



# 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

www.ajcity.net  
Ph: (480) 982-8002

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Tuesday, March 3, 2020

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

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

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Wilson gave the invocation and Councilmember Evans led the meeting attendees in the Pledge of Allegiance.

### C. ROLL CALL

**Present:** 7 - Mayor Serdy  
Vice Mayor Wilson  
Councilmember Barker  
Councilmember Evans  
Councilmember Rizzi  
Councilmember Schroeder  
Councilmember Struble

#### **Staff in Attendance:**

Bryant Powell, City Manager  
Matt Busby, Assistant City Manager  
Joel Stern, City Attorney  
Jennifer Pena, City Clerk  
Jill Bright, Deputy City Clerk  
Al Bravo, Public Information Officer  
Larry Kirch, Development Services Director  
Thomas Kelly, Chief of Police  
Janine Solley, Economic Development Director  
Liz Langenbach, Parks & Recreation Director  
Mike Wever, Public Works Director  
Raquel Schatz, Public Works Project Engineer  
Dave Zellner, Building & Safety Manager

### D. CONSENT AGENDA

Councilmember Barker moved, seconded by Vice Mayor Wilson to approve the consent agenda and approve the minutes of February 18, 2020.

#### 1. [20-087](#) Consideration of acceptance of agenda.

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

No: 0

2. [20-088](#) Consideration of approval of minutes of the regular meeting of February 18, 2020.

Yes: 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

No: 0

## E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

## F. ANNOUNCEMENT OF CURRENT EVENTS

3. [20-089](#) Announcement of current events from mayor and councilmembers.

Councilmember Struble stated that the Lost Dutchman Days parade was amazing. AJ Kids Idol had a float. He enjoyed working the city booth at the carnival and enjoyed speaking to residents. He also attended a couple neighborhood meetings.

Councilmember Evans stated that she attended the Library Volunteer Luncheon and really enjoyed it and is thankful for all our volunteers. She had the honor to be a Lost Dutchman Days parade judge and had a lot of fun. The Headstart float was amazing along with our local burro man.

Vice Mayor Wilson praised the Lost Dutchman Days committee and our Parks and Recreation and Police Departments who worked hard during the weekend. He stated that the Household Hazardous Waste event was also on Saturday so it was a busy weekend.

Councilmember Barker was out of town and has nothing to report.

Councilmember Schroeder enjoyed Lost Dutchman Days and the weather.

Councilmember Rizzi loved the Lost Dutchman Days parade and the weather. She heard there were record breaking entries. She thanked all of the volunteers and Park and Recreation for their work on the event. She thanked all of the community members who made Valentine Day cards. She collected over 300 and brought them to the senior citizen homes and for a veteran who had asked for them. They all loved them and were very thankful.

Mayor Serdy stated that the weather was great the weekend for Lost Dutchman Days. The Police Department did a great job at routing the traffic for the events. He stated there were over 100 entries for the parade. We will need to start thinking about adding bleachers to the Rodeo Grounds on the North side of the arena as it was a sold out show.

## G. CITY MANAGER'S REPORT

4. [20-090](#) City Manager's Report.

City Manager Bryant Powell shared that having too many people attend the Lost Dutchman Day events is a great problem to have. He reminded all that the city works with the Chamber and Lost Dutchman Days Committee on this organizing this great event.

5. [20-031](#) Discussion and presentation by Stephen Herring of Republic Services on free dump week and an update on Solid Waste, Recycling and Disposal Services contract to start April 1st.

Stephen Herring of Republic Services reported that the 4th quarter free dump week hosted 724 residents with 178 tons brought in. He stated that the most recent 1st quarter brought in 918 residents for a total of 248 tons. He reminded council that quarterly free dump weeks will remain in place during the new contract beginning on April 1, 2020.

Mr. Herring passed out welcome packets to all councilmembers. Garbage carts will be delivered beginning March 16th and this welcome packet will be connected to every cart explaining details of the contract and billing. If residents have not received a cart by March 29th then they should call Republic Services in order to get one delivered.

Mayor Serdy asked about his neighbor whose rates just went up and if he can get reimbursed for those. Mr. Herring stated yes, his neighbor can call Republic Services and they will reimburse him.

Councilmember Rizzi asked if paying through the website will remain the same. Mr. Herring stated that current accounts are getting closed and then reopened under the new contractual lower rates. When residents receive their first bill they can then sign up for online or automatic payments.

Councilmember Rizzi asked if residents will be signed up for trash and recycle automatically. Mr. Herring stated that recycling will not be mandatory. All residents will automatically only be signed up for trash service and if they want recycling then they will need to call Republic Services and request that service.

