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, November 5, 2019 | **7:00 PM** | **City Council Chambers**

A. CALL TO ORDER

Mayor Serdy called the meeting to order at 7:03 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Wilson gave the invocation and Councilmember Struble 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 Schroeder
Councilmember Struble

Staff in Attendance:
Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Thomas Kelly, Police Chief
Al Bravo, Public Information Officer
Larry Kirch, Development Services Director
Liz Langenbach, Parks & Recreation Director
Maureen Fredrickson, Office Support Specialist

D. CONSENT AGENDA

Councilmember Barker moved, seconded by Councilmember Evans to approve the Consent Agenda.

1. 19-515 Consideration of acceptance of agenda.

2. 19-516 Consideration of approval of minutes of the regular meeting of October 15, 2019.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

3. 19-479 Presentation of proclamation designating Saturday, November 30, 2019 as "Small Business Saturday".

Mayor Serdy read a proclamation designating Saturday, November 30, 2019 as Small Business Saturday, reminding people to shop local and support the locally owned business in the State. He then presented the proclamation to the Apache Junction Chamber of Commerce members.

F. ANNOUNCEMENT OF CURRENT EVENTS

4. 19-517 Announcement of current events from mayor and councilmembers.

Councilmember Struble commented on the Make A Difference Day held on Saturday, October 26. There were over 100 volunteers working on four separate projects.

He spoke about his volunteering at the Head Start Open House and how much he enjoyed the kids.

Councilmember Evans spoke on the Make A Difference Day event. It was put on by the city in conjunction with the Apache Junction Community Development Corporation which is a separate non-profit. They were in awe of the number of volunteers that signed up for the event. They had over 118 volunteers.

She spoke about a local church group called "just serve" who are looking for projects in the city. This volunteer service is for those who qualify, but need help with the maintenance of their home/property. For more information contact Fox Young at 480-983-2181.

Vice Mayor Wilson attended the Halloween event on Saturday, October 26. He reminded everyone the city is holding an Open House on the upcoming solid waste proposal/contract. Representatives will be available for questions after the presentation. The event is from 5:00 - 8:00 p.m. with the first presentation at 6:00 p.m. the second at 7:00 p.m.

Councilmember Rizzi thanked Parks & Recreation for the Trunk or Treat event. She also announced the Festival of the Superstitions on Saturday, November 9th and the Veterans Parade on Monday.

Councilmember Schroeder announced the Empowerment Systems Annual Turkey Drive. Over 100 turkeys were donated to families throughout the community last year and he asked for its support again this year.

Councilmember Barker attended the Pinal County Town Hall on volunteerism where there were roundtable discussions, she found it very interesting. She also attended the 2019 Pinal County Business, Education, and Workforce Development Summit on November 1st. Presentations on what they monitor covered: jobs, education, young talent, health and well-being, natural resources, infrastructure, civic participation and connected communities. The goal was to show the inner-connectivity on how each one of these impact the other.

She reminded everyone to attend the Health & Wellness Fair at the Multi-Generation Center on November 16, starting with a walk at 8:00 a.m.

Mayor Serdy announced the Mesa Boy Scout Troop 380 was in the audience and thanked them for coming.

He announced the dog competition at the Festival of the Superstitions, and the Veterans Day Parade.

He spoke briefly on the ground-breaking event he, Councilmembers Rizzi and Vice Mayor Wilson attended for SkyBridge near the Phoenix-Mesa Gateway Airport. It is estimated 17,000 jobs will be created when the construction is completed.

He also spoke on the Make A Difference Day event. The median project has been a long awaited project made possible by the numerous donations of private citizens, local and non local businesses, the many volunteers, and contributions of plants from valley businesses. Mayor Serdy recognized these business.

G. CITY MANAGER'S REPORT

5. 19-518 City Manager's Report.

City Manager Bryant Powell announced the city was recently recognized in the Arizona Cities and Towns magazine highlighting Flatiron Community Park. He reminded everyone of the Open House to hear information on the solid waste proposal being held at the Multi Generational Center Wednesday night.

He stated Highway 88 - Apache Trail was named number eight as one of the most gorgeous roads in America in the Bicycling News magazine.

He thanked the public works department for all their hard work on cleaning up the city after the flooding several weeks ago. The city received a thank-you letter from a resident on the hard work the public work crews have done.

H. PUBLIC HEARINGS

6. 19-511 Consideration of application for a special event liquor license for applicant Cynthia Dawn Pierson, for the Paws 4 Life Car Show to be held at B.P.O Elks Lodge #2349 located at Highway 88 and Brown Road, Apache Junction, AZ. 85119, on Saturday, January 18, 2020. The next step in this 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.

