

TOWN OF FOUNTAIN HILLS
MINUTES OF THE REGULAR SESSION
OF THE FOUNTAIN HILLS TOWN COUNCIL
JANUARY 20, 2026

A Regular Session of the Fountain Hills Town Council was convened at 16705 E. Avenue of the Fountains in open and public session at 5:31 p.m.

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

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



Post-Production File

**Town of Fountain Hills
Regular Meeting Town Council
January 20, 2026**

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MAYOR FRIEDEL: I'd like to call the meeting to order if you would please rise for the Pledge of Allegiance. I pledge allegiance --

ALL: -- 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: Thank you. And if you choose to remain standing, we'll have the invocation tonight by Pastor Rod Warembourg from Desert Creek Fellowship Church. Pastor.

PASTOR WAREMBOURG: Thank you, Mayor, Council. If you would care to join me. It's my honor to share the prayer of invocation tonight.

Father, we invite you to come tonight. And Lord, we ask for your help remembering that we are just dust. Lord, we ask that you would be made wisdom to this council, that you would be made wisdom to the people who speak tonight. Father, I pray that you would help this council direct Fountain Hills in a way that is for her better good, and for her progress. Father, we ask all these things tonight. In the name of your son, Amen.

ALL: Amen.

MAYOR FRIEDEL: Thank you. Town Clerk, can we please take a roll call?

TOWN CLERK: Mayor Friedel?

MAYOR FRIEDEL: Present.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Here.

TOWN CLERK: Council Member Earle?

EARLE: Present.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Here.

TOWN CLERK: Council Member Watts?

WATTS: Here.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Here.

TOWN CLERK: And Council Member McMahon?

MCMAHON: Here.

TOWN CLERK: Mayor, you have a quorum.

MAYOR FRIEDEL: Thank you. And we'll start with our report by the town manager, Rachael.

GOODWIN: Mayor, Council, thank you. Hope, everybody enjoyed your holiday break, welcome back. We have a lot of business going on here in the town. It is a very, very busy time of year for us. So I just want to cover a few highlights. First, there's been a couple questions that have come in regarding our Munch and Music program, which is organized by the Fountain Hills Civic and Cultural Association. They've alerted the town that the program has been canceled, and we are working to update the community about this change. It was rather sudden so we are working to update everyone.

If you were planning to join us, please instead mark your calendars for our third Thursday Concert series, which continues to be very well received. Last Thursday evening, we had more than 200 residents and visitors attend the concert at Centennial Circle. The next concert is scheduled for February 19th, and we encourage the community to join us for this free program. If you haven't been, it's a good time.

A couple of other notes, especially regarding road maintenance. As part of the planning, the final planning for the eastbound Shea Boulevard widening project between Palisades and Fountain Hills Boulevard. The town will be conducting traffic data collection this week at Shea and Eagle Mountain, and Shea and Palisades. The work will use temporary video cameras to record turning movement counts. These cameras are for traffic analysis only, and they are not used for enforcement. Keep that in mind. This process is scheduled for tomorrow, Wednesday the 21st, as well as Saturday the 24th. No traffic impacts or lane restrictions are expected. So if you get any questions, that's what we're doing. Thanks for your cooperation as we get ready to launch that program. Lastly, I wanted to remind residents that the public meeting for the Palomino Paving Project will be held on the 22nd at the Community Center. So that's Thursday from 4 to 6:30. The meeting will provide updated information on the project scope, schedule, anticipated timelines, and offer an opportunity for residents to ask questions and

receive direct updates from staff.

That's my update, Mayor.

VICE MAYOR SKILLICORN: Thank you. We have a lot going on for sure.

Okay. We'll start now with some recognitions that we've got tonight. And the first one up is the Mayor's Veteran of the Month. And this month we are recognizing Tech Sergeant E6 Richard Dick Shogren. He was born and raised in Chicago, Illinois. In 1953 he enlisted into the US Air Force and was shipped to Korea, where he spent two years assigned to a troop carrier -- a troop carrier squadron. In 1958 Dick accepted a three year assignment in Spain, where he was part of the maintenance team repairing aircraft that served throughout Europe, Africa, and the near east countries. In 1962, Dick returned to the United States and was assigned to a C-130 aircraft transport unit in Smyrna, Tennessee, where he trained personnel from various allied countries. In 1963, after ten years of active duty in the Air Force, Dick retired to civilian life. Throughout a long civilian career, Dick held various positions with Motorola Corporation and Ford Motor Company, from which he retired in 1995 as a director of engineering. And I happen to know this young man personally, and I'm really honored to be able to present this recognition to him tonight.

So Dick, come on up, will you, please?

SHOGREN: Yes. I'm here to basically represent our organization.

MAYOR FRIEDEL: Let me give you the microphone --

SHOGREN: Okay.

MAYOR FRIEDEL: -- that way you can really let them know.

SHOGREN: Okay. Our VFW, we have some members here tonight. Most of them have a cap on like I do. But anyhow we're also involved in things around here with people as donations to organizations within the country here. And I'm very proud to be a member and a resident here in Fountain Hills. So that's about it.

MAYOR FRIEDEL: Beautiful. Thank you.

And next up is the Mayor's Business Spotlight. And tonight, we're honoring Sami Fine Jewelry. For nearly four decades, Sami Fine Jewelry has been a shining example of

creativity, resilience, and community pride in the Town of Fountain Hills. Since opening its doors in 1987, Sami Fine Jewelry has grown from a dream into a beloved local landmark. I know we've spent quite a bit of time there. Located in a 3,700 square foot showroom in Fountain Hills, Sami Fine Jewelry features more than 3,500 unique pieces, and is the only jewelry retailer in the United States with a dedicated American gemstone and jewelry gallery. Let me repeat that, the only jeweler in the United States with a dedicated American gemstone and jewelry gallery. So that's really unique and really outstanding. Celebrating domestically sourced materials and exceptional craftsmanship. The story of Sami Fine Jewelry is one of perseverance and inspiration. Founder Sami opened her first standalone store in 1987, discovering her passion for Arizona amethyst along the way. Her dream of building a permanent home on the Avenue of the Fountains became a reality in 2001 thanks to resilience, determination, and a little bit of fate. In 2013, Sami's daughter Stephenie stepped into the leadership, bringing a fresh vision shaped by years of learning alongside of her mother. Under her guidance, the business has flourished, expanding its American gem collection and earning recognition throughout the region. Stephanie has been nominated for Fountain Hills Business Person of the Year, and Sami Fine Jewelry continues to receive accolades for excellence, innovation, and customer service. Today, Sami Fine Jewelry proudly represents the spirit of Fountain Hills being creative, welcoming, and community driven. With more than 65 years of combined experience in the jewelry industry, the team remains committed to quality, authenticity, and creating meaningful connections that last a lifetime.

Stephenie, thank you for your leadership and service to our community. We are truly grateful. Please come on up.

BJORKMAN: Thank you guys so much. As you know, I'm second generation and I grew up in Fountain Hills, and I love it. And I'm glad that I not only got my education here, but I have a successful business and I couldn't be in a better town, so thank you.

MAYOR FRIEDEL: You're welcome. Thanks.

And then I'd like to recognize Angela Padgett-Espiritu. She's the recipient of the IIMC

Certified Municipal Clerk certificate. So I'll read a little bit about that, and then we'll have her come on up.

The mayor and the town council proudly recognizes Angela Espiritu for earning the Certified Municipal Clerk designation from the International Institute of Municipal Clerks. This nationally recognized certification represents a high standard of professional achievement and reflects Angela's dedication to excellence, ethical governance, and ongoing professional development. Earning the CMC designation requires extensive experience, formal education, and a demonstrated commitment to serving the public with integrity and professionalism. And if you've dealt with Angela, you know that she's all of that. The Town of Fountain Hills extends its sincere congratulations and appreciation to Angela for this outstanding accomplishment. The town council and staff commend her for her continued dedication to public service and her exemplary service to the residents of Town of Fountain Hills.

Angela, please come on up.

PADGETT-ESPIRITU: Thank you.

MAYOR FRIEDEL: So Angela didn't want to say anything, so I will. Those of us who work with Angela really appreciate her time and dedication to this town. She does a lot of work behind the scenes that a lot of people don't realize or see on a day-to-day basis, but everybody sitting up here knows and we really appreciate it. So Angela, thank you from all of us, again, thank you.

Okay. And now we're going to start with some other recognitions. So we've got Martin Luther Day -- Martin Luther King Jr. Day. We had some youth poetry contest winners. And I've got Gayle Earle, who is going to present a little gift to each of them, and we're going to have them read their poems.

EARLE: I'd like to call up Audrey Bernhardt. You want me to read it for you? Okay.

Audrey would like me to read her poem for her.

Martin's Dream. Imagine a world where we all belong. Love is the key. Together we're strong. All of our talents coming together as one. When that day comes, we know our job is done. Together we stand hand in hand dreaming of a new land. Where no matter

your color, your shape, or size. When we work together, we shall rise. This is what Martin Luther King wanted. He knew he could speak, so we would be prompted with his words in our hearts we will preach. So that Martin's goal will soon be reached. As the good doctor said, our lives begin to end the moment we become silent about things that matter. Let us not forget these words, or our world will shatter.

