



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

www.ajcity.net
Ph: (480) 982-8002

Tuesday, September 15, 2015

7:00 PM

City Council Chambers

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A. CALL TO ORDER

The regular meeting of the City Council of the City of Apache Junction, Arizona, was held on September 15, 2015, at the Apache Junction City Council Chambers pursuant to the notice required by law.

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Wilson gave the Invocation.

Councilmember Waldron led the Pledge of Allegiance.

C. ROLL CALL

Present: 7 - Mayor Insalaco
Vice Mayor Barker
Councilmember Evans
Councilmember Rizzi
Councilmember Serdy
Councilmember Waldron
Councilmember Wilson

Staff Present: City Manager Bryant Powell
Assistant City Manager Matt Busby
City Clerk Kathleen Connelly
City Attorney Joel Stern
City Engineer Emile Schmid

Others Present: Sponsorship/Partnership Programs Administrator Roger Hacker
Captain Arnold Freeman

D. CONSENT AGENDA

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Vice Mayor Barker MOVED THAT THE CONSENT AGENDA BE ACCEPTED AS PRESENTED.

Councilmember Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

1. [15-337](#) Consideration of acceptance of agenda.
2. [15-338](#) Consideration of approval of minutes of regular meeting of September 1, 2015.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

3. [15-339](#) Proclamation designating September 17 through September 23, 2015 as "Constitution Week".

Mayor Insalaco read a proclamation designating September 17 through September 23 as Constitution Week and presented it to members of the Daughters of the American Revolution.

4. [15-340](#) Presentation of a check to Mayor John S. Insalaco, Chief of Police Thomas E. Kelly and Superstition Fire and Medical District Chief Paul Bourgeois by representatives of the Superstition Mountain Promotional Corporation and the Chester and Nancy Burgess Family.

Sponsorship/Partnership Programs Administrator Roger Hacker stated this is a continuation of a presentation started on July 7, 2015. Very generous citizens and organizations have stepped forward to address a community need. He requested Councilmember Wilson refresh their memories.

Councilmember Wilson commented they have had the opportunity to have members of the police department and fire department receive large animal rescue training. Seven people and organizations have donated to pay for the training of three police officers and four firefighters. The training is in October to rescue a large animal in distress, whether an accident or any other type of situation. He is proud of the community and the organizations that have donated such as

Paula's Tack, the Superstition Horsemen's Association and Rich Sterba. Today two more have requested to donate to help the community. He is hoping the training will never have to be used. No tax dollars have been used for this training as it has all been strictly donation.

Sponsorship/Partnership Programs Administrator Roger Hacker stated the first donation is from Superstition Mountains Promotional Corporation, represented by Membership Chairperson Heather McClelland and President Denny Walter.

Mr. Denny Walter thanked them for allowing him to present the check. It is a vested interest in the horse community as they put on such events as the ranch rodeo and Lost Dutchman Days. It is a sensible thing for them to invest in.

Sponsorship/Partnership Programs Administrator Roger Hacker introduced Chester and Nancy Burgess for their donation. Nancy was the former director of the food bank. They were moved at the July 7 presentation and reached out and donated afterwards.

Ms. Nancy Burgess stated she and Chester wanted to thank them for the opportunity to donate to this worthy cause. It is a great program and she is glad they will be getting police and fire members trained in this rescue effort. They do not have any large animals but she understands the training is needed and they are proud to support the city on this.

F. ANNOUNCEMENT OF CURRENT EVENTS

Councilmember Serdy commented he wanted to let the people know that the city did not do the barrier on Idaho Road. It was the state and it is a state highway. A lot of people do not like it. The businesses do not like it.

Councilmember Evans commented two weeks ago she and Larry Johnson from the Chamber went to the United Food Bank in Mesa and bagged 800 one pound bags of beans, along with council and chamber members from Gilbert and Queen Creek.

