



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.

Tuesday, October 15, 2024

7:00 PM

City Council Chambers

A. CALL TO ORDER

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Schroeder 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
Evie McKinney, Deputy City Clerk
Joel Stern, City Attorney
Kayla Fulmer, Director of Marketing and Communications
Michael Pooley, Police Chief
Johnny John, Assistant Chief of Police
Liz Langenbach, Parks & Recreation Director
Pam Harrison, Library Director
Rob Wisler, Management Analyst
Eli Richardson, Management Analyst

D. CONSENT AGENDA

Councilmember Nesser moved, seconded by Councilmember Soller 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. [24-815](#) Consideration of acceptance of agenda.
2. [24-820](#) Consideration of approval of minutes of the regular meeting of October 1, 2024.
3. [24-862](#) Consideration of approval of Resolution No. 24-36 retroactively approving submission of projects totaling \$84,801.00, for grant funded Arizona 2025 Highway Safety Plan.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

4. [24-861](#) Proclamation designating the week of October 13 through October 19, 2024 as "Arizona Cities and Towns Week."

Mayor Wilson read the Proclamation designating the week of October 13 through October 19, 2024, as "Arizona Cities and Towns Week" and presented it to City Manager Bryant Powell.

F. REGIONAL INTERGOVERNMENTAL UPDATES

5. [24-825](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Mayor Wilson visited the local National Guard Unit and toured Boeing KC 135 Stratotanker airplanes. He shared that the planes are the same type that he worked on when he was in the Air Force so it was a special visit for him.

Mayor Wilson also attended a meeting with Pinal County where the discussion regarded changes to the National Forest and Bureau of Land Management (BLM) areas. They are adding three target ranges and opening up several Off Highway Vehicle (OHV) roads.

G. CITY MANAGER'S REPORT

6. [24-830](#) City Manager's Report.

City Manager Bryant Powell shared that residents are able to sign up for the Citizen Leadership Institute and for neighborhood meetings. He stated the meetings are so important to build trust with the community.

Mr. Powell also shared the updated website dedicated to helping new citizens of the city or potential citizens. It helps answer questions regarding the property tax situation, utilities to sign up for and other important information. The website address is www.apachejunctionaz.gov/1103/new-resident-page.

Mr. Powell also highlighted the annual Make a Difference Day that was held on Saturday, October 5, 2024. He shared pictures of the event and thanked all the volunteers and sponsors.

7. [24-835](#) Announcement of Current Events.

Management Analyst Eli Richardson shared upcoming events:

* Halloween Festival on Saturday, October 26, 2024, 4:00 p.m. - 8:00 p.m. at Superstition Shadows Park located at 1091 W. Southern Ave, Apache Junction.

* Party with the Parks on Saturday, November 2, 2024, 1:00 p.m. - 5:00 p.m. at Painted Sky Park located at 10109 S. Dutchman Dr, Apache Junction.

* Apache Junction Stuff The Bus - School Supply Drive. Supplies will be accepted October 12, 2024 - November 7, 2024 at the following locations during daily business hours:

- Multi-Generational Center - 1035 N. Idaho Rd
- City Hall (Development Services Lobby) - 300 E. Superstition Blvd
- Public Library - 1177 N. Idaho Rd
- Police Department - 1001 N. Idaho Rd

Check the website for a list of needed supplies at www.apachejunctionaz.gov/stuffthebus.

H. PUBLIC HEARINGS

- 8. [24-853](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1552, approving the text amendment to the Apache Junction City Code, Volume I, Chapter 2: Mayor, Council, and Appointed Boards and Commissions, Article 2-21: Board of Adjustment and Appeals/Municipal Property Corporation/Public Safety Personnel Retirement Board, Section 2-21-3, Public Safety Personnel Retirement Board, repealing any conflicting provisions; and providing for severability.

Councilmember Soller moved, seconded by Vice Mayor Schroeder that Ordinance No. 1552 be read by title only and the reading of the entire ordinance be waived.

Motion passed unanimously.

