



# City of Apache Junction, Arizona

## Meeting Minutes City Council Meeting

Meeting location:

City Council Chambers  
at City Hall  
300 E. Superstition Blvd  
Apache Junction, AZ  
85119

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

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Tuesday, March 20, 2018

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 March 20, 2018, at the Apache Junction City Council Chambers pursuant to the notice required by law.

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

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Wilson gave the Invocation.

Councilmember Struble led the Pledge of Allegiance.

### C. ROLL CALL

**Present:** 5 - Mayor Serdy  
Vice Mayor Wilson  
Councilmember Barker  
Councilmember Evans  
Councilmember Struble

**Absent:** 2 - Councilmember Rizzi  
Councilmember Waldron

**Staff Present:** City Manager Bryant Powell  
Assistant City Manager Matt Busby  
City Clerk Kathleen Connelly  
City Attorney Joel Stern  
Public Safety Director Tom Kelly  
Development Services Director Larry Kirch  
Human Resources Director Liz Riley  
Assistant to the City Manager Anna McCray

Others Present: Building Official Dave Zellner

#### D. CONSENT AGENDA

**Yes:** 5 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

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

THAT RESOLUTION NO. 18-05, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, PERTAINING TO THE SUBMISSION OF PROJECTS FOR CONSIDERATION IN ARIZONA'S 2019 HIGHWAY SAFETY PLAN, BE APPROVED.

Vice Mayor Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

1. [18-110](#) Consideration of acceptance of agenda.
2. [18-111](#) Consideration of approval of minutes of regular meeting of March 6, 2018.
3. [18-105](#) Consideration of approval of proposed Resolution No.18-05 authorizing the submission of application (s) to the Governor's Office of Highway Safety Federal Fiscal Year 2019 Grant Program.

#### E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

None.

#### F. ANNOUNCEMENT OF CURRENT EVENTS

4. [18-089](#) Announcement of current events from mayor and councilmembers.

Councilmember Barker announced she attended the Itty Bitty Olympics on Saturday and watched little kids having fun.

Vice Mayor Wilson announced the Budweiser Clydesdales were at Fry's last week. They will be making periodic visits throughout the area.

Councilmember Struble announced Travis Cavares-Brodie from Imagine Prep made the all-state basketball team and Mikah Adams is participating in the girls high jump and Emily Rutkowski is participating in the hurdles at the state track

meet. Both are from Apache Junction High School. A bunch of other kids are representing the city elsewhere and making the city shine.

Mayor Serdy commented he was asked at a forum where he would take people to highlight the city and he could only think of the events the city does, either doing them or facilitating them, such as the Bluegrass event and the Blues Festival which are highlighting the town.

Mayor Serdy commented on a post from Facebook where someone moving from out-of-state drove around various East Valley communities and decided on Apache Junction as the people here are friendly.

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

### **5. [18-090](#) City manager's report.**

City Manager Bryant Powell introduced Andrea Chisholm, outgoing chair of the chamber.

### **6. [18-050](#) Presentation and discussion on the performance of the Visitor Information Center by Andrea Chisolm and introduction of Michael Eastwood, newly hired President/CEO of the Apache Junction Chamber of Commerce and Visitors Center.**

Ms. Andrea Chisholm gave a brief presentation on the performance of the Visitor Information Center for the last quarter, requested they eliminate the door swing counts and conference room entries due to their inaccurate data and instead use the visitor log sheet in the future and introduced new President/Chief Executive Officer Michael Eastwood.

Mayor Serdy thanked the chamber for all that they do. They are the bridge to Gold Canyon, East Mesa and Mesa, connecting the entire East Valley. They also showcase the city by letting others use their conference room.

### **7. [18-119](#) Presentation and discussion on the monthly financial update.**

Assistant City Manager Matt Busby gave an update on the monthly financial report.

## **H. PUBLIC HEARINGS**

8. [18-112](#) Consideration of application for a special event liquor license for the Boys and Girls Club of the East Valley at 3301 S. Goldfield Road on April 21, 2018. The next step in the process is for the council to hold a public hearing on the application and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control.

**Yes:** 5- Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

City Clerk Kathleen Connelly briefed the council on the item.

