



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, March 16, 2021

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the city council meeting to order.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Rizzi gave the invocation and then council said the Pledge of Allegiance.

C. ROLL CALL

Present: 7 - Mayor Wilson
Vice Mayor Rizzi
Councilmember Evans
Councilmember Schroeder
Councilmember Biggs
Councilmember Nesser
Councilmember Gremmel

City Staff in Attendance:

Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Al Bravo, Public Information Officer
Thomas Kelly, Chief of Police
Liz Riley, Human Resources Director
Mike Wever, Public Works Director
Raquel Schatz, Public Works Project Engineer
Emile Schmid, City Engineer
Jill Bright, Deputy City Clerk (remotely)

D. CONSENT AGENDA

Vice Mayor Rizzi moved, seconded by Councilmember Evans to accept the consent agenda as presented.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

1. [21-103](#) Consideration of acceptance of agenda.

2. [21-104](#) Consideration of approval of minutes of the regular meeting of March 2, 2021.
3. [21-118](#) Consideration on proposed construction agreement with Lincoln Contractors, Inc. for continuing infrastructure improvements to the Grand View neighborhood in an amount of \$147,976.00, allowing for a contingency of 10% for a project amount not to exceed \$162,773.00. This work is partially funded by the city's Fiscal Year 2020 Community Development Block Grant Regional Account allocation as requested by city council under Resolution No. 20-08.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

F. ANNOUNCEMENT OF CURRENT EVENTS

4. [21-105](#) Announcement of current events from mayor and councilmembers.

Councilmember Biggs shared that Saturday was the Star Family Event. The next First Friday is April 2nd and 3rd. A news clip was played highlighting all the areas in Apache Junction that you can ride your horse to.

Councilmember Evans thanked Roadhaven Resort for hosting a vaccine event and it was well attended.

Vice Mayor Rizzi shared that the Table of Grace Church is hosting a corn beef and cabbage dinner this Friday at 5:00pm.

Mayor Wilson shared that this weekend Gypsy, the horse that was found in the community and never claimed, will be silent auctioned off at the Rodeo Grounds. This Saturday is the Pinal County Junior Livestock Auction at the Pinal County Fairgrounds.

G. CITY MANAGER'S REPORT

5. [21-106](#) City Manager's Report.

City Manager Bryant Powell reminded council that the annual Scrub & Grub is April 1st which is dedicated for city staff to clean and organize their offices. Pinal County Health Department is working with Horizon Health & Wellness to allow them to administer the vaccine. Mr. Powell shared that one of our police officers was shot during a call this afternoon and has been hospitalized but his condition is not known at this time.

H. PUBLIC HEARINGS

I. OLD BUSINESS

6. [21-120](#) Discussion, presentation and consideration of Resolution No. 20-44 an extinguishment of a Federally Patented Easement (FPE) on 18th Avenue from Wagon Wheel Road to Goldfield Road for the purposes of allowing a pre-existing structure to remain inside the FPE.

Councilmember Schroeder moved, seconded by Vice Mayor Rizzi that Resolution No. 20-44 a resolution of the mayor and the city council of the City of Apache Junction, Arizona, declaring portions of federally patented easements located on 18th Avenue from Wagon Wheel Road to Goldfield Road no longer necessary for public use as federally patented easements and are

hereby extinguished as present and future public rights-of-way be approved.

Yes: 5 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

No: 2 - Councilmember Evans and Councilmember Gremmel

Public Works Project Engineer Raquel Schatz presented the history, process and location of the request for an extinguishment of a Federally Patent Easement (FPE) as heard at the March 2nd city council meeting.

Vice Mayor Rizzi asked why Development services is not in support of the extinguishment. Ms. Schatz replied that Development Services sees a need to use the land in the future and would not want to have to buy the property back.

Councilmember Evans explained that this isn't a permanent structure and would not have shown up on a title report. She doesn't believe that it is this council's job to correct a realtor transaction that was not done correctly. She does not see any reason to give this land up.

Councilmember Gremmel shared that the city has been too quick to give up these FPE's in the past and council needs to be more cautious of giving this up so we do not have to buy it back in the future.

The applicant stated that he understands the situation but wonders why there cannot be a compromise as the structure is not permanent and can easily be torn down if the city decides to use the FPE in the future. The structure has been there for 30 years and is now all of a sudden a problem.

