



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, August 16, 2022

7:00 PM

City Council Chambers

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: 7 - Mayor Wilson
Vice Mayor Rizzi
Councilmember Evans
Councilmember Heck
Councilmember Johnson
Councilmember Nesser
Councilmember Schroeder

Staff in Attendance:

Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Jennifer Pena, City Clerk
Evie McKinney, Deputy City Clerk
Michael Pooley, Police Chief
Commander Johnny John
Leslie DeReche, Finance Director
Al Bravo, Public Information Officer
Rudy Esquivias, Development Services Director
Liz Langenbach, Parks & Recreation Director
Kelsey Schattnik, Planner

D. CONSENT AGENDA

Vice Mayor Rizzi moved, seconded by Councilmember Evans to approve the Consent Agenda.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Heck, Councilmember Johnson, Councilmember Nesser and Councilmember Schroeder

No: 0

1. [22-513](#) Consideration of acceptance of agenda.
2. [22-514](#) Consideration of approval of minutes of the regular meeting of August 2, 2022.
3. [22-395](#) Consideration of approval of Resolution No. 22-16, designating the City of Apache Junction as a Destination Marketing Organization for the purpose of coordinating tourism promotion with the Arizona Office of Tourism.
4. [22-419](#) Consideration of approval of the Economic Development Agreement with the Greater Phoenix Economic Council (GPEC) for economic development services for the term of one year and in the amount of \$24,334.00, and appointment of Councilmember Peter Heck as the City of Apache Junction representative to the GPEC Board of Directors.
5. [22-468](#) Consideration of approval on proposed Resolution No. 22-28, authorizing the City of Apache Junction to enter into an intergovernmental agreement with Arizona Department of Transportation for federal funds in the amount of \$2,436,000.00 for street light improvements on Apache Trail from Palo Verde Drive to State Route 88 and on Superstition Boulevard from Meridian Drive to State Route 88.
6. [22-470](#) Consideration of approval on proposed Resolution No. 22-29, authorizing the City of Apache Junction to enter into an intergovernmental agreement with Arizona Department of Transportation for federal funds in the amount of \$1,900,477.00 for the installation of paved shoulders and rumble strips on Ironwood Drive from Elliot Road to Baseline Avenue.
7. [22-479](#) Consideration of approval of a professional services agreement with DFDG Architecture to perform a comprehensive space needs assessment in an amount of \$176,300.00, plus a contingency of \$20,000.00, for a total amount not to exceed \$196,300.00.
8. [22-480](#) Consideration of approval of purchase of tasers and body worn cameras from Axon Corporation in the amount of \$326,447.56.
9. [22-520](#) Consideration of approval of Reverence at Superstition Vistas by DR Horton on four (4) final plats, SV-22-1, Parcel 19.1; SV-22-2, Parcel 19.2; SV-22-3, Parcel 19.12; SV-22-4, Parcel 19.13; and one (1) map of dedication and staff report.
10. [22-528](#) Consideration of approval of contract with Shasta Industries Inc. for the replacement of the Superstition Shadows Aquatic Center pool slide deck in an amount not to exceed \$109,000.00.

11. [22-532](#) Consideration of approval of Resolution No. 22-36, a Resolution of the City of Apache Junction, Arizona Mayor and Common Council, designating the chief fiscal officer for officially submitting the fiscal year 2022 expenditure limitation report to the Arizona Auditor General.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

F. REGIONAL INTERGOVERNMENTAL UPDATES

12. [22-518](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Evans announced the Community Development Corporation (CDC) will hold their "Make a Difference Day" on October 8, 2022. They are accepting requests for community projects. City projects include cleaning up several alleys.

She recognized Officer KC Sheahan from the Animal Control division of the Police Department who wrangled 27 cats from one residential property.

G. CITY MANAGER'S REPORT

13. [22-516](#) City Manager's Report.

City Manager Bryant Powell introduced Brian O'Neil and Ryan Smith from Phoenix-Mesa Gateway Airport.

14. [22-457](#) Presentation and discussion with J. Brian O'Neill, Executive Director/CEO, Phoenix-Mesa Gateway Airport Authority.

Brian O'Neill, Executive Director/CEO, Phoenix-Mesa Gateway Airport provided an update on the following:

- They consider this to be more of a 3,000-acre development project which happens to have 3 10,000-foot runways
- For the fiscal year 2022 they had commercial passenger activity of 1.8 million, exceeding any past activity.
- All flights are seeing a shortage of airline pilots
- 5 airlines, Allegiant, Flair, Sun Country, Swoop, and WestJet, offering over 60 destinations across the US and in Canada.
- There has been a significant increase in travelers through the airport, causing the airport to invest \$2 million in restaurants and concession programs, and other amenities. Undertaking a 5-gate terminal addition, funded through the bi-partisan infrastructure grant totaling \$28 million. Another project will be an upgrade to the passenger check-in and the security checkpoint area, which will be enclosed allowing for more "lanes" decreasing security screening times.
- Private development: SkyBridge Arizona is a 360-acre master development at the south end of the airport. They have built a 53,000 sq foot industry building, an 82,500 sq. foot

hanger, they are investing about \$40 Million in airfield horizontal infrastructure. Recently they have broken ground on building a 127-room dual-brand hotel and later this summer they will break ground on 2-250,000 sq foot flex industrial buildings.

