

CITY COUNCIL
REGULAR MEETING
APRIL 17, 2018

The regular meeting of the City Council of the City of Apache Junction, Arizona, was held on April 17, 2018, at the Apache Junction City Council Chambers pursuant to the notice required by law.

CALL TO ORDER

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

INVOCATION

Vice Mayor Wilson gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Waldron led the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Mayor Serdy
Vice Mayor Wilson
Councilmember Barker
Councilmember Evans
Councilmember Struble
Councilmember Waldron

(Councilmember Rizzi was absent.)

Staff Present: City Manager Bryant Powell
Assistant City Manager Matt Busby
City Clerk Kathleen Connelly
City Attorney Joel Stern
Public Safety Director Tom Kelly
Public Works Director Michael Wever
Parks and Recreation Director Liz
Langenbach
Development Services Director Larry
Kirch
Assistant to the City Manager Anna

McCray

Others Present: Public Information Officer Al Bravo
Building Official Dave Zellner
Grants Coordinator Heather Patel
Sponsorship/Partnership Programs
Administrator Roger Hacker
Senior Planner Rudy Esquivias
Planning Intern Danielle Jordan

ACCEPTANCE OF CONSENT AGENDA)

) Councilmember Barker MOVED
THAT THE CONSENT AGENDA BE ACCEPTED AS PRESENTED; AND

THAT APPROVAL BE GIVEN TO RESOLUTION NO. 18-10, A RESOLUTION OF
THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION,
ARIZONA, AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION
("SCPDC") FOR LICENSING SCPDC SOFTWARE KNOWN AS
"MYGOVERNMENTONLINE"; AND

THAT THE AWARD OF BID FOR PW-2017-35, JANITORIAL SERVICES, BE
AWARDED TO JB SUPERIOR MAINTENANCE SERVICES IN THE AMOUNT OF
\$275,856 FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW FOR
NINE (9) ADDITIONAL ONE YEAR PERIODS; AND THAT AUTHORIZATION BE
GIVEN TO THE MAYOR TO SIGN THE AGREEMENT PENDING APPROVAL AS TO
FINAL FORM BY THE CITY ATTORNEY; AND

THAT RESOLUTION NO. 18-16, A RESOLUTION OF THE MAYOR AND CITY
COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE
CITY OF APACHE JUNCTION TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR LAW
ENFORCEMENT SERVICES AT THE UNIVERSITY OF PHOENIX STADIUM, BE
APPROVED.

Vice Mayor Wilson SECONDED

THE MOTION.

VOTE: Unanimous.

The motion carried.

AWARDS, PRESENTATIONS AND PROCLAMATIONS

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Mayor Serdy read a proclamation designating April as Fair Housing Month and presented it to Grants Coordinator Heather Patel.

ANNOUNCEMENT OF CURRENT EVENTS

Vice Mayor Wilson announced Superstition Horsemen's Association and P&M Arena partnered with Fry's to put in a hitching post on the east side of the new Fry's building.

Vice Mayor Wilson announced that he and Councilmember Rizzi attended the Suicide Ripple Effect documentary on the only survivor off the Golden Gate Bridge.

Vice Mayor Wilson announced his miniature horse passed the certified service animal test.

Councilmember Evans announced on last Wednesday they had the first Pinal County Youth Forum at Central Arizona College that included topics such as teen suicide, drug abuse and living in foster care. The next one will be June 8 or June 16 at Apache Junction Unified School District.

Councilmember Evans announced Saturday is the Ladybug Festival and the last Farmers' Market for the season.

Councilmember Struble introduced the student council from Desert Vista and they talked about their accomplishments for the year.

Councilmember Struble introduced the student council from Peralta Trail Elementary and their advisor commented on their biggest accomplishments of the school year.

Mayor Serdy announced this Saturday American Legion Post #27 is having the Legion of the Silver Rose Ceremony that is open to the public. At noon they will start at the gazebo and have a motorcade to the post on Meridian. It is regarding agent orange.

CITY MANAGER'S REPORT

City Manager Bryant Powell commented on the student councils that were present, the planning software contract and the janitorial contract.

Assistant City Manager Matt Busby gave a presentation on the monthly financial statement for March.

Councilmember Struble commented he had a continuous comment to our state legislators to get on the department of revenue to get us our money they owe us. We are continuously at least two months behind in reimbursement from the sales tax they mandated they collect for us. We were doing just fine before they did that. It puts a hindrance upon us to be able to provide the services we need to our citizens because they do not reimburse us the amounts we that we should be getting.

