



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

Tuesday, April 2, 2024

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:03 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Cross 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
Jennifer Pena, City Clerk
Joel Stern, City Attorney
Michael Pooley, Police Chief
Rudy Esquivias, Development Services Director
Ted Wolff, Public Works Director
Liz Langenbach, Parks & Recreation Director
Angelie Hawley, Finance Director
Pam Harrison, Library Director
Anna McCray, Human Resources Director
Evie McKinney, Deputy City Clerk
Sidney Urias, Interim Planning Manager
Kelsey Schattnik, Planner

D. CONSENT AGENDA

Councilmember Heck 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. [24-165](#) Consideration of acceptance of agenda.
2. [24-166](#) Consideration of approval of minutes of the regular meeting of March 19, 2024.
3. [24-125](#) Consideration of approval of award of contract to Econosmart Property Services LLC, dba Signature Projects for Artificial Turf at the Superstition Shadows Aquatic Center RFB Project No. P&R 2024-002 in an amount not to exceed \$93,183.75.
4. [24-176](#) Consideration of award of contract to Cactus Asphalt for the slurry seal treatment of city streets at various locations. The work would be through Pinal County cooperative contact No. 234128ROQ in the amount of \$541,931.20 plus 10% contingency for unforeseen change orders in the amount of \$54,193.12 for a total project cost not to exceed \$596,124.32.
5. [24-181](#) As required by Apache Junction City Code, Volume I, Chapter 3: Administration, Article 3-3: Department of the Finance, §§ 3-3-1 (C), the city manager is seeking ratification of the appointment of Angelie Hawley to the position of Finance Director.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

6. [24-123](#) Proclamation designating the week of April 7 through April 13, 2024, as "National Library Week."

Mayor Wilson read the Proclamation designating April 7 through April 13, 2024, as "National Library Week." Library Director Pam Harrison accepted the Proclamation and shared her appreciation to the Mayor and Council. She also mentioned the numerous programs the Library offers, and that it would not be possible without the hard working and dedicated staff.

7. [24-153](#) Proclamation designating the week of April 6 through April 12, 2024, as "Week of the Young Child."

Mayor Wilson read the Proclamation designating April 6 through April 12, 2024, as "Week of the Young Child." In attendance to accept the Proclamation was Katrina DeVinny, Pinal Regional Director of First Things First and Boardmember Briana Frenzel. Ms. DeVinny shared a few of the free programs offered through the Quality First Program. She also expressed the concerns in Pinal County with the lack of child care due to a work force issue, and handed a brochure to the Mayor and Council with an invite to the Community Child Care Crisis Forum, scheduled for April 23, 2024, from 10:00am - 12:00pm at the Pinal County Courthouse - Ironwood Room, 31 N. Pinal Street, Florence, AZ. Attendees will include elected officials and business leaders, to discuss what can be done in Pinal County to develop a plan to address this situation.

8. [24-174](#) Proclamation designating April 2024 as "Fair Housing Month."

Mayor Wilson read the Proclamation designating the month of April as "Fair Housing Month". Management Analyst Rob Wisler accepted the proclamation.

F. REGIONAL INTERGOVERNMENTAL UPDATES

9. [24-167](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Mayor Wilson attended the 19th Annual International State of the State. Highlights included the various partnerships Arizona is working on internationally, with other countries and provinces to do trade and bring in small businesses. He spoke with Governor Hobbs to express his thanks on the veto of HB2570, as the consequence of this bill would have deeply impacted our local young adults and future projects for them. He also attended a spring training game with other east valley mayors.

Councilmembers Cross, Soller, and Heck attended a seminar on homelessness in Pinal County. Discussion points included methods of offering affordable housing, concentrating on getting landlords on board to take in lower income individuals and sustain them, and helping the unsheltered get back on their feet and start a new life.

G. CITY MANAGER'S REPORT

10. [24-168](#) City Manager's Report.

City Manager Bryant Powell introduced the new Finance Director Angelie Hawley.

11. [24-182](#) Introduction of new Finance Director, Angelie Hawley.

Ms. Hawley shared many accomplishments and experience she brings as the Finance Director for Apache Junction. She expressed her excitement and enthusiasm in the opportunity to contribute to the betterment of our city's financial landscape and looks forward to sharing insights that will benefit the growing community.

12. [24-169](#) Announcement of Current Events.

