



# 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, August 6, 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 Soller 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  
Kayla Fulmer, Director of Marketing and Communications  
Johnny John, Public Safety Assistant  
Rudy Esquivias, Development Services Director  
Sidney Urias, Planning Manager  
Evie McKinney, Deputy City Clerk

### D. CONSENT AGENDA

Councilmember Johnson 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. [24-534](#) Consideration of acceptance of agenda.
2. [24-535](#) Consideration of approval of minutes of the regular meeting of July 16, 2024.
3. [24-619](#) Consideration of approval of Map of Dedication for Warner Avenue (SV-23-13).

**E. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

**F. REGIONAL INTERGOVERNMENTAL UPDATES**

4. [24-536](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Vice Mayor Schroeder congratulated Mayor Wilson and Councilmembers Johnson, Heck and Nesser for their successful re-election to the City Council.

Mayor Wilson attended an Apache Junction High School civics class, and had the opportunity to share with the students what the Mayor and City Council do, and how the City government differs from the federal. He recognized one of the high school students in attendance at tonight's meeting. He emphasized the interest and desire he has in getting the young adults in our community involved with our local government, and this was a great opportunity to bring awareness to the students.

Councilmember Soller shared that he attended a conference and met with US Senator for Arizona Kyrsten Sinema. He had an opportunity to thank her, on behalf of the City of Apache Junction, for the \$45 million funding she was instrumental in obtaining for the Weekes Wash Project. Senator Sinema expressed this was one of the highlights of her career.

**G. CITY MANAGER'S REPORT**

5. [24-537](#) City Manager's Report.

City Manager Bryant Powell reported the City is currently recruiting for applicants for the various Boards and Commissions. He encouraged this is a great way to participate in the local government, and applications are due by September 15, 2024.

City Clerk Jennifer Pena recognized Deputy City Clerk Evie McKinney for recently achieving the Certified Election Official status through the state of Arizona, as well as the Certified Municipal Election Official status through the Arizona Municipal Clerks Association. Evie has attended various Clerks and extensive elections training over the past 3 years to accomplish both of these certifications. Ms. Pena explained the testing process, and shared some of the in-depth questions the Election Officials must know to pass the test of 100 questions, with a score of 90% or higher. Ms. McKinney was congratulated by the Mayor, Council and other staff.

6. [24-538](#) Announcement of Current Events.

Director of Marketing & Communications Kayla Fulmer shared details of the Free Dump Week from August 5-10, 2024, 6:00 a.m. - 4:00 p.m. at the Apache Junction Landfill, located at 4050 S. Tomahawk Road, Apache Junction, AZ. The city partners with Republic Services and offers this

FREE service 4 times per year. Participants are allowed to bring one (1) 500 pound load of trash to the Apache Junction Landfill for free. Ms. Fulmer informed there are size limitations and proof of residency is required, such as a utility bill. Safety is a priority and hard hats and safety vests are required. These items can be purchased while at the sight, or you can bring your own

## H. PUBLIC HEARINGS

7. [24-570](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1550 amending the Apache Junction City Code; Volume 1, Chapter 4: Fees, Article 4-3, Animal Control Fee Schedule.

**Mayor Wilson combined Agenda Items 7 and 8 for the Public Hearing purpose, and explained each item will require a separate motion.**

**Vice Mayor Schroeder moved, seconded by Councilmember Nesser that Ordinance No. 1550 be read by title only and the reading of the entire ordinance be waived.**

**Motion passed unanimously.**

**City Clerk Pena read Ordinance No 1550 by title only, repealing any conflicting provisions: and providing for severability.**

**Councilmember Cross moved, seconded by Councilmember Soller that Ordinance No. 1550, 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

Commander Joe Penze presented verbiage changes and the new fee structure, which will amend the City Code regarding Animal Control and Public Safety fees. This adjustment is necessary due to rising expenses in time, supplies, and operational processes. The current fees for customer services at Animal Control Division have not been updated since 2018, and during this time, there has been a significant rise in expenses related to medical care, food, and personnel. As a result, the budget allocated to the Animal Control Division within the police department does not sufficiently cover the daily operational expenses of running an animal shelter.

The adjustment to the Public Safety Fee Schedule is essential due to escalating costs associated with time, supplies, and operational processes. The current fees for customer services in the Records Division have not been revised since 2017 and during this time, there has been a significant rise in expenses related to the time and resources required for data retrieval. Additionally, the state law now allows the city to charge individuals for body worn camera footage and this ordinance includes those new fees (\$46/hour of review).