Deputy City Clerk McKinney read Ordinance No. 1552 by title only, repealing any conflicting provisions; and providing for severability.

Councilmember Soller moved, seconded by Councilmember Nesser that Ordinance No. 1552, as read by the Deputy City Clerk, be approved and adopted.

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

No: 0

Deputy City Clerk Evie McKinney presented that during the City Council Work Session of August 19, 2024, a request for consideration to amend the Apache Junction City Code Vol. 1 Subsection 2-21-3 Public Safety Personnel Retirement Board. The amendment would allow the city council to fill a vacancy regardless of the quorum status. This would ensure equitable and impartial representation on the board since members consist of two civilian representatives, two police officers elected by the Police Officers Association, and a chairman.

On August 20, 2024, City Council directed staff to review and consider updates to the Apache Junction City Code, Volume 1, Subsection 2-21-3 Public Safety Personnel Retirement Board related to vacancies on the board.

Background

On November 2, 2021, the city council voted 6:1 to direct staff to amend the multiple board and commission sections of the city code so that in situations where the quorum is in danger of not being met, the council will fill the vacancies immediately using the then-current talent bank applications and will not wait until the annual October appointment cycle.

On December 7, 2021, the council adopted Ordinance No. 1520 and Resolution No. 21-53 related to the quorum preservation for all boards and commissions.

The Public Safety Personnel Retirement Board was included in this amendment. The board is comprised of two civilians, two elected police officers, and a chairman.

The board has increased in activity the past few years and to provide fair and equal representation to the members coming before the board, the City Clerk's office is requesting an amendment to this section of the city code. The amendment would allow vacancies on the Public Safety Retirement Board to be filled immediately by the city council, even if the quorum is not in danger of not being met.

If there becomes a vacancy on the board, new applicants may be sought in addition to using the current talent bank applications for the Council to promptly fill the vacancy.

The Public Safety Personnel Retirement Board would be the sole entity affected by this change.

Mayor Wilson opened the Public Hearing, receiving no comments from the public, he closed the public hearing and asked for a motion.

I. OLD BUSINESS

J. NEW BUSINESS

- 9. [24-876](#) Discussion and consideration of Resolution No. 24-34, approving a corrected legal description of district boundaries in Superstition Vistas Community Facilities District No. 2, as set forth in an amended intergovernmental and development agreement.

Councilmember Soller moved, seconded by Councilmember Nesser that Resolution No. 24-34, approving a corrected legal description of district boundaries in Superstition Vistas Community Facilities District No. 2, as set forth in an amended intergovernmental and development agreement be approved.

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

No: 0

Special Counsel to the City for Community Facilities District (CFD) matters Zach Sakas, Esq. with Greenberg Traurig, LLP, presented the background for Resolution No. 24-34.

He explained that this will not affect the residents property taxes within the District.

Councilmembers had no concerns.

10. [24-801](#) Consideration of applicants for annual appointments and reappointments for the City of Apache Junction Boards and Commissions. Council interviewed applicants at the October 14th work session and may take this opportunity to fill positions.

Mayor Wilson thanked all the applicants and their interest in serving the community and shaping its future. He then began the appointment process.

Apache Junction Sewer District

Councilmember Johnson moved, seconded by Councilmember Soller that Roy Starr be appointed to the Apache Junction Sewer District for a term to expire on October 31, 2026.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Board of Adjustment

Councilmember Heck moved, seconded by Councilmember Johnson that Jaime Lanza be reappointed to the Board of Adjustment for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Vice Mayor Schroeder moved, seconded by Councilmember Heck that Stephen Harshman be appointed to the Board of Adjustment for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Construction Board of Appeals

Councilmember Heck moved, seconded by Councilmember Johnson that Stephen Harshman be appointed to the Construction Board Of Appeals as the “Non-General Contractor” for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

No appointment made to the Construction Board Of Appeals as the “architect/engineer” for a term to expire on October 31, 2026.

No appointment made to the Construction Board Of Appeals As “a general contractor” for a term to expire on October 31, 2027.

