



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, April 5, 2022

7:00 PM

City Council Chambers

A. CALL TO ORDER

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

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Rizzi gave the invocation and Councilmember Nesser 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
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Michael Pooley, Police Chief
Michael Wever, Public Works Director
Liz Langenbach, Parks & Rec Director
Janine Solley, Economic Director
Pam Harrison, Library Director
Rudy Esquivias, Interim Development Services Director
Sidney Urias, Senior Planner

D. CONSENT AGENDA

Vice Mayor Rizzi moved, seconded by Councilmember Nesser to accept and approve the consent agenda as presented.

Yes: 5 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder and Councilmember Nesser

No: 0

1. [22-177](#) Consideration of acceptance of agenda.

2. [22-178](#) Consideration of approval of minutes of the regular meeting of March 15th, 2022.
3. [22-186](#) Consideration of approval of proposed Resolution No. 22-04, authorizing the city to enter into an Intergovernmental Agreement (IGA) Amendment No. 1 with the Arizona Department of Transportation for additional federal funds in the amount of \$1,549,901 for sidewalk improvements on Old West Highway from Idaho Road to Goldfield Road and on Winchester Road from 6th Avenue to Old West Highway.
4. [22-188](#) Consideration of approval of Resolution No. 22-06, authorizing the city to enter into the Intergovernmental Agreement (IGA) Amendment No.1 with the Arizona Department of Transportation for additional federal funds in the amount of \$342,600 for bicycle and pedestrian improvements on Idaho Road from Superstition Boulevard to McKellips Road.
5. [22-202](#) Consideration of approval of proposed Resolution No. 22-07, authorizing the city to enter into an Intergovernmental Agreement (IGA) Amendment No. 1 with Arizona Department of Transportation for change in the design funds from \$350,000 to \$30,000 for a road widening project on Winchester Road from 29th Avenue to Southern Avenue.
6. [22-196](#) Consideration of approval on proposed construction agreement with Southwest Sawcutting and Milling, LLC, dba SWB Paving, for Project PWC 2018-02 / RA 108-22, Saguaro Drive West Improvements in an amount of \$509,109.05, allowing for a contingency of 10% for a project amount not to exceed \$560,019.96. This work is funded by the city's Fiscal Year 2021 Community Development Block Grant Regional Account and State Special Project funding as requested by city council under Resolution No. 21-24.
7. [22-197](#) Consideration of approval for an award of contract to Sunland Asphalt for the reconstruction of Lost Dutchman Boulevard from Idaho Road to Tomahawk Road. The work is planned for May of this year and should be fully completed in June, 2022 and it will be through the 1 Government Procurement Alliance Cooperative Contract No. 17-16P-05 in the amount of \$713,176.15, plus a 10% contingency for unforeseen change orders in the amount of \$71,317.61, for a total amount not to exceed \$784,493.76. The work will result in a new pavement surface; in addition, bike lanes for this portion of Lost Dutchman Boulevard as presented and discussed at the July 6, 2021 City Council Work Session for the Fiscal Year 2022 Capital Improvement Plan & Street Maintenance Plan.

8. [22-198](#) Consideration of approval for an award of contract to Sunland Asphalt for the reconstruction of Idaho Road from Superstition Boulevard to Lost Dutchman Boulevard. The work is planned for June, 2022 and should be fully completed in July, 2022 (in time for the new school year 2023 to start) and it will be through the 1 Government Procurement Alliance Cooperative Contract No. 17-16P-05 in the amount of \$1,058,634.00, plus a 10% contingency for unforeseen change orders in the amount of \$105,863.40, for a total not to exceed \$1,164,497.40. The work will result in a new road base and pavement surface for this portion of Idaho Road, as presented and discussed at the July 6, 2021 City Council Work Session for the Fiscal Year 2022 Capital Improvement Plan & Street Maintenance Plan.
9. [22-199](#) Consideration of approval for an award of contract to Sunland Asphalt for the asphalt overlay of Idaho Road from SR88 to Superstition Boulevard. The work is planned for June, 2022 and is to be fully completed in July, 2022, it will be through the 1 Government Procurement Alliance Cooperative Contract No. 17-16P-05 in the amount of \$118,632.00, plus a 10% contingency for unforeseen change orders in the amount of \$11,863.20, for a total not to exceed \$130,495.20 and it will result in a new pavement surface for this portion of Idaho Road, as part of the Fiscal Year 2023 Capital Improvement & Street Maintenance Plan.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

10. [22-099](#) Proclamation designating the week of April 10, 2022 through April 16, 2022 as "National Public Safety Telecommunications Week".

Mayor Wilson presented the proclamation to Chief Pooley and his staff. He thanked them for their dedication and the valuable service they provide as the 911 dispatchers and first point of contact when people call the Apache Junction Police Department.

11. [22-207](#) Proclamation designating the week of April 3rd through April 9th, 2022 as National Library Week.

Mayor Wilson presented the proclamation to Pam Harrison, Library Director. Ms. Harrison provided brief comments on the valuable services the library provides to the community and the invaluable support the library receives from its visitors.

F. REGIONAL INTERGOVERNMENTAL UPDATES

12. [22-179](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Evans announced the AJCDC has set October 8th as the next Make a Difference Day. They are looking for projects.

Mayor Wilson announced on Saturday April 2nd, there was the Battle of the Badges between the AJ P.D. and the fire district.

G. CITY MANAGER'S REPORT**13. [22-180](#) City Manager's Report.**

City Manager Bryant Powell shared a few photos of the Battle of the Badges game.

He also was invited to throw out the first pitch for the Apache Junction Little League and he touched on the impact geographical boundaries play in the realm of sports and local teams. He mentioned the grant and new uniforms gifted to the Apache Junction little league from the Arizona Diamond Backs and with the city's matching funds, new ball field lighting was installed and a new scoreboard was put up in the ball fields.

