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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, April 26, 2018**

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

Mayor Collins called to order the Town Council Meeting for Thursday, April 26, 2018 at 12:05 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 arrived at 12:21 p.m.  
Council Member David A. Sherf  
Council Member Mark Stanton arrived at 12:26 p.m.

**Vice Mayor Bien-Willner moved to go into executive session to consider item 18-172 at 12:05 p.m. The motion was seconded by Council Member Moore and passed by the following vote:**

**Aye:** 5 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Sherf

**Absent:** 2 - Council Member Pace  
Council Member Stanton

**2. EXECUTIVE SESSION**

**18-172 Discussion of Town Manager and Town Attorney Performance Reviews as authorized by A.R.S. §38-431.03(A)(1) and Town Manager and Town Attorney contract negotiations as authorized by A.R.S. §38-431.03(A)(4).**

**18-166 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).**

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

**3. STUDY SESSION ITEMS****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  
Interim Community Development Director Paul Michaud  
Public Works Supervisor Jerry Cooper  
Chief Financial Officer Douglas Allen  
Chief Information Officer Steven Brunasso  
Engineering Services Analyst Jeremy Knapp

**18-184 Continue Review of the Town Manager's Recommended Budget  
for Fiscal Year 2018/2019 (FY19)**

The Mayor and Council continued their review of the recommended budget. Public Works Supervisor Jerry Cooper presented the Public Works budget, CFO Doug Allen discussed the Finance Department budget, CIO Steve Brunasso presented the IT budget, Town Attorney Andrew Miller presented his departmental budget, and Town Manager Kevin Burke discussed the budgets for Mayor & Council, Town Manager, and Tourism.

There was Council consensus to remove funding for the annual trolley service, add funding for Mummy Mountain Preserve Trust printing expenses, and add funding to the legislative affairs budget.

**4. BREAK**

Mayor Collins recessed the meeting at 5:55 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 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  
Interim Community Development Director Paul Michaud  
Public Works Supervisor Jerry Cooper  
Engineering Services Analyst Jeremy Knapp

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS\***

There were no presentations.

**9. CALL TO THE PUBLIC**

There were no public comments

**10. CONSENT AGENDA**

Mr. Burke summarized the items on the Consent Agenda. Council Member Pace asked to remove item 18-176.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, to approve the Consent Agenda with the exception of item 18-176. 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

18-167            **Minutes of Town Council Meeting April 12, 2018**

18-138            **Approval of Tyler Technology Enterprise CAD Purchase**

**Recommendation:** Authorize the purchase of Tyler Technology Enterprise Computer Aided Dispatch (CAD) for the police department.

18-174            **Adoption Of Resolution Number 2018-13 Restricting Pavement Excavations On Tatum Boulevard Right-Of-Way Pursuant To Section 5-10-1.C.4 Of The Town Code For A Period Of Five Years To Prevent Unnecessary Disruption And Damage**

**Recommendation:** Adopt Resolution No. 2018-13 designating Tatum Boulevard from 45th Street (375 feet west) north to Caida Del Sol Drive as a roadway subject to pavement cut limitations for a period of five years through June 2023.

18-176            **Approval of Planning Commission Chair**

**Recommendation:** Approve Daran Wastchak to serve a one-year term as Chair of the Planning Commission.

Council Member Pace thanked Mr. Wastchak for his service to the Town and congratulated him on his re-election as Chair of the Planning Commission.

**A motion was made by Council Member Pace, seconded by Council Member Moore, to Approve Daran Wastchak to serve a one-year term as Chair of 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****18-185 Adoption of Resolution Number 2018-12; Modifications and Formal Adoption of the Paradise Valley HOA Forum**

Mayor Collins stated that the Homeowners Association Forum was created in 2015 as an advisory group to the Mayor. The Forum has been a useful opportunity for the residents and the Council to communicate directly on matters of interest. It was recommended that the Council formalize the group by making it a standing committee. Council Member Dembow, who will serve as the Council Liaison, spoke in favor of the Resolution.

