



# 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](http://www.ajcity.net)  
Ph: (480) 982-8002

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Tuesday, July 2, 2019

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

Mayor Serdy called the meeting to order at 7:04 p.m.

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

### C. ROLL CALL

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

**Staff in Attendance:**

Bryant Powell, City Manager -Participated by phone  
Matt Busby, Assistant City Manager  
James Hazel, Municipal Judge  
Joel Stern, City Attorney  
Thomas Kelly, Chief of Police  
Jennifer Pena, Deputy City Clerk  
Al Bravo, Public Information Officer  
Larry Kirch, Development Services Director  
Kent Fowler, Police Officer

### D. CONSENT AGENDA

Councilmember Barker moved, seconded by Vice Mayor Wilson that the consent agenda be accepted as presented.

1. [19-294](#) Consideration of acceptance of agenda.  
The agenda was accepted.
2. [19-295](#) Consideration of approval of minutes of regular meeting of June 18, 2019.  
The minutes were approved.

3. [19-290](#) Consideration of approval of Fiscal Year 2019-2020 human services funding contracts between the City of Apache Junction and Apache Junction Food Bank in the amount of \$24,500.00, the Boys and Girls Club of the East Valley (Superstition Mountain Branch) in the amount of \$24,500.00, Community Alliance Against Family Abuse in the amount of \$16,000.00 and Horizon Health and Wellness in the amount of \$15,000.00.

The following Fiscal Year 2019-2020 Health and Human Services funding contracts were approved with the following appropriations:

The Apache Junction Food Bank in the amount of \$24,500.

The Boys and Girls Club of the East Valley, Superstition Branch in the amount of \$24,500.

Community Alliance Against Family Abuse in the amount of \$16,000.

Horizon Health & Wellness in the amount of \$15,000.

4. [19-245](#) Acknowledge receipt of the Annual Report of the Apache Junction Public Library Board of Trustees for 2018-2019 fiscal year.

The Annual Report of the Apache Junction Public Library Board of Trustees for 2018-2019 fiscal year was accepted.

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

## **F. ANNOUNCEMENT OF CURRENT EVENTS**

5. [19-296](#) Announcement of current events from mayor and councilmembers.

Councilmember Rizzi thanked the community for their participation in the card making event held over the last few weeks. More than 400 cards were made to send to the first responders dealing with the Woodbury fire.

Vice Mayor Wilson reminded everyone to be cautious when setting off their fireworks. The City will be holding its celebration and hoped to see the community come out and enjoy the event.

Mayor Serdy stated the police department will be enforcing the fireworks law and the penalty associated with launching fireworks. He stated just a few days ago five acres burned up from across the mining camp where 50 homes are located. Fortunately no one was injured and no homes were lost.

The Apache Junction 4th of July celebration will be held at the fair grounds starting at 6:00 P.M. He thanked Republic Services for the fireworks, and reminded everyone the little league will have watermelon for sale.

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

6. [19-297](#) City manager's report.

No report for the evening.

## **H. PUBLIC HEARINGS**

The Mayor read all three public hearing notices so they could be held as one public hearing.

There was no action on the following Public Hearing items.

7. [19-300](#) Presentation, discussion and public hearing on Resolution No. 19-08, adopting the development infrastructure improvement plan, land use assumptions and development fee report.

Development Services Director Larry Kirch stated there was a development fee report and updates to the ordinance which updates the fee schedule.

He stated there have been a few presentations to the City Council on the Land Use Assumptions/Infrastructure Improvement Plan and Development Fee Report and the update on fees. By statute they are required to update these every five years. Mr. Kirch then summarized all the events and public hearings held on these items over the last several months.

This is the 4th and final draft before Council sees this for the final public hearing and adoption on August 6, 2019.

He then summarized the changes in the ordinance; the resolution adopts the ordinance by referendum and stated fees cannot be implemented for 75 days once adopted.

Councilmember Barker wanted to make sure that in section 7-1-16(H) about the city waiving fees does not leave the city liable to pay those development fees. Mr. Kirch stated if council waives the fees, then the city pays for them from the city's general fund.

8. [19-301](#) Presentation, discussion and public hearing on Resolution No. 19-09, declaring as a public record that certain document filed with the city clerk entitled "2019 Apache Junction City Code, Vol. II, Land Development Code, Chapter 7: Development Fees".
9. [19-302](#) Presentation, discussion and public hearing on Ordinance No. 1472, amending the Apache Junction City Code, Vol. II, Land Development Code, by repealing Chapter 7: Development Fees in its entirety; and adopting by reference a new Chapter 7: Development Fees; establishing an effective date and revolving sixty month review period; repealing any conflicting provisions; and providing for severability.

## **I. OLD BUSINESS**

## **J. NEW BUSINESS**

10. [19-292](#) Presentation, discussion and consideration of approval of Resolution No. 19-21, authorizing the City of Apache Junction to enter into an intergovernmental agreement with Pinal County for drug court hearings at municipal court facilities.

Judge James Hazel provided background information on how the intergovernmental agreement came about and the drug court program. He stated it is a Superior Court program for persons who have been convicted of drug crimes and are required to attend drug rehabilitation. The program has many steps or phases, and has regular court hearings to help individuals stay on the program, help with various services and help with reintegration into society.

Court is held four times a month in Apache Junction.

The County also uses the city's second court room for divorce mediation and reconciliation so individuals do not have to go all the way to Florence for those services. However, the municipal court does not hold divorce proceedings.

Drug court is usually held during the noon hour. There is a pre court meeting where the Judge, defense attorney, prosecutor, drug court counselor, and probation officer all meet to review the persons case and encourage them in their progress or see where modifications need to be made.

Councilmember Rizzi inquired as to who pays for the treatment program and is there a required time limit for an individual.

Judge Hazel stated the Superior Court of Arizona of Pinal County pays for the program and the amount of time an individual is in the program is determined by their success. There are different phases in the program and you must graduate through the levels.

There is a distinction between users and sellers. The court does its best to utilize other programs such as ACCESS and other Department of Economic Security programs to help these individuals get back on their feet. State law prohibits the city court from handling juvenile cases.

Vice Mayor Wilson moved, seconded by Councilmember Rizzi to approve the intergovernmental agreement.

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

No: 0

#### **K. COUNCIL DIRECTION TO STAFF**

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

11. [19-298](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, July 15, 2019 and Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, July 16, 2019 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively. Other meetings if necessary.

Councilmember Barker moved and Councilmember Rizzi seconded that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, August 5, 2019 and Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, August 6, 2019 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively.

#### **M. CALL TO PUBLIC**

No requests by members of the public wishing to address the city council were received.

#### **N. ADJOURNMENT**

Mayor Serdy adjourned the meeting at 7:37 P.M.

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BY THE MAYOR  
AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
KATHLEEN CONNELLY  
City Clerk