Councilmember Barker asked if residents who are not Republic Services customers can return their cans now or should they wait. Mr. Herring responded that after their last scheduled service day in March they should return their cans to their current hauler. Residents may have 3 cans for a couple weeks during the transition.

Councilmember Evans asked about Homeowner Associations who have contracts. Mr. Herring said everything will be the same.

Councilmember Struble stated that if residents need help returning their cans to Right Away Disposal to please call the city managers office and we will help return cans so you can get the \$50 fee waived.

City Manager Bryant Powell asked Mr. Herring what we should expect during this transition. Mr. Herring stated that Republic Services has done municipal contract transitions all over the country and that during the first two weeks there will be a lot of questions and uncertainty. There will be hiccups throughout the transition and it takes about two weeks to iron through it all. He stated that the best thing we can do is be prepared to answer questions and ensure the residents that we will fix any issues they might have.

Mayor Serdy thanked Republic Services for always sponsoring the city's 4th of July fireworks show.

**H. PUBLIC HEARINGS**

6. [20-095](#) Presentation, discussion, public hearing and consideration of Resolution No. 20-05, declaring as a public record that certain document filed with the city clerk entitled "2020 Amendments to Apache Junction City Code, Volume I, Chapter 7: Buildings, Article 7-1: Division of Building Safety and Inspection Administrative Code, § 7-1-9 Unsafe Building or Unsafe Property, § 7-1-11 Construction Standards for Manufactured Home, Mobile Home, Park Model, and Recreational Vehicle Standards"; repealing any conflicting provisions; providing for severability; and establishing an effective date.

**Councilmember Barker moved, seconded by Councilmember Evans to approve Resolution No. 20-05.**

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Item 6 and 7 were combined for discussion and vote.

7. [20-094](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1485, amending Apache Junction City Code, Volume I, Chapter 7: Buildings, by amending Chapter 7 and adopting by reference that certain document entitled "2020 Amendments to the Apache Junction City Code, Vol. I, Chapter 7, Buildings, Article 7-1: Division of Building Safety and Inspection Administrative Code, § 7-1-9 Unsafe Building or Unsafe Property, § 7-1-11 Construction Standards for Manufactured Home, Mobile Home, Park Model, and Recreational Vehicle Standards"; repealing any conflicting provisions; providing for severability; providing for penalties; and establishing an effective date.

**Councilmember Barker moved, seconded by Councilmember Rizzi that Ordinance No. 1485 be read by title only and the reading of the entire ordinance be waived.**

**Councilmember Barker moved, seconded by Vice Mayor Wilson that Ordinance No. 1485, as read by the city clerk, be approved with the following amendment, change from "limited to homes constructed not more than two years previous" to "limited to homes titled not more than two years previous".**

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Items 6 and 7 were combined for discussion and vote.

Larry Kirch, Development Services Director, went through the amendments on the draft Ordinance No. 1485.

The ordinance will now allow for an appeal process.

Alteration and rehabilitation definitions were updated. Mobile Home and Manufactured Homes

are actually different which a lot of people do not know. If the park model (PM) was constructed after June 15, 1976 it is considered a manufactured home. If it was constructed before that date then it is a mobile home.

Mr. Kirch explained that he heard a rumor that if a park model is older than 5 years that you will have to get rid of it. Mr. Kirch assured that is definitely not true.

Mr. Kirch stated that park models can be installed with a permit if they have a HUD certification sticker.

A 6'x8' storage building must now be placed on the property with all newly installed park models.

Mr. Kirch stated if you want to bring in any park model that is older than 15 years then it must be expected by a housing inspector and by a HUD certified inspector. He explained that we are trying to prevent lesser quality park models to come in to the city for safety reasons.

Councilmember Rizzi asked if there is a fee for the inspection. Mr. Kirch stated that the homeowner can get their own outside inspector. If the city does the inspection then there would be a slight fee but it has not been set yet.

Mr. Kirch explained that park models will now have to meet required set backs of 6 feet to make sure emergency responders can get to where they need to.

Park models cannot be altered.

Arizona rooms cannot be added to a 5th wheel, travel trailer or motor home.

Councilmember Struble asked about routine maintenance. Mr. Kirch stated that anything exempt from a permit will not be policed.

Joel Ster, City Attorney, thanked the council for continuing this discussion as there was a lot of miscommunication when this first was brought up in December. He also thanked development services staff and the industry attorneys for meeting with him. He explained that it was a very successful negotiation.

