

**TOWN OF FOUNTAIN HILLS**  
MINUTES OF THE REGULAR MEETING  
OF THE FOUNTAIN HILLS TOWN COUNCIL  
SEPTEMBER 16, 2025

A Regular Meeting of the Fountain Hills Town Council was convened at 16705 E. Avenue of the Fountains in open and public session at 5:30 p.m.

Members Present: Mayor Gerry M. Friedel; Councilmember Gayle Earle;  
Councilmember Brenda J. Kalivianakis; Councilmember Rick Watts;  
Vice Mayor Allen Skillicorn; Councilmember Hannah Larrabee

Members Absent: Councilmember Peggy McMahon

Staff Present: Town Manager Rachael Goodwin; Town Clerk Bevelyn Bender;  
Town Attorney Jennifer Wright

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MAYOR FRIEDEL: Please rise for the Pledge of Allegiance.

ALL: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MAYOR FRIEDEL: And if you choose to remain standing, our invocation will be given by Pastor Dee Pavia from Christ Church in Fountain Hills.

PASTOR PAVIA: Thank you, Mayor. And I don't see the vice mayor here, but counsel, and also staff., thank you for having me to share the invocation once again. On behalf of Christ Church of Fountain Hills, I am honored.

And if it's okay, I just wanted to share real briefly prior to the invocation I just wanted to take a brief moment, if we could, to share from both Christ Church and those who were inspired by the late Charlie Kirk our deepest condolences to his family and followers. My husband, Pastor Keith, and I were honored to have met Charlie, and along with other pastors here in the Valley, met with him on a monthly basis. And he was every bit as courageous, and kind, and generous, and brilliant, and he was a man that was wise beyond his years. He loved God. He loved family, and he absolutely loved this country. And we will truly miss him. So I just wanted to take a minute to share that.

While most may try and relate Charlie to a political movement, his influence reached far beyond politics, and his voice encouraged people to stand strong in their faith, to defend traditional values, and never shy away from truth. Charlie was a man of truth, absolutely he was. And while he may no longer be on this earth, his words remain a powerful reminder of the principles he dedicated his life to sharing. And his legacy will continue to live on through the countless lives he touched.

With that, I'll leave you with just a couple of quotes from Charlie. "When you stop having a human connection with someone you disagree with, it becomes a lot easier to want to commit violence against that group. What we as a culture have to get back to is being able to have a reasonable disagreement where violence is not an option."

And this one, I believe, might have been his favorite. "I want to be remembered

for courage, for my faith." And Charlie absolutely loved God. We saw that every time we saw him. And he, by far, is one of the most courageous men I believe I will ever have the opportunity to meet. And my -- and the last quote I'd like to share is my personal favorite. "All death, all death can do to a believer is deliver him to Jesus. This place is not our home, and heaven awaits those who are believers." So rest in peace, Charlie Kirk. God be with your wife, children, family, and all who loved you.

Would you pray with me. Lord, in all things we glorify you and you alone. Let your spirit work in us to build bridges where walls have been raised. Unite us in purpose and vision, for we can accomplish so much more together than apart. While many of us may come before you with heavy hearts for the divisions that exist within our nation, we know that you are a God of peace and restoration, and nothing is impossible for you. Lord, we pray for healing across our land. Replace hatred with love, anger with understanding, and division with unity. Let us focus on common values and goals that reflect your truth and righteousness. For your Word tells us, be completely humble and gentle, be patient, bearing with one another in love. Lord, guide our council members with wisdom, humility, and discernment today.

Inspire us as citizens of this beautiful town of Fountain Hills, Arizona, to act with kindness, respect, responsibility, and dignity, working together for the greater good. Unite us as one nation under God, striving for justice, peace, harmony, and in all things love. In Jesus' name we pray. Amen.

ALL: Amen.

PASTOR PAVIA: Thank you.

MAYOR FRIEDEL: Thank you. Town Clerk, would you please take roll call?

THE CLERK: Mayor Friedel?

MAYOR FRIEDEL: Present.

THE CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Here.

THE CLERK: Councilmember Earle?

COUNCILMEMBER EARLE: Here.

THE CLERK: Councilmember Kalivianakis?

COUNCILMEMBER KALIVIANAKIS: Here.

THE CLERK: Councilmember Watts?

COUNCILMEMBER WATTS: Here.

THE CLERK: Councilmember Larrabee?

COUNCILMEMBER LARRABEE: Here.

THE CLERK: And Councilmember McMahon should be attending by phone. I don't hear. Mayor, you have a quorum.

MAYOR FRIEDEL: Thank you. The statement of participation is posted on the screen over to the left here. And so we don't have to read that again. So we will start now with our reports by councilmembers and town manager. And I think we're going to start with our vice mayor tonight.

VICE MAYOR SKILLICORN: Thank you, Mr. Mayor. Well, it's a solemn evening, and there is darkness in this world. And that darkness took a bit of the lightness from us. And we all should pray for justice. Justice for the shooter, justice for the Kirk family, justice for the -- the people that celebrate darkness. But there's something to be reassured about, is that it's pretty clear that Charlie Kirk was not murdered for politics. He was murdered for his faith in Jesus Christ. The last few years, that has been a prominent part of his words, and his message to the next generation, but also the world.

So I met Charlie Kirk in 2011 and he was, you know, young man, activist. But he became a true leader, a leader not just to his generation or the country or a movement, but a leader in proclaiming the good news of Jesus Christ. And I just want to let people know that even though that lightness -- that lightness has been taken from us, we will be reunited with him. And you know, I want to share that Romans 10:13 says, for whoever calls on the name of the Lord will be saved. Those words are true. And that -- and that means that we will be reunited with our brother, so. Councilwoman Larrabee?

COUNCILMEMBER LARRABEE: Over the last six days, I grieved. Our country lost a man who dedicated himself wholly to free speech and public discourse. My work family lost a mentor and leader that we loved. My husband lost a friend he worked for for eight

years. And most importantly, two young children, ages 1 and 3, lost their father.

On Wednesday Charlie Kirk was horrifically publicly murdered. Charlie loved Fountain Hills. Every single time I saw him, he asked about our town, best town in Arizona. And beyond politics, what Charlie wanted most to be remembered for was his faith in Christ Jesus. He desired a happier, healthier nation, and constantly reached across the aisle to help people see truth. He believed in sharpening ideas through debate. He was an incredible man, and he was killed for it.

This assassination did not happen in some vacuum. It was not some random fluke act. The hatred that birthed it has been stirring since Charlie first started Turning Point. And each of us at the company have looked that hatred in the eye. We are no strangers to it, and neither is American history. Charlie joins a very long line of patriotic Christian men to have a leftist make an attempt on his life: Abe Lincoln, JFK, MLK, Jr., Gerald Ford, Ronald Reagan, President Trump. This hatred is not new. It's just more noticeable, and contagious in the day of social media. And Fountain Hills, unfortunately, is not immune from it. These things affect us too.

I wanted to take time today to speak some words of encouragement to the people here in town in the wake of all this hatred. And when I think you need to hear it most. We saw nationwide as well-known leftist activists offered empty words, and crocodile tears at the same time as joking about Charlie's death in their private -- private discord channels, and much more that didn't bother to hide their joy, some even while in attendance at the very event. Others while on the congressional floor or in their newsrooms. And it's important to remember when you face such blatant hatred like this, that those words are not really coming from that individual, not really. Those -- those are people that are hurting and need help.

And you know what else? In the words of Allie Beth Stuckey, who I feel said it best. "What an incredible honor. May we all, when we die, make the demons rejoice. May we all be so courageous, so bold, so effective, so faithful, so obedient to the Lord, so relentless in the pursuit of his glory, that when we die, all of God's enemies' cheer. May they lament every breath we take. May they be enraged by every morning that our

feet hit the floor. May they wince at every word we say."

Charlie, Charlie was the best of us. He was well-spoken and level-headed. He handled the hatred he faced daily with a grace that I could only aspire to achieve. I'll never be Charlie. None of us will. But what we can do to honor him is to never, ever cower at the opportunity to speak truth to those who need to hear it. And that's what I intend to do. Do not be afraid to live your life in such a way that hell rejoices at your death. In fact, that should be your life goal for Charlie.

MAYOR FRIEDEL: Town Manager? No?

MS. GOODWIN: I'm going to pass this evening. Thanks.

MAYOR FRIEDEL: Okay. Councilwoman Earle?

COUNCILMEMBER EARLE: I just wanted to use my time for a moment of silence for Charlie. Thank you.

MAYOR FRIEDEL: Councilwoman.

COUNCILMEMBER KALIVIANAKIS: Thank you, Mr. Mayor. Yeah. It's been a very difficult week, and I think all of us are grieving tonight. But we're going to carry on, and we're going to have this meeting. I pray for our nation. I pray for healing. It's funny, because last Thursday I flew into Atlanta on Wednesday when that -- when this horrible thing happened, and I attended the Governor's Prayer Breakfast. It was on 9/11, which is another significant date that we had to endure this week. Now, this event featured the community of Atlanta metropolitan area, the government, spiritual leaders, and we had prayer for hours, and offered inspiration and encouragement. It was a deeply personal experience that evoked feelings of peace, connection, purpose, and hope, which I believe our Lord brings to all of us through prayer.

That's my report, Mr. Mayor. Thank you.

MAYOR FRIEDEL: Councilman Watts?

COUNCILMEMBER WATTS: I think it's safe to say that the national events have dwarfed anything that has gone on here locally. And I would just echo the same spirit, the same sentiment that Councilmembers Skillicorn and Larrabee said. I appreciate it.

MAYOR FRIEDEL: I can't imagine the grief. So, we're all sorry. Let me be the downer

now. I have some housekeeping things that I think I need to address, so I'm going to do that.

First, I want to set the record straight. There was an article recently written in the Times Newspaper about our road construction, and how this mayor and council didn't see fit to recommend the right roads to be repaired. So let me -- let me set this straight for the record. When we were talking about Fountain Hills Boulevard, there was one section of that road called a super section that was designated by RAS, the company that examines our roads, and it was determined that that one section needed to be replaced. Well, we just did extensive patching on that section of that road. So it didn't make sense for this council, through our public works director, to tear that all up and replace it after we just got done repairing it.

So we voted unanimously in this council, seven-zero, to take those dollars and redo Richwood Avenue, which will be a good project for this town going forward. So I just wanted to set the record straight on that.

Secondly, we've had many, many new crosswalks done in this town, so I'm going to ask the town manager at some point if we can remind the residents it's a state law in Arizona if you cross -- if somebody's crossing that, in that crosswalk, you have to stop. And also, for the pedestrians that are crossing those crosswalks, be sure to stop, look and listen and just don't walk wildly into a crosswalk, because it could be dangerous. There's a lot of new crosswalks in town that we got done, at least eight to ten of them. So again, that -- that's for safety and walkability of this town.

I have to bring up something that happened in the last council meeting. It came to my attention that somebody in the audience made a derogatory statement toward one of the councilwomen sitting up here on the dais. We've also had councilmembers sitting up here on the dais calling names. That will not be tolerated in any meeting that I conduct in this town going forward. I will take steps to remedy that if I need to. I just want to make that clear that it's not proper decorum. And it says so right in our statement of participation, that proper decorum has to be maintained in all of our meetings. So I would respectfully ask everybody to refrain -- refrain from name calling

during our meetings. It's just a respect and decorum that we're looking for.

And the last thing that I'll bring up is the fact that -- well, not -- the second to last thing. I would like to welcome our new attorney to the town. After we ratified the contract for the third time, I think this attorney has already proven her worth to the town and the town council. So thank you, Town Attorney, for joining us. We appreciate your efforts. And then the last thing I'll leave you with is the fact that Coffee with the Mayor is tomorrow morning at 9:00 at Euro Pizza. Bring your questions. Bring your comments. It's good, friendly exchange, and we give you an update on some of the projects that we're working on around town. So everybody's invited. So with that, I'll end -- I'll end my report. Thank you.

Now we'll start with our recognition of the Stellar Students. And we're going to do it a little bit differently tonight. We're going to have each of the council members involved in this. So every council member is going to be reading a recognition for one of our students. And we're going to start with our vice mayor, Councilman Skillicorn.

VICE MAYOR SKILLICORN: Thank you, Mr. Mayor. We would like to ask Lily Oliphant to come up, one of our little Falcon Preschool students. It's -- one of our stellar students. So the comments from her teacher here, "Lily always walks into school with a huge smile, ready to learn and play with her friends. She is eager to explore the classroom environment and has shown so much growth and inner confidence this year. Her attention to detail is incredible. She demonstrates all the characteristics of a great falcon and is such a joy to have in the classroom. Congratulations, Lily. "

MAYOR FRIEDEL: Councilwoman Larabee.

COUNCILMEMBER LARABEE: Our next little Falcon is Orion Finley. Yay.

Orion Finley is a great student. Orion is well liked, and he is a very good friend to his peers. He is very kind and compassionate and reminds us all when friends are absent from school. Orion always offers -- always offers to help others when needed and often volunteers to help clean up play center areas, even if he didn't create the mess. Orion has a good sense of humor and loves to laugh. He is a joy to have in the classroom. Thank you, Orion.

MAYOR FRIEDEL: And is Kaya Mann here? So Kaya's teacher says, "Kaya is a sweet young lady who greets teachers and staff with a smile each day. She works hard in all she does, showing kindness to her peers and spreading positivity wherever she goes." And this is Kaya. Thank you, Kaya. Councilman Watts.

COUNCILMEMBER WATTS: And I have the honor of representing Aiden Wood. Aiden? Aiden Wood is a dedicated student who consistently completes his work and demonstrates strong participation. He sits in front and center, engages fully in class discussions, and is always willing to help his peers. His kindness and positive attitude make him a valued member of our class community. He consistently follows and models the Falcon way. Thank you, Aiden.

MAYOR FRIEDEL: Councilwoman.

COUNCILMEMBER KALIVIANAKIS: Thank you, Mr. Mayor. From Fountain Hills Middle School, we have Isabella Garcia. Is she here? Isabella is a very kind and respectful student and citizen. She's always willing to help a peer or staff member. She works very hard in her academics. She shows by asking questions, clarifying instructions. and redoing her work until it's perfect. Isabella's grades are an excellent indication of her responsible dedication to her own learning. Congratulations.

MAYOR FRIEDEL: Councilwoman Earle.

COUNCILMEMBER EARLE: I have the pleasure of introducing Kellen Bryant from Fountain Hills Middle School. Kellen is one of the kindest, most respectful 6th grade students I've ever met. He is always willing to help out in class. He comes early to school to attend Homework Club and get a good start to his day. He recently made the leap into two honors classes and is thriving. Way to go, Kellen.

MAYOR FRIEDEL: And then we're back over to Councilwoman Larabee.

COUNCILMEMBER LARRABEE: We have Isabella Furtado. Well, it looks like -- it looks like Isabella didn't make it -- make it here, but I'll read about her anyway. Isabella demonstrates excellence not through loud recognition, but through quiet consistency. Is she here?

UNIDENTIFIED SPEAKER: No.

COUNCILMEMBER LARRABEE: Oh, okay.

[LAUGHTER]

COUNCILMEMBER LARRABEE: I saw waving. Day after day, she shows up prepared, completes her work with care, and maintains a positive, respectful attitude. Her steady commitment often goes -- often goes unnoticed, because she does not seek attention. Yet her reliability and perseverance sets a strong example for others by consistently doing what is expected and often more. She embodies the values of responsibility, integrity, and dedication. Let's hear it for Isabella.

MAYOR FRIEDEL: Councilwoman Earle.

COUNCILMEMBER EARLE: Yes. Is Reese Beers here? Yay. Okay. From Reese's teacher. "I have known Reese since he was a freshman, and this year he has grown tremendously. He has always had a bright and wonderful personality. But this year, he has -- he has grown so much as a student. Now, as a junior, he is thinking about college, and because of that, is consistently on top of schoolwork. He used to be a student who didn't speak up in class, but now he is asking the questions his peers are certainly also thinking but are too afraid to ask. He is committing to his education and developing a deeper understanding of complex topics. I am very impressed by Reese's current work ethic, and I know he will be able to handle challenges coming his way. Way to go, Reese.

MAYOR FRIEDEL: And now, if we can have them line up right in front of the Council, we'll stand up behind you, and we'll get a nice big group photo for you.

UNIDENTIFIED SPEAKER: Well. Let's see. Oh. You can be in the very front. There you go. Oh, perfect. Perfect. Hey, you listen better than most people around here. All right. One. Oh. Hold that -- hold that up, sweetie. Hold that up.

[LAUGHTER]

UNIDENTIFIED SPEAKER: There you go. Perfect. All right. One, two, three. Perfect. Thank you, and good job.

MAYOR FRIEDEL: Congratulations to all of our future leaders there. Okay.

