



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

Tuesday, May 3, 2016

7:00 PM

City Council Chambers

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A. CALL TO ORDER

The regular meeting of the City Council of the City of Apache Junction, Arizona, was held on May 3, 2016, at the Apache Junction City Council Chambers pursuant to the notice required by law.

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Wilson gave the Invocation.

Vice Mayor Barker led the Pledge of Allegiance.

C. ROLL CALL

Present: 7 - Mayor Insalaco
Vice Mayor Barker
Councilmember Evans
Councilmember Rizzi
Councilmember Serdy
Councilmember Waldron
Councilmember Wilson

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 Giao Pham
City Engineer Emile Schmid
Development Services Director Larry Kirch

Others Present: Public Information Officer Al Bravo

Senior Planner Rudy Esquivias
Grants Administrator Heather Patel
Economic Development Administrator Janine Solley

D. CONSENT AGENDA

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Vice Mayor Barker MOVED THAT THE CONSENT AGENDA BE ACCEPTED AS PRESENTED; AND

THAT APPROVAL BE GIVEN FOR THE CONTRACT BETWEEN THE CITY OF APACHE JUNCTION AND DBA CONSTRUCTION FOR RECONSTRUCTION AND REPAVING OF SOUTHERN AVENUE FROM APACHE DRIVE TO WINCHESTER ROAD IN PARTIAL FULFILLMENT OF FISCAL YEAR 2016-2017 STREET MAINTENANCE PLAN THROUGH THE PEORIA JOB ORDER CONTRACT #ACON43011C IN THE AMOUNT OF \$783,469.05 PLUS TEN PERCENT FOR CONTINGENCY IN THE AMOUNT OF \$78,346.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$861,815.05; AND THAT AUTHORIZATION BE GIVEN TO THE MAYOR TO SIGN THE CONTRACT; AND

THAT APPROVAL BE GIVEN TO RESOLUTION NO. 16-19, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR TRANSFER OF A USED LAW ENFORCEMENT VEHICLE AND MISCELLANEOUS EQUIPMENT TO THE TOWN OF SUPERIOR.

Councilmember Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

1. [16-204](#) Consideration of acceptance of agenda.
2. [16-200](#) Consideration of award of contract to DBA Construction for the reconstruction and repaving of Southern Avenue from Apache Drive to Winchester Road in partial fulfillment of the fiscal year 2016-2017 Street Maintenance Plan. The work would be through the cooperative Peoria Job Order Contract #ACON43011C for \$861,815.05 including a ten percent contingency.
3. [16-202](#) Consideration of proposed Resolution No. 16-19, allowing the city to enter into an intergovernmental agreement with the Town of Superior for the transfer of law enforcement fleet vehicles and miscellaneous equipment.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

4. [16-210](#) Proclamation designating May 1st - May 7th, 2016 as Public Service Recognition Week.

Mayor Insalaco read a proclamation designating May 1-7, 2016 as Public Service Recognition Week and presented it Public Safety Director Tom Kelly.

F. ANNOUNCEMENT OF CURRENT EVENTS

Vice Mayor Barker commented Councilmembers Wilson and Evans, the mayor and she participated in the water festival last week with about 350 kids where they went from station to station learning about water and playing games.

Councilmember Wilson commented it was his second time there and it was an opportunity to see the delightfulness of the kids learning how water moves in our world.

Councilmember Evans thanked Chief Bourgeois and the district for hosing the children down after the festival. They look forward to that. Apache Junction is the only city where the fire department does that for the kids.

Mayor Insalaco commented they even had a busload of kids from Sousa School in Mesa.

Councilmember Serdy commented Little League has started and with there not being enough teams they combined with Kearny and Skyline. Last Saturday was their first time to go to Kearny and he believes everyone won.

Mayor Insalaco commented he was thoroughly impressed with the knowledge the fourth graders had of water and conserving water at the water festival.

G. CITY MANAGER'S REPORT

5. [16-194](#) City manager's report.

City Manager Bryant Powell commented he wanted to honor Gustavo McGrew, formerly of Horizon Health and Wellness.

6. [16-203](#) Gustavo McGrew, formerly of Horizon Health and Wellness, will provide an update of his past work in the community related to outreach and wellness, as well as how he will continue this work in our community moving forward.

