# 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, October 20, 2020** **7:00 PM** **City Council Chambers**

## A. CALL TO ORDER

**Mayor Serdy called the council meeting to order at 7:00 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

**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
Al Bravo, Public Information Officer
Larry Kirch, Development Services Director
Rudy Esquivias, Planning Manager
Nicholas Leftwich, Planning Intern
Thomas Kelly, Chief of Police
James Hazel, Municipal Court Judge
Jill Bright, Deputy City Clerk (remotely)

## D. CONSENT AGENDA

**Councilmember Barker moved, seconded by Councilmember Evans to accept the consent agenda, to approve the minutes of October 6, 2020, to approve Resolution No. 20-36 authorizing the City to enter into an intergovernmental agreement with the City of Phoenix Police Department for the Arizona Internet Crimes Against Children Task Force, and to approve the renewal of the Arizona Department of Corrections inmate work contract.**

**1.** 20-521 Consideration of acceptance of agenda.

**2.** 20-522 Consideration of approval of minutes of the regular meeting of October 6,

2020.

**3.** 20-506 Consideration of Resolution No. 20-36 authorizing the City of Apache Junction, Arizona to enter into an intergovernmental agreement with the City of Phoenix Police Department for the Arizona Internet Crimes Against Children (ICAC) Task Force for a grant up to $5000.00 for costs directly related to training, investigations, computer forensics and public awareness in connection with ICAC.

**4.** 20-510 Consideration of approval of Arizona Department of Corrections inmate work contract renewal.

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

**No:** 0

## E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

**5.** 20-482 Presentation of 25-year Service Award to Shelly Fulcher of the Municipal Court.

City Manager Bryant Powell and Judge Hazel thanked Shelly Fulcher of the Municipal Court for her 25-years of service to the city and presented her a service award.

**6.** 20-495 Presentation of proclamation designating October 5-12, 2020 as "A Week Without Violence".

Mayor Serdy proclaimed the week of October 5 - 12, 2020 as A Week Without Violence and presented the proclamation to Chief Kelly.

**7.** 20-413 Presentation of proclamation designating the week of October 23, 2020 through October 31, 2020 as "Red Ribbon Week".

Mayor Serdy proclaimed the week of October 23 - 31, 2020 as Red Ribbon Week and presented the proclamation to Chief Kelly.

**8.** 20-489 Presentation of proclamation designating the week of October 19 through October 24, 2020 as "Arizona Cities and Towns Week".

Mayor Serdy proclaimed the week of October 19 - 24, 2020 as Arizona Cities and Towns Week and presented the proclamation to Public Information Officer Al Bravo.

## F. ANNOUNCEMENT OF CURRENT EVENTS

**9.** 20-523 Announcement of current events from mayor and councilmembers.

Councilmember Struble shared that Project Showers is happening again this Sunday. Open Mic Night is this Friday night at Table of Grace Church. AJ Kids Idol is starting this weekend as well.

Vice Mayor Wilson encouraged residents to get out and vote.

Councilmember Schroeder encouraged residents to join the Dark Sky Committee.

Councilmember Rizzi thanked the council and city staff for bringing awareness to Domestic

Violence to our community. She wants the community to have compassion and be kind.

Mayor Serdy shared that the city is on the board of Phoenix Mesa Gateway Airport. Mike Weller's celebration of life will be this weekend at the American Legion from 12pm - 2pm.

## G. CITY MANAGER'S REPORT

**10.** 20-524 City Manager's Report.

City Manager Bryant Powell shared that Make a Difference Day this past Saturday was a great success. There were 35 volunteers and a lot of work was done.

**11.** 20-509 Presentation, discussion and update on the .2% sales tax dedicated to fund roadway maintenance and repairs.

Assistant City Manager Matt Busby presented an update on the .2% sales tax that is being used to fund roadway maintenance and repairs. Mr. Busby shared street projects that have been done over the last year due to this .2% sales tax.

## H. PUBLIC HEARINGS

**12.** 20-531 Presentation, discussion, public hearing and consideration of Ordinance No. 1497, case PZ-8-20, a proposed rezoning, requested by Larry and Heidi Erickson, of 1039 E. Junction Street from Medium Density Single-Family Detached Residential ("RS-10M") to General Rural Low Density Single-Family Detached Residential ("RS-GR") and a Minor General Plan Amendment from Medium Density Residential to Low Density Residential in order to bring the property in conformance with the surrounding neighborhood and to eliminate a rear yard setback encroachment. This property is located on the southeast corner of Junction Street and Belair Road.

