

**TOWN**  
*Of*  
**PARADISE VALLEY**



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TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, March 24, 2016

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

Mayor Collins called to order the Town Council Meeting for Thursday, March 10, 2016 at 4:00 p.m. in the Town Hall Boardroom.

**COUNCIL MEMBERS PRESENT**

Mayor Michael Collins  
Vice Mayor David Sherf  
Council Member Paul Dembow  
Council Member Mary Hamway  
Council Member Mark Stanton  
Council Member Maria Syms

Council Member Jerry Bien-Willner was not present

**STAFF MEMBERS PRESENT**

Town Manager Kevin Burke  
Town Attorney Andrew M. Miller  
Town Clerk Duncan Miller  
Police Chief Peter Wingert  
Community Development Director Eva Cutro  
Senior Planner Paul Michaud  
Director of Administration and Government Affairs Dawn Marie Buckland  
Public Works Director / Town Engineer James P. Shano  
Engineering Services Analyst Jeremy Knapp

**2. STUDY SESSION ITEMS**

**16-091 Kiva Elementary School Art Exhibit**

Mayor Collins, the Town Council, and the Paradise Valley Arts Advisory Committee

hosted “A celebration of creativity and self-exploration through the arts” in the Community Room. The event was organized by the Art Advisory Committee and featured art work from Kiva Elementary School Students under the instruction of Anne Warfel. Committee Chair Elaine “Bunny” Gordon stated that this would become an annual event to showcase art submissions from the various local schools. The show was open to the public from March 24 – April 18, 2016.

**16-079 Discussion of “The Villas at Mountain Shadows Amended” Re-Plat**

**16-081 Discussion of “The Villas at Mountain Shadows II - Amended” Re-Plat**

**16-084 Discussion of “Mountain Shadows Resort - Condominium Hotel” Final Condominium Plat Map**

Senior Planner Paul Michaud summarized the three Mountain Shadows applications. He explained the plat review process and timeline for the entire development project. He said the re-plats and final condominium plat map were in conformance with the approved special use permit and development agreement for the property. He noted that the Planning Commission unanimously recommended approval of all three with stipulations.

**16-096 Discussion of Sustainability Task Force Scope of Work**

Town Manager Kevin Burke stated that one of the Town Council’s Quality of Life initiatives called for the creation of a Sustainability Task Force. He stated that the proposed task force would be advisory to the Town Manager and is made up of Warren Gorowitz, Vice-President of Sustainability, Ewing Irrigation and Landscape Supply, John Martinson, Co-Founder, Chinamist Tea, Dawn Olsen, CEO, Focus Family Capital LLC and is staffed by ASU MPA student Blaise Caudill.

Mr. Caudill summarized the Task Force’s scope of work which would focus on four targeted elements in the General Plan: regeneration/trash and recycling, public outreach/public education, greenhouse gas emissions inventory, and sustainable water.

There was Council consensus to authorize the Town Manager to form the Task Force based on the scope of work presented. Mr. Burke stated that he would provide periodic updates in his weekly reports and may schedule study session presentations to report on milestones events.

## **16-094 Update on Trash Collection Alternatives**

Mr. Burke stated that the Council identified trash collection as a quality of life initiative. He reviewed the current sanitation code and a "problem/solution matrix" with various alternatives to mitigate the perceived negative impacts of the current regulated open market approach in Paradise Valley.

He said that staff, along with Council Member Hamway, met with representatives from all five licensed solid waste collection providers to discuss the matrix and hear their feedback. According to the providers, the most meaningful change the Town could make would be to amend the sanitation ordinance to allow providers the option to obtain a waiver from the County to reduce collection of trash from twice a week to once a week.

He announced that the Town would host a Community Conversation on April 14 at 6:30 p.m. to hear public comments on trash collection alternatives. In preparation for that meeting, the Council narrowed the list of possible solutions to be presented. There was consensus not to consider Town government-provided service; regulating the size, number of axels, or clean burning fuel only collection trucks; or requiring buried trash cans. Staff was also directed to research the Pay-As-You-Throw concept.