Mr. Gustavo McGrew thanked the city for the partnership with Horizon Health and Wellness and provided an update on his past work in the community related to outreach and wellness, as well as how he will continue this work in our community with Earth Day and other events.

H. PUBLIC HEARINGS

7. [16-208](#) Public hearing, presentation, discussion and consideration of proposed Ordinance No. 1429, case PZ-4-16, a request by Sadie LaBerge, represented by Steven Bocker, for approval of a major planned development amendment for a General Commercial by Planned Development (B-1/PD) zoned, .41 acre property located at 351 N. Ironwood Drive. The request is to establish an expanded palette of uses for future commercial development on the property.

Yes: 6 - Mayor Insalaco, Vice Mayor Barker, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 1 - Councilmember Evans

Assistant Planner Stephanie Bubenheim briefed the council on the item.

Vice Mayor Barker asked if the developer has any idea of what he wants to do with this property.

Assistant Planner Stephanie Bubenheim stated there is not one specific business at the moment. He was working with staff to see what would be allowed on the proposed palette. He would work with the palette from there.

Councilmember Evans commented when this property was purchased the recorded document, the affidavit of value, states that it is a residential rental property. It is only paying taxes as residential rental. The original allowed use of a bookstore was being changed from a residential rental to a very, very restricted commercial use which, whether it opened or not, is still paying only residential property tax, not commercial property tax. It is also surrounded by residential properties. The west side of Ironwood is all commercial. That sells for a higher price than what this property sold for. There will be new residential right next door to this. It is higher density than what is currently there. They have done this in the past and it backfired on the surrounding property owners. They changed it for a very light commercial property to a higher intensity use down the line. It does nothing but destroy the property values for the surrounding properties. If one lives in a neighborhood, one wants to live

in a neighborhood. One does not want to live in a commercial zone. Even though this is still an extremely limited commercial use, she does not want any changes to what is already there. It is a pre-1972 old mobile home that now is to be made into a commercial building. She just thinks it is wrong. She cannot go along with this.

Vice Mayor Barker asked her to clarify some of that. She asked if she was inferring that the pre-HUD mobile home would be the building.

Councilmember Evans commented it is the only building on there.

Vice Mayor Barker commented they are then going to use that.

Councilmember Evans commented that is correct. The pre-HUD simply means it was not built to uniform code.

Vice Mayor Barker commented that is why they had to upgrade the rest of them.

Assistant Planner Stephanie Bubenheim stated the city cannot do too much about what the taxes are as those are Pinal County. It cannot do anything about the zoning as it is zoned general commercial. She is not sure how that plays into the taxes. If it does not go through this amendment it will stay the B-1/PD zoning.

Councilmember Evans asked what the usage there is.

Assistant Planner Stephanie Bubenheim stated the ordinance is very specific to just the bookstore. It will be hard to change it unless it goes through a completely and entirely new rezoning which is a different process.

Vice Mayor Barker commented she has two columns here. One is the B-1 General Commercial and the next column is Low Intensity Uses. She asked if the Low Intensity Uses are the uses that are being recommended for this.

Assistant Planner Stephanie Bubenheim stated that is correct. The first column is the current B-1 general commercial in zoning code and the right column is the one.

Vice Mayor Barker commented at this point under the current zoning he could have a vehicle repair shop there.

Assistant Planner Stephanie Bubenheim stated if it was just B-1 it could have all of those.

Vice Mayor Barker asked if it is B-1.

Assistant Planner Stephanie Bubenheim stated it is B-1/PD.

Vice Mayor Barker commented they could have a planned development that included a vehicle service yard.

Assistant Planner Stephanie Bubenheim stated they could but since they have been working with this palette of uses we have said no to all of those uses.

Vice Mayor Barker commented she understands that. She is just trying to point out what they could do now as compared to what we are looking at for possible changes. Now they could have a planned development that included a vehicle sales and repair, but if this were passed they could not. She asked if she was reading it correctly.

Assistant Planner Stephanie Bubenheim stated that is correct. What they have now is a bookstore. If this amendment is approved it would be based off the palette of uses. If they wanted to do a used vehicle they cannot at all.

Vice Mayor Barker commented she is confused. She is looking at one column where it says yes and she is saying no.

Assistant Planner Stephanie Bubenheim stated the right column is just B-1, general uses in the zoning code.

Vice Mayor Barker commented that is correct. And she is saying the other B-1 Planned Development. Right now it says it is a bookstore but if their B-1 Planned Development wanted to go to something else they could go to one of these other things.