Mr. Dave Richins, board president of the Community Development Corporation, gave an update on their activities.

Mayor Serdy asked how the average citizen can help if this is all done through the board. He asked how one gets on the board.

Mr. Dave Richins stated the first person to reach out to would be Roger Hacker, their only "staff". There is no professional staff as they are all volunteers. Roger or Larry Kirch at the city are a good place to start. Another is Councilmember Evans. They can talk to them if they have interest. They will have them come to a meeting, advise them of the goals of the Community Development Corporation and make sure there is a complementary fit between the two. They try to target people in the local community. He does not live in Apache Junction. They will be building leadership in the community and this community is going to be led by Apache Junction residents. He will mentor and teach along the way.

Mayor Serdy commented they do not need to be in the city limits to help. He knows a lot of people that live outside the city want to help on boards and commissions. Here is an opportunity.

Mr. Dave Richins stated they do not have a bylaw restriction for that. People need to recognize where the Community Development Corporation is at. It is trying to learn to walk before it runs. They are trying to knock off a few achievable goals early

on. Once they figure out how to fund this entity and build community development capacity, they will add additional expertise to the board and they could eventually get some professional staff in place.

Mayor Serdy asked when they can do some bigger projects. They are not quite there yet, but if there is something bigger happening this is the kind of board that can help.

Mr. Dave Richins stated they have a unique opportunity. As the funds continue to grow as the tax base grows, your community development needs will grow. The city will have the opportunity, as they work with the city manager, mayor and council, to identify funds that could be set aside for community development. A lot of cities grow that as a department of the city. Some cities might choose to outsource that activity to an organization like the Apache Junction Community Development Corporation. They need to make sure that organization is in concert with the goals of the city. If city funds go that direction, they want to make sure they are accomplishing their goals with those funds.

City Manager Bryant Powell asked if he wanted to introduce any of the board members.

Mr. Dave Richins stated he had already done so. The list shows a few of the other folks that are serving on the board. They will have some more activities in the fall and they will continue to grow to capacity to help the community.

Mayor Serdy commented he wanted to give a thank you. He had been speaking right outside the city to some folks and inside the city. They are always suspicious of what is in it for them. Here is another example of a board where they are not getting paid for this. This is all volunteer. They just want to give back to the community. Looking at all the boards, commissions and volunteers at animal control, there is no pay for this. They do it just to be helping. It is so awesome. Just like he said about the kids helping a school in Texas. He wished more people would understand the more you give the more you will get back some day. He appreciates him.

PUBLIC HEARINGS

RESOLUTION NO. 18-07, AUTHORIZING
SUBMISSION OF FISCAL YEAR 2018
(FY18) COMMUNITY DEVELOPMENT BLOCK
GRANT AND STATE SPECIAL PROJECT
GRANT APPLICATIONS)

) Grants Coordinator Heather
Patel briefed the council on the item.

Mayor Serdy asked if they would be putting in a paragraph explaining why they are getting the survey because if he gets a survey like that he would say they do not need to know that and he would throw it away in the trash. He asked if they can put in there why they need the information and this is what can happen if they fill it out.

Grants Coordinator Heather Patel stated absolutely. This is pertaining to the lighting on Phelps and that would be the only project they would need to do a survey on. The letter would very clearly state the reason for it, what project they are proposing to do and what we need to get as a result of it. How many surveys and whatnot.

Mayor Serdy asked what the cut off/standard is for low to moderate income.

Grants Coordinator Heather Patel stated she does not have that information at this time but she believes a household of two would be around \$42,000. That is what she can recall at this time. She continued with her briefing.

Mayor Serdy opened the public hearing on the item.

Ms. Gina Fair, 9950 E. Lindner Avenue, Mesa, a teacher at Desert Vista, addressed the council. She stated they have aging schools but she is not sure if this could be considered. There are sidewalks crumbling, rusty rebar coming through the sidewalks and falling tiles in bathrooms. She does not know if this is something the schools could benefit from.

Mr. George Schroeder, 2444 W. Virginia, Apache Junction, addressed the council. He stated in 33 years none of his streets have ever gotten any attention. Today a truck delivered recycled asphalt to continue what he had been doing to improve his street. Five streets have been flooding and none have been improved. He complained about no funds going to his neighborhood. More kids are on his street due to improvements he has made. He will continue to get rid of the drug addicts and drug dealers that come by. He asked Ms. Patel to look at his neighborhood. He does not consider Delaware one of the streets for this as people are using it as a racetrack. They need monitoring, surveys and a way to curb that traffic problem. With more kids, bicycles and people walking in his neighborhood he fears someone will get hit. He suggested speed bumps.