Mayor Serdy requested the applicant address the council.

Ms. Sandie Smith addressed the council. She stated she is the vice president of the club and chairperson of the event. They have it every year and raised over \$100,000 for the local club last year. The money does stay here to benefit them. The event license is very important.

Mr. Russell St. John, branch manager, addressed the council. He stated this is the 20th year of the event. It is titled Boogie Fever this year for music back in the 70's. He invited the council to join them.

Mayor Serdy asked if there is anything new this year and who would be catering.

Ms. Sandie Smith stated it will be catered. They will be having more entertainment by the kids. It is a welcome addition. Every year there will be something new.

Mayor Serdy asked if there are still tables available.

Ms. Sandie Smith stated there are still tables available, but they probably only have about five left.

Mayor Serdy asked how someone would find out about how to get those tables.

Ms. Sandie Smith stated they can contact Russell or herself. She gave her phone number and email address. She would help them get to Chairperson Connie Lane.

Mayor Serdy 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 Evans MOVED THAT THE SPECIAL EVENT LIQUOR LICENSE FOR THE BOYS AND GIRLS CLUB OF THE EAST VALLEY FOR APRIL 21, 2018, SUBMITTED BY RUSSELL ST. JOHN, BE RECOMMENDED FOR APPROVAL TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL.

Councilmember Barker SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

9. [18-113](#) Consideration of application for an interim permit, new license, limited liability company, series 12 liquor license for Dirtwater Springs located at 586 W. Apache Trail. The next step in the process is for the council to hold a public hearing on the application and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control.

**Yes:** 5 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

City Clerk Kathleen Connelly briefed the council on the item.

Mayor Serdy asked if they should talk to Mr. Zellner now if they have questions or should the applicant come up.

City Attorney Joel Stern stated either way.

Mayor Serdy called for any questions.

Councilmember Barker asked why the planning division found all of these fire hazards when the fire district signed off with no major problems.

City Manager Bryant Powell asked Dave Zellner to come up and explain how the process goes and then they can have Mike Farber from the fire district follow up after that.

Building Official Dave Zellner stated he is a past fire inspector along with being a building official. There is overlap between the two codes. Sometimes enforcement falls strictly under building and sometimes it is under fire but in some cases it is joint.

Councilmember Barker asked if he contacted

the fire district on those issues.

Building Official Dave Zellner stated there were some emails exchanged. The way it was presented to him was that they thought they had seen the same things that he did but he did not get any feedback as far as what those things were. He did talk to Brenda about the concerns and she shared some of the things that fire had noticed but he did not think all of them were addressed. He thinks she knows what they are. It is a situation where some of the things cannot be fixed immediately so they will try to work with her on a plan. There are some immediate hazards like propane tanks that need to be removed. Hopefully that has happened. Some of the other stuff is hood-related and other things.

City Manager Bryant Powell asked if he could give an example of how the codes overlap.

Building Official Dave Zellner stated the egress issues are covered in both codes. The building code actually specifies the requirements for distance, door hardware and stuff like that. The fire code says they will enforce that and they have some specific things. The fire code is more for existing businesses and maintaining the functionality. The building code has a goal of having it built correctly and having it maintained and in compliance. Sometimes they find things are not in compliance. One of the issues he found that they probably would not have noticed was there were some water heaters added and they did not complete the installation the way they needed to in order to comply with the code. That is something that would not be in the same report. That is partly why you have both go because there are certain things one has a better understanding of than the other. There were some things he hopes will be picked up later.

Councilmember Barker commented her thought is it seems to her that when you find things that are obvious, this entire paragraph is based on fire hazards with extension cords, heaters, et cetera, that we need some communication with the fire district so both entities are aware of these situations. He goes at one point and they go at another point. They really need to be saying the same thing or be really close. That was her concern.

Mayor Serdy requested the applicant address the council.

Ms. Brenda Barnum, Dirtwater Springs, 586 W. Apache Trail, addressed the council to answer any questions.

Mayor Serdy asked if she is the new owner.

Ms. Brenda Barnum stated she is the new owner of Dirtwater Springs. She apologized for having stage fright.