Assistant Planner Stephanie Bubenheim stated they would not be able to.

Vice Mayor Barker commented she wished she had not put two columns there as she was totally confused.

Assistant Planner Stephanie Bubenheim stated they were trying to separate them to show what the B-1 commercial uses allow and then what we were proposing in a more restrictive list. From there every business has to apply for a business license and the city looks into what the zoning is. If the owner came in and wanted to do a used vehicle sales we would see that there is a planned development on this zoning. We would then see what the planned development ordinance prefers

and then we would tell them if it is allowed or not allowed.

Councilmember Wilson asked what they would have to do if right now it is only approved for a bookstore but they came back in and said they wanted to do a new vehicle and repair shop, which is currently authorized in the PD-1.

Assistant Planner Stephanie Bubenheim stated if they came in now for a vehicle repair shop they would not allow it. With the new amendment they still would not allow it. It would be a no.

Councilmember Rizzi asked what process was used to notify the neighbors and give them the opportunity to come out and speak for or against it.

Assistant Planner Stephanie Bubenheim stated for every amendment or rezoning process they have to notify the neighbors or property owners that are within 300 feet surrounding the property. They were notified 15 days prior to the first public hearing about the rezoning. They were given the information that they can contact the city and come in and look at the case. Some people did call the city and came in to look at the case as they wanted to know what was going on and how it was going to be. They have to do a neighborhood meeting or letter.

Councilmember Rizzi commented all of those things were done. She asked how many people came to speak against it.

Assistant Planner Stephanie Bubenheim stated the meeting took place on April 6 and one person came to the meeting.

Vice Mayor Barker asked what that person's comment was.

Assistant Planner Stephanie Bubenheim stated they also wanted to see what the palette of uses was.

Vice Mayor Barker commented they were interested in what it could be but were not necessarily opposed to it.

Councilmember Serdy commented it is going mostly yeses to noes. This is one where he was talking about getting more favorable zoning. This landlord did have a classic car and they wanted to put a few in there. As of now he cannot. He asked if he still would not be able to after this.

Development Services Director Larry Kirch

stated the column that says B-1 is what anyone zoned B-1 can do. For the first column it say yes. In a straight B-1 without a planned development they can have the used car sales. They went through the entire list of allowable uses in just a straight B-1 and staff determined that based on the lot size and neighborhood there should not be new vehicle sales. So the next column is no. Those are the staff recommended allowable uses in the right column. The other column is if it is just pure B-1 that is what they can do. The laundry list tells you want you can and cannot do under the proposal.

Assistant City Manager Matt Busby stated to clarify it further, the current zoning on the property is not straight B-1. It is a B-1 planned development that limits it only to a bookstore.

Development Services Director Larry Kirch stated he thinks it was to allow a homeowner to have a home occupation. The homeowner would live there and have a bookstore. He never used it but he got the rezoning. They can question the original zoning as a B-1/PD and they can question this one, too. It was really a home occupation way for the original owner to have the bookstore in their home, but it never ended up being a bookstore.

Vice Mayor Barker asked if this will still be something in their home.

Development Services Director Larry Kirch stated it will not. It is not residential anymore. This would allow nonresidential uses. This is not an adjunct use.

Vice Mayor Barker commented this person cannot live in this mobile home.

Development Services Director Larry Kirch stated he cannot. It actually did get converted for a while to another use. That is why they kept proposing he could not use this for anything other than a bookstore. If he wanted to use it for something else he would have to proceed with a rezoning.

City Clerk Kathleen Connelly stated she wanted to clarify something on the property taxes. While the city cannot directly impact whether something is taxed at a residential or commercial rate, her department does work on an ongoing basis with the Pinal County Assessor's Office to correct things such as this, where it is taxed at a residential rate but is actually commercial use.

Mayor Insalaco requested the applicant address the council.