Councilmember Barker called for a point of order. She asked what he specifically wants to add as a suggestion for one of these grants. She asked that he be specific in a couple of words.

Mr. George Schroeder stated he did not want the grants to go to people just because they are below poverty and just because they cannot find somebody to rent to them.

Councilmember Barker commented but those are the qualifications for the grant.

Mr. George Schroeder stated he knows but there are laws that prevent that from happening. Those are his rights.

Mayor Serdy commented this is not the place for that discussion. He needs to comment on what we are talking about here. That is all he can do.

Mr. George Schroeder stated he wanted to comment that they have rights, too.

Mayor Serdy commented there are 40,000 other people in the city, too.

Mr. George Schroeder stated good people that keep up their homes and look out for their neighborhood are more important than people who have been incarcerated two or three times.

Mayor Serdy commented this is just a hearing to hear from you. He called for anyone else. There being no one else wishing to speak, he closed the public hearing. He reopened the item to council discussion.

Councilmember Waldron asked if Heather could address the school issue. He commented in the staff report it shows the construction on Grandview as Community Development Block Grant and State Special Projects eligible. He asked if it would increase the chances of an award on the competitive side if that project were listed for both or does it make any difference.

Grants Coordinator Heather Patel stated it would not necessarily make the application on the competitive one better, it demonstrates our focus and goal of getting that neighborhood completed. They cannot necessarily use that as leverage to say they are investing the Community Development Block Grant money to get extra points. Regarding the schools, she has never been asked to put money into the schools. Generally speaking, they could put funding into our city facilities and we can put them in nonprofit facilities that provide a public service. She does not recall ever seeing school in there. She does not think it is necessarily eligible but if it is something they are really interested in wanting her to look further into, they can postpone the public hearing and she can do some checking on that.

Councilmember Barker asked if that would have to meet the low-income standards.

Grants Coordinator Heather Patel stated it would, however children tend to be an acceptable limited clientele so they generally do not have to show income information on that. Another thing she questions is if it is a community-wide benefit. There are a lot of things she would have to look into.

Councilmember Struble commented if they chose to use both funds for the sidewalks on Grandview they would put it in both of the applications, in the State Special Projects that we are applying for the Community Development Block Grant and vice versa so that they would see that. It would not have an objective effect but they would see it.

Grants Coordinator Heather Patel stated that is correct. We have completed First Avenue, Palo Verde and we are finalizing the design for Grand, Ocotillo, Main and Saguaro. Our FY 2017 application for State Special Projects is to do one of those streets. She is not sure which one it will be yet. If we say for 2018 that we want to continue, then we could say for the State Special Projects that we would do another street or a portion of it and for the Community Development Block Grant. It is basically saying we are continuing on as each application process comes up. The unfortunate thing is that it is based on timing. They will get a whole grant completed before the next one is even submitted. It is a continuing process.

Vice Mayor Wilson asked if it would hurt at all in this application if they said to look into the school activity.

Grants Coordinator Heather Patel stated it would not be harmful at all. Timewise, the only thing is by May 30 she has to have in her letter of intent to the state saying what the project is going to be. They would have to continue this public hearing to the next meeting. By then she should have thoroughly checked it out and vetted it to see if it something they could do. She would also have to talk to the school to find out what exactly their needs are.

Mayor Serdy commented it is kind of late in the game to bring that whole other dynamic into it. Maybe next year they could start earlier and look at some of those things. He asked how the city is supposed to know what condition certain facilities are. They have county, state and federal to look after that.

Councilmember Barker commented they also have some sidewalks on some schools on Bureau of Land Management land, state land and all of that. All of that would have to be separated. She knows Desert Vista has a sidewalk problem but it is on so many different governmental pieces of land it is almost impossible to figure it all out.

Grants Coordinator Heather Patel stated it would have to be our land and our right-of-way in order to put anything like a sidewalk on it.

Councilmember Struble commented it could not be inside of the school or in the parking lot of the school. It would have to be on the street or sidewalk.

Grants Coordinator Heather Patel stated that is correct. Unless there was some sort of agreement that would allow us to do that with the school and the city, there would be a lot of varying factors.