We have a certificate for you here, as well as a visa card for \$150.

Next I'd like to call up Zuzu Dunlap. And I understand Zuzu would like to read your own, or maybe you know it by heart? Okay. Good.

DUNLAP: A poem for Martin Luther King Jr. Putrid, you had been called. A vile creature when all you wanted was peace. You fought, but not with violence. Using your voice, you had fought. Your voice got attention. Attention that saved thousands. Hate had come your way, but you did not stand for it. You got hurt and condemned to a cell. But you did not stop fighting. Years yet -- yet -- yet after your years of war and peaceful protests, you had finally won your battle and your justice. When you had stood up, you spoke up.

EARLE: Beautiful. Thank you.

Zuzu, we have a certificate for you as well as a prepaid visa card with \$150 on it. Thank you.

And then we have Jacob Holmes. Would you like me to read yours or you want to read it? You want me to read it? Okay.

A world where all belong does not only have to be truth within a song, it can happen. Do you not see? It can be real like you and me. A world where all can be free is a world of equality. We can make this world change. And it can all start with just words on a page.

Thank you. You also get \$150.

MAYOR FRIEDEL: Thank you, Gayle.

And now we'll have Brenda Kalivianakis with the proclamation for Dr. Martin Luther King Jr. week.

KALIVIANAKIS: Thank you, Mr. Mayor. And I'd like to congratulate all the winners of the

poetry contest tonight. They were all beautiful. And to all the contestants that applied, you're all winners. Thank you very much.

Dr. Martin Luther King was a visionary. He was a leader whose commitment to justice, equality, and nonviolent action helped advance the civil rights movement and shape a more inclusive nation. Martin Luther King Jr. Week, observed during the week of January 18th to the 2026, provides an opportunity to reflect on his legacy and recommit ourselves to the values of respect, service, and unity. The Town of Fountain Hills believes in the dignity and the worth of every individual, and we recognize the importance of fostering, understanding, and opportunity within our community. Now, therefore, the town of Fountain Hills proclaims the week of January 18th, 2026 as Martin Luther King Jr. Week and encourages residents to honor Dr. King's legacy through reflection, service, and acts to promote equality, justice, and peace.

MAYOR FRIEDEL: Thank you.

And now we'll have Councilwoman Hannah Toth with the Human and Sex Trafficking Awareness Month.

LARRABEE: Thank you, Mayor. Hannah Larrabee here.

MAYOR FRIEDEL: I'm sorry.

LARRABEE: Whereas human and sex trafficking are serious crimes that violate fundamental human rights and impact individuals, families, and communities across the town of Fountain Hills. And Whereas trafficking often occurs in plain sight and affects people of all ages, genders, backgrounds, making community awareness and education essential to prevention and early intervention. Informed and engaged residents play a critical role in recognizing the warning signs of trafficking, reporting suspicious activity, and supporting victims and survivors. And whereas, the Maricopa County Attorney's Office is launching the Break the Chain Campaign to promote prevention, awareness, and community responsibility in addressing human and sex trafficking. Mayor Gerry Friedel proclaims the month of January as Human and Sex Trafficking Awareness Month. Do we have anyone from the county to grab this? I didn't think so. So if it's okay, I did want to say a couple comments.

Not that long ago, about a year and a half ago, I went to a speech by a victim of human trafficking who spoke about how it started as a very abusive relationship with her boyfriend, and it turned into that boyfriend selling her. It was a horrific tale. And when I asked her where she was from, she said, Fountain Hills. It's very easy for us as a community to think, well, we're a small town. We're mostly an older town. It wouldn't happen here. It happens here. It happens everywhere. And so I hope that this is something that we don't take lightly. Do your research on the signs of human and sex trafficking. For example, if you're in an airport or a very public location, you see a woman say this, means she's trapped. Please do your research. This is such an important topic, and it's very close to my heart as well.

Thank you. Mayor.

MAYOR FRIEDEL: And our final proclamation is Speak Up, Stand Up, and Save a Life Month. The Speak Up, Stand Up, Save a Life Movement works to strengthen connections between young people, families, schools, law enforcement, and the broader community. It addresses the reality of many tragedies, including youth suicide and preventable -- which are preventable when warning signs, whether in person or online, are recognized and acted upon. This initiative empowers students to seek help for themselves and others, and encourages peers to speak up when they see concerning behavior, and promotes training for adults, and reinforces the message that caring enough to act can save lives. Across Arizona, students from 169 schools have led impactful projects, reaching more than 500,000 youth statewide. Therefore, the mayor and the Town Council of Fountain Hills proudly proclaimed the month of January as Speak Up, Stand Up, Save a Life Month and encourage schools, families, educators, and law enforcement, and community organizations to work together to promote awareness, prevention, and the well-being of our children and adolescents. Is there anybody here to accept this from the county? We'll get this to them. But anyway we appreciate all the efforts that are put into this program. So thank you. And now we'll move on to the presentations. Rachael?

GOODWIN: Mayor, we have one presentation this evening. I believe Geoff Yazzetta

with our International Dark Sky Discovery Center is here to share an update on the progress of the facility.

Is that right, Geoff?

YAZZETTA: That's correct.

GOODWIN: Awesome. Thank you for being with us.

YAZZETTA: Thank you.

CITY CLERK: And then just a quick note to our mayor, and council, and to the public. So when the PowerPoint attached to what is currently public, something happened in the conversion where there were some blank slides that you saw. So that was not on purpose. We're not trying to demonstrate the dark skies. Geoff submitted it accurately, but today he had a few updates. So just kind of scratch what was in the packet. We'll show this PowerPoint and then our Clerk's Office will update this. So again just for full transparency. Testing one, two, three, chickarooni (ph.) we need some help. Testing. Testing.

MAYOR FRIEDEL: There we go.

CITY CLERK: Do I have to start all over? Mayor, shake your head.

YAZZETTA: Thanks, so much, madam.

CITY CLERK: It's all yours.

YAZZETTA: Thank you.

Testing. Testing. Mayor, Council members, staff, good evening. Happy new year. Geoff Yazetta, board member with the International Dark Sky Discovery Center. When I last presented here, it was two years ago, and there was a vacant lot. And we had some renderings, some really cool drawings of what the Discovery Center would become. Now we have a building, so I'm really excited to share this short update with everyone here. So we'll get into it.

Okay. Some highlights of the Discovery Center. It is a 23,000 square foot, first of its kind STEM facility that is located just across the parking lot on the other side of Centennial Circle. We've all seen it by now. There are five main components of the Discovery Center. There is the Dark Sky Observatory, which is complete at this point.

And featured in that observatory is a PlaneWave CDK700 telescope. This is a very high tech research grade telescope that features a 23 -- I'm sorry, a 27 and-a-half inch mirror, which makes it the largest mounted telescope in the greater Phoenix area. By comparison, my personal telescope has a five inch mirror. The larger your mirror, the more light you collect, the more the night sky you get to enjoy. So this is a pretty cool telescope that we have here.

There's the Hyperspace Planetarium. That will have about 60 seats. The interior dome will be tilted, and we're going to have state of the art projection technology, which will give you an immersive experience.

There's the Inspiration Theater. We'll have 150 seats there, and it will also have top of the line projection and audio equipment.

The Night Sky Exhibit Hall is going to be a 3,300 square foot space, with static and hands-on exhibits that will teach us about the negative impacts of light pollution on plants, animals, and human beings.

The Einstein Exploration Station is a 900 square foot classroom space that will be dedicated to hands-on learning about the physics of light. With all these cool components, there are a lot of partnership opportunities that we're exploring with ASU. We'll also be reaching out to community colleges and high schools, et cetera. And zooming out the facility, there are a wide range of uses for it. We can host lectures, people can conduct research, there can be tours and star parties, corporations can hold their receptions there. It is a really versatile space and there's a lot of different things we can do with it.

The facility itself is designed by SWABACK. Phase one, which is the building itself, the Dark Sky Observatory itself, the lobby, the stargazing terrace, snack bar, and gift shop were all built by McCarthy. And then phase two is in the works, and I'll be giving an update about that here shortly. So moving on.

Some key historical dates. How did we get here today? In 2015, the Fountain Hills Dark Sky Association was formed with the goal of preserving the night sky here in Fountain Hills. A year later, town council unanimously approved the updated outdoor lighting

ordinance. And then in 2017, the town fulfilled the Dark Sky International requirements for Dark Sky designation, which allowed for Fountain Hills to be recognized as the world's 17th Dark Sky community on January 8th, 2018. This is really exciting and very unique because Fountain Hills is just a few miles away from one of the largest growing metropolitan areas in the country. So it's a really unique designation for us.

Then in 2019, a group of very dedicated and very committed people, many of whom are sitting behind me right now, came up with the idea for the International Dark Sky Discovery Center. And what they wanted to do is not just harness this Dark Sky movement, but they also wanted to offer education for astronomy and physics and the impacts of light pollution for children and adults alike. So great, great movement. Then in 2022, the town approved the site plan and elevations for the building that currently stands.