Mr. Steve Bocker, 8215 E. Canyon Estates, Gold Canyon, stated he and his wife purchased the property in 2012 with the understanding of the B-1/PD against the property. They researched it, talked to city staff, talked to an architect and thought it was a viable property for investment. It was a vacant building falling apart. Councilmember Evans has decided this is a mobile home. It is a stick-built on a foundation slab home constructed out of lumber. It has no metal frame. It is to code. He called the city before they purchased it and asked what the CO requirement would be. They told them what it would be and they complied. There was never an issue there. They purchased the property with the intent to renovate it, bring it up to speed and rent it out. It was a good investment and the price was right. They did have a tenant for over two years. A commercial entity called Nask Arizona had come from Prescott and loved the building. They got a city license and did everything the city required. They then called him and told him if he did not do the improvements under the C-1/PD which included an ADA bathroom and inspection, walls and landscaping, they were not going to allow the tenant to take ownership of the property and use the property for commercial purposes. He complied with all the requirements: the site plan, the architectural review, the walls, the construction, the ADA bathroom and the final inspection by the city. The city knows it is viable for commercial use. They are now coming back with some additional uses that are low intensity and have been worked out with the staff over a long period of time. He is asking the council to look at this favorably as an addition to the neighborhood, as a way of investment and to provide community services. The planning commission went through the same series of questions and approved it unanimously. He asked them to look at all the obstacles he has had to work out for this investment. Staff has been great and they have come to a consensus. It is not something big to ask and they are not ruining any values to any of the properties on Ironwood. Actually they have raised the values. Hopefully they will find a better neighborhood, better buyers, and people who will want to come here because of the nature of the building and neighborhood being improved. The entire corridor has been pulled up by new investment. He stated they are making it better, bringing services to the community and paying their taxes, including sales taxes.

Councilmember Evans commented she would be happy to share with him that the tax records show it is a 72 mobile home. It may not be there now, but it is one of the tax issues that the state has. It will always be taxed as a mobile home.

Mr. Steve Bocker stated the facts are it is not a mobile home.

Councilmember Evans commented that is what is on the record.

Mr. Steve Bocker stated they can change the record. They can ask for an amendment to change the record if that will satisfy the city. He is not averse to that.

Councilmember Evans commented she understands what he is saying. He is saying that he had improved this building and he wants more commercial businesses to come into this community, but not at the price of our residential communities that do not have homeowners associations or any protection because any time we do allow commercial buildings to operate in a residential neighborhood people do not want to buy there because they look at that and think it is all going to be commercial. She understands that is where his investment is and she understands how he is trying to improve it. But the city has other commercial properties that are for sale. Everything on the west side of Ironwood is commercial, but not on the east side.

Mr. Steve Bocker stated he appreciated her opinion and comments but hopes the rest of the council will take into consideration the argument he made and see to follow the planning commission's recommendation.

Mayor Insalaco 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.

Vice Mayor Barker MOVED THAT ORDINANCE NO. 1429 BE READ BY TITLE ONLY AND THE READING OF THE ENTIRE ORDINANCE BE WAIVED.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

City Clerk Kathleen Connelly read the ordinance by title only.

Vice Mayor Barker commented she has to respectfully disagree with her colleague. She MOVED THAT ORDINANCE NO. 1429, AS READ BY THE CITY CLERK, BE APPROVED AND ADOPTED.

Councilmember Wilson SECONDED THE MOTION.

VOTE: 6-1 (Councilmember Evans voted in opposition.)

The motion carried.

8. [16-209](#) Public hearing, presentation, discussion and consideration of proposed Ordinance No. 1430, relating to case PZ-5-16, a request by Gene Rodaway, represented by Leslie Cooke, for approval of a rezoning for his 1.01-acre combined property located at 512 and 516 N. Valley Drive (APN 100-15-063 and 100-15-054) from Medium Density Detached Single-Family Residence Zone, Conventional or Manufactured Home Permitted (RS-20M) to High Density Multiple-Family Residence Zone by Planned Development (RM-1/PD).

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Assistant Planner Stephanie Bubenheim briefed the council on the item.

Councilmember Waldron asked if the RV parking would have to be condition number nine.

Assistant Planner Stephanie Bubenheim stated that is correct. If they want to add that it will be condition number nine.

Vice Mayor Barker commented if they were still talking about the landfill here, the combining of these two parcels would be considered an expansion by some.

Councilmember Evans asked if because of the question of the RV next door, even though the laundry area is going to be in the back, for additional units it would be to the right.

Assistant Planner Stephanie Bubenheim stated it would be to the left.

Councilmember Evans commented additional units would be allowed to the left.

Assistant Planner Stephanie Bubenheim stated the applicants are not asking for additional units.

Councilmember Evans commented but that is part of this.

