



# 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, May 19, 2020

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:** 6 - Mayor Serdy  
Vice Mayor Wilson  
Councilmember Barker  
Councilmember Evans  
Councilmember Schroeder  
Councilmember Struble

**Excused:** 1 - Councilmember Rizzi

#### **Staff in Attendance:**

Bryant Powell, City Manager  
Matt Busby, Assistant City Manager  
Joel Stern, City Attorney  
Jennifer Pena, City Clerk  
Al Bravo, Public Information Officer  
Larry Kirch, Development Services Director  
Thomas Kelly, Chief of Police  
Sidney Urias, Senior Planner  
Raquel Schatz, Project Engineer

### D. CONSENT AGENDA

Councilmember Barker moved, seconded by Councilmember Schroeder to accept the consent agenda and approve the minutes of April 21, 2020.

1. [20-233](#) Consideration of acceptance of agenda.
2. [20-210](#) Consideration of approval of minutes of the regular meeting of April 21, 2020.

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

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

3. [20-221](#) Presentation of proclamation recognizing May 2020 as Motorcycle Safety and Awareness Month.

Mayor Serdy proclaimed May 2020 as Motorcycle Safety and Awareness Month and presented the proclamation to Christopher Beals of EPIC Policy Group.

4. [20-151](#) Presentation of proclamation recognizing May 2020 as Building Safety Month.

Mayor Serdy proclaimed May 2020 as Building Safety Month and presented the proclamation to Development Services Director Larry Kirch.

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

5. [20-235](#) Announcement of current events from mayor and councilmembers.

Councilmember Struble shared that our local high school graduates are not going to be able to go through a normal graduation ceremony so the Lost Dutchman Realty (LDR) foundation got together and is giving all of the graduates a \$25 gift certificate to local restaurants. This will get some business into the local restaurants and recognition to the local graduates. Mr. Struble also stated that the salvation army will continue to provide showers to the homeless.

Councilmember Evans has no announcements.

Vice Mayor Wilson did a tribute to Kathy Connelly. He stated that she was the first person he met when he moved to Apache Junction. When he first ran for city council, Kathy helped him so much and he will miss her.

Councilmember Barker shared that Kathy was a great advocate for the city. Ms. Barker stated that she attended a Pinal County Partnership meeting and that she learned that there are just over 700 COVID-19 cases in Pinal County and that the most infected age group was 20 - 65 years old. The county has spent 8 million dollars so far on COVID-19 and she found the meeting to be very informative and interesting.

Councilmember Schroeder has no announcements.

Mayor Serdy stated that there will be a viewing for Councilmember Rizzi's daughter, Rachel Rizzi, this Friday at Seasons End Mortuary. He stated that the Winter Visitor Association has shut down due to the COVID-19 and the director, Judy Lute's, health. He also stated that the local AJ News had to close and the community will not be the same without them. On a positive note, he stated that the city is going to start opening back up. Recreation areas are going to start opening and should all be open within the next couple of weeks.

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

6. [20-236](#) City Manager's Report.

City Manager Bryant Powell shared that Kathy Connelly started in April of 1980 shortly after the city was incorporated. She had numerous rolls over her years at the city and will be greatly

missed. Mr. Powell continued that Kathy always had the best interest of the city in mind. Mr. Powell shared that there will be a memorial for Kathy in June.

Mr. Powell also stated that the community recently lost board and commission member Willie Howard as well. He served on numerous city boards since 2015 and will be missed.

Mr. Powell also stated that the community lost two important city organizations due to COVID-19; the AJ News and the Winter Visitor's Association.

Mr. Powell shared that Grants Administrator Heather Patel has worked for the city for 12 years and has left the city and is now working for Pinal County and that she will be missed at the city.

7. [20-217](#) Presentation and discussion on human service efforts being offered through the City of Apache Junction.

Councilmember Evans presented what the city has done in regards to human service efforts for the low income and homeless members of the community.

She explained that human service efforts with the city fell under Development Services but truly encompasses several departments. They are also the staff liaison for the Health and Human Services Commission.

Ms. Evans shared that this was the first coalition in Pinal County to take the lead role in efforts of all nonprofits in our area and won the Desert Peak award which is a really big deal.

