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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, November 17, 2016**

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

Mayor Collins called to order the Town Council Meeting for Thursday, November 17, 2016 at 3:00 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  
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  
Director of Administration and Government Affairs Dawn Marie Buckland  
Community Development Director Eva Cutro  
Senior Information Technology and Management Analyst Robert Kornovich  
Planner George Burton  
Engineering Services Analyst Jeremy Knapp

**2. STUDY SESSION ITEMS**

**16-406 Update Town Council on Alarm Monitoring Business Models**

Police Chief Peter Wingert and Senior Information Technology and Management Analyst Robert Kornovich updated the Town Council on business model option 1 (continuation of service) and option 4 (termination of service) presented at the November 3 study session.

The Council discussed options 1 and 4 as well as the possibility of an "all in" option. This option would include more significant technology and service level enhancements, additional staff, and aggressive marketing. If option 4 was selected, there was discussion about hiring someone to assist customers with transitioning to a different service provider.

There was Council consensus that Option 1 would not require an affirmative action from the Council, but rather it would become a budget policy decision. Option 4 would involve adoption of a resolution making the policy decision to terminate the service and approve an exit strategy. There was agreement to schedule this item for discussion at the December 1 business meeting and give an opportunity to hear from customers and the public. Depending on the outcome of that public discussion the item may be continued to December 15 for a final vote.

**16-410 Watershed Study Project Update**

Engineering Services Analyst Jeremy Knapp and Bob Haneline of Dibble and Associates updated the Town Council on the initial findings of the watershed study project which divided the Town into six watersheds. The first report focused on the Cheney Watershed. The study includes: mapping and understanding existing conditions; public outreach and comment; identification of hazards; and drafting and analyzing alternatives.

The Council asked how the watershed study findings would relate to the Storm Drain Design Manual that was also being revised and updated. The Council questioned if the design manual would include incentives for residents to make drainage improvements on private property and how walls are addressed.

The Council discussed scheduling another study session after the new Council takes office in January to consider the Town's role in storm water management.

**16-389 Discussion of Article XXIV, Walls and Fences, Zoning Code Text Amendment**

Council Member Hamway departed the meeting.

Planner George Burton presented a request to amend Article XXIV of the Town Zoning Ordinance to allow a partial view fence at a 20-foot front yard setback and to modify the definition of a view fence to accommodate decorative elements such as knuckles, scrolls, and spears.

The Planning Commission held four study sessions and one hearing. They recommended approval of Ordinance 2016-07.

There was Council discussion regarding adding a penalty against property owners who do not comply with the hedge height restriction. This would be in addition to the Town's cost recovery for trimming non-compliant landscaping when the owner refuses perform maintenance. There was also a request to clarify the resolution process in the event neighbors do not agree on access and wall design and finish.

**16-390 Update on Town's Bicycle and Pedestrian Master Plan**

Senior Planner Paul Michaud introduced James Coffman of Coffman Studios and Dean Chambers of J2 Engineering who were selected by the Town to develop the Bicycle Pedestrian Master Plan. Mr. Michaud explained that Town's current General Plan includes an implementation measure to prepare a pedestrian master plan by 2020.

The consultants described the project scope, what has been accomplished, the public participation process, routes and preferences identified through public meetings, and the timeline.

The Council expressed concern about bike lanes on Lincoln Dr and Tatum Blvd especially if that meant shrinking vehicle lanes to install bike lanes. The Council also conveyed a preference to limit striping on residential streets. There was discussion about prioritizing connectivity between resorts and other local destinations over connectivity with neighboring municipalities.

**16-414 Discussion of Expectations of Council Regarding Staff Communication**

Mayor Collins stated that he and Vice Mayor Sherf added this item to the agenda to get a sense from the Council about when councilmembers-elect should start receiving council correspondence from staff, including Council meeting packets, reports from the Town Manager, and executive session / attorney-client privilege material. It was noted that past practice was to wait until after the General Election to provide non-confidential materials. Attorney-client and executive session information was not shared until after the members were sworn in.