Assistant Planner Stephanie Bubenheim stated it is not part of it at all. It is just for the carports, laundry facility and storage units.

Councilmember Evans commented it is conventional and mobile homes. They are not planning on adding anything.

Assistant Planner Stephanie Bubenheim stated they are not. Just the building for the carports and laundry.

Mayor Insalaco requested the applicant address the council. The applicant spoke from the audience advising he did not wish to come forward. Mayor Insalaco asked if he had any problems and he did not. Mayor Insalaco 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. 1430 BE READ BY TITLE ONLY AND THE READING OF THE ENTIRE ORDINANCE BE WAIVED.

Councilmember Rizzi SECONDED THE MOTION.
VOTE: Unanimous.

The motion carried.

City Clerk Kathleen Connelly read the ordinance by title only.

Councilmember Waldron MOVED THAT ORDINANCE NO. 1430, AS READ BY THE CITY CLERK, BE APPROVED AND ADOPTED WITH THE FOLLOWING AMENDMENT: THAT CONDITION NUMBER 9 BE ADDED, THERE BE NO RV PARKING OR STORAGE ON THE LOT.

Councilmember Evans SECONDED THE MOTION.
VOTE: Unanimous.
The motion carried.

9. [16-193](#) Public hearing, discussion and consideration of proposed Resolution No. 16-17, authorizing the submission of Fiscal Year 2016 Community Development Block Grant and Fiscal Year 2016 State Special Project grant applications and Resolution No. 16-18, establishing a Residential Antidisplacement and Relocation Assistance Plan.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Grants Administrator Heather Patel briefed the council on the item.

Mayor Insalaco opened the public hearing on the item.

Mr. Steve Bocker, 351 N. Ironwood, Apache Junction, addressed the council to say that some of the projects Heather spoke about, especially the infill single lot demo rebuild, he believes is one of the nicest things they could do for the residents, to provide them decent, livable quarters. Some of the houses out there are substandard and developers cannot bear the costs. If the city has funding and they can partner with the right developer, Habitat for Humanity or other nonprofits that might be interested in development it would be a fantastic way to introduce new infill properties.

Mayor Insalaco closed the public hearing with no one else wishing to speak. He reopened the item to council discussion.

Councilmember Evans asked what the engineering costs are for the sidewalks.

Public Works Director Giao Pham stated typically the sidewalks are linear feet usually at 4' to 5' crosswise. It depends on the quantity of it.

Councilmember Evans asked what the cost was for the engineering design of the sidewalks.

Public Works Director Giao Pham stated usually on engineering plans it is 10% of the construction costs. If they put \$100,000 in sidewalks in, the cost would be 10% of that. Those are the usual costs of designs. When Heather was going through the presentation, based on all the options out there, the Grand/Ocotillo/Main neighborhood would be the most viable as the design is already done. The roadway was built according to engineering plans so the sidewalks move quicker rather than the other neighborhoods as they would have to redo the design.

Mayor Insalaco asked what kind of curb is the most economical one to use.

Public Works Director Giao Pham stated most of the time, in those neighborhoods because they are local streets,

they used 4" rolled curbs. They can vary in size. Sometimes they have detached sidewalks or with the rolled curb itself. Until they do the design they will not know what they will encounter as far as obstacles and objects to relocate.

Mayor Insalaco commented that is easier to do.

Public Works Director Giao Pham stated that is correct.

Mayor Insalaco commented the rolled curb is easier to do.

Public Works Director Giao Pham stated that is correct.

Councilmember Rizzi asked if there are still flooding issues on the road improvements on Grand.

Public Works Director Giao Pham stated the flooding issues were taken care of in the Grand/Ocotillo/Main area. They raised the profile of the roadway so that the flooding is not happening on the street. It has been redirected north/south now. They are redirecting it from Grand/Ocotillo/Main to Broadway. That is why they made the Delaware improvement. That is how it ties in.

Councilmember Rizzi commented she used to be a bus driver on that street and she literally used to bus children over the Grand Canyon puddle. There were no sidewalks and they would huddle on that sand and try to get across to where their bus stop was. They would shuttle them over there. It would be a great area for sidewalks.

Public Works Director Giao Pham stated the picture that Heather showed was an event that happened four or five years ago. Since then, when it rains, they have gone out and checked and found some ponding but not that large lake you see there in the picture.

