



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, October 5, 2021

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:02 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Rizzi gave the invocation and Councilmember Schroeder led the meeting attendees in the Pledge of Allegiance.

C. ROLL CALL

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

Staff in Attendance:

Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Anna McCray, Assistant to City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Thomas Kelly, Police Chief
Al Bravo, Public Information Officer
Larry Kirch, Development Services Director
Rudy Esquivias, Planning Manager/Zoning Administrator
Liz Langenbach, Parks & Recreation Director
Leslie DeReche, Finance Director
Michael Wever, Public Works Director
Pam Harris, Library Director
Mike Loggins, Water District Director
Emile Schmid, City Engineer

D. CONSENT AGENDA

Vice Mayor Rizzi moved, seconded by Councilmember Schroeder to approve the Consent Agenda with the amendments to the September 21, 2021 minutes to reflect the council's vote on items 12 and 14.

Councilmember Gremmel stated she voted no on the consent agenda item number 3, the Final Plat for Ironwood Station. She had voted no on the preliminary plat approval due to concerns over the amount of traffic this development will generate and wanted to see a deceleration lane added for better traffic control.

Yes: 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

No: 1 - Councilmember Gremmel

1. [21-513](#) Consideration of acceptance of agenda.
2. [21-514](#) Consideration of approval of minutes of the regular meeting of September 21, 2021.
3. [21-498](#) Consideration of approval of proposed Resolution No. 21-40, a final plat approval for case SD-2-20, a request by Bela Flor Communities, LLC, represented by Reese Anderson and Jon Gillespie of Pew and Lake, PLC, for a 96-lot residential townhouse subdivision named Ironwood Station, located at the southeast corner of N. Ironwood Drive and W. Superstition Boulevard.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

4. [21-534](#) Presentation of proclamation designating Saturday October 9, 2021 as "Make a Difference Day".

Mayor Wilson presented the Proclamation for Make a Difference Day to Dave Waldron of the Community Development Corporation and thanked the CDC for their community contributions.

F. REGIONAL INTERGOVERNMENTAL UPDATES

5. [21-517](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Evans announced Make a Difference Day will be held Saturday, October 9th and announced which projects they will be working on.

Mayor Wilson announced he attended a walk to end Alzheimer's last Saturday.

G. CITY MANAGER'S REPORT

6. [21-515](#) City Manager's Report.

City Manager Bryant Powell announced that on September 22, 2021, Mayor Wilson, Vice Mayor Rizzi, Police Chief Kelly and he attended the 6th Annual Law Enforcement breakfast held here in Apache Junction. At this event Chief Kelly and the Apache Junction Police Department were

recognized as East Valley Leaders with an award.

He announced Mayor Wilson, Chief Kelly, Corporal Harshman and he attended a kick-off event for domestic violence awareness. City Hall is lit up in purple of recognition of domestic violence awareness month.

He then recognized the many special guests in the audience that were all apart of the annexation.

7. [21-516](#) Announcement of current events.

Mayor Wilson announced the Courage Under Cancer Foundation held their fundraising event on Sunday, October 3rd. He recognized Councilmember Biggs for his participation in the fashion show. Councilmember Biggs stated the event raises money for local residents fighting cancer to assist with medical expenses and other bills. He stated they exceeded their goal of \$30,000 and raised over \$35,000.

Public Information Officer Al Bravo announced Kids Idol returns with auditions later in October. Information is available at AJIdol@gmail.com.

He announced the "Calling All Artists" which displays local artists work at City Hall and the Library. For more information contact Beth Kuenstler at the city.

The founders Centennial will be held January 8, 2022. Meetings are held every 2nd and 4th Wednesday at the library.

H. PUBLIC HEARINGS

Mayor Wilson stated he would combine the public hearings for item numbers 8, 9, 10, 11, 12, 13, 14 and 15 which consisted of Ordinances 1515, 1516, 1513, 1514, 1511 and Resolutions 21-47, 21-48 and 21-39 as each pertained to the annexation and the proposed master planned community's zoning for the auction and retained properties.

Each item was read by city clerk Jennifer Pena.

Presentation and summary of the items was provided by principal planner Sidney Urias.

Mayor Wilson opened the public hearing.

