



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, September 13, 2018**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, September 13, 2018 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 David A. Sherf
Council Member Mark Stanton

Council Member Julie Pace was not present

STAFF MEMBERS PRESENT

Interim Town Manager Brian Dalke
Town Attorney Andrew Miller
Deputy Town Manager Dawn Marie Buckland
Police Chief Peter Wingert
Town Engineer Paul Mood
Community Development Director Jeremy Knapp
Chief Financial Officer Douglas Allen
Senior Planner Paul Michaud
Planner George Burton

2. STUDY SESSION ITEMS

18-342 Town Council Policies and Procedures

Mayor Collins welcomed the Council back from the summer recess. He reported on the following "housekeeping" items:

- The name of the bi-weekly meeting with the Mayor, Vice Mayor, rotating Council Member, Town Manager, Town Attorney, and Town Clerk will be changed from "Leadership Meeting" to "Agenda Setting" meeting to reflect what it was always intended to be. He stated that the meeting will be scheduled for every other Tuesday at 8:30 AM. If a Council Member cannot attend their scheduled meeting date in the rotation, he asked that that Council Member find a

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replacement.

- Deputy Town Manager Dawn Marie Buckland refreshed the Council Members on the process by which Council Members may add items to the agenda, as stated in the Town Council Rules and Procedure. Interim Town Manager Brian Dalke suggested that, although the Manager has the authority to place items on the agenda that have been requested by a Council Member, the preferred method is for Council Members to propose the item during a Council meeting. Mayor Collins invited Council Members to contact him about placing items on a future agenda as well.
- Mayor Collins reviewed the Council policy which limits the amount of time staff can spend on a request from an individual Council Member to two hours.

There was no further discussion.

18-341 PSPRS Nominations

Mayor Collins announced that the Chair of the Public Safety Personnel Retirement Board Richard Fincher resigned over the summer. The Mayor reached out to Board Member Jameson Van Houten about serving as chair and he agreed. To fill the vacancy created by Mr. Van Houten's appointment as Chair, Mayor Collins suggested Keith Wong who applied for a volunteer position previously but was not selected.

There was Council consensus to schedule the appointments at the September 27th meeting.

18-343 Discussion of Ordinance 2018-15, Amending the Hillside Development Regulations in Article XXII of the Zoning Ordinance

Town Attorney Andrew Miller presented a draft ordinance amending Zoning Article 22, Hillside Building, to make the following changes:

- Update definitions
- Add a pre-application submittal requirement
- Provide for expiration of hillside applications
- Clarify language on request to remove a property from hillside designation

The Council discussed and raised concerns about the definition and what constitutes a "complete hillside application" and fees associated with pre-applications. The Attorney was directed to make additional edits to the draft and bring it back for further review at a study session.

18-321 Discussion of Ironwood Golf Villas Final Plat (Town Triangle) Northwest corner of the Northern Avenue alignment and Scottsdale Road

Senior Planner Paul Michaud summarized a request by Doug Jorden, on behalf of Town Triangle, LLC and Folkman Properties LLC, for a final plat to develop a 9.6-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road. The proposed development is for eight single-family lots that are expected to vary in lot size between 16,813 square feet and 38,665 square feet.

He reviewed the prior Town Council and Planning Commission approvals of the preliminary plat, the amendment to the Cluster Plan zoning text, rezoning of the subject site to R-42 Cluster Plan, an application for two subdivision signs, a conceptual perimeter wall plan, and a Special Use Permit for a private roadway gate. He noted that the prior approvals do not become effective until the Town Council approves the final plat and until the following conditions are met:

- Completion of the approved Letter of Map Revision (LOMR) through the Federal Emergency Management Agency (FEMA). This LOMR is expected to be completed by the middle of September 2018.
- Review by the Town Attorney of the CC&R's, declaration, bylaws, or other documents. The property owners have agreed to a voluntary inclusion that the CC&R's will include a provision for no overnight parking on Ironwood Drive, there will be a single trash hauler provider, and that there will be a minimum of a 30-day rental limit for the residential units.
- Submittal of all assurances such as providing a copy of any assurances related to improvements in the Scottsdale Road right-way given to the City of Scottsdale, grading within drainage easements on the plat, and improvement of a bicycle and/or pedestrian route within Northern Avenue as specified per the rezoning.
- Recordation of the private roadway and drainage maintenance agreement(s). The Maintenance Agreement attachment provides a draft version of this agreement.
- Recordation of the trust indenture establishing title to the common areas must be executed in accordance with Section 905, Conveyance of Common Lands, of the Zoning Ordinance.

