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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, May 10, 2018**

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

Mayor Collins called to order the Town Council Meeting for Thursday, May 10, 2018 at 2:00 p.m. in the Town Hall Boardroom.

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins  
Vice Mayor Jerry Bien-Willner  
Council Member Paul Dembow  
Council Member Scott Moore  
Council Member Julie Pace  
Council Member David A. Sherf  
Council Member Mark Stanton

**Council Member Moore moved to go into executive session to consider item 18-189 at 2:00 PM. Vice Mayor Bien-Willner seconded the motion which passed by the following vote:**

**Aye:** 7 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf  
Council Member Stanton

**2. EXECUTIVE SESSION**

- 18-189**            **Discussion of Town Manager and Town Attorney Performance Reviews as authorized by A.R.S. §38-431.03(A)(1) and Town Manager and Town Attorney contract negotiations as authorized by A.R.S. §38-431.03(A)(4).**
- 18-208**            **Discussion and consultation with the Town Attorney or Town representatives concerning negotiations for the purchase, sale, lease, or transfer of real property in the vicinity of Stanford Drive and 36th Street as authorized by A.R.S. §38-431.03(A)(7).**

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Note: Minutes of Town Council meetings are prepared in accordance with the provisions of Arizona Revised Statutes. These minutes are intended to be an accurate reflection of action taken and direction given by the Town Council and are not verbatim transcripts. Video recordings of the meetings along with staff reports and presentations are available online and are on file in the Office of the Town Clerk. Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

- 18-190            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 items listed on the agenda as authorized by A.R.S. §38-431.03(A)(3).**

**3. STUDY SESSION ITEMS**

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins  
Vice Mayor Jerry Bien-Willner  
Council Member Paul Dembow  
Council Member Scott Moore  
Council Member Julie Pace  
Council Member David A. Sherf

Council Member Mark Stanton was not present

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Police Chief Peter Wingert  
Deputy Town Manager Dawn Marie Buckland  
Interim Community Development Director Paul Michaud  
Public Works Supervisor Jerry Cooper  
Chief Financial Officer Douglas Allen  
Chief Information Officer Steven Brunasso  
Engineering Services Analyst Jeremy Knapp  
Town Engineer Paul Mood by telephone  
Municipal Court Director Jeanette Wiesenhofer

- 18-202            Review the Town Manager’s Recommended Budget for Fiscal Year 2018/2019**

The Town Council continued its discussion of the recommended budget for Fiscal Year 2019. Chief Financial Officer Douglas Allen presented the debt service fund. The Council discussed the budget items removed for separate discussion in previous study sessions.

There was consensus to proceed with the staff recommendations for added and deleted items along with other “clean-up” items as detailed in the Action Report.

Mr. Allen explained the budget schedules that would be submitted to the Arizona Auditor General’s Office.

- 18-206            Land Use Committees Summer Work Schedule**

Mr. Burke presented summer meeting schedule options for the Board of Adjustment, Hillside Building Committee, and the Planning Commission. In past years, concerns have been raised about the appropriateness of land use committees making decisions during the summer when many residents are

out of town. There was Council consensus for the committees to continue to meet during the summer and for the committee chairs to use their discretion to proceed with routine items and defer controversial decisions until the fall.

**18-198 Discussion on the Town Hall Remodel**

Mr. Burke presented his recommendation and timeline to use existing budget authority to remodel Town Hall. The goal was to improve visitor access to the various customer service counters and provided office space for Information Technology. There was Council consensus to complete the final design plans over the summer and consider a construction contract in the fall.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, to go into executive session to consider item number 18-208 at 5:30 PM. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf

**Absent:** 1 - Council Member Stanton

Mayor Collins reconvened the Study Session at 5:40 PM

**18-201 Discussion of Hillside Code Updates - Safety Section (Chapter 5 of the Town Code)**

Mr. Burke and Planner George Burton provided background on the proposed amendments to Chapter 5 regarding building safety.

**4. BREAK**

Mayor Collins recessed the meeting at 5:55 PM.

**5. RECONVENE FOR REGULAR MEETING**

Mayor Collins reconvened the meeting at 6:05 PM.

**6. ROLL CALL**

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins

Vice Mayor Jerry Bien-Willner

Council Member Paul Dembow

Council Member Scott Moore

Council Member Julie Pace

Council Member David A. Sherf

Council Member Mark Stanton was not present

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke

Town Attorney Andrew Miller

Town Clerk Duncan Miller

Deputy Town Manager Dawn Marie Buckland

Police Chief Peter Wingert

Interim Community Development Director Paul Michaud

Public Works Supervisor Jerry Cooper

Engineering Services Analyst Jeremy Knapp

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS\***

There were no presentations.

**9. CALL TO THE PUBLIC**

Resident David Selden addressed the Town Council regarding a proposed amendment to the Sanctuary Resort and Spa Special Use Permit that had been scheduled for discussion but withdrawn from the agenda. He also spoke in favor of item 18-201; amendments to Chapter 5 regarding building safety.

**10. CONSENT AGENDA**

Mr. Burke summarized the items on the Consent Agenda.

