



NOTICE OF MEETING REGULAR MEETING FOUNTAIN HILLS TOWN COUNCIL

Mayor Ginny Dickey

Vice Mayor Gerry Friedel
Councilmember Sharron Grzybowski
Councilmember Alan Magazine

Councilmember Peggy McMahon
Councilmember Mike Scharnow
Councilmember David Spelich

TIME: 5:30 P.M. – REGULAR MEETING
WHEN: TUESDAY, OCTOBER 4, 2022
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 and agenda item, and hand it to the Town Clerk prior to discussion, if possible.

TO COMMENT IN WRITING ONLINE: Please feel free to provide your comments by visiting <https://www.fh.az.gov/publiccomment> and SUBMIT a Public Comment Card **by 3:00 PM on the day of the meeting**. These comments will be shared with the Town Council.

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 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 attorneys 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 Dickey
2. **MOMENT OF SILENCE**
3. **ROLL CALL** – Mayor Dickey
4. **REPORTS BY MAYOR, COUNCILMEMBERS AND TOWN MANAGER**
 - A. **PROCLAMATION:** October 16 - 22, 2022, as Arizona Cities & Towns Week.
 - B. **PROCLAMATION:** October 9 - 15, 2022, as Fire Prevention Week.
 - C. **PROCLAMATION:** October 2022, as Breast Cancer Awareness Month.
 - D. **PROCLAMATION:** October 2022, as Domestic Violence Awareness Month.
5. **SCHEDULED PUBLIC APPEARANCES/PRESENTATIONS**
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, noncontroversial matters and will be enacted by one motion 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. **CONSIDERATION AND POSSIBLE ACTION:** Approval of the minutes of the Regular Meeting of September 6, 2022; Approval of the minutes for the Work Session of September 6, 2022.
- B. **CONSIDERATION OF ADOPTING RESOLUTION 2022-42, An Intergovernmental Agreement With Salt River Pima Maricopa Indian Community.**

8. **REGULAR AGENDA**

- A. **CONSIDERATION AND POSSIBLE ACTION:** Site plan and building elevations for the International Dark Sky Discovery Center to be located next to the library at 12845 N. La Montana Dr.
- B. **CONSIDERATION AND POSSIBLE ACTION:** Approval of Contract 2023-034 with Musco Sports Lighting, LLC.
- C. **CONSIDERATION AND POSSIBLE ACTION:** Extension of a Special Use Permit to allow residential uses on a 0.58 acre property in the Community Commercial (C-C) zoning district at 17134 E. Kingstree Blvd., generally located at the northwest corner of Saguaro Blvd. and Kingstree Blvd.
- D. **CONSIDERATION AND POSSIBLE ACTION:** Resolution 2022-40 approving an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for design and construction of drainage improvements at the Grande Boulevard/Rosita Drive Drainage Channel.
- E. **CONSIDERATION AND POSSIBLE ACTION:** Resolution 2022-41 approving an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for design and construction of drainage improvements at Deuce Court.
- F. **CONSIDERATION AND POSSIBLE ACTION:** Approving Professional Services Agreement 2021-039 with NFRA, Inc. for Engineering Design Services for Drainage Improvements.
- G. **CONSIDERATION AND POSSIBLE ACTION:** Town Council discuss and provide direction to staff on preferred service delivery options for fire and emergency medical services based on the recently completed Fire Services Evaluation.

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. ADJOURNMENT

CERTIFICATE OF POSTING OF NOTICE

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

Dated this _____ day of _____, 2022.

Linda G. Mendenhall, MMC, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5199 (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.