



TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, March 23, 2017

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, March 9, 2017 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 David Sherf
Council Member Mark Stanton

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Director of Administration and Government Affairs Dawn Marie Buckland
Public Works Director Brent Skoglund
Community Development Director Eva Cutro
Engineering Services Analyst Jeremy Knapp
Acting Town Engineer Woody Scoutten

2. STUDY SESSION ITEMS

17-100 Montessori Academy Art Exhibit

Mayor Collins and the Paradise Valley Arts Advisory Committee invited the Montessori Academy to display student artwork in the Town Hall Community Room for the month of March. Montessori Academy art teachers Abe Gil and Emily Piven and pupils were in attendance at the open house to present and discuss the art.

17-094 Stormwater Policy Discussion

Engineering Services Analyst Jeremy Knapp summarized the Town Council storm water management policy discussion from the February 9, 2017 Council meeting. The Council discussed a range of possible actions from continuing the status quo to significant financial investments in mitigating 100-year storm water events.

There was Council consensus to adopt a resolution promulgating the Council's position on storm water management. The resolution would include the following elements:

Storm Water Management Policy

The Town of Paradise Valley will:

- 1) provide storm water data and information available to it concerning the 100 year, 2 hour storm event to property owners;
- 2) participate in NFIP such that property owners have the ability to purchase federally backed flood insurance;
- 3) regulate development to mitigate the impacts of storm drainage;
- 4) budget for small (i.e. under the Capital Improvement Program financial threshold) flood control projects that benefit two or more Paradise Valley parcels and seek cost sharing opportunities for these or other storm water management projects; and,
- 5) consider cost-benefit analysis for all proposed projects.

17-095 Storm Drainage Design Manual Revisions Summary and Update

Mr. Knapp summarized the Council discussion and issues raised by the Council at the February 9th meeting when the drainage manual was discussed. He outlined two options for proceeding:

1. Adopt the manual as presented including the following three policy issues: using the disturbed area only for flatland retention calculations; hillside retention requirements on a tiered scale; and addition of first flush requirement for first ½" of rainfall.
2. Adopt the manual as presented without the three policy issues and maintain status quo on those items.

There was Council consensus to schedule the adoption of the Storm Drainage Design Manual for the next meeting with the following four policies included:

1. Use the disturbed area only for flatland retention calculations
2. Hillside retention requirements on a tiered scale
 - Lots with Slope 10-20% require 100% retention
 - Lots with Slope 20-30% require 50% retention
 - Lots with Slope above 30% require no retention
3. Addition of first flush requirement for first ½" of rainfall
 - if retention is provided on site, first flush is required to be retained
4. Retention basin easement requirements
 - easement is required over retention basins to ensure the basin remains in place

Mayor Collins recessed the meeting at 6:23 p.m.

3. EXECUTIVE SESSION

17-088 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. §38-431.03.A.3.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Collins reconvened the meeting at 6:30 PM

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 Sherf
Council Member Mark Stanton

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Public Works Director Brent Skoglund
Director of Administration and Government Affairs Dawn Marie Buckland
Community Development Director Eva Cutro
Senior Planner Paul Michaud

7. PLEDGE OF ALLEGIANCE*

Vice Mayor Bien-Willner led the Pledge of Allegiance.

8. PRESENTATIONS*

There were no presentations

9. CALL TO THE PUBLIC

Resident Dorothy Smith thanked Police Chief Peter Wingert for keeping the residents safe and for how well the Police Department communicates with the residents. She thanked Public Works Director Brent Skoglund for the well-maintained median island landscaping. She requested the Town Attorney to verify the statutory membership requirements for the Personnel Appeals Board.

10. CONSENT AGENDA

Mr. Burke summarized the Consent Agenda.

17-090 Minutes of Town Council Special Meeting March 2, 2017

17-091 Minutes of Town Council Meeting March 9, 2017

17-092 Approval of Special Event Liquor License for The Phoenix Symphony

Recommendation: Approve a Special Event Liquor License for The Phoenix Symphony for an event on Thursday, April 20, 2017, 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.

17-096 Approve Appointments to Various Town Committees, Commissions, and Boards

Recommendation: Make the following appointments to committees, commissions, and boards:

Advisory Committee on Public Safety

April 1, 2017 – March 31, 2019

Victoria Bellomo-Rosacci
Larry Fink
Chuck Matthews
Paul Moore
Jay Ozer
Richard Post

Arts Advisory Committee

April 1, 2017 – March 31, 2020

Carol Brecker
Georgann Byrd
Diana Georgelos
Barbara Terranova
Colleen Steinberg

(April 1, 2017 – March 31, 2019)

Historical Advisory Committee

April 1, 2017 – March 31, 2020

John Wintersteen

Personnel Appeals Board

Richard Coulston

April 1, 2017 – March 31, 2020

A motion was made by Council Member Moore, seconded by Council Member Dembow, to approve the Consent Agenda. 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**17-087 Consideration of a Proposed Lot Split Located at 6912 E Horseshoe Road**

Senior Planner Paul Michaud presented a request by the Sharma Family Trust to divide a 2.4-acre parcel into two lots. The subdivided lots would be zoned R-43 and meet all zoning requirements. He summarized the right-of-way / road improvements, lot configuration, drainage, utilities, and fire protection issues. He stated that the Planning Commission voted unanimously to recommend approval.