Councilmember Barker wanted to clarify that if a lot has been vacant you can put a manufactured home on it that is no more than two years old; that if you are replacing a manufactured home, the new one cannot be more than five years old; that routine maintenance is ok; that any park model over fifteen years old must be certified before being placed within the city; additions cannot be larger than 48% of the liveable square footage; and that nothing can be built closer than six feet to anything. Mr. Kirch confirmed that is all correct and that she gave a better summary than he did.

Mayor Serdy asked when the two year time frame begins. Mr. Kirch stated that it is the date of manufacture. Mayor Serdy asked if we can change that wording as some models may sit for a while before they are bought and placed. Councilmember Evans suggested changing it to "limited to homes titled not more than two years previous".

Mayor Serdy opened the public hearing.

Resident George Schroeder stated that the new clarifications are because of him. He bought his

house as is and it has two additions. He didn't see any verbiage about buying a pre-existing park model with additions. He feels like he is being made an example of and getting the book thrown at him. He is going to fix his roof and apologizes that he might not adhere to all of these rules. His concern is his home and that is it.

Resident Donna Carr stated that there are mobile homes up to ten years old that are perfectly fine but there are also a lot that should probably be torn down. She is from back east and they would teach people trades in which would help them and their community and she would like to see the city do the same.

Attorney for Manufactured Housing Association, Melissa, stated that she was involved with the city on the proposed ordinance. She is in favor of the proposed ordinance and thanks city staff for being open to discussions with them and working through this.

## **I. OLD BUSINESS**

## **J. NEW BUSINESS**

8. [20-074](#) Presentation and discussion on Intergovernmental Agreement with ADOT for the design and construction of Bicycle and Pedestrian Improvements on Idaho Road from Superstition Blvd. to McKellips Blvd.

Raquel Schatz, Public Works Project Engineer, stated that staff has been very active in applying for funds from Maricopa Association of Government (MAG). The city was awarded \$851,641 for construction and \$60,000 for design assistance for this project.

Ms. Schatz explained that construction is anticipated to begin in calendar year 2021. The length of the project has not been determined yet as a lot of it is determined by Arizona Department of Transportation (ADOT).

Ms. Schatz listed the improvements that are being considered from Superstition Boulevard to Tepee Street are street lights, bicycle lanes, curb, gutter, sidewalks and a crossing at the library; Tepee Street to Foothill Street are street lights on the west side, bicycle lanes, curb, gutter and sidewalk on the west side; Foothill Street to Lost Dutchman Boulevard are bicycle lanes and sidewalks on the east side.

Ms. Schatz stated that the total estimated cost to the city for this project would be \$328,544.00.

This item will come back for consent on March 17, 2020.

9. [20-096](#) Presentation and discussion on Resolution No. 20-03 authorizing the City of Apache Junction to enter into an intergovernmental facilities use agreement with the Apache Junction Unified School District to extend recreational and educational related services and programs to the community and for joint or cooperative activities.

Parks and Recreation Director, Liz Langenbach, presented the draft Intergovernmental Agreement (IGA). The current agreement will be expiring in May of 2020. Staff has been working with Apache Junction Unified School District (AJUSD) to review the IGA and make updates. Ms. Langenbach explained that some key changes to the agreement include Superstition Shadows Park to now be maintained solely by the city and will allow the city use of the AJUSD bus fleet and drivers. The agreement will be increased from five years to a maximum of ten years.

Councilmember Struble asked how often we use the AJUSD busses. Ms. Langenbach responded that we do not use them as much as we used to so only about twice a year.

City Manager Bryant Powell explained that this same presentation was made to the AJUSD board and he looks forward to the continued collaboration with AJUSD.

Councilmember Rizzi stated that she appreciates the good relationship between the city and the school district.

This item will come back for consent on March 17th, 2020.

10. [20-068](#) Discussion on and consideration of approval of the Pinal County intergovernmental agreement for election services for the August 2020 primary election and, if necessary, the November 2020 general election. Through the intergovernmental agreement the city will obtain critical election and voter-related services to include sample and final ballots, ballot tabulation, precinct registers and signature rosters, early voting and election boards.

**Councilmember Evans moved, seconded by Councilmember Rizzi that the intergovernmental agreement with Pinal County for election services for the August 4th, 2020 primary election and if necessary, the November 3rd, 2020 general election be approved.**

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

City Clerk Jennifer Pena stated that Pinal County charges .75 cents per registered voter for a total estimate just under \$20,000.00 for all of the work Pinal County does for the city's 2020 election. The publicity pamphlet will cost about \$6,500.00 to produce.

11. [20-071](#) Discussion on community service sign.

