



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, February 9, 2017**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, February 9, 2017 at 3:00 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 Mark Stanton arrived at 3:35 p.m.

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
Public Works Director Brent Skoglund
Planner George Burton
Engineering Services Analyst Jeremy Knapp

2. STUDY SESSION ITEMS

17-046 Discussion of Voluntary Historic Property Recognition Program

Catherine Kauffman, Chair of the Paradise Valley Historical Advisory Committee, introduced resident Doug Jorden. She stated that Mr. Jorden approached the Historical Committee with a suggestion to create a voluntary historic property preservation program. She reported that the Committee was supportive of the program in concept and agreed to present it to the Council.

Mr. Jorden provided an overview of the proposal. He said the program would be modeled after historic preservation programs in other communities but stressed that it would be completely voluntary and not regulatory. He offered to work with the Committee to develop the eligibility requirements, criteria for evaluating applications, forms, and designation certificates.

There was general Council support for the volunteer program and consensus to direct the Historical

Advisory Committee to work with Mr. Jorden to more fully develop the program and report back to Council.

17-031 Discussion of Cheney Watershed Alternatives Analysis and Stormwater Policy

Town Manager Kevin Burke led the Town Council in a philosophical discussion about what should be the Town's role in storm water management. He presented a continuum of service level options from no involvement to significant investments in storm drainage facilities. He explained that it was important for the Council to settle on a consensus opinion because the Council would be considering the next steps to take following the completion of area watershed master plans and the Storm Drainage Design Manual.

Engineering Services Analyst Jeremy Knapp and Bob Haneline of Dibble and Associates summarized the findings of the Cheney Watershed analysis and presented four options:

1. Continue the status quo
2. Plan for and implement the lowest cost option (\$11 Million) with a lower level of protection
3. Plan for and implement the highest cost option (\$19 Million) with a higher level of protection
4. Use mapping and data collected to act as a policy guide for future private development

The Council discussed the alternatives but stated they would need for additional information before making a final decision. There was consensus that it was not practical to protect every home in Town against a 100 year storm event. There was no consensus on if it was practical to protect every home for a 10 year event as there were too many variables to consider. Because Paradise Valley was not developed as a master planned community with neighborhood drainage plans and retention/detention basins, every wall and landscaping swale on every individual property affects drainage downstream.

Given this understanding, the Council asked staff to research and respond to the following questions:

1. What are the advantages and disadvantages of completing the remaining four area drainage studies (in addition to the Cheney and Cherokee studies)?
2. Would there be value in completing the studies if they were not used to design local flood control projects?
3. Are there opportunities to partner with the Maricopa County Flood Control District on area drainage studies? If the Town shared in the cost to conduct the PV-related studies would those studies be conducted sooner?
4. Are there projects identified by the watershed study that could be considered "low hanging fruit" and, if funded and constructed, would make a noticeable improvement in flood mitigation?
5. Can builders be required to submit GIS files of grading and drainage plans instead of pdf files that the Town could eventually add to a master drainage GIS database layer?
6. Could the Town require property owners to file and record a notice of drainage report to "run with

the land”?

There was consensus for staff to focus on doing a better job tracking and preserving historical storm drainage facility records town-wide.

17-029 Storm Drainage Design Manual Revisions Summary and Update

Mr. Knapp and Mr. Haneline presented the draft Storm Drainage Design Manual. Mr. Knapp stated that the design manual is used by staff on a day-to-day basis to review and approve development plans. He said the manual reflects federal and state regulations as well as best engineering practices. He noted that the Town had not updated the manual since 1987.

The Council discussed the draft manual. Council requested that staff identify the changes in the new plan that were discretionary and would potentially create a cost or other burden on developers. Mr. Knapp noted that although certain requirements were being added to the design manual, the Town was already requiring those actions as a matter of policy.

There was consensus to require property owners to record some type of drainage facility notice. The purpose would be to inform future property owners about the reason and importance of the on-site retention facility constructed as part of the original approved development plan.

Council directed staff to present the draft manual to the building community and report back to Council on comments received.

**17-044 Discussion of Intermediate Special Use Permit Amendment
Statement of Direction for Sanctuary Resort**

Planner George Burton presented the draft Statement of Direction for the Sanctuary Resort and Spa Intermediate Special Use Permit (SUP) Amendment. The SUP calls for additions to existing casitas, two new casitas, a new pool, a new snack bar, ballroom expansion, and modified parking.

There was Council consensus to add the following elements to the Statement of Direction:

- The Planning Commission shall focus their review on the visible and audible effects the amendment may have on the neighbors
- The applicant shall address and identify the location of on-site retention and identify how the on-site retention may affect parking and circulation.
- Hours of operation of the snack bar and pool area
- Traffic and circulation. The applicant must provide a traffic analysis report

- Location of any new or modified utilities
- Renderings as it relates to neighboring properties

Mayor Collins recessed the meeting at 5:54 PM.

