



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

Tuesday, February 15, 2022

7:00 PM

City Council Chambers

A. CALL TO ORDER

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Rizzi gave the invocation and Councilmember Biggs led the Pledge of Allegiance.

C. ROLL CALL

Present: 7 - Mayor Wilson
Vice Mayor Rizzi
Councilmember Evans
Councilmember Schroeder
Councilmember Biggs
Councilmember Nesser
Councilmember Gremmel

City Staff in Attendance:

Bryant Powell, City Manager (phone)
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Michael Pooley, Police Chief
Al Bravo, Public Information Officer
Larry Kirch, Development Services Director
Anna McCray, Assistant to the City Manager
Rudy Esquivias, Planning Manager
Liz Langenbach, Parks and Recreation Director
Jeff Kirkham, Police Commander
Marty Harshman, Police Corporal
Brian Brugman, Police Officer
Jesse Franz, Police Detective
Wes Kelley, Police Sergeant
Nick Leftwich, Associate Planner
Kent Fowler, Police Officer
Frank Nichols, Police Detective

D. CONSENT AGENDA

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

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

1. [22-084](#) Consideration of acceptance of agenda.
2. [22-085](#) Consideration of approval of minutes of the special meeting of January 31, 2022 and the regular meeting of February 1, 2022.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

3. [22-083](#) Presentation of awards presented to Officer Brian Brugman, Detective Frank Nicholls, Detective Jesse Frantz, and Detective Joshua Hooper with the City of Apache Junction Police Department for actions during a police incident on March 16, 2021.

Chief Pooley presented Detectives Nicholls and Frantz the Life Saving Medals and Officer Brian Brugman the Purple Heart Medal.

F. REGIONAL INTERGOVERNMENTAL UPDATES

4. [22-086](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Mayor Wilson shared he attended city of Mesa's State of the City. He said the information was interesting. He added it included the job growth of the city and how many jobs per citizen were available.

G. CITY MANAGER'S REPORT

5. [22-087](#) City Manager's Report.
6. [22-082](#) Discussion, appreciation, and commendation for retiring Apache Junction Development Services Director, Larry Kirch.

Assistant City Manager Matt Busby recognized Larry Kirch, Development Services Director, for his accomplishments and service to the city of Apache Junction. Mr. Kirch thanked the council and staff for their support during the last seven years.

7. [22-088](#) Announcement of current events.

Al Bravo, Public Information Officer, said the Apache Junction State of the City is available to watch on the city's YouTube page at www.youtube.com/cityofaj.

Mr. Bravo said this weekend kicks off Lost Dutchman Days with the Lost Dutchman Marathon on Sunday, February 20th. He added Lost Dutchman Days are the next weekend, February 25th, 26th and 27th with a rodeo and carnival at the rodeo grounds and a parade on Saturday morning. More information on all Lost Dutchman Days events can be found at www.lostdutchmandays.org.

Mr. Bravo also announced that the city will be hosting a household hazardous collection day on Saturday, March 5th from 8:00am to 12:00pm. The event will be at the city's Public Works yard

at 575 E. Baseline Ave., Apache Junction. More information can be found at www.apachejunctionaz.gov or by calling 480.474.8500.

H. PUBLIC HEARINGS

8. [22-041](#) Presentation, discussion, public hearing and consideration of an application for a class A bingo license for Kevin Osborne who resides at Sundowner RV Resort, 105 N. Delaware Drive, Apache Junction, Arizona. Mr. Osborne is requesting council's approval of the application so he and other residents can hold bingo games within the park for the benefit of its residents. City council recommendations will be forwarded to the Arizona Department of Revenue for their final action.

Councilmember Evans moved, seconded by Councilmember Schroeder, that the application for a Class A Bingo License submitted by Kevin Osborne for games to be conducted within the Sundowner RV Park Resort be recommended for approval to the Department of Revenue.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Clerk Jennifer Pena explained the Class A bingo license and how the bingo games are controlled under this type of license.

The mayor invited the applicant to speak but had no response.

Mayor Wilson opened and closed the public hearing after no response. He then called for a motion.

9. [22-101](#) Presentation, discussion and public hearing on Ordinance No. 1522 an ordinance of the mayor and city council of the City of Apache Junction, Arizona, amending Apache Junction City Code, Volume I, by adding to existing Chapter 3: Administration, Article 3-7: Procurement Procedure, new section 3-7-19, Job Order Contracting Construction Services; repealing any conflicting provisions; providing for severability; and providing for penalties.

Vice Mayor Rizzi moved, seconded by Councilmember Biggs that Ordinance No. 1522 be read by title only and the reading of the entire ordinance be waived.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

Councilmember Evans moved, seconded by Councilmember Nesser that Ordinance No. 1522, as read by the city clerk, be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Attorney Joel Stern presented the changes of Ordinance No. 1522 which was the increase

from \$3 million to \$5 million from council's comments Monday night during the work session.

The council and staff discussed how the motion should be made.

Mayor Wilson opened the public hearing and having no one wishing to address this item closed the public hearing.

10. [22-097](#) Cancellation of case PA-1-21, a request by Hassle Free House Buyers, LLC, for the approval of a private access way on the Silver Drive alignment immediately south of W. Roundup St. between N. Ironwood Drive and N. Gold Drive to facilitate the Lot Split Case P-21-33-LSM.

