



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, September 18, 2018

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Serdy called the meeting to order at 7:01 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. ROLL CALL

Staff in attendance:

Bryant Powell, City Manager

Matt Busby, Assistant City Manager

Anna McCray, Assistant to the City Manager

Joel Stern, City Attorney

Kathy Connelly, City Clerk

Al Bravo, Public Information Officer

Thomas Parker, Lieutenant, Apache Junction Police Department

Larry Kirch, Development Services Director

Rudy Esquivias, Senior Planner

E'lan Vallender, Senior Economic Specialist

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

D. CONSENT AGENDA

A motion was made by Councilmember Evans and seconded by Councilmember Waldron to approve the consent agenda as presented and the purchase of a new 2020 Freightliner M2-106 Dump Truck which is a replacement for a 1998 Freightliner Dump Truck with approximately 129,447 miles through the Houston Galveston Area Council Cooperative Contract # HT-6-018 in an amount not to exceed \$125,000.. Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Waldron, Councilmember Struble, Councilmember Rizzi and Councilmember Evans approved the consent agenda and the purchase of the dump truck as presented.

1. [18-386](#) Consideration of acceptance of agenda.

The agenda was accepted.

2. [18-387](#) Consideration of approval of minutes of regular meeting of September 4, 2018.

The meeting minutes were approved.

3. [18-374](#) Consideration of approval of the purchase of a new 2020 Freightliner M2-106 Dump Truck. This is a replacement for a 1998 Freightliner Dump Truck with approximately 129,447 miles. The purchase would be through the Houston Galveston Area Council Cooperative Contract # HT-6-018 with an amount not to exceed \$125,000. This item was approved in the fiscal year 2018-2019 budget.

This purchase was approved.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

4. [18-384](#) Proclamation designating the week of September 23, 2018 through September 29, 2018 as "Child Passenger Safety Week." **(Discussion Only)**

Mayor Serdy read the proclamation. Lieutenant Thomas Parker of the Apache Junction Police Department was present to accept the proclamation.

5. [18-413](#) Presentation of proclamation designating September 17th - 23rd as Constitution Week. Karen Barks of the Daughters of the American Revolution will be present to accept the proclamation. **(Discussion Only)**

Mayor Serdy read the proclamation. Karen Barks and Carol Wilson of the Daughters of the American Revolution was present to accept the proclamation.

F. ANNOUNCEMENT OF CURRENT EVENTS

6. [18-388](#) Announcement of current events from mayor and councilmembers.
(Discussion Only)

Councilmember Struble announced the Horizon Health Center will be holding an open mic session the third Thursday of every week until next Spring for young people to showcase their singing and music talents. Councilmember Struble attended the student of the month awards ceremony at Apache Junction Unified School District where students were recognized for being friendly and for serving the community.

Councilmember Evans reported that two weeks ago on Saturday that cleanup efforts at Earthheart community garden to prep for planting season and the farmers market began. Councilmember Evans wished to thank Wayne Ness, property owner just north of old plaza shopping center, for allowing the city to develop a walking path from Flatiron Park to Earthheart Park.

Councilmember Barker went to the concert in the park on Saturday where she noted despite it being hot it was still well attended. Councilmember Barker announced the movie in the park event this Saturday, September 22 at which Avengers: Infinity Wars will be shown.

Councilmember Rizzi attended a meeting at the East Valley Institute of Technology which is a school to equip students to be workforce ready which may also be beneficial for local businesses in Apache Junction to attend. Councilmember Rizzi announced happenings at Apache Junction High School including the upcoming 50-year reunion as well as resurrection of old homecoming traditions such as the homecoming parade on Saturday and the homecoming bonfire.

Vice Mayor Wilson thanked everyone who voted but also expressed his disappointment that over 70% of the 19,000 registered voters in Apache Junction failed to come out and vote.

Mayor Serdy stated he loves the events the city has which include the food trucks at Shoppers Supply every Friday night and the various events in city parks on Saturday.

G. CITY MANAGER'S REPORT

7. [18-389](#) City manager's report. (Discussion Only)

City Manager Bryant Powell explained the high school homecoming parade is mostly on school property and begins at 9:00a.m. this coming Saturday, September 22. The homecoming dance is on Saturday, the bonfire is next Thursday, September 27 and the homecoming game is on Friday, September 28.

Mr. Powell reported that the city is purchasing a display case for the council chambers lobby to display the various awards the city receives.

Mayor Serdy mentioned Apache Junction was recently named in the top 20 safest cities of the 91 cities and towns in state.

