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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, November 1, 2018**

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

Mayor Collins called to order the Town Council Meeting for Thursday, November 1, 2018 at 3:10 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 A. Sherf  
Council Member Mark Stanton

**STAFF MEMBERS PRESENT**

Interim Town Manager Brian Dalke  
Town Attorney Andrew Miller  
Deputy Town Manager Dawn Marie Buckland  
Town Clerk Duncan Miller  
Police Chief Peter Wingert  
Town Engineer Paul Mood  
Community Development Director Jeremy Knapp  
Chief Financial Officer Douglas Allen  
Chief Information Officer Steven Brunasso  
Capital Projects Manager Jason Harris

**2. STUDY SESSION ITEMS**

**18-414      Discussion of Capital Improvement Program (CIP)**

Town Engineer Paul Mood provided background on the Town's Capital Improvement Program (CIP). He discussed historical funding levels and the process by which CIP projects are identified and ranked. He provided a status report on current fiscal year projects and a summary of projects in future years.

There was Council interest in taking a closer look at the methodology used to identify and rank CIP projects. Specifically, there was consensus to reduce the number of categories and change the

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numeric weights assigned to each category. Council directed that a session item be scheduled for February to discuss and re-rank projects in Fiscal Year 2020.

**18-411 Discussion of Doubletree Ranch Rd Road Reconstruction Project**

Capital Projects Manager Jason Harris presented the final design plans for the Doubletree Ranch Road reconstruction project. He stated that the majority of public comments received about the project were not supportive. The road had been resurfaced about eight years ago using American Recovery and Reinvestment Act money and the road still has years of useful life. There were concerns expressed by neighbors that a meandering road would result in the road being moved closer to some residents' front yards.

A majority of the Council did not support moving forward with placing the construction contract on a future agenda as designed.

The Council discussed limiting the project scope to an entry design treatment at Doubletree Ranch Road and Scottsdale Road. The Council directed staff to prepare a report for the November 15, 2018 Council meeting addressing the options and costs associated with improving the entry with landscaping and traffic calming. It was further requested that residents be given an opportunity to provide comments during the discussion.

**18-423 Discussion of Establishment of a Citizen Capital Projects Outreach Committee**

This item was not discussed.

**3. EXECUTIVE SESSION**

**A motion was made by Council Member Pace, seconded by Vice Mayor Bien-Willner, to into executive session at 5:40 PM to discuss items 18-413 and 18-430. 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

- 18-413** Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the Smoke Tree Resort and Lincoln Medical Plaza as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding Special Use Permit zoning as authorized by A.R.S. §38 431.03(A)(3.)
- 18-430** Discussion and consultation with the Town Attorney for legal advice regarding Five Star Development Agreement Certificate of Occupancy Restrictions as authorized by A.R.S. §38-431.03(A)(3).  
*Amended*
- 18-407** 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).

**4. BREAK**

**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**

Interim Town Manager Brian Dalke  
Town Attorney Andrew Miller  
Deputy Town Manager Dawn Marie Buckland  
Town Clerk Duncan Miller  
Police Chief Peter Wingert  
Town Engineer Paul Mood  
Community Development Director Jeremy Knapp  
Public Works Director Brent Skoglund

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS**

There were no presentations.

**9. CALL TO THE PUBLIC**

Resident Robert Backie thanked the Town for helping to resolve a code compliance matter with a neighboring property with alpacas.

Resident Bernie Barry addressed the Council regarding the proposed Doubletree Ranch Road reconstruction project. He suggested that the Town should weigh the cost of the project over improvements to aesthetics. He also spoke in opposition to construction of round-a-bouts.

Resident Ken Van Winkle, Camelback Country Estates I, addressed the Council regarding the negative impacts of short-term rental properties in his neighborhood. He asked for greater enforcement of properties that are being rented for special events and commercial activities.

Cori Rosen, owner of a property in the Azure development, addressed the Council regarding her inability to move in to her home because a certificate of occupancy has not been issued pending the construction of a road by Five Star Development pursuant to the Development Agreement.

Mayor Collins responded that he would schedule a discussion of the status of the Five Star Development project and Development Agreement for the next Council meeting.

## 10. CONSENT AGENDA

Interim Town Manager Brian Dalke summarized the items on the Consent Agenda. Council Member Dembow removed Item 18-348. Vice Mayor Bien-Willner removed item 18-421.

**A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, to approve the Consent Agenda with the exception of items 18-348 and 18-421. 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

**18-417            Adoption of Resolution Number 2018-26; Replat to Modify the Lot Lines and Drainage Easement on Ritz Carlton Area C- Located at 7000 E. Lincoln Drive.**

**Recommendation:** Adopt Resolution 2018-26

**Staff Contact:** George Burton, 480-348-3525

**18-424            Adoption of Resolution No. 2018-27, Referral of Draft Ordinance Regarding SUP Managerial Amendment Process to the Planning Commission**

**Recommendation:** Adopt Resolution Number 2018-27.

**18-418            Authorize the Town Manager to Execute a Contract in an Amount Not to Exceed \$240,000 with Brown and Associates for Third Party Plan Review and Inspections Related to Construction Activities at the Ritz Carlton Five Star Development**

**Recommendation:** Authorize the Town Manager to execute a contract with Brown and Associates.

**18-348            Authorization to Purchase Body Worn Cameras**

**Recommendation:** Approve the purchase of 32 Axon Body Worn Cameras, charging docks, magnetic mounts, and cloud storage at a not to exceed amount of \$120,000.