Mayor Serdy closed the discussion with no further comments and called for a motion.

Councilmember Waldron MOVED THAT RESOLUTION NO. 18-07, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR FY 2018 STATE COMMUNITY DEVELOPMENT BLOCK GRANT REGIONAL ACCOUNT ("CDBG") FOR THE CONSTRUCTION OF GRANDVIEW SIDEWALKS, FOR FISCAL YEAR 2018 STATE SPECIAL PROJECT ("SSP") FUNDS FOR THE CONSTRUCTION OF GRANDVIEW SIDEWALKS, AND CERTIFYING THAT THE APPLICATIONS: (1) MEETS THE IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS; AND (2) IS NECESSARY FOR IMPLEMENTATION AND COMPLETION OF THE ACTIVITIES OUTLINED IN THE CDBG AND SSP APPLICATIONS, BE APPROVED.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

ORDINANCE NO. 1461, PZ-1-18,
CITY-INITIATED REZONING OF
PROPERTIES ALONG IRONWOOD
DRIVE BETWEEN APACHE TRAIL AND
BROADWAY FROM GENERAL COMMERCIAL
TO OLD WEST COMMERCIAL BY
PLANNED DEVELOPMENT)

) Planning Intern Danielle
Jordan briefed the council on the item.

Mayor Serdy opened the public
hearing on the item. There being no one wishing to speak, he
closed the public hearing and reopened the item to council
discussion. There being no further discussion, he called for a
motion.

Councilmember Waldron MOVED
THAT ORDINANCE NO. 1461 BE READ BY TITLE ONLY AND THE READING OF
THE ENTIRE ORDINANCE BE WAIVED.

Councilmember Barker SECONDED
THE MOTION.

VOTE: Unanimous.

The motion carried.

City Clerk Kathleen Connelly
read the ordinance by title only.

Councilmember Waldron MOVED
THAT ORDINANCE NO. 1461, AS READ BY THE CITY CLERK, BE APPROVED
AND ADOPTED.

Councilmember Barker SECONDED
THE MOTION.

VOTE: Unanimous.

The motion carried.

OLD BUSINESS

None.

NEW BUSINESS

FISCAL YEAR 17-18 COUNCIL WORK
PLAN _____)

_____) Assistant to the City
Manager Anna McCray briefed the council on the item.

Councilmember Struble
commented on number 19 there is a box culvert they are going to
put in on Baseline. He asked if they are doing that to widen
the road. He asked if they would be widening the road at the
same time.

Assistant to the City Manager
Anna McCray stated she presumed they would be doing so. She was
not aware if the public works director was in attendance to
answer that question. She will find out that information for
him.

Councilmember Struble
commented he is sure that they will. He cannot imagine them
putting another one in there because if they are going to be
widening the road and making it more passable, to put in a new
culvert and bring the traffic back down at the other end would
be silly, but we are talking about the State of Arizona.

Mayor Serdy closed the
discussion with no further questions. This was a discussion
item only and he moved on to the next item.

DIRECTION TO STAFF

CONCEPT OF DEDICATING A PERCENTAGE
OF FUTURE PERMIT FEES TO BE SET
ASIDE AND USED FOR ACQUIRING ART _____)

_____) City Manager Bryant Powell
briefed the council on the item.

Mayor Serdy asked if he heard
back from the person in Toledo they got the tip on.

City Manager Bryant Powell stated he reached out to the council member from Toledo but he did not hear back from him.

Mayor Serdy commented one percent sounds so small but it could actually be very large. Right now if they did anything on this it would have to come out of the general fund. We are getting ready to spend something at Idaho and the Trail.

City Manager Bryant Powell stated development fees or if they would be able to get a grant somewhere they could use those dollars.

Mayor Serdy asked if they could put something in temporarily for a year so they could see what could pile up and then relook at it to see if they could reduce it to half a percent or even less. We do not need a lot. We are not covering the town with art. It is just every now and then they have a project like the one at Idaho and the Trail.

Councilmember Waldron commented this is not an additional fee but a percentage of the current fee for permits.

City Manager Bryant Powell stated the fee is an additional one for Oro Valley.

Councilmember Waldron commented but it is not for what they are thinking of here. He asked if it is an additional fee or a percentage of what is currently being charged.

Vice Mayor Wilson commented he thought it was a percentage of what is currently charged.

Councilmember Waldron asked what that would have generated over the last year with the building permits.

Mayor Serdy commented that is what he would like to know, also.