A comparative analysis conducted with 25 other agencies across the valley indicates that AJPD's fees are notably lower in most areas. In accordance with council guidance and A.R.S. § 9-499.15, staff issued a 60-day notice of intent to adjust the fee schedule and posted the proposed increases on the city's website.

Council concerns included what the animal surrender fees cover, the drop off of animals found by a non resident, surrender of pets from non-owners, volume of current surrenders on a waiting list, proof of residency and type of surrendered pets that are accepted.

Commander Penze addressed all Council concerns.

Mayor Wilson opened the Public Hearing for both Agenda Item #'s 7 and 8: Ordinance No.'s 1550 and 1551.

Andre Meek, 1327 S. Belair Road, Apache Junction, commented on feral cats not being accepting , the waiting list for surrendering animals, and his desire to see an improved process overall.

Donna Carr, Apache Junction resident, expressed her concerns regarding feral cats, and designing a larger animal control facility.

Lori Erlandson, Animal Services Supervisor clarified Apache Junction Animal Control is a city only service, meaning only Apache Junction residents are offered services, and surrendered animals are not accepted from anyone outside of this jurisdiction.This "outside of jurisdiction" includes Pinal County island residents. She explained the intake process of surrendered animals and the fees associated. She also expressed there is no animal control agency that accepts feral cats, as the are considered "free roam". Rather than take in these cats and euthanize them, the current process is the feral cats are caught, spayed or neutered and returned to their normal environment to live out their lives. There is a link on the city website that residents can contact for this service, as it is not currently offered at the Apache Junction Animal Control due to space, staffing and the timing involved to complete the process.

Receiving no further comments, Mayor Wilson closed the Public Hearing and requested a motion on Agenda Item #7, Ordinance No. 1550.

- 8. [24-571](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1551 amending the Apache Junction City Code; Volume 1, Chapter 4: Fees, Article 4-7, Public Safety Fee Schedule.

**Mayor Wilson requested a motion for Agenda Item #8, Ordinance No. 1551.**

**Councilmember Heck moved, seconded by Councilmember Soller that Ordinance No. 1551 be read by title only and the reading of the entire ordinance be waived.**

**Motion passed unanimously.**

**City Clerk Pena read Ordinance No. 1551 by title only, repealing any conflicting provisions; and providing for severability.**

**Councilmember Johnson moved, seconded by Councilmember Soller that Ordinance No. 1551, 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

**I. OLD BUSINESS**

**J. NEW BUSINESS**

**K. COUNCIL DIRECTION TO STAFF**

- 9. [24-616](#) Presentation, discussion, and possible direction to staff regarding updates to the Apache Junction City Code, Volume 2, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-6 Supplemental Regulations, Section 1-6-5 Accessory Structures, to allow for accessory building bathrooms to have showers.

**Councilmember Soller moved, seconded by Councilmember Johnson that direction to staff be given to review and consider updates to the Apache Junction City Code, Volume 2, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-6 Supplemental Regulations, Section 1-6-5 Accessory Structures, to allow for accessory building bathrooms to have showers.**

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

**No:** 0

Development Services Director Rudy Esquivias explained a request has been received to change current city code to allow restrooms with showers in detached accessory buildings in residential zones. City Code, prior to 2014, did allow for such amenities, but it was discovered these structures were often becoming small apartments. The new Zoning Ordinance approved in 2014 changed to disallow restrooms with showers in detached accessory buildings. Council recently shared interest in a possible change to our City Code to once again allow restrooms with showers in detached buildings, and asked that this come back to them as a direction to staff item. Mr. Esquivias explained this will be a code amendment that does take several weeks to process.

Council concerns included accessory units allowed in current code, potential for additional code enforcement processes, and clarification of adding a shower to existing structures.

Mr. Esquivias addressed all Council concerns.

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

**M. CALL TO PUBLIC**

Donna Carr, Apache Junction resident, voiced her concerns regarding the professionalism of Councilmembers, foreign corporations purchasing land in the Apache Junction area, and the use of water being used for large corporations.

Andre Meek, 1327 S. Belair Road, Apache Junction, congratulated the re-elected Mayor and Councilmembers, and expressed his concerns regarding the FREE dump week.

Council requested staff research the concerns expressed regarding Free Dump Week.

**N. ADJOURNMENT**

Mayor Wilson adjourned the meeting at 7:45 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