

TOWN
Of
PARADISE VALLEY



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, April 28, 2016**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, April 28, 2016 at 4:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

Mayor Michael Collins
Vice Mayor David Sherf
Council Member Jerry Bien-Willner
Council Member Paul Dembow attended by telephone conference call
Council Member Mary Hamway
Council Member Mark Stanton
Council Member Maria Syms

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Community Development Director Eva Cutro
Director of Administration and Government Affairs Dawn Marie Buckland
Public Works Director / Town Engineer James P. Shano
Planner George Burton

2. STUDY SESSION ITEMS

16-132 Discussion of Mountain Shadows Estates East Subdivision Tract Improvements

Planner George Burton summarized the request submitted by Mountain Shadows Estates East Homeowners Association for improvements to an existing subdivision tract that adjoins Lincoln Drive. The request was to modify the existing parking area, re-finish and add an address sign to the existing 3 foot wall, add lights to the tract, and add

landscaping. He stated that the requests were consistent with the subdivision code. The tract improvements were scheduled for Council approval on May 12, 2016. There was no discussion.

16-133 Review of Town Financial Policies, including Procurement, Investment, and Reserve Policies

Director of Government and Administrative Affairs Dawn Marie Buckland presented the proposed procurement policy. She noted that the Town Council reviewed the policy at its meeting on February 25 and requested additional information supporting the recommendation to increase the Town Manager's procurement authority from \$25,000 to \$50,000. She suggested that the higher threshold maximized operational efficiency while maintaining minimal risk. Since the Council does not meet during the summer, certain expenditures could not be made in July and August. She said the \$50,000 amount was also consistent with best practices for similarly sized towns.

Following Council discussion, there was consensus to keep the Manager's authority at \$25,000, but the Council was open to increasing the limit if there were special reporting requirements. Council was agreeable to the other recommended changes.

Ms. Buckland summarized the proposed Investment Policy. The Town's investment advisor, PFM Asset Management, LLC recommended changing the Town's current policy to permit more diversified opportunities that may yield higher returns. The policy would be brought back to Council for further discussion at a later date.

The Reserve Policy was not discussed.

16-134 Discussion of Permanent Base Adjustment for a Possible Expenditure Limitation Election

Ms. Buckland explained the state expenditure limitation law and the assumptions used to develop a recommendation to increase the Town's base expenditure limit.

She projected expenditures and reviews over the next ten years. The revenue projections included current revenue growth plus anticipated revenue from ANdAZ, Mountain Shadows, and the Ritz-Carlton. The expenditure projections included current expenditure trends plus costs to replace aging sewer, streets, facilities, and vehicles.

She presented a possible base expenditure increase ranging from \$8.5 million to \$21.2 million in 2016 dollars. Staff's recommendation was \$14.5 million in 2015 dollars or \$5 million in 1979 base expenditure dollars.

There was Council consensus to limit the maximum expenditure limit increase to the

maximum anticipated revenue increase of \$13 million. The Council was willing to consider a higher amount if it meant paying down the PSPRS unfunded liability faster.

16-131 Quality of Life Initiatives Update

This item was not discussed

Mayor Collins recessed the meeting at 6:07 p.m.

3. EXECUTIVE SESSION

16-106 The Town Council may go into executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the agenda items listed on the agenda as authorized by A.R.S. §38-431.A.3.

This item was not discussed.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Collins reconvened the meeting at 6:15 p.m.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

- Mayor Michael Collins
- Vice Mayor David Sherf
- Council Member Jerry Bien-Willner
- Council Member Paul Dembow attended by telephone conference call
- Council Member Mary Hamway
- Council Member Mark Stanton
- Council Member Maria Syms

STAFF MEMBERS PRESENT

- Town Manager Kevin Burke
- Town Attorney Andrew Miller
- Town Clerk Duncan Miller
- Police Chief Peter Wingert
- Public Works Director / Town Engineer James P. Shano
- Community Development Director Eva Cutro

Director of Administration and Government Affairs Dawn Marie Buckland
Information Technology Analyst Felix Arenas

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS

16-125 Recognition of Anne Warfel

Mayor Collins presented Kiva Elementary School Art Teacher Anne Warfel with a certificate of appreciation and a gift card for volunteering her time and resources to collect 288 pieces of art from Kiva students and prepared each of them for an exhibition at Town Hall last month.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the items on the consent agenda.

A motion was made by Council Member Stanton, seconded by Council Member Bien-Willner, to approve the Consent Agenda as submitted. The motion carried by a unanimous vote.

16-128 Minutes of Town Council Meeting April 14, 2016

16-124 Approval of Special Event Liquor License for Paradise Valley United Methodist Church Preschool

16-136 Approval of Special Event Liquor License for Leukemia & Lymphoma Society

16-123 Adoption of Resolution Number 2016-05; Approval of an Intergovernmental Agreement (IGA) between the Town of Paradise Valley and the City of Scottsdale for Wastewater Treatment and System Maintenance.

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

16-122 Award of Contract for Public Safety Communications Microwave

Information Technology Analyst Felix Arenas presented a proposal to purchase a microwave communications system that would provide 95% radio coverage reliability throughout the Town. The facility would connect the Paradise Valley Police Department with the Thompson Peak Radio Site.

There was no discussion.

A motion was made by Council Member Hamway, seconded by Council Member Syms, to authorize the Town Manager to execute a contract with Microwave Networks Incorporated in the amount of \$61,668 to connect PVPD to Thompson Peak Radio Site. The motion carried by the following vote:

Aye: 7 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

16-129 Notice of Intent to Increase Wastewater Rates

Ms. Buckland explained that the Town must give public notice at least 20 days prior to a holding a public hearing on any proposal to increase to the Town's wastewater rates. She stated that the Council will consider recommendations in study session on May 26 and the hearing would be held on June 9, 2016. She noted that the increase would not exceed 10% per year, and are anticipated to be 8% for Fiscal Year (FY) 2017, 4% for FY 2018, 3% for FY 2019.