Council Member Dembow spoke in favor of body cameras as an important public safety and government transparency tool.

A motion was made by Council Member Dembow, seconded by Council Member Pace, to approve item 18-348 authorization to purchase of body worn cameras. 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

**18-421          Adoption of Resolution Number 2018-28; Amending Resolution  
2018-05 Cellular Service Task Force**

**Recommendation:** Adopt Resolution Number 2018-28.

Vice Mayor Bien-Willner provided an update on the Cellular Service Task Force.

A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Moore, to adopt Resolution Number 2018-28. 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

**18-410          Historic Property Recognition Program**

Mayor Collins stated that in February 2017, the Town Council tasked the Historical Advisory Committee with recommending a voluntary program to recognize historic structures and properties within the Town.

Resident Doug Jorden spoke in favor of the program. He worked with the Historical Advisory Committee to draft the program guidelines. He noted that the program is voluntary and does not place any regulatory burdens on property owners.

A motion was made by Council Member Stanton, seconded by Council Member Pace, to approve the Historic Property Recognition Program as recommended by the Paradise Valley Historical Advisory 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

**18-419            Approval of Resolution 2018-20 Accepting the Visually Significant  
Corridors Master Plan**

Community Development Director Jeremy Knapp presented the final draft of the Visually Significant Corridors Master Plan.

The Council discussed the Master Plan. There was no public comment.

**A motion was made by Council Member Pace, seconded by Council Member Sherf, to adopt Resolution 2018-20; accepting the Visually Significant Corridors Master Plan. 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

**13. FUTURE AGENDA ITEMS**

**18-408            Consideration of Requests for Future Agenda Items**

Interim Town Manager Brian Dalke summarized the future agenda schedule. He stated that an update on the Five Star Development project and Development Agreement status, as well as a discussion of the Doubletree Ranch Road entry design would be added to the November 15, 2018 agenda.

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

Mr. Dalke announced that the Fiscal Year 2019 budget was online and that the annual financial report is nearly complete and would be presented to Council soon.

Council Member Pace reported that the Police Officers raised \$12,000 at an event at El Chorro to support Special Olympics. She stated that ACOPS would meet on Tuesday, November 6. She is helping to draft updates to the policies on ethics and conflict of interest. She complimented the new landscaping in front of the Sanctuary Resort.

Council Member Dembow announced that the 14<sup>th</sup> Annual Paradise Valley Veterans Appreciation

Vintage Car Show would be held on Saturday, November 10<sup>th</sup> at Town Hall.

Council Member Moore announced that the Experience Scottsdale Board of Directors would hold a retreat on November 12<sup>th</sup>.

## **15. STUDY SESSION CONTINUED**

Mayor Collins recessed the meeting at 7:17 PM and reconvened the Study Session in the Boardroom at 7:30 PM

### **18-409            Update on the Town of Paradise Valley Public Safety Foundation 501(c)3**

Advisory Committee on Public Safety (ACOPS) Chair Julie Pace and Committee Member Michael Cummiskey updated the Council on the creation of a 501(c)(3) foundation to accept donations to support public safety needs in Paradise Valley. It was believed a buffer between the Police Department and fundraising activities was appropriate; therefore, the foundation would be set up as an independent entity.

The Council discussed the draft Articles of Incorporation, Mission Statement, and Memorandum of Understanding with the Town of Paradise Valley. They discussed Foundation membership and criteria for accepting and rejecting donations.

Council Member Pace stated she is working on the bylaws. It was agreed that Council Members would forward any comments or suggestion on the Memorandum of Understanding to Council Member Pace by next Wednesday and it would be scheduled for a vote on November 15, 2018.

### **18-388            Discussion of the Major Special Use Permit Amendment (SUP-18-06) 7125 E Lincoln Drive - Lincoln Plaza Medical Center**

Senior Planner Paul Michaud presented a request by Jamel Greenway L.L.C., owner of Lincoln Plaza Medical, to redevelop the existing medical plaza located at 7125 E Lincoln Drive. The existing buildings would be demolished and a new medical office building would be constructed. He stated that the Planning Commission voted 6 – 0 to forward the application to the Town Council with a recommendation for approval, subject to stipulations.

The Council discussed the applicants request to provide 16-feet, of the total 65-foot roadway dedication, by easement instead of right-of-way in order to accommodate parking. The Council also discussed including a stipulation to prohibit a medical marijuana dispensary. They questioned the size of the pharmacy and if it would include retail. Noise associated with ambulances was also discussed.

Traffic and circulation was a concern, especially given the property's proximity to other development projects. Town Engineer Paul Mood reported that the Town retained a third-