On April 8th of 2024 we held our groundbreaking ceremony, which I believe everyone here was at. Pretty exciting day, and that coincided with a partial solar eclipse.

A few months later, July 8th of 2024, McCarthy began construction, and then they concluded construction about a year later, on July 11th of 2025. So moving on.

Current status and next steps. At present, we have raised 28 million out of the required 30 to bring this project to life. And just this month, we received a \$400,000 donation from a very generous individual here in Fountain Hills. And we're both optimistic and confident that we will complete our fundraising efforts this year. That being said, if you know anyone that is passionate about Dark Sky preservation, please send them our way because we do have fundraising yet to do.

As far as phase two, this is two thirds of the interior. SWABACK has completed their designs. And by designs, this is all the different things that are going to be installed within the construction process. So we received those documents today. We're going to review them internally, and then we're going to turn those over to McCarthy, who will then send them out to the various subcontractors, and they will collect all of that information and put together a proposal and pricing for the phase two construction. We anticipate this process to take about a month. So we are tentatively anticipating

that the actual phase two construction will start in March or April, and we are projecting a six month construction timeline, which would put us at a fourth quarter opening here in 2026.

I want to move on and show some pictures of the project, just to give you a size -- or a sense of size and scale. So this was early on in the construction process. This is an aerial of the job site. That yellow that you're seeing, that's the moisture barrier that goes down early in the construction process. And in the bottom right, that is ducting for the HVAC system in the planetarium. This is a concrete pour either August or September of 2024, and the picture was probably taken at 3 or 4 in the morning. It's very hot here and concrete needs to be poured, you know, with the right temperatures. So they started early a few times. This is the planetarium dome being constructed piece by piece. Here's another aerial showing some masonry work framing. And then on the right, the framing for the planetarium dome has been completed. This is the building nearing completion. You'll see the observatory dome has been placed on the left, and then the planetarium dome has been placed on the right. And they're installing the metal covering on it that has that real cool iridescent effect when the sun hits it. It's pretty neat. Here's our CDK700 telescope that is carefully being lowered into the observatory. It kind of looks like the lunar lander. And here is the telescope that is mounted in the observatory. I want to call your attention to the eyepiece, that pipe that goes down to the right. So that can be adjusted up or down so anyone of any age, or height, or physical ability can enjoy the night sky looking through this eyepiece. Other facilities, you might have to get up on a ladder. You know, sometimes you kind of need to do some gymnastics to look through the eyepiece. So a lot of thought went into making this accessible for everybody. This is the control room. So this is where we tell the telescope what to look at. And it uses some high tech stuff that escapes my understanding, but it works. So that's what matters. And here is the finished facility. If you look at the bottom left corner, you'll see the stargazing terrace, and there are some telescopes placed there that were donated to us by Celestron, which is a major telescope manufacturer. So those are what we use for star parties.

And then finally I want to take you to outer space. This is the Dumbbell Nebula. It is 1,360 light years away. And if you convert that into miles, it's 8,000 trillion miles. Really, really far away. Hard to kind of wrap your head around it. But what is more exciting than that is this was the first object that our telescope located and captured a picture of. We call it first light. And this is, at least in my opinion, it encapsulates and is a testament to the efforts that our group has put together, that town staff and town council has supported us in as well as the greater community. There's a lot of people who have helped us out along the way. It is a true team effort. And we've had many donors who have helped us reach this point. So we're almost there. Again, we're looking to open towards the end of this year. That is my update, and I'd be happy to answer any questions if anybody has any.

MAYOR FRIEDEL: I'll just make a comment. What a fantastic undertaking and to get it done, it's really impressive. And that first light is really cool.

YAZZETTA: Thank you, Mayor.

MAYOR FRIEDEL: Thank you for all your efforts and the board, I see Joe Bill, and Nancy Bill, and some others there. Thank you for your efforts. This is really remarkable. And it's going to be an outstanding addition to the town. So thank you.

YAZZETTA: Thank you, Mayor.

MAYOR FRIEDEL: Okay. Next up we have our consent agenda.

LARRABEE: Motion to approve.

KALIVIANAKIS: Second.

MAYOR FRIEDEL: We have a motion and a second. Town Clerk, can we get a roll call, please?

TOWN CLERK: Council Member Watts?

WATTS: Aye.

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Aye.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

And we'll move on to our regular agenda. Item A is consideration of possible action relating to a fill waiver for 15656 East Centipede.

Rachael?

GOODWIN: Mayor, thank you. I'm going to turn this item over to John for discussion and questions. I'm going to give him a second so he can get his presentation pulled up.

WESLEY: Good evening, Mayor and Council. It's good to see you this evening and start this new year off with something exciting, like a cut fill waiver. So as stated, this is 15656 East Centipede, as we've covered a few times before, but keeping you up to date with the ordinance. It does allow -- or first of all, in Section 503 of our subdivision ordinance it limits cut and fill to a maximum of ten feet either way, but does also provide the opportunity for council to consider and approve waivers in excess of that ten feet. A new house is being designed at the address listed and has an area fill more than ten feet, thus, they have requested the waiver after some extensive back-and-forth with staff looking for options of how to meet the objectives of the property and design for this house. So here we see the location of the of the home and the lot that we're talking about along Centipede adjacent to Mountain Wash (ph.). The slope on this property in the area of the house exceeds 27 feet -- or 27 percent. The applicant has maximized the slope of the driveway down to lower the house as much as possible to help deal with the grade on the property. He is proposing, wants to have a lower level

garage, a large shop area for the work that he does. And so along with that, he needs an area outside the structure there for the cars to maneuver in and out, which required the large area to the east of the garage. So again, he's got fill on that east end in excess of 10 feet, and some of it is almost 20 feet high. So here we do see a close up then of that driveway pad area. The cars would come down the driveway. Use this maneuver area to get into the garage shop area in this location. And again, that's the reason this is the size it is to provide for that maneuvering. And it's at this northwest side up here where the grades are the most of the fill occurs. Here's a cut through the driveway location here showing an example of those fills. I know those are a little bit small, but that says a little bit over 17 feet in that location. And here's a view of the house from across the Wash area, with the retaining walls that build it up to provide that pad. So looking at this again, we have very steep topography in this part of town that the applicant is working with in trying to design the home for this location. The home will be built at about this 1920 contour. Homes across the other way are just a little bit lower, you can see 1910 here and stepping down. And it's about 800 feet from this property line over to about where the back of that will be. So a pretty good distance for any view of those retaining walls and that built up area.

The applicant is also proposing landscaping to be placed along the walls to help screen the walls from that view across the canal area or the Wash area. And also they have worked hard with the retaining walls to meet the requirements for maximum heights on those and the separations between the walls.

There would be some option, possibly, that the walls could be pulled back a little bit and still leave maneuvering area, although that starts to make it a little bit restrictive for what he would like to do, and doesn't make a whole lot of difference in the area for the fill. But that that could be an option if the council wanted to consider that. Staff does recommend approval of the fill waiver as requested.

Any questions you have of me? The applicant is here if you have questions of him.

MAYOR FRIEDEL: Councilman Watts?

WATTS: I was last, but I'll go first.

John, can you go back to the elevation of the house and the terracing? That one. So I like the way landscaping was added to the various lifts on that terracing. My only concern is the wall that is effectively the foundation of the house, the one to the left of the terracing, doesn't show much in the way of hiding it, because it's such a massive wall. What can we do or is plan review going to stipulate that we need something to soften that area?

WESLEY: Mayor, Council Member, that wall could be built that tall without the cut fill waiver. That's just a stem wall on the house. And the fill at that point is less than ten feet, so we haven't considered that. I do understand what you're saying, but we have nothing in our rules and regulations that would require that additional landscaping.

WATTS: So if you go back to the picture again, I didn't catch the fact that it was -- I guess I didn't see a detail that it was ten feet or less on that particular wall.

WESLEY: Yeah, by the time -- Mayor, Council Member, by the time you get back here, where that wall is, that's right at or just less than ten feet of fill.

WATTS: So the picture of the elevation itself is a little deceiving, because when you go from what appears to be ground level up to the edge, it looks to be greater. So you've already taken into account some of that fill.

WESLEY: Correct.

WATTS: So you don't have -- but I still think you need some softening in there.

WESLEY: That would be nice if that were done. I do agree.

WATTS: Thank you.

MAYOR FRIEDEL: I think your plan showed some trees out in front of that area, if I remember correctly.

WESLEY: There are a few, Mayor, again looking for the -- over in this area --

MAYOR FRIEDEL: Yeah.

WESLEY: -- from the distance will.

MAYOR FRIEDEL: Yeah. So that'll probably soften it up.

Councilwoman McMahon?

MCMAHON: Thank you.

John, has the neighbors objected? Has there been -- is there any needed notice to them or anything like that about this deviation?

WESLEY: Mayor, Council Member, there's no notice requirements for cut fill waivers.

MCMAHON: Okay. Thank you.

MAYOR FRIEDEL: Vice Mayor?

