



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, May 3, 2022

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:02 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. ROLL CALL

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

Staff in Attendance:

Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Anna McCray, Assistant to City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Michael Pooley, Police Chief
Al Bravo, Public Information Officer
Rudy Esquivias, Development Services Director
Liz Langenbach, Parks & Recreation Director
Janine Hanna-Solley, Economic Development Director
Leslie DeReche, Finance Director
Kelsey Schattnik, Planner

D. CONSENT AGENDA

Mayor Wilson removed item number 22-296, FLOCK public safety camera program. Vice Mayor Rizzi moved, seconded by Councilmember Nesser to approve the Consent Agenda.

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

No: 0

1. [22-250](#) Consideration of acceptance of agenda.
2. [22-251](#) Consideration of approval of minutes of the regular meeting of April 19th, 2022.
3. [22-260](#) As required by Apache Junction City Code, Volume I, Chapter 3: Administration, Article 3-9: Department of Development Services, §§ 3-9-1 (C), the city manager is seeking ratification of Rudy Esquivias for appointment to the position of Development Services Director.
4. [22-296](#) Consideration on proposed agreement with Flock, LLC for the implementation of a new public safety camera program. The initial term is a two-year agreement not to exceed \$80,350, with year one funded by an Arizona State Vehicle Theft Task Force grant in the amount of \$15,000 and \$27,800 out of General Fund.

Councilmember Evans moved, seconded by Councilmember Nesser to approve the agreement with Flock, LLC for the implementation of a new public safety camera program.

Mayor Wilson removed this item from the Consent Agenda to be heard under item J - New Business.

Chief Pooley presented and provided details on Flock.

What is Flock:

Is an Automatic License Plate Reader

- Only captures a photo of the rear of the vehicle
- Color of vehicle
- License plate number
- Unique features such as bumper stickers, decals, roof racks or body damage
- Does not capture photos of people or faces within the vehicle
- Currently provides services for 1,500 cities in the capture of evidence for law enforcement
- Cities in Arizona using Flock include: Tempe, Queen Creek, Tucson, etc.

Primary purposes:

- 1) 24/7 detection of objective data through use of cameras
- 2) Real time alerts of vehicles involved in criminal activity
- 3) Sharing of data between law enforcement agencies
- 4) Provide leads in police investigations

Provides real time alerts for stolen vehicles, vehicles involved in criminal activity, Amber alerts and Silver alerts

- Real time alerts are sent to officers and dispatch via computers and/or phones
- This system alerts officers if the vehicle has been entered into NCIC (law enforcement database) as a stolen vehicle or used in a felony crime
- Data is shared between law enforcement agencies

Investigative Leads:

Allows officers with a documented reason/case number to search for a vehicle by type, make, model, license plate number, and other unique features for investigative purposes

- Each search creates a permanent audit trail
- Data captured by Flock is purged every 30-days which protects privacy but also allows time for

investigators to pull evidence needed and download for cases

Cameras

The cameras would be placed strategically, at major ingress and egress points of the city, as well as higher crime areas. AJPD is requesting 15 cameras

- 5 cameras would be funded through a \$15,000 state grant received, deadline to spend funds is June 30th, 2022
- 10 cameras would be funded using \$27,800 of General Fund monies, in the 22/23 fiscal year

Flock Agreement

- Initial term of two years
- \$2,500 per camera cost which includes hardware, software, data and maintenance; \$350 installation fee
- The Flock agreement contains a 30-day no questions asked opt out clause
- Prior to the end of the initial 30-days AJPD will provide council an update with metrics to better evaluate/illustrate the return on investment; and will continue to provide periodic updates to council if continued

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

5. [22-229](#) Proclamation designating the week of May 11, 2022 through May 16, 2022 as "Peace Officers Memorial Week."

Mayor Wilson read the proclamation designating the week of May 11, through May 16th as "Peace Officers Memorial Week."

F. REGIONAL INTERGOVERNMENTAL UPDATES

6. [22-252](#) Brief summary of intergovernmental updates from mayor and councilmembers.

G. CITY MANAGER'S REPORT

7. [22-253](#) City Manager's Report.

City Manager Bryant Powell recognized Mr. Rudy Esquivias as the new Director of Development Services. He announced Mr. Esquivias has been with the city of almost 33 years and provided some history and insight to Mr. Esquivias's education, background and expertise.

8. [22-292](#) Introduction of new Development Services Director, Rudy Esquivias.

9. [22-254](#) Announcement of current events.

