



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, APRIL 27, 2023**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, April 27, 2023 at 2:30 PM. in the Town Hall Boardroom, 6401 E. Lincoln Drive, Paradise Valley, AZ 85253.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Vice Mayor Scott Moore
Council Member Ellen Andeen
Council Member Christine Labelle
Council Member Julie Pace attended by telephone conference call
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Jill Keimach
Town Attorney Andrew McGuire attended by Zoom conference
Town Clerk Duncan Miller
Chief of Police Freeman Carney
Community Development Director Lisa Collins
Planning Manager Paul Michaud
Senior Planner George Burton
Capital Projects Manager Jeremy Knapp
Town Engineer Shar Johnson

A motion was made at 2:33 PM by Council Member Thomasson, seconded by Vice Mayor Moore, to go into executive session to discuss item 23-142. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Labelle
Vice Mayor Moore
Council Member Pace
Council Member Stanton
Council Member Thomasson

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 (www.paradisevalleyaz.gov) 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).

2. EXECUTIVE SESSION

- 23-142** Discussion or consultation with the Town Attorney, as authorized by A.R.S. §38 431.03(A)(4), to consider the Town's position and instruct its attorneys regarding contract negotiations for ambulance service and legal advice as authorized by A.R.S. §38 431.03(A)(3).
- 23-140** Discussion of Town Manager performance review and compensation as authorized by A.R.S. §38-431.03(A)(1).
- 23-136** Discussion and consideration, as authorized by A.R.S. § 38-431.03(A)(1), relating to Town Manager recruitment; and discussion and consultation with the Town Attorney for legal advice, as authorized by A.R.S. § 38-431.03(A)(3), regarding Town Manager recruitment.
- 23-137** 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).

3. STUDY SESSION ITEMS

Mayor Bien-Willner reconvened the Study Session at 3:55 PM.

- 23-149** Discussion of Statement of Direction Smoke Tree Resort Major Special Use Permit Amendment

Planning Manager Paul Michaud stated that the Town Council reviewed the Smoke Tree Resort Special Use Permit Statement of Direction (SOD) on March 23rd and April 13th. He detailed the edits made to the SOD based on feedback from the Council.

1. Added under Noise Mitigation/Impact that the review shall address site design, location, and orientation.
2. Deleted under density the reference that the existing site is a quarter of the existing SUP Guideline of 20 acres.
3. Added under Setbacks attention to the visitors to the medical plaza east of the site.
4. Added under Landscaping/Buffers focus on the harmony of the proposed landscaping with the adjacent landscaping (e.g., Lincoln Drive medians), appropriate type of plant material for the

location (e.g., drought tolerance, scale, seasonal color), review of plant impact (e.g., fire/fall hazard, pollen irritants), and included early phasing of street frontage/perimeter landscaping as an example under appropriate stipulations.

5. Added Walls as a new topic that the Planning Commission review shall evaluate the setback, height, and design of the proposed perimeter walls to ensure these walls are consistent with the quality and design of a Town resort. No walls shall be within the post-dedication rights-of-way.

There was Council consensus to make additional edits to the SOD generally discouraging three stories and heights of 36-feet.

Mr. Michaud stated that the SOD with the additional edits to height would be presented to Council for action later in the meeting.

23-144 Discussion of Fiscal Year 2023-2024 Capital Improvement Budget

Town Engineer Shar Johnson introduced the FY 2024 Capital Improvement Plan (CIP). She stated that the CIP includes projects with a cost of greater than \$100,000 and a useful life of at least three years. The CIP typically covers a five-year planning period.

Capital Projects Manager Jeremy Knapp explained in detail the annual CIP planning process which includes:

1. Identify needs / projects
2. Project scoping
3. Project scoring and ranking
4. Develop financing strategies
5. Adopt the plan
6. Implement the plan

Mr. Knapp summarized each of the proposed projects for FY 2024.

There was Council consensus to include all proposed items in the CIP budget with the understanding that each of the projects would come back to Council for additional review and approval. In particular, the Council requested staff to present additional information on the Police Department training facility and the previous space study completed in 2018.

**23-143 Discussion of Andaz Resort Intermediate Special Use Permit
Amendment - 6160 N Scottsdale Rd and Rezoning of 6041 N Quail
Run Rd for R-43 to SUP Resort**

Planner George Burton stated that the Andaz Resort Special Use Permit (SUP) Amendment Statement of Direction (SOD) was approved on October 13, 2022. The Planning Commission held multiple study sessions on the SUP application and voted on January 3, 2023 to forward the application to the Town Council with a recommendation for approval. The Council reviewed the application and the Commission's recommendation on January 26, 2023 and February 9, 2023 and provided feedback to the applicant. Mr. Burton summarized the feedback and the applicant's responses.