**Councilmember Barker moved, seconded by Councilmember Rizzi that Ordinance No. 1497 be read by title only and the reading of the entire ordinance be waived.**

**City Clerk Jennifer Pena read Ordinance No. 1497 by title only.**

**Councilmember Barker moved, seconded by Vice Mayor Wilson that Ordinance No. 1497, as read by the city clerk, be approved and adopted.**

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

**No:** 0

Development Services Intern Nicholas Leftwich presented Ordinance No. 1497, a proposed rezoning of 1039 E. Junction Street from Medium Density Single-Family Detached Residential to General Rural Low Density Single Family Detached Residential and a Minor General Plan Amendment to reflect this. The proposed rezoning will bring the property in conformance with the surrounding neighborhood and eliminate a rear yard setback encroachment. Conditions of approval include that the project shall be developed in accordance with the plans attached and associated to this case and all the provisions of the zoning ordinance applicable to this case and a lot combination must be completed for parcels 101-22-006F and 101-22-006E within 2 months of rezoning approval or this rezoning may be subject to reversion to RS-10M in a publicly noticed City Council public hearing.

Mayor Serdy opened the public hearing.

Mayor Serdy closed the public hearing.

## I. OLD BUSINESS

## J. NEW BUSINESS

**13.** 20-474 Consideration of annual appointments to Construction Board of Appeals, Health and Human Services Commission, Industrial Development Authority, Municipal Property Corporation, Public Arts Commission and Superstition Mountain Community Facilities District. Council interviewed applicants for these positions at the October 19th work session and may take this opportunity to fill the positions.

**CONSTRUCTION BOARD OF APPEALS**

**Councilmember Evans moved, seconded by Councilmember Barker that Jesse Gage be appointed to the Construction Board of Appeals as "A Professional Architect or Engineer" for a term to expire on October 31, 2023.**

**Motion passed 7 - 0.**

**Councilmember Barker moved, seconded by Councilmember Evans that Dallas Dewey be appointed to the Construction Board of Appeals as "A Contractor Other Then General Contractor" for a term to expire on October 31, 2023.**

**Motion passed 7 - 0.**

**HEALTH & HUMAN SERVICES COMMISSION**

**Vice Mayor Wilson moved, seconded by Councilmember Barker that Judy Borey be appointed to the Health & Human Services Commission for a term to expire on October 31, 2023.**

**Motion passed 7 - 0.**

**Councilmember Baker moved, seconded by Councilmember Evans that Michelle Kinner be appointed to the Health & Human Services Commission for a term to expire on October 31, 2023.**

**Motion passed 6 - 1.**

**Councilmember Evans moved, seconded by Councilmember Barker that Jeffrey Mitchell be appointed to the Health & Human Services Commission for a term to expire on October 31, 2021. (fulfilling a vacancy due to Jennifer Miernicki's resignation)**

**Motion passed 6 - 1.**

**INDUSTRIAL DEVELOPMENT AUTHORITY**

**Vice Mayor Wilson moved, seconded by Councilmember Barker that Bambi Johnson be appointed to the Industrial Development Authority for a term to expire on October 31, 2026.**

**Motion passed 7 - 0.**

**Councilmember Barker moved, seconded by Vice Mayor Wilson that CE Beal be appointed to the Industrial Development Authority for a term to expire on October 31, 2026.**

**Motion passed 7 - 0.**

**Vice Mayor Wilson moved, seconded by Councilmember Rizzi that Jeff Barlett be appointed to the Industrial Development Authority for a term to expire on October 31, 2026.**

**Motion passed 7 - 0.**

**MUNICIPAL PROPERTY CORPORATION**

**Councilmember Evans moved, seconded by Councilmember Barker that Bambi Johnson be appointed to the Municipal Property Corporation for a term to expire October 31, 2023.**

**Motion passed 7 - 0.**

**Councilmember Rizzi moved, seconded by Councilmember Barker that Frank Schoenbeck be appointed to the Municipal Property Corporation for a term to expire October 31, 2022. (fulfilling a vacancy due to Terry Reynold's resignation)**

**Motion passed 7 - 0.**

**Councilmember Evans moved, seconded by Councilmember Barker that CE Beal be appointed to the Municipal Property Corporation for a term to expire October 31, 2021. (fulfilling a vacancy due to Robert Rauschenbach's resignation)**

**Motion passed 7 - 0.**

**PUBLIC ARTS COMMISSION**

**Vice Mayor Wilson moved, seconded by Councilmember Rizzi that Jeffrey Danford be appointed to the Public Arts Commission for a term to expire October 31, 2022. (Fulfilling a vacancy due to Mr. Jackson's passing)**

**Motion passed 7 - 0.**

**SUPERSTITION MOUNTAIN COMMUNITY FACILITIES DISTRICT**

**Councilmember Struble moved, seconded by Councilmember Barker that Terry Dunn be appointed to the Superstition Mountain Community Facilities District No. 1 for a term to expire October 31, 2026.**

**Motion passed 7 - 0.**

**Vice Mayor Wilson moved, seconded by Councilmember Evans that Kathleen Waldron be appointed to the Superstition Mountain Community Facilities District No. 1 for a term to expire October 31, 2026.**

**Motion passed 5 - 2.**

City Clerk Jennifer Pena shared that City of Apache Junction employee's cannot be appointed to a city board or commission.