Ms. Evans stated that Apache Junction partnered with many organizations and coalitions to help the homeless community. These partnerships allow for the homeless to get showers, clean clothes, meals and much more.

Ms. Evans reiterated that all of this is done with donations and no money coming from the city other than city staff time.

## H. PUBLIC HEARINGS

8. [20-215](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1490, case PZ-3-20, a request by the Richard Lauver and Ariel Lauver Trust, represented by Dane Astle of Edifice Architecture, of a proposed rezoning of approximately 4.5 acres located near the northeast corner of Superstition Boulevard and Main Drive from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential) and a Minor General Plan Amendment from Medium Density Residential to High Density Residential for a 52-unit leased residential community.

**Councilmember Evans moved, seconded by Councilmember Barker that Ordinance No. 1490, be read by title only and the reading of the entire ordinance be waived.**

**Councilmember Evans moved, seconded by Vice Mayor Wilson that Ordinance No. 1490, as read by the city clerk, be approved.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

Senior Planner Sidney Urias presented that the applicant is asking for rezoning to a high density residential for a 52 unit leased residential community. Mr. Urias showed a site plan explaining that the main entrance would be off of Main Drive to relieve traffic off of Superstition Boulevard. The community will be one story, with covered parking and private yards for each unit. Mr. Urias stated that city staff has not heard any feedback from residents and recommends approval.

Vice Mayor Wilson asked about the proposed block wall. Mr. Urias stated that it will be a continuance block wall on the East side.

Councilmember Struble asked what the maximum height they can build is. Mr. Urias stated that the current zoning is for 40 feet. Mr. Struble asked if something later on could change in regards to the site plan. Mr. Urias responded that the approval is contingent on the exhibits presented tonight so they could not come back later and change anything without approval.

The applicant spoke and stated that he is thankful to be here and is happy to answer any questions.

Councilmember Barker asked him to define the word luxury that he used 7 times in his application.

The applicant wanted to make it clear that this was not being built for lower income residents and that the product being used will be higher end material.

Councilmember Barker asked for a timeline.

The applicant stated that they are looking to move forward tomorrow as long as there is approval on the rezoning tonight. He reiterated that the units would be for lease only, not for sale.

Mayor Serdy opened up the public hearing.

A city resident asked if there would be any security lighting on the property.

Mayor Serdy closed the public hearing.

The applicant stated that the site will receive the proper amount of security lighting with a gate to the property as well.

9. [20-220](#) Presentation, discussion, public hearing and consideration of a request for a continuance of case PZ-1-20, Old West Highway Village located on the south side of Old West Highway, east of Royal Palm Road and west of Weeks Wash, site of a former golf driving range.

**Councilmember Barker moved, seconded by Vice Mayor Wilson that zoning case PZ-1-20 related to Old West Highway Villages be tabled due to the applicants inability to provide the necessary additional information due to the COVID-19 pandemic.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

Senior Planner Sidney Urias explained that the applicant has requested to table this item due to the COVID-19 crisis and his design staff not being able to get the necessary information submitted.

## **I. OLD BUSINESS**

## **J. NEW BUSINESS**

10. [20-193](#) Presentation, discussion and consideration of settlement, release and temporary construction easement agreement between City of Apache Junction and Sunrise Shadows Homeowner's Association related to storm water drainage maintenance.

**Councilmember Barker moved, seconded by Councilmember Evans that the proposed agreement between City of Apache Junction and Sunrise Shadows Homeowners Association, settling the responsibilities for maintenance of the on-site drainage pipes and channels in the subdivision located South of Broadway Avenue down to the Northwest corner of 12th Avenue West of San Marcos Drive be approved.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

City Attorney Joel Stern explained that this item goes back a ways. He explained that this involves drainage and is very complicated.

Mr. Stern stated that developers are supposed to maintain their common areas. A map of Sunrise Shadows subdivision was brought up as well as a picture of the flooding that occurs in this subdivision showing that the flooding floods the streets as well as the homes.

Mr. Stern is stating that the city is offering a one time assistance to this subdivision to clean up the pipes to allow for water to flow and not flood. After this one time clean up, the subdivision would be responsible for future maintenance.

Councilmember Barker asked if we would be setting a precedence by doing this.