Mayor Insalaco commented there is very little.

Councilmember Rizzi commented that is great.

Grants Administrator Heather Patel continued with her briefing.

Councilmember Waldron asked if they need to identify the projects in Resolution No. 16-17.

Grants Administrator Heather Patel stated they

do. If they could identify the projects she will move forward with the applications.

Councilmember Waldron asked if they do both motions at the same time.

City Attorney Joel Stern stated they are separate votes and motions.

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

Councilmember Waldron MOVED THAT RESOLUTION NO. 16-17, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATION(S) FOR FY 2016 STATE COMMUNITY DEVELOPMENT BLOCK GRANT REGIONAL ACCOUNT ("CDBG"), FY 2016 STATE SPECIAL PROJECT (SSP) FUNDS, AND CERTIFYING THAT THE APPLICATION(S) MEETS THE IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS; AND IS NECESSARY FOR IMPLEMENTATION AND COMPLETION OF THE ACTIVITIES OUTLINED IN THE CDBG AND SSP APPLICATION(S), THE PROJECT BEING THE LAND PURCHASE AND DEMOLITION FOR THE CDBG, AND THE GRANDVIEW SIDEWALKS FOR THE SSP, BE APPROVED.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

Councilmember Waldron MOVED THAT RESOLUTION NO. 16-18, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FY2016-2021, AS REQUIRED UNDER SECTION 104(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, (42 U.S.C. 5301 ET SEQ.) AS AMENDED, BE APPROVED.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

10. [16-213](#) Public hearing, presentation, discussion and consideration of proposed Resolution No. 16-20, to accept the Arizona State University Masters in Urban and Environmental Planning Capstone Project Group visioning and planning study for the city, called "Apache Junction Trail Connectivity, Downtown Visioning and State Land Visioning: Connecting Past, Present and Future", as a conceptual planning document for staff and community leaders to further study and from which ideas and concepts may be derived, further refined and implemented and/or codified in the future.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Development Services Director Larry Kirch briefed the council on the item. He introduced the Arizona State University graduate program student who would be making the presentation on the project.

Ms. Bailey DuBois gave the presentation on the project.

Councilmember Rizzi commented this was an impressive report and it was really interesting to engage at the meetings and hear the input from them. She really appreciated it.

Councilmember Wilson commented he wanted to compliment them on the study. It is very thorough and they have done a lot of research in the aspects of getting some of this information and putting it together. He did have a couple of questions. On page 2-15 where they are talking about equestrian trails and fortunately he has horses. They were talking about traction or slippage resistance on it. It says asphalt with chip seal is fair and rough textured concrete is good. He does not know where this chart came from because if you mix steel shoes on top of concrete or pavement, you are creating a possible hazard. That one, wherever it came from, and it appears to be the highway association, it is great for someone walking or driving but not for mixing the two at all. He looked at the proposal to make a scenic walkway and he now understands what she was talking about. It is just a little bit further towards the end in an old Pinal County park area.

Ms. Bailey DuBois stated it is Bureau of Land Management Land.

Councilmember Wilson commented it has future possibilities for what is there. The trailhead they have a little further up may be better being brought down into that area.

Ms. Bailey DuBois asked if he was talking about the trailhead at the Multi-Gen Center.

Councilmember Wilson commented that is correct. On page 3-8 he needs an explanation as they are talking about fences around establishments with a restaurant or business and everything. He asked what the idea was. He asked if they were talking about not having fences if they have a series of stores with a frontage up front.

Ms. Morgan Klass stated they were mostly talking about fencing in regards to around parking structures or if the building was setback to have perhaps a patio area or something like that. They did not envision fencing being for establishments that had zero setbacks.

Councilmember Wilson asked if they knew the city has a restaurant in town that has a tall fence around the open patio. They are doing that for security. He asked if that would not be allowed.

Ms. Bailey DuBois stated in what they have proposed it would not. They did not see tall fences as being a way to activate a space or facilitate interaction. Again, these are just guidelines and standards to be proposed, not to be interpreted as a code enforcement-type where someone would be in violation of our proposal. Although in this section it says fencing standards they are not code.

Councilmember Wilson commented the big question on it is they have some that have done it mainly for security, especially if alcohol is served. There have to be controls; they cannot have it as wide open. It would present a problem if it was wide open. He wanted to thank them. The honest truth is his wife lost him for three nights because it took that long for him to go through it. He did have a series of questions but they answered most of them. He appreciated it.