## K. COUNCIL DIRECTION TO STAFF

**14.** 20-507 Presentation, discussion and possible direction to staff to draft text amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Regulations and Chapter 2, Subdivision and Minor Land Division Regulations to improve and clarify the design principles and standards of minor land divisions, lot combinations, and lot line adjustments, to allow for flexibility within the platting process for Master Planned Communities ("MPC"), and to allow for amendments to the zoning regulations for MPCs and the processing MPC Unit Plans.

**Councilmember Barker moved, seconded by Councilmember Evans that direction be given to staff to draft text amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Regulations and Chapter 2, Subdivision and Minor Land Division Regulations to improve and clarify the design principles and standards of minor land divisions, lot combinations, and lot line adjustments, to allow for flexibility within the platting process for Master Planned Communities ("MPC"), and to allow for amendments to the zoning regulations for MPCs and the processing MPC Unit Plans.**

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

**No:** 0

Development Services Director Larry Kirch presented draft text amendments to the city code, Volume II, Land Development Code, Chapter 1, Zoning Regulations and Chapter 2, Subdivision and Minor Land Division Regulations. The amendments will allow for flexibility within the platting process for Master Planned Communities. Mr. Kirch asked for a direction to staff to continue working this.

**15.** 20-512 Presentation, discussion and possible direction to staff on the creation of policy guidelines and application procedures for the establishment of community facilities districts.

**Councilmember Barker moved, seconded by Vice Mayor Wilson to direct staff to move forward with the creation of policy guidelines and application procedures for the establishment of community facilities districts.**

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

**No:** 0

Development Services Director Larry Kirch stated that this item and the next two items will be presented together as they are all interrelated. Staff is recommending that council direct staff to move forward with creating a policy guideline and application procedure for the establishment of a community facilities districts, to create an intergovernmental agreement with the three entities to negotiate on financing public infrastructure with the developer of state trust land and to amend fees to Chapter 4. Mr. Kirch expressed that development should pay for itself and these fees are very much in line with other communities.

Mr. Kirch shared that community members can follow the process of the state land sale on the state land's website.

**16.** 20-513 Presentation, discussion and possible direction to staff to develop a intergovernmental agreement between the city, Superstition Mountains Community Facilities District No. 1, and Apache Junction Water Utilities Community Facilities District to negotiate on financing public infrastructure with the successful bidder/developer of state trust land for the proposed development of a master planned community.

**Vice Mayor Wilson moved, seconded by Councilmember Barker to direct staff to develop an intergovernmental agreement between the city, Superstition Mountains Community Facilities District No. 1, and Apache Junction Water Utilities Community Facilities District to negotiate on financing public infrastructure with the successful bidder/developer of state trust land for the proposed development of a master planned community.**

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

**No:** 0

**17.** 20-514 Presentation, discussion and possible direction to staff on amending Apache Junction City Code Volume I, Chapter 4, Fees to advertise and create an application fee and deposit for the creation of community facilities districts, fees for group home registration, processing annexations, Minor General Plan amendments, zoning entitlement process for Master Planned Communities ("MPC"), major and minor amendments to MPC districts, MPC Development Unit Plans and major and minor amendments to MPC Development Unit Plans, MPC and MPC Unit Plan pre-application meetings, and fees for MPC Development Agreements and Amendments.

**Councilmember Barker moved, seconded by Vice Mayor Wilson to direct staff to draft an amendment to the Apache Junction City Code Volume I, Chapter 4, Fees to advertise and create an application fee and deposit for the creation of community facilities districts, fees for group home registration, processing annexations, Minor General Plan amendments, zoning entitlement process for Master Planned Communities ("MPC"), major and minor amendments to MPC districts, MPC Development Unit Plans and major and minor amendments to MPC Development Unit Plans, MPC and MPC Unit Plan pre-application meetings, and fees for MPC Development Agreements and Amendments.**

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

**No:** 0

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

**18.** 20-525 Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, November 2 and Tuesday November 3, 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.

**Councilmember Barker moved, seconded by Vice Mayor Wilson that an Executive Session at 6:00**

**P.M. and Work Session at 7:00 P.M. for Monday, November 2, 2020 and that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, November 3, 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.**

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

**No:** 0

## M. CALL TO PUBLIC

## N. ADJOURNMENT

**Mayor Serdy adjourned the council meeting at 8:28 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