Applicant Patrick Brown, Vice President of land for D.R.Horton Inc., spoke with regards to the proposed development by D.R. Horton and Brookfield residential. He expressed appreciation for the working partnerships with the city and state land commission as they worked through all the nuances of the proposed development.

Roc Arnett spoke of the history on how the name for the superstition vistas came about. He also spoke on the vision, growth and development of the east valley and it has been in the making for 40 years.

William Craffey, resident of the Apache Junction/Gold Canyon expressed concern on growth and density and how this new development will impact the existing residents. He inquired at what point does a city limit growth and control the impacts that has on the surrounding community and its current residents.

George Schroeder stated this annexation brings growth and development to Apache Junction and is a benefit to the city. He expressed concern over the proximity laws between schools and religious entities. He spoke on growth in the Gold Canyon area and the financial impact growth has related to funding education.

Mayor Wilson asked if there was anyone else who wished to speak on these items before he closed the public hearing.

Pam North, 8714 East Aloe Dr., Mountain Brook Village, expressed concern over the growth and what comes with it to Gold Canyon and the surrounding area.

Steve Byfield, representing the Chamber of Commerce, commented on the control the city will have over the development of this area. If the city did not annex the land, someone else would have.

Todd House, former Pinal County Supervisor, stated he was happy to see this annexation finally happen. It has been decades in the making.

Sandy Smith, former Pinal County Supervisor, commented on the changes she has seen in the area over the decades. She spoke to the transportation efforts, freeway development, water rights and storage and the many other planning elements that have been addressed and expand over the years.

Jeff Serdy, Pinal County Supervisor congratulated staff and others on all the work that has been done to arrive at this point. By annexing this area the city can manage and control the growth and development of the city.

Doug Coleman, former councilmember and Mayor of Apache Junction congratulated everyone involved on their work and efforts to annex this land into the city. There has been a long standing plan to bring this area into the city. He spoke a bit on the history and many ideas of and for the area.

Mayor Wilson asked again if there was anyone else who wished to speak on these items before he closed the public hearing. Seeing none, he closed the public hearing and asked if council had any further comments.

Councilmember Biggs stated for years he has watched this annexation finally come to pass. He was excited to be a part of this commemorative event. He spoke to the comments on the areas transportation plan and stated there is a full study available for the public.

Councilmember Evans thanked those involved in the research and compilation of the annexation and transportation plan. The annexation has been 40 years in the making.

Councilmember Gremmel stated it was an honor and privilege to follow those who have worked so diligently to make this happen; to be a councilmember at this time and vote on such an extensive and important project. She thanked those who have played such a role to make this happen.

Councilmember Nesser expressed her gratitude to be part of this annexation. She spoke of her father who was involved with the incorporation of the city and was the first chair of the Board of Adjustment. She thanked everyone involved and was very proud to see and be a part of this

event.

Vice Mayor Rizzi stated it was an honor and privilege to be apart of this annexation. It took many years and many people to arrive at this point. She enjoyed hearing the "stories" and history of the area and how this all developed. She stated she shares the concerns over growth while maintaining the horse properties and keeping Apache Junction a horse community. By annexing in the land Apache Junction is able to control the growth.

Mayor Wilson stated he wanted to comment on a few remarks that were made. He stated the city does not have a property tax. As for traffic, the city has been working for years with the county and surrounding cities to widen roads and develop new roads and freeways. By annexing this land into the city, the city can control the type and amount of growth and the infrastructure. He thanked Staff and all those involved on this project.

Mayor Wilson then closed the public hearing.

8. [21-526](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1515, case AN-1-20, a proposed annexation of approximately 6,600 acres of vacant state trust land, adjacent to and south of the current city limits, generally bounded by Elliot Avenue on the north, SR24/Frye Road alignment on the south, Meridian Drive on the west and the C.A.P. Canal on the east.

Councilmember Schroeder moved, seconded by Vice Mayor Rizzi that Ordinance 1515 related to case AN-1-20 on the proposed annexation of 6,600 acres of vacant state trust land be read by title only and the reading of the entire ordinance be waived.

Yes: 7
No: 0

Councilmember Biggs moved, seconded by Councilmember Nesser that Ordinance 1515 be adopted.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel
No: 0

9. [21-527](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1516, accompanying case AN-1-20, assigning and establishing city equivalency zoning to state trust land property annexed pursuant to Ordinance No. 1515, from Pinal County General Rural ("GR") zone to City of Apache Junction General Rural Low Density Single-family Detached Residential ("RS-GR") zone.

