



# 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

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Tuesday, March 7, 2023

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:06 p.m.

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

### C. ROLL CALL

**Present:** 7 - Mayor Wilson  
Vice Mayor Schroeder  
Councilmember Nesser  
Councilmember Heck  
Councilmember Johnson  
Councilmember Cross  
Councilmember Soller

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

Bryant Powell, City Manager  
Matt Busby, Assistant City Manager  
Joel Stern, City Attorney  
Jennifer Pena, City Clerk  
Evie McKinney, Deputy City Clerk  
Al Bravo, Public Information Officer  
Rudy Esquivias, Development Services Director  
Raquel Schatz, Public Works Engineer

### D. CONSENT AGENDA

Councilmember Heck moved, seconded by Vice Mayor Schroeder to approve the Consent Agenda.

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

**No:** 0

1. [23-097](#) Consideration of acceptance of agenda.

2. [23-098](#) Consideration of approval of minutes of the regular meeting of February 21, 2023.
3. [23-094](#) Consideration of approval of Resolution No. 23-01, authorizing the city to enter into an intergovernmental agreement with the Town of Eagar for the transfer of a used heavy duty construction grade box tractor scraper for its local public works projects.
4. [23-095](#) Consideration of approval of the purchase of three additional Ford Explorers to be used in the Development Services Department and motor pool and the purchase of a new motor pool key watch system in an amount not to exceed \$126,500.00.

#### **E. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

#### **F. REGIONAL INTERGOVERNMENTAL UPDATES**

5. [23-099](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Mayor Wilson announced he and other Arizona Mayors met with Senator Sinema last week on local matters. Senator Sinema informed them she had sent a letter to the President trying to make copper a critical material. There are only two copper smelters operational in the United States, with one of them being here in Arizona. Copper that is mined in the United States is being shipped to China, where they process it and then ship it back to the U.S. at an increased cost. She is hoping to build smelters here in the U.S. for refining the copper.

Other issues discussed were the limitations on Federal grants for upgrading infrastructure. These grants aid in the replacement of degrading infrastructure, but they do not allow for funding to be used to then repair the road. So, while the grant money is available, infrastructure projects are not being done due to the cost of then replacing the road.

He also addressed the 180-day turn around time for submittal and award of other projects and yet there are no contractors willing to drive remotely to do the work.

#### **G. CITY MANAGER'S REPORT**

6. [23-100](#) City Manager's Report.

City Manager Bryant Powell provided an update on two items:

1. Weekes Wash: The city engineer is working with consultants on submitting a grant to the Federal government to help the city with water mitigation, to reduce flooding and possibly capture surface water. Discussions and work continue to resolve this matter.

2. Bureau of Land Management (BLM) and the Rodeo Grounds: The city is working with the Bureau of Land Management to purchase the rodeo grounds. This has been several years in the making and discussions and efforts continue between the city and BLM.

7. [23-101](#) Announcement of Current Events.

Al Bravo, Public Information Officer highlighted the Pony Express Run that occurred over the weekend. This was the 2nd Annual Pony Express Run. Leading up to the event, commemorative post cards are sold to the public, and these are delivered to the post office after the riders complete the ceremonial ride.

Mr. Bravo recapped the annual Water Festival, which educates 4th graders on water conservation and how water flows above and below ground.

He announced the Library has launched the mobile library again. The refurbished vehicle will bring library services to residents around the city. It has DVD's, books and Wi-Fi services.

He presented photos from Lost Dutchman Days held the weekend of February 24-26, 2023.

Lastly, he briefly spoke on the One Water Our Water campaign; web address is [Onewateraj.com](http://Onewateraj.com). Arizona Water Company and Apache Junction Water District are partnering on a water conservation campaign. More to come in the weeks and months ahead.

## H. PUBLIC HEARINGS

8. [23-071](#) Consideration of approval of Resolution No. 23-02, declaring as a public record that certain document filed with the city clerk entitled "2023 City of Apache Junction Personnel Rules," repealing any conflicting provisions, providing for severability, and declaring an emergency.

**Councilmember Heck moved, seconded by Councilmember Nesser, to approve Resolution No. 23-02 declaring as a public record that certain document filed with the city clerk entitled "2023 City of Apache Junction Personnel Rules," repealing any conflicting provisions, providing for severability, and declaring an emergency.**

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

**No:** 0

Anna McCray, Human Resource Director, reviewed and summarized the updates and changes to the 2023 City of Apache Junction Personnel Rules she presented to council on February 21, 2023.

Council inquired on the term "timely response" by a supervisor when approving time off requests, and requested that term be changed to a "two-week" turn around time.

Mayor Wilson opened the public hearing.

Andre Meek, Apache Junction resident, stated while council wanted a definitive time of 2 weeks, he thought the term might better be defined as 14 days.

Council liked the idea of changing the two-week time frame to 14 days.

Brenda Gifford, Apache Junction resident, also commented on the Code of Conduct council

adopted in 2019. She stated this council is elected through a non-partisan election and that by using their city "title" to endorse a political party or political party candidate is a violation of the rules and ethics.

City Attorney Joel Stern stated the city council did adopt a Code of Conduct in 2019. It does address candidate endorsements. It applies not only to the city council but also the city Boards and Commissions.

He stated if council wished to review that, it can be brought back to a council meeting once it is formally agendaized.

There was no further discussion.

- 9. [23-072](#) Consideration of approval of Ordinance No. 1533, adopting by reference that certain document entitled "2023 City of Apache Junction Personnel Rules," repealing any conflicting provisions, providing for severability, and declaring an emergency.