14. [22-181](#) Announcement of current events.

Assistant City Manager Matt Busby provided announcements usually provided by Al Bravo the city's public information officer.

He announced the Kiwanis Shred-A-thon being held Saturday, May 14th from 9 a.m. to 11 a.m. at the city hall parking lot and Earth Day Celebration at Horizon Health and Wellness on Saturday, April 23rd from 9 a.m. to 1 p.m.

15. [22-203](#) Discussion and appreciation for retiring Apache Junction Police Commander, Troy Mullender for his 37 years of service.

City Manager Bryant Powell announced that Commander Mullender was on the agenda to be recognized for his 37 years of service in the Apache Junction Police Department. However, his daughter is the star pitcher on her high school team and was attending that game tonight. Mr. Powell shared some of Commander Mullender history and accomplishments.

H. PUBLIC HEARINGS**16. [22-119](#) Presentation, discussion, and public hearing by Carson Bise, of TischlerBise, on the updated Land Use Assumptions, Infrastructure Improvements Plan and Development Fee draft report dated March 30, 2022.**

Rudy Esquivias, Acting Development Services Director announced Carson Bise is the consultant assisting the city with drafting new development fees. With the significant growth the city is facing it was time to review and update the development fees so make sure new growth was paying its proportionate share.

He stated this process follows strict compliance with statute and has a detailed timeline. Council saw the first official draft on January 18. Tonight is the public hearing to see and seek comment on the first official draft. He stated earlier in the day they had a meeting with stakeholders and a representative from the AZ Home Builders Association and others in the development community.

Mr. Bise of TischlerBise, provided a detailed summary on the updated Land Use Assumptions, Infrastructure Improvements Plan and Development Fee draft report dated March 30, 2022. He addressed several questions from Council.

Mayor Wilson opened the public hearing.

George Schroeder, 2444 W Virginia Street, liked the presentation from TischlerBise. He felt the increase in development fees will help the city fund other projects such as other street improvements. His streets are being ruined by so many trucks driving up and down his street and this is one way to help the city.

Mayor Wilson closed the public hearing.

I. OLD BUSINESS

J. NEW BUSINESS

K. COUNCIL DIRECTION TO STAFF

17. [22-208](#) Direction to staff on the process for filling Apache Junction City Council vacancies.

Councilmember Evans moved, seconded by Councilmember Schroeder that the following direction be given to staff:

Yes: 5 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder and Councilmember Nesser

No: 0

1) The process shall be very similar to the annual board and commission talent bank and member selection process. Starting on April 11, 2022, staff will facilitate acceptance of on-line applications for the two vacant council seats. The questions will be tailored from the board and commission talent bank application questions. The application deadline shall be April 29th, 2022 by 5:00 p.m. No exceptions for late submittals will be permitted whatsoever.

2) Staff will compile the application submittals, print them, organize them into hard copy binders and provide them to the mayor and council the week of May 8th, 2022. Staff will also make them available online for the public. All information submitted to the city online is deemed open and available for public inspection with no redactions. Staff will schedule a work session on May 16th, 2022, at which time council shall interview the candidates that council in its sole discretion deems suitable for consideration.

3) Staff will schedule a new business item on its May 17th, 2022 regular council meeting, at which time council will vote on the vacancy appointments.

- The applicant selected to fill former councilmember Gremmel's vacancy will serve the rest of her term through January 7th, 2025.

- The applicant selected to fill former councilmember Biggs' vacancy will serve through the next regularly scheduled election or until such time as a person is elected for such vacancy as the law permits through the end of his original term to January 7th, 2025.

4) Staff shall also place on the May 17th, 2022 regular council agenda a swearing-in ceremony for the two vacancies immediately after council has voted on both appointments.

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

18. [22-182](#) Executive Session at 6:00 P.M. for Monday, April 18th and Executive Session at 6:00 P.M. for Tuesday, April 19th in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

Councilmember Evans moved, seconded by Councilmember Schroeder that an executive session at 6:00 p.m. for Monday, April 18 and Tuesday, April 19, 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: 5 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Schroeder and Councilmember Nesser

No: 0

M. CALL TO PUBLIC

Darryl Cross 1018 N. Acacia Rd commented on the Intergovernmental agreements approved under the consent agenda earlier.

He addressed areas within the city where more multi-use or horse paths should be considered as the city grows and more development occurs through out the area.

Donna Carr Apache Junction resident inquired that if a certain candidates wins the Mayoral seat in this year's election will that give him inside privileges with city matters. More specifically she inquired to the compliance issues this business seems to have with the city.

George Schroeder 244 W. Virginia Street, stated code enforcement cases are not treated equally.

He stated no one on council is a code enforcement officer and neither is the city manager and they need to stay out of staff's businesses when doing their job. Mr. Schroeder stated it is illegal to tell staff how to do their job. He implied that code enforcement officers were told not to do certain parts of their job. He implied he has statutes gathered (to do something) against Mr. Busby, Mr. Powell and Rudy.

He stated he had called Steven Herring of Republic Services.... the Mayor informed Mr. Schroeder not to name specific individuals during call to the public. Mr. Schroeder stated he just wanted to say he had called Mr. Herring... the Mayor told Mr. Schroeder to stop, do not name specific persons, the mayor gaveled Mr. Schroeder and directed him to sit down.

Vice mayor Rizzi stated to clear city council have to follow the code. she herself has been in violation of codes. Mr. Schroeder shouted from the audience. Vice Mayor Rizzi stated she was addressing Ms. Carr's statement earlier. Council does not get free passes.

N. ADJOURNMENT

Mayor Wilson Adjourned the meeting at 7:56 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