Health & Human Services Commission

Councilmember Johnson moved, seconded by Councilmember Heck that Sandra Mykland be appointed to the Health & Human Services Commission for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Cross moved, seconded by Councilmember Nesser that Dr. Michael Brennan be reappointed to the Health & Human Services Commission for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Library Board

Vice Mayor Schroeder moved, seconded by Councilmember Soller that Nola Perkins be appointed to the library board for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Cross moved, seconded by Councilmember Nesser that Vera Walters be reappointed to the library board for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed**Municipal Property Corporation**

Councilmember Johnson moved, seconded by Councilmember Heck that Stephen Harshman be appointed to the Municipal Property Corporation for a term to expire October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Nesser moved that Frank Schoenbeck be appointed to the Municipal Property Corporation for a term to expire October 31, 2027.

Motion was withdrawn by Councilmember Nesser, as Mr. Schoenbeck currently serves on this board, with a term to expire October 31, 2026.

Councilmember Heck moved, seconded by Vice Mayor Schroeder that Roy Starr be appointed to the Municipal Property Corporation for a term to expire October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Nesser moved, seconded by Vice Mayor Schroeder that Jeremy Benoit be appointed to the Municipal Property Corporation for a term to expire October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Parks And Recreation Commission

Vice Mayor Schroeder moved, seconded by Councilmember Nesser that Frank Schoenbeck be reappointed to the Parks and Recreation Commission for a term to expire October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Johnson moved, seconded by Vice Mayor Schroeder that Jeremy Benoit be appointed to the Parks and Recreation Commission for a term to expire October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Planning And Zoning Commission

Councilmember Heck moved, seconded by Councilmember Johnson that Sandra Mykland be appointed to the Planning and Zoning Commission for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Cross moved, seconded by Councilmember Heck that Roy Starr be appointed to the Planning and Zoning Commission for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Public Safety Personnel Retirement Board

Councilmember Cross moved, seconded by Councilmember Johnson that Chris Sabo be reappointed to the Public Safety Personnel Retirement Board as “police representative” for a term to expire on October 31, 2028.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Heck moved, seconded by Councilmember Cross that Ron Neitzer be reappointed to the Public Safety Personnel Retirement Board as “citizen member” for a term to expire on October 31, 2028.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Industrial Development Authority

Councilmember Cross moved, seconded by Vice Mayor Schroeder that Frank Schoenbeck be appointed to the Industrial Development Authority for a term to expire on October 31, 2027.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Johnson moved, seconded by Councilmember Nesser that Stephen Harshman be appointed to the Industrial Development Authority for a term to expire on October 31, 2028.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

Councilmember Cross moved, seconded by Vice Mayor Schroeder that Jaime Lanza be appointed to the Industrial Development Authority for a term to expire on October 31, 2026.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

*Note - Jaime Lanza is currently serving on the Industrial Development Authority with a term to expire on October 31, 2026. He did not need to be appointed or reappointed at this time.

Vice Mayor Schroeder moved, seconded by Councilmember Soller that Catherine Meek be appointed to the Industrial Development Authority for a term to expire on October 31, 2028.

YES: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmembers Nesser, Heck, Cross, Johnson and Soller

NO: 0

Motion passed

No appointment made to the Industrial Development Authority for a term to expire October 31, 2026.

No appointment made to the Industrial Development Authority for a term to expire October 31, 2026.

No appointment made to the Industrial Development Authority for a term to expire October 31, 2027.

K. COUNCIL DIRECTION TO STAFF

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

M. CALL TO PUBLIC

Catherine Meek, 1327 S. Belair Rd, Apache Junction, shared the Superstition Mountain Museum is now open daily from 9:00 a.m. - 4:00 p.m. The museum will have many events coming up including the paranormal event on October 19 and 20, 2024.

Donna Carr, 2178 W. Virginia St, Apache Junction, stated her frustrations with Code Compliance as one of her neighbors was fined \$4,000 for dollar tree solar lights in their front yard.

Councilmembers asked City staff to review the code compliance case for \$4,000 for solar lights.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 7:48 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:

JENNIFER PEÑA
City Clerk