



NOTICE OF MEETING
REGULAR MEETING
FOUNTAIN HILLS TOWN COUNCIL

***ACTION TAKEN**

Mayor Ginny Dickey

Vice Mayor Art Tolis

Councilmember Dennis Brown

Councilmember Sherry Leckrone

Councilmember Alan Magazine

Councilmember Mike Scharnow

Councilmember David Spelich

TIME: 5:30 P.M. – REGULAR SESSION

WHEN: TUESDAY, JANUARY 15, 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 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** – Dr. Bobby Brewer, Pastor of North Chapel
3. **ROLL CALL** – Mayor Ginny Dickey
4. **MAYOR'S REPORT**
 - A. RECOGNITION of MCSO Deputy Chief Henry Brandimarte.
5. **SPECIAL PUBLIC APPEARANCES/PRESENTATIONS**
 - A. PRESENTATION by Republic Services to Fearless Kitty Rescue for the Republic Services' Community Grant.
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 Special Meeting of December 18, 2018, and the Regular Meeting of December 18, 2018.
- B. CONSIDERATION OF approving a Special Event Liquor License application submitted by Boris Biloskirka representing the Fountain Hills VFW Post No. 7507 Veterans who will be hosting a beer garden located at North Saguaro Blvd. and Avenue of the Fountains, in conjunction with the Great Fair on February 22-24, 2019, from 7:00 AM to 10:00 PM.
- C. CONSIDERATION OF approving a Special Event Liquor License application submitted by Debra Biloskirka representing the Fountain Hills VFW Post No. 7507 Veterans Foundation who will be hosting a beer garden located at North Verde River Drive and Avenue of the Fountains, in conjunction with the Great Fair on February 22-24, 2018, from 7:00 AM to 10:00 PM.
- D. CONSIDERATION OF approving a Special Event Liquor License application submitted by Merita Kraya representing Euro Pizza Café located at 12645 North Saguaro Blvd, Fountain Hills, AZ who will be hosting a beer garden in conjunction with the Mountain 2 Fountain race on March 3, 2019, from 7:00 AM to 12:00 PM.
- E. CONSIDERATION OF approving a Fair/Festival License Application for Desert Diamond Distillery, Inc. (John Patt) to participate as a vendor along the Avenue of the Fountains, in conjunction with the Fountain Hills Art and Wine Affaire, from 10:00 AM to 5:00 PM daily, Friday, March 8 through Sunday, March 10, 2019.

- F. CONSIDERATION OF approving a Special Event Liquor License application submitted by Kim Kamins representing Fearless Kitty Rescue located at 16832 E. Avenue of the Fountains, Fountain Hills, AZ for the purpose of a fundraiser to be held on March 1, 2019, from 5:30 PM to 8:00 PM.
- G. CONSIDERATION OF approving a Fair/Festival License application for Odyssey Cellars (John McLoughlin) to participate as a vendor along the Avenue of the Fountains, in conjunction with the Fountain Hills Art and Wine Affaire, from 10:00 AM to 5:00 PM daily, Friday, March 8 through Sunday, March 10, 2019.
- H. CONSIDERATION OF adopting Resolution 2019-01, abandonment of the 10' Public Utility and Drainage Easement at the rear of Plat 505-B, Block 1, Lot 57 (15846 E. Tepee Drive), as recorded in Book 158, Page 43, records of Maricopa County, Arizona, with stipulation. (EA 2018-20)

MOTION TO APPROVE 7-A THROUGH 7-H; PASSED UNANIMOUSLY.

8. REGULAR AGENDA

- A. PUBLIC HEARING and PRESENTATION on the Development Impact Fee Final Report for Fiscal Years 2017 and 2018.

PRESENTATION/PUBLIC HEARING HELD; NO ACTION.

- B. CONSIDERATION OF awarding contract 2018-002 to Allied Waste Transportation, Inc., dba Republic Services of Phoenix for the Town of Fountain Hills' residential curbside solid waste collection services.

MOTION TO APPROVE AS AMENDED (3.5% ANNUAL INCREASE); PASSED UNANIMOUSLY.

- C. CONSIDERATION OF approval of two budget transfers: 1) Development Impact Fee amount of \$44,413 to contractual services from salaries and benefits to allow for more third-party inspections; and 2) Town Clerk in the amount of \$11,827.50 to part-time salaries from professional services to allow for the use of a temporary employee.

MOTION TO APPROVE; PASSED UNANIMOUSLY.

- D. CONSIDERATION OF Ordinance 18-15 amending Section 5.06.G of the Fountain Hills Zoning Ordinance relating to large detached accessory buildings in single-family residential zoning districts; amending Section 1.12 to create a definition for the front plane of a primary building and the street side plane of a primary building; and amending Sections 1.12, 5.06.F, 5.06.H, 5.09.B, 10.03.A.8 and 15.03.A.8 for consistency. (Case #Z2018-08)

MOTION TO APPROVE AS AMENDED (SAME COLOR/MATERIAL); PASSED UNANIMOUSLY.

- E. CONSIDERATION OF adopting Resolution 2019-06 approving the Town of Fountain Hills Lottery Fund Grant application for the Fiscal Year 2018-19.

MOTION TO APPROVE; PASSED UNANIMOUSLY.

- F. CONSIDERATION OF approving a three-year Cooperative Purchase Agreement (C2019-061) with Pipe Line Video Inspections, LLC for storm drain pipe, structure cleaning and television services in the amount of \$150,000.00.

MOTION TO APPROVE; PASSED UNANIMOUSLY.

- G. CONSIDERATION of status report on old Fire Station #2 property located at 16821 E. Saguaro and other related matters.

MOTION TO PREPARE FOR SALE (WITH BUILDING); PASSED UNANIMOUSLY.

- H. DISCUSSION with possible direction to staff 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.

DISCUSSION ONLY; NO ACTION.


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:

10. **SUMMARY OF COUNCIL REQUESTS and REPORT ON RECENT ACTIVITIES** by the Mayor, individual Councilmembers, and the Town Manager.
11. **ADJOURNMENT.**

AGENDA POSTED:

1.9.19
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.