



**TOWN OF FOUNTAIN HILLS  
MINUTES OF THE REGULAR MEETING OF THE  
MCDOWELL MOUNTAIN PRESERVATION COMMISSION  
AUGUST 23, 2016**

**AGENDA ITEM #1: CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

A public meeting of the McDowell Mountain Preservation Commission was convened and called to order by Chair Bill Myers at 4:58 p.m., Tuesday, August 23, 2016 in the Council Chambers at Town Hall, located at 16705 East Avenue of the Fountains, Fountain Hills, Arizona.

**AGENDA ITEM #2: ROLL CALL**

Present at roll call were Chair Bill Myers, Commissioners Tom Aiello, Bill Craig, Klaus Schadle and Ken Thornton. Absent at roll call were Vice-Chair Tom Barberic and Stan Ruden. Staff members present were Director Mark Mayer and Executive Assistant Jennifer Lyons.

**AGENDA ITEM #3: CALL TO THE PUBLIC**

No one from the public wished to speak.

**AGENDA ITEM #4: CONSIDERATION OF APPROVING THE MAY 24, 2016 MEETING MINUTES**

Commissioner Schadle made a motion to accept the minutes of the May 24, 2016 meeting, Commissioner Thornton seconded and the motion passed by unanimous vote.

**AGENDA ITEM #5: UPDATE ON THE 2016 OBJECTIVES**

- The trailhead work group has done some work and will be discussed further under item #7.
- Commissioner Craig confirmed the repaired trailhead counter was received and is in working order. There are four all together: One at the Lake Overlook Trail, two are in the Preserve, and the one that was just refurbished is at Commissioner Craig's house and will go at the Trailhead.
- Coordination with Scottsdale: Chair Myers gave an hour speech to the Scottsdale Conservancy two weeks ago and received lots of compliments on the "Big Picture Map". They use that map and would like to copy it.
- Over the next month or two we will be updating the 2016 and working on the 2017 objectives.

**AGENDA ITEM #6: UPDATE ON JUNE 27, 2016 COMMUNITY SERVICES ADVISORY COMMISSION MEETING**

Director Mayer gave an overview of the meeting.

- Drones: The legislature indicated that despite the fact that a number of communities had enacted rules specific to drones, they were the only one that can set rules concerning drones statewide. The FAA established some general perimeters that drones could operate in across the whole country. There had been a lot of interpretation on what a drone is, so the "feds" determined, if it is unmanned it fits into this category. From a safety standpoint, we have a rule now in the parks that drones are not permitted. Privacy is also a concern. What we put into place and what we

have discussed and Council is yet to ratify is a change to Town Code, section 9.4.4, which is specific to public areas such as parks, the Preserve, and the plaza. The legislature said if you have four or more parks, you have to specify at least one location where drones are permitted. After much discussion with staff and the Community Services Advisory Commission, the safest location we have is Desert Vista Park and specifically the area we call the large soccer area. We will have a map that delineates what that area is and we will have to change all the park rule signs across the town. The other thing we did was specify in the code that this is the only area within town that you can use drones. Drones can be used there as long as there is not an organized activity at Desert Vista Park. It is scheduled to go to Council on September 15, 2016.

- **Community Garden:** There has been a little bit brush clearing, grading and tree trimming in the anticipation of the Community Garden going into the area adjacent to the library. Dr. Patel who had taken the lead in organizing the group has decided to step aside, so the group has struggled a bit, but the Greening Committee, specifically Jenny Willigrod as agreed to step up on behalf of the group and bring it forward. We have a lease we have drafted and we are just waiting to get the comments back from their attorney.
- **Tennis Court Renovations:** The challenge was to get through the project by Labor Day and we are probably going to miss that date for a variety of reasons. Director Mayer thinks our contractor over committed and took on too much business and could not keep up with the schedule. They also try to get the schools with tennis courts done over the summer, so we got pushed lower on the priority list. They also ran into some damage that had been done due to poor workmanship at Four Peaks Park and have some additional support poles there due to the fencing. The concrete looks very good. They did the pressure washing and acid etching at Four Peaks yesterday.
- **Dog Park Renovations:** We spent almost \$100,000 to remove the existing sod that was in tough shape and put new sod down. We let it grow out for three weeks and it opened on Friday. There is a rededication with the Mayor and Town Manager speaking along with ADOG folks this Saturday at 9:00 a.m. (August 27, 2016).
- **Fourth of July Event:** An estimated that 8,000-10,000 people attended. We have been asked to do a return on investment for tourism and based on surveys that we had done, 36-37% of the people surveyed were from out of town. In the surveys we broke down how much they spent during their outing to come here and watch the fireworks. We estimate it generated several hundreds of thousands of dollars in revenue. Those are numbers we will share with the Council at the September 1, 2016 meeting and we are proposing a strategic plan that will take Tourism from 2016 through 2019.
- **Lake Water Quality:** There will be four presentations at that September 1, 2016 Council meeting regarding water quality at the lake. We know what the problems are but we have not pinpointed why they have been that more difficult this year than they have been in the past. Typically we treat the lake a couple times for algae. The algae grows, then it dies and as it decomposes we get that smell. Some years we haven't had to treat it at all. We also run that water at night so it keeps the water stirred which really helps, but this year none of that seemed to make a difference. We have started running the fountain not only at night but also during the day, but another challenge is the wind that we have had this year. Despite those extra run times there was only a 3% difference from how much we ran it last year to how much we've run it this year. The lake now has been treated five times, at \$1,000.00 per treatment plus more money on the electrical. The Sanitary District has offered to take the water directly from them rather than pulling it out of the lake. It's going to be a much better quality water (for irrigation). The problem is that we somehow have to isolate the water from the rest of the lake. Our consultant said there are a couple things we could

