



## NOTICE OF MEETING REGULAR MEETING FOUNTAIN HILLS TOWN COUNCIL

**Mayor Ginny Dickey**

**Vice Mayor Sharron Grzybowski  
Councilmember Peggy McMahon  
Councilmember Hannah Toth**

**Councilmember Gerry Friedel  
Councilmember Brenda J. Kalivianakis  
Councilmember Allen Skillicorn**

**TIME: 5:30 P.M. – REGULAR MEETING**  
**WHEN: TUESDAY, SEPTEMBER 19, 2023**  
**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.fountainhillsaz.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. **INVOCATION** - Pastor Jeff Teeples, Shepherd of the Hills Lutheran Church
3. **ROLL CALL** – Mayor Dickey
4. **STATEMENT OF PARTICIPATION**
5. **REPORTS BY MAYOR, COUNCILMEMBERS AND TOWN MANAGER**
  - A. **RECOGNITION:** Stellar Students for the month of September.
  - B. **PROCLAMATION:** Designation of September 17 - 23, 2023, as Constitution Week.
  - C. **PROCLAMATION:** Designation of September 15 - October 15, 2023, as Hispanic Heritage Month.
6. **PRESENTATIONS**
  - A. Presentation and update from the Fountain Hills Unified School District Superintendent Dr. Cain Jagodzinski
  - B. Presentation on Town of Fountain Hills water management and conservation efforts.
7. **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.*

**8. 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 for the Regular Meeting of August 22, 2023.
- B. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theatre for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on November 03, 2023.
- C. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theatre for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on December 08, 2023.
- D. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theatre for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on January 12, 2024.
- E. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theatre for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on February 02, 2024.
- F. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theatre for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on March 22, 2024.
- G. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Special Event Liquor License application for Fountain Hills Theater for a beer garden in conjunction with the Fountain Hills Theater Opening Night celebration on May 17, 2024.
- H. **CONSIDERATION AND POSSIBLE ACTION:** Approval of budget transfers for the General Fund, Capital Project Fund, and Vehicle Replacement Fund.
- I. **CONSIDERATION AND POSSIBLE ACTION:** Approving a Map of Dedication for Serenity Estates.

9. **REGULAR AGENDA**

- A. **CONSIDERATION AND POSSIBLE ACTION:** The Town Council will discuss and take a vote of support for the Fountain Hills Unified School District No. 98 November 7, 2023 bond election.
- B. **PUBLIC HEARING, CONSIDERATION, AND POSSIBLE ACTION:** Resolution 2023-06 declaring as a public record a document entitled "Parking Ordinance" and Ordinance 23-05 repealing and replacing Zoning Ordinance, Chapter 7, Parking and Loading Requirements.
- C. **PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION:** Request for a SPECIAL USE PERMIT to allow up to 7 apartment units in the CC, Common Commercial Zoning District, on three lots totaling 0.27 acres located north of the northwest corner of El Pueblo Boulevard and Ivory Drive (16822, 16828, and 16830 E. Pueblo Blvd). Case #SUP23-000006.
- D. **CONSIDERATION AND POSSIBLE ACTION:** Approval of the IGA with the City of Mesa for fire dispatch services through the Mesa Regional Dispatch Center (MRDC).
- E. **CONSIDERATION AND POSSIBLE ACTION:** Approving the Fourth Amendment to Cooperative Purchasing Agreement 2022-062 with Mesa Energy Systems for Heating, Ventilation and Air Conditioning related Services (HVAC)
- F. **CONSIDERATION AND POSSIBLE ACTION:** Approving the Purchase of two replacement fleet vehicles from Peoria Ford
- G. **CONSIDERATION AND POSSIBLE ACTION:** Approving Agreement No. 2023-008 for Community Center Improvements.

10. **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.*

11. **FUTURE AGENDA ITEMS**12. **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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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.*

*On the day of the Council Meeting, the Council Chamber doors open at 5:15 p.m. for public seating.*