Mr. Stern stated that we are not starting a legal precedence as the language on the development plat could have been stronger and that the language in this agreement would not allow this to happen again.

11. [20-216](#) Presentation, discussion and possible consideration of approval of an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) for the design and construction of sidewalk improvements on Old West Highway from Idaho Road to Goldfield Road and on Winchester Road from 6th Avenue to Old West Highway. The total cost of this project is \$1,967,401.00 with federal funds to pay for \$1,826,970.00 and city funds to pay for \$140,431.00.

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**Vice Mayor Wilson moved, seconded by Councilmember Evans that the Intergovernmental Agreement with Arizona Department of Transportation for design and construction funding for the Old West Highway sidewalk improvement project with an estimated project cost of \$1,967,401.00, with federal funding of \$1,826,970.00 and city funding to pay for \$140,431.00, be approved.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

Project Engineer Raquel Schatz presented that these MAG closeout awarded funds need to be used immediately by June 1st. The design will take about 18-24 months and construction could begin as early as June 2022. Ms. Schatz explained that Central Arizona College (CAC) did construct the curb and gutter and was supposed to do the sidewalks as well.

Councilmember Barker asked if CAC will be helping out financially since they were originally supposed to do the sidewalks.

Ms. Schatz stated that they have not spoke with CAC about that as the city's match amount is only 5.7%.

Councilmember Barker recommended that staff speak with CAC about reimbursing the city for some of the funds.

Ms. Schatz stated that the city will speak to CAC about this when they work with them during the design phase.

- 12. [20-218](#)** Presentation, discussion, and consideration of approval on proposed changes to the agreement template for awarded Health and Human Services funding.

**Councilmember Barker moved, seconded by Councilmember Evans that the proposed changes to the Health and Human Services annual contract template for financial assistance from qualifying nonprofits be approved.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

Development Services Director Larry Kirch explained that this has previously been presented to council and that hopefully they all read the staff memo so he was only there to answer any questions.

Councilmember Barker stated that there are a few minor changes that need to be made such as Heather Patel being on it still and that it also needs to list Community Resource Center.

Mr. Kirch said that he will make those changes along with a couple of other grammar changes he found that needed to be made.

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

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

13. [20-208](#) Selection of dates, times and location for budget review/work session, public hearing and adoption of tentative and final budget for Fiscal Year 2020-2021.

**Councilmember Barker moved, seconded by Councilmember Evans that a Special Meeting of the City Council be held June 16th at 7:00 p.m. for presentation and consideration of the tentative budget for Fiscal Year 2020-2021 and a Special Meeting of the City Council be held July 7th at 7:00 p.m. for presentation and consideration of the final budget for Fiscal Year 2020-2021 in the City Council Chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

14. [20-237](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, June 1, 2020. Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, June 2, 2020 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 Barker that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, June 1, 2020 and that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, June 2, 2020 be held 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, be approved.**

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

**No:** 0

**Excused:** 1 - Councilmember Rizzi

## **M. CALL TO PUBLIC**

Resident, Terry Kridler of 489 N. Gold, would like to review what the word integrity means and read the dictionary's definition and synonyms of it. Ms. Kridler stated that she has watched the council continuously make bad decisions instead of using integrity.

Resident, Mehmood Mohiuddin of 3304 N. Cortez Road, stated that he started a business in Apache Junction and was asked to open bull riding. He stated that him and the city worked together on this and obstacles started from Planning and Zoning. Councilmember Struble approached him and stated that they city does not have any venues so he bought property and started the process for a venue. He does not understand why there are so many obstacles coming his way and had to start a lawsuit. The city approached him and he agreed to build an 8 foot wall. He agreed to sign off on the lawsuit in exchange of the city dropping the charges but the obstacles are still coming at him.

Mayor Serdy stated that council is having an Executive Session at the next meeting and will be discussing these issues.

## **N. ADJOURNMENT**

**Mayor Serdy adjourned the meeting at 8:33 pm.**

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY THE MAYOR  
AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
JEFF SERDY  
Mayor

ATTEST:

\_\_\_\_\_  
JENNIFER PEÑA  
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 \_\_\_\_\_, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JENNIFER PEÑA  
City Clerk