VICE MAYOR SKILLICORN: Thank you, Mayor. My only thing is I think the driveway is a little bit steep, but that's up to the homeowner. So I'll make a motion to approve.

LARRABEE: Second.

MAYOR FRIEDEL: We have a motion and a second. And just so you know, I've been out to that street and seen -- this is a tougher build, for sure. So I'm in favor of it, too. So we have a motion and a second. Roll call, please? Sorry. Any comment cards?

TOWN CLERK: No, Mayor --

MAYOR FRIEDEL: Thank you.

TOWN CLERK: -- no comments cards. Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Watts?

WATTS: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

Next up item B is consideration possible action regarding cut and fill waiver request to permit an area of approximately 1,781 square feet to exceed the maximum 10 foot visible fill.

Rachael?

GOODWIN: Mayor, you kind of said it all. We have another cut fill waiver discussion. However, this one is going to be led by Farhad Tavassoli.

I'll turn it over to you.

TAVASSOLI: Great. Thanks, Mayor, Council Members. So this is also a cut fill waiver request. However, this is cited clearly to the south of John's previous request that he presented, down at Firerock. And just as a correction to the agenda language, the address here is 9619 North Four Peaks Way.

I won't go over this again, as John did in the previous -- in his presentation about the subdivision ordinance and what requires a cut fill waiver. As I said, the site is down in Firerock. And in the inset map here on the upper left, this is just by way of location, this is Firerock Country Club Drive and this is Four Peaks Way. The property is about -- the subject property is about a little over -- well, it's about 31,500 square feet. It's about 150 feet wide along the street frontage, and it's about 240 feet in depth from the frontage to the end of the lot. And what you're seeing here, the two foot contours, I did my math again and tried to find out what the percentage of the slope is. It's actually 30 percent, not the 50 percent cited in the report. It is still quite an aggressive lot. Maybe a little bit more steep than the previous site that John presented. But it is quite steep, as are most -- or a lot of lots in the Firerock neighborhood.

I've included an oblique here that might better illustrate the intensity of the slope. The two arrows I have here are the property markers, approximately. As I said, it's about 150 foot wide lot, and it's about a 30 percent slope basically from the street frontage down to the end of the lot, which I said is about 240 feet long.

So the applicant here is requesting a cut fill waiver for fill as much as 20 feet tall. The areas that you see on the darker purple are the areas where those fills are going to exceed ten feet. The most amount of fill would be here where the garage is located. It's

as much as 20 feet at this point where my cursor is right now hovering. These other two areas down here, anywhere between 12 to 14 feet of fill. This is down at what's labeled as the basement pergola right below the pool. Which I'll have a better illustration in the forthcoming slides. And this is -- this area here is within the livable area of the home. Part of the reason why this area needs as much fill as being proposed is to keep the driveway at below 18 percent. Actually, even with this amount of fill here, it's at about 17 percent.

I've included just a portion from the building plan that the applicant provided. Again, so here Four Peaks Way, this is the front of the building or the front of the house right here where my cursor is. Here's the garage. In order to kind of soften the appearance of some of the retaining walls that are going to be within this development, the applicant has provided kind of like an atrium around particularly the north portion of the building. The north portion would be towards the left, by the way. So here's the garage. It's kind of like a hallway atrium with a stairway leading down to a rooftop garden here. The patio leading out to the pool area is here where my cursor is hovering. And there's a spiral staircase leading down to another covered patio just behind that. So the applicant, in our mind, has implemented some creative architectural design methods to help soften the appearance and the massing of this residence. In fact, this cross section gives you a good idea of just how much -- how steep the lot is. Not only that, but this is a cross section through the house. This is the pool area right here. And the spiral staircase that I mentioned earlier, going down to the covered -- detached, covered patio just below that.

So our recommendation is for approval, as we believe there's no viewsheds being blocked by the fill area. And the application of creative architectural design concepts to avoid the appearance of tall, blank retaining walls and stem walls for that matter. And with that, I'll conclude.

MAYOR FRIEDEL: Councilwoman Earle?

EARLE: Oh, sorry.

MAYOR FRIEDEL: Oh, okay. Vice Mayor?

VICE MAYOR SKILLICORN: Thank you, Mr. Mayor. It looks like a very creative way to solve the topography in that area. So motion to approve.

KALIVIANAKIS: Second.

MAYOR FRIEDEL: Are there any comment cards on this?

TOWN CLERK: No, Mayor, no comment cards.

MAYOR FRIEDEL: Okay. We have a we have a motion and a second, I believe. Can we get a roll call, please?

TOWN CLERK: Council Member Watts?

WATTS: Before I vote, I have a question for Farhad, though.

TAVASSOLI: Sure.

WATTS: It looks like the intent of the applicant is to retain the single level of the primary residence. And it doesn't look like we've taken into account much in the way of terracing on the depth, because of the depth of the lot would allow it. The building envelope appears to allow more terracing. Is there a reason we didn't have a step down inside the building or inside the residence?

TAVASSOLI? I believe -- well, the applicant is here to explain the reasoning behind the architectural -- the floor plan. But no, other than that, just the applicant's preference.

WATTS: Okay. Thanks. Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

TAVASSOLI: Thank you.

MAYOR FRIEDEL: Okay. Moving along. We have a public hearing with consideration of possible action relating to a special use permit to allow a patio cover in the front yard. Setback of a home on 17114 East Fairway Court. So I'm going to open the public hearing.

I see John's ready. John?

WESLEY: I'm trying to be ready. Here it goes.

Okay. Mayor, Council, as mentioned, this is a consideration of a special use permit for a patio cover at 17114 East Fairway Court. It was about a year-and-a-half ago that the council approved a text amendment to the zoning ordinance to allow consideration of patio covers into front yards. In doing so there were several criteria that were established in addition to requiring the special use permit. One is that the encroachment cannot exceed more than half of the required setback, up to 15 feet, maximum height of 12, must be at least 80 percent open on any of the sides. And then also it cannot be used for parking or storage. So this specific request as stated is on Fairway Court. And we can see here in some aerials one from several years ago in 2009, and a more recent one. There in the front yard you can see some of the tables and chairs they have for historically used their front yard as a patio area. It's a little bit raised and an opportunity for them to be out in front and enjoy their neighbors in their neighborhood. But it does get a little bit warm here sometimes, and so they have requested the opportunity to build this patio. So here is the area in green on the illustration on the right that shows where the cover would be. The red line is the setback. So anything beyond that red line does encroach into the setback and thus requires a special use permit to be able to provide the adequate cover for that outdoor area. Here are elevations that show what it would look like. And so it does mimic the architecture of the home. There were a couple of areas, though, that we did see as we

look at this compared to the code requirement. One, pretty close, but it must be eighty percent open. They're at 78.3 percent open, pretty close. So again, it's off by just a little bit. And so the other code requirements in terms of the height and the use of the area have been met.

Staff did not find any detrimental requirements as we looked at the requirements in the zoning ordinance. Neighbors were notified as required through the citizen participation process and also expressed support for the application. P&Z reviewed this at a public hearing a month or so ago, and they are recommending approval with some flexibility for staff to work with the applicant with regard to that 80 percent number, because they are very close as it's currently designed.

So with that, I'll take any questions you may have.

MAYOR FRIEDEL: What's the staff recommendation?

WESLEY: Staff would be consistent with the P&Z recommendation. Yes.

MAYOR FRIEDEL: Thank you.

Councilwoman McMahon?

MCMAHON: Thank you very much.

John, this cannot be converted into a garage storage, a room addition, or anything like that. It's specifically going to be stiped that this is only for a patio cover. No type of enclosure can be done to this.

WESLEY: Mayor -- oh --

MCMAHON: If they want to change it, do they have to come back before council?

WESLEY: So Mayor, Council Member, the code is very clear. It's only for outdoor patio use, not anything else. If they want to use it differently, they would have to come down.

MCMAHON: Okay. Thank you.

MAYOR FRIEDEL: Vice Mayor?

VICE MAYOR SKILLICORN: Thank you, Mr. Mayor and Director Wesley. Thank you for bringing this to us. And I actually kind of look forward to this because one thing we could really do in our town is to improve our community. So people are hanging out in

the front. Other neighbors might come by and actually improve community, and actually have a little bit more neighborly neighborhood. So motion to approve.

LARRABEE: Second.

MAYOR FRIEDEL: Before we get that far, are there -- Councilperson Kalivianakis, do you have a comment?

KALIVIANAKIS: Yeah. Thank you, Mr. Mayor. Yeah, I just wanted to comment. Just like the vice mayor, I think this is a great idea. Kind of an old fashioned concept hanging out in the front of the house. And if the homeowner wants it, if the neighbors are okay with it, the Planning and Zoning approved it, if the staff says aye, then I'm an aye.

MAYOR FRIEDEL: Councilman Watts?

WATTS: So John, to be clear, how far does the right of way extend. Does any of this patio extend into the right of way where the applicant would be responsible for something that happened in the future?

WESLEY: Mayor, Council Member, I appreciate that question. So the dashed line shown here is the property line or the right of way line. So they are well behind the right of way.

WATTS: Thank you.

MAYOR FRIEDEL: Town Clerk, are there any comment cards?