Councilmember Biggs moved, seconded by Vice Mayor Rizzi that the request by Hassle Free House Buyers, LLC, case PA-1-21, for a private access way on the Silver Drive alignment to facilitate lot split case P-21-33-LSM be cancelled.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

Development Services Director Kirch gave a presentation explaining the history of the request and that the applicant withdrew the request.

Mayor Wilson opened the public hearing and having no one wishing to address the item closed the public hearing.

Mayor Wilson called for a motion.

I. OLD BUSINESS

J. NEW BUSINESS

11. [22-072](#) Discussion on and consideration of approval of Resolution No. 22-03, an intergovernmental agreement with Pinal County for election services for the August primary election and, if necessary, the November general election. This proposed intergovernmental agreement with Pinal County is necessary in order to conduct the August 2022 city primary and November general elections. Through the intergovernmental agreement, we will obtain critical election and voter-related services to include sample and final ballots, ballot tabulation, precinct registers, early voting, and preparation and distribution of ballots.

Councilmember Evans moved, seconded by Councilmember Biggs that Resolution No. 22-03 approving an intergovernmental agreement between Pinal County and the city of Apache Junction for election services for the August Primary election and, if necessary, the November General election be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

City Clerk Jennifer Pena explained the intergovernmental agreement for elections services with Pinal County.

The council and Ms. Pena discussed that the contract cost is based on number of voters and is why the agreement is renewed every election cycle, and how the cost of various items affect the agreement.

Mayor Wilson called for a motion.

K. COUNCIL DIRECTION TO STAFF

12. [22-098](#) Discussion and possible direction to staff on scheduling a joint meeting with the Health and Human Services Commission including date, time, location, and agenda items to be discussed.

Councilmember Biggs moved, seconded by Councilmember Evans that the city council of Apache Junction and the Health and Human Services Commission for Apache Junction hold a joint session on February 28, 2022 at 5:00 pm in the council chambers to discuss City of Apache Junction City Code, Volume I, Sections 2-11 and 2-14 and to discuss the purpose and scope of the commission, the scope of the monies and where they are used for and by the nonprofits.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

Assistant City Manager Matt Busby explained the need for a direction to staff to have a special joint meeting with the Health and Human Services Commission.

The council and staff discussed various locations where the joint meeting can be held and if having it in the council chambers is best because of the ability to have the meeting recorded.

City Clerk Pena announced that the chair and vice chair of the Health and Human Services Commission (HHSC) are present and available to answer any questions or provide input if needed. Ms. Pena also said the HHSC meets on February 28th and that the council may have a work session scheduled that evening. Mr. Busby added HHSC meetings begin at 5:00 pm.

The council discussed scheduling the meeting during the HHSC's regular meeting time would work best for the commissioners and that the meeting can be held in the council chambers.

The council and city staff discussed the agenda items should include a purpose and scope of the code provisions and a discussion on public moneys for nonprofits. Staff recommended the agenda should also include the specific city code with is City of Apache Junction City Code, Volume I, Sections 2-11 and 2-14.

The council and staff discussed that the direction to staff should include the following agenda items:

1. Discussion on City of Apache Junction City Code, Volume I, Sections 2-11 and 2-14 and the purpose and scope of the commission; and
2. Scope of the monies and grant awards and how they are utilized by the nonprofits.
3. City of Apache Junction City Code, Volume I, Sections 2-11 and 2-14.

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

13. [22-089](#) Executive Session at 6:00 P.M. for Monday, February 28th and Executive Session at 6:00 P.M. for Tuesday, March 1st in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

Councilmember Gremmel moved, seconded by Councilmember Nesser that an executive session at 6:00 p.m. for Monday, February 28th and Tuesday, March 1st be held in the city council conference room located at 300 E. Superstition Boulevard, Apache Junction, Arizona, and other meetings be scheduled if necessary.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Biggs, Councilmember Nesser and Councilmember Gremmel

No: 0

M. CALL TO PUBLIC

Mehmood Mohiuddin, 2304 N. Cortez Road, Apache Junction said he is working with Arizona Department of Transportation (ADOT) on having a cross walk for pedestrians and horses because of the speed of traffic during the day on State Route 88. He added ADOT will be sending staff to watch the traffic and they will hopefully install a lighted crosswalk. He's hoping the city will support the project.

Donna Carr, Apache Junction resident, asked the council to discuss that at Guadalupe and Meridian there are cancer causing agents present. She added that there is a water source close to the area and these agents may be getting into the water that comes to our taps. She also said U.S. Route 60 should be widened because of the amount of traffic and traffic accidents that take place on the freeway.

George Schroeder, 2444 W. Virginia Street, Apache Junction said a neighbor put up a 4 foot fence in her front yard. He said code enforcement and staff are favoring people with garbage in their yards.

Darryl Cross, 1018 N. Acacia Road, Apache Junction announced there will be the first ever Pony Express event that will deliver mail to the post master of Apache Junction. Superstition Horseman's Association has created a First Edition of post cards. Those wishing to purchase post cards can do so at Lost Dutchman Days.

Councilmember Biggs asked that staff work with Mr. Mohiuddin regarding the cross walk.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:09 p.m.

ACCEPTED THIS _____ DAY OF _____, 2022, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2022.

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 _____, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2022.

JENNIFER PEÑA