



## NOTICE OF REGULAR MEETING

### FOUNTAIN HILLS TOWN COUNCIL

### **ACTION TAKEN**

Mayor Ginny Dickey

Vice Mayor Art Tolis

Councilmember Alan Magazine

Councilmember Dennis Brown

Councilmember Mike Scharnow

Councilmember Sherry Leckrone

Councilmember David Spelich

**TIME: 5:30 P.M. – REGULAR MEETING**

**WHEN: TUESDAY, MAY 21, 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

### NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Town Council and to the general public that, at this regular meeting, the Town Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorney for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Ginny Dickey
2. **INVOCATION** – Pastor Adele Resmer from the New Journey ELCA Lutheran Church
3. **ROLL CALL** – Mayor Ginny Dickey
4. **REPORTS BY MAYOR, COUNCILMEMBERS AND TOWN MANAGER**
  - A. **RECOGNITION OF outgoing Commissioner.**
5. **PRESENTATIONS**
  - A. **PRESENTATION** by Plat 208 Associates on downtown activities.
  - B. **PRESENTATION** by Captain Larry Kratzer, MCSO, with a monthly update.
  - C. **PRESENTATION** regarding the Intersection/Pedestrian Safety Status Committee Report.
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 Town Council Special Meeting of April 18, 2019; the Special Meeting of April 23, 2019; the Joint Meeting with the Fountain Hills Unified School District Board of April 30, 2019; and the Regular Meeting of May 7, 2019.**
- B. **CONSIDERATION OF Resolution 2019-28 abandoning whatever right, title, or interest the Town has in the certain northerly 20' Sewer Easement located on Lot 6 of the final re-plat of "Redrock Business Center" (96y37 North Saguaro Blvd.) as recorded in Book 920, Page 41, records of Maricopa County, Arizona. (EA 2019-10)**
- C. **CONSIDERATION OF approving five (5) Special Event Liquor License applications submitted by the Fountain Hills River of Time Museum (Cheri Koss), for fundraising dinners to be held in the ballrooms of the Fountain Hills Community Center, 13001 N. La Montana Drive, Fountain Hills, Arizona on the following datesw: (i) Saturday, August 10, 2019, from 6:00 PM to 10:00 PM; (ii)**

Wednesday, November 13, 2019, from 5:00 PM to 10:00 PM; (iii) Wednesday, January 29, 2020, from 5:00 PM to 10:00 PM; (iv) Wednesday, February 19, 2020, from 5:00 PM to 10:00 PM; and (v) Wednesday, March 25, 2020, from 5:00 PM to 10:00 PM.

- D. CONSIDERATION OF approving a Special Event Liquor License application submitted by the Fountain Hills Athletic Booster Club (Gregory Cardello), for a fundraising event to be held in Ballrooms 3 and 4 of the Fountain Hills Community Center, 13001 N. La Montana Drive, Fountain Hills, Arizona from 6:00 PM to 10:00 PM on Saturday, June 22, 2019.

**MOTION TO APPROVE CONSENT AGENDA; PASSED UNANIMOUSLY.**

**8. REGULAR AGENDA**

- A. PUBLIC HEARING AND CONSIDERATION OF approval of a Special Use Permit to allow Verizon Wireless to install a 40-foot tall faux saguaro cactus cellular antenna with associated power meter pedestal to be located within 300 feet of a residential zoning district, that exceeds the maximum building height by 15 feet, and to be constructed 14 feet from the property line located at 13300 N. Eagle Ridge Drive. (Case #SU2019-01)

**MOTION TO APPROVE; PASSED UNANIMOUSLY.**

- B. CONSIDERATION OF approval of the Emergency Operation Plan (EOP).

**MOTION TO APPROVE; PASSED UNANIMOUSLY.**

- C. CONSIDERATION OF Resolution 2019-31 approving a grant application and Town funding in the amount of \$85,000 for the Arizona Sports and Tourism Authority Youth and Amateur Sports Biennial Grant for the purpose of a basketball court addition at Four Peaks Park.

**MOTION TO ADOPT RESOLUTION; PASSED UNANIMOUSLY.**

- D. CONSIDERATION OF approving the Fountain Hills General Plan 2020 Update Public Participation Plan.

**MOTION TO APPROVE; PASSED UNANIMOUSLY.**

- E. CONSIDERATION OF adoption of Resolution 2019-32 approving the First Amendment to the Intergovernmental Agreement with Maricopa County Animal Care and Control (Contract C2019-011) relating to basic animal care and control services for July 1, 2019, through June 30, 2022, in the amount of \$20,683.00 for the first year.

**MOTION TO ADOPT RESOLUTION; PASSED UNANIMOUSLY**

- F. CONSIDERATION OF Building Code Amendments:

**MOTION TO APPROVE; PASSED UNANIMOUSLY**

- i. CONSIDERATION OF Resolution 2019-27 declaring as public records those certain documents filed with the Town Clerk and entitled the "2018 International Building Code," the "2018 International Residential Code for One and Two-Family Dwellings," the "2018 International Mechanical Code," the "2018 International Plumbing Code," the "2017 National Electrical Code," the "2018 International Swimming Pool and Spa Code," the "2018 International Energy Conservation Code," the "2018 International Fire Code," the "2018 International Fuel Gas Code," the "Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition," and the "2018 Fountain Hills Amendments to the 2018 International Building Code, the 2018 International Residential Code for One and Two-Family Dwellings, the 2018 International Energy Conservation Code, and the 2018 International Fire Code."

- ii. CONSIDERATION OF Ordinance 19-06 adopting by reference the "2018 International Building Code," the "2018 International Residential Code for One and Two-Family Dwellings," the "2018 International Mechanical Code," the "2018 International Plumbing Code," the "2017 National Electrical Code," the "2018 International Swimming Pool and Spa Code," the "2018 International Energy Conservation Code," the "2018 International Fire Code," the "2018 International Fuel Gas Code," the "Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition," and the "2018 Fountain Hills Amendments to the 2018 International Building Code, the 2018 International Residential Code for One and

Two-Family Dwellings, the 2018 International Energy Conservation Code, and the 2018 International Fire Code.”

- G. 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.

**9. COUNCIL DISCUSSION/DIRECTION to the TOWN MANAGER**

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:

- A. DISCUSSION with possible direction to staff regarding the Saguaro Frontage Road Abandonment.
- B. DISCUSSION with possible direction to staff regarding the Municipal Sponsorship and Naming Rights Policy.

**10. ADJOURNMENT.**  
**MOTION TO ADJOURN; PASSED UNANIMOUSLY.**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at 5:05 p.m. in accordance with the statement filed by the Town Council with the Town Clerk.

Dated this 22 day of May 2019.

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Angela Padgett-Espiritu, Deputy Town Clerk