Councilmember Rizzi moved, seconded by Vice Mayor Wilson to recommend approval to the Arizona State Liquor Licenses and Control of the special event liquor license application for the Paws 4 Life car show.

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

No: 0

City Clerk Jennifer Pena stated the special event application for the Paws 4 Life car show, to be held on Saturday, January 18, 2020 at the Elks Lodge, was reviewed by city departments and the Superstition Fire & Medical District. The Police Department's recommendation was the applicant notify surrounding neighbors and that any live music be kept inside as to reduce potential noise complaints and the Planning Department's recommendation was all signage be kept out of the city right-of-way areas and be removed upon conclusion of the event.

The applicants were present and spoke briefly on the event.

Ms. Tuni House who runs the Paws 4 Life organization mentioned it is ran completely by volunteers and is a Veterans program. The funds raised go to support the facility, and supports a youth at risk honors program. The training the youths receive enables them to become a certified trainer and the scholarship program helps with college aspirations.

A new program, only 2 years old, is working with inmates at the Pinal County Sheriff's detention center. They work with the inmates on training animals to be service animals for Veterans. Paws 4 Life is currently housing an animal who's owner, a veteran, was hit by a car and is currently unable to care for the animal.

They are also trying to raise funds for an AED for emergencies with the dogs.

Mayor Serdy opened the public hearing, hearing and seeing none, he closed the public hearing.

7. 19-512 Consideration of application for a special event license for applicant Cynthia Dawn Pierson, for the Beer and Brats Rodeo Dance to be held at B.P.O. Elks Lodge #2349 located at Highway 88 and Brown Road, Apache Junction, AZ. 85119, on Thursday, February 27, 2020 and Friday, February 28, 2020. The next step in this 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.

Councilmember Barker moved, seconded by Vice Mayor Wilson to recommend approval of the special event liquor license application for the Beer and Brats rodeo dance on Thursday, February 27 and 28, 2020.

Yes:	7 -	Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble
No:	0	

City Clerk Jennifer Pena stated the special event application for the Beer & Brats Rodeo Dance during the Lost Dutchman Days, to be held on Thursday, February 27 and Friday, February 28, 2020 at the Elks Lodge #2349, was reviewed by city departments and the Superstition Fire & Medical District. The Police Department's recommendation was the applicant notify surrounding neighbors and that any live music be kept inside as to reduce potential noise complaints and the Planning Department's recommendation was all signage be kept out of the city right-of-way areas and be removed upon conclusion of the event.

Mayor Serdy opened the public hearing, seeing and hearing none, he closed the public hearing.

8. 19-513 Consideration of application for a special event license for applicant Robin Peak Jones, for the Salt River Wild Horse Management Group "Ride for the Salt River Wild Horses" event to be held at Superstition Harley-Davidson located at 2910 W. Apache Trail, Apache Junction, AZ. 85120, on Saturday, January 25, 2020. The next step in this 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.

Councilmember Evans moved, seconded by Councilmember Rizzi to recommend approval to the Arizona Department of Liquor Licenses and Control.

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

No: 0

Vice Mayor Wilson declared a Conflict of Interest and left the Council Chambers.

City Clerk Jennifer Pena stated the special event application for the Ride for the Salt River Wild Horses, to be held on Saturday, January 25, 2020 at Superstition Harley-Davidson, was reviewed by city departments and the Superstition Fire & Medical District. The Police Department's recommendation was the applicant notify surrounding neighbors and that any live music be kept inside as to reduce potential noise complaints and the Planning Department's recommendation was all signage not block ingress and egress to the event or other traffic flow and be removed upon conclusion of the event.

The applicant called to say they would not be able to make the meeting.

Mayor Serdy opened the public hearing, seeing and hearing none, he closed the public hearing.

I. OLD BUSINESS

J. NEW BUSINESS

9. 19-534 Interview and consideration of appointment of Todd Kanz to Construction Board of Appeals as a contractor, other than a general contractor.

Councilmember Evans moved, seconded by Vice Mayor Wilson to appoint Mr. Todd Kanz to the Construction Code Board of Appeals.

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

No: 0

City Clerk Jennifer Pena stated at the Council's October 15, 2019 meeting they appointed individuals to the various city boards and commissions. The Construction Code Board of Appeals has only had three members for several years and not enough applicants.

At the october 15th City Council meeting Councilmember Schroeder stated he may know someone qualified to fill the vacant position that requires a Contractor.

The city did receive an application from Mr. Todd Kanz and he was present to be interviewed by the Council.