Management Analyst Eli Richardson shared 2 upcoming events:

- * Earthday Celebration and Lady Bug Release: April 6, 2024, 9:00am - 1:00pm, Earth Heart Park, 625 N. Plaza Drive

- * Public Art Commission is moving forward with the search for local artists to submit an application for vinyl artwork, that will be displayed throughout the city. Applications are being accepted online until April 8, 2024.

H. PUBLIC HEARINGS

13. [24-178](#) Presentation, discussion, public hearing, and consideration of Resolution No. 24-03, declaring as a public record that certain document filed with the City Clerk and entitled "2024 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6 Supplemental Regulations, § 1-6-3 Fences and Walls and Article 1-8: Landscape Regulations" authorized under Ordinance No. 1545, repealing any conflicting provisions and providing for severability. This request was previously presented and discussed at the City Council Work Session on March 18, 2024.

Councilmember Johnson moved, seconded by Councilmember Cross that Resolution No. 24-03, a resolution of the Mayor and City Council of the City of Apache Junction, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "2024 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6 Supplemental Regulations, §1-6-3 Fences and Walls and Article 1-8: Landscape Regulations" be approved.

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

No: 0

Mayor Wilson stated Agenda Items 13 and 14 address the same proposed amendment to city code, therefore he will combine into one public hearing but each item will be voted on separately.

Planner Kelsey Schattnik presented Resolution No. 24-03, recapping the previous action held on March 18, 2024. Text has now been edited based on questions presented from council during that meeting, to provide additional clarification. Ms. Schattnik explained the intent of the proposed changes are to provide better clarification of fence and wall requirements in all zoning districts, provide more flexibility with allowed materials, and improve the safety and aesthetics of fences and walls moving forward. Photos were shared of various examples of approved materials and well maintained fences, vs unapproved materials and mismatched and dilapidated fences.

Council comments included clarification of barbed wire being allowed, specific signage and location of signs regarding electric fencing, commercial manufactured charger for electric fencing, screened material approved on commercial property, chain link fence approved for corral fencing, and height changes to interior pen fencing,

City Attorney Joel Stern stressed the importance of agreeing to the exact language changes, even if that means coming back to a future meeting.

Council discussed further.

Planning Manager Sidney Urias suggested, for meeting efficiency, these changes could be made after a short recess at this meeting.

**Councilmember Soller moved, seconded by Councilmember Nesser to recess for 15 minutes.
Motion passed unanimously.**

Meeting recessed at 7:48 p.m.

Mayor Wilson reconvened the meeting at 8:06 p.m.

Planner Kelsey Schattnik presented the proposed changes to Resolution No. 24-03, as requested by council prior to the recess.

Mayor Wilson opened the Public Hearing.

Donna Carr, 2178 W. Virginia Street, Apache Junction inquired if this zoning would be handled as previous zoning issues, and who will pay for the lower income residents with fencing zoning issues.

Ms. Schattnik addressed the concern of existing fencing, that if it has already been permitted to code it will be allowed to remain, and residents will not be forced to remove until such time as the fencing is in utter disrepair. At that time the requirement will be to meet the current fencing code. Compliance will continue to be enforced through normal code compliance measures.

Mayor Wilson closed the Public Hearing.

14. [24-177](#) Presentation, discussion, public hearing, and consideration of proposed Ordinance No. 1545, an Ordinance of the Mayor and City Council of the City of Apache Junction, amending the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, Section 1-6-3, Fences and Walls and Article 1-8: Landscape Regulations, Section 1-8-6, Landscape Standards. This request was previously presented and discussed at the City Council Work Session on March 18, 2024.

Mayor Wilson requested a motion for Ordinance No. 1545.

Councilmember Heck moved, seconded by Councilmember Johnson that Ordinance No. 1545 be read by title only and the reading of the entire ordinance be waived.

Motion passed unanimously.

City Clerk Jennifer Pena read Ordinance No. 1545 by title only, repealing any conflicting provisions; and providing for severability.

Councilmember Cross moved, seconded by Councilmember Heck that Ordinance No. 1545, as read by the city clerk, be approved.

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

No: 0

15. [24-179](#) Presentation, discussion, public hearing, and consideration of proposed Ordinance No. 1544, an Ordinance of the Mayor and City Council of the City of Apache Junction, amending the Apache Junction City Code, Volume I, Chapter 9: Health and Sanitation by repealing and replacing portions of Article 9-1: Property Maintenance Standards § 9-1-2 Definitions, repealing any conflicting provisions and providing for severability. This request was previously presented and discussed at the City Council Work Session on March 18, 2024.