Councilmember Barker commented one of the things in the report was building was going to be working with you to try to alleviate some of these problems.

Ms. Brenda Barnum stated they have already fixed several of them, like the water heater he mentioned. They have added the piping, added the ventilation and removed the extension cords. They have fixed a lot of it already. Some of the bigger stuff is going to take a little bit of time. They have gotten a proposal from Flatiron Electric to add a couple of more outlets so we can remove some extension cords.

Councilmember Barker asked if she told Dick he should have fixed this stuff.

Ms. Brenda Barnum stated they had a nice chitchat.

Councilmember Barker commented she would have loved to have heard that conversation.

Mayor Serdy asked if they would have a different menu or add any services.

Ms. Brenda Barnum stated they have been changing a few things. The main menu that has been there forever they have kind of left alone. It is kind of the core that the core clients come in for. They are having different specials and trying to adjust some things. They are adding some new things like a gluten free menu and fresh vegetables.

Mayor Serdy 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 Barker MOVED THAT THE APPLICATION FOR AN INTERIM PERMIT, NEW LICENSE, LIMITED LIABILITY COMPANY, SERIES 12 LIQUOR LICENSE FOR DIRTWATER

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SPRINGS, SUBMITTED BY BRENDA BARNUM, BE RECOMMENDED FOR APPROVAL TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL.

Vice Mayor Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

10. [18-114](#) Consideration of application for an interim permit, person transfer, individual, series 12 liquor license for Pho Ever located at 300 S. Phelps Drive. The next step in the process is for the council to hold a public hearing on the application and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control.

**Yes:** 5 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

City Clerk Kathleen Connelly briefed the council on the item.

Mayor Serdy requested the applicant address the council. The applicant declined to speak. Mayor Serdy opened the public hearing on the item. There being no one wishing to speak, he closed the public hearing and opened the item to council discussion.

Councilmember Barker commented what she is getting is that we have three problems. There is a problem from the police department due to a pending criminal case and confusion as to who owns what. There is the tax problem and the building official who says go for it but.

Mayor Serdy commented his thoughts on it are those things are in the past. He asked how they would make money to get out of this funk they are in if we do this and hurt the business. It is like throwing someone in debtor's prison. He asked how they could pay their debt when they cannot work. He hates to see a business close because of an action we do. He would hope we would continue to work with them to get through these problems. He would not like to really see them not have their liquor license, especially going into the summer. Anyone that has a business here, a matter of a few hundred dollars can make a big difference in June, July and August. It is easier to make money here in the winter.



Councilmember Barker commented she is concerned about the confusion in ownership. That is a pretty big deal. That is not past, that is right now.

City Clerk Kathleen Connelly stated she has had and she believes the police chief has had conversations with an official of the department of liquor licenses and control. Some of what you see in the packet are comments reflective of his concerns as well.

Mayor Serdy requested the chief come up when they are done discussing.

Councilmember Struble commented he understands where the mayor is coming from, but all they are being asked to do here is a liquor license. It is not for the sale of food to customers. There is a thought process out there and believe him, he is a business owner and he works with business owners all day long. It can be argued that there are too many regulations the government puts upon the business owners, but he is sitting on a city council that has to implement those ordinances and we also have to regulate and enforce. It is one of those things where they are wearing two hats on this. It is one of those things where if you own anything, whether it is a car, a house or a business, a bicycle, a horse, whatever it is, along with ownership comes responsibility. One of the parts about owning a business is that you work under the ordinances, laws and regulations that are put forth before you at the time you open that business. We can say this is because of in the past but it really is not because some of those things are ongoing. He thinks that is something that really needs to be taken into account. We have to hold those people that want those privileges of owning a business and the right to own a business and the ability to own a business to be held accountable to the possibilities they have.

Mayor Serdy asked the police chief if the city does not know who owns it then how do we know who the problem is. He asked the city attorney if they deny now what would the process be if they rectify these problems. He asked if they could get a license later and if it would be more difficult then or easier.

