



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Tuesday, August 8, 2017**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Tuesday, August 8, 2017 at 4:00 p.m. in the Town Hall Council Chambers.

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

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Town Engineer Paul Mood
Public Works Director Brent Skoglund
Community Development Director Eva Cutro

2. STUDY SESSION ITEMS

**17-268 Review of Ordinance Number 2017-05 Regarding Small Cell
Wireless Facilities Located in Rights-of-Way and Resolution
Number 2017-16 Amending the Master Fee Schedule**

Town Manager Kevin Burke briefed the Town Council on the comprehensive review process followed to draft and take public comment on the proposed ordinance to bring the Town Code into compliance with Arizona House Bill 2365 regarding small cell wireless facilities in the public rights-of-way.

He reviewed the draft ordinance recommended by the Planning Commission and presented additional edits suggested by Staff and Council Member Moore. There was consensus to accept the suggested edits.

3. EXECUTIVE SESSION

- 17-264 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. §38-431.03(A)(3).**

There was no action on this item.

4. PUBLIC HEARINGS

- 17-263 Consideration of Ordinance Number 2017-05 Regarding Small Cell Wireless Facilities Located in Rights-of-Way and Resolution Number 2017-16 Amending the Master Fee Schedule**

Mayor Collins opened the public hearing.

Garry Hays, representing AT&T, Don Isaacson, representing Sprint, Lauren King, representing Verizon, and Jason Mendoza, representing Mobilitie addressed the Town Council regarding their concerns with the proposed ordinance. They requested an opportunity for their legal representatives to meet with the Town about possible amendments and clarifications to the ordinance.

Responding to Council questioning, each industry representative pledged to work in a collaborative manner to quickly and efficiently propose text clarifications.

Mayor Collins closed the public hearing.

A motion was made by Council Member Stanton, seconded by Council Member Pace, to Adopt Ordinance Number 2017-05 and Resolution Number 2017-16 as amended.

The motion was clarified that it included the ordinance version recommended by the Planning Commission along with the edits suggested by Council Member Moore and staff, and did not include the alternative language regarding allowing an applicant to choose whether to install a wireless facility in either a faux cactus or an existing light pole. (The Planning Commission-approved version places a preference on 24' faux cactus and allows installation in traffic light poles if it is determined that a faux cactus will not provide coverage and capacity consistent with industry standards.)

The motion carried 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

5. ADJOURN

A motion was made by Council Member Stanton, seconded by Vice Mayor Bien-Willner, to adjourn. The motion carried 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

Mayor Collins adjourned the meeting at 5:25 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 Tuesday, August 8, 2017.

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