## **16-097 Discussion of Clearwater Hills Request for Annexation**

Mr. Burke announced that the Town received a letter from the Clearwater Hills Home Owners Association requesting that the Town consider annexing their county island into the Town. He summarized a list of topics the Town would research over the summer if the Council was interested in proceeding.

There was Council consensus that staff should only prepare a high-level summary of the pros and cons of annexation. Council asked that Clearwater Hills demonstrate that at least 50% of the residents support annexation. Council also asked that Clearwater Hills be given an opportunity to explain why they wanted to be annexed before the Town invests staff time.

Mayor Collins recessed the meeting at 6:15 p.m.

## **3. EXECUTIVE SESSION**

**16-090        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 agenda items listed on the agenda as authorized by A.R.S. §38-431.A.3.**

This item was not discussed.

#### **4. BREAK**

#### **5. RECONVENE FOR REGULAR MEETING**

Mayor Collins reconvened the meeting at 6:05 p.m.

#### **6. ROLL CALL**

##### **COUNCIL MEMBERS PRESENT**

Mayor Michael Collins  
Vice Mayor David Sherf  
Council Member Paul Dembow  
Council Member Mary Hamway  
Council Member Mark Stanton  
Council Member Maria Syms

Council Member Jerry Bien-Willner was not present

##### **STAFF MEMBERS PRESENT**

Town Manager Kevin Burke  
Town Attorney Andrew M. Miller  
Town Clerk Duncan Miller  
Police Chief Peter Wingert  
Public Works Director / Town Engineer James P. Shano  
Community Development Director Eva Cutro  
Senior Planner Paul Michaud

#### **7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance

#### **8. PRESENTATIONS**

##### **16-093 Arts Advisory Committee Update**

Elaine "Bunny" Gordon, Chair of the Paradise Valley Arts Advisory Committee, updated the Council on the Committee's purpose, mission, membership, and activities over the past 18 years. The Committee requested \$5,500 for the purchase of Ed Mell paintings for the Municipal Court and suggested that the Town purchase the Stan Eckman paintings on display in the Community Room.

#### **9. CALL TO THE PUBLIC**

There were no public comments.

## 10. CONSENT AGENDA

Mr. Burke summarized the items on the consent agenda.

### **16-086 Minutes of Ton Council Meeting March 10, 2016**

### **16-087 Approval of Special Event Liquor License for Montessori Academy**

**Recommendation:** Approve a Special Event Liquor License for Montessori Academy for an event on Saturday, April 2, 2016, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

### **16-088 Approval of Special Event Liquor License for Habitat for Humanity Central Arizona**

**Recommendation:** Approve a Special Event Liquor License for Habitat for Humanity Central Arizona for an event on Friday, April 22, 2016, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

### **16-098 Adoption of Resolution Number 2016-04: Dissolution of the Water Utility Committee**

**Recommendation:** Adopt Resolution Number 2016-04

**A motion was made by Vice Mayor Sherf, seconded by Council Member Stanton, to approve the Consent Agenda as submitted. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Bien-Willner

## 11. PUBLIC HEARINGS

There were no public hearings.

## 12. ACTION ITEMS

### 16-080 Approval of "The Villas at Mountain Shadows Amended" Re-Plat

Senior Planner Paul Michaud summarized the three Mountain Shadows plats.

The applicant did not make a presentation and there were no public comments.

**A motion was made by Council Member Hamway, seconded by Council Member Dembow, to approve the Re-Plat of the Final Plat, "The Villas at Mountain Shadows - Amended - Condominiums" (PP 16-01), subject to the following stipulations:**

1. This subdivision shall be in substantial compliance with the re-plat, "The Villas at Mountain Shadows Amended", Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated March 14, 2016.
2. Prior to recordation of the re-plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R's or other documents for review to insure that all CC&R terms required under the SUP or other recorded agreements are part of the CC&Rs or other documents, including provision for maintenance of any drainage easements dedicated on the plat.
3. The final subdivision improvements shall be in substantial compliance with subdivision improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the re-plat, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.
4. Within 60 days of approval of the re-plat, the applicant shall submit to the Town Mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.