City Attorney Joel Stern stated if they deny it now the recommendation would go to the liquor board. The city clerk sends a letter of denial with the reasons why and

the liquor board will look at that information and the packet and they will decide if they are going to agree or not with the city. If they say they agree with the city, usually, in order to get that, someone from this council should show up and explain the reasons. They do not like attorneys but they will listen to council members and the mayor. If they say they agree with the city and they are denying it, then he can reapply but he has to fix some of these things, or actually all of the things. It is not more difficult because he has a black mark as he does not think the liquor board sees it that way. They will make sure everything is done correctly. If they approve it today, then they will just say yes and they will approve it. They probably will not deny it. The chief has some issues they may want to hear.

Public Safety Director Tom Kelly stated basically their concern is that the establishment has been selling alcohol without a license. Conversing with agents of the liquor commission, they were made aware of it and they made several attempts to correct the action. The action continued. His department opened an investigation on it and found out they were continuing to sell alcohol without a license. That is their objection. The commission said that they had other issues in regards to past taxes and fines that have not been alleviated yet. That is their problem and not ours. Ours is the illegal activity of continuing to sell alcohol without a license. That is their argument in a nutshell.

Mayor Serdy commented when this business sold the license went with the previous owner. That is why there is no license. He asked if they know a drop dead time as to when that was.

Public Safety Director Tom Kelly stated he does not.

City Clerk Kathleen Connelly stated the previous owner is no longer in the state. He sold the business and the individual who purchased the business was supposed to have the liquor license transferred. Even though that occurred months ago, he did not do so. And she knows of at least two or three visits by the state inspector and he made multiple requests for this process. To follow up with what Joel said, if you recommend denial this would become a mandatory hearing before the liquor board. They would take testimony from the city and their own inspector and then make a decision based on that.

Councilmember Struble asked how soon the hearing would be.

City Clerk Kathleen Connelly stated she thinks they meet monthly.

City Attorney Joel Stern stated it would probably be within 60 days.

Councilmember Evans commented she wanted to know if she was understanding correctly that there were three different time frames that it was noted he was selling alcohol without a license after they were notified.

Public Safety Director Tom Kelly stated he knows there were two but he cannot say for sure there were three. There were the two prior notices by the agent on the liquor commission and he spoke to the proprietor on those occasions. When he spoke to him he said he had obviously advised him he was no longer selling alcohol and we found out he continued to do that.

Mayor Serdy asked if the notices were in person, not by mail.

Public Safety Director Tom Kelly stated he did not know if they did it by mail, he is certain there was other communication with him, but they did it in person.

Mayor Serdy commented there is a bit of a language barrier. He asked if he felt they understood.

Public Safety Director Tom Kelly stated he could not speak for that as he was not present when they did it. He assumes they went through the proper protocol to advise him of the right process. The liquor agent was actually kind of surprised this was not removed from the agenda for this evening.

Councilmember Evans asked if the tax issue is both current and past.

City Clerk Kathleen Connelly stated she could not answer that. All she can say is that it is an unresolved tax issue. Because of the confidentiality she cannot say anything further.

Councilmember Evans commented she understood

that. She wondered if they should be penalized for something they acquired. That is why she is asking that.

City Clerk Kathleen Connelly stated she has no reason to believe the tax issue has been resolved.

Councilmember Struble commented to answer that one, when you purchase a business, part of the due diligence you do is to see and make sure that any taxes owed are taken care of prior to the purchase of a business.

Mayor Serdy commented he had not closed the hearing yet. He can tell that the applicant is trying to get our attention. He asked if he could have him come up now.

City Attorney Joel Stern stated he can reopen it and then reopen it to the public.

Mayor Serdy requested the applicant address the council.

Mr. Khiet Ha, 300 S. Phelps Drive, Apache Junction, addressed the council. He stated he had not bought a business but when he worked with him he told him he would give him a month to try it and he said they could use the license. When he went to do the liquor license he had another guy do the license for him. He said he got it ready and he was waiting and waiting. He was told they would send it to him. He kept waiting and waiting but he did not get it. He called and talked to them and they said give them everything but they cannot get the money from the bank so he had to go renew it again. Right after that the chief came in and looked for the license. After that he told him to stop and he stopped right away. And he went to Phoenix and he paid for the license. They did it for him.