Moving on. It is time for the Mayor's Business Spotlight. And it's my honor to --

to read about our -- our -- our Business Spotlight. Since 2005, the barbershop on Saguaro has been more than just a place for a haircut. It's been a gathering spot and a community staple. Owned and operated by Chris Durr and her late husband, the shop proudly served Fountain Hills for nearly two decades. Chris has built her business on a foundation of consistency, trust, and personal connection. Every client who walks through the door is treated like a neighbor, not just a customer. Her -- her dedication to her craft, combined with her warm personality, has made the barbershop a place where conversations flow freely, as freely as the clippers.

As a female entrepreneur in a traditionally male dominated industry, Chris is a shining example of perseverance and success. Her shop represents the strength of small-town business, and the charm that makes Fountain Hills so unique. Please join us in celebrating Chris and the Barber Shop on Saguaro for twenty years of service, tradition, and community spirit. And thanks for being in our town, Chris. Come on up, please.

MS. DURR: Thank you, Mr. Mayor. That was -- that was beautiful. I'm touched. But as we know, all of this could not have been possible without my late husband, the amazing Bob the Barber. He taught me everything I know about cutting hair anyway, except for maybe that flat top. I don't know about that. Bob opened the barber shop in 2005, and I joined him in 2008 to bring lady services to the -- to the barber shop. And thus, the tagline of the -- of the barber shop is a place for gentlemen and the ladies, too. I've left some cards and some pens on the back table for you. I'd love to see some of you there. That'd be great. So this marks our 20th year of business in -- in Fountain Hills. And we were also just voted Fountain Hills Barbershop and Salon. So we took two -- two of the categories. And for that, I'm humbled. Thank you.

Monique also joined me when my husband got sick. And together we just -- we like to provide -- we take such pride in our work, and we like to provide quality services, consistency and at a reasonable rate. It's that simple. We are located between Saporio d'Italia and the MMC bike shop nestled in there. Look for the orange awning. We operate by appointment or you can try your luck. So anyway, I'm also warmed and

humbled that there are clients here. Thank you. Thank you. Hey. Thank you, thank you, thank you, thank you. You guys are awesome. Very -- just, I can't thank you enough, Fountain Hills, for your support of twenty years. Thank you.

MAYOR FRIEDEL: Thank you. And moving on. Now we're going to recognize our Veteran of the Month. It's a great honor for me to be able to do this recognition, because we have so many veterans in our town. The Veteran of the Month, Sergeant Tom Pagliuca from the United States Marine Corps, and Chief of Police from the Blue Island District in Illinois.

So let me tell you a little bit about Tom. Tom Pagliuca proudly served four years in the United States Marine Corps, completing boot camp in San Diego, California, and rising to the rank of sergeant. He completed two tours of duty in Vietnam, where he earned numerous accommodations for his bravery and service, including three Purple Hearts for wounds sustained in action, a Bronze Star for heroism, the National Defense Service Medal, the Vietnamese Service Medal, the Vietnamese Campaign medal, materials -- materials unit citation, Presidential unit citation, Combat action ribbon. Ribbon, Good Conduct Medal, and the Vietnamese Cross of Gallantry with combat.

Following his distinguished military service, Tom dedicated thirty-five years to law enforcement in Chicago and Blue Island, Illinois, where he ultimately retired as the Chief of Police in Blue Island, Illinois. Tom is a crossover. What I mean by that is involved in two organizations here in town, maybe three, but two that I know of. One is the American Legion Post 58 here in town, and also the Marine Corps League. So please join me in congratulating Tom on his remarkable record of service to both his country and his community. Tom, come on up.

Now, Tom, you're probably the most decorated veteran that I've -- that I've talked to. So say a few words, if you would.

MR. PAGLIUCO: Sure. I thank you all very much for recognizing this. I would really like to thank Dave Nelson, the Commandant, Corporal Phil Young, Marine Corps League 1439, also Commandant John Wedel of the American Legion Post 58 here in Fountain Hills, and Mayor Gerry Friedel, who I believe these three gentlemen put this all together

to get me up here.

[LAUGHTER]

MR. PAGLIUCO: I will accept this honor very gratefully, but I will also accept it for all the men and women veterans who have served this country so well. Thank you.

MAYOR FRIEDEL: Okay. We'll move on now to our proclamation. And that will -- we'll have Councilwoman Gayle Earl.

COUNCILMEMBER EARLE: Thank you. Proclamation Constitutional Week. Whereas the Constitution of the United States, adopted September 17th, 1787, remains the foundation of our liberty and laws. And whereas Public Law 915 designates September 17th to the 23rd of each year as Constitution Week. Now therefore, the Mayor and the Town Council of Fountain Hills do hereby proclaim September 17th to 23, 2025, as Constitution Week and encourage all citizens to reaffirm the principles of freedom and justice set forth by the framers of the Constitution. Accepting this is Rachel Moore.

MAYOR FRIEDEL: Rachel, come on up.

COUNCILMEMBER EARLE: Finish what -- oh, me. Oh.

MS. MOORE: Thank you. On behalf of the Four Peaks chapter of the Daughters of the American Revolution, we are very grateful to receive this proclamation in recognition of Constitution Week. The Constitution remains the foundation of our freedoms, and this commemoration helps to remind us not only of the vision of our founders, but of our duty to preserve their legacy. The DAR is a nonprofit, nonpolitical women's service organization innovation founded in 1890, based on the three pillars of historic preservation, education, and patriotism. This recognition is an important moment in the history of our nation, so thank you for recognizing it. We appreciate it.

MAYOR FRIEDEL: Thank you. Now we'll move on to our presentations, Rachel.

MS. GOODWIN: Mayor, first up we have a presentation from Captain Thomas. I think he's seeing everybody out, saying -- wishing everybody good evening. He's going to join us for an update on his quarterly update regarding MCSO. Captain, don't worry, Chief Aught took over your duties in the back, making sure everybody got out.

MR. THOMAS: It's good to have the help. Mayor, Vice Mayor, Council, Town Manager,

I just want to say, it's -- I really appreciate the chance to get up here and talk about what MCSO does in general, and give these quarterly updates, because, as leaders in our own rights, we always enjoy the chance to shine a light on what our people do, and the good work that they do. So thank you for this opportunity.

I'll start off with the general stats from my last quarterly update. I'm not going to drill into a whole bunch of numbers that people won't get, or without a chart to follow, but I will touch on it very, very briefly, because Fountain Hills, as you guys know, is pretty consistent in the realm of law enforcement. What we face, what we deal with, what the town deals with, whether it's criminal or quality of life issues. They're pretty consistent, because I look through the databases that we have on trends and try to adjust accordingly.

So for this last quarter, I looked at the top twenty calls for service that we had, and it was pretty similar to the last several quarters in Fountain Hills. False burglar alarms, citizen assist with general things, suspicious activity, people calling in and seeing something that they think may need our attention, violations of court orders, and vehicle crashes with injuries and criminal damage, all go -- this is a downward trend of what I see for the top twenty calls for service. One of the things I spoke to the council about last time I was here was the implementation of what I called Squad 5, and what they represent is more of a focus on getting in and interacting with the community and hearing directly from the people and -- and the businesses that get impacted by these either quality of life or criminal acts that take place.

So since that last meeting, it's been about a quarter for this squad to be up and going. And we were able to put this together, because we adjusted the schedule for the entire division, and we have an overlapping schedule of personnel that give us the ability to focus and spend these resources on some of these -- these projects. As far as business contacts, our squad has already contacted forty-seven business owners or managers and this is in a non -- non-enforcement contact. This is going out shaking hands, talking to people, initiating conversations. And we use these deputies that we have assigned to squad five to kind of put them out there into these community events.

In this last quarter, we've attended the Falcon Fest. We've sent people over to Toastmasters, who I think we saw some of those individuals that are at the last meeting down at the Civic Center here, the Back to School bash, and then we've been using them for our regular -- regular patrols at the Fountain Park. We also work with the town -- town manager really well, with our -- with our Code Enforcement Division for some of the quality of life things that pop up.

Now, when you institute something like this, like a community-driven squad, what you want to do is see, is it working? Is these changes resulting in something good? And so I'm not out there on a day-to-day basis to see personally what's going on. But what I can do is go and look at the numbers, the stats, and what -- what comes of it. I did this by looking at this last quarter and comparing it to this same time frame in 2024. For example, in June in 2024, we had an increase of I would say it was a focus on traffic enforcement that followed up some of the feedback we were getting from the community, whether it's talking about stoplight -- red light running, stoplight running up and speeding in certain areas. So in 2024, we did 739 traffic stops, with forty-nine of those being criminal in nature.

In 2025, since we implemented this Community Outreach Squad 5, we've done 1,729 of them, with sixty-one of those being criminal in nature. And when I say criminal in nature, those stops -- stops could be from arrest warrants, driving on suspended, things like that. So that that represented one hundred and thirty-four percent increase in total traffic stops just by the implementation of this community group used to -- to help address those quality of life or just public concern issues.

We've put a focus on some of the -- the feedback we've got on e-bikes. We've went out and did some increased enforcement on some of that. We're working with the Fountain Hill School District, actually. We'll be putting on a presentation on e-bikes and some of the restrictions and laws behind it for the school to share and get out to parents and students that will trickle in to, you know, what the town is seeing out there as well. But overall, in -- in the stats that I'm seeing in us addressing things, whether it's talking about going out, and picking up warrants for probation violations, threatening

intimidation, domestic violence and assaults, trespassing, I see this -- this group is doing really well.

And really in the meeting that I was at that you talked and spoke at recently is -- you brought up a good topic. You were there to talk about leadership. And one of the things that I kind of pulled from what you said, I thought was pretty interesting, because -- I'm paraphrasing what you said, I can't remember exactly, but it was about influence. And it's not about influence to get what you want. It's about influence to bring out the best in those people around you, and to get things done in the right way.

And whenever I'm looking at the guys in my little sphere that I deal with, with the Maricopa County Sheriff's Office, I see you have an idea, you want to do good things, and you unleash the talent and those people to do it. And these people that have stepped up, and they've performed. Just in this last month, this small group of four people have done well over half of all the impactful stats that I've reported to you guys today.

So with that, any questions you have I'd be glad to answer.

MAYOR FRIEDEL: I will make a comment and then I'll yield to Councilman Earle. I think that what you're doing, community policing, that visibility and consistency is really important for our town, and those relationships that you're forming with our business district, and the school district, and the town are really important going forward. So we really appreciate your efforts and your work. And gosh, I hope I'm not going to ever be one of those traffic stops.

[LAUGHTER]

MAYOR FRIEDEL: Councilwoman Earle.

COUNCILMEMBER EARLE: Thank you, Mayor. I have noticed as well, one time I was driving from home to -- to community center here and back home, three cars had been pulled over and getting tickets in that one short period of time. I'm wondering, you have increased the traffic stops, but do you think that the tickets will reduce, because people will start to slow down, I'm hoping?

MR. THOMAS: I believe that that is one of those visibility things that absolutely that's

the -- that's the trend. People see, like you see it, they see it day after day. They see we have a couple people that are really passionate in the area of traffic enforcement. So they do it, and they do it ad nauseam almost it seems, right, but they do it well. They do it fair, and -- and it's all for a good cause. It's to help everybody on the road be safer in the big picture. So I do believe that's what -- that's what our crime stats show.

Whenever you implement traffic enforcement programs in certain areas, that's the -- the outcomes that -- that follow is a general reduction in -- the guys will be out there doing traffic stops the same way in the same area, but their numbers will go down, because exactly what you're pointing out.

COUNCILMEMBER EARLE: Hopefully. So I know that takes a lot of staff time, I'm assuming, but will there be time to perform neighborhood patrols, increase that at any point? Is anybody requested that? I don't -- I don't know if that would be a posse. I'm not sure.

MR. THOMAS: We do have posse members that do the neighborhood patrols, the vacation watches, and are in the -- in and out regularly. That's been going on this entire time. I have not heard a request for us to increase that in any certain areas. That would be something we'd be amicable to -- to try to fulfill. I just haven't heard it yet.

COUNCILMEMBER EARLE: Thank you.

MAYOR FRIEDEL: Councilman Watts.

COUNCILMEMBER WATTS: Comment first. I went on a ride along with one of the deputies, Deputy Cota. It was really enjoyable, very educational. He brought up a point that I wasn't aware of, that there was consistency within an individual deputy. So some deputies have a tolerance of five miles an hour on speeding. Some have one, some have ten. And but the issue is that they are consistent. So we don't have an inconsistent approach across the -- the MCSO. And we have a consistent approach by each of the deputies. So I thought that was kind of interesting.

MR. THOMAS: Yes, sir.

COUNCILMEMBER WATTS: The other thing I'm curious about, and does MCSO have a -- an educational awareness type program or materials that you can share with our

communications director about the crosswalks? As we talked about, the number of times I've almost hit somebody by not looking, and they step in the middle of the crosswalk when traffic is coming. Bicyclist, when they blow through stoplights, they just keep -- they make a right hand turn -- they go. So if there's any kind of educational material that you can share that we can share with the public, I think it would be beneficial because a 200 pound person, 150 pound person, and a 3,000 pound car doesn't seem to work out real well.

MR. THOMAS: Absolutely, sir. And it wasn't that long ago that we had the two kids in a crosswalk. And that's just -- it's horrifying to just even think about. But I, off the top of my head, I don't know. But our Community Outreach division does have a pretty sizable library of material, just like what you're talking about. I will follow up on that.

COUNCILMEMBER WATTS: Appreciate it. And thank you again for your service.

MAYOR FRIEDEL: Councilwoman.

COUNCILMEMBER KALIVIANAKIS : Thank you, Mr. Mayor. Thank you for your report. It's most appreciated. Maricopa County Sheriff's Office is a class act. I'd rate it as high as any in the country. It's got a great reputation. Thank you for sharing the statistics, the crime statistics, and what's plaguing our town. There's something -- it's actually on our schedule tonight. And something called urban camping, where people, generally homeless people, will use the town property, the parks, what have you to set up and sleepover. Could -- could you give us a count of how many of those incidents have occurred over the past quarter?

MR. THOMAS: Over the past quarter. You know, when I first got here in March, we were seeing regular calls for that. And when I say regular, I would say a few a week about, and a lot of them were repeat -- repeat customers, right. And so we would address those as we were legally -- legally able to at the time. And it seems -- I don't know if it's the weather or what, we have not been getting calls about it. Like the first quarter that I was here. So if that upticks, I'm not aware of it. If it has uptick in this time period, I'm not aware of it, but we -- we do address them when they come up, and I just don't have any numbers for you right now on it.

COUNCILMEMBER KALIVIANAKIS: And when you said you first came here, how long ago was that that you identified a problem?

MR. THOMAS: That was March. And we were seeing, like I said, probably about three calls a week for a little while there. And we would go out and try to contact the individuals if they were still there when we were there. And then just handling the deputies, you know, they go, they address it, they have discretion on how they address it, but they have the -- the -- the law that they got to follow and that they fall -- they stay within those -- those realms whenever they're dealing with the people that we get called about that are -- urban camping? Was that the word, "urban camping"?

COUNCILMEMBER KALIVIANAKIS: Urban camping. Yes. Yeah. So by the time you respond to the call, are they usually gone or are they usually there?

MR. THOMAS: It's hit or miss.

COUNCILMEMBER KALIVIANAKIS: Okay. And have we ever had to take one, like, to a facility or a community facility like in Mesa?

MR. THOMAS: We have in the past. Now, the -- what we run into a lot is these individuals are resistant or just refuse to accept any services that we offer, because we do have a wealth of knowledge of available services and places we can go to that are obviously better than being on the street. It's the will of the individual, plus the limits of our authority as law enforcement to -- to, you know, suggest rather than, you know, just take somebody somewhere. You know, there has to be certain -- certain steps in place before somebody's just removed and taken to a shelter.

COUNCILMEMBER KALIVIANAKIS: Right. Okay. Well, thank you.

MR. THOMAS: No problem.

MAYOR FRIEDEL: Town manager.

MS. GOODWIN: Captain, you mentioned you came in March, so I wanted to kind of highlight that you've only been here about six months with us here in Fountain Hills. And this is a new assignment for you. You haven't been here before, right?

MR. THOMAS: I have not.

MS. GOODWIN: So I wanted to say thank you for getting to know our community, and

for getting to know our staff as well as our leadership to understand, you know, our goals, and our priorities, and making yourself so available when we need something. You've been really great to work with, and we appreciate you diving in face first.

MR. THOMAS: Thank you. And it's important for the council and everybody watching and in attendance to know that, you know, the law enforcement and the town have this great relationship. You know, everything filters through me and the town manager. And it's been -- it's been a -- refreshing because I've worked in political settings in other areas of my job. And it's not been so. And so I really do appreciate this -- appreciate this relationship that I have with -- with the council and the manager. Thanks.

MAYOR FRIEDEL: Thank you. And Rachel, our next presentation.

MS. GOODWIN: Yes, our next presentation. Paul, would you like to give a little intro?