Vice Mayor Barker commented there is a place that serves alcohol and has an outdoor patio that just has a low wall around it on Superstition. It is pretty nice.

Mayor Insalaco commented that is the Red Dog.

Vice Mayor Barker commented it is the Red Dog Saloon. She thought she would throw that out there. She thanked them for their creativity and putting a young person's point of view out there because she thinks sometimes we get stuck in our own little world. It was amazing to go through it. She did not read it word for word but she came to most of the public meetings so she feels she had a lot of it. The only thing she saw in here where she thought when the time comes they look at putting some of these possibilities into practice is with the PUD area south of the freeway. It is really not located in the best place when you have a landfill right there. They have high density residential butted right up against the landfill. Especially since the plan is, hopefully at some point, to make the landfill into a park. It could almost be turned around. They would still have the flood plain protected but they would just push the high density around. She really likes what they have done, though. It is incredible.

Mr. Bryan Smith stated the PUD is meant to be a sliding rule.

Vice Mayor Barker commented that is what she did. She just slid it right around.

Mr. Bryan Smith stated it is meant to be flexible in terms of allocation of densities.

Vice Mayor Barker commented all of it is. She just thinks they put so much thought into this. She is absolutely amazed.

Councilmember Wilson commented one of the things the vice mayor said is that the landfill is supposed to be a future park.

Vice Mayor Barker commented they can just flip that around and it has the low density right up by it.

Councilmember Wilson commented they could just move it a little further over.

Vice Mayor Barker commented that is right. They have given them great ideas for the future. Now they are looking at that area with new eyes.

Mr. Bryan Smith stated the concept was that people living in a high density area would appreciate living immediately next to the park.

Vice Mayor Barker commented access to the park. Absolutely. They are good.

Councilmember Waldron commented on page 4-11, Table 4-6 talks about propose and develop 0.4 FAR. He does not know what FAR is.

Mr. Bryan Smith stated it is floor area ratio. It is the ratio of the total square footage of the building to the lot size.

Vice Mayor Barker commented she thinks that needs clarification.

Councilmember Waldron commented he got it. The other one is on page 4-17 it talks about as resources are provided for future research into LID. Applications are at the end of the report. He asked what that is. LID has a different meaning depending on what college you attended.

Mr. Bryan Smith stated it is low impact development. Page 4-28 has the resources provided on the bottom left hand side.

Councilmember Waldron commented this is a very intensive report. It has some great ideas. He wishes they had about \$800 million to throw at this.

Vice Mayor Barker commented she thinks it would take a lot more than that, but it would be a start.

Councilmember Evans commented she is good. They have said it all.

Councilmember Serdy commented he wished they could do it. He hopes the citizens watching realize a lot of this will not happen, but bits and pieces of it could. It would have cost us a lot if he had had to pay for it. He greatly appreciates what Arizona State University has done.

City Manager Bryant Powell thanked Arizona State University, Dr. Kim, the group and graduate students from planning and urban planning. He greatly appreciated their time, energy and effort for our community. Now begins the process of thinking about how it can be done. We need that and we greatly appreciate it. He appreciated staff working in coordination with them. We have this now as a reference. He appreciated Larry Kirch, Gao, Janine and Liz Langenbach who have been part of the team as well as many others. They will keep this, Matt and he, for the department directors to help guide us.

Vice Mayor Barker commented it will not gather dust on a shelf.

Mayor Insalaco commented he only wished the people watching on television could really see how much work the students put into this. This is no easy, overnight thing. It took a lot of time and effort and he is sure a lot of sleepless nights. They all appreciate them very much for doing this.

Ms. Bailey DuBois stated they wanted to thank them, too. It was a huge learning experience for them. This is their final project as many of them are graduating, except Morgan, who should not be here. They really valued this experience. The city, staff and all of them have been so welcoming and engaged and it has made all the difference. She thanked them for their enthusiasm. There are a couple of sections throughout this report about implementation, grant research and funding and they hope that will be of use to them.

Mayor Insalaco opened the public hearing on

the item.

Mr. George Schroeder, 2444 W. Virginia, Apache Junction, addressed the council. He stated he went to several of the meetings and he is not interested in the future they have sliced up for them. He does not believe they will get anything. We will be a district of Mesa.