Mayor Serdy asked if he thinks he has a license.

Mr. Khiet Ha stated yes. He did the license for him. Everyone he hired, everybody, the guy did for him.

Mayor Serdy commented he is under the impression that he has a license.

Mr. Khiet Ha stated that is correct. The chief called to him and he told him he has a license.

Mayor Serdy commented which is why they continue to do that. He thinks there is a language barrier. At one time we had a business advocate. He knows we moved on from that but this would be a good time to have somebody like that in the future to help. He thinks there is still some confusion on how the license works.

City Attorney Joel Stern stated if he feels like it, he may want to continue this for two weeks. Maybe some outreach could assist on some of the questions if he feels generous.

Mayor Serdy asked if anyone else thinks that it could help. They could see what kind of license he has and how that could happen. It is only a couple of weeks.

City Clerk Kathleen Connelly stated he does not have a liquor license and that is the problem.

Councilmember Evans asked if he is still selling liquor.

Mr. Khiet Ha stated he is not; he has a temporary one right now. They already gave it to him.

Councilmember Evans asked who gave it to him.

Mr. Khiet Ha stated when he went to Phoenix.

Mayor Serdy commented it almost sounds like he is a victim here and we need to get to the bottom of this. Maybe the police department needs to investigate just what has happened there.

Public Safety Director Tom Kelly stated he will contact liquor. This is a state liquor license, it is not a city liquor license. This is a state problem versus ours. They just went over there to investigate the allegations that there was alcohol being served. He will contact the agent tomorrow morning. He will tell him what the confusion is and maybe he can assist.

Mayor Serdy commented under those circumstances we might want to consider just giving it another couple of weeks to see exactly what the situation is.

Public Safety Director Tom Kelly stated he will follow up with him.

City Manager Bryant Powell stated Elan has been working with him and is engaged in this. In time they will be able to do some of that. That is a function of Elan's, to try where we can.

City Attorney Joel Stern stated that would be April 3 if they are going to continue it.

Mayor Serdy commented there is nothing scheduled with the state yet so this will not go to them yet.

City Attorney Joel Stern stated they have not taken action yet. They are still within the 60 days.

City Clerk Kathleen Connelly stated that is 60 days from the date they accept the application.

Mayor Serdy asked if there was anyone else that would like to speak on this item.

Ms. Angela Vanwiller, 2075 N. Delaware Drive, Apache Junction, addressed the council. She asked if they give them a piece of paper with the license number on it. They could check to see if he has that. He could bring it in with him. That would be a good idea.

Mayor Serdy closed the public hearing with no one else wishing to speak and reopened the item to council discussion. There being no further discussion, he called for a motion.

Councilmember Barker MOVED THAT THEY CONTINUE THIS ITEM TO APRIL 3, 2018.

Councilmember Evans SECONDED THE MOTION.

VOTE: Unanimous.

(During the vote Councilmember Struble commented he wanted to make sure that staff keeps on this and makes sure there is no liquor sold in the next two weeks. He does not know how they are going to do that but he wants to make sure that the business owner or whatever status he has takes this as a very, very important issue, and that we are giving him a break on this thing. And that he do whatever he needs to do to make compliance.)

The motion carried.

**I. OLD BUSINESS**

None.

**J. NEW BUSINESS**

- 11. [18-076](#) Presentation, discussion and possible approval of Resolution No. 18-06 for continuing participation in The Arizona Metropolitan Trust employee benefits program.

**Yes:** 5 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

Human Resources Director Liz Riley briefed the council on the item.

Mayor Serdy called for a motion.

Councilmember Evans MOVED THAT RESOLUTION NO. 18-06, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE RENEWAL OF THE CITY'S MEMBERSHIP IN THE ARIZONA METROPOLITAN TRUST, BE APPROVED.

Councilmember Struble SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

- 12. [18-087](#) Presentation, discussion and consideration of staff recommendation on the response to the city's notice inviting bid proposals for DSD 2018-01, a request for proposal for in-office residential and commercial plan review, counter plan review and inspector/plan reviewer training in which two proposals were received unresponsive. Staff is requesting the bid proposals be rejected and will seek other options for this customer service improvement.

