



# 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

apachejunctionaz.gov  
Ph: (480) 982-8002

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Tuesday, October 19, 2021

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

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

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

### C. ROLL CALL

**Present:** 6 - Mayor Wilson  
Vice Mayor Rizzi  
Councilmember Evans  
Councilmember Schroeder  
Councilmember Biggs  
Councilmember Nesser

**Excused:** 1 - Councilmember Gremmel

#### 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  
Pam Harris, Library Director  
Victor Martinez, Code Compliance Manager  
Kelsey Schattnik, Planner  
Nicholas Leftwich, Associate Planner

### D. CONSENT AGENDA

Vice Mayor Rizzi moved, seconded by Councilmember Nesser to approve the Consent Agenda as presented.

**Yes:** 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

**No:** 0

**Excused:** 1 - Councilmember Gremmel

1. [21-558](#) Consideration of acceptance of agenda.
2. [21-559](#) Consideration of approval of minutes of the regular meeting of October 5th, 2021.
3. [21-564](#) Consideration of approval on Resolution No. 21-42, an Intergovernmental Agreement between the City of Apache Junction and Maricopa County for the exchanging of street maintenance services with an aggregate amount not to exceed \$250,000.

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

4. [21-467](#) Proclamation designating the week of October 23, 2021 through October 31, 2021 as "Red Ribbon Week."

Mayor Wilson presented the Proclamation for Red Ribbon Week to Chief Kelly and Drug Enforcement Administration Special Agent in Charge Dave Reames of the Phoenix Field Division.

5. [21-556](#) Proclamation recognizing November as National American Indian Heritage Month.

Vice Mayor Rizzi presented the Proclamation for the National American Indian Heritage Month to Peggy Manseau.

6. [21-557](#) Proclamation designating the month of October as "National Code Compliance Month".

Councilmember Nesser presented the Proclamation for National Code Compliance Month to Victor Martinez, Code Compliance Manager.

7. [21-577](#) Presentation of proclamation designating the week of October 19 through October 24, 2021 as "Arizona Cities and Towns Week".

Councilmember Biggs presented the Proclamation for Arizona Cities and Towns Week to Al Bravo, Public Information Officer.

8. [21-399](#) Presentation of 25-year Service Award to Kent Fowler, of the Apache Junction Police Department.

This item was postponed to the November 2, 2021 city council regular meeting.

## **F. REGIONAL INTERGOVERNMENTAL UPDATES**

9. [21-560](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Biggs announced there is a 9/11 memorial plaque in the council chambers lobby for viewing. He also thanked city staff for the 9/11 memorial ceremony on September 11.

Councilmember Evens announced there was a successful Make a Difference Day. There were five projects, four of which are city owned. There were over 100 volunteers which included the Apache Junction High School football team and city employees. She also thanked Sandy Russell, Republic Services, Ace Hardware, and Apache Junction Parks and Recreation Department for their donations and hard work.

Councilmember Schroeder announced he attended the Arizona Rural Transportation Summit on October 14th which highlighted two Apache Junction projects. He added there is a concern over the financing of transportation related matters due to the rate of Arizona's population increases.

Mayor Wilson announced he attended the Phoenix/Mesa Gateway Airport Authority Board meeting and said they are increasing services at the airport. He added they are working on adding additional airlines and updating the terminal. He also said passenger numbers are exceeding those of 2018/2019.

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

### **10. [21-561](#) City Manager's Report.**

City Manager Bryant Powell announced that Make a Difference Day is growing and plans for next year's event is already underway.

He also read a letter he received from State Land Director Lisa Atkins regarding the recent state land annexation.

### **11. [21-562](#) Announcement of current events.**

Public Information Officer Al Bravo announced that the VFW Post 9399 on Apache Trail and Saguaro is having a haunted house on October 29th and 30th from 7:00 to 10:00 pm.

He also announced the Founders Centennial Committee meets on the 2nd and 4th Wednesday of the month at the library and thanked Frys on Old West Highway for the recent large financial donation.

He announced the "Calling All Artists" which displays local artists work at City Hall and the Library. For more information contact the city manager's office.

He said the next session of the Citizen Leadership Institute starts in January, 2022. More information and registration can be found at [apachejunctionaz.gov/CLI](http://apachejunctionaz.gov/CLI).

He said the farmers market that was located in the old bashas' plaza has moved to Gold Canyon to partner with their market.

He also thanked all those that participated in the recognition of domestic violence awareness month by wearing purple.