UNIDENTIFIED SPEAKER: Yeah. Mayor and Council, tonight we have the Fountain Hills Youth Substance Abuse Prevention Coalition here to present some information about their programs, and how they've been spending the opioid settlement monies that the town provides them annually. So with that, I'll turn it over to Tammy Bell.

MS. BELL: Thank you. Good afternoon, Mayor, Vice Mayor, Councilmen, staff. My name is Tammy Bell, and I'm the executive director of the Fountain Hills Youth Substance -- Substance Abuse Prevention Coalition. I am joined tonight by our program manager, Elizabeth Waters, and two of our student leaders, who you will be hearing from very shortly. Together, we all want to thank you for the opportunity to share what your leadership decision has made possible for us. And we want to show you how the opioid settlement funds are making an impact in Fountain Hills, as well as Fort McDowell Yavapai Nation.

Tonight, we're going to outline the first year's impact. The science and strategy behind what we're doing, our five-year action plan, the community wide impact, and of course, the financial reporting.

The opioid settlement funds have allowed us to expand prevention, education, and protective strategies with an emphasis on fentanyl awareness. Our mission is to reach as many residents as possible, equipping youth, parents, mentors, businesses,

athletes, and trusted adults with knowledge, tools, and skills to prevent substance misuse. When council voted to allocate opioid settlement funds to the coalition, you gave us more than just financial support. You gave us the ability to respond to a true crisis in our state.

Let me start by describing the reality of this crisis. In 2023, Arizona lost more than five people a day to the opioid overdoses. Ninety-seven percent of those had -- were involved with fentanyl. Twenty-five of those lost were children under the age of seventeen. The DEA reports that seven out of ten counterfeit pills seized in Arizona contain a lethal dose of fentanyl. A lethal dose is just two milligrams. That's about the size of one grain of rice. That's why you often hear one pill can kill. It does not take much.

But here's what makes this epidemic different. This is not the drug culture of the -- the 1960s and 70s, where people wanted to have a good time, and maybe get high. This -- today's crisis is fueled with counterfeit pills, in a time that has been described as the worst youth mental health crisis in modern history. Fake medications made to look like Adderall, Percocet, and Xanax are sold outside of pharmacies or through social media, making this deadly threat to -- available to anyone.

Many parents tell us, oh, my kid isn't interested in drugs. They're not going to do that. And they're actually right. Most students in our zip codes are not using substances. However, what we do need to know is what the students are going through. They are trying to cope. They're coping with a lot of stress. They're coping with anxiety, depression, the pressure to perform or to be successful. To them, a pill from a friend could just be helping them study late one night, maybe having some relief from their football practice, to manage pain, maybe just being able to sleep a little better with a little less anxiety. To our students, it can feel harmless to share a pill with a friend. What they don't see is the danger. They have no idea where this pill has come from. They have no idea. You cannot tell by looking at it if it's counterfeit. And as we already mentioned, it only takes one pill to rob them of their future.

That is why your investment in prevention is so critical. It allows us to get ahead

of the curve to strengthen protective factors, reduce the stigma, and to help families see this reality.

So let's get into what we are doing with this first round of opioid funds. We are focusing on five strategies: targeted advertising, community partnerships, youth programs, and leadership training, high risk student messaging, and family engagement. Elizabeth is on the front line with our students and families. As a program manager, she is always in the classroom, educating, and all around the community talking with our families. I'd like to -- I'd like for her to come and share more about the programs in detail.

MS. WATERS: Thank you, Tammy. So first I would like to highlight Protect Our Game. We identified student athletes as a high-risk group, because injuries often bring prescriptions into the home. Through Protect Our Game, we distributed 105 safe home kits to families. Each kit included Narcan, a lockable pill container, and resources to start conversations at home. We also made sure prevention messages were visible at every high school sporting event and programs, on banners, at parent meetings, and even in backpacks. This year, we expanded Protect our Game into the Boys and Girls Club Leagues, reaching parents, coaches, and youth across community teams.

Advertising and awareness. Our fentanyl-targeted media campaign generated over 364,000 impressions. LED signs and social media carried lifesaving awareness in both -- to both parents and students. This isn't just advertising. These are interventions placed right where people live, drive, walk, and while on their phones. Beyond messaging, we have protective factors. We invested in protective factors, and these are intentional programs that provide safe drug and alcohol-free environments for youth. Events like Red Ribbon Week, Teen Takeover, Falcon Fiesta, our Senior Internship Program, and the Community Center Videogame Tournament to give youth safe alternatives to celebrate. Our community partnerships -- I'm sorry. At -- every senior received a fentanyl prevention materials, signed a pledge card for a safe celebration.

The research is clear, messages delivered during high-risk moments like graduation night reduce impulsive and dangerous decisions. Community partnerships.

Prevention is stronger when the whole community is engaged. We distributed more than 250 fentanyl prevention resource bags at businesses and civic events, which are the bags that were handed to you earlier.

Our speaker series is incredibly impactful. To date, we've offered two speaker engagements where hundreds of students, parents, and community members were made aware of today's crisis, and inspired to live drug free. In our first 518 presentation, ninety percent of students reported the talk was valuable. And when experts like Stephanie Ciate and parents like Vanessa Ayala spoke, they shared real stories that we've been told by some students were home saying that they will never forget what they learned. Our Above That Club is one of the most impactful programs that was launched in January. It is our youth-led coalition. The Above That Club empowers middle school and high school students to make healthy decisions, resist peer pressure, grow leadership skills, and serve as role models.

It is peer to peer prevention and action, and it is changing the culture. Research tells us that peer led programs are known to increase perception of harm of substance -- of substances, improve refusal skills, reduce the likelihood of future use. When youth see peers speaking at leading clubs and modeling resilience, it begins to shift what they see to be normal in a school or community. Right now, I would like to introduce our special speakers today. Two of our newly elected club leaders. First, we have Payton Jochens, our current club treasurer, and Maya Ruiz, our new club president. Please give them a round of applause.

MR. JOCHENS: Hi, I'm Payton -- Payton. Thank you for giving me this opportunity to speak about the coalition this evening. Our club, offered by the Fountain Hills Protect Our Youth Coalition, is designed for middle school students in 6th to 8th grade. Above That encourages us to rise above negative influences like drugs and bullying, while inspiring others to do the same. Just like adults, kid faced -- kids face challenges every day. Our mission is to promote kindness and stand strong against harmful behaviors like vaping and drug use. Through community projects and by modeling integrity, we're learning how to lead and make a difference. This club has sparked a passion in me to

put others first and lead by example. I'm grateful for the coalition, for the safe space they've created and for investing in kids like us. Together we are shaping the future of Fountain Hills. Thank you.

MS. RUIZ: Hi, I'm Maya, and thank you for giving me the chance to speak tonight. There are many reasons why I wanted to be a part of the Above That Club. The biggest one is I want to warn people about how dangerous vapes, vaping and drugs really are. When I was just eight years old, I lost my father to fentanyl overdose. Instead of getting help from a doctor, he got counterfeit pills from a friend. That choice cost him his life. For a long time, I carried that pain and guilt of that moment. I share this not for sympathy, but as a warning to my community and to my friends. Drugs can take away people you love, and they can destroy lives if you choose to use them. That's why I'm proud to be a part of this club. It's -- it gives me a voice.

And now, as a newly elected president, I have responsibility to lead by example, standing strong, inspiring others, and spreading kindness. Most of all, I want to help arm the next generation with knowledge and resources of dangers of drugs, so when they face tough choices, they have the courage to say no. Together, we can rise above the negative influences and build healthier and stronger futures. Thank you.

MS. BELL: Thank you, Maya and Peyton. That was very courageous to come up here and share. And you're very -- we are all inspired by you. So thank you. Let's give them all a round of applause. I want to assure you that none of these strategies are just random. Everything that we do is rooted in prevention science and is aligned with the One Arizona Agreement. Let me explain. Media plus engagement campaigns are more effective when they are paired with in-person interaction. That's why you will see us at community events, and you will see us at the Safe celebrations with the youth. Family matters research shows us that the parents' influence is still the number one reason students choose not to use substances.

Our Safe Home kits have given parents confidence to provide a safe environment at home and have tough but impactful conversations. When they do, they can reduce their child's risk of using substances by up to sixty-one percent.

Peer to peer influence, youth listen to each other. Programs like the Above That Club leverages social influences. That's one of the strongest predictors of youth making healthy choices. One trusted adult. Research tells us that if -- youth who have a consistent, trusted adult outside of their home still has a thirty-three percent less likely to use substances. This is why we plan to continue to equip coaches, mentors, teachers, and employers. Timing also matters. As Elizabeth already brought up, prevention messages when placed in the moment of a high risk, are known to reduce impulsive choices. That's why you will see us at the Falcon Fiesta, the graduation nights, Teen Takeovers, on weekend nights, and at sporting events. This is not theory, it's science. And it works. This slide is just putting it all together for you.

So we have our five methods of prevention, and how, and what we're using the opioid settlements for the strategies behind them that are known by science to change the community in alignment with the Arizona One agreement. So looking ahead to the five-year action plan. I'd like to clarify, while much of the settlement was distributed early, we built a strategic plan for five years to ensure stability and long term impact. Between now and 2030, we are pursuing clear goals, and with consistent investment, we believe that we can achieve the following. We will reduce youth access. Our goal to expand the Safe Home kit distribution from 105 households to 300 annually by 2030. This, according to the census, should be all of our families with children under seventeen years will have a Safe Home kit by 2030.

We'll strive to increase partnerships with local businesses to help, and to promote safe storage and safe disposal. We will shift perception. In 2020 for -- the Arizona Youth Survey told us that eighty-nine percent of our youth who are in our zip codes 85268 and 85264 believed prescription misuse to be very risky. Eighty-nine percent's pretty high, but it's not high enough. By 2030, we want to increase that by twenty -- by ten percent, so that ninety-nine percent of our students are telling us it's too risky to use prescription drugs that are not given to them by doctors.

We will continue to strengthen protective factors. We expect to expand the Above That Club Youth Coalition to fifty youth leaders, including middle school and high

school, trained trusted adults in community wide events, recognize youth through community spotlights, newsletters, and support youth activities. Again, the most recent Arizona Youth Survey told us that the weakest protective factor for our youth in our zip codes was their connection to their community. 24.5 percent said that they did not -- said that they felt connected. We're going to change that, and we hope to see an increase to forty percent by 2030. We will reduce stigma by training a hundred local businesses and organizations in naloxone use, and stigma reduction.

We hope to increase the Above That Club, as we mentioned, and launch our new Family Dinner Campaign, which is starting in October, bringing families together around the table with free pizza to share meals, and strengthen positive conversations. Again, the frequency of how often children are having meals with their parents, in addition to the conversations they're having, will greatly reduce the likelihood of them using substances. We will also ensure accountability. We're strengthening our volunteers and our staff with best practices and encouraging local evaluators to look at our programs to make sure that they are strategies that are evidence based, effective, and hold us accountable to the community.

By 2030, we will see these cultural shifts, and it will be reflected in the Arizona Youth Survey. Like more students perceiving higher risk, fewer students reporting access, and more youth reporting that they are talking to their parents about substances. This is not only about youth; it's about an entire community that is coming around and rallying around our young families. We believe we will see parents who are confident and equipped to have conversations, youth who are resilient coaches, teachers, and mentors who are stepping in intentionally to be those trusted adults, and businesses and civic leaders who are joining in the mission. We are impacting the culture of Fountain Hills and -- and Fort McDowell Yavapai Nation by normalizing healthy choices and positive, strong relationships. We reduce stigma and make prevention visible in creative ways, thus we're hitting the homes, schools, sporting events, and the community overall.

Finally, the financial accountability. You have reports that are more detailed in

your packet. But to summarize, the coalition has received \$135,346 in opioid settlement money to date. Of that, when this report was given to you, we had used 36,582 that had been invested in those five strategies we talked about earlier. Moving forward, we expect to require about \$63,000 annually in order to succeed in our five-year plan. Every dollar is aligned with One Arizona strategies, tracked, evaluated, and reported. This is about sustainability and a long-term impact.

In closing, I hope you can see our approach is layered. It is evidence based. It's built to last. It strengthens protective factors and empowers our peers, equips our families, and connects our community. Mayor, Councilmembers, Vice Mayor, staff, thank you for your partnership with the Fountain Hills Coalition, and your commitment to prevention and wellness for our town. Together, we are protecting our youth. Would you like me to do -- are there any questions or?

MAYOR FRIEDEL: Councilwoman Earle?

COUNCILMEMBER EARLE: Thank you, Mayor. I want to thank you for this program that you have. It's such a need for our young people. And I really appreciate that you're working towards making it popular to not use drugs or actually the alcohol as well. It's good to start middle school and high school. I do appreciate the financial summary as well. And I'm wondering, because there's no salary compensation listed in that financial summary, is it all a volunteer for the directors? And if not, where does that money come from?

MS. BELL: No, Councilmember. We have a grant that in years past from a federal grant that has paid for our salaries. It's the Drug Free Community Grant. That's what we've been using so far. However, in our five-year plan, we have identified some staff development that we can use from the opioid -- opioid settlement as well.

COUNCILMEMBER EARLE: And then in this financial summary, did you receive -- was it the -- in 2023 to '24, is that correct?

MS. Bell: Correct.

COUNCILMEMBER EARLE: Oh, okay.

MS. BELL: Yep. The report you're looking at --

COUNCILMEMBER EARLE: That was just the one --

MS. BELL: -- the timing was December of 2024. Okay.

COUNCILMEMBER EARLE: Great. Thank you.

MAYOR FRIEDEL: Councilwoman Larrabee.

COUNCILMEMBER LARRABEE: I just wanted to say that the Youth Coalition is amazing. I love what you guys do, and -- and hearing about your project for family dinner. I love that so much. And I think that's going to solve not just drug and alcohol issues in youth, I think there's a lot, a lot of problems in our society that can be solved by family dinners. So I think that's beautiful, Tammy. Thank you.

MS. BELL: Thanks, Hannah.

MAYOR FRIEDEL: And I would just like to add that I think the job you guys are doing is outstanding. I've been to several of your events, and heard from the students firsthand, so it's really rewarding. And keep up the good work.

MS. BELL: Thank you, Mayor. Anything else? Okay. Thank you very much.

MAYOR FRIEDEL: Thank you. We'll move on now to the call to the public. Town Clerk, do we have any speaker cards?

THE CLERK: Yes, Mayor. We received three cards. Melissa Guido, followed by Ben Larrabee. And the last speaker is Susan Dempster.

MS. GUIDO: Mr. Mayor, Vice Mayor, Council, this week's events have been horrific. We have not seen historic leaders assassinated since JFK, RFK, and MLK. Now, add Charlie Kirk to this historic list. Charlie Kirk spoke for his generation. He spoke for a movement. He spoke for a majority of Americans. And most of all, he spoke for an almighty God. To the people who snicker, mock, and celebrate his murder, you are opposed to both America and the God of the universe. Fountain Hills needs to honor the memory of Charlie Kirk and his legacy. Please rename the community after -- the community center after Charlie. Please rename the community center the Charlie Kirk Freedom Center. Thank you.

MR. LARRABEE: Hello, everyone. Mayor, Councilmembers. I rise today to honor the life of Charlie Kirk, to honor the sacrifice of a great man who served as an inspiration to the

nation, and to the world, and whom I've had the pleasure of working for for the past eight years. He was the greatest boss I have ever had and ever will have. And I know as a follower in Christ, I will see him again someday. Charlie was a man of faith, a statesman, a husband, and most importantly, a father who was slain this past week by the radical left.

Now, as the nation has mourned Charlie's passing this week, what struck me the most are the stories about how he's touched the lives of millions and tens of millions of people around the world. People have traveled from around the country and from multiple nations to our headquarters this week to share that because of Charlie, they're now running for office, because of Charlie, they're now engaged in their communities, because of Charlie, they're now a father, because of Charlie, they're now reading the Bible for the first time, going to church or even founding their own church. His legacy will be that of a force multiplier for the people who wanted to step up and reclaim this great nation. But if you were to ask Charlie what he would be most proud of in his life is his work to bring people to Christ and restoring and upholding the American family.

But what's also struck me are the calls for unity after his assassination, because for many, these words ring hollow. I want to be clear now. Without truth, there is no unity. Without justice, there is no unity. There is no unity with those who have mocked his death and spit on his grave. There is no unity until we can stand up to the ideologies and the lifestyles that have poisoned the minds of his killers. There is no unity unless we are able to stare back into the rage-filled eyes of the radical left, smile and say, you do not scare me, and you will not win. For God, for country and for Charlie. Thank you.

MS. DEMPSTER: Good evening. Mayor, Vice Mayor, Town Council, and staff. My name is Susan Dempster. I'm a Fountain Hills resident of eighteen plus years, and I'm here as well as many in the audience from our Blue Zone Steering Committee on behalf of the Blue Zones Fountain Hills Initiative. Tonight, I'd like to briefly share why this effort matters for our town, and how we can take the important first step forward.