A motion was made by Council Member Sherf seconded by Council Member Moore, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf

**Absent:** 1 - Council Member Stanton

**18-193 Minutes of Town Council April 26, 2018**

**18-195 Authorize the Town Manager to Execute a Contract with PEC in an Amount Not to Exceed \$47,467 for the Removal for Storm Sewer Inserts from the Towns Sanitary Sewer Manholes**

Recommendation: Authorize the Town Manager to execute a contract with PEC in an amount not to exceed \$47,467.

Staff Contact: Paul Mood, P.E., Town Engineer 480-348-3573

**18-207 Adoption of Resolution Number 2018-14; Authorizing a Salary Adjustment and a One-Time Monetary Payment to the Town Attorney for Past Performance**

Recommendation: Adopt Resolution Number 2018-14.

## 11. PUBLIC HEARINGS

**18-200 Consideration of Adoption of Ordinance Number 2018-08 and Resolution Number 2018-07 Amending Article XXII of the Zoning Ordinance**

Planner George Burton presented the proposed amendments to Article XXII of the Zoning Ordinance.

Planning Commission Chair Daran Wastchak reported on the Commission's recommendation.

Mayor Collins opened the public hearing.

Residents Nan Murley and Pam Hait spoke in favor of the ordinance. The following comment cards were submitted on behalf of residents in favor of the ordinance: Howard Ginsburg, Michael Crow, Linda Miller, David Selden, Susan Scoon, Jeff Scoon, Kathy Brown, Heidi Davidson, Jay Varty, Ingrid Harrison, Al Harrison, Teresa Zachariah, Joe Zachariah, David Bornemann, Carolyn Lincoln, Craig Connors, Larry Cugilic, Mary Jo Cugilic, Vita Rowe, Hogan Scoon, Garron Scoon, Michel Howell,

James Baker, Ron Brown, Terry Appel, David Appel, Robin Daggett, Roscoe Nichols, Ryan Woody, Kerri Shoumaker, and Charles Shoumaker.

The following people spoke in opposition to the ordinance: Rod Cullum, Brent Kendle, Charles Lakin, and Nick Tsontakis

Mayor Collins closed the public hearing.

**A motion was made by Council Member Pace, seconded by Council Member Moore, to Adopt Ordinance 2018-08 and Resolution 2018-07 regarding the Hillside Code Updates (Article XXII of the Town Zoning Ordinance), with the following amendments:**

- 1. The ordinance shall be reviewed in one year;**
- 2. Strike the definition of "Boulder" from Section 2203; and**
- 3. Add the following to Section 2207(3)(A): "Photographs of the staked Disturbed Area limits shall be provided to the Town."**

**The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf

**Absent:** 1 - Council Member Stanton

## **12. ACTION ITEMS**

- 18-199      Adoption of Ordinance No. 2018-06 approving the exchange of certain tracts of land between the Town and the Franciscan Renewal Center, along with a payment of \$24,999 to the Franciscan Renewal Center to compensate for the difference in value between the tracts being exchanged.**

Town Attorney Andrew Miller presented proposed Ordinance Number 2018-06.

Mr. Charlie Brown, representing the Franciscan Renewal Center, spoke in favor of the ordinance and thanked staff for their assistance.

**A motion was made by Council Member Moore, seconded by Council Member Pace, to adopt Ordinance No. 2018-06. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf

**Absent:** 1 - Council Member Stanton

**18-191          Legislative Update**

Deputy Town Manager Dawn Marie Buckland announced that the legislature adjourned for the year. She summarized the Town's 2018 legislative agenda. She briefed the Council on adopted legislation which would impact the Town including: prime contracting; photo enforcement; management of rights-of-way; and home-based businesses.

**13. FUTURE AGENDA ITEMS****18-192          Consideration of Requests for Future Agenda Items**

Mr. Burke summarized the future agenda schedule. There were no requests to add items to the schedule.

**14. MAYOR / COUNCIL / MANAGER COMMENTS**

Council Member Pace reported on Police Department and ACOPS activities.

Council Member Moore announced that Experience Scottsdale would hold their Tourism update breakfast on May 30<sup>th</sup>.

Vice Mayor Bien-Willner provided an update on the cell phone service task force.

Mayor Collins recessed the meeting at 8:15 PM

**15. STUDY SESSION ITEMS CONTINUED**

Mayor Collins reconvened the meeting at 8:25 PM

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Deputy Town Manager Dawn Marie Buckland  
Police Chief Peter Wingert  
Interim Community Development Director Paul Michaud  
Engineering Services Analyst Jeremy Knapp  
Planner George Burton  
Town Engineer Paul Mood attended by telephone.

**18-201            Discussion of Hillside Code Updates - Safety Section (Chapter 5 of the Town Code**

The Council discussed the proposed concepts in the new safety section in Chapter 5 of the Town Code and provided feedback. Mr. Burke stated that this topic would be discussed again on May 24 and May 31 and scheduled for a possible vote on June 14.

**16. ADJOURN**

**A motion was made by Council Member Pace, seconded by Council Member Dembow, to adjourn. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Sherf

**Absent:** 1 - Council Member Stanton

Mayor Collins adjourned the meeting at 9:45 p.m.



**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

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Duncan Miller, Town Clerk

**STATE OF ARIZONA            )**  
**COUNTY OF MARICOPA        )**        :SS.

**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 26, 2018.

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