## **H. PUBLIC HEARINGS**

### **12. [21-554](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1517 (case PZ-21-68-PZ), a rezoning request by Sonoma Communities, represented by Adam Baugh of Withey Morris, PLC, to rezone approximately 22 acres, generally located near the southwest corner of Tomahawk Road and Broadway Avenue, from General Commercial ("B-1") and High Density Multiple-Family Residential ("RM-2") to High Density Multiple-Family Residential by Planned Development ("RM-2/PD") to develop approximately 201 single-family rental units.**

Councilmember Schroeder moved, seconded by Councilmember Evans that Ordinance No. 1517 be read by title only and the reading of the entire ordinance be waived.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Councilmember Biggs moved, seconded by Vice Mayor Rizzi that Ordinance 1517 as read by the city clerk be approved and adopted.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Councilmember Biggs said the fact that the chamber of commerce and school district were here to support the project was reassuring to him as a councilmember.

Vice Mayor Rizzi stated she is not opposed to growth and she likes the development. It helps both the school district and local businesses, but looking towards the future it is important to balance residential growth with commercial growth. She prefers limiting commercial zoning changes.

**Motion passed.**

Planner Kelsey Schattnik gave a presentation on proposed development at the southwest corner of Broadway Avenue and Tomahawk Road and the request for rezoning by Sonoma Communities.

Councilmember Biggs inquired about the number of acres. Ms. Schattnik replied that it is about 7 acres of the 22 acres. He also asked if the two parcels would be combined. Ms. Schattnik explained that the two lots would be combined if the proposed rezoning is approved.

Vice Mayor Rizzi asked if there will be any issues by reducing the setback from 20 feet to 10 feet. Ms. Schattnik explained that it shouldn't be a problem as the rear setback only applies to those backyards adjacent the commercial property. Vice Mayor Rizzi explained she was concerned the reduced setback for those lots that back commercial lots may create future complaints of the commercial business activities.

Mayor Wilson invited the applicant to address the council.

Adam Baugh of Withey Morris, PLC, located at 2525 E. Arizona Biltmore Circle, Phoenix, addressed the council on the proposed rezoning and development.

Councilmember Biggs asked if there was a price point for these units and is concerned about the rent being too high for lower income families. Mr. Baugh said he understands the concern and there are several price points for these units as there are different sizes. He did say they specifically created a one bedroom small units and studio units. He said he is unable to provide a price point at this time as the price is determined at the time the units are complete, ready for occupancy and would reflect current market rates.

Councilmember Evans said she likes the plans for the proposed project, especially the studio units.

Vice Mayor Rizzi said she doesn't always agree with rezoning commercial to residential zoning and changing the general plan but likes the proposed development. She wanted to share her

concern about changing the zoning in the general plan.

Mayor Wilson said in the past the lot was used by 4-Wheel drive vehicles and ended up throwing dirt on the city streets which staff had to clean.

Mayor Wilson opened the public hearing.

George Schroeder, 244 W. Virginia, Apache Junction said he likes the project but urges the developer to develop the arroyo. He also said there should be more projects for low income residents.

Jeff Barlett, 108 N. Meridian Drive, Apt 220, Apache Junction expressed his concern over the increase of cost of living and likes the proposed development and believes the way to keep rent prices down is to increase the supply to lower the demand.

Steve Byfield, 561 E. Saddlebutte, representing the Chamber of Commerce, supports the planned development and believes it will be an asset to the business community in the city.

Heather Wallace, Acting Superintendent of the Apache Junction School District, expressed support of the planned development.

Charles Beal, Lot 21 of Superstition Villa, expressed concerned of the environmental concerns of the project such as solar on the club house, moisture sensors for sprinkler systems, and EV charging. He added retention basins for grey water are important as well.

Mayor Wilson closed the public hearing and asked for a motion.

- 13. [21-573](#) Presentation, discussion, public hearing and consideration of case P-21-73-PZ, a proposed rezoning by planned development requested by Chris Hundelt of Keystone Homes, of 14.77 acres located at the southwest corner of Superstition Boulevard and Royal Palm Road from RS-GR (“General Rural Low Density Single-Family Detached Residential”) to RM-2/PD (“High Density Multiple-Family Residential by Planned Development”) for the purpose of developing a 166-unit rental residential community.

**Vice Mayor Rizzi moved, seconded by Councilmember Schroeder that case P-21-73-PZ, a proposed rezoning case by Chris Hundelt of Keystone Homes be continued to the City Council meeting of December 7, 2021.**

**Yes:** 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

**No:** 0

**Excused:** 1 - Councilmember Gremmel

Mayor Wilson announced that the developer of this project requested a continuance on the approval of this project. Since it has been advertised the public hearing portion of the item will be held.