Responding to a question from the Council, Ms. Buckland clarified that the notice of intent is required by state statute and serves to give the residents ample notice that the Council may raise rates at a future public hearing.

A motion was made by Council Member Hamway, seconded by Vice Mayor Sherf, to adopt a notice of intent to increase wastewater rates, establish June 9, 2016 as the date of public hearing, and direct staff to publish the notice of intent in a paper of general circulation not less than 20 days prior to the public hearing. The motion carried by the following vote:

Aye: 7 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

13. REQUESTS FOR FUTURE AGENDA ITEMS

16-137 Consideration of Requests for Future Agenda Items

Mr. Burke summarized the future agenda topic list.

There were no other additions or changes.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Mr. Burke announced that the Town received its 20th Tree City USA Award. The Town is tied with six other cities in Arizona for receiving the recognition the most number of years.

15. COMMUNITY CONVERSATION

Planning Commission Update

Planning Commission Chair Dolf Strom presented the Commission's annual report for 2015.

He suggested that it would be helpful on major SUP projects if a joint Town Council / Planning Commission study session were held prior to the Council issuing a Statement of Direction. This would give the Commissioners an opportunity to make suggestions about what the Commission should focus on during its review and ask the Council to clarify its direction and intent.

Board of Adjustment Update

Richard Chambliss, Chair of the Board of Adjustment, presented the annual report for 2015.

He noted that in two recent variance cases, board members received numerous emails regarding building safety issues which did not fall under the purview of the Board of Adjustment. He suggested that the Town prepare a summary of the roles and authority of each committee and board so that residents who are concerned about an application or appeal would know the proper forum in which to voice their concerns.

Hillside Building Committee Update

Scott McPherson, citizen member of the Hillside Building Committee, presented the annual report for 2015.

He noted that Staff has kept a list of recommended clarifications of the Hillside Code.

He suggested that the Town Council consider ways to better handle on-site water retention. He said it seems that some builders are satisfying the retention requirement by constructing side yards which was not the intent of the code.

Community Conversation Regarding the Role of the Hillside Building Committee in Development.

Community Development Director Eva Cutro presented the history, purpose, and intent of the Hillside Code. She noted that properties with a building pad slope of 10% or greater are considered hillside properties. She said 15% of lots in town are hillside. She discussed the Hillside Code regulations and the hillside review process.

Mayor Collins opened the Community Conversation. Mr. Burke moderated the conversation. The following residents spoke:

- Nan Murley provided a history of the most recent Hillside Code update
- Julie Pace spoke on behalf of Stone Canyon. She offered several suggestions including:
 - Authorize additional staff support and/or contract professionals to verify compliance with the Hillside Code, building safety, grading and drainage, seismology, and other relevant technical considerations
 - Require hillside applications to go through the Hillside Committee process first and have the committee review infrastructure, engineering, and drainage first and then seek a variance, if necessary
 - Do not hold public meetings during July and August
 - Increase the neighborhood notification radius
 - Provide flexibility in the code for entry signs, erosion mitigation, and camouflaging of utility boxes
 - Prohibit use of dynamite
 - Prohibit helicopters
 - Permit alternatives to draining pools on-property
- Jane Jozoff stated that residents have not been given sufficient opportunities to express their concerns during Board of Adjustment meetings
- Dorothy Smith suggested that hillside lots should not be allowed to go before the Board of Adjustment
- Attorney Louie Lopez stated that variance applicants must be more forthcoming with plans and other submittals to allow staff and opponents of the variance time to prepare for the hearing. He stated that applicants should go before the Hillside Committee before applying for a variance
- Scott Tonn stated that the Town should not permit blasting or, at the very least, not permit it for grades over 45%
- Unidentified resident suggested requiring submittal of a topographic plan prior to issuance of a grading and drainage plan and a demolition permit. Building Safety Manager Robert Lee clarified that a demolition permit is just to remove the building. There is no site work associated with it. It has been stressed at quarterly builders' meetings that grading work is not permitted as part of a

demolition permit.

- Jeff Scoon suggested increasing the notification area. He referenced a recent Board of Adjustment hearing in which a house had been designed before the driveway access had been resolved. He suggested that projects like this should be heard by the Hillside Committee first. He also commented that the Town should reconsider the disturbed area calculation methodology and how drainage is managed
- Patrick McMullen, President of the Phoenix Mountain Preservation Council, stated that the PMPC makes recommendations on properties to purchase to add to the preserve
- Jini Simpson suggested that process changes to should be made to better manage hillside development applications.
- Michael Swaback expressed concern about potential conflicts of interest by members of Town committees, commissions, and boards.

The Mayor and Council Members each commented on their reactions to the presentations and feedback from the residents. Mayor Collins announced that the Planning Commission would be discussing the Hillside Code, as well as, other “quality of life” initiatives and encouraged residents to participate in those meetings.

16. ADJOURN

A motion was made by Council Member Hamway, seconded by Council Member Bien-Willner, to adjourn. The motion carried by the following vote:

Aye: 6 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Hamway, Council Member Stanton, and Council Member Syms

Absent: 1 - Council Member Dembow

Mayor Collins adjourned the meeting at 9:05 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

Duncan Miller, Town Clerk

STATE OF ARIZONA)
 :SS.
COUNTY OF MARICOPA)

CERTIFICATION

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Thursday, April 28, 2016

I further certify that said municipal corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

Duncan Miller, Town Clerk