**Yes:** 5 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

Building Official Dave Zellner briefed the council on the item.

Assistant City Manager Matt Busby stated those amounts were much higher than they expected.

Councilmember Evans asked if they were

actually looking for an independent contractor. That is what she kept seeing as she read it but she could not understand how one would relate to the other. The dollar amount per hour would be light for anyone with that area of expertise according to her knowledge. Especially being only 20 hours a week versus 40. She asked what they would be doing for another 20 hours.

Building Official Dave Zellner stated the way he wrote the original requirements was actually less than what you would typically do. He was not looking for someone to replace his experience or knowledge but someone who could supplement what we had at the inspector level and plan reviewer level. His background also includes third party as a plan reviewer and the hope was a company might look to somebody they wanted to train or to be a building official that had some of the basic experience would want to come and have them work here. The idea would be that along with the 20 hours they would have been able to do other moneymaking things. They would not be hiring them just for 20 hours. Some companies may have sought to find someone who was recently retired or that would come to work for them for 20 hours that had the qualifications. That was a thought, also. This would fit better not for the bigger companies; it would have been a smaller firm that was looking to build up their practice. It would have worked well for them. It would have given them a source of income and then they would have been able to fill in with some other things. Part of the problem is the price for the hourly rates for these kinds of services are highly influenced by California and we are not there. They want to give you all of the stuff they do there and charge us the same amount and we do not have that capacity.

Councilmember Evans asked if he is going to do another request for proposal.

Building Official Dave Zellner stated he thinks they are going to entertain some other solutions. They may even talk to Central Arizona Governments about something. They had some suggestions that may be a solution. They may also do a contract employee for the city for a short time. They would like to know the timing for when state land is going to be opened down south before they bring on another staff person that they would be committed to for five or ten years. They may even sign the retired person directly on a contract. Part of the idea behind the request for proposal was to tie into a little bit bigger resource.



Councilmember Struble asked if the companies that supplied some information to do this were local or from California.

Building Official Dave Zellner stated none of the specifically local companies applied. The two companies that applied have presence in the west. Safebuilt is a Colorado-based company that is trying to get a presence here and Shums Coda is very active but they are large, regional providers of this service. Based on what he could tell from the procurement, there were some people that downloaded it but they did not receive any responses from some of the local companies as they had hoped.

Councilmember Struble commented in essence what they are trying to do is put a presence and then try to find somebody to hire for a full-time position expecting full time payment and obviously cover all the benefits that go along with it.

Building Official Dave Zellner stated his having been a part of those solutions, there are several ways to cut it. He thought he had created the potential solution that would work both ways. It did not seem to hit the right note.

Councilmember Struble asked if he knew of any companies in the valley that could have done the work.

Building Official Dave Zellner stated he is not tied in here as he has only been here three years. There are a couple they could possibly reach back out to but he thinks they were aware of the request for proposal. Part of the struggle is a lot of those companies are like everybody else. They are hurting for people and running at pretty much their full capacity. It is difficult right now for everybody in the construction, engineering and drafting industries as they are kind of maxed out. That may have been another factor.

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

Councilmember Barker MOVED THAT THE TWO PROPOSALS RECEIVED FOR DSD-2018-01, REQUEST FOR PROPOSAL FOR IN-OFFICE RESIDENTIAL AND COMMERCIAL PLAN REVIEW BE REJECTED FOR BEING UNRESPONSIVE AND THAT STAFF MAY SEEK OTHER OPTIONS FOR THIS CUSTOMER SERVICE IMPROVEMENT.

Vice Mayor Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

## K. COUNCIL DIRECTION TO STAFF

13. [18-106](#) Council direction to staff on the Health and Human Services ("HHS") Commission process which may include: 1) HHS review of human services funding requests and recommendations to city council by May of each fiscal year allowing HHS to take into consideration nine months of performance of funded agencies' contractual obligations; 2) a legal review of contracts to determine if changes are needed to strengthen verification of and compliance with contractual obligations; and 3) council consideration and action on HHS funding requests to coincide with annual adoption of the city budget. This item was discussed at the March 6th City Council Meeting.