Associate Planner Leftwich addressed the council explaining the Planning and Zoning Commission heard the applicants request to continue the request and voted to continue the project out 60 days.

Mr. Leftwich reviewed the high level items of this project.

- This request is to rezone approximately 15 acres
- The requested rezoning is RS-GR to RM2-PD
- No general plan amendment is needed because it's part of the downtown mixed use core
- Rental home community owned by the community
- Some revisions are in progress based on the Planning and Zoning Commission's comments
- Planning and Zoning Commission concerns were the location of the project and traffic impact (applicant is doing a traffic study)

Councilmember Biggs asked if the traffic study would include winter visitor traffic numbers. Mr. Leftwich said the applicant would be better at answering that question.

Brennan Ray, 1815 N. Central Ave., representing Keystone Homes, responded to Councilmember Biggs' question regarding the traffic impact analysis saying that it accounts for the additional traffic generated by winter visitors.

Vice Mayor Rizzi asked Mr. Ray how they account for the increased traffic or how it is projected. Mr. Ray explained there is criteria and data from the National Institute of Engineers that is used to factor into the analysis.

Mayor Wilson opened the public hearing portion of the item.

George Schroeder, 2444 W. Virginia St., Apache Junction, does not support the project because of infrastructure costs and increased traffic. He also questions the height of the project as he said the development will block views.

Jeff Barlett, 108 N. Meridian Dr., Apt. 220, Apache Junction, supports the building of higher density in the city and believes the traffic study will only get in the way of development. He also supports the development as the supply of housing increases, home costs will decrease. He supports the approval of this development and wants to see more affordable development in the city.

Yvonne Kruser, 544 N. Hilton, Apache Junction, thanked the Planning and Zoning Commission for taking the time to request the traffic study as this development will impact the traffic on Superstition Boulevard.

Vice Mayor Rizzi said the city shouldn't be compared to Phoenix and Mesa as it is a very unique community and that Apache Junction is growing, just in its own time.

Mayor Wilson said this development is in the general plan area and can include 40 foot tall buildings. He said the 20 foot high buildings are a positive aspect of the development.

Mayor Wilson closed the public hearing and called for a motion.

## **I. OLD BUSINESS**

## **J. NEW BUSINESS**

- 14.** [21-555](#) Consideration of approval of Resolution No. 21-51 reaffirming the City of

Apache Junctions support for the Southeast Arizona Land Exchange and Conservation Act and recognizing Resolution Copper Company for its investments and efforts in developing the copper mine NEAR or IN Superior and enhancing the local, state and regional economics.

**Councilmember Evens moved, seconded by Vice Mayor Rizzi that Resolution No. 21-51 a resolution of the Mayor and City Council of the City of Apache Junction, Arizona, reaffirming Resolution No. 13-30 and the city’s support for the Southeast Arizona Land Exchange and Conservation Act and recognizing Resolution Copper Company for its investments and efforts in developing the copper mine near Superior, AZ, enhancing the local, state and regional economics be approved.**

**Yes:** 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

**No:** 0

**Excused:** 1 - Councilmember Gremmel

City Manager Bryant Powell explained the history of the resolution.

Councilmember Biggs said the resolution will reaffirm the city's support for the Southeast Arizona Land Exchange and Conservation Act and Resolution Copper and its impact on local, state and regional economics.

Mayor Wilson called for a motion.

- 15. [21-567](#) Consideration of applicants for annual appointments and reappointments for the City of Apache Junction Boards and Commissions. Council interviewed applicants at the October 18th work session and may take this opportunity to fill the positions.

**Board of Adjustment**

**Councilmember Biggs moved, seconded by Councilmember Evans that Sarah Snyder be appointed to the Board of Adjustment for a term to expire on October 31, 2024.**

**Yes:** 6

**No:** 0

**Excused:** 1 Councilmember Gremmel

**Motion passed.**

**Councilmember Nesser moved, seconded by Councilmember Evans that Jaime Lanza be appointed to the Board of Adjustment for a term to expire on October 31, 2024.**

**Yes:** 5

**No:** 1 Councilmember Schroeder

**Excused:** 1 Councilmember Gremmel

**Motion passed.**

**Health & Human Services Commission**

**Councilmember Evans moved, seconded by Councilmember Nesser that Michael Brennan be appointed to the Health & Human Services Commission for a term to expire on October 31, 2024.**

Yes: 5  
No: 1 Councilmember Biggs  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Nesser moved, seconded by Councilmember Biggs that Jeffrey Mitchell be appointed to the Health & Human Services Commission for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

**Industrial Development Authority**

Councilmember Evans moved, seconded by Councilmember Biggs that Jaime Lanza be appointed to the Industrial Development Authority for a term to expire October 31, 2026.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Biggs moved, seconded by Councilmember Schroeder that Sarah Snyder be appointed to the Industrial Development Authority for a term to expire October 31, 2027.