TOWN CLERK: No, Mayor.

MAYOR FRIEDEL: Okay. I'm going to close the public meeting, and then I'll take a motion.

KALIVIANAKIS: Motion to approve SUP25-00004.

MAYOR FRIEDEL: We have a motion already.

KALIVIANAKIS: Oh, second.

MAYOR FRIEDEL: Second? So we have a motion and a second. Can I get a roll call, please?

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: I don't know, that 1.7 percent. I'm kidding. Aye.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Watts?

WATTS: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Can I explain my vote? When's the party? No, I'm just kidding. Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

And moving on to the next item, Item D. I guess, John, you're up for that?

WESLEY: I'm up, Mayor.

MAYOR FRIEDEL: Relating to the ordinance amending Town Code Chapter 7. Go ahead.

WESLEY: Okay. Thank you.

Mayor, Council members, this is a proposed amendment to our building codes. You may recall back in June, you approved an update to move from the 2018 to the 2024 codes. There are a lot of codes involved in doing that. A picture here shows the various code books that are adopted. The new provisions came effective September 1st, and so since then, we've had the opportunity to begin using them, and applying them, and working with various applicants on their projects, which gives us an opportunity to delve a little bit deeper into the codes. When you're looking at that many codes, there are some things that maybe can be missed without looking at them in terms of application. So in doing so as we got it into those, a provision that's in the energy code that we didn't notice before are listed here requiring energy monitoring systems and another one that requires renewable energy systems. As we looked at that, we felt this was something that the council ought to consider whether you want these provisions in the

code or not. Staff does not see them as really being necessary for the public health, safety, and welfare, and also found that other jurisdictions in the Valley have been deleting those particular sections from the adopted codes. So we have prepared an ordinance for the council to approve, if you so desire, that would remove those sections from our building codes. And that's as simple as this is.

MAYOR FRIEDEL: Councilman Watts?

WATTS: John, I assume -- I'm for eliminating as much policy as we can to make life easier. But in that spirit, I haven't read the codes. Is things like indoor air quality, ventilation, outdoor air requirements, are they included somewhere else, like in the mechanical code so we don't need this in the energy code?

WESLEY: Mayor, Council Member, that's correct. These are totally separate from those.

WATTS: Thanks.

MAYOR FRIEDEL: Vice Mayor?

VICE MAYOR SKILLICORN: Motion to approve as drafted.

EARLE: Second.

MAYOR FRIEDEL: Are there any comment cards?

TOWN CLERK: No, Mayor, no --

MAYOR FRIEDEL: Okay.

TOWN CLERK: -- comment cards.

MAYOR FRIEDEL: We have a motion and a second. Can we get a roll call, please?

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Larabee?

LARRABEE: Aye.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Watts?

WATTS: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

Moving on. We've got consideration and possible action regarding Resolution 2026-01, Development Impact Fees. And I see Paul's on deck. Go ahead Paul.

UNIDENTIFIED SPEAKER: All right. Mayor, Vice Mayor, and Council, tonight is basically the last step in this process in approving the development impact fee schedule based on the study we've discussed, really at length for the past year. So with that, here is the schedule. We've talked about it quite a bit already to this point. We had a public hearing in December on this matter, and these fees would go into effect in April. April 6th would be the date. And with that, I open up the discussion and any questions that you may have.

MAYOR FRIEDEL: I don't see any -- oh, Councilwoman Larabee.

LARRABEE: Sorry, Mayor. Thank you.

I just wanted to thank you for all of your work. I know that I was a thorn in your side through this, so I appreciate you working with the numbers and finding something a little bit better, right? We have to raise it one way or another, but I just really appreciate you and your team's really diligent efforts to work on this. So thank you, Paul.

UNIDENTIFIED SPEAKER: Thank you. Appreciate that.

MAYOR FRIEDEL: And I'll echo that as well. You and Mike (ph.) did a great job on that. Councilwoman Earle?

EARLE: I would like to move to approve resolution 2026-01, including the development impact fees reported as presented.

LARRABEE: Second.

MAYOR FRIEDEL: And we have a motion and a second. But do we have any comment cards?

TOWN CLERK: No Mayor --

MAYOR FRIEDEL: Okay.

TOWN CLERK: -- no cards.

MAYOR FRIEDEL: We have a motion and a second. Can we get a roll call, please?

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Watts?

WATTS: I'm not so sure about the diligence and the tenacity, but the patience I admire. Thank you. Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: No.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, six-one.

MAYOR FRIEDEL: Thank you.

UNIDENTIFIED SPEAKER: Thank you.

MAYOR FRIEDEL: And Item F is our consideration of possible action regarding the Noon Kiwanis Desert Vista Beginner Bike Park Agreement and Project. Town manager?

GOODWIN: Mayor, thank you. As Kevin gets this pulled up, I want to remind the mayor and council we previewed this project at our fall budget retreat. This is a project that was brought forward by the Kiwanis Club. They have been diligently working with staff.

And by that, I mean, over the course of years, to bring this project to light. They have created a pathway forward. So the question is whether this council would like to move forward or not. Our director is going to walk through a number of details and answer any questions you have.

SNIPES: Thank you, Mayor and Council. So as Rachael said, this is a bike park that we've been talking about for several years now. Jared (ph.) came to me with the idea of the 50th anniversary for Kiwanis, and all the bikes that they've given away over the years, and thought this was a very appropriate way for them to share a substantial funding with the town, to collaborate in building a bike park for our beginner bike riders.

The location that we're looking at finally, which was not easy. We were searching all over the place for a space that was big enough to be functional and fit in with our other amenities. So this is over right next to the existing skate park and pump track. And we figured that this would be a great way for the kids to learn their skills on the easier amenities, and grow into being able to use the skate park and pump track at a level where it's safe for them to be over at that facility.

Kiwanis came to us, as I said, with a substantial donation of 100,000 plus, they're still raising funds. And looking for a town match of 100 for a total of 200,000 plus whatever extra that they have to do this. In doing so we'd be able to bring in -- we've been talking to American Ramp Company, who built our skate park and pump track to come up with some designs and plans for this space. And here's some renderings of some ideas of some of the things that we're looking at adding to that area making it a safe space for kids to learn how to ride bikes and overcome obstacles, and things that they may encounter different areas around town.

And with that, I'll take any questions that you guys have. Uh-huh?

MAYOR FRIEDEL: I have a question for you. So are we capping the town's part at 100,000?

SNIPES: Correct.

MAYOR FRIEDEL: And if they get 125, then?

SNIPES: Then we'll add what we can up to that point. Uh-huh.

MAYOR FRIEDEL: Okay. Thank you.

SNIPES: Yep.

MAYOR FRIEDEL: Councilman Watts?

WATTS: So there's a mention of access control differentiating the skateboard park and the bike park. And when I'm looking at the pipes in the bike park as part of that rendering and some of the inclines. If I was a skateboarder and it was busy over there, I'd probably jump the fence. And so how are we going to control access?

SNIPES: We won't. Everything's built where they can handle any age group of people using it. I don't think that the skill level will draw the attention of your more skilled people are going to want to be in the area that they're able to improve their skills. It's a known way to accomplish that is to have it stair step up. And this will provide exactly that for our public.

WATTS: Okay. I'll accept that at this point, but I think that we ought to consider the fact that if the skateboard park gets full and we've got little kids over on -- learning how to ride bikes, and then all of a sudden borders with their longboards, shortboards, whatever they are, and they see a pipe, they see an incline. They may be inclined to go over and join them. And big kids and little kids don't always mix --

SNIPES: Uh-huh.

WATTS: -- when it comes to that type of an environment. So just my comment.

SNIPES: Yeah, I appreciate that. It hasn't been -- we haven't had those kind of issues with skill levels and especially with this group. They are notorious for wanting to help the littles learn. In fact, when we were designing the skate park, our best skaters in town were wanting to make sure that there were some elements for kids to learn how to. Because if not, it goes away and no one then they don't get what they have. And so that's kind of always been their view, which surprised me when we were having the discussions early on, was how important it was to our skaters who we were asking what they thought we should add. The first thing they talked about was wanting to get things where they could get people to learn.

WATTS: Good to know, and I certainly hope I'm wrong.

SNIPES: Uh-huh. Thank you.

MAYOR FRIEDEL: Councilwoman Earle.

EARLE: Thank you, Mayor.

I have three questions.

SNIPES: Okay.

EARLE: Please bear with me.

SNIPES: Sure.

EARLE: Would this agreement grant Kiwanis naming rights? And if so are those rights permanent or limited in duration?

SNIPES: Yes. We would name it like we've done with other things that had this type of a donation too. They'll get a plaque that will say that they were involved in a major contributor.

EARLE: And once the park is constructed, who's responsible for ongoing maintenance, repairs, and liability costs?

SNIPES: The town will be, just like we've done with everything else that we've done this way.

EARLE: So then -- there we go. That answers the last one, Kiwanis then would not contribute any money towards future maintenance?

SNIPES: Correct.

EARLE: Okay.

SNIPES: Uh-huh.

EARLE: Thank you.

MAYOR FRIEDEL: Vice Mayor?

