalt & Construction for the application of fog seal to select city streets. The work would be through the 1 Government Procurement Alliance Cooperative Contract No. 22-15P-04 in the amount of \$321,774.89 plus a 10% contingency for unforeseen change orders for total project cost not to exceed \$353,922.37. Work is planned within the March-April 2025 time frame.
4. [24-961](#) Consideration of approval of Resolution No. 24-39 Forming Streetlight Improvement District No. 2024-SV-BR-2 Blossom Rock Phase 2.
5. [24-962](#) Consideration of approval of Resolution No. 24-40 ordering the installation of streetlights for Streetlight Improvement District No. 2024-SV-BR-2 Blossom Rock Phase 2.
6. [24-963](#) Consideration of approval of Resolution No. 24-41 adopting the final budget for Fiscal Year 2025-2026 for Streetlight Improvement District No. 2024-SV-BR-2 Blossom Rock Phase 2.

#### **E. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

#### **F. REGIONAL INTERGOVERNMENTAL UPDATES**

7. [24-828](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Heck praised Animal Control staff for the way they handled the temporary move of the animals during construction that took place at the facility last month. They created areas to house the dogs in a safe indoor environment and also received help from City staff with fostering dogs for the construction time period.

Mayor Wilson attended the opening of Mesa's new City Hall on November 23, 2024. He commented on how open it was and the amount of windows.

#### **G. CITY MANAGER'S REPORT**

8. [24-833](#) City Manager's Report.

City Manager Bryant Powell highlighted the Public Works department and the duties they are responsible for. He showed several pictures of staff members and the new truck that Council approved for them.

Mr. Powell also spoke about the Marketing/Communications department and the programs they work on, including Citizens Leadership Institute, State of the City, and Neighborhood Meetings.

9. [24-838](#) Announcement of Current Events.

Management Analyst Eli Richardson shared the Holiday Event will take place on Saturday, December 7, 2024, from 3:00 p.m. - 6:30 p.m. at Flatiron Park. The activities include: Santa, vendor booths, arts and crafts, games, music, inflatables, food, tree lighting and the Annual Holiday Light Parade.

## H. PUBLIC HEARINGS

## I. OLD BUSINESS

## J. NEW BUSINESS

10. [24-948](#) Presentation and discussion of agreement with Gruber Power Services for the removal and replacement of a 1000AMP DB-SES/Distribution Panel Board at the Apache Junction Public Library. This purchase will be made utilizing the State of Arizona Cooperative Contract Number CTR063425 in an amount not to exceed \$296,689.30 which includes a 10% contingency.

Public Works Director Ted Wolff presented a proposal to enter into an agreement with Gruber Power Services for the purpose of replacing the 1,000 AMP Main Service Switchboard located at the Library.

This scope of work will include the demolition and removal of the existing 1000AMP DBSES/Distribution Panel Board and replacing with a new 3-Phase, 4-Wire, 120/240Volt, 1000AMP, Exterior NEMA12 Enclosure. Electrical engineering, permit, and weekend overtime labor is included.

Public Works Staff recommends entering into a contract with Gruber Power Services available through the State of Arizona Cooperative Contract Number CTR063425 in an amount not to exceed \$296,689.30 which includes a 10% contingency fee.

Councilmembers inquired about the start time of this project and complimented Public Works Staff for planning ahead.

Mr. Wolff introduced the new Facilities Maintenance Manager Maggi Quinn, and she responded to the Council's question.

11. [24-951](#) Presentation and discussion of Resolution No. 24-37, an extinguishment of a Federally Patented Easement (FPE) located at Chaparral Road from Scenic Street to Virginia Street (alignment) for purpose of future development with the acknowledgement that current setback remain in place until the utility easement is extinguished.

City Engineer Emile Schmid presented the following:

### **BACKGROUND**

Federally Patented Easements ("FPEs") were created by federal law and inherited by the city from Pinal County upon city formation and subsequent annexations. They are the means whereby properties are accessed by citizens in portions of Apache Junction to mitigate the need of acquisition to serve access to otherwise landlocked parcels. FPEs are typically a total of 66

feet in width with 33 feet on each side of common parcel lines.

### **EXISTING CONDITIONS**

The Chaparral Road (alignment) FPE from Scenic Street to Virginia Street has never been maintained by the city and is not classified as a local roadway. In addition, the FPE does not provide access to any parcels which would be landlocked in the event of extinguishment. Area transportation would not be adversely affected by an extinguishment.

### **PURPOSE**

The owner of the underlying property filed an application for the extinguishment. They are seeking an extinguishment to build on the east side of their property, and are currently obtaining building permits for a new development.

### **PROCESS**

Once the easement has been extinguished, the property owner can apply for a building permit using the property line as opposed to the existing FPE as the setback boundary. The property owner is working with the utility providers to extinguish the utility easements as a requirement from the Development Services Department to obtain the building permit.

Councilmember Cross asked if any residents opposed this proposal.

Mr. Schmid replied he was not aware of any.

12. [24-964](#) Presentation and discussion of case P-24-64-PZ, a proposed rezoning of the north half of Parcel 101-20-008A, located at the southwest corner of 2nd Avenue and Colt Road, requested by Tim & Kristi Sheahan to rezone the subject site from High Density Multiple-Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR) to allow for the construction of their personal single-family residential home.

Nicholas Leftwich presented the following:

### **Summary**

P-24-64-PZ is a proposed rezoning requested by Tim & Kristi Sheahan to rezone the north half of Parcel 101-20-008A, approximately 2 net acres, from High Density Multiple-Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR) to allow for the construction of their personal single-family residential home.

### **Planning & Zoning Commission Hearing and Recommendation**

The Planning and Zoning Commission held a public hearing for P-24-64-PZ on November 12, 2024. Staff reports and exhibits were presented to the Planning and Zoning Commission at this meeting as well as a petition of support signed by neighbors to the subject property.

During the meeting the Planning and Zoning Commission evaluated the rezoning proposal and subsequently voted 4-2 to recommend the denial of P-24-64-PZ. The Commission's discussion cited concerns that the rezoning conflicted with the General Plan and that allowing a single-family residential rezoning in the Downtown Planning Area would set the wrong precedent.

Councilmember concerns included: how long have the requestors owned the parcel, clarification on the proposal, location of the apartment and if they are city residents.

Mr. Leftwich responded to concerns.

**K. COUNCIL DIRECTION TO STAFF**

**L. SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES**

**M. CALL TO PUBLIC**

Steve Kitzman, 1832 W. Shiprock Street, Apache Junction, expressed his concerns about wild birds being fed in the community and encouraged the Council to approve an Ordinance to stop this practice.

Catherine Meek, 1327 S. Belair Road, Apache Junction, shared several events that are coming up at the Superstition Mountain Museum this month.

Donna Carr, 2178 W. Virginia Street, Apache Junction, stated Public Works has not returned to her home to clean up an easement like they stated they would and she also advertised a local tortilla store.

**N. ADJOURNMENT**

Mayor Wilson adjourned the meeting at 7:36 p.m.

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
WALTER "CHIP" WILSON  
Mayor

ATTEST:

\_\_\_\_\_  
EVIE MCKINNEY  
Acting City Clerk