Councilmember Nesser moved, seconded by Councilmember Johnson that Ordinance No. 1544 be read by title only and the reading of the entire ordinance be waived.

Motion passed unanimously.

City Clerk Jennifer Pena read Ordinance No. 1544 by title only, repealing any conflicting provisions; and providing for severability.

Councilmember Cross moved, seconded by Councilmember Nesser that Ordinance No. 1544 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

Planner Kelsey Schattnik explained there is a definition within the Health and Sanitation code that needs to identically match the revised changes to the city code that council had just voted on.

Mayor Wilson opened the Public Hearing. Receiving no comments the Public Hearing was closed.

I. OLD BUSINESS

J. NEW BUSINESS

16. [24-183](#) Discussion and consideration of approval of the placement on the salary schedule of the newly created classification of Marketing and Communications Director. Pursuant to the 2023 City of Apache Junction Personnel Rules, Rule 6 Classification, Section 4 Creation, Abolishment and Reclassification of Positions, City Council approval is required for the classification of a position in Grade 42 and higher on the civilian salary schedule. This position will be in Management Services and report to the City Manager.

Councilmember Johnson moved, seconded by Councilmember Soller that the placement on the salary schedule of the newly created classification of Marketing and Communications Director, pursuant to the 2023 City of Apache Junction Personnel Rules, Rule 6 Classification, Section 4 Creation, Abolishment and Reclassification of Positions, City Council approval agree to the Grade 42 for this civilian salary schedule for the Marketing and Communications Director position be approved.

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

No: 0

Human Resources Director Anna McCray briefed the Mayor and Council on the purpose and need of this new position.

City Manager Bryant Powell stated from the past couple of council retreats he has received direction to elevate our communication with the public. He continued that we no longer have pagers and newspapers, but the need is still there for us to carry on our service and tell our story, and this is a reflection of the Mayor and Council goals and desires to keep the communication strong and build an identity for Apache Junction. Digital communication efforts are the direction we need to move forward with and he recommended the addition of this position.

Council comments included assurance the city wage and salary budget would allow for this new position, and encouragement that communication is key for growth as well as welcoming visitors to our area.

K. COUNCIL DIRECTION TO STAFF

17. [24-173](#) Presentation, discussion and direction to staff regarding proposed fee changes to the Apache Junction Public Safety Animal Control Fee Schedule - Article 4-3 and Public Safety Fee Schedule - Article 4-7.

Councilmember Johnson moved, seconded by Councilmember Soller that direction be given to staff to begin the process of updating the Animal Control Fee Schedule and bring a proposed Ordinance to a future City Council meeting, and amending this motion to include updating Article 4-7 for the Public Safety Fee schedule, be approved.

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

No: 0

Police Chief Michael Pooley presented the proposed changes to the Apache Junction Public Safety Animal Control and the Public Safety fee schedules. Staff compared the Apache Junction current rates to other valley cities and Apache Junction is behind market value with the fees for these services. He shared the proposed changes in a red line version.

Council comments included the increase on adoption fees, keeping fees at a moderate level to avoid abusive situations, surrender fees, proof of residency for surrendering of pets, fines for pet dumping, and assistance to low income/less fortunate pet owners.

Chief Pooley addressed these concerns, and requested direction from the Mayor and Council to begin the process on these proposed fee schedule changes in developing a Resolution and Ordinance for presentation at a future date.

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

M. CALL TO PUBLIC

Catherine Meek, 1327 S. Belair Road, Apache Junction shared events scheduled for the Superstition Mountain Museum in the upcoming weeks. She also announced April is "Donate Life Month", and encouraged participation to become an organ donor.

Donna Carr, 2178 W. Virginia Street, Apache Junction, shared the process she recently went through to obtain the petitions that do not support building of a mental health facility in her neighborhood. She also expressed her concerns of a "tram" coming into Apache Junction.

Andre Meek, 1327 S. Belair Road, Apache Junction commented on the proposed animal control fee schedule change, Arizona is number one for "Rent to Own" homes, and mentioned some upcoming events and changes to the schedules at the Superstition Mountain Museum.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:50 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