

TOWN
of
PARADISE VALLEY



TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, November 3, 2016

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, November 3, 2016 at 3:30 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

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

Vice Mayor David Sherf was not present

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

2. STUDY SESSION ITEMS

16-372 Arbor Day Tree Planting

As part of the Town's Tree City USA recertification process Mayor Collins and Town Council planted a tree. The palo verde tree, planted in memory of former Mayor Joan Lincoln, was donated by the Community Tree Council (CTC) to celebrate the Tree City USA's 40th anniversary. Jason Babb, the CTC tree planting coordinator presented Mayor Collins with a certificate commemorating the 40th Anniversary Tree City USA Heritage Tree.

Mayor Collins recognized Town of Paradise Valley Public Works Department employees Roberto Olivas and Santos Gaxiola for winning the Outstanding Champion Commuters Award for 2016 from Valley Metro.

16-376**Presentation of Alarm Monitoring Business Models**

Police Chief Peter Wingert and Senior Information Technology & Management Analyst Robert Kornovich presented four police alarm monitoring service business models that were developed with assistance from Mindboard Inc. Chief Wingert stated that he was not able to identify a cost-neutral model. Each one would require additional staffing and infrastructure investments; the funding for which would likely be augmented from General Fund revenue. Moreover, the Town would not be able to compete with the service level offered by most of the private sector competitors in the market.

Chief Wingert suggested that if the Council selected business model number 4 which provided for a managed exit from the service, there would be revenue remaining in the alarm monitoring fund which could be devoted to other purposes.

He described a new service called ASAP to PSAP which makes it possible for alarm signals received by private alarm companies to be transmitted to police dispatch and patrol vehicles directly without the dispatcher having to take the call and re-key the information. This would improve efficiencies, reduce human error, and possibly reduce response times. He stated that it is a new technology and would require technology upgrades.

The Town Council requested additional information on ASAP to PSAP and if it could be implemented at the alarm panel level without going through a private alarm company. The Council also asked for details on the proposed exit strategy, the communication plan to notify the Town's alarm customers, and the timing.

There was Council consensus to start the November 17th Council meeting at 2:30 p.m. to receive an update from staff. They requested an opportunity to hear from alarm customers in a public meeting. The Council asked staff to prepare a resolution for the December 1st meeting formalizing the decision reached at the November 17th meeting.

16-364**Discussion of Property Maintenance/Property Nuisance**

Community Development Director Eva Cutro summarized the proposed amendments to the property maintenance code. Planning Commissioner Scott Moore reported on the Commission's recommendation.

The Council discussed amendments to substitute "in plain view" for "visible" when describing the

storage of construction materials and debris on private property.

There was Council consensus that enforcement of the Property Maintenance Code should remain reactive and not proactive, and that the current enforcement code enforcement procedures followed by staff is appropriate.

Current Code Enforcement

- Site visit
- Notice sent allowing 15 working days to correct
- Second site visit
- Second notice (return receipt required) 10 working days
- Final inspection
- Citation written and turned over for prosecution

16-374 Discussion of Lighting Code Amendments - Ordinance #2016-04

Ms. Cutro presented proposed amendments to the Town's lighting code. Commissioner Moore reported on the Commission's recommendation.

She stated that the proposed ordinance had been reviewed by lighting industry professionals. Based on their feedback, she suggested additional amendments regarding the inclusion and definition of Lux; amending the permissible height of tree lighting; and the location of door lighting.

The Council discussed permitting bistro lights and string lights. They also requested clarification on how light is measured at the property line and if it is the same for hillside properties and flat land properties.

16-338 Discussion of Appointments to the Advisory Committee on Public Safety (ACOPS) and Public Safety Personnel Retirement System Board (PSPRS)

Mayor Collins stated that John Lomax resigned from the Public Safety Personnel Retirement System Board (PSPRS) during the summer. He said since PSPRS is a statutorily required body, it was important to quickly fill the vacancy. He said the vacancy on ACOPS could wait

until the spring when the Town Council conducts interviews and makes appointments and reappointments to all committees, commissions, and boards in the spring.

Mayor Collins introduced Fernando Iacona who he planned to appoint to PSPRS. Mr. Iacona discussed his background and interest in volunteering with the Town.

3. EXECUTIVE SESSION

- 16-370 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 6:00 PM

Mayor reconvened the meeting at 6:35 PM

COUNCIL MEMBERS PRESENT

Mayor Michael Collins
Council Member Jerry Bien-Willner
Council Member Paul Dembow
Council Member Mary Hamway
Council Member Mark Stanton
Council Member Maria Syms

Vice Mayor David Sherf 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
Building Safety Manager/Fire Marshal Robert Lee
Director of Administration and Government Affairs Dawn Marie Buckland

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

There were no presentations.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the Consent Agenda.

16-380 Consideration of Camelback Lands 5 Lot Split (LS-16-6) 5111 N. Wilkinson Road

Recommendation: It is recommended that the Town Council approve the Camelback Lands 5 Lot Split, subdividing approximately 2.25-acres into two (2) residential R-43-zoned lots, subject to the stipulations in the Action Report.

