



# 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

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Tuesday, December 19, 2023

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 Heck gave the invocation and Councilmember Cross 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  
Jennifer Pena, City Clerk  
Joel Stern, City Attorney  
Al Bravo, Public Information Officer  
Michael Pooley, Police Chief  
Liz Langenbach, Parks and Recreation Director  
Leslie DeReche, Finance Director

### D. CONSENT AGENDA

Councilmember Cross moved, seconded by Councilmember Heck 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. [23-706](#) Consideration of acceptance of agenda.

2. [23-707](#) Consideration of approval of minutes of the regular meeting of December 5, 2023.
3. [23-662](#) Presentation, discussion and consideration of first amendment to employment agreement with Michael McVey for Apache Junction Municipal Court Associate Magistrate services.
4. [23-664](#) Consideration of approval of procurement of two (2) traffic monitoring trailers and camera modules from Air Comm Corporation for an amount not to exceed \$133,525.12.
5. [23-701](#) Consideration of approval of rejection of proposals for Superstition Shadows Aquatic Center Artificial Turf RFP Project No. P&R 2023-001 for unresponsiveness.

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

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

6. [23-708](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Cross shared that he and Mayor Wilson attended the Pinal County Partnership meeting. They discussed the economy heading in a better direction and much employment still available in the country.

Mayor Wilson attended the Phoenix Mesa Gateway Board Meeting. The airport expansion is doing well, they offer 57 direct flights and there will be an opportunity for 700 new jobs in the future. They have also surpassed a 2 million passenger record.

Mayor Wilson visited the Sunrise RV Park where they hosted first graders from Four Peaks Elementary school to visit Santa Claus and receive presents. He also participated in Wreaths Across America, an organization that places wreaths on the graves of veterans.

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

7. [23-709](#) City Manager's Report.

City Manager Bryant Powell attended the "Shop with a Cop" program that was hosted by the Parks and Recreation department at the Multi-Generational Center. The Apache Junction High School cheerleaders, Apache Junction Police Department and many others from the community shopped and wrapped gifts for children from underprivileged or struggling families in the community.

Mr. Powell spoke about the increase in building permits that took place during 2023. The city processed approximately 900 permits in 2023 compared to 67 in 2022. This is due to the newly annexed area in the city and both developers are moving quite quickly to develop the land. The Brookfield Development will begin building in spring 2024. He also commented on The Lost Dutchman marathon entries which are up by 11% compared to last year's numbers.

8. [23-710](#) Announcement of Current Events.

Public Information Officer Al Bravo directed everyone to visit the city's website at [www.apachejunctionaz.gov](http://www.apachejunctionaz.gov) for holiday hours and traffic updates. Recently installed is a three-way stop at Baseline and Idaho and the widening of Idaho Road near the 60 freeway is almost completed.

Mr. Bravo also highlighted the Citizen Leadership Institute which begins January 10, 2024, it is an 8 session series where individuals can learn about city government. Those interested can visit the City's website to sign up.

## H. PUBLIC HEARINGS

9. [23-702](#) Presentation, discussion, public hearing and consideration of adoption of Ordinance No. 1538, amending the Apache Junction City Code, Volume 1, Chapter 2: Mayor, Council, and Appointed Boards and Commissions, Article 2-8: Parks and Recreation Commission, Sections 2-8-3, 2-8-4, and 2-8-8; repealing any conflicting provisions; providing for severability; and establishing an effective date.

**Councilmember Cross moved, seconded by Councilmember Nesser that Ordinance No. 1538 be read by title only and the entire reading of the ordinance be waived.**

**Motion passed unanimously.**

**City Clerk Pena read Ordinance No 1538 by title only, repealing any conflicting provisions: and providing for severability.**

**Councilmember Cross moved, seconded by Councilmember Nesser that Ordinance No. 1538 as read by the 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

Parks and Recreation Director Liz Langenbach presented the changes to Ordinance No. 1538.

During the city council meeting of February 3, 2023, staff shared recommendations to amend various sections of the Parks and Recreation city code sections and was directed to have the Parks and Recreation Commission review and bring back final recommendations. This has taken place and at this time staff and the Parks and Recreation Commission are recommending the following amendment:

The commission does not require a secretary, as the Administrative Assistant has historically been responsible for all meeting minutes and agendas. Staff recommends removing the secretary position from this section as well as a few other minor irregularities from the code.