Yes: 4  
No: 2 Councilmembers Evans and Nesser  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Evans moved, seconded by Councilmember Biggs that Dr. Michael Sutton be appointed to the Industrial Development Authority for a term to expire October 31, 2027.

Yes: 5  
No: 1 Vice Mayor Rizzi  
Excused: 1 Councilmember Gremmel

Motion passed.

**Library Board**

Councilmember Evans moved, seconded by Councilmember Biggs that Yvonne Kruser be appointed to the Library Board for a term to expire on October 31, 2022.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel



Motion passed.

Councilmember Schroder moved, seconded by Councilmember Nesser that Vera Walters be appointed to the Library Board for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Biggs moved, seconded by Councilmember Schroeder that Cheryl Hall be appointed to the Library Board for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

#### Municipal Property Corporation

Councilmember Evans moved, seconded by Councilmember Schroeder that Wayne Standage be appointed to the Municipal Property Corporation for a term to expire October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Schroeder moved, seconded by Councilmember Evans that CE Beal be appointed to the Municipal Property Corporation for a term to expire October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

#### Parks and Recreation Commission

Councilmember Nesser moved, seconded by Vice Mayor Rizzi that Frank Schoenbeck be appointed to the Parks and Recreation Commission for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Biggs moved, seconded by Councilmember Schroeder that Tarrell Moore be appointed to the Parks and Recreation Commission for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Biggs moved, seconded by Councilmember Schroeder that Tarrell Moore be appointed to the Parks and Recreation Commission for a term to expire on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

#### Planning and Zoning Commission

Vice Mayor Rizzi moved, seconded by Councilmember Schroeder that Richard Cantwell be appointed to the Planning and Zoning Commission for a term ending on October 31, 2024.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

Councilmember Biggs moved, seconded by Vice Mayor Rizzi that Dirk Begeman be appointed to the Planning and Zoning Commission for a term to expire on October 31, 2024.

Yes: 5  
No: 1 Councilmember Evans  
Excused: 1 Councilmember Gremmel

Motion passed.

#### Public Art Commission

Councilmember Evans moved, seconded by Vice Mayor Rizzi that Frank Sperna be appointed to the Public Arts Commission for the "Interested in Art" position for a term to expire on October 31, 2022.

Yes: 6  
No: 0  
Excused: 1 Councilmember Gremmel

Motion passed.

After the appointments, councils' comments reflected they would like to discuss the number of commissioners for the Health and Human Services Commission, residency requirements of the

Parks & Recreation Commission and updates to the current procedures.

**K. COUNCIL DIRECTION TO STAFF**

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

- 16. [21-563](#) Executive Session at 6:00 P.M. for Monday, November 1st and Executive Session at 6:00 P.M. for Tuesday, November 2nd in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

**Vice Mayor Rizzi moved, seconded by Councilmember Nesser that an executive session at 6:00 p.m. for Monday, November 1st, and Tuesday, November 2nd, 2021 be held in the city council conference room and city council chambers, 300 E. Superstition Boulevard, Apache Junction, Arizona, respectively and other meetings scheduled if necessary.**

**Yes:** 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs and Councilmember Nesser

**No:** 0

**Excused:** 1 - Councilmember Gremmel

**M. CALL TO PUBLIC**

George Schroeder, 244 W. Virginia, Apache Junction believes appointees to the planning and zoning commission should have a background check and that a traffic study hasn't been performed on his street. He added the intersection of Idaho and Superstition is a dangerous intersection and hasn't approved since the round-a-bout was installed. He said he will go to court and block the general plan and have it resent for a vote.

Councilmember Biggs asked staff to look into a stop sign at the intersection of Delaware and Virginia. City Manager Bryant Powell said this was currently being looked into.

**N. ADJOURNMENT**

Mayor Wilson adjourned the meeting at 9:01 p.m.

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
WALTER "CHIP" WILSON  
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 \_\_\_\_\_, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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