Dr. Joochul Kim, faculty at Arizona State University, addressed the council. He stated it is a fantasy in a way but it is reality fantasy. If the residents and the council can get together and see what they have done, they can pinpoint what they want to do and can do. If they do something with a commitment and conviction, things can happen. He hopes that Apache Junction can realize it and make things happen.

Mayor Insalaco commented people do not understand that Apache Junction was not a city until 1978. It was a spot in the road. He really despises the remark that was made as this city has come a long way for the youngest city, outside of Tusayan, in Arizona. We had a lot of problems to overcome and day by day we are overcoming them. He thanked him for his help.

Dr. Joochul Kim thanked them for giving them the opportunity. His students have done a remarkable job. He will send them a final bill.

Mayor Insalaco commented and a rubber check he will receive.

Councilmember Wilson commented he was going to say the check will be on a piece of rubber.

City Manager Bryant Powell stated for the record this did not cost the city anything as it was part of a student project.

Vice Mayor Barker commented she thinks all his students should get As. As a former teacher, she truly believes this project is A worthy. She would also like to address that former comment. We have a piece of land across from the focal point that was a fantasy no more than 18 months ago. It is now being developed into a park because we envisioned it, much like this book has, and we worked on it, and we have now got the land, it did not cost the city a cent, and we are working on putting that park in. Fantasies can become realities if we work at it, but if we just put it down as a fantasy, then nobody will work at it. Everybody will just go around and say we cannot do that and we cannot do this. She believes we can do it and she believes we all have to work together to do it.

Mayor Insalaco called for any more discussion.

Councilmember Rizzi commented she refuses to lose the hope, too. This is just really great.

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

Vice Mayor Barker MOVED THAT RESOLUTION NO. 16-20, A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ACCEPTING FOR CONSIDERATION FOR FUTURE PLANNING PURPOSES THE "APACHE JUNCTION TRAIL CONNECTIVITY, DOWNTOWN VISIONING AND STATE LAND VISIONING; CONNECTING PAST, PRESENT AND FUTURE" CONCEPTUAL PLAN, PREPARED BY THE ARIZONA STATE UNIVERSITY, MASTER IN URBAN AND ENVIRONMENTAL PLANNING, CAPSTONE PROJECT GROUP, BE APPROVED.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

I. OLD BUSINESS

None.

J. NEW BUSINESS

None.

K. COUNCIL DIRECTION TO STAFF

11. [16-198](#) Direction to staff on Fiscal Year 2015-2016 human services funding recommendations. If so directed, the contracts for services will be placed on the May 17th consent agenda at which time council can approve them or opt to continue them to another date.

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

City Clerk Kathleen Connelly briefed the council on the item.

Mayor Insalaco called for a motion.

Councilmember Waldron MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING THE FISCAL YEAR 2015-2016 HUMAN SERVICES FUNDING RECOMMENDATIONS: THAT THE CONTRACTS FOR THE AMOUNTS RECOMMENDED BY THE HUMAN SERVICES COMMISSION BE PLACED ON THE MAY 17 CONSENT AGENDA.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

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

Yes: 7 - Mayor Insalaco, Vice Mayor Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Serdy, Councilmember Waldron and Councilmember Wilson

No: 0

Vice Mayor Barker MOVED THAT AN EXECUTIVE SESSION AT 5:45 P.M. AND A WORK SESSION AT 7:00 P.M. BE HELD ON MONDAY, MAY 16, 2016, IN THE CITY COUNCIL CONFERENCE ROOM AND CITY COUNCIL CHAMBERS RESPECTIVELY; AND

THAT AN EXECUTIVE SESSION AT 5:45 P.M. BE HELD ON TUESDAY, MAY 17, 2016, IN THE CITY COUNCIL CONFERENCE ROOM.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

12. [16-195](#) Executive Session at 5:45 P.M. and Work Session at 7:00 P.M. for Monday, May 16, 2016.
13. [16-196](#) Executive Session at 5:45 P.M. for Tuesday, May 17, 2016. Other meetings if necessary.

M. CALL TO PUBLIC

Mr. George Schroeder, 2444 W. Virginia, Apache Junction, addressed the council regarding questions and answers and what would make him vote yes on home rule, the city making dead zones for years to get grant money and domestic terrorism.

N. ADJOURNMENT

Mayor Insalaco adjourned the meeting at 8:55 p.m.