3. EXECUTIVE SESSION

17-041 **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 action was taken.

4. BREAK

5. RECONVENE FOR REGULAR MEETING 6:00 PM

Mayor Collins reconvened the meeting at 6:00 PM

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 Mark Stanton

STAFF MEMBERS PRESENT

Town Manager Kevin Burke

Town Attorney Andrew Miller

Town Clerk Duncan Miller

Police Chief Peter Wingert

Community Development Director Eva Cutro

Director of Administration and Government Affairs Dawn Marie Buckland

Public Works Director Brent Skoglund

Engineering Services Analyst Jeremy Knapp

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

17-023 Presentation to the Town Council by the Police Department
Volunteers

Police Chief Peter Wingert introduced Chairman Bill Harrington and other members of the Paradise Valley Police Department Volunteers. They presented the Council with a ceremonial check for \$94,475.60 representing the value of hours donated to the Town by the Police Volunteers. Chief Wingert stated that the volunteered time equaled nearly two full-time employees.

9. CALL TO THE PUBLIC

There were no public comments

10. CONSENT AGENDA

Mr. Burke summarized the Consent Agenda. Item 17-034 was withdrawn from consideration.

17-043 Minutes of Town Council Meeting January 26, 2017

17-038 Award of Contract to Selectron Technologies, Inc. for Building Inspections Interactive Voice Response (IVR)

Recommendation: Authorize the Town Manager to execute a Master Services and Hosting Agreement with Selectron Technologies, Inc for Building Inspections Interactive Voice Response substantially in the form attached and pursuant to GSA and authorize a contingency transfer in the amount of \$6,000.

17-034 Award of Contract to CDW for Network Switch Upgrade

Recommendation: **(Withdrawn)** Authorize the Town Manager to execute a contract with CDW in the amount of \$117,599.00 for the upgrade of the Town's network switch infrastructure.

A motion was made by Council Member Stanton, seconded by Council Member Dembow, to approve the Consent Agenda with the exception of item 17-034. 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 Stanton

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

There were no action items.

13. FUTURE AGENDA ITEMS

16-443 Consideration of Requests for Future Agenda Items

Town Manager Kevin Burke summarized the future agenda schedule.

He reminded Council that the February 23rd meeting would start early so that Council Members could attend the Experience Scottsdale Unity Dinner starting at 5:00 PM.

There were no other changes to the schedule.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Pace announced that the Paradise Valley Public Safety Fair would be held on Saturday, February 11 from 8:00 AM to 12:00 PM. She also provided reminder that the deadline to submit applications to serve on a Town committee was February 15.

Mayor Collins recessed the meeting at 6:14 PM and reconvened the Study Session at 6:20 PM.

17-045**Discussion of Small Cell Legislation and Related Policy Issues**

Town Manager Burke, Town Attorney Miller, and Director of Administration and Government Affairs Dawn Marie Buckland briefed Council on proposed state legislation related to small cell technology proposed by Cox and cell phone providers to gain greater access to government owned and operated rights-of-way.

The Council discussed which policies were most important and provided direction to staff members lobbying on the Town's behalf. The priorities included the following ranked list:

1. ROW Location – The ability to manage where and how much space small cell infrastructure will take.
2. New Poles – The ability to limit the placement of new street light poles in order to facilitate small cell infrastructure.
3. Pole configuration
 - a. Height – Ability to manage how high (above an existing pole or in total) a small cell tower may be. This might also include the height of the equipment cabinet.
 - b. Size – The ability to regulate the diameter of the tower, the number of pieces of equipment on the tower, and the square footage of the equipment cabinet.
 - c. Aesthetics – The ability to decide what is acceptable camouflage and/or related design standards. This would include screening of ground level infrastructure/equipment cabinets.
4. Administration and Permit Process – The ability to control who reviews and how much time is allowed to review an application. Does it become entirely administrative (staff) or partially legislative with the Planning Commission on a conditional use permit (CUP).
 - a. Master License Agreements – Ability to contract with carriers or third party tower companies to voluntarily agree to all of these policy issues that may be more stringent than state prescribed standards.
 - b. Indemnification – The ability to require indemnification from carriers with infrastructure located in Town ROW or on Town poles from damage caused by them, vehicles, or other impacts.
 - c. Scope – Limit this legislation to small cell and distributed antenna systems (DAS) but not include macro antenna infrastructure.
5. Fees – The ability to manage the fee to be paid to the Town for use of its public ROW. This also includes the concern in forcing existing contractually agreed upon fees to be reduced to statutorily determined levels.

The Council directed staff to update them on the progress of negotiations and status of the legislation.

15. ADJOURN

Mayor Collins announced that the next meeting would be held on February 23, 2017.

A motion was made by Mayor Collins, seconded by Council Member Moore, 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 Stanton

Mayor Collins adjourned the meeting at 8:20 PM.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

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, February 9, 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