Councilmember Struble commented for clarification so that they understand, they have a fee they charge developers, say it is \$100, so one percent would be \$1. They are still going to collect \$100 from the developer but instead of using all of the \$100 to do what we want to do we are going to take \$1 to put it towards art. He asked if that made sense.

City Manager Bryant Powell stated that made sense to him.

Councilmember Struble asked if that is what this is about.

City Manager Bryant Powell stated that is an opportunity cost. It is revenue we will have to use towards art.

Mayor Serdy commented he would also ask that maybe not necessarily art but perhaps landscaping, too, which in his mind is art. It makes a pretty town.

Councilmember Barker commented Larry had been talking about how they are going to figure out their fees on the fee schedule. They were doing it based on the time that was spent and the equipment that was used, et cetera. They were not adding any mark up to that as a dealer or something would. It was all based on that. She does not know if she would be in favor of taking any money out of that because they have already set it up. It costs us x amount of dollars to do this and we are charging them x amount of dollars. Now you want to take a percentage away from that. She does not see that.

Councilmember Evans commented in the last discussion Larry said the last time we looked at our fees and what we were collecting was in 2008. That is why they had the other presentation where they were telling us how they were going to set up the new fee schedule. She is concerned about adding an additional take away when we do not even know if we are at market yet. This could take out more funds from the general fund when we have the potential of putting more in.

They need to have a better idea. She asked if there would have to be a category that said art, landscaping or any other visual improvement if they designate it as just for art, because if it was on the permit itself there would have to be a way to do it. Joel had stated they could not charge an additional fee since our permit money goes into the general fund. A developer does not know what portion of that permit goes to things such as our lights or water in the building. It is not a fee they would necessarily know. She does not even know if our fees are up to date. She gets hung up with when they talked about having an arts commission in the past. They decided they were going to go with SACA, have their fundraising and acquire art that way. Mesa used a business community to create their statues and their improvements along Main Street. If we did something like this for city improvements so that if they had an extra pot to pull from, our streets that do flood, in that case she does not see the necessity of a separate pool of money. We have some serious conditions that exist in our older neighborhoods that we inherited from Pinal County. We are trying very hard to work on those and it would be nice to have new development pay for inferior older development.

Councilmember Barker asked if that is what they are doing.

Councilmember Evans commented that is what those impact fees do, the roads and everything and she agrees with that. But we do not even know if our fees are up to date to be able to split off another piece. She asked if we are alright or are we low. If they were done in 2008, that is only 10 years ago.

City Manager Bryant Powell stated he will have Larry come up and talk about when they are going to go through the fee change.

Development Services Director Larry Kirch stated they are from 2006. They are referencing tables from back there as well. He has not done research as it is not direction to staff yet. The Oro Valley ordinance is set up entirely different. It is based on permit valuation. The permit comes in at \$10 million so the fee is \$100,000. Projects under \$50,000 are exempt, so small private ones are exempt.

They look at the ability to pay. If someone can build a small medical office building that costs \$2 million, they would pay \$20,000 in our fee. They can pay in lieu of by providing art on site. There are all sorts of things including the base, pedestal and the art itself as being put towards the \$20,000. Or they can just give the city a check and have the committee or the process figure out where they want the public art. In the next month he suggested they read the Oro Valley ordinance. They do not siphon off a portion of the permit fee. They take the valuation of the building, a 2015 or 2016 fee, take one percent of that and then that money goes into a pot.

Councilmember Evans asked if it is just commercial.

Development Services Director Larry Kirch stated it is commercial only, no residential. It could be a half of a percent or do not do it at all. It may be instructive to read the ordinance as to how they are doing it. It is pretty straightforward. The first couple of pages list what is exempt, what it can apply to and how you can pay a fee in lieu of. Essentially you take the value of the project and take one percent of that, but they also have exemptions.

Councilmember Evans commented over and above anything else they pay.

Development Services Director Larry Kirch stated that is correct. It also applies to building expansions such as phase 2. It applies to phase 2 at 25%. If they have a 100,000 sq.ft. building and they add on another 25,000 sq.ft. it applies. If they add 20,000 sq.ft. it does not apply. It is when they hit 25% expansion that it applies.

Councilmember Evans commented that the developers know that it is specific for that.

Development Services Director Larry Kirch stated it is in the ordinance. It is all calculated out and they can pay in lieu of, it does not apply to residential and there are exemptions for things like repaving a parking lot. It does not nickel and dime you. It is for hard construction and new buildings.