**The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Bien-Willner

**16-082          Approval of "The Villas at Mountain Shadows II - Amended" Re-Plat**

**A motion was made by Council Member Dembow, seconded by Council Member Stanton, to approve the Re-Plat of the Final Plat "The Villas at Mountain Shadows II - Amended" (RP 16-02), subject to the following stipulations:**

1. This subdivision shall be in substantial compliance with the re-plat, "The Villas at Mountain Shadows II - Amended", Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated March 14, 2016.
2. Prior to recordation of the re-plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R's or other documents for review to insure that all CC&R terms required under the SUP or other recorded agreements are part of the CC&Rs or other documents, including provision for maintenance of any drainage easements dedicated on the plat.
3. The final subdivision improvements shall be in substantial compliance with subdivision improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the re-plat, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.
4. Within 60 days of approval of the re-plat, the applicant shall submit to the Town Mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.

**The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Bien-Willner

**16-085          Approval of "Mountain Shadows Resort - Condominium Hotel" Final Condominium Plat Map**

**A motion was made by Council Member Stanton, seconded by Vice Mayor Sherf, to approve the Final Condominium Plat Map, "Mountain Shadows Resort - Condominium Hotel" (FP 16-01), subject to the following stipulations:**

1. Development shall be in substantial compliance with the Final Condominium Plat Map, "Mountain Shadows Resort – Condominium Hotel," Sheets 1-18, prepared by Coe & Van Loo Consultants, Inc. dated March 14, 2016.

2. Prior to recordation of the Final Plat Map, the applicant shall provide to the Town Attorney a copy of the CC&R's, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
3. The final improvements shall be in substantial compliance with improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Plat Map, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final improvement plans prior to the issuance of the building permit for the hotel condominium structure.
4. Within 60 days of approval of the Final Plat Map, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.

**The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Bien-Willner

**16-074 Award of Contract to Motorola Solutions, Inc. for the Development of Public Safety Radio Communications Facility; in an amount not to exceed \$2,108,000 plus taxes.**

Public Works Director/Town Engineer James Shano presented the recommendation to execute an agreement with Motorola Solutions for the construction of a public safety radio communications facility. He noted that as part of the IGA with the City of Phoenix Fire Department, the Town is required to upgrade its public safety radio communications system. In 2012, the Town joined the Regional Wireless Cooperative made up of 19 other governmental agencies. He said this facility would enhance local and regional communications interoperability.

He stated that the Town is purchasing off a contract negotiated between Maricopa County and Motorola Solutions.

There were no public comments.



**A motion was made by Council Member Hamway, seconded by Council Member Dembow, to authorize the Town Manager to execute an agreement with Motorola Solutions Inc. for the Development of a Public Safety Radio Communications Facility; in an amount not to exceed \$2,108,000 plus taxes (\$2,228,578 total). The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Council Member Bien-Willner

### **13. REQUESTS FOR FUTURE AGENDA ITEMS**

#### **16-061 Consideration of Requests for Future Agenda Items**

Mr. Burke summarized the future agenda topic list. He noted that the June 23, 2016 meeting would likely be cancelled. There were no additions or changes.

### **14. MAYOR / COUNCIL / MANAGER COMMENTS**

Mr. Burke announced that a citizen survey would be sent to residents in April. He noted that the Town has Yelp! page for instant feedback on Town services.

He reported that the Town sent a flower arrangement for Mayor Joan Lincoln's funeral.

Council Member Hamway announced that Scottsdale Convention and Visitor's Bureau President and CEO Rachel Sacco is celebrating her 30th year in the hospitality and tourism industry.

Vice Mayor Sherf explained the process for the Town Manager and Town Attorney annual review. He said it would be a 360 review. He distributed questionnaires and asked that they be returned by April 7. The consulting firm Amerisource will present the results on May 12 and discuss the reviews individually.

Council Member Syms announced that the Police Department is hosting a shredding event on Saturday. The event is free but donations are being accepted for charity.