Public Information Officer Al Bravo announced May 7-11 was Municipal Clerk's Week and presented a short video of city clerk's through out the state of Arizona performing their duties. He announced the Sunshine Acres Community event Saturday May 7 from 8:00 am to 1:00 pm, the Kiwanis Shred-A-Thon on Saturday, May 14th from 9:00 am to 11:00 am, the cost is \$5.00 per box.

Free Dump week is the week of May 9th, Monday through Saturday.

He announced the Dutchman Dog Park Grand Opening was on Saturday, April 30th.

H. PUBLIC HEARINGS

10. [22-258](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1523 (case P-22-10-PZ) an Ordinance of the Mayor and City Council of the City of Apache Junction, for a proposed planned development major amendment request by Axiom Care, represented by Rose Law Group, PC, of the property at 150 N. Ocotillo Drive, located north of the northwest corner of N. Ocotillo Drive and Apache Trail, zoned General Commercial by Planned Development (B-1/PD), in order to construct a new three-story treatment facility.

Councilmember Evans moved, seconded by Vice Mayor Rizzi that Ordinance No. 1523 be read by title only and the reading of the entire ordinance be waived.

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

No: 0

Councilmember Evans moved, seconded by Councilmember Nesser that Ordinance No. 1523 as read by the city clerk, be approved.

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

No: 0

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

No: 0

City Planner Kelsey Schattnik presented the zoning case.

Background:

This is a proposed Planned Development ("PD") Major Amendment by Axiom Care of the property at 150 N. Ocotillo Drive. The property is located approximately 300 feet north of the northwest corner of N. Ocotillo Drive and W. Apache Trail. The applicant is requesting the PD Amendment to construct a new, three-story treatment facility onsite.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission public hearing was held on April 12, 2022. The Planning and Zoning Commission voted 7-0 to recommend approval of P-22-10-PZ. The conditions authorized under Ordinance No. 1523 were drafted with the commission's recommendation.

Resolution No. 22-14 adopts the document entitled "Zoning conditions of Case No. P-22-10-PZ authorized under Ordinance No. 1523 for the planned development major amendment of Axiom Care for the property legally described as and located at 150 N. Ocotillo Drive, Apache Junction, Arizona" as public record.

Staff Recommendation:

Staff recommends approval of rezoning case P-22-10-PZ subject to the conditions found in the

P&Z Staff Report and authorized under Ordinance No. 1523.

Attorney Tom Galvin of the Rose Law group representing the applicant, Axiom Care, presented information on the facility and care that would be provided to "patients" and the number of beds, totally 84 beds and staff offices that would be contained within the building. This is a 2 acre site privately owned, surrounded by commercial property, with residential surrounding the area as well. No public input was received from the required public notice they must do.

Christine Stevens from Axiom Care answered a variety of questions from Council.

Mayor Wilson opened the public hearing.

George Schroeder 2444 W. Virginia St., Apache Junction stated he has lived in Apache Junction 40 years and knows these people well. He knows what they want and what they don't want. He addressed concerns over security. If the person wants to leave the facility, they are able to leave and go back on the street. The area has always had issues with drugs. He would like to have those individuals that truly do not want help, or want to be rehabilitated, to be removed from the community.

Donna Carr, Apache Junction resident stated she believed the city needs this type of facility for its residents, not those outside the city where they are brought in from outside the community. People need help more than just the detox side, but they need counseling for month and to learn skills that would help them to find jobs and reintegrate back into society.

Charles Beal, lot 21 San Marcos Crossing, stated he read through the Axiom plan and what he wanted to hear more about any cameras and the security aspect of the site. How does the release of patients work?

Anita Soller, 220 E. 13th Ave., agreed the community needs this type of facility, but she mentioned a location on Broadway and Power, where her dentist office is located near a similar type of facility, and has experienced several break-ins. She would like to see more security at this location in Apache Junction.

Mehmood Mohiuddin, 2304 N. Cortez, stated it is a good facility to help those in need. The state has a significant problem with drugs as do many others, but it is important to help others in need. He too would like to make sure there is enough security for the patients and the community.

Dirk Begeman, 1522 E. 22nd Ave., stated he thought people have a mistaken perspective on what this facility does. He had a personal experience with a similar facility and stated this is the first step for people to get back on track with their lives. Since the opening of this facility they only called the police once. The facility is needed.

Nola Perkins, 145 S. Palo Verde, was in favor of the facility, expressed concerns over security and wanted to see priority for Apache Junction residents and Pinal County.

Mayor Wilson closed the public hearing.

He asked if the applicant wished to address the concerns regarding security.

Ms. Stevens stated their security has artificial intelligence throughout the property. It recognizes

someone carrying a weapon or large object that may be a potential weapon. There is staff 24 hours a day, nurses 24 hours a day and rounds are made inside and outside the complex.