Councilmember Struble
commented but they are assessing an additional fee.

Development Services Director
Larry Kirch stated it is an additional fee based on the value of
the project. The Oro Valley community chose to do that.

City Attorney Joel Stern
stated they have not been directed to staff yet. If they amend
or increase any fees, he does not know how the attorney general
would look at that, but it sounds like an increase. Maybe it is
not. There is a statute that requires a 60-day notice before
you actually have a hearing. It has to be on the internet.
Once they amend the ordinance they would have to follow that
statute.

Mayor Serdy thanked Larry for
looking into that because he did not have direction to staff.
He must have done that in his spare time. We do not know what
would accumulate because we have not done direction to staff.
It almost seems like we are ahead of our time on this. We are
not one of the wealthier cities in the valley like a Paradise
Valley. When they get a project, they get massive resorts or
whatever. It would be so easy to do that and it ends up helping
the resort anyway. It makes it some place you would want to go.

Councilmember Struble
commented what they heard last night when staff talked to them
about one of the voluminous reports they got from Arizona State
University was the students talking about additional ways or
revamping to generate revenue for the city. He could not
remember the exact wording and which one of the five things they
were talking about. That might be something they could throw
out there to the students. He thinks they are going to be
starting a new program next fall and it might be something they
might want to throw at them, to come up with some revenue-
generating process for something like this.

Mayor Serdy commented they
could then have them check on all the other cities and see what
they are doing.

Councilmember Barker
commented they can check all the other cities. She loves that.

Councilmember Struble
commented he is not sure if that is direction to staff but it is
something to look at.

Councilmember Barker
commented it is not a direction to staff.

Mayor Serdy commented it
would be direction to the students. It is a very intriguing
idea but he is not sure the city is ready and we do not want to
jeopardize any positive growth.

Councilmember Evans commented
that is correct. We want more commercial development. We would
not want to do anything that would inhibit that. We have people
that come in here with businesses that do not bother to pay any
of the fees that are already required let alone to have a
potential project come in that would be between us and the
Maricopa County island who does not have that fee but they can
buy the land for the same amount of money and build the same
project west of Meridian. She would hate to see something like
that shoot us out of the ballpark.

City Manager Bryant Powell
stated another thing he might add on this subject as we think
about art, being a goal for all of us, is one area that might be
of benefit. At the League of Cities and Towns Conference he
will be asking other city managers there and at other places to
see how these other cities do it. They talk to a lot of
different people. The vice mayor did take a tour or learned a
little about Oro Valley. He does not know of very many cities
that are doing that. There are other ways that cities have
counselled and worked together with the community to get dollars
either through volunteers or other means. He encouraged all of
them to research it that way.

Mayor Serdy commented in a
situation like this they can just make no motion at all and just
move on if he does not hear a motion in the next few seconds.

City Attorney Joel Stern
stated if no motion is made it does not go anywhere.

Mayor Serdy commented among
themselves they still have the authority to talk to the students
and whomever. It could come back when we gain more knowledge.
He thinks it was a good thing they did discuss it and it gave us
more options to know what is out there in the country and the
state. He is not seeing a motion so he closed the item with no
further discussion and moved on to the next item.

ESTABLISHING A TERM LIMIT FOR THE
MAYOR POSITION; ESTABLISHING TERM
LIMITS FOR CITY COUNCIL MEMBER
POSITIONS; CHANGING THE LENGTH OF
TERM FOR THE MAYOR POSITION TO 4
YEARS FROM 2 YEARS)

) City Manager Bryant Powell
briefed the council on the items.

Councilmember Waldron
commented there are 91 cities.

City Manager Bryant Powell
stated that is correct.

Councilmember Waldron
commented in their discussion last time they were interested in
the terms for the majority of the cities. With the information
sheet they were given, it is clear there are 42 cities where the
mayor has a 2-year term. Only 12 cities have term limits for
mayor and 11 cities have term limits for council. Clearly a
majority of cities in Arizona operate the same way we do. He
stands by his other comment that if it is not broke they should
not fix it.

Vice Mayor Wilson commented
he found it interesting that when looking at Winslow, the mayor
has 4 term limits that are 2 years apiece and the council has
just two.

Councilmember Barker
commented those are 4 years apiece so they are 8 years each.

Vice Mayor Wilson commented they are both the same but it is just weird.

Councilmember Barker commented even with looking at Casa Grande. The mayor has term limits but not the council.

