



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, March 15, 2022

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:00 pm.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. ROLL CALL

Present: 5 - Mayor Wilson
Vice Mayor Rizzi
Councilmember Evans
Councilmember Schroeder
Councilmember Nesser

City Staff in Attendance:

Bryant Powell, City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Michael Pooley, Police Chief
Carlena Lawson, Administrative Assistant Police Department

D. CONSENT AGENDA

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

Mayor Wilson called for a motion.

1. [22-157](#) Consideration of acceptance of agenda.
2. [22-158](#) Consideration of approval of minutes of the regular meeting of March 1st, 2022.
3. [22-163](#) Consideration of approval of proposed Resolution No. 22-05 authorizing the submission of application(s) to the Governor's Office of Highway Safety Federal Fiscal Year 2023 Grant Program.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

4. [22-129](#) Presentation of 35-year Service Award to Carlena Lawson, of the Apache

Junction Police Department.

Carlena Lawson was recognized for 35 years of service to the city.

F. REGIONAL INTERGOVERNMENTAL UPDATES

5. [22-159](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Schroeder said on March 8, 2022 the Arizona Supreme Court rendered an opinion of the proposed sales tax for the Pinal County Transportation Plan. He said:

- 1) Pinal County complied with state law in adopting the transportation tax;
- 2) The Pinal County Board of Supervisors and the Pinal County Regional Transportation Board of Directors acted lawfully concerning the resolution and the ballot approving the proposed excise tax;
- 3) The excise tax itself was unlawful because the legislature had not delegated authority to the Pinal County Board of Supervisors to adopt a two-tiered tax rate;
- 4) Voters were left with an approved transportation plan, but no legitimate proposed excise tax approved by the voters; and,
- 5) A correction can be made by submitting a new excise tax to the voters, but it must occur within five years after the initial voter approval that occurred on November 7, 2017.
- 6) The \$80 million that has been collected to date will remain in an escrow account and no further collection will occur until the issue is resolved.

Mayor Wilson said he attended a meeting of the Phoenix-Mesa Gateway Airport board of directors. He said they continue to see a record increase of passengers departing and arriving. There are also plans to expand fuel capability and parking facilities.

G. CITY MANAGER'S REPORT

6. [22-160](#) City Manager's Report.

City Manager Bryant Powell recognized the importance of the Pinal County Regional Transportation Board and how important they are for the infrastructure of the county.

Mr. Powell also recognized the Blues and Brews Festival that was held at Flatiron Park on March 12th.

Mayor Wilson announced the Pinal County Fair is starting March 16th and runs through March 20th. A local 4-H Club, Country Kickers 4-H Club, will have four calves in the auction on Saturday, March 19th at 12:00 pm.

7. [22-137](#) Discussion and presentation by Stephen Herring of Republic Services on free dump week and update on Landfill activity.

Jim Groen of Republic Services announced he is moving to San Diego and introduced his replacement, Adena Gilden. Ms. Gilden introduced herself to the council. She also introduced William Hathaway, the new Hauling Operations Manager. Stephen Herring of Republic Services gave an update on free dump week and landfill activity.

8. [22-161](#) Announcement of current events.

H. PUBLIC HEARINGS**I. OLD BUSINESS****J. NEW BUSINESS****K. COUNCIL DIRECTION TO STAFF**

9. [22-144](#) Presentation and discussion on the process for filling Apache Junction City Council vacancies.

City Attorney Joel Stern gave a presentation on the statutes and process for filling Apache Junction City Council vacancies.

City Manager Bryant Powell reviewed the recommended time frame for the appointment.

The city council and staff discussed the length of the term of the appointment to the seat vacated by Mr. Braden Biggs. Due to the vacancy occurring more than 30 days before the nomination petitions deadline State statute requires Mr. Biggs council seat will only have an appointment until the next regularly scheduled election, which is August 2, 2022. This vacancy will be on the ballot for that remaining term. Depending on the outcome of that election, other scenarios may come into play. Discussion was held on council's discretion on the questions they wish to ask those applicants who apply to be appointed to this council seat and who past councils have filled mid-term vacancies.

City Clerk Jennifer Pena reviewed her role as the Election Official for the city.

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

10. [22-162](#) Executive Session at 6:00 P.M. for Monday, April 4th and Executive Session at 6:00 P.M. for Tuesday, April 5th in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

Councilmember Nesser moved, seconded by Councilmember Evans that an executive session at 6:00 p.m. for Monday, April 4 and Tuesday, April 5, 2022, 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: 6 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder, Councilmember Nesser and Gremmel

No: 0

M. CALL TO PUBLIC

George Schroeder, 2224 W. Virginia Street, Apache Junction, said the country should be doing more for Ukraine, he asked what the criteria is for city council appointment and said he wants to put a hold on the tax.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 7:51 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