First, what is Blue Zones? So it is a proven, research-based initiative inspired by places in the world where people live longer, healthier, and happier lives. Communities

that have adopted the Blue Zones nine principles have seen measurable improvements in health outcomes, community engagement, and even economic growth.

Second, why does this matter to Fountain Hills? Well, Blue Zones is for everyone from our youth and families to our seniors. It strengthens community pride and identity through our shared values. Like I love Fountain Hills. It creates healthier environments, supports local businesses, and fosters connections that lead to a happier and more vibrant town. Most importantly, it positions Fountain Hills as a forward- thinking community that invests in the well -- in the well-being of its people.

Third, what are we asking for? We respectfully request the Council's support to approve support for us to sign the master agreement and statement of work with Blue Zones. Two, to endorse moving forward with phase one, which is a readiness and feasibility -- feasibility assessment. This will assist our associated funding package and build a foundation. And three, provide a letter of support signaling our community's commitment to this positive step. And we have a sample letter in the packet, along with a lot of materials to make it easy for you. But please note, best part, we're not asking for money this evening; however, donations are always greatly appreciated.

Finally, how are we building momentum? We have several upcoming events, including Fountain Hills Day. Get Up Girl, The Community Health Plan, and the Wine Walk, all designed to engage and inspire our community as well as embark on this journey. Ideally, we would like to launch Blue Zones Fountain Hills on October 11th at Fountain Hills Day. So next steps. If you feel a meeting is necessary, the steering committee is available to me as soon as possible. Otherwise, we kindly ask for a signed letter by October 1st.

So in closing. Blue Zone Fountain Hills is more than just about health. It's about creating a stronger, happier lifestyle and environment based on nine principles, for everyone who calls this town home. Together, let's take this first step for the good of our community. Thank you so much.

MAYOR FRIEDEL: Thank you. Now we'll move on to our consent agenda.

COUNCILMEMBER WATTS: Hang on a second.

MAYOR FRIEDEL: Oh. I'm sorry. Rick Watts.

COUNCILMEMBER WATTS: Susan, you ran away too fast.

MAYOR FRIEDEL: Can't answer questions in the call.

COUNCILMEMBER WATTS: I can't ask no presentation.

MAYOR FRIEDEL: No, no.

COUNCILMEMBER WATTS: You see me after the meeting.

MAYOR FRIEDEL: Or call -- or call her. Okay. Now we'll move on to the consent agenda.

VICEMAYOR SKILLICORN: Motion to approve consent agenda?

COUNCILMEMBER KALIVIANAKIS: I'll second that.

MAYOR FRIEDEL: We have a motion and a second. Roll call, please, Town Clerk.

THE CLERK: Councilmember Larrabee?

COUNCILMEMBER LARRABEE: Aye.

THE CLERK: Councilmember Watts?

COUNCILMEMBER WATTS: Aye.

THE CLERK: Councilmember Earle?

COUNCILMEMBER EARLE: Aye.

COUNCILMEMBER EARLE: Councilmember Kalivianakis?

COUNCILMEMBER KALIVIANAKIS: Aye.

THE CLERK: Vice Mayor Skillicorn?

VICEMAYOR SKILLICORN: Aye.

THE CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

THE CLERK: Mayor six-zero.

MAYOR FRIEDEL: Thank you. And we'll move on to our regular agenda. And we -- our first item is relating to modification of the Town Code Chapter 11 regarding urban camping. Rachel, I believe this is Allen. Allen?

VICEMAYOR SKILLICORN: Thank you, Mr. Mayor. Yeah, I see this is for discussion only. So we're not going to be moving on anything. Yeah. A couple of years ago, we did make some changes to the Code. But you know, things have changed since then. The

problem has not gotten any better. The problem has actually gotten worse. It sounds to me, in my discussions with sheriff's department, that their hands are tied in many cases. And also, the grants pass, you know, ruling was overturned. So I mean, I did want to remove the funding for something we're not even using. But also, you know, we do need to have more tools for the sheriff's department and -- and also, protect our town. So we have a situation where people are, you know, loitering on sidewalks and right of ways, camping, sleeping, and effectively, it doesn't seem like the sheriff's department has the tools they need.

I also see that there's a couple of refugees, and private property, and I don't know the solution to that quite yet. Where we have a couple or at least -- at least one private property owner that has a park bench that lets people loiter and camp on their property and -- you know, in plain view of -- of our Fountain Lake. You know, that's a -- that's a pretty big problem there. I also think it's appropriate to look at the penalties. You know, there isn't a -- there is a situation where the penalty is negated if someone accepts help to go somewhere. That -- that would definitely get someone to -- to move on. But we probably want to, you know, strengthen that.

But also, I think it's appropriate to have like, an aggravated penalty. You know, if you are abusing an animal in one hundred degree heat out there, I think that should be, you know, aggravated. If you have a stolen shopping cart with you, I think that that should be aggravated. And frankly, I think former captain mentioned that there's not much they can do without a complaint, but it is actually illegal to remove a shopping cart from the property, so that is a separate violation. But that would be, you know, two compounding offenses there. So things like that, I would -- I would like to make it more serious. You know, we have opportunity with the grant. I mean, every town other than Fountain Hills strengthened the ordinance after the grants pass. We did not. Now is our time to do so. But we can also be leaders on this.

And you know, frankly, the things that we do here don't just affect our town. They will affect the rest of the state. And I think that we have an opportunity to be bold and have some leadership and address a problem that's growing.

MAYOR FRIEDEL: Councilman Watts.

COUNCILMEMBER WATTS: I appreciate Councilman Skillicorn comments. My concern is that Captain Thomas mentioned other resources that MCSO has. I'd like to explore some of those see what the financial impact would be, comparatively speaking, to what we're currently doing with CASS. It is CASS. C-A-S-S. Before I would support the total elimination of CASS, I would support strengthening requirements, strengthening the regulations as humanely as we can, as long as we have alternate resources by way of whatever MCSO may be able to provide. And CASS -- and maybe we can get a -- my understanding is there hasn't been the use of the CASS facilities in a couple of years, and maybe there's a downgrade that we can do to \$25,000 a year instead of 50,000. Maybe there's something middle ground. Maybe we're just --

COUNCILMEMBER EARLE: On that note, and it may have gotten lost in the -- we have negotiated it down. We do have a contract this year, this fiscal year at fifteen.

COUNCILMEMBER WATTS: Oh, I thought it was 50, 5-0 in the -- did I misread it, 15?

COUNCILMEMBER EARLE: And it's -- perhaps it may have gotten lost in there. But just to clarify.

COUNCILMEMBER WATTS: Got you. Thank you. Well, maybe there's something even lesser than that, so going forward. But I think exploring both of those -- those alternate resources, tool pouches, et cetera, that they've got. And thank you.

MAYOR FRIEDEL: Councilwoman Earle.

COUNCILMEMBER EARLE: Thank you, Mayor. I know is -- I'm not sure what you were talking about, Allen, but was there something with the ninth? Or maybe I should ask the attorney, the ninth? Okay. Oh, that's what it's called. The -- okay, where it's no longer required to pay for a bed; is that correct?

VICEMAYOR SKILLICORN: Mr. Mayor, Councilwoman. Yeah. The Supreme Court struck down that. So there is no requirement for the community to provide a bed in those situations.

VICEMAYOR SKILLICORN: And then my next question is, what's the last time that we actually had someone use a bed that we paid for?

COUNCILMEMBER EARLE: That's a good question. We've had this contract in place two years. I know during that time we've not had anyone use the spaces in CASS. Prior to that, we had some other resources, including --

MS. GOODWIN: New Leaf, I think.

COUNCILMEMBER EARLE: -- yeah, New Leaf and other things, but I don't have the numbers on that. I can certainly take a look and see if we can work with them, the CSO, to find that out.

MS. GOODWIN: Because I thought that hadn't been used either, but I wasn't sure.

COUNCILMEMBER EARLE: It could be true. That could be accurate.

COUNCILMEMBER EARLE: So I'm just wondering if it's a good use of funds. I'm so glad that you did get it from 30,000 to 15,000 negotiated. That was in June, but wondering if those monies could be used in another way to maybe help assist others or homeless or whatnot. Thank you.

MAYOR FRIEDEL: And we're paid up for the next year on that, am I correct?

MS. GOODWIN: We are. We did update that contract. We negotiated with them.

Kudos to Paul for leading that process for us. And so we have negotiated that, signed that contract, and paid for it. We have reviewed it to see what our options are. It probably makes sense to fold this into as part of the budget conversation as we move forward. Because if we're not going to use it for CASS, are we going to use it for other resources or reallocate it in some way?

MAYOR FRIEDEL: Councilwoman. Councilwoman Larrabee.

COUNCILMEMBER LARRABEE: Thank you, Mayor. And I would be -- I would be amicable to bringing up the financial portion closer to budget season. That's fine. However, as far as the modification of the town Code, I am interested in creating some kind of incentive for them to -- for them to accept the bed that is being offered. And that would be obviously through some ramifications for urban camping. I think there is -- well, everyone realizes the reality that nationwide there's an increase of homelessness, and that is because there's an increase of mental health issues in this country. There is a national crisis with mental health.

But because -- because homelessness in its nature has changed. You know, thirty years ago, it was more likely to just be someone down on their luck. And now it's very likely someone who has mental health issues, whether it's because of drug use or the drug use came after the mental health issue. But it's -- it's very often deep seated issues that are often, unfortunately, that they are choosing to be homeless. That there is people in their lives that they have cut off, that it's not just that they're turning down help from police, they're turning down help from many in their circle. And not to go on a rant, but it is -- it's a heartbreaking situation that we're in in this country. And I really would like for us to consider that when we update our town Code, if there has to be some kind of way where, unfortunately, we have to look at this as a parent, as if we are a parent and say it needs to be scarier to not do it in order for them to go and seek help. And I hope that that makes a difference in the lives of these people. So thank you.

MAYOR FRIEDEL: Before I turn it over to Councilwoman Earle, so what we're -- we're hearing right now is we want to find out what resources are available from MCSO. And maybe do we give some direction to the town attorney to find out what legally we can do to adopt our current ordinance, and still be strong enough to -- to -- to deal with that? Okay. And then Councilwoman Earle.

COUNCILMEMBER EARLE: Thank you, Mayor. I just want for the public to know we have paid for this bed through next year, so the contract was renewed in June of 2025. So I believe it's through the end of June of 2026. So we have a full year to work on this. So we're not cutting it off right now. Thanks.

MAYOR FRIEDEL: Is that sufficient direction, Councilman, Vice mayor? Okay. That's what we'll do. All right. Thank you. The next item is also discussion, and with possible direction. And that's the one-year moratorium on zoning waivers. And I believe that's Councilwoman Earle.

COUNCILMEMBER EARLE: Yes. Thank you, Mayor. So my question, I guess, will be John Wesley. But this question came up because, well, my first question is what restrictions are in place to ensure projects will not go outside of zoning guidelines. Do you want me to ask my -- all my questions or one at a time?

MR. WESLEY: Mayor, Counsel member. Whichever way you would prefer to do it, I'll try to.

COUNCILMEMBER EARLE: Okay. Maybe they kind of will cover each other. So I mean, this came up, because there was some concerns of I'll be honest -- for example, some people were concerned about knowing there's -- we've had a lot of questions about the Mountainside Project and what safeguards are in place to ensure this development stays within our adopted zoning guidelines, such as height and density. So I'd like to ask you to please give us some examples of minor changes that would be allowed at the current project Mountainside Target Plaza. Not just the one, but all different ones. Okay. Thank you.

MR. WESLEY: Mayor, Councilmember, I'll try to answer that the best I can and follow up with questions. I really haven't gotten it. The staff report that we provided with you lists what's in the zoning ordinance as far as my authority as a zoning administrator, to interpret and apply the Code in each given situation as we review site plans, development plans on a specific projects. Specifically, with regard to the mountainside development, they have submitted an application that has been reviewed. We've found where it does not meet code requirements; it's back in their court for modifications to meet the Code requirements. We're quite aware of the neighbors' concerns and some other citizens' concerns that -- that meet the Code, and we have communicated that very clearly to the applicant.

And so they are working to make sure they meet every code with regard to that project. We'll continue to evaluate it as it comes forward and see where we get. And hopefully they do clearly meet all the codes if there's any ambiguity or questions in there, because this is a very public case. Then there's a chance we would maybe be back to counsel to -- to point out those differences if necessary, but hopefully we won't get there. But as a more general application as zoning administrator, looking at all the codes that are involved in reviewing applications. And there are times where there are some -- some minor things that either conflict or in a given situation just really can't feasibly be met.

And so we might do a few minor adjustments. One example that comes to mind immediately is there along Saguaro Boulevard is the former I believe it's Firestone facility, has a blue mansard roof on it, white -- white building there have submitted a site plan and building permit plans to modify that building. They've torn down a piece in the back, and they want to significantly remodel the piece that's left on there. By the statement of the zoning ordinance, if they do that, they're required to bring the total property into compliance with the zoning ordinance. Their parking is nowhere near compliant.

With that, there are other things that aren't compliant In reviewing that. I looked at what's reasonable, given what they want to do to bring things into conformance, and what are things that really go beyond what they really want to do that still work even though they don't quite meet Code. And so in reviewing those plans, we -- we work that out with them. So that's a -- that's a type of thing where we again, knowing the Codes, knowing the desires of the Council to be both business friendly, but also protecting the town, where -- where are those places where it's appropriate to make minor adjustments.

COUNCILMEMBER EARLE: On that list, the memorandum that we got said Board of Adjustments, and changes can be made there. Does that then come to the Council? Can they approve the zoning changes without coming to the Council?

MR. WESLEY: Mayor, Councilmember, Board of Adjustment can consider variances to the -- to the Code. Those need to be based on very strict criteria that are spelled out in our ordinance, as well as state statute. It has to be a true hardship that's unique to the property, not just a desire to spend less money. And it can't have consequences beyond the property. Several things along that line. And so when -- when the Board of Adjustment receives a variance application, reviews that and makes a decision, any appeal of that decision goes to Superior Court. It does not come to this Council.

MAYOR FRIEDEL: Councilman Watts.

COUNCILMEMBER WATTS: John, can you share some of the noncompliance issues with respect to Mountainside that you are trying to get into compliance and trying to protect

the zoning so it doesn't go outside the zoning criteria?

COUNCILMEMBER WATTS: Mayor, Councilmember Watts, Farhad Tavassoli, senior planner, is one that actually did the review on that, so I don't remember all the details. One specific that I do know is given the slopes on the property, they're having some challenges complying with overall building height. And so they were looking on ways to bring that down. I believe there were some challenges with some of the retaining walls being a little bit over height, that they were working on how to make the adjustments with those retaining walls. Those are the primary two I remember. Seems like there were a few others, but those are a couple that I remember.

COUNCILMEMBER WATTS: But it wasn't density?

MR. WESLEY: So no, density is not an issue.

COUNCILMEMBER WATTS: Thank you.

MAYOR FRIEDEL: Councilwoman.

COUNCILMEMBER LARRABEE: Thank you. I guess my question, John, is if we were to consider a one-year moratorium, would we be able to tie a -- a footprint standard to that? Where if someone -- when you're talking about someone who's renovating their home, I understand that there's judgment calls to be made there. If we wanted to have some further Council oversight on larger footprint projects, is there a way that we could word that, and what would you suggest for that?

MR. WESLEY: Mayor, Councilmember, I'm sure that we could come up with something. I hadn't thought about that at this point, but just taking up with what you said, if it were just on commercial projects or a project of over 10,000 square feet, or multi residence projects, if you want to put some parameters on that type of thing, then certainly that could be done.

COUNCILMEMBER LARRABEE: Okay. Thank you, John.

MAYOR FRIEDEL: John, I have a quick question before I yield to the Vice Mayor. Approximately how many projects like the one on Mountainside do we have that would be something that we would have to look at if there was an exception made?

MR. WESLEY: Mayor, I guess, again, it depends a little bit on where we would go with

what Councilmember Larrabee suggested if it's -- if it's full open. There are small questions that come up on lots of projects. Another thing that I know was mentioned in the staff report, probably one of the ones that comes up most often as we're doing residential developments on hillside lots, and the competing values of fewer, shorter retaining walls, and preserving the natural desert. As we try to keep those retaining walls short, then you have to have more retaining walls, you mess up more desert. So you know, there's things like that that come up, you know.

MAYOR FRIEDEL: Those -- those are mostly residential.

MR. WESLEY: Mostly residential, because residential is what we get. Mostly we don't have a whole lot of commercial and multifamily projects in town, but things along that line. It's usually some -- some type of trade off that we're looking at in the Code. And how do we apply it in a given situation.

MAYOR FRIEDEL: Thank you. Vice Mayor?