H. PUBLIC HEARINGS

8. [18-395](#) Consideration of application for a temporary extension of premises from Elks BPOE#2349, 2455 N. Apache Trail, Apache Junction, Arizona, for the Apache Junction High School Reunion Mixer on October 5, 2018. The next step in this process is for the city council to hold a public hearing and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control. **(Action Item)**

City Clerk Kathy Connelly described the event and stated no city departments have concerns with the event. The applicant was present to answer any questions. There were no questions.

Councilmember Rizzi made a motion and Vice Mayor Wilson seconded that the High School Reunion Mixer on October 5, 2018 be approved.

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

No: 0

9. [18-396](#) Consideration of application for a special event liquor license from the Pinal County Veterans Memorial Foundation for an event to be held at Dolce Vita, 3301 S. Goldfield Road, Apache Junction, Arizona, on March 3, 2019. The next step in this process is for the city council to hold a public hearing and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control. **(Action Item)**

City Clerk Kathy Connelly described the event and stated no city departments have concerns with the event. The applicant provided background on the event to build a memorial for fallen soldiers in Casa Grande which has donated 1.5 acres of land for it and was present to answer any questions.

Councilmember Waldron moved and Vice Mayor Wilson seconded that the application for a special event liquor license submitted by the Pinal County Veterans Memorial Foundation for an event to be held at Dolce Vita, 3301 S. Goldfield Rd, Apache Junction, Arizona on March 9, 2019 be recommended for approval to the Arizona Department of Liquor Licenses and Control.

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

No: 0

10. [18-397](#) Consideration of application for a special event liquor license from the Apache Junction Chamber of Commerce for an event to be held at Flatiron Community Park, 100 N. Apache Trail, Apache Junction, Arizona, for November 10, 2018 and November 11, 2018. The next step in this process is for the city council to hold a public hearing and make a recommendation for approval or denial to be forwarded to the Arizona Department of Liquor Licenses and Control. **(Action Item)**

City Clerk Kathy Connelly described the event and stated no city departments have concerns with the event. Michael Eastwood, CEO, of the Apache Junction Chamber of Commerce was present to speak about the event and to answer any questions.

Councilmember Barker moved and Councilmember Rizzi seconded that the application for a special event liquor license submitted by the Apache Junction Chamber of Commerce for an event to be held at Flatiron Community Park, 100 N. Apache Trail, Apache Junction, Arizona on November 10, 2018 and November 11, 2018 be recommended for approval to the Arizona Department of Liquor Licenses and Control.

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

No: 0

11. [18-400](#) Presentation, discussion, public hearing and consideration on Resolution No. 18-30 (case GPA-1-18) by Amerco Real Estate Company and U-Haul International LLC, represented by David Pollock. GPA-1-18 is a proposed general plan land use map amendment to redesignate 50 acres of a 78-acre property at the southeast corner of US60 and S. Idaho Road, from Community Commercial to Light Industrial/Business Park. PZ-2-18 is the companion rezoning case to the map amendment, proposing to rezone the 50 acre property from B-1/PD (General Commercial by Planned Development) to B-5/PD (Light Industrial/Business Park by Planned Development). **(Action Item)**

E'lan Vallender, Economic Development Specialist, presented the resolution proposing a general plan amendment and provided background on the applicant, AMERCO Real Estate Company, requesting this change. Councilmember Rizzi inquired with the city attorney due to her ownership of a like business whether this item presented a conflict of interest for her. The city attorney explained what constitutes a conflict and Councilmember Rizzi chose to recuse herself from the discussion and any action on this item and she left the room during the discussion on this item.

Councilmember Barker asked how the continuance requested by the applicant at the Planning and Zoning Commission impacts what the council decides tonight where the General Plan amendment is voted on and the rezoning is continued until November 13, 2018. Mr. Vallender explained the continuance provides the applicant time to research the elements and project feasibility being recommended by the Planning and Zoning Commission.

Senior Planner Rudy Esquivias provided background on the property and explained the city currently has very few zoned industrial areas and this proposal would redesignate 50 acres of a 78-acre parcel to light industrial located at the southeast corner of South Idaho Road and the US 60. Mr. Esquivias explained the remaining 28-acres would remain community commercial for store front retail stores and that the applicant was provided a list of exclusions for use on the property. AMERCO Real Estate Company was in agreement with all exclusions except for prohibited RV storage, which the city has numerous inquiries on a regular basis. The Planning and Zoning Commission was in favor of the General Plan amendment with some conditions and in the continuance of the rezoning until the next Planning and Zoning Commission meeting on November 13, 2018.