Responding to a question from Council regarding a concern about potential erection of golf netting adjoining the subdivision, it was noted that such an installation would be prohibited by current Town Code so no additional stipulations in the final plat approval were necessary.

No public comments were received on the final plat application. He stated the public hearing is tentatively scheduled for October 11 pending receipt of the certificate of assured water supply.

18-340 Special Use Permit Overview and Planning

Community Development Director Jeremy Knapp briefed the Town Council on the Special Use Permit (SUP) amendment process and summarized the current SUP applications in process. There are four types of SUP amendments: managerial – approved by Town Manager; minor – approved by Planning Commission; intermediate – limited in scope, reviewed by Planning Commission, and approved by the Town Council; and major – encompassing entire SUP property, reviewed by the Planning Commission, and approved by the Town Council. He stated that the pre-application is limited to 30-days, the Town Council must issue a Statement of Direction to the Planning Commission within 45-days from the first staff presentation, the Planning Commission has 90-days to review and make a recommendation to the Town Council.

Mr. Knapp noted that his department is working on major SUP amendments for Lincoln Medical Plaza, Smoke Tree Resort, and Mountain View Medical. In addition, applications are expected from PV Medical, Five Star Development (Ritz-Carlton), and Sanctuary Resort Casa 3. He provided a suggested timeline for consideration of all the applications.

Given the large number of applications in process, the Council discussed the possibility of extending review timelines for future applications that may be submitted in the near future.

18-165 Discussion of the Walk & Bike Plan

Senior Planner Paul Michaud provided an overview of the Walk & Bike Plan. He noted that the plan fulfills a requirement of the 2012 General Plan and a Town Council Quality of Life Initiative. He said the Plan, which was reviewed by the Planning Commission and forwarded to Council with a unanimous recommendation for approval, is divided into four sections: Introduction, The Plan, Projects & Costs, and Moving Forward.

He explained that the Council reviewed the draft Plan on March 22, 2018. The Council directed staff to highlight how the plan mitigates conflicts between pedestrians, bicyclists and motorist; and the Council wanted to better understand costs associated with the recommended projects. Mr. Michaud explained the three methods used to reduce conflicts: separate facilities, safety devices, and traffic calming. He provided cost estimates for 17 proposed projects totally approximately \$5.1 million dollars over 12 years.

He presented options for next steps including: approve the plan as recommended by the Planning Commission with or without minor edits; select elements from the plan for approval, or table action on the plan and defer it to the next Major General Plan update in two years.

There was Council consensus to have a Town Manager working group made up of Mayor Collins, Council Member Stanton, and Council Member Moore to review the three options and make suggestions to the Town Manager on how to proceed.

3. EXECUTIVE SESSION

A motion was made by Council Member Moore, seconded by Council Member Stanton, to go into executive session to discuss items 18-333, 18-336, and 18-315 at 5:15 PM. The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

- 18-333 Discussion and consultation with Town Representatives concerning the purchase, sale, or lease of real property in the vicinity of Lincoln Drive from 40th St to Mockingbird Ln as authorized by A.R.S. §38-431.03(A)(7).**
- 18-336 Discussion and consultation with the Town Attorney for legal advice regarding the East Lincoln Drive North Development Area, Ordinance Number 694, and Ordinance Number 696 as authorized by A.R.S. §38 431.03(A)(3).**
- 18-315 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).**

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Collins reconvened the meeting at 6:05 PM.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

Mayor Michael Collins

Vice Mayor Jerry Bien-Willner

Council Member Paul Dembow

Council Member Scott Moore

Council Member David A. Sherf

Council Member Mark Stanton

Council Member Julie Pace was not present

STAFF MEMBERS PRESENT

Interim Town Manager Brian Dalke

Town Attorney Andrew Miller

Deputy Town Manager Dawn Marie Buckland

Police Chief Peter Wingert

Town Engineer Paul Mood

Community Development Director Jeremy Knapp

Chief Financial Officer Douglas Allen

Senior Planner Paul Michaud

Planner George Burton

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. CALL TO THE PUBLIC

Resident Bernie Barry reported on the neighborhood meeting regarding the proposed Doubletree Ranch Road improvement project east of Invergordon Rd. He spoke in opposition to the project and noted that most residents who attended the meeting were opposed.