- Gateway East is a master planned development, with a 300-acre non-aeronautical development opportunity by the Boyer Company, out of Salt Lake City Utah. This will be a mixed-use project to include office space, and more flex industrial and commercial retail. Gateway East is currently under Phase 1 construction on a 100-acre site.

- Gulfstream selected Mesa as their new west coast center facility. They will be building a 3-story office complex with a 255,000 sq. foot hanger facility. Phase 2 will be another 225,000 sq. foot hanger. In December of 2021, they leased a 50,000 sq foot facility to start recruitment and prepare for their upcoming projects.
- Gateway Executive Airpark is also under construction. Virgin Galactic has signed a sublease for hangers where they will build up to 6 spaceships per year, then transport them to New Mexico for launching.
- Embry Air is also another company coming to the airport.
- Other projects Mr. O'Neill mentioned:
 - o Alpha Apron Expansion Phase III & IV
 - o Car Rental Return Lot and Car Care Facility Improvements
 - o Terminal Employee Parking Lot
 - o North Remain Overnight Parking Pad
 - o Installation of 6th TSA Security Screening Checkpoint Lane
 - o Fuel Farm Storage Tank Expansion
 - o Center Runway Reconstruction
 - o Ray Road Economy Parking Lot Expansion

15. [22-471](#) Presentation and discussion with Chief Michael Pooley introducing AJPD officers Joel Eagleton and Craig Martin, who are recently promoted to Sergeant.

Chief Michael Pooley announced changes in the Police department. Recently the department held the exam for promotion to Sergeant. There were 15 applicants and of those 15 he presented Sergeant Craig Martin and Sergeant Joel Eagleton.

16. [22-530](#) Presentation of 25-year Service Award to Joel Stern, of the Apache Junction City Attorney's Office.

City Manager Powell recognized Joel Stern for his 25-years of service to the city as legal counsel. Mr. Stern is 1 of 4 in-house attorneys in the state that has served their city for more than 25 years. Mayor Wilson presented Mr. Stern with a 25-year service award.

Mr. Stern spoke on his recollections when he was first hired and a few stories on the "early" years of his hiring. He thanked many people. He spoke on the importance of family and his father who was an attorney and the values and work ethic he learned from him.

17. [22-515](#) Announcement of current events.

Public Information Officer Al Bravo provided an update on the following:

- Vice Mayor wished to share the following web address to lodge complaints regarding the election: www.azag.gov/complaints/civil-rights
<<http://www.azag.gov/complaints/civil-rights>>
- The County Board of Supervisors special meeting on August 17, 2022
- A section of State Route 24 was opened for traffic, from Ironwood to Ellsworth
- Horizon Health and Wellness in conjunction with the library host a seed library event on Saturdays from 10 a.m. to noon. One can also meet with a master gardener and volunteer to help with the community garden
- Volunteer hours for the community garden are Thursdays 5:30 - 7:30 p.m. and Saturdays from 6:30 - 8:30 a.m.
- Mayor Wilson and his wife spent several hours at the Farmers Market, held the first Saturday of every month. For \$15.00 one can get a box filled with fresh fruits and vegetables. There were over 600 people who showed up at this event. Leftover food went to a farm for the animals.
- There will be a Blood Drive at AJ City Hall on Wednesday, August 17, 2022, from 6:30 a.m. to 11:00 a.m.

H. PUBLIC HEARINGS

18. [22-450](#) Presentation, discussion, public hearing and consideration of approval of Resolution 22-02, declaring as a public record that certain document filed with the city clerk entitled "2022 Apache Junction City Code, Vol. II, Land Development Code, Chapter 7: Development Fees."

Councilmember Evans moved, seconded by Councilmember Nesser that Resolution No. 22-02, declaring as a public record that certain document filed with the city clerk and entitled "2022 Apache Junction City Code, Vol. II, Land Development Code, Chapter 7: Development Fees" be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Heck, Councilmember Johnson, Councilmember Nesser and Councilmember Schroeder

No: 0

Mayor Wilson announced item number 18 and 19 were related to the same subject and after staff's presentation would combine the public hearing but council would vote on each item separately.

Planner Kelsey Schattnik provided a brief update on Volume II Land Code text development fee amendments. These changes have been presented to the Planning and Zoning Commission and the city council over the last year. The council adopted the Land Use Assumption Report on May 17, 2022. The text amendments have been approved by staff and the Planning and Zoning Commission and Staff is recommending approval by council.

Mayor opened the Public Hearing, receiving no comments related to the agenda item, Mayor Wilson closed the public hearing.

19. [22-451](#) Presentation, discussion, public hearing and consideration of approval of Ordinance No. 1521, amending the Apache Junction City Code, Vol. II, Land Development Code, by repealing Chapter 7: Development Fees in its entirety; and adopting by reference a new Chapter 7: Development Fees; establishing an effective date and revolving sixty month review period; repealing any conflicting provisions; and providing for severability.