Councilmember Evans commented last Friday she and Vice Mayor Barker attended the ten year anniversary breakfast for Pinal Partnership. Later that day they went to Avalon School where the grade school children put on a presentation and sang songs honoring 9/11. She added that Mayor Insalaco and Councilmember Wilson also attended.

Councilmember Wilson commented it was exciting to see what the kids were doing at Avalon School.

Mayor Insalaco commented the police department, fire department and VFW #7968 were all represented there. He has never seen such polite children in his life.

G. CITY MANAGER'S REPORT

5. [15-237](#) City manager's report.

City Manager Bryant Powell commented on the memorial services for former police officer John Pinson and his attendance at the Phoenix-Mesa Gateway meeting this morning and the new convention center possibility there.

Mayor Insalaco commented he had already talked to the representative about it and they will be open 365 days a year. It could be a big boost to the East Valley and us.

City Manager Bryant Powell presented the video from Channel 12 on the Mad Science Lab at the Fit Family Fun Night put on by the parks and recreation department.

H. PUBLIC HEARINGS

6. [15-346](#) Public hearing, discussion and direction to staff on proposed draft Ordinance No. 1420 adopting a use tax.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Councilmember Waldron briefed the council on the item.

Mayor Insalaco commented there are other cities that have this in the State of Arizona.

City Clerk Kathleen Connelly stated the majority of the cities in the state do have it. For whatever reason when the city council adopted the Model City Tax Code in 1987 the use tax option was not included. We could have collected as much as \$2.4 million over those years.

Mayor Insalaco opened the public hearing on the item. There being no one wishing to speak, he closed the public hearing and reopened the item to council discussion.

Councilmember Waldron asked if they are under some time frames. They need to insert a date for when it comes back for a vote.

City Attorney Joel Stern stated there is a notice issue. Under § 9-499.15, any new tax or increase in taxes shall give 60 days notice on our website. If they say they want to do this on November 17, the hearing date, the notice will be on the website that will state there will be a hearing on November 17. They barely make the 60 days but they will make it.

Councilmember Waldron asked if they would make the 60 days.

City Clerk Kathleen Connelly stated we will.

Mayor Insalaco closed the discussion with no further comments and called for a motion.

Councilmember Waldron MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING PROPOSED ORDINANCE NO. 1420 FOR PROPOSED ADOPTION OF A USE TAX: THAT STAFF PRESENT A FINAL PROPOSED ORDINANCE NO. 1420 BASED ON THE DRAFT DATED SEPTEMBER 14, 2015 AND INCLUDE ANY CHANGES DEEMED NECESSARY BY THE CITY ATTORNEY AND POSSIBLE BEGINNING OF THE COLLECTION OF CITY SALES AND USE TAX BY THE ARIZONA DEPARTMENT OF REVENUE AND BRING IT BACK FOR A PUBLIC HEARING AND VOTE ON NOVEMBER 17, 2015.

I FURTHER MOVE THAT STAFF TAKE ALL ACTIONS NECESSARY TO MEET THE LEGAL REQUIREMENTS SET FORTH IN STATE LAW REGARDING NOTIFICATION OF THIS PENDING ACTION.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

I. OLD BUSINESS

- 7. [15-363](#) Discussion on and possible selection of the final date, time, location and agenda items for a joint meeting between the City of Apache Junction City Council and Apache Junction Unified School District Governing Board.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

City Manager Bryant Powell briefed the council on the item.

There was general discussion on the date and time. The consensus was October 7 would work for them at 6:00 p.m.

Councilmember Rizzi commented she thought they could discuss the youth council. It is something they are both interested in.

City Manager Bryant Powell stated that is a great item to discuss. He included the goals for next year.

Mayor Insalaco closed the discussion with no further comments and called for a motion.