Vice Mayor Rizzi asked if a compromise is made can it go in writing. City Attorney Joel Stern replied that conditions can be included in the resolution.

Ms. Schatz stated that a reduction in the size of the extinguishment could also be done.

Public Works Director Mike Wever stated that he does not see this particular area becoming a road in the future.

Councilmember Schroeder stated that council is over complicating this and the structure should be able to stay and if the city needs to use the FPE in the future then the structure needs to come down and to include this in the resolution for future enforcement.

J. NEW BUSINESS

7. [21-116](#) Presentation, discussion and consideration of Resolution No. 21-07; accepting a petition, waiver, consent and the intention to form City of Apache Junction Streetlight Improvement District No. 2021-01-Goldview.

Councilmember Evans moved, seconded by Councilmember Schroeder that Resolution No. 21-07 accepting the petition, waiver consent and intent to form Streetlight Improvement District No. 2021-01-Goldview be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Engineer Emile Schmid explained that a Streetlight Improvement District (SLID) is a means whereby the expenses are paid by the levy and collection of taxes based on the number of properties within the district. The Goldview subdivision was recently approved by the city and construction has begun. There would be 42 street lights included in this SLID. Lennar Arizona, Inc., the owner of the subdivision, submitted a Unanimous Petition for the SLID. This resolution is only for the intent to form a streetlight district. An installation resolution and then a budget resolution would be brought forward at a future council meeting.

8. [21-117](#) Presentation, discussion and consideration of Resolution No. 21-08; accepting a petition, waiver, consent and the intention to form City of Apache Junction Streetlight Improvement District No. 2021-02-Coyote Crossing.

Councilmember Biggs moved, seconded by Vice Mayor Rizzi that Resolution No. 21-08 accepting the petition, waiver consent and intent to form Streetlight Improvement District No. 2021-02 – Coyote Crossing be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Engineer Emile Schmid presented that a Streetlight Improvement District (SLID) is a means whereby the expenses are paid by the levy and collection of taxes based on the number of properties within the district. The Coyote Crossing subdivision is currently under design review with the city. SIG-AZ LLC, the parent parcel of the subdivision, submitted a Unanimous Petition for the SLID. This resolution is only for the intent to form a streetlight district. An installation resolution and then a budget resolution would be brought forward at a future council meeting.

9. [21-108](#) Presentation, discussion and consideration of Resolution No. 21-09 for continuing participation in the Arizona Metropolitan Trust employee benefits program.

Vice Mayor Rizzi moved, seconded by Councilmember Nesser that Resolution No. 21-09 to continue participating in the Arizona Metropolitan Trust employee benefits program be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

Human Resources Director Liz Riley explained that Arizona Metropolitan Trust is the city's employee benefits program and staff is requesting to extend its membership for another 3 years to June 30, 2024.

K. COUNCIL DIRECTION TO STAFF

10. [21-124](#) Direction to staff regarding details for a council retreat.

Councilmember Evans moved, seconded by Councilmember Schroeder that direction be given to staff to formalize the council retreat details noting council's preference to particular matters.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Manager Bryant Powell explained that this is the time for council to direct staff on details of a future council retreat.

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

11. [21-107](#) The next regularly scheduled Work Session is Monday, April 5th and the next regularly scheduled Council Meeting is Tuesday, April 6th, 2021.

Councilmember Biggs moved, seconded by Councilmember Evans that an Executive Session at 6:00 P.M. for Monday, April 5th and Tuesday April 6, 2021 be held in the Executive Session Conference room located at 300 E. Superstition Boulevard, Apache Junction.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

M. CALL TO PUBLIC

George Schroeder, 2444 W. Virginia Street in Apache Junction, stated that he is a happy camper because Judge Hazel is leaving and only three more need to go now. He said it is the city council's job to fight for his neighborhood. He has never seen a direction to staff to have the city look at his street.

N. ADJOURNMENT

Mayor Wilson adjourned the city council meeting.

ACCEPTED THIS _____ DAY OF _____, 2021, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2021.

CHIP WILSON
Mayor

ATTEST:

JENNIFER PENA
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 _____, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2021.

JENNIFER PENA
City Clerk