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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, April 12, 2018**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Collins called to order the Town Council Meeting for Thursday, April 12, 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 Julie Pace attended by telephone conference call  
Council Member David A. Sherf  
Council Member Mark Stanton arrived at 3:33 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  
Community Development Director Eva Cutro  
Public Works Director Brent Skoglund  
Public Works Supervisor Jerry Cooper  
Chief Financial Officer Douglas Allen  
Municipal Court Director Jeanette Wiesenhofer  
Chief Information Officer Steven Brunasso  
Engineering Services Analyst Jeremy Knapp

**2. STUDY SESSION ITEMS**

**18-155            Review the Town Manager's Recommended Budget for Fiscal Year  
2018/2019 (FY19)**

Town Manager Kevin Burke and Chief Financial Officer Doug Allen presented the recommended budget for Fiscal Year 2019. Mr. Burke stated that projected operating revenues were up 11.9%, total expenditures were down 10%, and operating reserves were 104% of current year expenditures. Total

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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.

recommended expenditures for FY 2019 equaled \$47,378,569. He noted that the proposed budget included capital expenditures of \$9.2 million, \$5 - \$6 million for accelerated payment of police pension debt, and payoff of Municipal Property Corporation debt. He stated that the theme of this year's budget was increased workload. As a result, there was a request for 8.7 new full-time equivalent (FTE) employees.

Mr. Allen presented the revenue forecasts, Deputy Town Manager Dawn Marie Buckland presented the Fire Service enterprise fund, Municipal Court Director Jeanette Wiesenhofer discussed the court budget, Police Chief Peter Wingert explained the Police and Alarm Monitoring Services requests, Community Development Director Eva Cutro presented the planning, building, code enforcement, and post office budgets. Engineering Services Analyst Jeremy Knapp presented the Engineering Department budget.

The Council removed the following items for further discussion:

1. Fire Service Fee – provide historical information on the fee and expenditure forecasts in relation to general fund revenue. There was Council discussion about reducing or eliminating the fee over time. Should Fire Service be a General Fund obligation?
2. Project fiscal impacts if the Town lost the ability to collect certain revenue resulting from State preemptions. (Construction sales tax, photo enforcement, etc.)
3. Provide additional information on fixed LPR expenses
4. Provide additional information on the alarm contingency fund to be used for marketing purposes
5. Provide information on engineering technician position including costs, job qualifications, and duties.

**18-151            Consideration to remove the hillside designation on the property located at 6001 N. 45th Street (APN 169-50-002)**

Mr. Knapp presented a request to removed the hillside designation from 6001 N 45<sup>th</sup> St. He explained the criteria to determine which properties are considered hillside and the process that has been used to remove properties from the designation. He stated that the property is located on a major arterial and has an average lot slope of 4.3% and a building pad slope of approximately 3.4%. There was no neighborhood opposition. The Hillside Building Committee voted unanimously to recommend a change in its hillside designation.

The Council discussed the history of hillside property designations and criteria to remove properties from the hillside map. It was noted that the process would be formalized in the Hillside Code currently being reviewed by the Town Council.

**18-150            Consideration to remove the hillside designation on the property located at 4554 E. McDonald Drive (APN 169-50-003)**

Mr. Knapp stated that this property adjoins the previous property. The average lot slope is 2.9% and has a building pad slope of 1.5%. There was no neighborhood opposition. The Hillside Building Committee voted unanimously to recommend a change in its hillside designation.

**3. EXECUTIVE SESSION**

**18-141            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**

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 attended by telephone conference call

Council Member David A. Sherf

Council Member Mark Stanton

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke

Town Attorney Andrew Miller

Town Clerk Duncan Miller

Deputy Town Manager Dawn Marie Buckland

Police Chief Peter Wingert

Community Development Director Eva Cutro

Public Works Director Brent Skoglund

Engineering Services Analyst Jeremy Knapp

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS\***

**18-136 Recognition of Paradise Valley Police Communication Specialists**

Mayor Collins presented a proclamation to the Paradise Valley Police Dispatchers in recognition of National Public Safety Telecommunicators Week.

**9. CALL TO THE PUBLIC**

Resident David Selden addressed the Council regarding the proposed Statement of Direction for an intermediate Special Use Permit Amendment (SUP) for the Sanctuary Resort on Camelback Mountain. He expressed concerns about the proposed change in use, height, and setback.

The following residents did not speak but submitted comments opposing the Sanctuary Resort's SUP application: Linda Miller, ~~Tracy and Scott Tonn~~, Ron and Kathy Brown, Jeffrey and Susan Scoon, Ryan Woody and Roscoe Nichols.

[Scribner's note: a speaker comment card was submitted by proxy for Tracy and Scott Tonn in error. The comment card was intended to be submitted on behalf of Mary Jo and Larry Cucolic]

**10. CONSENT AGENDA**

Mr. Burke summarized the items on the Consent Agenda. Vice Mayor Bien-Willner asked to remove item 18-147.

**18-144 Minutes of Town Council Meeting March 22, 2018**

**18-146 Authorize the Town Manager to Execute a Contract with Markham Contracting in an Amount not to Exceed \$183,362.41 for the Construction of the McDonald Drive Culvert Extension Capital Improvement Project**

**Recommendation:** Authorize the Town Manager to execute a contract with Markham Contracting in an amount of \$183,362.41.