The Council provided additional feedback and expressed concern related to the orientation of the new guest units on the west side of the project adjacent to Quail Run Rd and the potential noise impacts on the neighborhood. They discussed adding stipulations prohibiting sound amplification in those units and reaffirmed their suggestion that the spa/pools be moved to the front of the units to shield noise.

Community Development Director Lisa Collins stated that the SUP has been advertised for a public hearing on May 11 and that staff would meet with the applicant in the meantime to share the Council's feedback.

Mayor Bien-Willner recessed the meeting at 6:10 PM.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Bien-Willner reconvened the meeting at 6:15 PM in the Town Hall Council Chambers.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Vice Mayor Scott Moore
Council Member Ellen Andeen
Council Member Christine Labelle
Council Member Julie Pace attended by telephone conference call
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Jill Keimach
Town Attorney Andrew McGuire attended by Zoom conference
Town Clerk Duncan Miller
Chief of Police Freeman Carney
Community Development Director Lisa Collins
Planner Manager Paul Michaud

7. PLEDGE OF ALLEGIANCE*

Executive Assistant Amy Rebenar led the Pledge of Allegiance.

8. PRESENTATIONS

There were no presentations.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Town Manager Keimach summarized the Consent Agenda.

23-135 Minutes of Town Council Meeting April 13, 2023

23-139 Discussion and Possible Action to Approve Hope Ozer as Chair of the Board of Adjustment

Recommendation: Approve the Board of Adjustment's selection of Hope Ozer to serve a one-year term as chair

A motion was made by Vice Mayor Moore, seconded by Council Member Thomasson, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Labelle
Vice Mayor Moore
Council Member Pace
Council Member Stanton
Council Member Thomasson

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

**23-134 Discussion and Possible Action of Statement of Direction
Smoke Tree Resort Major Special Use Permit Amendment
7101 E Lincoln Drive**

Planning Manager Paul Michaud stated that the Statement of Direction for the Smoke Tree Resort was discussed at two prior study sessions and earlier in this meeting. He said the Council directed staff edit the height section to emphasize that 36-feet and 3-story elements are the exception and will only be considered where contextually appropriate and mitigated by design.

Benjamin Tate, attorney with Withey Morris Baugh PLC, representing the applicant, thanked the Council for their consideration.

A motion was made by Council Member Stanton, seconded by Council Member Labelle, to approve the Statement of Direction for the Smoke Tree Resort Major Special Use Permit Amendment. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Labelle
Vice Mayor Moore
Council Member Pace
Council Member Stanton
Council Member Thomasson

13. FUTURE AGENDA ITEMS

23-138 Consideration of Requests for Future Agenda Items

Town Manager Keimach summarized the future agenda schedule.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Members provided comments and updates on current events.

STUDY SESSION CONTINUED

23-148 Discussion of Departmental Budget Updates and Financial Management Policies

Mayor Bien-Willner reconvened the study session in the Boardroom at 6:45 PM.

Town Manager Jill Keimach provided an update on the departmental operating budgets for Fiscal Year 2024 based on Council direction from the April 13th meeting. She reported that additional funds were added to the Police Department budget for recruitment and additional incentives for special pay for dispatch, patrol, and investigation staff to be more competitively compensated for night, weekend, and training hours.

Ms. Keimach presented recommended minor amendments to the Town's financial management policies related to operating budgets, contingency, and reserve policies. There was Council support for scheduling the amendments for action at the May 11 meeting and incorporating them into the FY 2024 budget document.

EXECUTIVE SESSION

A motion was made at 7:13 PM by Vice Mayor Moore, seconded by Council Member Stanton, to go into executive session to discuss items 23-136 and 23-140. The motion carried by the following vote:

- Aye:** 7 - Mayor Bien-Willner
- Council Member Andeen
- Council Member Labelle
- Vice Mayor Moore
- Council Member Pace
- Council Member Stanton
- Council Member Thomasson

15. ADJOURN

A motion was made at 7:59 PM by Council Member Thomasson, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:

- Aye: 7 - Mayor Bien-Willner
- Council Member Andeen
- Council Member Labelle
- Vice Mayor Moore
- Council Member Pace
- Council Member Stanton
- Council Member Thomasson

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, April 27, 2023.

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