Mayor Wilson opened the public hearing, receiving no comments, he closed the public hearing.

10. [23-703](#) Presentation, discussion, public hearing, and consideration of Ordinance No. 1539, amending the Apache Junction City Code Volume 1, Chapter 3: Administration, Article 3-13: Department of Parks and Recreation, amending Section 3-13-3: Powers and Duties, and repealing in its entirety section 3-13-5: Banner Placement and Supervision; repealing any conflicting provisions; providing for severability; and providing for penalties.

**Councilmember Soller moved, seconded by Councilmember Nesser that Ordinance No. 1539 be read by title only and the entire reading of the ordinance be waived.**

**Motion passed unanimously.**

**City Clerk Pena read Ordinance No 1539 by title only, repealing any conflicting provisions: and providing for severability.**

**Councilmember Soller moved, seconded by Councilmember Nesser that Ordinance No. 1539 as read by the 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

Parks and Recreation Director Liz Langenbach presented the changes to Ordinance No. 1539.

During the city council meeting of February 3, 2023 staff shared recommendations to amend parts of the Park and Recreation city code and was directed to have the Parks and Recreation Commission bring back final recommendations. This has taken place and at this time staff and the Parks and Recreation Commission are recommending the following amendment:

The city no longer manages banners in the medians and has moved to an electronic marquee sign. Staff recommends removing this section from the code. The other issues was related to the Tree City USA designation, and in order to fulfill a requirement for Tree City USA designation, the department must be given specific responsibility to manage the trees and landscaping in public spaces. Staff recommended adding a section to Article 3-13 to allow for this.

Councilmembers inquired if banners could still be used. Ms. Langenbach stated, this does not have anything to do with businesses putting up signage or using banner/flag style signs, the city has a sign code policy for this, it only deals with removing Parks and Recreation from managing banners in the medians.

Mayor Wilson opened the public hearing.

Donna Carr, 2178 W. Virginia St, Apache Junction, expressed concerns about the Parks and Recreation department being in charge of taking care of the city's trees and why not contract with a small business to do this.

Mayor Wilson closed the public hearing.

**I. OLD BUSINESS****J. NEW BUSINESS**

11. [23-687](#) Presentation, discussion and consideration of Resolution No. 23-40 a resolution of the mayor and city council of the City of Apache Junction, Arizona, approving and authorizing the execution and delivery of a First Amendment to Amended and Restated District Development Agreement, Financing Participation, Waiver and Intergovernmental Agreement for Superstition Vistas Community Facilities District No. 2, and authorizing other actions in furtherance of this resolution whether heretofore or hereafter taken, including, without limitation, the execution and delivery of a consent to petition.

**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 CFD matters Zachary Sakas, Esq. with Greenberg Traurig, LLP stated he was seeking council approval to revise the district boundaries for Superstition Vistas Community Facilities District No. 2. The development agreement needs to be amend solely to revise the legal description.

**K. COUNCIL DIRECTION TO STAFF****L. SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES****M. CALL TO PUBLIC**

George Schroeder, 2444 W. Virginia Street, Apache Junction, addressed random items such as code enforcement, building permits, and his frustrations with city employees and council's decisions.

Donna Carr, 2178 W. Virginia Street, Apache Junction, expressed concerns about water being pumped out of the Resolution Copper mineshafts as this will dry up underground wells. She wanted to make sure that DR Horton was advising new homeowners of the dump nearby as required in the real estate disclosure documents and inquired who was informing new home buyers of the metal factory located at Guadalupe and Meridian, she believes there are health hazards from this facility that should be shared publicly. She also expressed concern of open crevices in the city.

Ed Ohly, 2364 N. Apache Drive, Apache Junction, stated he had been to council several times in the last few months regarding the city extending the guard rails along Lost Dutchman and Idaho Rd. in front of his house for safety reasons. He stated just last week a truck parked along the roadway, was not "braked" properly and rolled down the embankment, across the canal and came to a stop on his property.

Andre Meek, 1327 S. Belair Road, Apache Junction, stated his concerns about the corner of Lost Dutchman and Apache Trail due to the bad visibility, and wants the City to purchase the land for sale to create a right turn lane.

**N. ADJOURNMENT**

Mayor Wilson adjourned the meeting at 7:43 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

CITY COUNCIL MINUTES  
CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Apache Junction, Arizona, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JENNIFER PEÑA  
City Clerk