David Pollack, the development manager for the project, was present to explain their intent, the various roles the entities involved in the project play, and to discuss why the request for continuance was made.

Councilmember Waldron moved and Councilmember Barker seconded that Resolution No. 18-30, a resolution of the mayor and city council of the City of Apache Junction, Arizona approving general plan amendment case GPA-1-18, a request from Amerco Real Estate Company for a major land use plan map amendment to redesignate approximately 50 acres of a 78-acre property at the southeast corner of US60 and S. Idaho Road, from "Community Commercial" to "Light Industrial/Business Park" be approved.

Yes: 6 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Struble and Councilmember Waldron

No: 0

Recused: 1 - Councilmember Rizzi

12. [18-401](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1463 (case PZ-2-18), the companion rezoning to case GPA-1-18. **(Action Item)**

E'lan Vallender, Economic Development Specialist, presented the ordinance proposing an amendment to the zoning ordinance, specifically the zoning district map, in order to create a light industrial/business park to bring potential jobs to the city. Mr. Vallender explained the applicant is seeking a continuance until after the next scheduled Planning and Zoning Commission meeting on November 13, 2018 to assess the feasibility of the project and to research the recommendations the Planning and Zoning Commission is making on the project. Councilmember Rizzi inquired with the city attorney due to her ownership of a like business whether this item presented a conflict of interest for her. The city attorney explained what constitutes a conflict and Councilmember Rizzi chose to recuse herself from the discussion and any action on this item and she left the room during the discussion on this item.

Councilmember Barker moved and Vice Mayor Wilson seconded that Ordinance No. 1463, an ordinance of the mayor and city council of the City of Apache Junction, Arizona, amending the Apache Junction, Arizona, zoning ordinance, by amending the zoning district map, City of Apache Junction, Arizona, changing the zoning district classification in case PZ-2-18 from general commercial district by planned development ("B-1/PD") to light industrial/business park by planned development ("B-5/PD") for 50 acres of a 78-acre property and amending the development plan for the remaining 28 acres; repealing any conflicting provisions; and providing for severability, be continued until November 20, 2018.

Yes: 6 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Struble and Councilmember Waldron

No: 0

Recused: 1 - Councilmember Rizzi

13. [18-402](#) Presentation, discussion, public hearing and consideration on Resolution No. 18-31 (case GPA-2-18), by McMillan Manufactured Home Development Company LC and Lennar Homes, represented by Ralph Pew, for a land use map amendment to the city's general plan, proposing to redesignate a +/-38 acre property at the southwest corner of E. Old West Highway and S. Goldfield Road, from Community Commercial to Medium Density Residential, so that the property may later be developed with a conventional single family homes subdivision. **(Action Item)**

Senior Planner Rudy Esquivias presented the request by the applicant for a major land use map amendment that would then allow Lennar Homes to come into this area of the community to build single family homes. Mr. Esquivias described what the surrounding property consist of and provided an overview of the conceptual site plan. The Planning and Zoning Commission recommended approval with one condition.

Councilmember Barker asked if this proposal included manufactured homes. Mr. Esquivias responded with no. Councilmember Barker also asked about the impact of home values situated next to freeways.

Vice Mayor Wilson asked if the proposal includes access onto Starr Road as well as Goldfield Road. Mr. Esquivias responded with yes the proposal includes access onto Starr Road. Vice Mayor Wilson expressed his support for the main egress to be located on Starr Road because everything is there.

Councilmember Struble asked if the main egress would include a stop light. Mr. Esquivias responded with where traffic control will go still needs to be determined by the city engineer.

Mr. Ralph Pew represented Lennar Homes reiterated that the homes being proposed are not manufactured homes. Mr. Pew also explained that many homes built along freeways, when done correctly, thrive in those areas. Mr. Pew stated Lennar Homes is approximately a week away from filing the rezoning case.

A man that did not wish to disclose his name or address expressed concern of the 38-acres being split among 100 homes that equates to less than .25 acres per lot and that doesn't include streets. In his opinion, those lot sizes in addition to the setback requirements will result in no quality of life. He further stated people live in Apache Junction for open spaces and only the developer wins with five homes per every acre.

Resident Tom Burkelow spoke on whether that site which sits on a main arterial in town would be better used as a commercial base that generates tax revenue versus numerous additional homes that police and fire would have to provide services to.

Resident George Schroeder spoke in opposition to the number of homes per acre being proposed and how that east side of town needs something that attracts people to come into town which homes will not do. Mr. Schroeder also inquired who will build the retention wall between the homes and the freeway.