In response to outreach to the homeless or those in need, will be part of the priority for Pinal County residents this year.

City Attorney Joel Stern asked for clarification on the intake process of clients and then the release of them, and how and where they are released after treatment. He also asked Ms. Stevens to clarify information on the security and the cameras for the facility. Ms. Stevens also addressed the conversations they have had with AJ Police on these issues and other matters regarding the facility.

Mayor Wilson re-opened the public hearing for any further comments based on Council's questions and responses from the applicant. Seeing none, he closed the public hearing.

11. [22-263](#) Presentation, discussion, public hearing and consideration of proposed Resolution No. 22-14, a Resolution of the Mayor and City Council of the City of Apache Junction, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Zoning conditions of Case No. P-22-10-PZ authorized under Ordinance No. 1523 for the planned development major amendment of Axiom Care for the property legally described and located at 150 N. Ocotillo Drive, Apache Junction, Arizona."

Councilmember Evans moved, seconded by Vice Mayor Rizzi that Resolution No. 22-14 declaring as a public record that certain document filed with the city clerk and entitled " zoning conditions of case no. P-22-10-PZ authorized under Ordinance No. 1523 for the planned development of major amendment of axiom care for the property legally described and located at 150 N. Ocotillo Drive, Apache Junction, Arizona," be approved.

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

No: 0

The public hearing was held under item 22-258.

I. OLD BUSINESS

12. [22-283](#) Presentation, discussion and consideration of purchase agreement for city-owned property at 978 E. Roosevelt Street.

Councilmember Nesser moved, seconded by Councilmember Schroeder that the purchase agreement for city-owned property at 978 E. Roosevelt Street be approved and that the city manager be authorized to sign all other documents related to the sale of the property.

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

No: 0

City Manager Bryant Powell stated this is an item the city has been working on for years. The property located at 978 E. Roosevelt Street was originally owned by an individual that lived outside the United States. The property had several code violations and in 2016 the owner decided in order to avoid penalties and clean up fees, they would donate the land to the city. The land is approximately 2.5 acres

In August of 2021, after the city spent significant time and money cleaning up the property, the city decided to sell the land as is.

The city solicited for bids on the property and receiving no bids, decided to list the property with a realtor and was then advertised on the MLS in November of 2021. The property was listed at \$245,000 and the negotiated price is \$232,500. The offer is contingent upon the approval by the city council.

J. NEW BUSINESS

13. [22-265](#) Presentation, discussion and consideration, of Resolution No. 22-15, a resolution of the Mayor and City Council of the City of Apache Junction, Arizona, authorizing the city to enter into an intergovernmental agreement with the Maricopa Association of Governments for design assistance funding for a multi-use path adjacent to US60/USBR90 (US Bike Route 90), between South Superstition Mountain Drive and Goldfield Rd.

Councilmember Evans moved, seconded by Councilmember Nesser that Resolution No. 22-15, a Resolution of the mayor and city council of the city of Apache Junction, Arizona, authorizing the city to enter into an intergovernmental agreement with the Maricopa Association of Governments for design assistance funding for a multi-use path adjacent to US60 / USBR90 (US bike route 90), between South Superstition Mountain Drive and Goldfield Rd.

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

No: 0

Parks and Recreation Director Liz Langenbach presented the item and the funding eligibility through the Maricopa Association of Governments (MAG).

K. COUNCIL DIRECTION TO STAFF

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

14. [22-255](#) Executive Session at 6:00 P.M. for Monday, May 16th and Executive Session at 6:00 P.M. for Tuesday, May 17th 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 Vice Mayor Rizzi that an Executive Session at 6:00 P.M. for Monday, May 16th and Executive Session at 6:00 P.M. for Tuesday, May 17th in the city council conference room located at 300 E. Superstition Boulevard in Apache Junction, Arizona and other meetings scheduled if necessary.

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

No: 0

M. CALL TO PUBLIC

Donna Carr, Apache Junction resident, commented on the numerous trailer parks in Apache Junction. She stated there is a variety of reasons and a variety of people that live in the trailer parks, not all of them are people on drugs. She was concerned that general comments made at previous meetings implied that the city would be closing these places down.

She also opposes the Flock camera program.

George Schroeder, 2224 W. Virginia Street, Apache Junction, stated he is not in favor of cameras in the community, but the Flock cameras are different than the AI cameras Axiom discussed. He announced his neighbors have put his house up for sale, he wants his street paved, and crosswalks in his neighborhood as they are guaranteed by the Constitution.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:37 p.m.

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

SIGNED AND ATTESTED TO THIS _____ DAY OF MAY, 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 3rd day of MAY, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of MAY, 2022.

JENNIFER PEÑA
City Clerk