VICEMAYOR SKILLICORN: Thank you, Mr. Mayor. So one of the reasons is coming up is I think that there are people in the town that want to have some oversight and transparency on -- on these issues. And I think we all realize there's a distinction between residential, you know, like a renovations, or maintenance, and a commercial development. I think that we all see that. And you know, frankly, if someone, because of the unique topography of their property, you know, wants the driveway to be six inches closer to a setback or a property line, as long as the neighbors are okay with it, I don't have a problem with that. I don't think that we should waste Council's time with that. But with them, when I go hiking in Daryl Canyon and I see the side of a mountain that has been blasted away and destroyed, that bothers me.

And then I kind of see the same thing with some commercial developments. And I do realize that our topography, and the nature of living in Fountain Hills with the -- the hills and the washes, and you know, frankly, mountains that -- that is a challenge. But that's also why we love living here. We love the views. You know, every morning when you turn a corner, you're like, wow, that's gorgeous. It's gorgeous for a reason. So we want to preserve that. So there is a distinction between a subtle residential change and

a commercial. And I think that's what this is about. And you know, council -- the councilwoman made a, you know, interesting suggestion about, you know, like limiting the scope, because there's nothing wrong like, the -- let's say the -- the Firestone, right. That building looks blighted to me. It looks, you know -- especially on our main street.

Now, I realize that the parking would never work in today's zoning situation. I don't see it as a reason why that can't go to Council, and the Council can go thumbs up or thumbs down with changes. And I think that you have seven reasonable people here that, you know, would appreciate an opportunity to do that. But we don't want to waste Council's time with every little thing out there. I get that, too. So Mr. Mayor, Director Wesley, when you said 10,000 square feet, was that the size of the building or the size of the lot?

MR. WESLEY: Mayor, Vice Mayor, I'm not sure. Councilmember, which one did you mean when you said it? I was picking up on the Councilmember's comment, but again, it could be whatever the Council would maybe think is appropriate if you want to go down that road.

VICEMAYOR SKILLICORN: Well, let's -- Mr. Mayor, if it's okay, let's explore this a little bit. If we said a 10,000 square foot building, that's a pretty large building, right? I don't think I would have a problem with changes in those type of buildings having to come before Council, and I don't think we'd be overwhelmed by that workload, at least for twelve months. But if it was a lot, there are lots that are residential, that are above 10,000 square feet, what would that mean for planning, zoning? What would that mean for our Council if those changes -- is it that often? That's really the question.

MR. WESELY: Mayor, Vice Mayor. As far as what it would mean for planning and zoning, that would depend upon whether you mean planning and zoning staff.

VICEMAYOR SKILLICORN: Planning, Zoning and Code Enforcement Department. Sorry.

MR. WESLEY: Department. It's hard for me to give you a very specific response to that. Certainly, we review a lot of plans for new single-family homes on lots of larger than 10,000 square feet every year. How many of those have ended up with places where we have had some kind of zoning -- zoning waivers we're talking about this evening

happen? I don't know, a quarter of them maybe have that something happen with them, probably less than that. So I don't think it's a big number, but I really couldn't give you anything more exact than that.

VICEMAYOR SKILLICORN: And Mr. Mayor, Director. So, and some of those I -- I understand. I mean, if you're on a steep hill in the grade, and there's the retaining wall might need to be a foot higher or two feet higher or you know, four feet higher, I understand that, but I also -- a lot of those also come before Council already. I don't have a problem with Council again, giving that a thumbs up or thumbs down. And for an individual, and you know, and obviously some of these properties are quite steep, I get it. And I probably wouldn't have a problem with that. But I also think that the public would like more transparency and more oversight on this, so.

MAYOR FRIEDEL: You could make it just commercial?

VICEMAYOR SKILLICORN: Well, Mr. Mayor, that -- that's a -- that's a valid suggestion. And I think that's a good discussion to discuss. But there are some properties that -- that are putting large retaining walls and things, and frankly, I'm supportive of them doing so, because of it's hard to design. And I think also, you know, maybe the style of homes have changed in, you know, the last decade or so. But I wouldn't be against having oversight over it either. But that's -- that's where I'm coming from, is that I get that sometimes we need to have flexibility in these situations, but I'm also not against having oversight and having it be public.

And you know, if we did do a -- actually, Mr. Mayor, Director, would we need a hearing to -- so let's say of a scenario. Someone's got one of those larger -- a larger than 10,000 square foot lot. And it's steep, they have to put in a retaining wall that is, let's say, 130 percent more than what is allowed right now, would -- and if that came before Council, and we would thumbs up, thumbs down on that. Would we need a hearing? Would that need to be publicly noticed? What are your -- what's your opinion on that?

MR. WESLEY: So Mayor, Vice Mayor, there's be nothing in the Code today as it's written that would require it to be a public hearing. It would, I assume, just be placed on the agenda. If, again, as part of a policy that the Council comes up with, directs us to also

provide some kind of notice, then staff could also do that.

VICEMAYOR SKILLICORN: Mr. Mayor, thank you. Thank you. And I'd like to hear a little more discussion. I mean, I have a thought on a motion, but I don't know if there's also public comment or not also.

MAYOR FRIEDEL: Councilman Watts.

COUNCILMEMBER WATTS: I don't think we can do a moratorium, per se, but I do think we can rewrite the Code. So I think I would consider something like there is -- any application has to meet the letter of the ordinance. Take away all the discretion, and anything that doesn't meet the ordinance, has to come before Council for review and approval. I think something along those lines may be applicable. I don't want to curtail building in town. I don't want to curtail commercial or residential, but I also don't want a fifteen-foot retaining wall behind my house. There are a couple of them in town, and there are a couple that have reached pretty sure 20 feet, pretty significant, and it just doesn't fit the hillside. I think staggered retaining walls, if you have to put a three foot and a four foot and a ten foot, I think those can all be accommodating the hillside ordinances. But I think if we take away your -- your discretion, building code discretion, and say it has to meet the letter of the ordinance or come before -- and/or come before Council or come before Council for an application, I think that might be a way to come around, too.

MAYOR FRIEDEL: Councilwoman?

COUNCILMEMBER KALIVIANAKIS: Thank you, Mr. Mayor. Thank you, John. I'm -- I'm against this moratorium. I don't think it's a good idea. If you look at what's on the agenda tonight, we're talking about a lot of things that we're not -- we're not talking about on the agenda tonight. What we're talking about tonight is a one-year moratorium on the zoning administrator granting zoning waivers. So. And the Adero Canyon project, when they're talking about blowing off the tops of mountains, was that done by waiver?

MR. WESLEY: Mayor, Councilmember. No, that was part of the approval of the planned area development for that project.

COUNCILMEMBER KALIVIANAKIS: Right. So I think a lot of what we're talking about tonight, were -- were not waivers. They were just a normal process of development. We talk about supporting our town staff. I support you, and I think you're very reasonable, and I -- and I think you're doing a great job in developmental services. I want to give you the discretion to help get projects through without bearing developers and residential units in red tape. I think you've done a good job with trying to get things done, trying to work with developers, trying to work with people that are bringing money into our community.

You know, we always have this conversation. Is Fountain Hills a business-friendly town or not? You know, if it's -- if it's reported tomorrow in the newspapers that, you know, we just passed a moratorium making it more red tape and more difficult for developers and for residential housing builders to -- to come to Fountain Hills, they just simply won't come to Fountain Hills. I don't know. This is on the agenda tonight, and I don't know why. Because I don't see where there is a problem that we're trying to address. When -- when we take the Council time, I think it's important to address actual problems. I don't see a problem here.

One problem I do, however, see is this issue of Morningside has come up a lot tonight and Mountainside. And you know, I'd like to ask our attorney, you know, if -- if we're writing ordinances to target a single project, which -- which we've kind of identified tonight, would they have a legal action against us for -- for passing an ordinance based on their development project?

MAYOR FRIEDEL: I don't -- I don't think anybody's targeted that development here tonight.

COUNCILMEMBER KALIVIANAKIS: We mentioned it by name.

MAYOR FRIEDEL: We're talking about -- talking about 10,000 square foot developments that happened to be mentioned by name, but that's not targeting them.

COUNCILMEMBER KALIVIANAKIS: Can I get an opinion from our attorney?

MS. WRIGHT: Well, I don't -- sorry -- I don't see on the agenda tonight a change in the ordinances, so I don't think that that's -- this is just as far as I understand, discussion. I

would, you know -- before I could give a legal opinion, it would -- I'd have to see the ordinance. And if it was so highly specific that it only, you know, was relevant to one specific community, then that would run afoul of Arizona's special laws prohibition. But I don't -- you know, without seeing an ordinance, without seeing a decision, if it was a blanket all, you know. So what I see on the agenda is a complete moratorium is all that's been. I don't know if the word is proposed that would apply to everyone equally. So it wouldn't be a special law.

But if -- if a zoning ordinance was crafted that was very specific and could only be applied to one development, then that would definitely run afoul of Arizona's special laws.

COUNCILMEMBER KALIVIANAKIS: Well, and I think just what's on tape tonight, they could make a case that -- that they are being targeted. But I'll continue. If we're seen as a business unfriendly town, and if we're not allowing our zoning administrator to -- to grant these small waivers, I think it's going to have an economic impact in our town, which will result in the loss of development opportunities and investor uncertainty. I think of Park Place. I think of Sprouts might need some waivers. I think of Fountain Hills Storage that we've talked about before, that they were looking for a minor waiver. This could even affect the streets of New York Pizza. You know, they're trying to build out that location. If they can come to you and get minor variances, that would avoid them having to go to Planning and Zoning in the Council. I think that would be an ultimate good thing.

And also this, you know -- the Mayor mentioned about keeping it just a commercial, which if we're going to do this, I would hope that we would at least limit it to that, because once again we have housing supply and affordability issues right now. If this is -- development is curtailed, the residential development, it would have a bad effect on getting people in here, and developing, and infilling the -- the lots that we already have that we can infill right now. You know, we don't have a primary property tax, which we all know about. And these construction sales mean, you know, permitting fees, taxes, development fees. And again, if the developers see this as a sign of don't do

business -- Fountain Hills is a no fly zone, it's going to cost us there too. So again, this perception of Fountain Hills being anti-development is something that I do think we have to address. And I think that the zoning administrator is doing a very good job, and I just would like to keep things the way they are right now.

MAYOR FRIEDEL: Before I pass it on to Councilman Watts, I would also like to say that writing articles and development periodicals certainly doesn't help the town either, as far as development, and some have been known to do that in the past. And I don't think that that's a healthy a healthy way to go either. Councilman Watts.

COUNCILMEMBER WATTS: I think part of the problem is that while I don't believe we can put a moratorium on -- on zoning issues or on permitting, I do think that the one thing that the ordinance is lacking today is a specificity of saying you have five percent discretion, three percent discretion, ten percent, twenty percent. So you do act in your best judgment. But I think it's not -- it's not unreasonable to have specific bumpers around what the tolerances can be. So I think that's something to also consider.

MAYOR FRIEDEL: Councilwoman?

COUNCILMEMBER EARLE: Thank you, Mayor. I was hoping to make a motion, but I don't know if we need to do speaker cards first. Okay. Can we do speaker cards?

MAYOR FRIEDEL: Unless the Vice Mayor has something he wants to add, we can ask for speaker cards right after.

VICEMAYOR SKILLICORN: I think we can continue discussion. Just another moment.

Mr. Mayor, may I ask Councilman, what's the question?

MAYOR FRIEDEL: Sure.

VICEMAYOR SKILLICORN: Mayor, Councilman, I think your last statement threw another wrench into what I think you're thinking. Because I was going to ask you if your thoughts on a size, you know, like a -- this would apply, you know a -- because what's -- what's on the agenda is to instruct staff to move forward with drafting a moratorium. But what if we did do a size like, you know, under 10,000 square feet, you know, and I think a lot would be better in my eyes. But then you mentioned a percentage. And I think one thing we forget about, though, it's not -- it's not just the percentage of like, a

retaining wall. There's other things that I think a percentage is hard to conceive and to predict what the challenges will be, right. So just curious, your thoughts on like, let's say, directed staff to draft a moratorium for twelve months for properties over 10,000 square footage? What are your thoughts on that?

MR. WESLEY: Are you talking about commercial and residential or simply commercial?

VICEMAYOR SKILLICORN: So I was weighing more towards commercial, but your -- your statement on, you know, you didn't want to have large retaining wall, you know, in your neighbor's property. I -- I think zoning is a promise, and I think that you have every right to have that, you know, you -- you built, and bought, and invested in property based on the zoning, and I don't think that someone just can go change it like that. Even though I'm leaning more to being open to residential building like that. But you have a valid point. So I just wanted to see if what -- I would include residential.

MR. WESLEY: So I'm -- there's an awful lot of lots that are still available that are in the 35,000, 43,000 square foot range acre lots, both for commercial application infill. And I do think that there's -- I can't think of anything off the top of my head that can't be quantified by a percentage. Your footprint can be quantified by a percentage or driveways, your retaining walls, your under roof, your all of those things, even -- even parking spaces. There's a discretion. If you said anything over five percent is now -- needs to go to Council. So if you can give me an example of something that I couldn't quantify by percentage. I think I don't want to curtail the larger lots. I don't want -- I want to make sure they're included and they're treated fairly.

VICEMAYOR SKILLICORN: Mr. Mayor, Councilman. I can't think of an example. I just want to make sure that it doesn't come back. It doesn't matter if we could -- we could always change it. That's never a problem. We can always change it if it does. If there's something we don't -- comes up that we haven't planned for.

COUNCILMEMBER WATTS: So are you saying everything over 10,000 feet, then, we just --

VICEMAYOR SKILLICORN: That's -- that's where my thought was, Mr. Mayor, Councilman. That that's what I was thinking now. And Mr. Mayor, Councilman, your

experience in planning zoning is a wealth for us up here. Would a percentage -- because if you are talking about commercial properties, giving a percentage waiver on parking spots, setbacks, things like that, on a commercial, that could be something that they could take advantage of, and maybe that is too much.

COUNCILMEMBER WATTS: Over the years, if I'm not mistaken, and I don't want to put words in your mouth, John, but haven't you used ten percent as a -- as kind of your tolerance level where if you can make a case and it's within that ten percent realm, that you can see a way to make something work? Because I'm a true believer in I want to find a way to make it work. All I want to do is make sure that we have a standard, that we make something work by.

MR. WESLEY: Mayor, Councilmember Watts. I don't know that I've had that specifically in my mind. Certainly, it's -- if we're looking at deviations, it's the minimal necessary, and it needs to be not very perceptible. And so a ten percent probably is often where something would fall, but I can't say I've really applied that directly.

VICEMAYOR SKILLICORN: You haven't consciously used the ten percent?

MR. WESLEY: No.

MAYOR FRIEDEL: Okay. Why don't we do this? We can consider giving direction to staff to come back with something and make sure that it's legal. But before we move on, are there any comment cards, Town Clerk?

THE CLERK: Yes, Mayor. We received five cards wishing not to speak, and they wanted to let you know they were against it. And we did receive two speaker cards, Liz Gildersleeve, followed by Crystal Cavanaugh.

MS. GILDERSLEEVE: Good evening. Liz Gildersleeve, Fountain Hills resident. First, I wanted to thank Councilwoman Earle for bringing this topic up for discussion, and for continuing to look out for the residents in our town. As a homeowner, I hope that staff will ensure that a developer will build according to their promised plans. History has shown us, though, that even minor waivers and exemptions for projects that have gotten approved administratively by staff and without Council involvement are not always minor to the surrounding homeowners and even businesses. This is why

Councilwoman Earle's request for discussion on this topic is important.

As just one example, and I believe this one predates John, but as just one example of an administratively approved minor waiver. Look at the administrative approval for the too few parking spaces for the Starbucks on Fountain Hills Boulevard. Parking there is a nightmare not only for Starbucks customers, but also for the neighboring businesses and it -- personally, it's one of the reasons why I never stop at that Starbucks. Things like building too few parking spaces or concrete walls that are too high or not high enough, or even blasting the sides of mountains to exploit elevation requirements. These examples may be considered minor but are not minor to established neighborhoods near or next to a developer's project.

I would suggest to this Council that any waivers or exemptions requested by developers, especially for any high profile, high density apartment projects like the one approved at the Target Center and the one proposed by Senderos at mountainside, should always get a second look by the Council to ensure that developers are doing what they promised to do. Developers knew what they were getting into when they purchased their parcels; hold them to their promises that they sold you in their shiny PowerPoint presentations when they came before the Council asking for votes. Holding developer -- holding developers to their promises is all that I ask. Thank you.

MS. CAVANAUGH: Good evening. Crystal Cavanagh, Fountain Hills resident. I don't really have a lot more to add. Liz pretty much summed it up. The bottom line is we have ordinances for a reason, and I -- whether you want to call it a moratorium or not, I think the bottom line is we should stick to those ordinances and avoid the waivers. Otherwise, I think you should identify some of the concerns, get in, and change the ordinances before we have to do this piecemeal by specific project requests. I definitely think anything significant should be brought to this Council, and that does cover height and density.

