



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, June 14, 2018**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, June 14, 2018 at 4:00 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

Council Member David A. Sherf was not present

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
Chief Financial Officer Douglas Allen
Interim Community Development Director Paul Michaud
Chief Financial Officer Douglas Allen
Engineering Services Analyst Jeremy Knapp
Town Engineer Paul Mood
Planner George Burton

2. STUDY SESSION ITEMS

18-270 Mayor's 2018 Volunteers in Paradise (VIP) Strategy - Debrief and Direction Regarding the 2018 Committee, Commission and Board Appointment / Reappointment Process

There was Council consensus that the volunteer appointment process used in 2018 was successful. Mayor Collins recommended formalizing the process in Town Code. This would provide predictability for staff and applicants, as well as, engage the Council more fully in the selection process.

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. Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

There was Council consensus to revise all sections of the Code so that the Town Council nominates and approves all appointments with the exception of PSPRS and Board of Adjustment which have statutory requirements. Moreover, a requirement would be added to the duties of mayor to bring forward a strategy for volunteer process each year.

The Council discussed allowing residents to submit volunteer applications throughout the year instead of having a defined application period. There was further discussion about making it optional for candidates to indicate on which committees they were interested in serving. This would give the Council more flexibility in appointing volunteers to committees where they could offer the greatest impact or be the best fit. It was suggested to add a question to the application regarding conflicts of interest. It was also suggested to solicit feedback from applicants on the application and selection process, perhaps in the appointment letters.

18-264 Discussion of Storm Drainage Design Manual Update Final Edits

Engineering Services Analyst Jeremy Knapp presented edits to the Storm Drainage Design Manual based on direction from the Town Council at the May 24, 2018 meeting. First, the tiered system was removed and relocated to an appendix section and the existing Town Code text from Section 5-10-5 would remain. Second, washes should remain in an undisturbed state unless otherwise approved by the Town Engineer and Community Development Director. Third, the definition of Hillside Wash was updated to match new language from updated Hillside Code.

There was additional discussion about definitions of drainage facilities. The Council directed to include a one-year review provision in the ordinance.

18-259 Discussion of Major Special Use Permit Amendment - Statement of Direction for Lincoln Medical Plaza

Interim Community Development Director Paul Michaud summarized the Statement of Direction for the Lincoln Medical Plaza. He focused on uses and parameter buffer provisions. The Council discussed the discouraged uses language in response to comments received from the applicant's attorney.

18-254 Discussion of Hillside Code Updates - Safety Section (Chapter 5 of the Town Code)

Planner George Burton summarized the changes to the draft Hillside Code based on the Council's direction at the May 31, 2018 meeting.

There were no other changes or discussion on the ordinance.

The Council asked the Town Manager to formalize a process to collect feedback on the ordinance and report back to the Council in one year. It was suggested to add this ordinance and other ordinances with a one-year review provision to the pending agenda topics list.

3. EXECUTIVE SESSION

A motion was made by Council Member Moore, seconded by Council Member Pace, to go into executive session to discuss items 18-258, 18-267, and 18-275. 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

Absent: 1 - Council Member Sherf

- 18-258** Discussion and consultation with the Town Attorney for legal advice regarding standard terms and conditions for master license agreements as authorized by A.R.S. §38-431.03(A)(3).
30 Minutes
- 18-267** Discussion and consultation with, and direction to, the Town Attorney regarding the Town Council's position on EPCOR Water's Company's pending rate case before the Arizona Corporation Commission as authorized by A.R.S. §38-431.03(A)(4).
15 Minutes
- 18-275** Discussion of Town Manager resignation and recruitment and employment of a future Town Manager as authorized by A.R.S. §38-431.A.1
- 18-256** 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

Mayor Collins recessed the meeting at 6:00 PM.

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 Julie Pace
Council Member Mark Stanton

Council Member David A. Sherf was not present

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Deputy Town Manager Dawn Marie Buckland
Chief Financial Officer Douglas Allen
Public Works Director Brent Skoglund
Police Chief Peter Wingert
Interim Community Development Director Paul Michaud
Engineering Services Analyst Jeremy Knapp
Planner George Burton

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

There were no presentations.

