



ACTION TAKEN

NOTICE OF WORKSHOP AND REGULAR MEETING FOUNTAIN HILLS TOWN COUNCIL

Mayor Ginny Dickey

Vice Mayor Art Tolis

Councilmember Dennis Brown

Councilmember Sherry Leckrone

Councilmember Alan Magazine

Councilmember Mike Scharnow

Councilmember David Spelich

TIME: 4:00 P.M. – TOWN ATTORNEY'S "ANNUAL OPEN MEETING LAW AND CONFLICT OF INTEREST WORKSHOP" TO BE HELD IN THE FOUNTAIN HILLS COUNCIL CHAMBERS

5:30 P.M. – REGULAR MEETING

WHEN: TUESDAY, FEBRUARY 19, 2019

WHERE: FOUNTAIN HILLS COUNCIL CHAMBERS

16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

Councilmembers of the Town of Fountain Hills will attend either in person or by telephone conference call; a quorum of the Town's various Commission, Committee or Board members may be in attendance at the Workshop and/or Council meeting.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Town Council are audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

REQUEST TO COMMENT

The public is welcome to participate in Council meetings.

TO SPEAK TO AN AGENDA ITEM, please complete a *Request to Comment* card, located in the back of the Council Chambers, and hand it to the Town Clerk prior to discussion of that item, if possible. Include the **agenda item** on which you wish to comment. Speakers will be allowed three contiguous minutes to address the Council. Verbal comments should be directed through the Presiding Officer and not to individual Councilmembers.

TO COMMENT ON AN AGENDA ITEM IN WRITING ONLY, please complete a *Request to Comment* card, indicating it is a written comment, and check the box on whether you are FOR or AGAINST an agenda item, and hand it to the Town Clerk prior to discussion, if possible.

REGULAR MEETING

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Ginny Dickey
2. **INVOCATION** – John Nichols, Harvest Bible Chapel
3. **ROLL CALL** – Mayor Ginny Dickey
4. **MAYOR'S REPORT**
 - A. RECOGNITION of outgoing Board/Commission members.
 - B. REPORT ON creation of an ad hoc committee to plan the 30th Anniversary of the Incorporation of the Town and the 50th Anniversary of the Founding of Fountain Hills.
5. **SPECIAL PUBLIC APPEARANCES/PRESENTATIONS**
 - A. Monthly Report by Captain Larry Kratzer of the Maricopa County Sheriff's Office.
6. **CALL TO THE PUBLIC**

Pursuant to A.R.S. 38-431.01(H), public comment is permitted (not required) on matters NOT listed on the agenda. Any such comment (i) must be within the jurisdiction of the Council and (ii) is subject to reasonable time, place, and manner restrictions. The Council will not discuss or take legal action on matters raised during "Call to the Public" unless the matters are properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual councilmembers may (i) respond to criticism, (ii) ask staff to review a matter, or (iii) ask that the matter be placed on a future Council agenda.

7. **CONSENT AGENDA ITEMS**

All items listed on the Consent Agenda are considered to be routine, non-controversial matters and will be enacted by one motion and one roll call vote of the Council. All motions and subsequent approvals of consent items will include all recommended staff stipulations unless otherwise stated. There will be no separate discussion of these items unless a councilmember or member of the public so requests. If a councilmember or member of the public wishes to discuss an item on the Consent Agenda, he/she may request so prior to the motion to accept the Consent Agenda or with notification to the Town Manager or Mayor prior to the date of the meeting for which the item was scheduled. The items will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- A. APPROVAL OF the minutes of the Regular Meeting of February 5, 2019, and the Special Meeting of February 7, 2019.
- B. CONSIDERATION OF Resolution 2019-08, abandonment of the 10' Public Utility and Drainage Easement at the rear and westerly side of Plat 204, Block 11, Lot 25 (16921 E. Windchime Drive), as recorded in Book 142, Page 10, records of Maricopa County, Arizona. (EA 2019-02)
- C. CONSIDERATION OF Resolution 2019-07, abandonment of the 10' Public Utility and Drainage Easement at the rear of Plat 212, Block 11, Lot 5 (16217 E. Keymar Drive), as recorded in Book 141, Page 17, records of Maricopa County, Arizona, with stipulation. (EA 2019-01)
- D. CONSIDERATION OF approving a Special Event Liquor License application submitted by Stan Feffer representing Grand Canyon Title Agency located at 3900 E. Camelback Road, Suite 250, Phoenix, Arizona who will be holding a grand opening event for their business located at 16845 E. Avenue of the Fountains, Building D, Suite 110, Fountain Hills, Arizona on March 7, 2019 from 5:00 PM to 7:00 PM.
- E. CONSIDERATION OF approving an application for a Temporary Extension of Premises/Patio Permit submitted by Andy Weiner representing Bone Haus Brewing Company located at 14825 E. Shea Blvd., Suite 101, Fountain Hills, Arizona to hold a lobster boil on March 3, 2019.

