



# 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, July 16, 2024

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:01 p.m.

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Heck gave the invocation and Vice Mayor Schroeder 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  
Doug Wirthgen, IT Director  
Kayla Fulmer, Director of Marketing and Communications  
Ted Wolff, Public Works Director  
Liz Langenbach, Parks & Recreation Director  
A. Doug LaSota, Municipal Judge  
Rob Wistler, Management Analyst  
Eli Richardson, Management Analyst

### D. CONSENT AGENDA

Councilmember Johnson moved, seconded by Councilmember Heck that the consent agenda be accepted and approved as presented.

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

**No:** 0

1. [24-529](#) Consideration of acceptance of agenda.
2. [24-530](#) Consideration of approval of minutes of the regular meeting of July 2, 2024.
3. [24-519](#) Consideration of approval of procurement of a document management system, Laserfiche, from ICC Community Development Solutions utilizing OMNIA cooperative contract #01-158, in an amount of \$56,756.00. This item was presented and discussed at the July 2, 2024, City Council meeting.
4. [24-521](#) Consideration of approval of contract between the City of Apache Junction's Police Department and Safeware for acquisition of mobile command center van in amount not to exceed \$1,787,302.16. This item was presented and discussed at the July 2, 2024, City Council meeting.

**E. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

**F. REGIONAL INTERGOVERNMENTAL UPDATES**

5. [24-531](#) Brief summary of intergovernmental updates from mayor and councilmembers.

There were no intergovernmental updates.

**G. CITY MANAGER'S REPORT**

6. [24-532](#) City Manager's Report.

City Manager Bryant Powell introduced the representatives from Republic Services and thanked all the volunteers from Fiscal Year 2024.

7. [24-471](#) Presentation and discussion with Republic Services regarding operational updates.

General Manager Charlotte Thomas and Municipal Manager Emma Reyes for Republic Services presented the below information for Free Dump Week:

- Upcoming dates: August 5-10 and November 4-9
- Holiday schedule
- Bulk Service requirements and items that are not accepted
- Statistics from the February and May Free Dump Weeks

Councilmember concerns included how complaints are handled, the process of separating loads and if they are considering adding plants to the landfill to blend in with the desert landscape. Councilmember Heck thanked Republic Services for donating dumpsters to Make A Difference Day each year.

Ms. Thomas and Ms. Reyes responded to all concerns.

8. [24-567](#) Presentation and discussion on volunteer activities for Fiscal Year 2024.

Management Analyst Eli Richardson presented the annual report for volunteer activities for Fiscal Year 2023-2024. The total number of volunteer hours was 17,800. This is estimated to be valued at \$570,000.00 using the Arizona standard volunteer rate. The 4 departments that engage volunteers are Public Works, Library, Police Department and Parks and Recreation. The benefits of having volunteers and the various activities they assist with were highlighted. He directed anyone who is interested in volunteering to contact the City Manager's office.

Councilmember Heck asked if the Mounted Rangers volunteer hours counted towards the Parks and Recreation department.

Mr. Richardson confirmed that they do.

9. [24-533](#) Announcement of Current Events.

There were no current events.

## H. PUBLIC HEARINGS

## I. OLD BUSINESS

10. [24-554](#) Continued discussion and possible consideration of award of contract to Veregy for sports field lighting retrofit projects within city parks in an amount not to exceed \$1,784,427.75 which includes a 5% contingency. This item was originally presented and discussed at the July 2, 2024, City Council meeting.

**Councilmember Heck moved, seconded by Councilmember Nesser that the award of contract to Veregy for sports field lighting retrofit projects within the city parks, in an amount not to exceed \$1,784,427.75, which includes a 5% contingency, be approved.**

**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 shared the updates to the contract that was originally presented on July 2, 2024. The changes included an option for the city to complete Prospector Park multi-purpose fields and Superstition Shadows Park ball field if grant funds are acquired and allows the city to lock-in pricing.

Councilmembers inquired what is included in the project, how long the pricing was locked in and the time frame of the project completion.

Ms. Langenbach responded to all inquiries.

## J. NEW BUSINESS

11. [24-539](#) Presentation and discussion on the Public Works Department Fiscal Year 2024-2025 Capital Improvement and Street Maintenance Plan.