Councilmember Nesser moved, seconded by Councilmember Biggs that Ordinance 1516 assigning and establishing city equivalency zoning to state trust land property that was just annexed by Ordinance 1515 be read by title only and the reading of the entire ordinance be waived.

Yes: 7
No: 0

Councilmember Evans moved, seconded by Councilmember Biggs that Ordinance 1516 be adopted.

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

No: 0

10. [21-522](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1513, "Auction Property at Superstition Vistas" , a request by D.R. Horton, Inc. to rezone approximately 2,783 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to MPC (Master Planned Community) to facilitate the development of two (2) Development Units consisting of residential and non-residential uses for a maximum of 10,940 new residential units and a maximum of 443,400 square feet of Non-Residential Development. The Auction Property is bounded by Elliot Avenue to Ray Avenue and from Meridian Drive to the Idaho Road alignment.

Councilmember Schroeder moved, seconded by Councilmember Evans that Ordinance 1513 "Auction Property" at Superstition Vistas a request by D.R. Horton, Inc. to rezone approximately 2,783 acres from General Rural Low Density Single-Family Detached Residential to Master Planned Community be read by title only and the reading of the entire ordinance be waived.

Yes: 7

No: 0

Councilmember Biggs moved, seconded by Vice Mayor Rizzi that Ordinance 1513 be adopted.

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

No: 0

11. [21-523](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-47, 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 "Auction Property at Superstition Vistas, Master Planned Community Plan, August 30th, 2021"; repealing any conflicts provisions; and providing for severability.

Councilmember Gremmel moved, seconded by Councilmember Nesser that Resolution No. 21-47 declaring as a public record that certain document filed with the city clerk and entitled "Auction Property at Superstition Vistas, Master Planned Community Plan, August 30th, 2021" be adopted.

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

No: 0

12. [21-524](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1514, "Retained Property at Superstition Vistas", a request by the Arizona State Land Department to rezone approximately 5,307 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to MPC (Master Planned Community) to facilitate the development of six (6) Development Units consisting of residential, commercial and industrial uses. The Retained Property is generally bounded by Baseline Avenue to the Frye Road alignment and from Meridian Drive to the Central Arizona Project Canal.

Councilmember Biggs moved, seconded by Councilmember Evans that Ordinance 1514 "Retained Property" at Superstition Vistas a request by the Arizona State Land Department to rezone approximately 5,307 acres from General Rural Low Density Single-Family Detached Residential to Master Planned Community be read by title only and the reading of the entire ordinance be waived.

Yes: 7
No: 0

Councilmember Evans moved, seconded by Councilmember Schroeder that Ordinance 1514 be adopted.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel
No: 0

13. [21-525](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-48, 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 "Retained Property at Superstition Vistas, Master Planned Community Plan, August 30th, 2021"; repealing any conflicts provisions; and providing for severability.

Councilmember Biggs moved, seconded by Councilmember Nesser that Resolution No. 21-48 declaring as a public record that certain document filed with the city clerk and entitled "Retained Property at Superstition Vistas, Master Planned Community Plan, August 30th, 2021" be adopted.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel
No: 0

14. [21-501](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1511, amending Apache Junction City Code, Volume II, Land Development Code, by amending Chapter 10: Engineering Standards; and adopting by reference an amended Chapter 10 as more fully detailed in that certain document entitled "2021 Amendments to the Apache Junction City Code, Volume II, Chapter 10: Engineering Standards"; repealing any conflicting provisions; providing for penalties.

Councilmember Schroeder moved, seconded by Vice Mayor Rizzi that Ordinance 1511 amending City Code Volume II, Land Development Code, by amending Chapter 10: Engineering Standards; and adopting by reference an amended Chapter 10 as more fully detailed in that certain document entitled "2021 Amendments to the Apache Junction City Code, Volume II, Chapter 10: Engineering Standards" be read by title only and the reading of the entire ordinance be waived.

Yes: 7
No: 0

Councilmember Evans moved, seconded by Councilmember Nesser that Ordinance 1511 be adopted.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel
No: 0

15. [21-502](#) Presentation, discussion, public hearing and consideration of proposed Resolution No. 21-39, a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, declaring as a public record that certain document filed with the city clerk entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 10: Engineering Standards"; repealing any conflicting provisions; and providing for severability.