- F. CONSIDERATION OF approving a Special Event Liquor License Application submitted by Carol Caroll representing the Fountain Hills Sister Cities Corporation located at 16957 E. Kiwanis Drive, Fountain Hills, AZ for the purpose of a fundraiser to be held on March 9, 2019, from 5:30 PM to 9:00 PM.
- G. CONSIDERATION OF approving a Special Event Liquor License Application submitted by Samuel Coffee representing the Fountain Hills VFW who will be serving beer in conjunction with the Irish Fountain Fest in Fountain Park, on March 16, 2019 from 11:00 AM to 5:00 PM.

MOTION TO APPROVE 7-A THRU 7-G; PASSED UNANIMOUSLY.

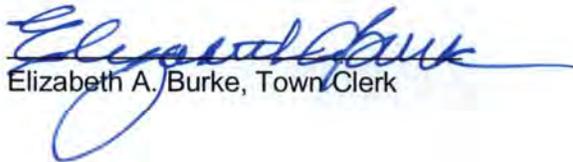
8. **REGULAR AGENDA**

- A. CONSIDERATION of appointing five (5) citizens to serve on the Community Services Advisory Commission for a two-year term beginning on January 1, 2019, and ending on December 31, 2020. **MOTION TO APPOINT GORRELL, VARELA, GRZYBOWSKI, FECTEAU, AND MORGAN TO THE COMMISSION; PASSED UNANIMOUSLY.**
- B. CONSIDERATION OF appointing seven (7) citizens to serve on the McDowell Mountain Preservation Commission for a combination of terms including two-year terms beginning on January 1, 2019, and ending on December 31, 2020, and three-year terms beginning on January 1, 2019, and ending on December 31, 2021. **MOTION TO APPOINT MYERS, CRAIG, BARBERIC, AIELLO, GARVEY, S. GRZYBOWSKI, SLATER; PASSED UNANIMOUSLY.**
- C. CONSIDERATION OF appointing one (1) citizen to fill a vacancy on the Municipal Property Corporation for a term beginning on February 19, 2019, and ending on September 28, 2020. **MOTION TO APPOINT DEBBIE SKEHEN; PASSED UNANIMOUSLY.**
- D. ORDINANCE 19-01 (Case #Z2018-09)
 - i. PUBLIC HEARING to receive comments on Ordinance 19-01, a text amendment to the Fountain Hills Zoning Ordinance, Chapter 12.02.A, to allow residential dwelling units as a Use Subject to Special Use Permits within the "C-0 – Commercial Office" zoning district.
 - ii. Consideration of Ordinance 19-01. **MOTION TO ADOPT ORD 19-01; PASSED UNANIMOUSLY.**
- E. SPECIAL USE PERMIT (Case #SU2018-03)
 - i. PUBLIC HEARING to receive comments on a proposed Special Use Permit pursuant to Fountain Hills Zoning Ordinance, Chapter 12.02.A. to allow a single family residential dwelling at 16857 E. Saguaro Blvd. (AKA APN#176-10-207), located in the "C-O – Commercial Office" zoning district.
 - ii. Consideration of proposed Special Use Permit. **MOTION TO APPROVE SPECIAL USE PERMIT AS PRESENTED; PASSED UNANIMOUSLY.**
- F. ORDINANCE 19-02 (Case #2018-11)
 - i. PUBLIC HEARING to receive comments on Ordinance 19-02 pursuant to Stipulation #2 of the Town Council approval on June 19, 2018, in reference to reverting the zoning designation of 0.36 acres located at 11639 N. Saguaro Blvd. (AKA APN#176-08-448) from C-3 – General Commercial zoning district to C-1 – Neighborhood Commercial and Professional zoning district.
 - ii. Consideration of Ordinance 19-02. **MOTION TO ALLOW PROPERTY TO STAY C-3, REMOVE CONDITIONS, AND ALLOW PROPERTY TO BE MARKETED AS A C-3 PROPERTY; PASSED 4-3 (DICKEY, MAGAZINE AND SCHARNOW VOTING NO)**

- G. DISCUSSION AND POSSIBLE DIRECTION to staff to amend McDowell Mountain Preservation Commission by-laws to allow for one additional commission seat and the designation of Emeritus status for one or more members.
DIRECTED STAFF TO BRING BACK PROPOSED CHANGES TO BY-LAWS.
- H. DISCUSSION WITH POSSIBLE DIRECTION relating to any item included in the League of Arizona Cities and Towns' weekly Legislative Bulletin(s) or relating to any action proposed or pending before the State Legislature. **1) 1165**
MOTION FOR STAFF TO INDICATE SUPPORT FROM COUNCIL ON: 2) 2672
3) 1460
9. **COUNCIL DISCUSSION/DIRECTION to the TOWN MANAGER** **PASSED UNANIMOUSLY.**
- Item(s) listed below are related only to the propriety of (i) placing such item (s) on a future agenda for action or (ii) directing staff to conduct further research and report back to the Council:
10. **SUMMARY OF COUNCIL REQUESTS and REPORT ON RECENT ACTIVITIES** by the Mayor, individual Councilmembers, and the Town Manager.
11. **ADJOURNMENT.**

AGENDA POSTED:

2-14-19
Date


Elizabeth A. Burke, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 (voice) or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in the meeting or to obtain agenda information in large print format. Supporting documentation and staff reports furnished the Council with this agenda are available for review in the Clerk's Office.