VICE MAYOR SKILLICORN: Director Snipes, if you're not careful, you're going to get a reputation for having plenty of family activities for town. So motion to approve.

SNIPES: Thank you.

LARRABEE: Second.

MAYOR FRIEDEL: Before we get there, Councilperson Kalivianakis, do you have a comment?

KALIVIANAKIS: Yeah. Thank you, Mr. Mayor. Yeah. I think we're going to have the votes for this. I just want to encourage the council to vote yes for this. Had the Kiwanis just come to us for \$200,000 and have the town just pay for it, that would have been a completely different story.

MAYOR FRIEDEL: Agreed.

KALIVIANAKIS: But I can imagine the efforts that it took for them to raise \$100,000 to see their vision of bike safety in our town. And I think this is totally Fountain Hills. It's totally proactive. It will be by the skate park. It's just it's a perfect location. It's a perfect concept. And I'm all in. This is -- and I want to thank the Kiwanis for this idea and their generosity towards the community and the children.

SNIPES: I'll add to that that I can't say enough how patient they've been. When they first came to me, we were struggling to find spots and we looked at every single park we have, we looked at the schools properties, we looked at just about everywhere before we finally came to this conclusion. And not once during the process were they pushy and upset about -- you know, they understood the no's. And then we got to a yes. And so I couldn't be more happy with how they've also treated the town, and the staff working on it.

MAYOR FRIEDEL: And I'd just like to add that I think the more the merrier. This is another enhancement to that park. And we don't want to walk away from \$100,000 match. Are they interested in doing any roads in town?

So I believe we have -- any comment cards?

TOWN CLERK: Yes, Mayor, we have two. Keith Larson, followed by Jared Sterns (ph.), is that correct?

LARSON: Good evening, Mayor and Council. I'm Keith Larsen of the Kiwanis Club, Treasurer. I just want to say thank you to the staff for working so well with us on this, and we're very excited about making this a reality, and having you participate in it, and collaborating. And we have a history of doing this with the town over the years. And so this is a perfect fit. And glad to hear you're all in favor of it. So great. Well, maybe not all, you haven't voted yet but.

MAYOR FRIEDEL: We haven't voted, and I still -- my question still stands, are you interested in any road work?

LARSON: Well, I'll have to take that back to the membership. Thank you.

MAYOR FRIEDEL: Thank you.

STERNS: Mayor, Council, thank you. I won't take up much time. Kevin's done a great job and staff of the presentation and talking about what the project would be. I'll talk more about why, per se. As we all love Fountain Hills, there are hills in the neighborhoods, and a lot of the neighborhoods aren't the friendliest for kids to go out and ride their bikes. And we also have the Arizona heat. And while we love being a Dark Skies community, not a lot of street lights for the kids to go out at night and ride their bikes. So something like this gets the kids together and solves a lot of that. Councilman Watts, to answer one of your questions about older kids coming over and skating on that. I think the idea for this park is also for their parents or other people to help these kids kind of learn. And so I think hopefully we like to think parents would keep things going, but you know, things can happen. But thank you all. Thanks. I think, Kevin.

SNIPES: Thank you. That's it.

MAYOR FRIEDEL: So we have a motion and a second. Can we get a roll call, please?

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Council Member McMahon?

MCMAHON: Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Aye.

TOWN CLERK: Council Member Watts?

WATTS: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, seven-zero.

MAYOR FRIEDEL: Thank you.

Thank you, Kevin, for your work.

Item G is discussion and possible direction regarding directing staff to begin the process of securing legal services to review the draft revisions of the town's wireless communications towers and antenna ordinances.

Rachael?

GOODWIN: I will take this, and then quickly hand it off to Councilman Watts.

The conversation regarding our small cell and our wireless communications has been an ongoing one. I think everybody at the dais is aware of that. This has been an ongoing dialog about changing our ordinances to better protect our community. We've hit several roadblocks. We're at a point where our staff has worked on this. And we have reached the limit of our technical capacity. So in order to move forward, we will need the assistance of outside counsel. So that is where this discussion is going this evening. I know there's been some conversation, and John is happy to walk us through some of the background of how we got here, if you'd like to do that. Otherwise, we'd like to move in the direction of how would the council like to proceed with this item?

I will say as a caveat, Councilman Watts and I have had these conversations. He has been integral in this conversation. He's very well versed in this and can certainly share some further information.

MAYOR FRIEDEL: All yours, Rick.

WATTS: Do you have a comment? You're going to wait? All right. Then I'll just give you my update. The same update that I gave John and Rachael last week.

I've identified six organizations, and then kind of ranked them based upon their experience. And I talked to the top three pretty much like we would do. We haven't -- we threw around the idea of doing an RFP that's very onerous. This has been dragging

on for three years, maybe four years already. So I've talked to two of the top three. I've actually talked to all three, but I have a pending call with the third one on Monday. I presented our Chapter 17 Town Code 16.2, outlined what we want to do and fundamentally what we want to do, as I understand it, and I'll stand for correction. We want to do everything in our power within the confines of the law, short of prohibiting cell towers, small wave towers, small wireless facilities. So having said that, the two organizations that are right at the top of my list right now, one everybody already knows, it's Campanelli. Campanelli has been less than responsive, very pleasant on the phone, no hard feelings about what transpired before, but hasn't responded in a timely manner. The second one is a combination of a law firm headed by a guy named Scott McCollough, who now works for the Children's Defense Fund. And they have responded. They've gotten the documents, and I've presented everybody the same documents. I've told everybody exactly the same thing about we're talking to multiple people to get, so to speak, the best deal we can. I'm expecting a proposal from the Children's Defense Fund tomorrow, the next day. We ought to have something. I will pester Campanelli again. These two are the top of the list because they are the most versed across the nation as far as 5G goes. They understand the task and frankly, we're -- I think we as a town are tired of waiting, and we want to tighten things up, modify the Chapter 17, 16.2 Town Code and get something on the books that has a little more teeth to it than what we've got right now.

So that's the cliff notes version of it. A lot of work. I found out how difficult attorneys can be to talk to, so it makes it very challenging to get -- and I appreciate the fact everybody's busy. These are the two premier firms in the Country. So they're being hammered by a lot of people. And in the midst of all of this, the FCC has pulled the hazard warnings off of their website about the radiation and radio frequencies. They pulled it off. The notice of proposed rulemaking is once again being proposed, but it doesn't look like it's going to go anywhere. And it's extremely restrictive, taking complete control away from local municipalities. So we really want to get ahead of the curve and we can always modify what we've got in six months, a year, when the NPRN

becomes either official or not. So with that, I'm hoping that I can get council to go along by a nod of a head to move forward with either McCollough, the other organization is Devil Air Law Group (ph.), Marcio Cardona (ph.), or Campanelli. And I'll make that presentation to staff once I get all the documentations assembled.

Happy to answer any other questions. I feel like I should be down there.

MAYOR FRIEDEL: Vice Mayor?

VICE MAYOR SKILLICORN: Thank you, Mr. Mayor. I'm completely satisfied with the progress our dream team has made on this, and I'd like to make a motion to continue this process and approve up to \$50,000 without council approval in the future, going forward.

EARLE: Second. But I do have a question.

MAYOR FRIEDEL: Councilwoman Earle.

EARLE: Yes. What would be the time frame? You know, if we approved this tonight.

Do you have a rough idea of when it could be completed? It's been so long.

WATTS: The responses I've gotten back so far, it's going to be in that 30 to 45 days is what it looks like that they can actually review. Because the complexities as staff has encountered, as legal has encountered, are challenging to make sure that we don't breach any federal or state laws, and that we still do everything in our power to protect the public as best we can. So I would say 30 to 45 days.

EARLE: Does that include then -- then it would have to go to Planning and Zoning, then to us, then 30 days wait after that?

WATTS: Yes.

EARLE: For it to be implemented?

WATTS: Yes.

EARLE: Is that right? Okay.

MAYOR FRIEDEL: Councilwoman McMahon.

MCMAHON: Thank you. Right now, the FCC federal government regulates telecommunications. We've known about that a long time. We've had previous legal counsel advising us to not regulate. And under the FCC's, Build America under Trump

administration, eliminating barriers to wireless deployment initiative, I've seen notice that the federal government is in the process of revising its rules and regulations. And these rules and regulations are going to preempt state and local regulatory authority. So knowing that and knowing that they already have authority, I don't agree with moving forward with this right now because -- and spending another 8 to \$25,000, basically wasting it when we know that if this is enacted, it's going to have to be relooked at by further legal counsel, and more money is going to be spent on it. We've already blown \$8,000 on Campanelli, and I can't even believe we're even considering looking at him again. I don't think that right now timing wise, this should be moved forward. And again, we should -- I don't think we should hire an attorney. The FCC is going to come back and further regulate this stronger and preempt state and local regulatory. And it's probably going to be retroactive, too. So I'm not for this at all.

MAYOR FRIEDEL: Thank you.

Councilperson Kalivianakis?