Mayor Serdy asked Mr. Kanz to come to the podium where council asked a variety of question of Mr. Kanz.

After the motion and vote by Council, Mr. Kanz was appointed to a two-year term, ending on October 31, 2021 to the Construction Code Board of Appeals.

10. 19-520 As required by Apache Junction City Code, Volume I, Chapter 3, Administration, Article 3-2, Department of City Clerk, §§ 3-2-1(B)(2) and 3-2-4, the city manager is seeking ratification of Jennifer Peña for appointment to the position of City Clerk.

Councilmember Barker moved, seconded by Councilmember Evans moved to ratify Jennifer Pena as the city clerk.

Yes - 7
No - 0

Motion passed unanimously.

City Manager Bryant Powell stated the city code requires ratification of the new city clerk. He briefly shared some of Ms. Pena's years of experience.

Ms. Pena stated she was honored and humbled to serve as the next city clerk. Her predecessor Kathy Connelly served the city for almost 40 years. Her knowledge and expertise not only in the "Clerk" world but in general municipal matters was well known and sought after by many municipal clerk's. She is excited to serve the city, community and its residents.

K. COUNCIL DIRECTION TO STAFF

11. 19-528 Presentation, discussion and direction to staff regarding miscellaneous amendments to Volume I, Chapter 7 Administrative Code including park model additions in RV subdivisions, age of newly set manufactured homes in RS-GR zoning districts, and the age of newly placed park models in RV and Mobile Home Parks.

Councilmember Barker moved, seconded by Councilmember Evans that direction to staff be given regarding miscellaneous amendments to the city code related to park model additions in RV subdivisions, age of newly set manufactured homes in RS-GR zoning districts, and age of newly placed park models in RV and mobile home parks.

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

No: 0

Director of Development Services, Larry Kirch stated the city recently adopted new building codes and stated other cities regulate additions to these park models to ensure health and

safety matter to the public are considered. The city originally had no limit to the square footage an addition could create until recently when the city limited it to 400 square feet. Because of the small lots, the "Industry" experts suggested the city go with a percentage of lot coverage since the lots sizes vary so considerably. They are recommending a total lot coverage of 48%.

They are looking for what direction the council would like to consider when applications come in to increase the livable square footage of these types of park models.
1. Staff would like to set a minimal set-back of 5 feet.
2. There be an age limit for any model being brought into the city into one of the parks.
3. One of the zoning district would need to be updated.

4. The problem is also park models which are not built to construction codes, are somehow affixing park models to the land and acquiring a mortgage and then un-affixing the park model.

12. 19-529 Presentation, discussion and direction to staff on whether to terminate the 1992 agreements between the city and the remaining "self-policing" RV parks. In 1992, the city and several parks signed agreements that allowed for the placement of park models, awnings, screen rooms, storage rooms under 120 square feet, and other similar structures without the need for city permits. Staff is seeking direction whether these agreements should be terminated pursuant to paragraph 11 of said agreements.

Councilmember Evans moved, seconded by Vice Mayor Wilson that direction to staff be given regarding the termination of the 1992 agreement with self-policing RV parks.

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

No: 0

Planning Manager, Rudy Esquivias stated an agreement was negotiated with some mobile home parks where they would self-police any additions or remodels to the units in their park. They were to enforce the city code. This was problematic as you have seen and there are only about 5 parks under this agreement. Staff would like to contact the remaining park owners and notify them the city is considering recinding the agreement and the city would enforce all building permit requirements and other matters related to the city code in building matters.

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

13. 19-519 Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, November 18, 2019 and Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, November 19, 2019 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively; and other meetings if necessary.

Councilmember Evans moved, seconded by Councilmember Rizzi to set the next work session and executive session meeting dates as necessary.

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

No: 0

M. CALL TO PUBLIC

Terry Reynolds, 1121 S. Lawther Dr., Apache Junction stated he attended the work session last night and wished to make the recommendation that under section 9-5-5, vehicle and collection equipment maintenance, on page 4 to modify the language to state "shall comply with all applicable Federal and State regulations as the addition would address the next sentence. Since vehicles are regulated under federal DOT laws.

He appreciated all the due diligence council did last night in going through the draft code provision on solid waste.

George Schroeder, 2444 W. Virginia St. spoke on tree-house communities and their storage lot at Virginia and Delaware.

He commented on the state land to be annexed was never discussed at a council meeting and he spoke on a personal matter.

N. ADJOURNMENT

Mayor Serdy adjourned the meeting at 8:04 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:

_____
JENNIFER PENA
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.

_____
JENNIFER PENA
City Clerk