**18-148 Approval of Renewal of the Fire and Emergency Medical Services License Agreement with the Paradise Valley Fire Department.**

**Recommendation:** Authorize the Town Manager to execute a written renewal of the Fire Services Provider License Agreement, extending the term of the Agreement for an additional three (3) years.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, to approve the Consent Agenda with the exception of item 18-147. 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

**18-147 Approval of Reappointments to Paradise Valley Planning Commission**

**Recommendation:** Reappoint Daran Wastchak and Jonathan Wainwright to the Planning Commission

Vice Mayor Bien-Willner and Mayor Collins recognized Daran Wastchak and thanked him for his service on the Commission.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, to reappoint Daran Wastchak and Jonathan Wainwright to the Planning Commission. 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

### **18-145          Consideration to remove the hillside designation on the property located at 6001 N. 45th Street (APN 169-50-002)**

Mr. Knapp presented a request to remove 6001 N. 45<sup>th</sup> Street from hillside designation. There were no public comments.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Sherf, to adopt Resolution 2018-11; removing the hillside designation on the property located at 6001 N. 45th Street (APN: 169-50-002), including its reference on Figure 2, Hillside Development Area, of Article XXII, Hillside Development the Town Zoning Ordinance. 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

### **18-140          Consideration to remove the hillside designation on the property located at 4554 E. McDonald Drive (APN 169-50-003)**

Mr. Knapp presented a request to remove 4554 E. McDonald Drive from hillside designation. There were no public comments.

**A motion was made by Council Member Sherf, seconded by Vice Mayor Bien-Willner, to adopt Resolution 2018-10 removing the hillside designation on the property located at 5445 E. McDonald Drive (APN: 169-50-003), including its reference on Figure 2, Hillside Development Area, of Article XXII, Hillside Development the Town Zoning Ordinance. 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

**18-142 Legislative Update**

Deputy Town Manager Dawn Marie Buckland reported that the standing committees completed their work for the session but conference committees continue to meet. She briefed the Town Council on state legislation of interest to the Town including a bill preempting licensing of home-based businesses and a bill regarding use of the public rights-of-way by cable companies.

**13. FUTURE AGENDA ITEMS****18-143 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**

Vice Mayor Bien-Willner reported on the Cellular Service Task Force. He said the executive group met to discuss the process to identify potential committee members and outline a process to research and provide suggested options for Council consideration.

Council Member Stanton provided an update on the Arts Advisory Committee. The Committee has asked to present some recommendations to Council in June.

Council Member Moore announced that he attended the Experience Scottsdale board meeting today. The board discussed the 2019 Destination Marketing Guide, among other topics.

Council Member Pace provided an update on the Advisory Committee on Public Safety (ACOPS) activities including the shred-a-thon on April 21<sup>st</sup> from 8 – noon and the Special Olympics Torch Run on May 3.

Mayor Collins recessed the meeting at 7:21 PM

**15. STUDY SESSION ITEMS CONTINUED**

Mayor Collins reconvened the study session in the Boardroom at 7:25 PM.

**18-152            Discussion of Intermediate Special Use Permit Amendment -  
Statement of Direction (SUP-18-03).    5700 E. McDonald Drive**

Planner George Burton presented an application from the Sanctuary Resort and Spa for an Intermediate Special Use Permit (SUP) Amendment to remodel and expand Casa 3 by adding a new guest room building, relocating the pool, and adding new landscape/hardscape improvements. This would result in additional rental units.

Mr. Burton, Scott Lyon, representing Sanctuary Resort, and project architect Richard Loope responded to questions from Council relating to uses, heights, and setbacks. There was discussion regarding whether the new construction was attached or not. The Council requested additional information concerning the proposed roof deck. What is it? When would it operate? What would be the noise impact?

The Council discussed the Statement of Direction. They discussed how this application compared to previous SUP amendments at this resort and if the application should be evaluated under the SUP guidelines, R-43 guidelines, or both.

The Council directed that the Statement of Direction include a parking and traffic circulation plan, address landscaping (especially oleanders which may die) in the same way as it was handled in the previous SUP amendment, and expand the noise study to include more than just the adjoining neighbors.

**18-149            Discussion on Flood Control District Projects Cost Benefit  
Analysis**

Mr. Knapp presented cost benefit analyses for the PV Wash Flood Control District and the Cheney Flood Control District. He noted that the Town's Stormwater Management Policy requires such a study. He was joined by Geoffrey Brownell with Michael Baker and Associates who conducted the study.

The Council questioned the studies findings and requested more analysis to quantify the true extent of damage to structures specifically and not damage to structures and property combined.

**A motion was made by Mayor Collins, seconded by Vice Mayor Bien-Willner, to table items 18-153 and 18-154 until the next regular meeting. 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



**18-153            Discussion of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)**

This item was tabled.

**18-154            Discussion of Hillside Code Updates - Safety Section (Chapter 5 of the Town Code)**

This item was tabled.

**16. ADJOURN**

**A motion was made by Council Member Moore, seconded by Vice Mayor Bien-Willner, to adjourn at 9:46 PM. 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

Mayor Collins adjourned the meeting at 9:46 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

Duncan Miller  
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, April 12, 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  
Duncan Miller, Town Clerk