9. CALL TO THE PUBLIC

Resident Bernie Barry spoke in opposition to the proposed Doubletree Ranch Road improvement project between Invergordon Rd and Scottsdale Road.

10. CONSENT AGENDA

Mr. Burke summarized the items on the Consent Agenda.

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

Absent: 1 - Council Member Sherf

18-266 Minutes of Town Council Meeting May 24, 2018

18-255 Cancellation of June 28, 2018 Council Meeting

Recommendation:Cancel the June 28, 2018 regular Council meeting.

18-272 Adoption of Resolution 2018-17 and Organizational Guidelines for the "PV Arts Board"

Recommendation:Adopt Resolution 2018-17 and the Organizational Guidelines for the "PV Arts Board"

18-253 Approval of Modified Finisterre Subdivision Wall

Recommendation:Approve the modified Finisterre subdivision wall heights, subject to the stipulations in the action report.

18-251 Approval of an IGA with the City of Phoenix for the Regional Wireless Cooperative (RWC) Master Site Agreement and Site Specific Supplemental Agreement.

Recommendation:Authorize the Town Manager to execute the RWC Master Site Agreement and the Site Specific Supplemental Agreement with the City of Phoenix.

18-260 Approval to Purchase Police Patrol Vehicles and Equipment

Recommendation:Approve the purchase of two (2) 2019 Chevrolet Tahoes for the Police Department and the purchase and installation of police equipment for the Tahoes with a project cost not to exceed \$133,800. The two (2) Tahoes will be used as police patrol vehicles. The purchase will occur in the new fiscal year (FY19) but during the summer recess.

18-262 Approval of Maricopa County Animal Care and Control IGA

Recommendation: Authorize the Town Manager to execute an IGA with Maricopa County to provide Animal Care and Control services.

18-268 Adoption of Resolution 2018-18 Approving Year End Budget Adjustments for FY 2017/18

Recommendation: Adopt Resolution number 2018-18 approving year end budget adjustments

Mayor Collins recessed the Regular meeting and convened the Special Meeting for consideration of the Fiscal Year 2019 Final Budget.

11. SPECIAL MEETING - PUBLIC HEARINGS

18-269 Adoption of Resolution 2018-19 Approving the FY2018/19 Final Budget and FY2019-2023 Capital Improvement Plan

Chief Financial Officer Douglas Allen summarized the Fiscal Year 2019 Final Budget. He said the total budget was \$55,394,500 and was consistent with the Town's long range financial plan.

There was no Council discussion.

Mayor Collins opened the public hearing. There were no public comments. Mayor Collins closed the public hearing.

A motion was made by Council Member Stanton, seconded by Council Member Pace, to adopt Resolution Number 2018-19 approving the FY2018/19 Final Budget and FY2019-23 Capital Improvement Plan that includes projects funded in the FY2018/19 Budget. 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

Absent: 1 - Council Member Sherf

RECONVENE REGULAR MEETING

12. ACTION ITEMS**18-243 Consideration of Major Special Use Permit Amendment - Statement of Direction (SUP-18-06). 7125 E Lincoln Drive - Lincoln Medical Plaza**

Interim Community Development Director Paul Michaud presented the proposed Statement of Direction for the Lincoln Medical Plaza Special Use Permit Amendment.

Benjamin Tate, attorney with Withey Morris, spoke on behalf of the applicant. He requested that the Council reconsider the SOD provisions regarding discouraged uses. He asked that the Council remove the identified uses and focus on impacts and not uses themselves. He stated that urgent care is important to a modern medical facility.

Council discussed removing urgent care from the list of discouraged uses.

A motion was made by Council Member Pace, seconded by Council Member Dembow, to approve the Major Special Use Permit Amendment Statement of Direction for the Lincoln Medical Plaza located at 7125 E Lincoln Drive with an amendment to strike urgent care from the list of discouraged uses. 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

Absent: 1 - Council Member Sherf

18-263 Authorize the Town Manager to Execute Agreements with The Salt River Project Agricultural Improvement and Power District and CenturyLink for the Undergrounding of the SRP Keim Conversion District Located Near 44th Street and Keim Drive in an Amount not to exceed \$1,483,026.29

Engineering Services Analyst Jeremy Knapp presented a proposal to underground utilities in the Keim SRP Conversion District.