KALIVIANAKIS: Thank you, Mr. Mayor. Yeah. It sounds like just even from Council Member Watts' report, we're not really quite ready to be here. He's still got a lot of research to do. He's still connecting with organizations, with lawyers that he wanted to get back to them. You know, if we're going to do this, maybe we should finish the research first and then bring it back for council. We got a request, a comment form today from a Barbara Dope (ph.). According to the Federal Register, the FCC is in the process of formulating rules that are intended to provide reforms that would free towers and other wireless infrastructure from unlawful regulation burdens imposed. It would make so much more sense to see where these reforms lead before spending money unnecessarily on legal advice concerning communications towers. This constituent asks us please vote no.

When we were brought into office three years ago, you know we did run out of roads first program. You mentioned the roads today with the Kiwanis Club. That does seem to be our priority, and that's what we're trying to see -- that's what we're trying to put money into. We fired our lobbyist, and we did a lot of cost cutting when this council

was first elected three years ago. And this seems to be just throwing money into a bucket. All the research that I have done on this issue says the federal government -- and Councilwoman McMahon mentioned by name the Building America Eliminating Barriers to Wireless Deployments. This this is happening. They are right now formulating the guidance on 5G, and it specifically calls for no local interference. That what's happening right now. Now we can ignore it and we can act like we can go around the edges, but we can't. This is all going to be regulated. We should at least wait until the regulations come because they're coming pretty quickly. It says -- and I won't -- the wireless infrastructure in Sections 253, 332(c)(7) about inhibiting the deployment of towers and other wireless facilities that municipalities can impose reasonable delays of permitting approvals. They can't make the approval process costly. They can't access disproportionately and otherwise unreasonable fees to put up their towers. The condition, approval, and esthetic or similar criteria cannot be done, even though that's what we say we want to do. We want to do the esthetics of it. And they're saying that this is not going to be regulated by local governments and impose other regulatory impediments and violation of the Telecommunications Act, which was passed long ago.

And so we have received a letter from AT&T and that letter was pretty clear that it says the FCC rules have occupied the field of radio, RF, regulation and local regulation of RF towers, and is preemptive and void by local governments. When reviewing site specific application a jurisdiction is prohibited from considering environmental effects of RF emissions. Now this was a Fountain Hills safe tech, who was the impetus of all this, specifically puts on their website about the harmful effects of RF radiation. That simply can't be taken into consideration when trying to regulate this. It's in the law. And so AT&T has sent us a letter, and it said that if you do what you're going to do, we are going to sue you. We are on notice of the lawsuit. We know that they've already filed the letter. And I have a copy of the letter if anybody wants it here. And if we go forward and knowingly pass regulations on RF telecommunications that we know are in violation of the law, I am not sure if our insurance pool will even cover the lawsuit that

will be coming down by AT&T, which could really hurt help building the roads out if we're fighting a lawsuit without our insurance carrier.

So I think at a minimum, we should get more research from Council Member Watts. I think we should put this off for another six to eight months to see what the federal government does. And at that point, based on what the new federal regulations are, we can go from there. But we really have to be prudent here. I know we want to act, and I know there's been some people in our town that are pushing on this, but we have to be smart. Thank you.

MAYOR FRIEDEL: Councilwoman Larabee?

LARRABEE: Thank you, Mayor. You know, sometimes the comments go on so long, I forget what I was going to say. So if it takes me a second to get my points, I apologize.

UNIDENTIFIED SPEAKER 1: (Indiscernible).

LARRABEE: I don't remember my fellow Council member having been recognized for that off the mic comment, so I'd like that on record. Anyway, with the first point regarding passing something we know to be illegal, the entire point of getting legal counsel is so that we don't pass something we know to be illegal and to make it very clear that, yes, you can legislate on these things. When we started this conversation, we were one of the first people talking about it, which was awesome. And we really could have been leading this fight, but instead it's been delayed for years and years, and now we're a little bit behind. If anyone was wondering, there's several Arizona municipalities that have already passed 5G ordinances. We have Gilbert, Mesa, Tucson, Peoria, Pima County, Phoenix, and Paradise Valley who have ordinances on record or are, like us, currently working on theirs. To be extremely clear, that is our same state. I didn't even go outside of our state. So we know that the Ninth Court -- Ninth Circuit Court has already seen some of these ordinances. And we also know that these attorneys that are being considered have experience in this area, unlike those of us on this council. The rest of what I was going to say has escaped me. But you understand my point, that our entire intention is to not pass something that is illegal, which will happen if we do not use someone who knows what they're talking about.

MAYOR FRIEDEL: Councilman Watts?

WATTS: I think to go a little bit further, I think I didn't explain the fact that one of the tests in this is the Ninth Circuit, and the Ninth Circuit has already acid test some of the challenges to the TCA Act of 1996. So they're well aware of what we can and can't do specifically to cellular communications. Small wave -- small wireless facilities are a little bit different. There are things that we can do to the cellular world. There are things we can't do. They know that. Small wireless facilities we've got more latitude with. And the other thing is that quite often rules, ordinances that are in place are grandfathered in. It's not a given that we'll have to rescind everything we do. There's no given there whatsoever. So I take exception to that. We'll test it against the Ninth Circuit. And remember, the whole objective is to help understand the technicalities and legalities, bring something back to council by way of staff and say, here's what we got. Here's our recommendation to move forward. And then maybe we can have a further discussion.

MAYOR FRIEDEL: Let me add that I don't think we blew \$8,000 with Campanelli. We got some useful information, and some questions answered that I think were important for this town going forward. Whether we choose to go with him or not, that's not the point right now. We can always make amendments if we find that something's not -- if they pass a law that's retroactive or whatever. I think it's important that we move forward on this. We've been dealing with it for what, three years, maybe four? So and I agree with you, Councilman Watts, that we're hiring people that know the law a lot better than we do right here.

So I will ask Councilwoman McMahon for your comment?

MCMAHON: You're talking about current law. We're on notice that the FCC is going to further regulate this and restrict it. And we don't have a crystal ball, we don't know what they're going to write, et cetera. So assuming that all you need to do is pass this because other jurisdictions have, et cetera, I think that's an irresponsible way to look at this. And again, I'm concerned that we're going to spend additional staff time, waste money we don't have on legal counsel that this is just going to have to be relooked at and redone again. So my concern again is a lawsuit and we're on notice, like

Councilwoman explained, I don't think we should move forward with this. I think it's exposing the town to too much liability.

MAYOR FRIEDEL: Thank you.

Councilman Watts?

WATTS: Again, to clarify, this is to gather the information to formulate the ordinance in conjunction with the law firms. Whoever we select, our town attorney will end up doing a final review to see what passes muster, and what doesn't pass muster.

The other thing is that we've got an executive branch now that is talking about cellular, and the Department of Health and Human Resources has initiated a federal investigation into the connection between mobile phone radiation, neurological harm and cancer. Now somebody is beginning to understand what's going on. And again, it's not a given that this would be rescinded. And if we don't do something, we're going to sit here for another four years waiting for something like an NPRN, which has been going on for ad nauseam for years. This NPRN has occurred and has yet to pass muster, because it has to go through the House and the Senate. Hasn't happened. So we need to do something now while we can, and we'll amend or modify in the future. But right now we need to strengthen the regulations that we've got.

MAYOR FRIEDEL: Thank you.

Councilwoman Larabee.

LARRABEE: Thank you. I remembered my other half. Thank you. Sorry, Mayor.

Regarding the comments having been made of us being on notice, to be very clear, that letter was regarding the moratorium that we passed, assuming that we would soon have a 5G ordinance. Realistically, the longer that we tarry on this ordinance it is potentially the more risky option. And that letter was, again, specifically regarding the moratorium. You can't threaten to sue someone over something that doesn't exist yet. So no, we were not threatened lawsuit over an ordinance that has not yet been written. Furthermore, with our -- with the rules being reconsidered. Yes, exactly, they are being reconsidered. We don't know what that will look like yet. There was originally talks of that being extremely, extremely -- I was going to say abusive, but that's not fair, but just

restrictive of local governments. But then at the same point now we see that that investigation is occurring. So there is some hope as far as what those policies will end up being. The fact that now our federal government is finally exploring the possibility of there maybe being health risks that shows that they are considering changing their policies, which will be very helpful to us. Of course, we recognize the health risks of light pollution, so why not recognize the health risks of radiation, which we are, you know, most of us commonly aware of?

My point being, yes, there will be changes. We will take a look at it. At the same time, we can't just keep this sitting. It's been a long time.

MAYOR FRIEDEL: Okay. I think we'll hear from Councilwoman Earle, and then we'll see if there's public comment.

KALIVIANAKIS: I just have a clarification.

MAYOR FRIEDEL: Okay.

EARLE: I was going to say exactly that I'm hearing repeats here, and I would like us to move forward, listen to the comments and vote. Thank you.

KALIVIANAKIS: Okay. And then, Mr. Mayor, my clarification was if you -- he agreed to it.

WATTS: I just --

KALIVIANAKIS: Just so people know the AT&T letter, given the preemption of the field of RF regulation, the town may not impose a moratorium, yes. Or adopt a revised development code with new standards based on concerns expressed by citizen testimony. So it wasn't just directed towards the moratorium. It was also directed towards writing code. So it was an either or.