Councilmember Schroeder moved, seconded by Vice Mayor Rizzi that Ordinance No. 1521 be read by title only and the reading of the entire ordinance be waived.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Heck, Councilmember Johnson, Councilmember Nesser and Councilmember Schroeder

No: 0

Councilmember Schroeder moved, seconded by Councilmember Evans that Ordinance No. 1521 as read by the city clerk be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Rizzi, Councilmember Evans, Councilmember Heck, Councilmember Johnson, Councilmember Nesser and Councilmember Schroeder

No: 0

I. OLD BUSINESS

J. NEW BUSINESS

20. [22-492](#) Consideration of approval for Resolution No. 22-34, a resolution of the mayor and city council of the City of Apache Junction, Pinal and Maricopa Counties, Arizona, declaring and adopting the results of the primary election held on August 2, 2022. State law requires that the city council canvass the votes and adopt election results no later than 20 days following an election.

Councilmember Evans moved, seconded by Councilmember Schroeder that Resolution No. 22-34 declaring and adopting the results of the Primary Election held on August 2, 2022 be approved.

Yes: 5 - Mayor Wilson, Councilmember Evans, Councilmember Heck, Councilmember Johnson and Councilmember Schroeder

No: 2 - Vice Mayor Rizzi and Councilmember Nesser

Vice Mayor Christa Rizzi and Councilmember Tess Nesser dissented because they claim voters were disenfranchised, ranging from Pinal County officials not sending ballots with the names of Apache Junction municipal candidates to problems at the polls on election day and votes not being cast.

K. COUNCIL DIRECTION TO STAFF

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

21. [22-517](#) Executive Session at 6:00 P.M. for Tuesday, September 6, 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 Tuesday, September 6, 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.

M. CALL TO PUBLIC

Ms. Nola Perkins, 145 S. Palo Verde, Apache Junction, addressed the council regarding the August 2, 2022 Primary Election ballot dilemma. She read her prepared statement, which she wanted to read to the County Attorney that was present last night, but will convey her statement to them tomorrow at the County Board of Supervisors.

Mr. George Schroeder, 2444 W. Virginia St., Apache Junction, addressed an issue regarding the neighbor across the street from him who erected a fence he feels is illegal. He commented on the August 2, 2022 election.

Mr. David Day, 1510 N. Rocky Rd., Apache Junction, spoke regarding the contractor working on the streets in front of Apache Junction Town Homes.

He stated during the flooding, the contractor would not allow caregivers access to evacuate the elderly. He takes care of his mother who resides in the neighborhood and was not allowed access to remove her regardless of the flood warning. He also mentioned another elderly man was assaulted by the contractor. He would like the city to investigate the matter.

Mr. Jeremy Jackson, 1353 S. Belair Rd., Apache Junction, spoke on a code enforcement case that his, now deceased, father had incurred. Mr. Jackson and his wife moved in with his mother-in-law, who is blind, to help her and to do what they could to clean up the mess. He stated his father was a hoarder. Mr. Jackson kept a commercial dumpster to discard his fathers trash. At one time they had a code enforcement issue due to the gate being open, seen and complaint filed. They went to court and reconciled the issue. Recently they received another code violation, but it was for all the residents on the entire block. He sent emails to the code enforcement division, called that they would be cleaning it up, and due to the delay or lack of correspondence they ended up in court and had to pay a fine even though they had already cleaned up the property. The fine was for the donation bags they had left near the front door.

Mr. Bryan Soller, 220 E. 13th Ave., Apache Junction, expressed appreciation to the city clerk's office for disseminating information regarding the constant changes for the August 2nd election. When the first issues arose, the city clerk and Public Information Office made sure the council, candidates and public were kept apprised even when the county had no updates.

Mr. Andre Meek, 1327 S. Belair Rd., Apache Junction, he is a neighbor of Mr. Jackson. He stated code enforcement stopped by his place and commented on the cars in his back yard that he was working on and stated he needed to license them, so he did. The code enforcement officer walked his back yard with him and pointed out things he needed to address. The officer then came back and said his gate was open and she could see into the back yard. The neighbor filed a complaint about a 20-foot truck, he had used to move from Oregon, stating it blocked

her view of the mountain. This neighbor complains about everyone in the neighborhood and he would like to know why one person has so much power. He would like to know why code enforcement is so selective. The officer commented on him having two RV's, he stated he has a cab over camper, which is not a licensed vehicle and a travel trailer he is restoring. There are several people that have their trailers parked in front and have no issues with code enforcement.

He commented on the need for the city to have more School Resource Officers. There should be priority on this matter. There should be a resource officer in every school to keep the campuses secure and safe.

Councilmember Evans requested the city manager follow up with code enforcement on the Belair and Royal Palm neighborhood issues. Mayor Wilson asked the city manager to follow up with Mr. Meek and Mr. Jackson.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:27 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
City Clerk