And she brought up the good point about the parking. Sometimes it sounds like parking isn't going to be a significant change, but in that instance, it definitely is. So I definitely think there's more discussion to be had on this topic. And whether you use

the word moratorium or not, like I said, that might be a kind of a word that is not going to be accepted very easily. I just think we need to look at our ordinances. We've waived a lot of things on projects that haven't even been built yet. And I think that was another concern at the time, like, let's get these things built, see how they're impacting our community, and just stop with the waivers right now. Thanks.

MAYOR FRIEDEL: Before I turn it over to the Vice Mayor, let me make a couple of comments. Blasting the sides off the mountain, that was not a -- that was not a town staff decision; that was a prior Council, I believe. And maybe I'm wrong, but I think that was totally a prior Council that did that. And I just want to say, I think that the -- that the town staff has done a pretty good job of bringing wild things in front of the Council if there's something that's really not right. And John mentioned the -- the height limit, the height issues on the Senderos thing. So that's gone back to them. But maybe there's something again, we can give some direction, and bring something back, and make sure we're -- we're within our legal rights to do that, because then you've got also property owners' rights too. And we don't want to necessarily invade that as well. So we have to be careful with that. So Vice Mayor?

VICEMAYOR SKILLICORN: Thank you, Mr. Mayor. So thinking about the ten percent rule, I think just even mentioning that in -- in discussion, that opens, and not no one to blame, and maybe even more so myself, how's that -- that would open Pandora's box. Every building is going to be ten feet higher, every retaining wall is either going to be ten feet or you know, ten percent. I shouldn't have said feet higher, percent higher. You know, the retaining walls, ten percent up or down driveways, parking spots. That would give developers either if it is residential or commercial or whatever, automatically they're going to be ten percent. They'll take advantage of it, ten percent. So maybe it's going to be ten percent that they can save money or ten percent bigger. And you know, one of the things that I did when I ran for this seat is that I promised not to block views.

And if we have a, you know, a building that's approved and now it's now ten percent taller, I failed the people that I promised that to, so I can't go for a ten percent on it. And I'm also curious. The councilwoman, you know, I think -- I think -- I think

she's the one who mentioned the -- the square, the square footage amount or it came from Director Wesley, but how we want to handle that. I -- I think this is important. I think the zoning means something. And again, I think everyone here is reasonable. We -- we -- we voted up or down retaining walls before. I think that cool heads at this desk or this -- or this -- we can make a -- make -- make decisions on this, so.

MAYOR FRIEDEL: Last couple of people, then we need to give some direction, and move on to our next agenda item. Councilwoman Larabee.

COUNCILMEMBER EARLE: Where's mine? I was --

MAYOR FRIEDEL: Councilwoman Earle.

COUNCILMEMBER EARLE: I'll make it quick. This is for John.

COUNCILMEMBER LARRABEE: She was in front of me.

COUNCILMEMBER EARLE: Has anyone appealed a decision by the zoning administrator to the Board of Adjustments; has that ever happened?

MR. WESLEY: Mayor, Councilmember Earle, not in my tenure. And looking back in the records, I haven't seen any. It could have happened sometime, but I'm not aware of it.

COUNCILMEMBER LARRABEE: Thank you.

MAYOR FRIEDEL: Councilman Watts.

MAYOR FRIEDEL: Pardon me. I think in considering Vice Mayor Skillicorn comments, I think then the alternate to any kind of a percentage is to say we're just going to hold fast to all of the details of the zoning ordinance, period. And so that would apply then to commercial and/or residential. And unfortunately, we probably have one coming up here in a minute to talk about that has retaining walls and looking for a waiver. But doesn't that relegate us basically to sitting back and saying we can't make exceptions? Because I think that's a bit discriminatory, whether it's commercial or residential, but we can say we're going to adhere to zoning and not have any tolerance for any exceptions without coming to Council. Something to consider.

MAYOR FRIEDEL: Councilwoman Larrabee?

COUNCILMEMBER LARRABEE: I would agree with Councilman Watts and I -- I suppose I was trying to find a solution for a problem that didn't necessarily exist on this agenda

item. I understand that there are multiple situations where a judgment call needs to be made, and there's not a way for them to suit our zoning. And maybe my fellow councilmembers are correct that that means we need to adjust our zoning as such. If we say, you know, if the property is at a certain degree grade for the retaining wall can be this much higher. Obviously, I don't have that math off the top of my head, but John probably does as often as you do this. What I think my direction to staff would be -- would be that we start exploring those changes to our zoning ordinance, so that we don't have to make any exceptions.

But then tonight I would like to make a motion to approve a one-year moratorium on zoning waivers without Council approval, as we are expecting those. It said possible action, did it not? Direction and possible action, I thought.

VICEMAYOR SKILLICORN: I would -- I would second the motion, because this is direction we're directing staff to draft.

COUNCILMEMBER LARRABEE: Discussion and possible direction. I apologize, Mayor, I've -- I've never even seen that before. We always say either discussion or discussion and possible action. So that is a surprise to me. But if I'm unable to make a motion, then that's my direction.

MAYOR FRIEDEL: So we would give direction. I just also want to remind this Council that I think most of us ran on less government, less overreach. Just keep that in mind when we give this direction to town staff as to what we want to do.

COUNCILMEMBER LARRABEE: Mayor, may may I respond to that?

MAYOR FRIEDEL: Sure.

COUNCILMEMBER LARRABEE: Thank you, Mayor. I want to make it clear that this is not necessarily expanding government. This is to say, if -- if staff constantly has to make these different exceptions, that's extra work for our staff as well. If that means we need to clarify our language, I am happy to do that. My intention is not to significantly change our zoning ordinance. If anything, it would technically be expanding it, because we're talking about these waivers for people with their homes or smaller businesses. I'm fine with that. What we are trying to prevent is the openness for our town to be

vulnerable to people who are willing to take advantage of rules they find exceptions for. And that is what we are trying to do.

It has nothing to do with being against staff. It has nothing to do with growing the government. This isn't about targeting a specific person. This is saying, hey, we have seen examples of this in the past and want to find a way to stop it. That is it. And -- and my last comment on this issue is that if I had a nickel for every time I was told I was going to get sued by Councilman Kalivianakis, I would be a very wealthy woman. Very rarely has that actually happened.

MAYOR FRIEDEL: I don't think we were putting the staff down by saying that. And it is giving more work to the Council as well. So just keep that in mind as we give our direction. Councilman Watts?

COUNCILMEMBER WATTS: One short statement. I think we also made a commitment to all of our constituents to protect their interest in town. So I'm more concerned about the residents here than I am about bringing in new property. And as much as I want new construction, and want to encourage people to build here, if they know what the guidelines are to build here, which is going to be consistent with the ordinances, so be it. But it's protecting the residents first. That's what I ran on, and that's what I want to continue to support.

MAYOR FRIEDEL: And I would agree with that. So do we have some direction for staff? Does somebody want to -- yeah. Does somebody have a direction?

VICEMAYOR SKILLICORN: I think the councilwoman and councilman effectively summed it up. I think it's pretty clear.

COUNCILMEMBER LARRABEE: So just to confirm, and I think there's been a lot of discussion, I just need to know what you want back from the staff perspective, i.e. a agenda item to formally pass the moratorium -- a future proposed zoning changes that are more in line with what we're seeing in terms of the variance requests. That's what I took from that. I just want to make sure that I'm not missing something in that. Is that accurate?

COUNCILMEMBER WATTS: It's not quite what I thought.

COUNCILMEMBER LARRABEE: Okay. Good. Please let me know so I can make sure I get it right.

COUNCILMEMBER WATTS: I thought it was more along the lines of, we're going to enforce the ordinances as they are. Take away any of the ambiguity in those ordinances --

COUNCILMEMBER EARLE: Okay.

COUNCILMEMBER WATTS: -- and the discretionary aspect of it, so that we protect the property values, and the residents of the town.

COUNCILMEMBER EARLE: We can certainly take that. That is a --

COUNCILMEMBER WATTS: Is that what you guys? Is that -- okay.

COUNCILMEMBER EARLE: So we're going to go ahead and kind of enforce.

MAYOR FRIEDEL: As written. Yep. Okay. Did you have something different?

COUNCILMEMBER LARRABEE: I -- I don't really have something different, but I have a -- I guess a clarifying question for that. As far as the staff perspective does -- I, personally, and I feel like the public would be more comfortable if we had something official for that. And -- and that's where I go back to the moratorium. And we're saying the same things, right? That we want the zoning ordinance to be to be fully enforced until we have the opportunity to make those changes.

COUNCILMEMBER EARLE: And --

COUNCILMEMBER LARRABEE: And so I -- I would suggest I -- I guess I'm suggesting two agenda items, one for the moratorium to pass that officially, and then two to start on working with staff and Planning and Zoning to update our zoning ordinances based off of the waivers that are most frequent on John's desk.

COUNCILMEMBER EARLE: John, did you have something to add before I respond?

MR. WESLEY: Believe it or not, I do. Mayor, Councilmember. So as I'm listening to this -- well, yes, I know we've done various, you know, little adjustments to resolve issues with specific projects. We haven't kept a list, you know. I've cited a couple of things that come to mind that I know we've done from time to time, but what I'm thinking would happen over the next six months, a year, is we keep track of those things

where we've had the issue, and we've -- we've needed to come to Council for, an override of -- of a waiver that somebody doesn't -- you know, really can't meet on their lot. And after we've done that for this period of time, we can say, okay, where are we really having the problems in our Codes? And at that point, look at what the change would be in ordinance rather than something we would do up front.

COUNCILMEMBER LARRABEE: Sure. If -- if no one else takes issue with that, I think that's perfectly reasonable. If we put together this moratorium, we keep track of what items therefore need to go to Council over the next six months. And I agree that will give us better direction for what to do for the ordinance. So thank you, John. That's a fantastic suggestion.

MAYOR FRIEDEL: Okay. We'll move on then to -- you guys -- are you guys okay down there? Okay. All right. We'll move on to C, which is a public hearing. So regarding a draft of land use assumptions and infrastructure improvement plan, I'm going to open a public hearing with that. And Town Manager.

MS. GOODWIN: I'm going to punt this right -- one right to Paul. He is our -- well he's our in-house expert. But I do know he has a -- the real expert in the room to answer any questions. We've already discussed this once with Council; this is the return of this. Tonight is the night to ask any questions you might have, so that we can continue moving forward with this timeline.

UNIDENTIFIED SPEAKER: All right. Thank you, Rachel, Mayor, Council. Just like Rachel said, we actually had a full work session on this report already. The statute requires a lot of steps in this process, and that's why we're hearing it again. This is the public hearing to receive public input, as well as officially to hear the details in this draft land use assumptions infrastructure improvement plan report that will set the development impact fees. And the only other thing I wanted to mention is we are doing this process because it is required by statute every five years to update the report and the relevant fees. We've talked about that a lot -- a lot already. The fees are increasing. Really that has to do with the increased construction costs that a lot of the assumptions align with and with the calculations. The fees are increasing substantially.

So with that, we do have Ben Griffin here from TischlerBice. He flew in all the way from the East Coast, probably his final time in front of the Council. He can be available remote in future meetings, because we will take a few more steps in this process. In October we'll officially consider adoption of this report. And then after that, we'll have a few more steps with public hearings, and consideration of adoption of the actual fee schedule within this report. So with that, I'll turn it over to Ben, and we're both available for any questions you have.

MR. GRIFFIN: Good evening, Mayor, Councilmembers. As Paul said, we had a work session back in June. Nothing has changed since then. So you know, I can move through this pretty quickly. But essentially what we're trying to do tonight, this is your first public hearing on the land use assumptions and the infrastructure improvements plan. So in Arizona, you -- you have to adopt the land use assumptions and the infrastructure improvements plan before you can adopt the development fees. You've seen the -- the proposed fees. We like to -- you know, for transparency sake, include those so you know -- you know everything that you're adopting.

But you know, if you, you know, decide to adopt the land use assumptions, the infrastructure improvements plan in October, you can see, you know, this shows, you know, you know, an ideal timeline, but the fees could go into effect, you know, April 6th. So tonight we're looking at land use assumptions. So most of that is on this slide. So essentially what we're saying is, you know, in 2025, we think you have a population of about 28,000 people. You have about 14,500 housing units, about 7,500 jobs and about 4.9 million square feet of existing nonresidential development. If we look at recent housing trends on the residential side, you know, we think over the next ten years you'd grow by about 1,300 units. So that's about 2,500 people living in those units.

If we look at the Maricopa Association of Governments projections for employment, they're projecting about 450 additional jobs over the next ten years. And when we translate that into square footage, that's about 175,000 additional square feet of nonresidential floor area. These show some of the demand factors. So part of that --

those land use assumptions on the left side, you see what we're using for fire and parks. So for residential development that's going to be, you know, occupancy factors derived from census data for -- for jobs or -- sorry, for nonresidential development, that's going to be, you know, employment density. So that's factors from the Institute of Transportation Engineers. On the right side this is a mix of local data and household travel survey data. Essentially it's taking any sort of local data. And if there is a gap in that data, we'll supplement that with national data.

I think, Councilmember Larrabee, you asked the question last time when we were discussing the -- the trip generation rates. I misspoke at that point. We had originally used national figures. We discussed with staff how that looked and actually adjusted that with localized data before that presentation. So we are using local data. It's not the national averages. And you -- well, Fountain Hills is slightly lower than the national average for trip generation rates based on the most recent census data available.

All right. So now moving on to the infrastructure improvement plan. We're not going to go through all the detailed slides. I do have them at the end if you have a specific question. But you know, really what's most important tonight is saying, all right, well, what's in our infrastructure improvements plan. So for fire you know, we're looking at three components. So there is a facilities component, which is new. We have an apparatus component and an equipment component, all using an incremental methodology, so just maintaining the existing level of service. That provides a lot of flexibility to you -- you know, as a town to say, all right, well, you know, if -- if we grow faster than projected, great. We generate more fee revenue so we can build more; we can buy more if we don't grow as quickly as projected. Maybe there's a recession.

It insulates the general fund from having to make up that difference, you know, if we use a plan based on cost recovery. So it does provide a lot -- a lot of flexibility. So if we maintain the level of service over the next ten years, then you need about 1,300 additional square feet of fire facilities. So it's about \$1.3 million dollars in facilities. You need approximately seventy percent of an apparatus and about three units of fire

equipment. So again, because we're just maintaining a level of service, you know, if you grow faster, you generate more revenue, you build more. If you grow slower, then you -  
- you build less.

But do want to point out that, you know, the facilities component is a new component that's not included in your current IIP. So this, when we include this new component, you can see in the top right what it does -- what each component does to a single-family fee. So you know, for this proposed single-family fee for fire of about \$1,300, just over 1,000 of that is the new fire facilities component. So again, you know, it would generate about \$1.3 million in impact fee revenue if you grow as projected. But you know, you will have -- have to spend that within, you know, ten years of the data collection. So you know, with any sort of new component, I always just want to make sure that, you know, the elected officials understand, you know, what adding that does, you know, to -- to your budget. But you know, essentially we're looking at, you know, a moderate increase without a facilities component. It's a more substantial increase with a facilities component, but it does put you in line with other -- other cities in -- in the valley. Because most of them also have a facilities component. So are there any questions related to fire?

COUNCILMEMBER EARLE: Can I ask a question? A couple slides back, did you say our peak population you expect in this year, 2025, to be 27 or 28K -- thousand? And we're around twenty -- we're less than 24,000 right now.

MR. GRIFFIN: So your year-round population about twenty-four if you include your seasonal residents.

COUNCILMEMBER EARLE: I think that's including the seasonal. So you're saying kind of added 3,000 there?

MR. GRIFFIN: That is correct. So looking at the housing units as defined by the census as seasonal or occasional use, we essentially add those back in to say, hey, we want to make sure that we're accurately allocating demand to, you know, your -- your full population, not just your year round, because those seasonal residents do -- they demand additional capital infrastructure.

COUNCILMEMBER EARLE: What is our full population? So again, I guess the question then is, you know, based on all of our data and statistics, our year round is noted at about 24,000. So if we're year-round 25 or 20 or 27 or 28,000, is that accounting for people who are here, let's say, for short-term rentals or other uses that may not be counted in our standard population?

MR. GRIFFIN: Great question. So I don't think the census differentiates on short-term rentals. But they do show -- they break down the vacant data to say, you know, this is a vacant unit that's for sale. This is one that is a seasonal or recreational use. This is one, you know, that is, you know, for rent. So all we're doing is saying, hey, of these vacant units, we want to add back in those that are for seasonal or occasional use to make sure that those seasonal residents are counted in your peak population, and you don't have a lot of those units. But when we -- you know, when we say, let's see, about 2.23 persons per housing unit, it doesn't take many of those units to, you know, bump you up by about 3,000 people. This also has the effect of slightly reducing the fee, because we're dividing your existing park infrastructure or your existing fire infrastructure by slightly more people. So it does bring that cost per person down slightly.