**A motion was made by Council Member Stanton, seconded by Council Member Dembow, to Adopt Resolution 2018-12 replacing Resolution 1322 and amending the name and the structure of the Homeowner's Association Forum. 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

Council Member Dembow and HOA President Gary Edens read Resolution 2018-12.

**18-168 Legislative Update**

Deputy Town Manager Dawn Marie Buckland briefed the Town Council on state legislation of interest to the Town including a bill regarding use of the public rights-of-way by cable companies. Responding to a question regarding the construction sales tax bill, Ms. Buckland reported that action was expected tomorrow and she would send an update.

**13. FUTURE AGENDA ITEMS****18-169 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). Last Saturday, ACOPS, with financial support from ACOPS member Michael Cumiskey, hosted a document shredding event. A water safety class was being held April 26. On April 28, 2018 from 10 AM – 2 PM there would be a drug take-back collection event at the Police Department. The annual Special Olympics Torch Run would be May 3<sup>rd</sup>.

Council Member Dembow announced that the next HOA forum meeting would be held on May 17. He acknowledged the Police Department for their efforts in addressing the elements in the Department's Strategic Plan.

Council Member Moore reported on the breakfast meeting with Resort General Managers.

Vice Mayor Bien-Willner commented on the MAG Regional Council meeting. The topic of unsheltered homelessness in Maricopa County was discussed. It was noted that this type of homelessness is increasing by 25% year over year.

Council Member Stanton announced that the Historical Advisory Committee would meet on April 27 at 3:00 PM.

Mayor Collins recessed the meeting at 6:41 PM

## **15. STUDY SESSION ITEMS CONTINUED**

Mayor Collins reconvened the meeting at 6:50 PM

### **18-173            Discussion of the FY19-23 Town Manager's Recommended Capital Improvement Program**

Engineering Services Analyst Jeremy Knapp summarized the CIP projects scheduled for Fiscal Year 2019. There was Council consensus to delete the Paradise Valley Wash and Cheney Flood Control District projects. Mr. Knapp stated that other projects would be brought forward.

### **18-177            Reconfirmation Bike Share Direction**

Deputy Town Manager Dawn Marie Buckland summarized the steps taken to respond to bike share concerns in Town. The Council confirmed its direction to staff to continue collecting bicycles from the rights-of-way and research code amendments to permit cost recovery for collecting and storing the bikes. Staff was also asked to send a letter to the bike share companies expressing the Town's concerns and encouraging them to find market-driven solutions those concerns.

Mr. Burke stated that staff would collect data and conduct research over the summer and report back to Council in the fall.

**18-170 Discussion of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)**

Planner George Burton presented the proposed text changes to Article XXII of the Zoning Ordinance related to hillside development. He noted that this discussion was a continuation of the Council's review from March 22, 2018. Mr. Burton focused on the changes to the hillside assurance requirements, Council Member Moore's suggested edits, and a new item related to conservation easements.

There was Council consensus to require increases in building heights to be reviewed by the entire Hillside Building Committee instead of allowing the Chair to approve them.

The Council discussed the hillside assurance requirement and proposed methodology to calculate the assurance bond amount. There was consensus to accept the new calculation and keep the current code language defining when and how the assurance funds would be used.

It was agreed that the language regarding on-site retention in the Hillside Code should reference the Storm Drainage Design Manual to remain consistent.

There was consensus to include new language in the Code encouraging property owners to donate conservation easements over undeveloped portions of the property and codifying existing practice on how such donation affect future development rights.

The Council discussed the estimated costs associated with each of the proposed code amendments. Staff was directed to prepare examples of potential cost increases for the amendments that are new regulatory burdens and not those that are discretionary for the developer.

**Council Member Moore moved to go into executive session at 8:45 PM. The motion was seconded by Vice Mayor Bien-Willner and approved by the following vote:**

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

**Nay:** 1 - Council Member Sherf

**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:

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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 26, 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