City Manager Bryant Powell stated it is interesting.

Mayor Serdy commented he wanted to throw out there that we do have an election season coming up and he plans on seeking one more term. Win or lose, he will step away. Any decision he would make here would not affect anything he is going to be doing. He has seen mayors over the years where it has been a pain in the butt. They are one year into their term and they already have to think about running again. He thinks it would be a relief to whoever is the mayor to know they have 4 years and not have to worry about it.

Councilmember Barker asked why he is thinking about it a year into the term. It seems to her he would be thinking about it at least a year-and-a-half into the term or even longer.

Mayor Serdy agreed but added a year-and-a-half is not very long when council gets a full three-and-a-half years before they have to. He is just throwing that out there.

Councilmember Evans commented the legislature works on 2-year terms. Of the 91 cities and towns, 42 had 2-year terms. It is not a definitive amongst a group of 10 cities or less to do it this way. It is a little bit less than 50% but it is still pretty close in order to change something at a cost to the city. These term lengths were voted in. She asked if that was correct.

City Clerk Kathleen Connelly stated that is correct.

Mayor Serdy commented it was for the mayor's term.

Councilmember Struble commented for clarification if they decided to do something and bring it forward to the citizens to vote, it is obviously too late for the 2018 election. He asked if it would have to be the 2020 election.

City Clerk Kathleen Connelly stated they have not done any research because they have not been given direction. They might be able to put it on a special election ballot, but each one of these items requires a vote of the people and they are talking, roughly based upon the 2016 election, in the area of \$25,000.

Councilmember Struble asked if that is in addition to just having a regular election. We would have a council election that year.

City Clerk Kathleen Connelly stated that is correct. These questions are considered propositions. They would have to allow for yes and no ballot arguments, they would have to be put in the booklet along with whatever ordinance they adopted, and all of the voting material would have to be done in Spanish and English.

Mayor Serdy commented so not only is the mayor's length of term voted by the public but so are term limits.

City Clerk Kathleen Connelly stated absolutely.

Mayor Serdy commented he has a feeling he knows how that vote would go. He asked if they wanted to go through the effort of putting it on there.

Councilmember Barker commented personally, she thinks they have very intelligent voters out there and they will make a decision as to whether you are limited in your terms or not. We are a council/manager form of government which means that the mayor is simply a council person. The mayor cannot create policy by him or herself, cannot do anything by him or herself in reality, according to the way we are set up, unless he has three council members at

which point they have a quorum. One of the reasons that was given originally was that if a mayor and three council seats were available in the same election it opened the door to the possibility of 4 people running the council and the city for the next 4 years. The other 3 would be obsolete. That was one of the things that people talked about. Again, that is what happened with 2-year elections. She has seen that happen but the people were smart enough to get the mayor out in the next cycle.

City Manager Bryant Powell
stated at any given point, every 2 years, this community has the ability to vote.

Councilmember Barker
commented they have the ability to vote and determine whether they like the leadership they have and it is what they want.

City Manager Bryant Powell
stated whether there are term limits or not.

Councilmember Barker
commented they have already limited your term. If they vote no, if you do not make the cut on voting, you are out. The term is already stopped at that point.

Mayor Serdy commented they
could also have 4 council members that could dominate the others.

Councilmember Barker
commented but they are not all elected at the same time.

Mayor Serdy commented that is
correct.

Councilmember Barker
commented there are only 3 council members that are elected at the same time.

Mayor Serdy commented so
every two years they could correct a bad situation.

Councilmember Barker agreed.

Councilmember Waldron commented one of the arguments for term limits is if they have a bad representative or senator or whomever it happens to be, they can get them out of there with the term limits. But you also get rid of good people. There are some fairly nice politicians out there somewhere. More at the local level, he might add. If you get somebody who is very good, then you limit that person being a benefit to the city.

Mayor Serdy commented what he appears to see other cities doing is they are moving on to other positions. He had been asked to look into this many times in his tenure on council and that is why he brought it up. He asked since they have discussed these three together do they have to do a motion on each one.

City Attorney Joel Stern stated he can ask for a motion on each one.

Mayor Serdy commented in the same situation as the last one if there is no motion he will just pass it over.

City Attorney Joel Stern stated if there are no motions on any of these they can be passed over.

Mayor Serdy called for a motion on direction to staff for term limits for the mayor. He heard none and moved on to call for a motion on direction to staff for term limits for council members. He heard none there either. He called for a motion on direction to staff on changing the length of term for the mayor position to 4 years from 2 years.