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

Aye: 6 - Mayor Collins
Council Member Bien-Willner
Council Member Dembow
Council Member Hamway
Council Member Stanton
Council Member Syms

Absent: 1 - Vice Mayor Sherf

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

16-373 Adoption of Resolution Number 2016-16; Removal of 6622 N 40th St from Hillside Designation

Building Safety Manager/Fire Marshal Robert Lee reminded the Town Council that this item was withdrawn and continued from Council Meetings in September. The Council requested that the owner provide assurances that he would correct the code violations. Mr. Lee reported that Mr. Brandon Dale submitted a letter to the Town formally requesting that the hillside designation be removed from his property. He also acknowledged that certain structures on his property were not currently compliant with the Town Code and that he would rectify any violations.

Council Member Hamway moved to adopt Resolution Number 2016-16. Council Member Bien-Willner seconded the motion. The motion was withdrawn.

The Town Council discussed whether the letter was sufficient. Town Attorney Miller stated that the Town has the legal authority to enforce the Town Code with or without a letter of commitment from the property owner. He said if Mr. Dale does not cure the violations, the Town has the option to prosecute.

Mr. Lee stated that if the Council were to take action tonight, he would inform the property owner that if he did not file a building permit application for the structures which must be relocated within three weeks he would issue a citation.

A motion was made by Council Member Dembow, seconded by Council Member Hamway, to Adopt Resolution 2016-16 removing the hillside designation on 6622 N 40th St (APN 169-51-007). The motion carried by the following vote:

Aye: 6 - Mayor Collins
Council Member Bien-Willner
Council Member Dembow
Council Member Hamway
Council Member Stanton
Council Member Syms

Absent: 1 - Vice Mayor Sherf

16-381 Adoption of Ordinance 2016-10; Noise Code Amendments

Mr. Lee summarized the proposed amendments to the Noise Code. Planning Commissioner Thomas Campbell reported on the Commission's recommendation.

A motion was made by Council Member Stanton, seconded by Council Member Syms, to Adopt Ordinance Number 2016-10 proposed Noise Code Amendments. The motion carried by the following vote:

Aye: 6 - Mayor Collins
Council Member Bien-Willner
Council Member Dembow
Council Member Hamway
Council Member Stanton
Council Member Syms

Absent: 1 - Vice Mayor Sherf

16-382 Adoption of Ordinance 2016-11; Building Code Amendments

Mr. Lee stated that the proposed amendments to the Building Code simply renumber certain

sections to match the numbering in the 2015 International Codes which the Council recently adopted.

There was no discussion.

A motion was made by Council Member Hamway, seconded by Council Member Dembow, to Adopt Ordinance Number 2016-11 proposed Building Code Amendments. The motion carried by the following vote:

Aye: 6 - Mayor Collins
Council Member Bien-Willner
Council Member Dembow
Council Member Hamway
Council Member Stanton
Council Member Syms

Absent: 1 - Vice Mayor Sherf

16-353 Appointments to the Advisory Committee on Public Safety and Public Safety Personnel Retirement System Board

Mayor Collins announced that he appointed Fernando Iacona to the Public Safety Personnel Retirement System Board (PSPRS) to fill the unexpired term of John Lomax who resigned.

The Council thanked Mr. Iacona for volunteering his time. There was a request from the Council to be informed when vacancies occur on committees, commissions and boards. Council Member Dembow objected to the process followed to fill this vacancy.

A motion was made by Council Member Hamway, seconded by Council Member Stanton, to appoint Fernando Iacona to fill the vacancy on the Public Safety Personnel Retirement System Board to fill the unexpired term through March 2019. The motion carried by the following vote:

Aye: 5 - Mayor Collins
Council Member Bien-Willner
Council Member Hamway
Council Member Stanton
Council Member Syms

Nay: 1 - Council Member Dembow

Absent: 1 - Vice Mayor Sherf

13. FUTURE AGENDA ITEMS

16-371 Consideration of Requests for Future Agenda Items

Mr. Burke summarized the items on the November 17, 2016 Council agenda. There were no additions or changes.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Dembow invited people to attend the annual Veterans Day Vintage Car Show on Saturday, November 12.

Town Clerk Duncan Miller announced that Friday would be the last day for on-site early voting. He said early ballots could be dropped off at Town Hall on Friday or Monday or any polling location and Town Hall on Tuesday from 6:00 AM to 7:00 PM.

Mayor Collins reported that the online travel site Expedia ranked Paradise Valley resorts the second most comfortable in the United States.

15. ADJOURN

Mayor Collins announced that the next meeting would be held on November 17, 2016 starting at 2:30 p.m.

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
Council Member Bien-Willner
Council Member Dembow
Council Member Hamway
Council Member Stanton
Council Member Syms

Absent: 1 - Vice Mayor Sherf

Mayor Collins adjourned the meeting at 7:24 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

Duncan Miller, Town Clerk

