



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, March 22, 2018**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, March 22, 2018 at 3:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

Mayor Michael Collins
Vice Mayor Jerry Bien-Willner attended by telephone conference call
Council Member Paul Dembow
Council Member Scott Moore
Council Member Julie Pace
Council Member David A. Sherf
Council Member Mark Stanton arrived at 3:45 p.m.

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
Town Engineer Paul Mood
Community Development Director Eva Cutro
Public Works Director Brent Skoglund
Financial Services Manager Doug Allen

2. STUDY SESSION ITEMS

18-127 Discussion of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)

Planner George Burton presented an ordinance amending Article 22 of the Hillside Code. He stated the Planning Commission reviewed and amended the Ordinance in accordance with the Statement of Direction and recommends approval. The proposed amendments included the following topics:

1. Material Palette & Light Reflective Value.
2. Reviews & Administrative Hillside Chair Review.
3. Disturbed Area Calculation.
4. Demolition on Hillside Properties.

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.

5. Hillside Models.
6. Accessory Structures & Accessory Structure Height Limits.
7. 40' Overall Height Measurement.
8. Process to Remove a Property from the Hillside Designation.
9. Pool Barriers & Perimeter Fencing Standards.
10. Retaining Walls & Screen Walls.
11. *Retaining Walls.*
12. *Driveway Disturbance Credit.*
13. *Lighting.*
14. *Hillside Assurance/Bond.*
15. *La Place du Sommet Subdivision and applicable code.*
16. *Solar Panels and Hillside Review Process.*
17. *Cantilever Limitations.*
18. *On-Site Retention.*
19. *See second action report labeled "Discussion of Hillside Code Update - Safety Section (Article XXII of the Town Zoning Ordinance and Chapter 5 of the Town Code)" for information regarding the addition of a Safety Section.*

The Council requested additional information on hillside the assurance/bond. The Council agreed to allow Council Member Moore to meet with staff to suggest additional non-policy related edits.

18-132 Discussion of Hillside Code Updates - Safety Section (Chapter 5 of the Town Code)

Mr. Burton presented an ordinance adding a section to Chapter 5 of the Town Code called "Safety Measures and Reviews". The new section identifies standards and processes that trigger additional safety measures and reviews, such as enabling the Town to hire consultants to help review geotechnical reports or examine potential grading and drainage issues.

Mr. Burton reported that the draft language was shared with members of the development community for feedback. He summarized their comments.

The Council requested additional information including:

1. A summary for the public on the purpose for the ordinance and problem the Town is attempting to solve
2. How this ordinance would apply to non-hillside properties.
3. How this ordinance compares with other communities with hillside construction
4. Select a hillside property owned by the Town and demonstrate how the safety checklist would be applied.

18-104 Discussion of the Walk & Bike Plan

Senior Planner Paul Michaud summarized the Walk & Bike Plan recommended for adoption by the Planning Commission. The Plan meets both an implementation measure in the 2012 General Plan and a Town Council Quality of Life Initiative. Council Members expressed concern about the estimated cost to construct all of the recommendations in the Plan. It was noted that adopting the Plan

would not automatically authorize any appropriation of funds. Individual projects would have to be programmed into future CIP budgets.

Mr. Michaud stated that the Plan would be brought back for further discussion on April 26, May 10, May 24, and vote on June 14.

**18-133 Discussion of Council Member Liaison Assignments to
 Committees, Commissions, and Boards**

Mayor Collins distributed a list of Council Member liaison assignments to committees, commissions, and boards. Council Members submitted their preferences and the assignments were made accordingly. There was no further discussion.

3. EXECUTIVE SESSION

- 18-122 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).**

No action was taken on this item.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Collins reconvened the meeting at 6:00 PM.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

Mayor Michael Collins

Vice Mayor Jerry Bien-Willner attended by telephone conference call

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

Deputy Town Manager Dawn Marie Buckland

Community Development Director Eva Cutro

Public Works Director Brent Skoglund

Town Engineer Paul Mood

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

18-096 Recognition of Dolf Strom

Mayor Collins presented a proclamation to former Planning Commissioner Dolf Strom recognizing his 28 years of volunteer service to the Town.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the items on the Consent Agenda.

18-124 Minutes of Town Council Meeting March 8, 2018

A motion was made by Council Member Moore, seconded by Council Member Dembow, to approve the Consent Agenda. 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

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

18-125 Confirmation of Appointments and Reappointments to Paradise Valley Committees, Commissions, and Boards

A motion was made by Council Member Sherf, seconded by Council Member Pace, to make the following appointments to various committees, commissions, and boards:

Committee	Term April 1, 2018 -	Appointee
ACOPS	Term ending 2019 Term ending 2019 Term ending 2019	1. Kathye Brown 2. Jeffrey Gaia 3. Michael Cummiskey
Arts Advisory Committee	Term ending 2019 Term ending 2020 Term ending 2021	1. Jo Taulbee Flittie 2. Natalie Montenegro 3. Janie Russo
Board of Adjustment	Term ending 2021 Term ending 2021 Term ending 2021 Term ending 2021	1. Emily Kile 2. Rick Chambliss 3. Eric Leibsohn 4. Anna Thomasson
Historical Advisory Committee	Term ending 2021 Term ending 2021 Term ending 2021 Term ending 2021 Term ending 2021	1. Catherine Kauffman 2. Anne Andeen 3. Maureen Strom 4. Beth Wickstrom 5. Katrina C. Lessard
Mountain Preserve Trust	Term ending 2021 Term ending 2021	1. John Graham 2. Teresa Zachariah
Municipal Property Corporation	Term ending 2019	1. Lowell Shonk

Personnel Appeals Board	Term ending 2021	1. Richard Herold
Planning Commission	Term ending 2020 Term ending 2021	1.Orme Lewis, Jr 2.Pamela Georgelos

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

18-126 Adoption of Ordinance 2018-07; Amending Section 2-5-1 of the Town Code to add a section on Statement of Direction from Town Council to Boards, Committees and Commissions

Town Manager Kevin Burke summarized the proposed ordinance. There was no Council discussion and no public comments.

A motion was made by Council Member Pace, seconded by Council Member Stanton, to adopt Ordinance 2018-07 adding the Statement of Direction tool to Section 2-5-1 of the Town Code. 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

18-129 Adoption of Ordinance Number 2018-04; Amendment to §15-2-12 of the Town Code to Allow for the Discharge of Swimming Pool Water into the Sewer System.

Town Attorney Andrew Miller summarized the proposed ordinance. There was no Council discussion and no public comments.

A motion was made by Council Member Moore, seconded by Council Member Sherf, to adopt Ordinance No. 2018-04 amending Section 15-2-12 of the Town Code to eliminate the words "pool water" from the "Prohibited Substances" section of the Town Code, to allow for the discharge of swimming pool water into the sewer system. 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

18-131 Adoption of Ordinance No. 2018-02; Amending Article 6-2 of the Town Code and §6-9-7 of the Town Code - Procedures for Plats - Maps; and adoption of Resolution No. 2018-09 modifying the Council Rules of Procedure as they relate to procedures for Plats and Lot Splits

Town Attorney Andrew Miller summarized the proposed ordinance. There was no Council discussion and no public comments.

A motion was made by Council Member Moore, seconded by Council Member Sherf, to adopt Ordinance No. 2018-04 amending Section 15-2-12 of the Town Code to eliminate the words "pool water" from the "Prohibited Substances" section of the Town Code, to allow for the discharge of swimming pool water into the sewer system. 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

18-120 Legislative Update

Deputy Town Manager Dawn Marie Buckland briefed the Town Council on state legislation of interest to the Town including photo enforcement, regulation of the rights-of-way, and construction sales tax.

13. FUTURE AGENDA ITEMS

18-102 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 provided an update on the Advisory Committee on Public Safety (ACOPS) activities.

Mayor Collins recessed the meeting at 7:00 PM

15. STUDY SESSION ITEMS CONTINUED

Mayor Collins reconvened the study session in the Boardroom at 7:20 PM.

Present: 6 - Mayor Michael Collins
Council Member Paul Dembow
Council Member Scott Moore
Council Member Julie Pace
Council Member David A. Sherf
Council Member Mark Stanton
Absent: 1 - Vice Mayor Jerry Bien-Willner

18-134 Discussion of Indian Bend Traffic Calming Measures

Five Star Development's traffic engineer Dawn Cartier of CivTech Inc presented the proposed redesign of the hybrid roundabout on Indian Bend Rd west of Scottsdale Rd. The existing traffic circle would be converted to a "T" intersection.

There was Council consensus to support the new design.

18-128 Discussion of False Alarm Enforcement

Police Chief Peter Wingert briefed the Town Council on the number of false alarm calls, response times, and hours spent responding to calls by Police Officers. He noted that the Town has an ordinance regulating and fining false alarms but it has not been enforced since 2012. He recommended enforcing the current ordinance starting July 1, 2018. In time, he would report back to Council on outcomes and any recommended ordinance changes.

There was Council consensus to proceed with the recommendation.

18-130 Bike Share in the Town of Paradise Valley

Deputy Town Manager Dawn Marie Buckland updated the Council on recent discussions with bike share industry representatives. She said the two companies operating in the area, OFO and Lime Bike, are interested in working to address the Town's safety concerns. John Fetherston of Veridus, representing OFO, responded to questions.

The Council did not support regulatory restrictions at this time. Instead, there was consensus to allow the industry and market forces to find solutions to concerns about where the bikes are deposited. Staff was directed to continue collecting bikes left in the rights-of-way and track staff resources used to do so.

16. ADJOURN

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

Aye: 6 - Mayor Collins
Council Member Dembow
Council Member Moore
Council Member Pace
Council Member Sherf
Council Member Stanton

Absent: 1 - Vice Mayor Bien-Willner

Mayor Collins adjourned the meeting at 8:20 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 Thursday, March 22, 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