Councilmember Nesser moved, seconded by Vice Mayor Rizzi that Resolution No. 21-39 declaring as a public record that certain document filed with the city clerk entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 10: Engineering Standards" be adopted.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel
No: 0

16. [21-496](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-49 a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, authorizing the city to enter into the Superstition Vistas Development Agreement for the auction property with D.R. Horton, Inc.

Councilmember Evans moved, seconded by Vice Mayor Rizzi that Resolution No. 21-49 authorizing the city to enter into the Superstition Vistas Development Agreement for the auction property with D.R. Horton, Inc be adopted.

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

No: 0

Mayor Wilson combined the public hearing for items number 16, Resolution number 21-49 and item number 17, Resolution number 21-50.

Sidney Urias, principal planner proved a presentation on item number 16 and 17.

Mayor Wilson opened the public hearing, receiving no comments from the public, Mayor Wilson closed the public hearing.

17. [21-497](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-50 a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, authorizing the city to enter into the Superstition Vistas Development Agreement for the retained property with the Arizona State Land Department.

Councilmember Biggs moved, seconded by Councilmember Evans that Resolution No. 21-50 authorizing the city to enter into the Superstition Vistas Development Agreement for the retained property with the Arizona State Land Department be adopted.

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

No: 0

18. [21-493](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-44 a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, amending its policy guidelines and application procedures for the establishment of community facilities districts.

Councilmember Nesser moved, seconded by Vice Mayor Rizzi that Resolution No. 21-44 amending the city's policy, guidelines and application procedures for the establishment of community facilities districts be adopted.

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

No: 0

Mayor Wilson combined the public hearing for items number 18, 19 and 20; Resolution number 21-44, Resolution number 21-45 and Resolution number 21-46.

Sidney Urias, principal planner proved a presentation on item number 18, 19 and 20.

Mayor Wilson opened the public hearing, receiving no comments from the public, Mayor Wilson closed the public hearing.

19. [21-494](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-45 a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, declaring its intent to form a community facilities district; ordering and declaring formation of the tax levying Superstition Vistas Community Facilities District No. 1; and approving the district development, financing participation, waiver and intergovernmental agreement for such district.

Councilmember Evans moved, seconded by Vice Mayor Rizzi that Resolution No. 21-45 declaring the city's intent to form a community facilities district; ordering and declaring formation of the tax levying Superstition Vistas Community Facilities District No. 1 be adopted.

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

No: 0

20. [21-495](#) Presentation, discussion, public hearing and consideration of Resolution No. 21-46 a resolution of the mayor and city council of the City of Apache Junction, Pinal County, Arizona, declaring its intent to form a community facilities district; ordering and declaring formation of the tax levying Superstition Vistas Community Facilities District No. 2; and approving the district development, financing participation, waiver and intergovernmental agreement for such district.

Councilmember Biggs moved, seconded by Councilmember Nesser that Resolution No. 21-46 declaring the city's intent to form a community facilities district; ordering and declaring formation of the tax levying Superstition Vistas Community Facilities District No. 2 be adopted.

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

No: 0

I. OLD BUSINESS

J. NEW BUSINESS

K. COUNCIL DIRECTION TO STAFF

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

21. [21-518](#) Executive Session at 6:00 P.M. for Monday, October 18th and Executive Session at 6:00 P.M. for Tuesday, October 19th in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

Councilmember Evans moved, seconded by Councilmember Schroeder that an Executive Session at 6:00 P.M. for Monday, October 18th and Executive Session at 6:00 P.M. for Tuesday, October 19, 2021 be held in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, AZ, and other meetings be scheduled if necessary.

M. CALL TO PUBLIC

George Schroeder Apache Junction resident commented on the work it has taken to change the public's perception of Apache Junction. This new development by D.R. Horton and Brookside residential will take years to build out. He would like to see the residents embrace this change move forward with this new growth.

He commented on the General Plan that the voters adopted in 2020. The residents want smart growth and would like to see Apache Junction develop into itself and not become a mirror of Mesa.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:39 p.m.

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_.

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

Dated this _____ day of _____, 2021.

JENNIFER PEÑA
City Clerk