COUNCILMEMBER WATTS: I guess I'm of the same curiosity that 27 versus -- there's 3,000 difference. And if our average population per residential unit is about 2.32.4, that means that there's 1,400 understated housing units somewhere.

MR. GRIFFIN: Or housing units that are only used part of the year. That number, I believe, is in the draft of the report. I can't remember exactly how many units that would be, but it is in the land use assumptions section of the report. So it talks about those -- those seasonal -- seasonal units.

COUNCILMEMBER WATTS: I'm not buying it. I mean, that's really what it comes down to. 27-28,000, and we know we've got 24, and that includes our seasonal snowbirds. So it's -- it's a population that is a given for us. So I'm not sure where your 28 came from. And I also don't understand or agree with the 1,400 -- 1,405 as far as housing units, because if you've understated -- if you've overstated by 3,000 the population, you have to have overstated the housing units.

MR. GRIFFIN: So I believe the housing unit number is from your annual housing or land use report. So that should be an accurate number of the total number of housing units.

COUNCILMEMBER WATTS: But then that would skew the 2.3 persons per unit.

MR. GRIFFIN: Well, that's using census data.

COUNCILMEMBER WATTS: So which is yours or ours or yours?

MR. GRIFFIN: 3.23 census data. So it's for the most recent year available, because there's about a two-to-three-year lag.

COUNCILMEMBER WATTS: Very confusing.

MR. GRIFFIN: Are there any other questions related to the land use assumptions or the fire IIP? Okay. We'll move on to Parks and Rec. So a town-wide service area, we're looking at two components. So there is a developed park land component. So this is not land acquisition. This is just to improve park land. So you know, running utilities, site work, things like that. So, because you have enough vacant land in your existing park system, we're not looking to acquire additional land. We're just looking to, you know, make improvements to your existing land. We also have a separate component, which is the actual amenities. So you know, if you want to add pickleball courts, if you want to add parking, if you want to add lighting to a ball field, you know, all those types of improvements are -- are handled through the park amenities.

The developed park land component is really just, you know, site work. Is that better? Oh. Much louder. So if you maintain your existing level of service over the next ten years, we're looking at about eight and a half acres of developed park land needed to -- to maintain that level of service. And then about ninety-two additional park amenities, which is about \$4.1 million. Again, because we're not saying, you know, you need to build a specific type of amenity. It's just saying, hey, we looked at your existing amenities, and we get an average cost of those. And so you can add parking spaces, you can add lighting, you can add pickleball courts, you can add restrooms. It's not going to restrict you in how you spend that. As long as it is a growth related capital cost, you can use your impact fees to fund that.

So with those, you know, the -- the -- those two components, plus repaying

yourself for the development fee report, the proposed fee single-family -- family unit is about \$4,000. You can see that most of that cost is coming from the amenities component, about 3,700 of that. So we're looking at an increase on the residential side, but a decrease on the nonresidential side. So any questions with parks?

VICEMAYOR SKILLICORN: Thank you. Thank you, Mr. Mayor. So my question isn't so much of parks, but I think it kind of relates to the greater topic and also what was brought up earlier. So when I look up on Maricopa Association of Government's population data and expected growth, it is lower than stated. I mean MAG says that, you know, we'll be at 25,220 in 2030; 25,724 in 2040; and 2050, 26,000; and going out to 2060, only 26,100. Now there is an argument if, you know, this includes snowbirds or not. I -- based on what we know and what I think is reasonable, I would suspect it does include snowbirds. But snowbirds do drive on our streets and they -- you know, they -- they -- they use infrastructure, I get that.

But if the population is -- I don't want to get stuck on this, right. But I think the public needs to know that MAG says that our -- you know, our build out in 2060 is going to be 26,100. I think that's an important figure for people to know. But also, if the population is lower than expected, how does that affect the impact fees? So when I think about buildable lots, there's not that many buildable lots, you know, for residential or commercial. And even when I -- I know that the -- the employment numbers that came from MAG, you know, majority of that employment was office workers. I don't think I believe that stat.

So -- so I don't want to get in an argument of like, oh, that's not real or what. How does -- if it is lower, how does that affect -- I mean, does -- if -- obviously, fee revenue will be much lower if the growth is lower. Does that throw a wrench in the works of planning for the infrastructure? Because this -- you know, this town still needs infrastructure. And even if there are 2,000 fewer people, we still need infrastructure to -- you know, to give the people the services that they desire. So what -- what are your thoughts is if -- if the numbers are a little lower than expected, how does that affect -- you know, how does it affect what we're doing today? And should we have a

mind that's open to possibly lower numbers?

MR. GRIFFIN: So when you say if the numbers are lower, do you mean if the existing population is lower or the growth is lower?

VICEMAYOR SKILLICORN: So when I go by MAG, I see that the growth is -- the population growth is lower than what was predicted here. And I don't know where that number came from. I know the -- the chart said that the -- the employment was -- came from MAG. But even that -- I kind of questioned that one, you know, based on what I know of how the economy is going, and the nature of our workforce. So I kind of -- I kind of -- the idea is, let's say growth is lower than what we're estimating today, how does that affect us? And should we have more of an open mind? Because, it sounds to me like the higher population growth, the lower fee impact per person goes down.

MR. GRIFFIN: So if population growth is lower, that does not affect the fee calculation for Fire and Parks, because it's -- you know, it's based on your existing population --

VICEMAYOR SKILLICORN: Okay.

MR. GRIFFIN: -- just maintaining that. So if you grew by 50,000 people or if you grew by five people, the fee calculation would not change for an incremental methodology, because it's all about maintaining the existing. If you think that your population -- your existing population is lower, that would affect the -- the fee calculation for an incremental, because you'd be saying, hey, instead of 27- or 80,000, it's 24 or 25. So if we're, you know, dividing your existing infrastructure by fewer people, then it increases the costs per person. So that change would in fact increase the incremental.

Now, for street fees, which we haven't discussed yet, that's based on the number of housing units. And so population does not affect that. We're applying trip generation rates to that. If we don't grow by as many housing units as projected, or if we don't grow by as -- as many square feet of nonresidential development on the street side, then you would -- you would come up short in those -- in those revenue projections, because -- and I'll just jump ahead. One, you can see that with streets, it's plan-based. So we're saying we think we're going to have this much development over a certain time period, and we're going to build these improvements. And so you know,

we're allocating the cost to all development in the final year of those projections.

So if we don't grow as much as projected, then there's a gap in, in revenue. If you grow by more than projected, then we've essentially, you know, overcharged, because we should have -- we should have --

VICEMAYOR SKILLICORN: Yeah.

MR. GRIFFIN: -- diluted that number a little bit more.

VICEMAYOR SKILLICORN: And Mr. Mayor, one more question is based on the pushback you're getting from us on the population side, do you -- would you feel comfortable still running with these fees or would you want to modify the tables?

MR. GRIFFIN: I mean, the -- the idea of using peak population instead of year round population was, you know, meant to, you know, better allocate costs on the Fire and Parks side to residential development, so making sure that we, you know, capture, you know, those seasonal residents. That being said, there -- there is a lag in census data. So what's -- what's shown -- and let's see what -- what year was this that -- we use a five-year survey. And so it's the 2019 through 2023. So, you know we're -- we're talking about two years old. So if your vacancy rate is, you know, a couple percent lower than it was, then you have less of a seasonal population. So, you know, this number could be off. You know, there's a lag with any sort of data source. So it's, you know, using our -- our best judgment.

But you know, if you say, hey, look, we -- we really think that, you know, 24, 25,000 is our population, we want to use that, then we can adjust that. It just will bump the -- those fire and park costs up a little.

VICEMAYOR SKILLICORN: Mr. Mayor, and I don't want to get stuck on snowbirds. That's not the -- that's not the intent here. I just wanted to say there's figures, you know, talking about growth. But if there is a little bit different -- if growth was a couple percent lower than was figured, is that going to be -- I mean, and I get the Fire and Parks part, right, that it's based on the current population. But I'm more just thinking about street -- street infrastructure. And still there's a peak, you know, during -- I think it should all be based on the wintertime snowbird population, because that's going to be

peak usage of the streets, and wear and tear, and traffic. That's reality, but it is -- I just -- I just -- you're a -- your opinion, if these figures are what you recommend we adopt based on the little bit of pushback you've had?

MR. GRIFFIN: Yeah. We are -- we're still confident with using this. But you know, if you -- because you -- ultimately you have to adopt this. So if you say, hey, we're not comfortable using a peak population, we would prefer to use a year-round population, we can definitely make that adjustment.

MAYOR FRIEDEL: Town Manager?

MS. GOODWIN: Mayor, I'm just going to jump in because I know you have a, you know, a you know, 200 and some page packet before you, and I know TischlerBice report in here is pushing thirty pages or more. But if you go to -- if you go to your packet and page 190, it does talk about how you guys got to that population, and what formulas you used, and where that data came from. I know you probably don't have it in front of you right now, but for the good of this group, and if anybody's watching at home and wants to kind of do a little deep dive, it's on page 190 of the packet, just for follow up.

COUNCILMEMBER WATTS: I also don't want to split hairs on this thing, but when you say it's a couple of percentage points one way or the other, it's fifteen percent at 3,000 units is significant. And when you start looking at it from that perspective, we're not going to be able to achieve some of the things that are projected as the goals here in order to do the things that are suggested based upon the -- the residents in town. So fifteen percent is a pretty significant number, and I don't want to lose sight of that in the discussions.

MR. GRIFFIN: Sure. All right. So while-- while he's looking for the report, we'll talk about streets. So because this is plan based, essentially what we're saying here is we want to build these two improvements. I think they're both Shea Boulevard widening projects. It's about four lane miles. The total cost is about \$29 million. And so we're saying, hey, we want to allocate the cost of this -- to all development ten years out, because we're looking at a ten year projection, a ten year IIP. So when we allocate those costs evenly to all development, you know, growth share of the Shea Boulevard

widening projects is about \$8.8 million, and that includes the \$900,000 that you've -- you've already collected towards these projects. The remainder is the seventy percent match from MAG.

So you know, that would -- that would take care of existing development share of these projects. This shows that the proposed fees -- and you know, you're well aware that the cost of these projects has increased substantially. You know, in your current IPP, I think the cost per lane miles is about 800,000, and now you're looking at about \$2 million. So you know, most of this fee increase is due to those construction cost factors. This is what we're seeing, you know, nationwide. As these construction costs increase, you know, even if you're just maintaining your existing level of service, your -- your -- your fees would have to also increase.

I'm going to try to quickly get to that page with the discussion of seasonal population. All right. So I'm looking at page 11 of the report. So it starts talking about the occupancy factors. So according to census data for, you know, 2023, you had a vacancy rate of about seventeen percent. And a portion of that was units used for seasonal or occasional use. And let's see. Yeah, it's about 1,600, 1,600 units, and so we just convert that back. So the seasonal population is about 3,500 people. We also include any permitted units from the last year or so. So making sure that we're converting those that were, you know, in process to -- to include those, as you know, existing population in your 2025 base year.

So that could also be, you know, part of the difference is, you know, those -- those new units that have come online or will come online by the time you adopt these fees. But again, if you would prefer that we exclude the peak population, and use year-round population, we -- we can do that as well.

VICEMAYOR SKILLICORN: On some of the other municipalities that you work with in Arizona and what they do for that measure, like as a benchmark?

MR. GRIFFIN: Yeah. So not everyone uses a peak population. You know, I was in Flagstaff this morning, and you know, we'll continue to use peak population there. Sedona, we -- we use it. So there are some areas that, you know, it really makes sense

to use a peak population, because they -- you know, a large portion of their -- their housing stock is used for seasonal population. You know, I think in, you know, Apache Junction, I think we use that, because they have a lot of RV or mobile home parks, which again, has that -- that seasonal component. So you know, it -- it could be that just the -- the sample year for census data was, you know, a little higher on the vacancy rate. Because remember it is just a sample.

And so, you know, it could bump that up a little higher. And maybe that's -- you know, it's -- it was a -- you know, sort of a one or two year glitch. And that has sort of settled itself now. So again, we can -- we can use whichever you prefer, because ultimately you have to adopt these -- the land use assumptions in the IPP.

COUNCILMEMBER EARLE: I have -- so this is a public hearing, right? So where's the public? I'm sorry. So we're discussing again what we discussed before, but are we doing this for the public who might be watching or can we just -- there's no motion to be made. It's very interesting. I didn't mean to cut you off or anything, but I was just --just wondering. Okay.

MR. GRIFFIN: All right. So this just shows the comparison of the proposed current and the difference. So you can see that the proposed fees are increasing, which makes sense with higher construction costs, with additional components that were not included in your existing IPP. And then this just shows a comparison of, you know, where -- where you are currently, and then where you are with the proposed fees compared to, you know, some of your neighbors. And then this just shows by component, you know, where your fees are. So when I said earlier that, you know, your fire fee with that facilities component is more in line with, you know, a lot of your neighbors, you know, that one. You know, it makes sense. Your park fee and your street fee, they're, you know, a little higher.

But you know, you're -- you're looking at, you know, sort of the lower third with your current fees. And you know, as if you adopt the proposed fees, then you, you know, jump up to the upper third. But really what we're seeing is, you know, whoever updates most recently, they sort of move -- move up that list. So that is the final slide. I

do want to jump back to the --

COUNCILMEMBER WATTS: Before you move forward. I'm baffled by current fees being \$4,000, proposed fees being \$12,000. Inflation and doubling of construction costs over prior years has been -- even if you said it was one hundred percent increase, going from roughly \$300 a square foot to \$600 a square foot, which it hasn't, how do we get to \$12,000? And if this doesn't scare people off, our ordinance has got all kinds of other issues with it. But how do you get four times?

UNIDENTIFIED SPEAKER: Mayor, Councilman Watts. So this has been a long process, been an objective process. And really, there's kind of two key things. And Ben mentioned them. I believe he mentioned both of them that are substantially increasing our fees in the proposed fees structure. Number one, the fire facilities component that we did not have in the past that most municipalities do have. And the whole rationale we discussed at length, do we need it? Well, what if we do need to build another bay at the fire department? What if we do need a new room for bunks? Because there's a lot - a lot of development or the projected development. So it's kind of planning for that. If the state trust land comes on in play, these fees aren't even considering that, though there are things that we can use that money on. So that right there raises your fees by about \$1,000 on a single-family residence.

Number two, it's the Shea Boulevard widening project. One thing we touched on a lot at the work session was that for the street fees, that's a plan based approach. It's different than the other two fees, which are incremental. So the only thing we can use the streets fees on are the Shea Boulevard widening project. And so we're planning on doing the first phase of that this year. Unfortunately, like we've discussed, the engineering estimates on that have more than doubled since the last one we received. The current estimate we have with public works is over \$6 million. So do not even a one mile of Shea Boulevard, the second phase of that that we're projecting to start as early as 2031, probably going to be a little bit later than that is three times the size of that.

So the current projection, based on the current engineering -- engineering estimate we have is about 23 million. The saving grace with that is MAG is covering

seventy percent of that, but we have to cover thirty percent of 20 --29 million in total. So really that's the substantial increase right there is the Shea Boulevard widening costs that we're projecting at this point.

COUNCILMEMBER WATTS: But that's still \$9 million over how many years, five or six years. We have to do that. I guess my point is, are we looking at this as the best way to save money, and encourage development, and -- and improvements, or are we looking at it to make sure that we've got enough money in the coffers to -- to do all of these things at the end of the period, whatever that period is?

UNIDENTIFIED SPEAKER: Councilman Watts, it's basically the second thing you said. You know, development impact fees are statutorily allowed fee for the municipality to maintain the level of service based on new developments. So the whole idea with the streets, with the Shea Boulevard widening, is that eventually the target center is going to be developed. There might be new development along Shea, more residents in the town. At some point it's going to get very congested. So without that widening project and maintain that level of service of allowing people to be able to commute through the town, and into Scottsdale it's -- I wouldn't say it's necessary, but it's something that has been a mag funded project in our transportation plan.

MAYOR FRIEDEL: Don't you mean from Scottsdale to here?

UNIDENTIFIED SPEAKER: Yes. Scottsdale to here to shop at Sprouts. Right. So yes, it's maintain level of service, and ensuring the town has money, and we don't have to dip into our own reserves. We are like -- for example, we're about to do Shea Boulevard widening. We only have about 940,000 saved up for that project. The -- if the bids come in at \$6 million, we're going to have to cover, you know, 900,000 of that out of our capital projects fund already. We're already behind the eight ball. So that's kind of what you see with the increased costs. But and that's what the -- the substantial increase in the fees is based on.

COUNCILMEMBER WATTS: It is substantial. I think that's an understatement, you know, 300 percent over what we've got today.