Public Works Manager Shane Kiesow presented the Fiscal Year 2025 Capital Improvement & Street Maintenance Plan. The primary focus will be the department's street maintenance and

capital improvement projects planned for Fiscal Year 2024-2025. The projects will include preservation maintenance, rehabilitation, reconstruction, and various Capital Improvement Projects (CIP).

Many projects in the plan are to be done by contractors and will come back to the city council per city’s procurement rules for consideration of award.

Councilmember comments included the sidewalk improvement plan with a horse path, clarification on the Remaining Service Life (RSL) system and if the presentation can be emailed to council.

Mr. Kiesow responded to all comments.

- 12. [24-555](#) Presentation, discussion, and possible consideration of retroactive approval of agreement between the City of Apache Junction and Imagine Prep Superstition, Inc. for a grant-funded school resource officer in the amount of \$139,671.79, for a contract term of July 15, 2024, through June 30, 2029.

**Councilmember Soller moved, seconded by Councilmember Nesser that the agreement between the City of Apache Junction and Imagine Prep Superstition, Inc. for a grant-funded school resource officer in the amount of \$139,671.79, for a retroactive contract term of June 13, 2024, through June 30, 2029, be approved.**

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

**No:** 0

Police Commander Cindy Ewer presented that the City of Apache Junction Police Department is requesting approval for a School Resource Officer (SRO) to serve at Imagine Prep Superstition.

The Arizona Department of Education has approved funding to support this officer at the cost of \$139,671.79, which will support the officer's salaries and benefits.

This will provide an additional officer at Imagine Prep Superstition, making a total of six SRO in the city.

Councilmember concerns included the criteria for the SRO grant and if they would address bullying as part of their role.

Ms. Ewer addressed all concerns.

City Clerk Jennifer Pena corrected the motion to state a retroactive contract term of June 13, 2024 through June 30, 2029.

**K. COUNCIL DIRECTION TO STAFF**

13. [24-558](#) Presentation, discussion and possible direction to staff on proposed amendments to City Code Article 4-8: Municipal Court Fee Schedule.

**Councilmember Soller moved, seconded by Councilmember Nesser that direction be given to staff to begin the process of updating the Municipal Court Fee Schedule and bring a proposed Ordinance to a future City Council meeting be approved.**

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

**No:** 0

Municipal Judge A. Doug LaSota presented two requests for amendment to City Code 4-8-1. The request is to amend subsections D. (Administrative fee for court appointed counsel) and H. (court deferred prosecution/diversion fee).

For 4-8-1 (D), public defender fees have been limited by City Code to \$125 per Defendant (regardless of the number of cases for the same defendant). This fee is very aged and many courts these days have increased the fees. This proposal tracks Pima County Justice Courts. A chart will be available which determines fees based on income and the number of family members. This request is to amend the City Code to make it a range of \$275 to \$375. Defendants would have time to pay and are allowed to do community service to pay their assessed fee. The court still has discretion under subsection (I) to waive all or part of this fee based on indigence, financial hardship, and the interests of justice.

This would bring in additional revenues to help pay for the contracts of the court appointed attorneys and the contract attorney.

The request to amend subsection (H) is a housekeeping/corrective measure. For years, the \$50 diversion fee has only been imposed on each case - not "each criminal charge for each criminal case". Defendants doing diversion should not be treated differently based on how many charges are given to them by the police or prosecutor. This change treats everyone the same and confirms the current and long-standing actual practice at the court.

Councilmember concerns included why Pima County was the comparison and how is the defendants claim of financial hardship verified.

Judge LaSota responded to all concerns.

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

### **M. CALL TO PUBLIC**

Jerry D. Walker, 1829 W. 14th Ave, Apache Junction, AZ, asked for an exception to be approved for a restroom to be built in a casita on his property. He has a medical condition that requires the need for this and it is being funded 100% by the Veterans Administration.

Donna Carr, 2178 W. Virginia St, Apache Junction, shared she is opposed to using reclaimed water and asked if DR Horton is advising people buying homes off Meridian and Guadalupe of the cancer causing agents in the area. She also expressed she was unhappy with the council decisions.

Andre Meek, 1327 S. Belair Rd, Apache Junction, thanked the candidates for election for participating in the Meet and Greet last week. He also commented that he was very happy with the decision to add a school resource officer to Imagine Prep.

Councilmembers asked City staff to look into Mr. Walker's case.

**N. ADJOURNMENT**

**Mayor Wilson adjourned the meeting at 8:22 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.

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WALTER "CHIP" WILSON  
Mayor

ATTEST:

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