**Yes:** 5- Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

City Manager Bryant Powell briefed the council on the item.

Councilmember Barker commented this is a really good idea. We should have done this long ago.

Councilmember Struble agreed and commented this is a much-needed process adjustment for the city to do. He wants to make sure that if there are any contracts, in his personal opinion if any contracts are redone or added or changed or anything that we do not lessen the compliance level we are requiring of our agencies.

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

Councilmember Barker MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING THE HEALTH AND HUMAN SERVICES COMMISSION FUNDING PROCESS: THAT FUNDING REQUESTS SUBMITTED TO THE HEALTH AND HUMAN SERVICES COMMISSION BE SUBMITTED TO THE CITY COUNCIL BY MAY 31 OF EACH FISCAL YEAR ALLOWING THE HEALTH AND HUMAN SERVICES COMMISSION TO TAKE INTO CONSIDERATION NINE MONTHS OF EACH FUNDED AGENCY'S PERFORMANCE OF THEIR CONTRACTED OBLIGATIONS; THAT THERE BE A LEGAL REVIEW OF THE HUMAN SERVICES AGREEMENTS TO DETERMINE IF CHANGES ARE NEEDED TO STRENGTHEN VERIFICATION AND COMPLIANCE WITH CONTRACTED OBLIGATIONS; AND THAT COUNCIL CONSIDER AND TAKE

ACTION ON HUMAN SERVICES FUNDING REQUESTS TO COINCIDE WITH ANNUAL ADOPTION OF THE FINAL CITY BUDGET.

Vice Mayor Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

14. [18-122](#) Council direction to staff on adopting the City of Apache Junction vision and mission statements via a resolution at the April 3rd council meeting.
- Yes:** 5- Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

Assistant to the City Manager Anna McCray briefed the council on the item.

Councilmember Barker asked if they could add the word "natural" before beauty. She asked if that would be agreeable to the council.

The consensus of the council was that would be a great idea.

Assistant to the City Manager Anna McCray continued with her briefing. She advised she had received an email from Councilmember Rizzi voicing her concerns with the vision statement. She is okay with the mission statement. She said she did not think it was appropriate for the city to use the term specifically "bring forward thinking and prosperity" in the vision statement. She is thinking more along the lines of a safe community and quality of life in place of those specific words.

City Manager Bryant Powell stated that is her thinking in terms of how she views what the role of the city is. She wanted us to make sure that we shared that with you.

Councilmember Barker asked her to repeat it. She got the quality of life.

Assistant to the City Manager Anna McCray stated she is specifically looking for something along the lines of referring to a safe community and quality of life versus the forward thinking and prosperity portions of the vision statement.

Mayor Serdy commented the prosperity thing kind of makes sense because it is not the city's job to make people prosperous.

Councilmember Struble commented he would disagree with that because everything we do, whether it is the zoning issues, the weeds, whether we allow people to do liquor licenses, whether we work with other communities or whether or not we put in sidewalks. We just appropriated almost \$200,000 to put in sidewalks and streets and everything else which goes towards providing people the opportunity to go out and make a living and appreciate their property values. Prosperity means an accumulation of goods and wealth if you want to call it that. He believes every decision that they make as a city council really does lead to everything like that. We do not necessarily make people prosperous but we give them the opportunity to make themselves prosperous. It is also that we do not try to hinder them from being prosperous. That is his thinking on the word prosperous.

Mayor Serdy commented sidewalks do not make people prosperous and he hopes they are not making a living off a sidewalk.

Councilmember Struble commented sidewalks per se do not make people prosperous but he lives on a street right now that does not have sidewalks. It does not have curb and gutter. They are in the process of doing that in the neighborhood south of 16th Avenue and the Trail. They are in the process of putting in curb, gutter, sidewalks, lighting and everything. The reason why we do that is so the people have a safer place to live.

Mayor Serdy commented he thinks they agree on that but that is quality of life.

Councilmember Struble commented but it also appreciates their property which can get them more prosperity.

Assistant to the City Manager Anna McCray stated the mission statement does mention the quality of life. It reads "We will focus on and invest in quality of life and planned improvements for serving residents, businesses and visitors."