**Vice Mayor Schroeder moved, seconded by Councilmember Heck, that Ordinance No. 1533 be read by title only and the entire reading of the Ordinance be waived.**

**Motion passed unanimously.**

**City Clerk Pena read Ordinance No. 1533 by title only, declaring an emergency.**

**Councilmember Cross moved, seconded by Councilmember Soller, that Ordinance No. 1533 as read by the city clerk be approved with the amendment that "timely-manner" be changed to 14 calendar days.**

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

**No: 0**

**I. OLD BUSINESS**

**J. NEW BUSINESS**

10. [23-102](#) Presentation, discussion, and consideration of approval of Resolution No. 23-03, authorizing the city to enter into an intergovernmental agreement with Arizona Department of Transportation for the city's Tomahawk Road Widening Improvement Project from U.S. Highway 60 to Southern Avenue for both design and construction to install bicycle lanes, sidewalks, streetlights, and drainage improvements with the city's financial contribution being \$729,995.00 and a federal contribution of \$2,001,569.00, for a total project cost of \$2,731.564.00.

**Vice Mayor Schroeder moved, seconded by Councilmember Nesser to approve Resolution No. 23-03 authorizing the city to enter into an intergovernmental agreement with Arizona Department of Transportation for the city's Tomahawk Road Widening Improvement Project from U.S. Highway 60 to Southern Avenue for both design and construction to install bicycle lanes, sidewalks, streetlights, and drainage improvements with the city's financial contribution being \$729,995.00 and a federal contribution of \$2,001,569.00, for a total project cost of \$2,731.564.00.**

Raquel Schatz, Public Works Project Engineer provided council with the following update:

The city applied for construction funds through MAG's Street Committee, using funds from the Pinal County's Surface Transportation Block Grant Program in 2021. The amount awarded was for construction funds only. Upon the award of federal funds in 2021 the project then became eligible to apply for MAG Closeout Funds in October 2022 to cover the design costs.

The Intergovernmental Agreement with Arizona Department of Transportation (ADOT) needs to be executed prior to June 1st, 2023 otherwise funds could be in jeopardy.

This project includes roadway widening to five (5) lanes and bicycle lanes on Tomahawk Road from US60 to Southern Avenue, street lighting, curb & gutter, and some drainage improvements. As well as roadway widening on Southern Avenue for bicycle lanes and infilling the missing curb & gutter and sidewalk. The city's financial contribution for design is \$35,536 with the federal contribution at \$587,902.

The City is in an agreement with ADOT for the following:

Work	Funding Type	Year	Federal	City	Total
Design					
(94.3%)	Closeout	2023	\$ 587,902	\$ 35,536	\$ 623,438
(100%)	Local			\$ 30,000	\$ 30,000
	<b>TOTAL - Design</b>			<b>\$ 65,536</b>	<b>\$ 653,438</b>
Construction					
(94.3%)	STGBP	2025	\$1,413,667	\$ 85,450	\$1,499,117
(100%)	Local			\$579,009	\$ 579,009
	<b>TOTAL-Construction</b>			<b>\$664,459</b>	
<b>\$2,078,126</b>					
Estimated TOTAL Project Cost			\$2,001,569	\$729,995	\$2,731,564

11. [23-104](#) Presentation, discussion, and consideration of approval of Resolution No. 23-04, a Federally patented easement extinguishment of Raindance Road (alignment) from 1st Avenue to 2nd Avenue for the purpose of future development in which the applicant has already extinguished the utility easements per Development Services requirement to obtain a building permit.

**Councilmember Cross moved, seconded by Councilmember Nesser, to approve Resolution No. 23-04 granting the extinguishment of a Federally patented easement of Raindance Road alignment from 1st Avenue to 2nd Avenue for the purpose of future development.**

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

**No:** 0

## K. COUNCIL DIRECTION TO STAFF

## L. CALL TO PUBLIC

George Schroeder, 2444 W. Virginia St., Apache Junction, thanked Raquel Schatz, Public Works employee, for her hard work and dedication to the city on all the road improvement projects she works on. He continues to disagree with council's decision to have one trash/garbage hauler for the city and for city residents to participate. He made extraneous comments on various topics. He commented on code enforcement efforts and insisted he is being targeted, and he believes his neighbor continues to be non-compliant with their fences and merging of lots. He accused staff of making back-door deals. He continued to make reference to religious matters and staff.

Catherine Meek, 1327 S. Belair Rd., Apache Junction, announced the many activities occurring this week at the Superstition Mountain Lost Dutchman Museum. There will be many artists demonstrating their skills, as well as tours, lectures, and a fundraising event. The fundraising event is \$25.00 per person for dinner and performances by various artists. She asked people to Google Superstition Mountain Museum for further details.

Jack Mattachione, 766 N. Mountain View Rd., Apache Junction, recognized and thanked staff for their work and professionalism. He addressed the Code of Conduct that was adopted in 2019 by council. He implied that as a whole, the city employees should not use their "title" when endorsing a political party candidate.

Brenda Gifford, Apache Junction, stated she had made her comments known during the public hearing. She had no further comments.

## M. ADJOURNMENT

**Mayor Wilson adjourned the meeting at 8:06 p.m.**

ACCEPTED THIS \_\_\_\_\_ DAY OF March, 2023, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF March, 2023.

\_\_\_\_\_  
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 7 day of March 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_ day of March, 2023.

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