UNIDENTIFIED SPEAKER: Yeah. And Ben can talk more about this, but there are -- you

know, there are options available to council, you know, when you're considering the adoption of the fees as far as if that's something you want to discuss. But the fees are -- the fees based on the projected growth, and the projected costs with the growth.

COUNCILMAN WATTS: I think we ought to explore some of the options, because I think this would be a big curtailment to anybody coming into town to build; if you're going to go from 4,000 to \$12,000 just for fees, that's a significant number.

UNIDENTIFIED SPEAKER: That's why I made a point, Councilman Watts, at the beginning of introducing Ben to say our fees are projected to substantial.

COUNCILMEMBER WATTS: I know you said substantial. I got the qualification. I get that. I get that. Yes. Thank you.

MR. GRIFFIN: I do want to look at the schedule you have. Okay. So the adoption of your land use assumptions. The IIP has to be at least thirty days after today, but it cannot be more than sixty days. Or you need to have another public hearing. Because you're capped at sixty days. So you know, tonight, if there are changes that you would like to see, you know, we should go ahead and hear those so we can make adjustments. That way we can either, you know, have it ready for you and you know, for October 21st for potential adoption. Or we can adjust the schedule but make sure that we don't exceed that sixty day window. Or else you'll have to have that -- that public hearing again. So we do tonight again essentially. Okay.

COUNCILMEMBER LARRABEE: Thank you. Mayor, I -- I think my question is for October, if we were to say that there are a couple different options we would like to see, is that permissible or would that need to be part of a public hearing if we said we have ideas for changes, but we want to see more than one option?

MR. GRIFFIN: So great question. It's possible essentially because you're adopting the land use assumptions. And the IPP we would need to know specifically what are you wanting to see, so -- and sort of in what combination, so we could have those two separate documents, say it's two options we would need. You know, one report that has this option A, one that has option B. That way you can actually adopt those documents on the 21st. If you -- if you'd like to see some options, you know, in advance

of that, we -- we can send those -- send those over. But it sounds like we may need to amend this schedule so you can see it, because I don't think that you're likely to adopt something that, you know, you're just seeing, and you know, the October meeting, you probably won't have time to discuss it.

And you know if something isn't, you know, exactly how you want it, we may need to make another adjustment. So it sounds like we might need to just amend the schedule to give Council the time to, you know, look at all the options.

COUNCILMEMBER LARRABEE: Thank you. Depending on what my fellow councilmembers are -- also believe, I'll at least say what my thoughts are with this increase being so significant, and with the fire portion of that fee being at least partially based off of what if -- of you know, what if we do need to update our fire facilities. I totally understand that. And I do agree that depending on town growth, that is a real possibility, right? We -- we might need new staff, we might need new beds, we might need another truck, whatever it might be. I -- I do feel uncomfortable putting a what if on as a burden on the taxpayer. And I know it's not necessarily taxpayer, but you get what I mean. Someone who's paying the town with our development fee. I would like to see an option where we lower that fire number.

I -- I know we have certain parameters of we can't just kind of like, willy nilly lower the number. But if we can see an option for ways that we could do that, I would be very appreciative. As far as the other portion of what's increasing that amount, I agree with Shea Boulevard, that's a need that we will likely have. I just -- I will say I have some heartburn over this large of an adjustment based off of what we hope our growth is, and I hope it is right. But we don't know, you know, and it just -- I'm sorry, I'm getting heartburn. So I think extending the timeline would be probably wise.

MAYOR FRIEDEL: Ben, let me ask a quick question. We're not the only town faced with this. There's other towns that are going to be raising their fees. I think you indicated that earlier. So we're not -- we're not going to be alone in this in this boat. There's other towns that are going to move up that scale on your chart, as you mentioned; is that correct?

MR. GRIFFIN: That's correct. We had Apache Junction's kick off yesterday. Pinal County is updating their fees as we speak. Goodyear, they're updating some of their fees. So it seems like there's always someone updating their fees.

COUNCILMEMBER WATTS: So are they all using the same descriptor of substantial, John?

UNIDENTIFIED SPEAKER: Depending on the component. Yes. Construction costs.

COUNCILMEMBER WATTS: Three times? They're all at that, three times current?

MR. GRIFFIN: Oh, I didn't say that they're all three times. But there are substantial increases on some components.

COUNCILMEMBER WATTS: Well, I think that my concern mirrors to some degree Councilmember Larabee's concern about options were available, and options being plural, and we don't know what those are. So I think we looked at maybe a singular scenario as opposed to what do, what options do we have? How can we minimize the impact to entice growth in the area as opposed to scare people off? So I do want to look at options before I would support something like this.

COUNCILMEMBER EARLE: My input is that I would accept it as is.

VICEMAYOR SKILLICORN: Thank you, Mr. Mayor. Yeah, this -- this is a pretty simple decision for me. And that is I want this town to grow. And we have to pay for that growth with -- with fire, with roads, with infrastructure, with police. We pay a chief financial officer in your firm a lot of money to give us expert advice on what it's going to take to get to that point. How much money is it going to take to fund the growth that we're all for. And so to me, I would just defer to the good judgment of the town's chosen firm, you and our CFO, to say if these are the numbers that we need to achieve our goal, that's -- that's what we need. And anything less is -- well, then we're just going to have to start taking down services. And that's -- that's even a worse decision.

You know, what do we cut on the projected growth? Where are those cuts going to come from? So -- so to me, I would rely on the experts. I you know -- I -- you've done the work. Obviously, you've got a 200-page report. I mean that's impressive. And I would just concur with Councilman Earle to just adopt it as is.

COUNCILMEMBER WATTS: One last comment. Sorry. Fifteen percent is significant. So if we stay with these numbers at a minimum is fifteen percent off, and fifteen percent off would reduce this down from three times to two -- two and a half. I think it's worthy of looking at it in the spirit of saving money for the community as a whole, for developers. And I just think it's excessive at this point.

MR. GRIFFIN: As a response to that. If the -- the existing population is fifteen percent too high, then that would actually increase the fees.

UNIDENTIFIED SPEAKER: So Mayor, Councilmember, I believe I'm following the conversation correctly, so correct me if I'm wrong. If we -- we change the peak population number down to the census population number, which is fifteen percent below based on the calculations that Tischler Bice provides in the draft report, it would actually increase the fees, right? My understanding.

COUNCILMEMBER WATTS: Right. To achieve the same goals, that's the qualifier to -- to achieve the same things.

UNIDENTIFIED SPEAKER: Additional, if there was a new single family residence, if we did that to this report, that would increase the proposed fees.

COUNCILMEMBER WATTS: I agree.

UNIDENTIFIED SPEAKER: Okay.

COUNCILMEMBER WATTS: We're on the same page there. But -- but are all of those goals the minimum that we need to achieve to entice building out in Fountain Hills and to achieve the same goals at or near the same goals?

UNIDENTIFIED SPEAKER: Understood. And that's a Mayor and Council decision, I think. Ben, are we able -- is it typical to talk? I don't want to extend this too much. I know everyone's kind of here waiting on us, but is it typical to talk about options for modifying the fees at this point or would -- okay. Would you like -- or I can talk about a little bit, and you can kind of chime in or -- so he's the expert again. This is my understanding. If -- it sounds like there are certain councilmembers that like the fees and the proposed plan, as is based on all the work that's done. If the majority of the Council did want to modify the fees, one thing that we've talked about is obviously low hanging fruit, the

fire facilities fee, that's something we'd like to have, but we haven't had in the past.

Most municipalities do have it, but that's something that you could take \$1,000 off the single-family fee just by removing that. And the other item is, if you're looking at a category of fees, whether it's fire or streets or whatever, fire, streets and parks -- excuse me. You can -- as a Council, you can choose to look at one category of fees and say, as a Council, we're deciding to adopt fifty percent of those fees or seventy-five percent of those fees, and it would apply across all development types within that category. So that's something you have an option to do later when we do the -- the consideration and adoption of the fee schedule, I think. But if you want to chime in on that.

MR. GRIFFIN: Yeah. Paul, you're correct. If you decided, hey, we don't want to make adjustments to any of the components, but we do want to adopt a lower percentage of the fees, you could do that. You know, if, you know -- because the street number is the -- the highest, an alternative to adopting fifty percent or seventy-five percent of that is to say, okay, well, maybe we think that Shea Boulevard, this widening project will serve a little bit more development than we're projecting. So maybe instead of looking out, you know, ten years, maybe it's, you know, fifteen years; it has the same effect as adopting a lower percentage. It's just you're spreading the repayment of that further out, but it would reduce the cost, because you're diluting that. Sorry. So yeah, I mean, it's just an alternative of, instead of saying we'll adopt a percentage, we can say on a plan-based approach, maybe it serves a little bit more development to help bring that -- that cost down.

MAYOR FRIEDEL: Do we have any comment cards, Town Clerk, Mayor?

THE CLERK: We received four, and they wanted to let the Council know they are in support.

MAYOR FRIEDEL: Any further discussion? I'm going to close the public hearing. It's -- it's -- it's -- it's over.

THE CLERK: And the public hearing is closed. There's no direction or action for this item tonight. One more -- one more.

MAYOR FRIEDEL: All right. So D is consideration and possible action relating to a fill waiver. Is that John or Justin?

THE CLERK: Looks like it's John tonight.

UNIDENTIFIED SPEAKER: Mayor and Council, we do have a request before you this evening for let's say, fill waiver on it, doesn't it? It should say cut waiver. It's a cut fill waiver. Could be the one. And this one is actually a cut waiver. What did I do that -- anyway. So Subdivision Ordinance Section 503 sets standards for the amount of cut and fill that is allowed by, right. When developing a property, it sets the maximum of ten feet of cut or fill that could occur by -- right. And this has been in the ordinance since at least 1996. But it also provides for the Council to approve waivers to -- that maximum amount of cut or fill property in question is on Palisades vacant lot that's submitted a building permit application to develop on this property.

This shows the house on the lot with the driveway, and a couple of retaining walls, to the west side there of the garage, and it's on that west side where they are exceeding the amount of cut allowed. It ranges from about ten feet up to about thirteen or fourteen feet of total cut that's happening there. And here's what it looks like in this view. So if we go back a slide, and to the west is the street, the impact of the cut is down from the street, where really people driving on the street won't see it. The only ones' will really be aware of what it looks like are the residents of the house, and a lot of it is covered by the garage. The retaining walls that are associated with this meet the ordinance requirements for height and separation. So there's no issues with that.

And so again, because of the lack of visibility of the cut from other properties, it mostly being under the garage, and being next to the street like it is where it's not really visible to anybody else, staff supports approval of this cut waiver.

MAYOR FRIEDEL: Any questions? Councilman Earle.

COUNCILMEMBER EARLE: Am I allowed to make a motion?

MAYOR FRIEDEL: Do we have any -- do we have any comment cards?

THE CLERK: No, Mayor.

MAYOR FRIEDEL: Okay.

COUNCILMEMBER EARLE: I would like to make a motion to approve cut fill waivers.

CFW250-00001 for 9815 North Palisades.

COUNCILMEMBER KALIVIANAKIS: Second.

MAYOR FRIEDEL: We have a motion and a second. Town clerk, roll call, please.

THE CLERK: Councilmember Larrabee?

COUNCILMEMBER LARRABEE: Aye.

THE CLERK: Councilmember Earle?

COUNCILMEMBER EARLE: Aye.

THE CLERK: Councilmember Kalivianakis?

COUNCILMEMBER KALIVIANAKIS: Aye.

THE CLERK: Councilmember Watts?

COUNCILMEMBER WATTS: Aye.

THE CLERK: Vice Mayor Skillicorn?

VICEMAYOR SKILLICORN: Aye.

THE CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

THE CLERK: Mayor six-zero.

MAYOR FRIEDEL: Thank you. Council discussion and direction to Town Manager. I have one thing. We talked about the crosswalk, so you will see if we can have some follow up on that, okay. Councilwoman Larrabee.

COUNCILMEMBER LARRABEE: I think I have something that applies to this, because -- not really a future agenda item. I wanted to bring up a previous request that I had said a while back. I mean, maybe a year ago by now, but I think that our Council could very much benefit from a Robert's Rules of Order refresher. I would really like for us to have a work session regarding that. And perhaps we could have some kind of conversation from our town attorney just with advice of what we should and shouldn't say within Council. I -- I think our biggest legal liability right now is councilmembers saying that we're about to get sued. You know, so I -- I think if we could get some kind of refresher on what's wise and unwise to say in the meeting.

COUNCILMEMBER KALIVIANAKIS: I think it's my prerogative to speak my mind. And if we're making a mistake, I'm going to -- I'm going to address that mistake.

COUNCILMEMBER LARRABEE: Point of order. Come on.

COUNCILMEMBER KALIVIANAKIS: You called me out by name.

COUNCILMEMBER LARRABEE: Point of order. I didn't call you out by name. And you weren't recognized by the Mayor.

MAYOR FRIEDEL: First of all, you need to be recognized by the Chair. And -- and in this last comment, she did not call you out by name. And if I missed the one before, I apologize. Any other comments or direction to?

COUNCILMEMBER WATTS: Just as a follow up to counsel Member Larrabee, there's a training session coming up for LD3 in, I believe, two weeks for -- for Robert's Rules of Order specifically. Thank you.

MAYOR FRIEDEL: So we can -- we can look at that. Okay. Future agenda items. Anybody I -- I do have one thing that I'd like to add for a future, and it doesn't have to be right away. I know that we've got a lot stacking up, so maybe October or November. I would like to get a list of town-owned property that we could sell that were not we're not using, and it's not doing anything for us. I think we could use that money and put it into infrastructure maintenance and needs around the town. So if we could get a list of the major properties that we own as a town that we don't see any use or benefit from, that would be good for us to at least get a look at.

COUNCILMEMBER LARRABEE: I don't think the mayor needs a second, but if he does, I'll second that.

MAYOR FRIEDEL: Vice Mayor.

VICEMAYOR SKILLICORN: Thank you, Mr. Mayor. There's two items that I'd like to add to a future agenda. The first one is that I'd like to rename the community center the Charlie Kirk Freedom Center.

COUNCILMEMBER LARRABEE: Second.

VICEMAYOR SKILLICORN: I hope there's a third.

MAYOR FRIEDEL: We need to wait.

COUNCILMEMBER LARRABEE: Wow.

VICEMAYOR SKILLICORN: So the second one I would have is I would like to have a resolution making January school choice month.

COUNCILMEMBER LARRABEE: I'd be supportive of that as well.

COUNCILMEMBER WATTS: Can you explain that?

VICEMAYOR SKILLICORN: So there's already, like, a National School Choice Week that is recognized, but I think there is I think organization that used to have a school choice month, as I recall, in January. And it -- instead of having a specific date range, I think the whole month is better. That's all. It's just a resolution. It would have no significance other than us having a little plaque and reading it off.

MAYOR FRIEDEL: Okay.

COUNCILMEMBER WATTS: I can support that. As a proclamation, I can support that.

VICEMAYOR SKILLICORN: Yeah.

COUNCILMEMBER WATTS: I move to adjourn.

MAYOR FRIEDEL: You can.

COUNCILMEMBER WATTS: I move to adjourn.

MAYOR FRIEDEL: Second. All in favor?

ALL: Aye.

[Meeting adjourned]

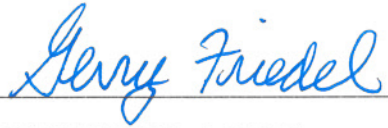
HAVING NO FURTHER BUSINESS, MAYOR GERRY M. FRIEDEL ADJOURNED THE REGULAR

TOWN OF FOUNTAIN HILLS  
SEPTEMBER 16, 2025 TOWN COUNCIL MEETING MINUTES

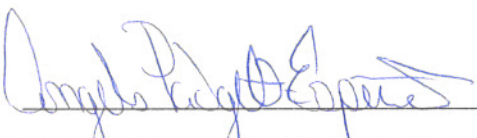
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MEETING OF THE FOUNTAIN HILLS TOWN COUNCIL HELD ON SEPTEMBER 16, 2025, AT  
8:43 P.M.

APPROVED:

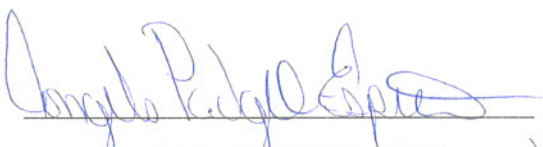
  
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GERRY FRIEDEL, MAYOR

ATTEST:

  
\_\_\_\_\_  
BEVELYN BENDER, TOWN CLERK - on behalf

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF  
THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OF THE TOWN COUNCIL,  
FOUNTAIN HILLS, ARIZONA HELD ON SEPTEMBER 16, 2025. I FURTHER CERTIFY THAT  
THE MEETING WAS DULY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.

  
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BEVELYN BENDER, TOWN CLERK on behalf