Councilmember Barker asked her to go back to the vision statement.

City Manager Bryant Powell stated they have talked about this over time, starting in October. They have mentioned that the philosophy of a vision statement would be to look forward to where they are going and he is not sure what the mission statement covered. She is not here to explain what her thinking was on what she wanted to have in the vision. It would be interesting if she was here to know if the mission statement covers what she was trying to cover.

Assistant to the City Manager Anna McCray stated she indicated in her email that she was okay with the mission statement.

Councilmember Barker commented rather than being repetitive with the quality of life in the mission statement, she likes her idea of safety. Now that she looks at this in big letters, the word "bring" is interesting. She suggested "bringing it".

Assistant to the City Manager Anna McCray stated this is the culmination of five months of effort inclusive of the town hall, youth advisory council and amongst themselves over a series of meetings.

Mayor Serdy asked if they are making changes or voting on this as is.

Assistant to the City Manager Anna McCray stated the next step is the draft resolution that she is prepared to bring back at the April 3 council meeting after getting direction to staff tonight. It will be on the consent agenda if the language is agreeable and they are comfortable with it there.

Councilmember Struble commented he likes the idea of adding "natural beauty" or "natural" before beauty.

Councilmember Evans asked what they could say other than bring.

Councilmember Barker commented she was going through words in her head trying to find a word that she wanted and she could not. She asked the city clerk if she had a word. She has a smile which means she has a word.

City Clerk Kathleen Connelly stated she and the councilmember come from the same background. Her suggestion would be to replace the words "will bring" with the

word "offers".

Councilmember Barker thanked her and stated that helps.

Mayor Serdy commented will bring means, for sure, you get the life, liberty and the pursuit of happiness. It is not guaranteed, you can just pursue it.

Councilmember Barker commented will bring is a definite.

Assistant to the City Manager Anna McCray asked if she is hearing correctly that they want her to replace the "will bring" with "offers".

Councilmember Barker commented that is correct.

Assistant to the City Manager Anna McCray stated it will read "Apache Junction is a diverse community of natural beauty and heritage that offers".

City Manager Bryant Powell stated they have a lot of sweat equity in this. It is good. There is a lot of buy in.

Assistant to the City Manager Anna McCray stated they will be adding the word "natural" and replacing the words "will bring" with "offers" and she will make note of that in the draft resolution for your consideration at the April 3 meeting.

Mayor Serdy called for a motion.

City Manager Bryant Powell asked if there are any changes to the mission statement.

Mayor Serdy commented there is not and called for a motion.

Councilmember Barker MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING ADOPTING THE CITY OF APACHE JUNCTION VISION AND MISSION STATEMENTS VIA A RESOLUTION AT THE APRIL 3 COUNCIL MEETING: THAT THEY ARE AS WE HAVE SEEN WITH THE ADDITION OF "NATURAL" BEFORE BEAUTY AND "WILL BRING" WILL BE STRICKEN AND REPLACED WITH "OFFERS".

Vice Mayor Wilson SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

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

**Yes:** 5- Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans and Councilmember Struble

**No:** 0

Councilmember Evans MOVED THAT AN EXECUTIVE SESSION AT 6:00 P.M. AND A WORK SESSION AT 7:00 P.M. BE HELD ON MONDAY, APRIL 2, 2018, IN THE CITY COUNCIL CONFERENCE ROOM AND CITY COUNCIL CHAMBERS RESPECTIVELY; AND

THAT AN EXECUTIVE SESSION AT 6:00 P.M. BE HELD ON TUESDAY, APRIL 3, 2018, IN THE CITY COUNCIL CONFERENCE ROOM.

Councilmember Barker SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

15. [18-091](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, April 2, 2018.

16. [18-092](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, April 3, 2018. Other meetings if necessary.

**M. CALL TO PUBLIC**

Ms. Sandie Smith, 4415 S. Primrose, Gold Canyon, addressed the council to thank the mayor for his contribution to the live auction for the Boys and Girls Club and commented on additional information for their event.

**N. ADJOURNMENT**

Mayor Serdy adjourned the meeting at 8:11 p.m.