MAYOR FRIEDEL: Thank you.

KALIVIANAKIS: You're welcome.

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

TOWN CLERK: Yes, Mayor, we do.

MAYOR FRIEDEL: Okay.

TOWN CLERK: We had one submitted online and they wanted to let the council know they were against. We have two present, Larry Myers (ph.) and Lori Troller (ph.).

MYERS: Mayor, Council, Larry Myers, 44 year resident. First, I'd like to commend Kevin and the Kiwanis Club for actually getting a bike park in two years, since this has taken four years. And four years too many because we all knew that no one, no one in this town has the expertise to deal with this. And so hiring an expert for a few dollars, which you don't even know how much it's going to be right now, seems like a pretty cost efficient way of finding out just what you can and can't do. But first, I'll take you to the wayback machine because previous council told us we couldn't pass an ordinance regarding transitional housing as part of group homes because we would be sued. Oh my God. The Americans for Disabilities Act. Heaven forbid we do something to discriminate against somebody. But guess what? We wrote an ordinance and we have a transitional housing ordinance in this town. I haven't seen a lawsuit yet but maybe someone will step up now that they've heard me speak on it. You can't go through life being afraid of your shadow. The strong survive, and they protect everyone. So if you want to be weak, don't get an expert, put this off for another 8 months, 12 months, 15 months, 3 years, 4 years, wait for the federal government to figure it out, it might be 10 years. Some of the things the FCC works on are ten years. I spent my life in the FCC business, so I would encourage you to hire one of the consultants. Fiscal responsibility always tells me the guy that starts on something is the cheapest to finish it, because every lawyer always starts from the beginning again. Why? So they can charge you. And that's how they work. So let's finish this thing in a reasonable amount of time, which in my book, the way I look at the way it bounces around, I'd say four months. 4 months, gets reviewed, goes to Planning and Zoning, comes out of Planning and Zoning, comes to you guys, gets implemented, 30-day wait period. Boom. We're done. Let's get it over with. Four years is way too long for something like this. Thank you.

TROLLER: Hello, all. Lori Troller, resident. I don't know where to start. I'm kind of with you. There's so much said, so much flew around the room, but a lot of it was countered. I'm very proud of a lot of you people up there, not everyone. So the thing about AT&T, you got to understand this is the game. The telecoms, they're the ones making money. That's how this is happening. They're going to bully their way in. They're going to tell

you, you can't do this. There's nothing checking what they're saying. Nobody's -- they can say whatever they want. So we can protect ourselves even more than our ordinance has. I've explained this before when this first came out, I can't even recall the year now. The federal government knew that municipalities weren't going to know how to write this law, so they put a template out. We took the template that the federal government put out. Federal government has an agenda also. They're not going to tell you all the little things that you can stick in there to really lock it in and to protect yourselves. That's what we're doing. That's all we're doing. We're not writing anything illegal. I can't even believe you suggest that. That is one huge insult. We are not writing anything that's illegal. Why the heck would we do that? That's a rhetorical. I don't need an answer to that.

Since we've started, Mesa has put their broadband underground. Their mayor sought that out. That mayor sought out companies that would do that. That's going underground. Tucson, for the longest time has been fighting all the above ground stuff, their stuff's going underground, not cellular, the broadband. So we can keep the broadband down there. That's great. That's where -- that's what our general plan says. So here's what's irresponsible. Letting your neighbor get a tower, letting yourself get a tower. Once those towers are up, they cannot be removed. That's not the -- once it goes up, all the towers we have, we can't touch them. They're there. They don't come down unless the telecom company wants to take them down. That's what irresponsible is. Got a whole bunch more. You guys covered it. I'm sorry. I'm a little lit up, but I just -- as what Rick is presenting to move forward, behind it 100 percent. It's the right thing to do. Let's go. And yes, April was the first time I stood up here and never talked. April 4 years ago. So this coming April is the fourth anniversary. A lot of work. Let's finish. Thanks.

MAYOR FRIEDEL: Town Clerk, we have a motion and a second. Can we get a roll call, please?

TOWN CLERK: Council Member Watts?

WATTS: I thought I told you not to ask me first. Aye.

TOWN CLERK: Council Member Kalivianakis?

KALIVIANAKIS: Nay.

TOWN CLERK: Council Member Larrabee?

LARRABEE: Aye.

TOWN CLERK: Council Member McMahon?

MCMAHON: Nay.

TOWN CLERK: Council Member Earle?

EARLE: Aye.

TOWN CLERK: Vice Mayor Skillicorn?

VICE MAYOR SKILLICORN: Yes.

TOWN CLERK: And Mayor Friedel?

MAYOR FRIEDEL: Aye.

TOWN CLERK: Mayor, five-two.

MAYOR FRIEDEL: Thank you.

Next up is council discussion and direction to the town manager.

Councilman Watts?

WATTS: I have a request. And that request is we're taking really good care of the fire department, approving everything that they need. I similarly want to look at our building safety department, because I read a review the other day about OSHA violations. And I want to make sure that we cover things like fall protection, hazard communication, ladders, lockout tagout, respiratory stuff, all the things that are the top ten, and I can send you that list, of potential violations and where suits and workman's comp claims come from. And I want to make sure that we're doing the best we can do for our town staff. Thank you.

MAYOR FRIEDEL: Councilwoman Kalivianakis?

KALIVIANAKIS: Thank you, Mr. Mayor. This is kind of a minor one, but you mentioned the cancellation of the Munch and Music, which I have heard, and I've had a number of constituents talk to me about. I've played at Munch and Music, by the way. And so if we could try to put that back together again, it was really positive. I would encourage

the town to try to reconstitute that program.

MAYOR FRIEDEL: Okay. Any requests for future -- I'm sorry, Vice Mayor?

VICE MAYOR SKILLICORN: Agenda item. Future agenda item, that's what I'm looking for Mr. Mayor. So there's actually two. And the first one's got two parts. So the first one is I'd like to bring back the legislative brief or whatever that is. And then also, we're going to have to do it at the next meeting, which isn't until February. But on the tax conformity I'd love to direct the manager to write a letter urging the governor to go along with tax conformity specifically the veto bill, SB1106. You know, we absolutely need that for conformity. The Department of Revenue forms are out there. There are thousands of residents of Fountain Hills that are going to have to redo their taxes. The way it currently stands, that veto will force tipped employees to pay taxes on those tips. It'll force many seniors in Arizona and Fountain Hills to pay more in taxes. It'd also tax anyone in Fountain Hills that has you know, earns overtime. So it's crucial that we pass a tax conformity. But we're going to have to vote on it in the next meeting. So that's that first one.

And do I have seconds?

LARRABEE: I would be supportive of that.

EARLE: I'll support that too.

WATTS: Okay. And then the next one is, in light of what we saw with Minnesota and Somalia, the fraud, I would like to take a look at all the support we have for nonprofits. And then also action on that is that council sets the policy of how that money is doled out, and if that money is doled out.

EARLE: I'll second that.

LARRABEE: I have questions about it so that, I guess, means I second it.

GOODWIN: If I can, I'm going to throw out one other. That topic specifically our community contracts, which is what I think are referencing our nonprofits is part is currently scheduled to be part of our discussion at the budget retreat. So if you would like to wait till that happens, which is at the end of February. Or would you like to have that be prior to?

VICE MAYOR SKILLICORN: So Mr. Mayor, Town Manager, there's some flexibility with that.

GOODWIN: Okay.

VICE MAYOR SKILLICORN: But I'd kind of like it to be more than a retreat, because I'd like it to be an actual agenda item. Because I envision that -- well, maybe we don't want to change policy, but I would like the council to take a crack at guiding the policy there.

GOODWIN: Sure.

MAYOR FRIEDEL: So maybe we do it at the budget retreat and then find out where we're at, and then have an agenda item?

GOODWIN: Sure, we can do that. We can have kind of a discussion at that level and then bring it back for --

MAYOR FRIEDEL: You okay with that?

GOODWIN: -- formal action.

MAYOR FRIEDEL: Okay. We'll do it that way.

GOODWIN: Okay. Thank you.

MAYOR FRIEDEL: Seeing nothing else, can I get a motion for adjournment?

UNIDENTIFIED SPEAKER 2: So moved.

UNIDENTIFIED SPEAKER 3: Second.

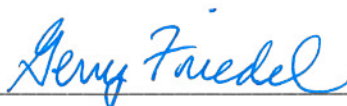
MAYOR FRIEDEL: All in favor?

ALL: Aye.

MAYOR FRIEDEL: Thank you.

HAVING NO FURTHER BUSINESS, MAYOR GERRY M. FRIEDEL ADJOURNED THE REGULAR SESSION OF THE FOUNTAIN HILLS TOWN COUNCIL HELD ON JANUARY 20, 2026, AT 7:16 P.M.

APPROVED:



GERRY M. FRIEDEL, MAYOR

ATTEST:



BEVELYN J. BENDER

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL, FOUNTAIN HILLS, ARIZONA HELD ON JANUARY 20, 2026. I FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.



BEVELYN J. BENDER