Councilmember Barker pointed out the General Plan amendment only proposes to change the General Plan to residential and does not decide the rezoning issues such as homes per acre and egresses. Councilmember Barker stated she has lived in the city for fifty years and that commercial industries remain uninterested in that location.

Councilmember Barker moved and Councilmember Evans seconded that Resolution No. 18-31, a resolution of the mayor and city council of the City of Apache Junction, Arizona, approving

general plan amendment case GPA-2-18, a request by McMillan Manufactured Home Development Company L.C., for a major land use map amendment to redesignate an approximately 38 gross acres property at the southwest corner of S. Goldfield Road and E. Old West Highway, from "Community Commercial" to "Medium Density Residential", be approved.

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

No: 0

14. [18-412](#) Consideration of approval of proposed Resolution No. 18-27, declaring as a public record that certain document filed with the city clerk entitled "2018 Amendments to Apache Junction City Code, Vol. 1, Chapter 3: Administration, Article 3-7: Procurement Procedure", repealing any conflicting provisions; providing for severability; and declaring an emergency. **(Action Item)**

City Attorney Joel Stern explained the proposed changes to the city's procurement policy which will now includes four tiers of procurement for staff to adhere to.

Councilmember Barker moved and Councilmember Rizzi seconded that Resolution No. 18-27, a resolution of the mayor and city council of the City of Apache Junction, Arizona, declaring as a public record that certain documents filed with the city clerk entitled "2018 amendments to Apache Junction city code, volume 1, chapter 3 administration, article 3-7 procurement procedure", repealing any conflicting provisions; providing for severability; and declaring an emergency be approved.

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

No: 0

15. [18-411](#) Consideration of approval of proposed Ordinance No. 1462 adopting the "2018 Amendments to the Apache Junction City Code, Vol. 1, Chapter 3: Administration, Article 3-7: Procurement Procedure" repealing any conflicting provisions; providing for severability; and declaring an emergency. **(Action Item)**

Vice Mayor Wilson moved and Councilmember Waldron seconded that Ordinance No. 1462, an ordinance of the mayor and city council of the City of Apache Junction, Arizona, adopting by reference that certain documents entitled "2018 amendments to Apache Junction city code, volume 1, chapter 3 administration, article 3-7 procurement procedure", repealing any conflicting provisions; providing for severability; and declaring an emergency, be approved.

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

No: 0

I. OLD BUSINESS

J. NEW BUSINESS

K. COUNCIL DIRECTION TO STAFF**L. SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES**

16. [18-390](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, October 1, 2018 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively. **(Action Item)**

Councilmember Rizzi moved and Councilmember Waldron seconded that an executive session at 6:00p.m. and a work session at 7:00p.m. be held on Monday, October 1, 2018 in the city council conference room and city council chambers, located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively.

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

No: 0

17. [18-391](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, October 2, 2018 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively. Other meetings if necessary. **(Action Item)**

Councilmember Waldron moved and Councilmember Barker seconded that an executive session at 6:00p.m. and a work session at 7:00p.m. be held on Tuesday, October 2, 2018 in the city council conference room and city council chambers, located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively.

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

No: 0

M. CALL TO PUBLIC

Property owner Steven Stonesipher stated he and other residents in Santa Fe subdivision are looking for solutions to the recent requirements that the city is requiring them to clean up the surrounding property adjacent to the street but that none of them have the means to the expensive fix. He would like the city to take over the maintenance of the property.

Property owner, Bruce Hamaker, bought a home in 2008 which was run down in the Santa Fe subdivision and he and his wife do not recall at anytime the landscaping that is required to be there. Allegedly in violation of CC&Rs. They would like to see the CC&Rs modified to not be so strict to include items such as an irrigation system which they can not afford. He would like to see the land vacated to the city.

Property owners Mary and John Gray who own property in Santa Fe subdivision is asking the city to address the drainage issue which has potential to cause flooding of his property and causes weeds which the city is now stating they are responsible for cleaning up. Mary explained the subdivision consists of 10 homes, 7 of which are occupied by veterans, several of whom are not in good health and they need help in taking care of the property. They do not want an HOA.

City council requested city staff meet with the homeowners to explore opportunities to get the homeowners assistance, but that the city can not take over any and all property a subdivision without an HOA can not maintain.

N. ADJOURNMENT

Mayor Serdy adjourned the meeting at 8:59 p.m.

ACCEPTED THIS _____ DAY OF _____, 2018, BY THE MAYOR
AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2018.

JEFF SERDY
Mayor

ATTEST:

KATHLEEN CONNELLY
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 19th day of June, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2018.

KATHLEEN CONNELLY
City Clerk