Councilmember Schroeder stated that a community service sign was an idea about ten years ago as well. A community service sign is located within a city with service clubs listed on it that are available within the city.

Councilmember Schroeder stated that a small group has met to discuss how the sign should look and they are still trying to figure out how much it will cost as well as a good location.

City Manager Bryant Powell stated that it is a great idea and everyone will say they want to do it but alot of times no one takes charge. He reiterated that it is important to figure out who will take care of the sign in order to keep it looking nice.

Mayor Serdy mentioned that the arts commission could work on it. Councilmember Evans agreed.

Councilmember Rizzi stated we would want to keep room for growth on it.

Councilmember Schroeder thinks the design and materials being used needs to be discussed further and that the location is very important.

Councilmember Evans stated that the Community Development Corporation could be apart of

this and as a non-profit they could apply for grant money to be used for the sign.

With approval from the remaining council, Councilmember Schroeder will continue to work on this.

12. [20-030](#) Discussion on achieving a Dark Sky Community designation from the International Dark Sky Association.

Councilmember Schroeder stated that the process to become an International Dark Sky Community can take up to three years. He explained that he was driving through Fountain Hills and saw their sign so he started to look into it. He stated there is criteria to have this designation and there are only six communities like this in the state of Arizona. He explained that you need a letter of recommendation from a current dark sky community and Fountain Hills city manager has said that he would be happy to write a letter for us if the council approves it. Two dark sky events must take place each year. The goal is to keep light noise to a minimum.

Councilmember Evans asked if there is a cost to it. Councilmember Schroeder stated as of now there is not but it could possibly require an upgrade to lights down the road.

Councilmember Rizzi stated there used to be an astronomy club out of Central Arizona College and that Councilmember Schroeder could reach out to them.

Mayor Serdy stated that Gold Canyon does have an astronomy club and Councilmember Schroeder could reach out to them as well.

City Attorney Joel Stern stated that the city does have a dark sky ordinance.

Vice Mayor Wilson stated that after reading about the dark sky community that he learned that a municipality must meet the lighting requirements within ten years. He would like to ask city staff to see how close we are to meeting these standards right now. He asked how the electronic signs would play into the requirements. He likes the idea of doing this but wants to make sure we see what impacts it could have.

Mayor Serdy stated that all councilmembers are in agreement that Councilmember Schroeder can look into this further.

## **K. COUNCIL DIRECTION TO STAFF**

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

13. [20-091](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, March 16, 2020. Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, March 17, 2020 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively; and other meetings if necessary.

**Councilmember Barker moved, seconded by Councilmember Evans that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, March 16, 2020 and that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, March 17, 2020 be held in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively; and other meetings if necessary.**



**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

## M. CALL TO PUBLIC

Debra Collins, 2500 E Teepee Street, stated that she sent a letter to council in January regarding her concern for open land. She is concerred and has a petition with 186 signatures asking the council to take this under advisement. She and others are afraid open land is going away by the city allowing people to abandon easements. She doesn't want horse people to have to go down public roadways because residents are putting up fencing to block easements.

George Schroeder, 2444 W Virgina Street, stated that the county manager is breaking the law by incorporating Mountain View Road by taking our rights away to it. They are going to make it a four lane roadway. Republic Waste is not going to happen and he is not going to get the service. He has no intensions of breaking any law and knows the building codes by heart.

Donna Carr, does not wish to state her address but she does live in Apace Junction, spoke to Right Away Disposal and without an invoice you cannot drop off dumpsters to them. She thinks there should be a disclosure to new home buyers about permits needed for that home. She enjoyed herself at the rodeo and got a pit pass to take pictures. Apache Junction is not another Scottsdale. There are mobile home parks all down Idaho Road and she doesn't want to see lower income residents be pushed out because they have to buy newer mobile home parks. She asked council to take the little guy into consideration. She thinks there should be a program that helps teach people a trade which will also help the community.

Maria Jones, 288 W. Smoketree Street, has been at her residence for 35 years. The easement near her home has been fenced off by Ted Gremmel. Walkers and horseback riders can no longer cross there. She has people come to her door and ask her why she has done that. She has not done that and just tries to help the community. The ambulance cannot get into the driveway where she has an 80 year old veteran living on her property. She has moved her fence back ten feet and made a path on her property so people can walk across.

Councilmember Rizzi responded to Donna Carr that most of the people on the council are the small people.

## N. ADJOURNMENT

**Mayor Serdy adjourned the meeting at 9:09 pm.**

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
JEFF SERDY  
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 \_\_\_\_\_, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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