Mr. Knapp responded to questions regarding SRP's funding policies and how using additional aesthetics funds for this project to cover unbudgeted project costs would impact future projects.

There were no public comments.

A motion was made by Council Member Pace, seconded by Council Member Dembow, to:

Authorize the Town Manager to execute a Facility Relocation Agreement with The Salt River Project Agricultural Improvement and Power District to allow for the placement of underground facilities within the town's right-of-way.

Authorize the Town Manager to enter into a contract with CenturyLink in an amount not to exceed \$28,274.29 for the conversion of overhead cable facilities to underground.

Authorize the Town Manager to enter into a contract with The Salt River Project Agricultural Improvement and Power District in an amount not to exceed \$562,840 for the conversion of overhead power facilities to underground.

Authorize the Town Manager to expend \$891,866 of the Town's SRP Aesthetics Funds towards the funding of the conversion of overhead power facilities to underground.

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

Absent: 1 - Council Member Sherf

18-265 Adoption of Ordinance 2018-14 Amending Chapter 5 Building and Construction, Section 5-10-3, Storm Drain Design of the Town of Paradise Valley Town Code and Adoption of Resolution 2018-16 Declaring Said Document a Public Record

Engineering Services Analyst Jeremy Knapp presented the Storm Drainage Design Manual. Town Attorney Miller stated that, as requested, the proposed ordinance has been amended to include a one-year look back provision.

There were no public comments.

A motion was made by Council Member Moore, seconded by Council Member Dembow, to adopt Ordinance 2018-14 as amended with one year look back and adopt Resolution 2018-16. 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

Absent: 1 - Council Member Sherf

18-271 Consideration of Ordinance Number 2018-09 Amending Town Code Section 2-5-6 Hillside Building Committee and Chapter 5 Adding Section 5-10-9 Hillside Safety Improvement Measures and Processes; and Consideration of Ordinance Number 2018-13 Amending Section 5-10-4 Blasting Operations

Planner George Burton presented the amendments to Town Code Chapter 5 regarding a new hillside safety measures section, and amendments to the Section 5-10-4 Blasting Operations.

There were no public comments.

A motion was made by Council Member Pace, seconded by Council Member Moore, to adopt Ordinance Number 2018-09 and adopt Ordinance Number 2018-13. 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

Absent: 1 - Council Member Sherf

13. FUTURE AGENDA ITEMS

18-257 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

Town Manager Burke announced that the Town received the Government Finance Officers Association (GFOA) certificate of achievement for excellence for Comprehensive Annual Financial Report for 2017

Mr. Burke stated that approving the big policy initiatives tonight was a rewarding way to spend his last meeting as Town Manager. He thanked the Council for the opportunity to serve the Town of Paradise Valley and to craft policy to improve the quality of life for its residents.

Council Member Pace reported on the last ACOPS meeting. She stated that the Committee is working on the welcome wagon program; they finished a draft of security construction checklist to add

to building permit; progress has been made on establishing a public safety foundation to receive donations to PD; and they will schedule meetings twice a year with the resorts and places of worship. The Committee will work on recommendations regarding false alarms.

She provided a reminder about Special Olympics fundraising events.

Council Member Moore reported on the Experience Scottsdale Board of Directors meeting. He stated that the 2023 Super Bowl will be held in Glendale. There is a cooperative effort with the City of Scottsdale to bring visitors to Scottsdale and Paradise Valley during the event.

Council Member Stanton thanked Town Manager Burke for his service.

Mayor Collins thanked Mr. Burke for his commitment to the Town and for his many policy accomplishments.

15. STUDY SESSION ITEMS CONTINUED

18-274 Discussion of Town Manager Recruitment and Organizational Planning

There was Council consensus to withdraw this item from the agenda.

16. ADJOURN

A motion was made by Council Member Pace, 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

Absent: 1 - Council Member Sherf

Mayor Collins adjourned the meeting at 7:30 p.m.

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, June 14, 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