There was Council discussion about the necessity to install a new fire hydrant and at what point it should be installed.

A motion was made by Council Member Moore, seconded by Council Member Pace, to approve the proposed lot split, subject to the following stipulations as amended:

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the survey plat prepared by Clouse Engineering, Inc., dated November 18, 2016.
2. Prior to the recordation of said lot split plat, the following shall be completed:
 - a. The property owner or designee shall submit the required improvement plans for Town Engineer approval and provide a procedure and other forms of assurances necessary for the Town to be in a guaranteed position to complete the pavement widening and curbing adjoining the subject site in accordance with the local roadway standard, Option B, of the Town's General Plan.
 - b. Except for the west, north, and east existing perimeter walls, the property owner shall secure the appropriate demolition permit(s) and related inspections to remove all the vertical structures as shown on the boundary survey prepared by Clouse Engineering, Inc., dated May 19, 2016.
 - c. The property owner or designee shall dedicate the required public right-of-way (ROW) area, being the south 25 feet of the subject site, hereinafter the "ROW Area" by separate instrument (a deed) and shall show the area so deeded on said lot split plat. The deeded ROW Area shall be deeded free and clear of all liens and encumbrances and the property owner shall pay for appropriate title insurance and escrow/recording costs for the deeding of the ROW Area.
3. Prior to the issuance of a Certificate of Occupancy for a new single-family residence on said lot split plat, the following shall be completed:
 - a. The improvements described in Stipulation 2 shall be completed.

- b. The property owner or designee shall demonstrate that the fire sprinkler system is in compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.
 - c. The property owner or designee shall install a new fire hydrant on Horseshoe Road as specified by the Town Fire Marshal, generally near the southwest corner of Lot 1 of the Sharma Lot Split.
4. Within 60 days of approval of the plat, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record.
 5. If required, to install the new fire hydrant prior to the start of framing.

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

17-098 Adoption of the FY 2017 Building, Planning, Engineering, & Fire Prevention Fees

Director of Administration and Government Affairs Dawn Marie Buckland summarized the amendments to the Master Fee Schedule related to building, planning, engineering, and fire prevention fees. She stated that most fees were calculated using a full cost recovery model. Building permit fees will be calculated with a minimum value of \$225/sf. Fees related to Board of Adjustment variances, appeals of administrative decisions, and administrative relief from zoning; and Planning Commission fees related to SUPs for schools, government buildings, and places of worship will be assessed at a rate of 50% of cost recovery.

There was no discussion.

A motion was made by Council Member Sherf, seconded by Council Member Moore, to Adopt Resolution 17-05 amending the Master Fee Schedule effective May 1, 2017 with results of the FY 2017 Building, Planning, Engineering, & Fire Prevention Fee study. 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 asked for unanimous consent to move up agenda items 13 and 14. There was no objection.

13. FUTURE AGENDA ITEMS**17-089 Consideration of Requests for Future Agenda Items**

Mr. Burke summarized the items on the future agenda schedule.

Council Member Dembow suggested scheduling a discussion about appointments to the Municipal Court. He said there may be value in involving new residents on the Court.

14. MAYOR / COUNCIL / MANAGER COMMENTS

There were no reports.

Mayor Collins recessed the meeting at 6:57 p.m.

STUDY SESSION CONTINUED

Mayor Collins reconvened the meeting at 7:05 p.m.

17-101 Legislative Update

Ms. Buckland briefed the Council on pending legislation impacting the Town. This included HB2365 wireless facilities in the right-of-way, HB2521 construction sales taxes, HB2525 photo radar, SB1063 public safety pensions, and SB 1214 local government small cell permitting.

There was discussion about proactively contacting those legislators who have concerns with photo enforcement over the summer. It was suggested that by sharing information and resolving any misunderstandings future attempts to pre-empt local authority over traffic law enforcement could be avoided.

EXECUTIVE SESSION

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. §38-431.03.A.3.

A motion was made by Mayor Collins, seconded by Council Member Sherf, to go into executive session. 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

ACTION ITEMS CONTINUED

Mayor Collins reconvened the meeting in the Boardroom at 7:25 p.m.

17-099 Interview of Applicants and Appointments to the Board of Adjustment and Hillside Building Committee

The Mayor and Council interviewed Quinn Williams for appointment to the Board of Adjustment and Scott Tonn for appointment to the Hillside Building Committee.

The Council discussed the applicants interviewed on March 9 and March 23 for appointment to the Board of Adjustment and Hillside Building Committee.

A motion was made by Mayor Collins, seconded by Vice Mayor Bien-Willner, to appoint Hope Ozer, Jon Newman, and Quinn Williams to three year terms on the Board of Adjustment. 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

A motion was made by Mayor Collins and seconded by Vice Mayor Bien-Willner to appoint Scott Tonn to a two year term on the Hillside Building Committee. 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

16. ADJOURN

Mayor Collins announced that the next meeting would be held on April 13, 2017.

A motion was made by Council Member Pace, seconded by Vice Mayor Bien-Willner, to adjourn. 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 8:42 PM.

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, March 23, 2017.

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