do; either set up a tank above or below ground or his recommendation, put an earthen dam inside the lake itself but separate it from the main part of the lake where we would pump the new effluent water in and pull it out for irrigation purposes. The Sanitary District cannot pump enough water to us because of the demand we would put on their system. To be able to pull it directly and put it right on the grass, we would have to create a reservoir to pump during the day to that fill reservoir and then pump it out overnight because we are using 400,000 gallons. The only turnover the lake would then be getting is evaporation. The second part of the evaluation we asked our lake consultant how much worse would the problem be if we were not pulling water out? What remedial methods can we take to deal with that and what are the costs? We also asked consultants to look at our control system. It does not give us the kind of flexibility we need. We either have to run the pumps or shut them down or we can turn them to manual. There is no soft start technology, which starts one pump and then the next or a variable frequency drive that will allow us to physically adjust the height of the fountain. One of our challenges this year was if we got a wind speed above eight miles per hour, the system would shut itself down because we can't have water getting outside the envelope of the lake and still be following our permit for reclaimed water. Another thing he will be recommending and is talking about is adding more aerators, which is probably the easiest thing to do and the least expensive. We have enough money in the budget this year to be able to do that.

- **Bollard Lights at Fountain Park:** We hired a consultant to come out and look at the specifications that were provided by the company that supplied the lighting and then do field measurements. We also installed temporarily two black bollards. The specifications we used came from the black bollards and they did not cover the other colors that were available. The consultant measured feet upon feet in a radius around both the black bollards and several of the aluminum/silver colored bollards. The numbers were very close. We will make a presentation to Council and see what direction they want to go in. A fix is not cheap. You can get lower level lights and install them but then you are not meeting the minimum light requirement to go from one light to the other light, which puts us in a liability situation potentially. It would be in the \$20,000 range to change out the drivers and to change out the bollards, we are looking at hundreds of thousands of dollars.
- **The former Ellman Property:** The land has reverted back to State Trust Land. They met with the Town a number of weeks ago and will repackage it and attempt to sell it. We are unsure if we will be successful in getting a single vendor to buy all of the land but it is more likely to be split up. Unfortunately when they defaulted on their loan, so also did the development agreement that went along with that. In that development agreement we had negotiated the acquisition of forty-six acres of park land and the development of those park lands. That was approaching \$30,000,000 in value. That would have provided another community park in town, which we are in need of with athletic fields, that would draw people from all over the community and it would also have been a neighborhood park for the people who live in that area.
- **Public Art:** Morningstar Development was responsible under the 1% Public Art Fund to make a donation for that purpose. The three art pieces will be placed in the art nodes along the Avenue of the Fountains. The pieces are "Sky Totem", it is a tall piece nine to twelve feet, "Ascendo" is a stainless steel piece that rotates, and "Interactive Sunglasses" which are a large pair of sunglasses made out of stainless steel and highly polished. Another piece that was approved FDR, (Franklin Delano Roosevelt) that will go up by the coffee shop at Fountain Park. There are over 150 pieces in the Town's art collection, including wall art.

**AGENDA ITEM #7: UPDATE ON THE ADERO CANYON PROJECT**

- Council approved \$2,185,000 for the Trailhead.
- J2 believes that they will have biddable plans to the Town by March 3, 2017.
- Additional savings of roughly \$100,000 is due to the fill material donated by MCO. They also have some aggregate material that we can use that will save some additional dollars.
- If we run short of money, there is the potential to do three add alternates: the load retaining wall, the shade ramada, and the restrooms.
- In exchange for the fill material from MCO, they don't have to design and install the temporary utilities. The agreement will be made available once it has been passed by Council.
- MMPC will review the Trailhead plans January 23, 2017.
- Plans will go to Council on February 16, 2017.
- The gate will be operated manually for now and be locked each night.
- Plans should go out to bid in March or April of 2017 and should take two to three months for the bidding process.
- Trailhead is projected to open May or June of 2018.

**AGENDA ITEM #8: CONSIDERATION OF ADJOURNMENT**

Commissioner Schadle made a motion to adjourn at 5:44 p.m., Commissioner Thornton seconded and the motion passed by unanimous vote.

**McDowell Mountain Preservation Commission**

By: \_\_\_\_\_  
Bill Myers, Chair

Reviewed by: \_\_\_\_\_  
Mark C. Mayer, Director of Community Services

Prepared by: \_\_\_\_\_  
Jennifer Lyons, Executive Assistant

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the McDowell Mountain Preservation Commission Meeting held on August 23, 2016. I further certify that the meeting as duly called and that a quorum was present.

Dated this 30<sup>th</sup> day of August 2016

By: \_\_\_\_\_  
Jennifer Lyons, Executive Assistant