Vice Mayor Wilson SO MADE THAT MOTION, TO MOVE FOR THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING CHANGING THE LENGTH OF TERM FOR MAYOR POSITION FROM 2 YEARS TO 4 YEARS.

Mayor Serdy SECONDED THE
MOTION.

VOTE: 3-3 (Councilmember Evans, Councilmember Waldron and
Councilmember Barker voted in opposition.

(During the vote Councilmember Struble asked if this is just
direction to staff to look into the issue.

Mayor Serdy commented it is.

Councilmember Struble commented it does not hurt to look into
it.

Mayor Serdy commented it would be several years out if it came
to it.

City Clerk Kathleen Connelly stated she was not sure that would
be the case.)

(During the vote Councilmember Evans commented she thinks they
have so many important issues to deal with that we have assigned
to staff already that she does not think this should be a
priority.)

There was a tie vote and the motion failed.

SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES

SELECTION OF DATE, TIME AND
LOCATION FOR BUDGET WORK SESSION,
PUBLIC HEARING, ADOPTION OF
TENTATIVE BUDGET AND FINAL BUDGET
FOR FISCAL YEAR 2018-2019)

) City Manager Bryant Powell
briefed the council on the item.

Councilmember Waldron asked
when they had scheduled the meetings for the water board.

Councilmember Barker
commented they are for the next night.

Mayor Serdy commented they are already making plans to discuss those.

City Manager Bryant Powell stated that is correct.

Mayor Serdy closed the discussion and called for a motion.

Councilmember Waldron MOVED THAT A BUDGET WORK SESSION BE HELD AT 7:00 P.M. ON APRIL 30, 2018 IN THE CITY COUNCIL CHAMBERS; AND

THAT A PUBLIC HEARING AND ADOPTION OF THE TENTATIVE BUDGET BE HELD AT 7:00 P.M. ON MAY 14, 2018 IN THE CITY COUNCIL CHAMBERS; AND

THAT A PUBLIC HEARING AND ADOPTION OF THE FINAL BUDGET BE HELD AT 7:00 P.M. ON JUNE 18, 2018 IN THE CITY COUNCIL CHAMBERS.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

Mayor Serdy called for a motion on the next regular meeting.

Councilmember Waldron MOVED THAT AN EXECUTIVE SESSION AT 6:00 P.M. AND A WORK SESSION AT 7:00 P.M. BE HELD ON MONDAY, APRIL 30, 2018, IN THE CITY COUNCIL CONFERENCE ROOM AND CITY COUNCIL CHAMBERS RESPECTIVELY; AND

THAT AN EXECUTIVE SESSION AT 6:00 P.M. BE HELD ON TUESDAY, MAY 1, 2018, IN THE CITY COUNCIL CONFERENCE ROOM.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

CALL TO THE PUBLIC

Ms. Kerri Mortenson, 21503 E. Escalante Road, Queen Creek, addressed the council regarding the RedforEd grass roots movement to restore funding to the schools.

Mr. George Schroeder, 2444 W. Virginia, Apache Junction, addressed the council regarding trust land money, drug dispensaries in the city, court orders on drug addicts living quarters and future homes in Superstition Vistas and BLM Land.

ADJOURNMENT


)
) Mayor Serdy adjourned the meeting at 8:43 p.m.

Consent Agenda Items are as follows:

1. Consideration of acceptance of agenda.
2. Consideration of approval of minutes of regular meeting of April 3, 2018.
3. Consideration of proposed Resolution No. 18-10, authorizing the city of Apache Junction to enter into an intergovernmental agreement with South Central Planning and Development Commission (SCPDC) for licensing software known as Mygovernmentonline.
4. Consideration of proposed agreement for PW 2017-35 with JB Superior Maintenance Services, LLC for \$275,856 for a period of one (1) year with the option to renew for nine (9) additional one-year periods.
5. Consideration of proposed Resolution No. 18-16 authorizing the city to enter into an intergovernmental agreement (IGA) with Arizona Department of Public Safety (DPS) for law enforcement services at the University of Phoenix Stadium.

ACCEPTED THIS 1st DAY OF MAY, 2018, BY THE
MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS 1st DAY OF May, 2018.



JEFF SERDY
Mayor

ATTEST:



KATHLEEN CONNELLY
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 17th day of April, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of April, 2018.



KATHLEEN CONNELLY
City Clerk