There was Council consensus that councilmembers-elect should receive meeting materials as soon as they are elected. The Town Manager should also send his weekly updates to newly-elected members. It was agreed that he should continue to write to Council as his primary audience but include a disclaimer, assuming that the report is provided to councilmembers-elect and the public, that the correspondence is a summary only and additional background or context may be necessary to fully understand this issue. It was further suggested that the disclaimer encourage readers to contact Town representatives for more information.

The Council asked for further clarification on attorney-client privilege and a protocol for council members to follow so as not to violate privilege by forwarding messages or discussing subjects that were raised in an executive session with department directors and other staff.

Mayor Collins recessed the meeting at 6:15 PM.

**3. EXECUTIVE SESSION**

**16-399** Discussions or consultations with Town representatives to consider the Council's position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property in the vicinity of the 6400 block of E Fanfol Drive pursuant to ARS §38-431.03(A)(7).

**16-400** 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.

There was no executive session.

**4. BREAK**

**5. RECONVENE FOR REGULAR MEETING 6:00 PM**

Mayor reconvened the meeting at 6:35 PM

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins

Vice Mayor David Sherf

Council Member Jerry Bien-Willner

Council Member Paul Dembow

Council Member Mark Stanton

Council Member Maria Syms departed at 6:45 PM

Council Member Mary Hamway was not present

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke

Town Attorney Andrew Miller

Town Clerk Duncan Miller

Police Chief Peter Wingert

Community Development Director Eva Cutro

Acting Public Works Director Brent Skoglund

Engineering Services Analyst Jeremy Knapp

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS\***

**16-339 Recognition of Richard K. Mahrle**

Mayor Collins presented resident and Planning Commissioner Rick Mahrle with a proclamation congratulating him for being listed in "*Best Lawyers in America*" for 2017 in commercial, construction, employment litigation, and administrative law.

**9. CALL TO THE PUBLIC**

Resident Lauren Weinstein submitted a written comment expressing support for retaining the PV alarm service. She suggested more publicity to garner more subscribers.

Residents Phyllis Kotin, Barton Faber, and Dolf Strom addressed the Council urging the Town to continue providing the Police alarm monitoring service.

**10. CONSENT AGENDA**

Mr. Burke summarized the Consent Agenda.

**16-404 Minutes of Town Council Meeting October 27, 2016**

**16-405 Minutes of Town Council Meeting November 3, 2016**

**16-403 Adoption of Resolution Number 2016-21 Abandonment of Drainage Easement on Lot 9 of Camelhead Estates Unit 2 Subdivision**

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

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

**Absent:** 1 - Council Member Hamway

**11. PUBLIC HEARINGS**

**16-409 Consideration of Ordinance Number 2016-04; Amending the Zoning Code Regarding Lighting**

Community Development Director Eva Cutro presented Ordinance Number 2016-14 amending Article X Article XXII, and Article XXV of the Zoning Ordinance regarding lighting. She explained several recommended changes to the ordinance based on feedback from lighting professionals and offered options for the Council to consider based on discussion from the Council's study session on November 3, 2016.

Planning Commission Chair Dolf Strom reported that the Commission held seven work sessions and a public hearing. The Commission voted to forward the ordinance with a recommendation for approval.

Mayor Collins opened the public hearing.

Resident, Planning Commissioner, and Councilmember-elect Scott Moore addressed the Council regarding a contradiction between the standards for light fixtures on hillside and non-hillside homes.

Mayor Collins closed the public hearing.

There was Council discussion regarding the differences between how the current and proposed ordinance apply to hillside and flatland properties; the enforceability of the ordinance, and the overarching goal to regulate light trespass from off property.