9. CONSENT AGENDA

Mr. Dalke summarized the items on the Consent Agenda.

Mayor Collins pulled Item 18-328 on the Canvass of the 2018 Primary Election for separate discussion.

A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Moore, to approve the Consent Agenda with the exception of Item 18-328, The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

- 18-322 Minutes of Town Council Meeting May 31, 2018**
- 18-323 Minutes of Town Council Meeting June 14, 2018**
- 18-324 Minutes of Town Council Meeting July 11, 2018**
- 18-325 Minutes of Town Council Meeting July 19, 2018**
- 18-326 Minutes of Town Council Meeting July 27, 2018**
- 18-327 Minutes of Town Council Meeting August 1, 2018**
- 18-328 Adoption of Resolution Number 2018-22; Approving the Canvass
of the 2018 Primary Election**

Recommendation: Adopt Resolution Number 2018-22.

Mayor Collins expressed his congratulations to the newly elected Mayor, Council Members, and Council Member Dembow who was re-elected.

A motion was made by Council Member Moore, seconded by Council Member Dembow, to approve Item 18-328. The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

18-314 Consider Acceptance of Governor's Office of Highway Safety Grants

Recommendation: Accept two Governor's Office of Highway Safety DUI grants for \$20,000 each.

18-297 Approval of Amendment to Resolution Number 1262, the IGA between Phoenix and Paradise Valley governing the Regional Wireless Cooperative in order to replace the existing RWC Governance Document with a new Governance document.

Recommendation: Approve the new governing document, which amends the rules and policies governing regulation and management of the RWC's internal affairs.

18-337 Authorization for Town participation in and administrative support for the Town of Paradise Valley Fourteenth Annual Veteran's Appreciation Vintage Car Show to be held on Saturday, November 10, 2018.

Recommendation: Authorize Town Participation in and Administrative Support for the Town of Paradise Valley Fourteenth Annual Veterans' Appreciation Vintage Car Show.

10. PRESENTATIONS 6:30 PM

18-339 Discussion of the East Lincoln Drive South Development Area

Interim Town Manager Brian Dalke stated that the objective of tonight's presentation was to brief Town officials on design standards and circulation along Lincoln Drive adjacent to the East Lincoln Drive South and North Development Areas. He said brief updates would be given by the property owners within the development areas.

Presentations were made by the following:

- Benjamin Tate, Withey Morris, on behalf of Lincoln Plaza Medical Center.
- Gary Stugart on behalf of ANdAZ Resort
- Clay Coody on behalf of Applewood Pet Resort
- Daryl Manhart on behalf of Sunchase
- Maria Ruttle property owner in development area
- Richard Frazee on behalf of Five Star Development
- Paul Gilbert on behalf of Smoke Tree Resort

Town Engineer Paul Mood presented design plans for the Lincoln Drive Improvement project between Mockingbird Lane and the Town limits. The improvements include: landscaped medians, Quail Run Rd traffic signal, sewer line extension, meandering sidewalks, and drainage structures. The design is

based on guidance from the General Plan, Visually Significant Corridors Master Plan, the Five Star Development Agreement, and standard engineering practices. He anticipated that construction would occur between February 2019 and March 2020.

The following residents addressed the Council:

Robert Rasmussen, George Jackson, Joy McClean, Andy Gordon, Dolf Strom, and Daran Wastchak

The Mayor and Council offered comments about safety and design elements for the development area.

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

There were no action items.

13. FUTURE AGENDA ITEMS

18-316 Consideration of Requests for Future Agenda Items

Mr. Dalke summarized the future agenda schedule. Mayor Collin announced that he was adding an item related to Special Use Permit Managerial Amendments to the September 27th agenda.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Mr. Dalke announced that the video of the Doubletree Ranch Rd improvement project meeting will be posted online.

Council Member Dembow announced that the Paradise Valley Veterans' Appreciation Car Show will be held on November 10th.

Vice Mayor Bien-Willner congratulated Ellen Andeen, Anna Thomasson, and Paul Dembow on their election victory.

15. ADJOURN

A motion was made by Council Member Dembow at 8:35 p.m., seconded by Council Member Sherf, to adjourn the meeting. The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

Mayor Collins adjourned the meeting at 8:35 p.m.

