

**TOWN**  
*Of*  
**PARADISE VALLEY**



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TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, October 22, 2015

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**1. CALL TO ORDER / ROLL CALL**

Mayor Collins called to order the Town Council Meeting for Thursday, October 22, 2015 at 4:00 p.m. in the Town Hall Boardroom.

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins  
Vice Mayor Paul Dembow  
Council Member Jerry Bien-Willner  
Council Member David Sherf  
Council Member Mark Stanton  
Council Member Maria Syms

Council Member Mary Hamway was not present

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke  
Town Attorney Andrew M. 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 Robert Kornovich

**2. STUDY SESSION ITEMS**

**15-250 Direction to Staff about Police Alarm Monitoring Service**

Chief of Police Peter Wingert briefed the Town Council on the history of the Police Department's Alarm Monitoring program.

He explained the following four options for the future of the program:

1. Do nothing – continue operating with the same equipment and maintain current service levels
2. No longer provide the service
3. Create a hybrid system
4. Create an enterprise fund

His recommendation was to develop a hybrid service. Under this option, the department would outsource the equipment, billing, and software upgrades to an alarm business; and enter into a revenue sharing agreement with the company. Alarms would still be monitored by the police department. There was Council consensus to proceed with option three, the hybrid model.

### **15-240 Paradise Valley 2016 Legislative Agenda**

Director of Administration and Government Affairs Dawn Marie Buckland presented a draft of the 2016 Legislative Agenda. Dale Wiebusch, Legislative Associate from the League of Arizona Cities and Towns, and Doug Cole, of Highground Public Affairs were also present. The Town Council provided feedback on the proposed legislative policy document and directed staff to schedule it for adoption at the next meeting.

Ms. Buckland announced that the Town would host a legislative breakfast on January 7 at 8:30 a.m. at the Sanctuary resort.

### **3. EXECUTIVE SESSION**

**A motion was made by Council Member Bien-Willner at 5:40 p.m., seconded by Council Member Stanton, to enter executive session. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

**15-234 Discussion and consultation with Town Attorney regarding pending or contemplated litigation related to Rafi-Zadeh Notice of Claim as authorized by A.R.S. §38-431.03.A.4.**

**No Reportable Action**

**15-235 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.**

**No Reportable Action**

#### **4. BREAK**

#### **5. RECONVENE FOR REGULAR MEETING**

Mayor Collins reconvened the meeting at 6:00 p.m.

#### **6. ROLL CALL**

##### **COUNCIL MEMBERS PRESENT**

Mayor Michael Collins

Vice Mayor Paul Dembow

Council Member Jerry Bien-Willner

Council Member David Sherf

Council Member Mark Stanton

Council Member Maria Syms

Council Member Mary Hamway was not present

##### **STAFF MEMBERS PRESENT**

Town Manager Kevin Burke

Town Attorney Andrew M. Miller

Town Clerk Duncan Miller

Police Chief Peter Wingert

Public Works Director/Town Engineer James P. Shano

Director of Administration and Government Affairs Dawn Marie Buckland

#### **7. PLEDGE OF ALLEGIANCE\***

Police Sergeant Don Blume led the Pledge of Allegiance.

#### **8. PRESENTATIONS**

##### **15-241 Proclamation declaring October 18-24, 2015, Arizona Cities & Towns Week**

Mayor Collins presented a proclamation to Dale Wiebusch of the Arizona League of Cities and Towns declaring October 18-24 Arizona Cities and Towns Week.

##### **15-252 Recognition of Jerry Cox**

Mayor Collins recognized local artist Jerry Cox for displaying his art works at Town Hall over the previous year. Dr. Cox presented the Mayor with a bas relief of Camelback Mountain.

## 9. CALL TO THE PUBLIC

Resident Robert Rasmussen suggested that during future public hearings, speakers should be requested to identify their proximity to a development project and not just if they are a resident.

## 10. CONSENT AGENDA

Mr. Burke summarized the items on the consent agenda. Mayor Collins removed item 15-227 and Council Member Syms removed item 15-247.