**A motion was made by Council Member Bien-Willner, seconded by Council Member Dembow, to refer Ordinance Number 2016-04 back to Planning Commission. The motion carried by the following vote:**

**Aye:** 5 - Mayor Collins  
Vice Mayor Sherf  
Council Member Bien-Willner  
Council Member Dembow  
Council Member Stanton

**Absent:** 2 - Council Member Hamway  
Council Member Syms

## 12. ACTION ITEMS

### **16-402 Adoption of Ordinance Number 2016-08; Property Maintenance/Property Nuisance**

Ms. Cutro presented Ordinance Number 2016-08 amending Chapter 8 of the Town Code regarding accumulation of litter, junk, and construction debris. The Planning Commission held three work sessions and one hearing and voted to recommend approval.

There was no report from the Planning Commission.

There was no Council discussion.

There were no public comments.

**A motion was made by Vice Mayor Sherf, seconded by Council Member Dembow, to adopt Ordinance Number 2016-08. The motion carried by the following vote:**

**Aye:** 5 - Mayor Collins  
Vice Mayor Sherf  
Council Member Bien-Willner  
Council Member Dembow  
Council Member Stanton

**Absent:** 2 - Council Member Hamway  
Council Member Syms

**16-412 Adoption of Resolution Number 2016-23; Approval of an Intergovernmental Agreement (IGA) between the Town of Paradise Valley and the State of Arizona for administration of the federally funded Lincoln Drive Sidewalk Project**

Engineering Services Analyst Jeremy Knapp presented a request for approval of Resolution Number 2016-23 authorizing an intergovernmental agreement with the Arizona Department of Transportation to administer a federally funded project to construct a sidewalk on Lincoln Drive and award of a contract to Kimley-Horn and Associates to construct the sidewalk.

There was Council discussion regarding the project cost and the portion paid by federal grant funds.

**A motion was made by Council Member Stanton, seconded by Council Member Bien-Willner, to adopt Resolution Number 2016-23 authorizing the Mayor to execute an Intergovernmental Agreement between the Town of Paradise Valley and the State of Arizona for the administration of the federally funded Lincoln Drive Sidewalk Project. The motion carried by the following vote:**

**Aye:** 5 - Mayor Collins  
Vice Mayor Sherf  
Council Member Bien-Willner  
Council Member Dembow  
Council Member Stanton  
**Absent:** 2 - Council Member Hamway  
Council Member Syms

**16-413 Award of Contract to Kimley-Horn and Associates, Inc. in the amount of \$408,829 for the Design of the Lincoln Drive Sidewalk Project**

**A motion was made by Vice Mayor Sherf, seconded by Council Member Dembow, to authorize the Town Manager to execute a contract with Kimley-Horn and Associates, Inc. in the amount of \$408,829. The motion carried by the following vote:**

**Aye:** 5 - Mayor Collins  
Vice Mayor Sherf  
Council Member Bien-Willner  
Council Member Dembow  
Council Member Stanton  
**Absent:** 2 - Council Member Hamway  
Council Member Syms

13. FUTURE AGENDA ITEMS

16-371      Consideration of Requests for Future Agenda Items

Mr. Burke summarized the items on the December 1, 2016 Council agenda. There were no additions or changes.

Mr. Burke announced that a special meeting would need to be scheduled to canvass the November 8, 2016 election. There was Council consensus to schedule a meeting for Monday, November 28, 2016 at 3:30 PM.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Stanton thanked everyone who worked on the successful car show event.

15. ADJOURN

Mayor Collins announced that the next meeting would be held on December 1, 2016.

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

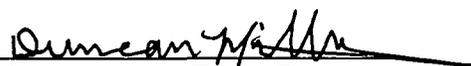
**Aye:** 5 - Mayor Collins  
Vice Mayor Sherf  
Council Member Bien-Willner  
Council Member Dembow  
Council Member Stanton

**Absent:** 2 - Council Member Hamway  
Council Member Syms

Mayor Collins adjourned the meeting at 7:45 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

  
Duncan Miller, Town Clerk