Vice Mayor Barker MOVED THAT A JOINT MEETING BETWEEN THE APACHE JUNCTION CITY COUNCIL AND THE APACHE JUNCTION UNIFIED SCHOOL DISTRICT GOVERNING BOARD BE HELD ON OCTOBER 7, 2015 AT 6:00 P.M. IN THE MULTI-GEN CENTER FOR THE FOLLOWING PURPOSES: A DISCUSSION OF ISSUES OF MUTUAL INTEREST TO THE CITY AND THE SCHOOL DISTRICT INCLUDING ITEMS SUCH AS THE YOUTH COUNCIL.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

This Discussion/Presentation was approved

J. NEW BUSINESS

None.

K. COUNCIL DIRECTION TO STAFF

- 8. [15-350](#) Direction to staff on the procedure for annual board and commission appointments and reappointments.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

City Clerk Kathleen Connelly briefed the council on the item.

Mayor Insalaco called for a motion.

Vice Mayor Barker MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING THE PROCEDURE FOR ANNUAL

BOARD AND COMMISSION APPOINTMENTS AND REAPPOINTMENTS: THAT APPLICANTS FOR THE PLANNING AND ZONING COMMISSION, PARKS AND RECREATION COMMISSION, BOARD OF ADJUSTMENT AND LIBRARY BOARD BE INTERVIEWED AT THE WORK SESSION OF OCTOBER 5, 2015 WITH APPOINTMENTS BEING MADE AT THE REGULAR MEETING OF OCTOBER 6, 2015. THAT THESE INTERVIEWS INCLUDE BOTH NEW APPLICANTS AND EXISTING MEMBERS WHO WISH TO BE CONSIDERED FOR REAPPOINTMENT.

AND THAT APPLICANTS FOR THE CONSTRUCTION CODE BOARD OF APPEALS, HEALTH AND HUMAN SERVICES COMMISSION, INDUSTRIAL DEVELOPMENT AUTHORITY AND MUNICIPAL PROPERTY CORPORATION BE INTERVIEWED AT THE WORK SESSION OF OCTOBER 19, 2015 WITH APPOINTMENTS BEING MADE AT THE REGULAR MEETING OF OCTOBER 20, 2015. THAT THESE INTERVIEWS INCLUDE BOTH NEW APPLICANTS AND EXISTING MEMBERS WHO WISH TO BE CONSIDERED FOR REAPPOINTMENT.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

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

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Vice Mayor Barker MOVED THAT AN EXECUTIVE SESSION AT 5:45 P.M. AND A WORK SESSION AT 7:00 P.M. BE HELD ON MONDAY, OCTOBER 5, 2015, IN THE CITY COUNCIL CONFERENCE ROOM AND CITY COUNCIL CHAMBERS RESPECTIVELY;

AND THAT AN EXECUTIVE SESSION AT 5:45 P.M. BE HELD ON TUESDAY, OCTOBER 6, 2015, IN THE CITY COUNCIL CONFERENCE ROOM.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

9. [15-343](#) Executive Session at 5:45 P.M. and Work Session at 7:00 P.M. for Monday, October 5, 2015.

10. [15-248](#) Executive Session at 5:45 P.M. and Work Session at 7:00 P.M. will be held on Tuesday, October 6, 2015. Other meetings if necessary.

M. CALL TO PUBLIC

Ms. Tess Nesser, 1511 S. Cactus, Apache Junction, addressed the council regarding SACA, Horizon Health and Wellness and Sympatico of Arizona starting the bazaar for arts, crafts and a farmers market on the first Saturday of October and continuing one Saturday each month through March, the National Kids Day on September 19 with events at the Boys and Girls Club and their Bowl-A-Thon on September 26. She voiced her approval for the new islands on Idaho stopping all the hazardous traffic from crossing between QT and Fry's. They only need a sign stating no U-turn there.

Mayor Insalaco commented the accidents were tremendous there.

Ms. Nancy Burgess, 116 S. Vista, Apache Junction, addressed the council regarding her stepping down from the food bank. She thanked everyone for their support and added she and her husband will now manage Weaver's Needle Mobile Home Park and continue to support the community. She introduced Myra Garcia, the new executive director at the food bank.

N. ADJOURNMENT

Mayor Insalaco adjourned the meeting at 7:35
p.m.