**A motion was made by Council Member Sherf, seconded by Council Member Bien-Willner, to approve the Consent Agenda with the exception of items 15-227 and 15-247. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Hamway

**15-236** Minutes of Town Council Meeting October 8, 2015

**15-227** Adoption of Resolution Number 1340 FY15 Year End Budget Adjustments

Ms. Buckland summarized the expenditures that made up the end of year budget adjustments.

**A motion was made by Vice Mayor Dembow, seconded by Council Member Stanton, to adopt Resolution Number 1340. The motion carried by the following vote.**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

**15-230** Approval of Planning Commission Chair

**15-231** Approval of Board of Adjustment Chair

**15-247** Approval of Amendment to Resolution 1247 Regarding the Construction of Entry Monuments on Town Abandoned Property

Mr. Burke explained the history and recommendation.

**A motion was made by Council Member Sherf, seconded by Council Member Syms, to approve the amendment to Resolution 1247 enabling the construction of entry monuments on Town abandoned property. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

**15-249** Approval of Amendment No. 1 to an IGA with Maricopa County for a Radio Communications Facility

**15-251** Approval of Amendment to Town Attorney Employment Agreement

## **11. PUBLIC HEARINGS**

**15-232 Consideration of Granting a New Series 11 Liquor License for Andaz Scottsdale Resort Town Clerk Miller summarized the request filed by Andrea Lewkowitz on behalf of Andaz Scottsdale Resort for a series 11 liquor license.**

Town Clerk Miller summarized the request for a new liquor license at the resort property formerly known as Cottonwoods Resort.

**A motion was made by Council Member Bien-Willner, seconded by Vice Mayor Dembow, to recommend approval of a new Series 11 liquor license application filed by Andrea Lewkowitz on behalf of Hyatt Corporation Andaz Scottsdale Resort. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

## **12. ACTION ITEMS**

**15-239** Award of a Job Order Contract to DBA Construction Inc. for an amount not to exceed \$464,529.26 for the installation of concrete sidewalks and ADA accessible ramps at various locations throughout town.

Town Engineer James Shano summarized the 2015 sidewalk construction program.

**A motion was made by Council Member Sherf, seconded by Vice Mayor Dembow, to award a Job Order Contract to DBA Construction Inc. for an amount not to exceed \$464,529.26 The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

### **15-245 Adoption of Ordinance Number 693 Amending the Construction Noise Ordinance**

Mr. Burke summarized the proposed amendment to the construction noise ordinance. The amendment permits the town manager to grant waivers on time and day noise level restrictions.

There was Council discussion regarding broadening the scope of amendments to the noise ordinance. There was consensus to refer the matter to a future study session to clarify the start time for construction and the possibility of requiring neighbors to be notified when Saturday construction will occur.

Resident Dorothy Smith spoke in opposition to the ordinance. She stated that construction noise should not be permitted on the weekends.

Resident Robert Rasmussen spoke in opposition to the ordinance.

**A motion was made by Vice Mayor Dembow, seconded by Council Member Bien-Willner, to adopt Ordinance Number 693 amending the Construction Noise Ordinance The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

## **13. REQUESTS FOR FUTURE AGENDA ITEMS**

### **15-189 Consideration of Requests for Future Agenda Items**

Mr. Burke summarized the items on the future agenda list.

Mayor Collins stated he would add the noise ordinance to the list of topics to be scheduled.

#### 14. MAYOR / COUNCIL / MANAGER COMMENTS

Mayor Collins announced that a Community Conversation with Congressman David Schweikert has been scheduled for November 12, 2015 at 6:00 p.m.

Vice Mayor Dembow announced that the Annual Vintage Car Show would be held on Saturday, November 7, 2015.

Council Member Bien-Willner invited residents to contact him to report violations of the noise ordinance on Saturdays.

#### 15. ADJOURN

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

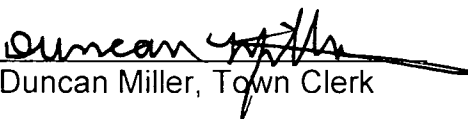
**Aye:** 6 - Mayor Collins, Dembow, Council Member Bien-Willner, Council Member Sherf, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Hamway

Mayor Collins adjourned the meeting at 8:02 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, Thursday, October 22, 2015.

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*  
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Duncan Miller, Town Clerk