

TOWN
of
PARADISE VALLEY



TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, April 13, 2017

1. CALL TO ORDER / ROLL CALL

Vice Mayor Bien-Willner called to order the Town Council Meeting for Thursday, April 13, 2017 at 3:30 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

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

Mayor Michael Collins was not present

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 Supervisor Jerry Cooper
Community Development Director Eva Cutro
Engineering Services Analyst Jeremy Knapp
Acting Town Engineer Woody Scoutten
Senior Financial Analyst/Management Analyst Christine Covell-Granberg
Senior IT Analyst/Management Analyst Robert Kornovich
Municipal Court Director Jeanette Wiesenhofer
Human Resources Manager Jinnett Hancock

2. STUDY SESSION ITEMS

17-097 FY 2018 Operating Budget

Town Manager Kevin Burke presented his recommended Fiscal Year 2017-2018 budget. He stated that the Town is in a strong financial position due to the strengthening Arizona economy, and by extension strong state-shared revenue and sales tax collection. Moreover, the Town has three new resorts online or under construction (ANdAZ, Mountain Shadows, and Ritz-Carlton). He said there is about a \$2 million increase in revenue from the two new operating resorts. He reported that the total FY 2018 budget, including enterprise funds, was \$52 million. He highlighted the completion of the public safety radio tower and the significant pay-down of the police pension liability. He also stated that the sewer utility fund is structurally balanced again as a result of the utility rate increase. He had planned to recommend a 10% reduction in the fire service fee but the town just received notice from the City of Phoenix that they are increasing the amount they charge the Town by 12%.

He said the operating budget review is projected to be \$29.7 million (\$2 million increase) and projected expenditures would be \$32.6 million (\$9 million increase). The \$9 million increase includes the police pension payment, mill and overlay of Tatum Blvd, and expenses related to the Post Office.

The department directors presented their budgets and responded to questions.

Council feedback included the following:

- Seek grant and cost-share opportunities where possible
- Provide additional information or assurance on LPR data security
- Provide a report on the duties of the new procurement and grant specialist employee. Present a report on the return on investment for that position
- Clarify need for outside professional services contracts and/or consider resident volunteers with expertise instead
- Clarify with Experience Scottsdale (CVB) that the Town's annual funding agreement includes financial support for the Fiesta Bowl. The Town will not award additional funding or set up a separate account in the general fund operating budget for one-time requests for funding from Experience Scottsdale

17-120 Storm Drainage Design Manual Revisions Summary and Update

Engineering Services Analyst Jeremy Knapp presented additional information on the proposed Storm Drainage Design Manual and responded to questions raised by the Council at the March 23rd Study Session. The three discussion topics included: first flush, retention basin easements, and pool backwash.

Mr. Knapp explained the first flush requirement. He stated that the Town's calculation for first flush requirement was based off the disturbed area of the proposed development and not the entire site.

He said the goal of the retention basin easement was to provide a mechanism to notify property owners during the change in ownership that a retention basin exists and must remain in its location and be maintained.

Regarding pool backwash he described a practiced authorized in Scottsdale and Phoenix that allows residents to drain pools into the sanitary sewer if done so in the cleanout on private property.

There was additional Council discussion and uncertainty regarding the first flush requirement and the easement over private property to access retention basins. The Council asked for additional clarification on how a property would be developed under the requirement in the old manual versus the new manual.

There was Council consensus to table the Storm Drainage Design Manual until after the new Town Engineer has had an opportunity to review and comment on the document. Staff was directed to discuss and get feedback from the building community on the first flush requirement. The Council also asked for a redline version or comparison between the current and proposed manuals.

Vice Mayor Bien-Willner recessed the meeting at 6:05 PM.

3. EXECUTIVE SESSION

- 17-110 **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).**

No action was taken on this item.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Vice Mayor Bien-Willner reconvened the meeting at 6:15 PM

COUNCIL MEMBERS PRESENT

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

Mayor Michael Collins was not present

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
Community Development Director Eva Cutro
Engineering Services Analyst Jeremy Knapp
Acting Town Engineer Woody Scoutten

7. PLEDGE OF ALLEGIANCE*

Vice Mayor Bien-Willner led the Pledge of Allegiance.

8. PRESENTATIONS*

- 17-116 **Phoenix Symphony Day Proclamation Presentation**

Vice Mayor Bien-Willner presented a proclamation to Dr. Oliver Harper and Molly DeFilippis declaring April 20th "Phoenix Symphony Day in Paradise Valley".

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the items on the consent agenda.

A motion was made by Council Member Moore, seconded by Council Member Pace, to approve the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Mayor Collins

- 17-115 **Minutes of Town Council Meeting March 23, 2017**
- 17-117 **Approval of Special Event Liquor License for Treasure House**
- 17-113 **Approval of Board of Adjustment Chair**
- 17-114 **Approval of Planning Commission Chair**

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

- 17-129 **Approval of Resolution 2017-08 Declaring the Town's Storm Water Management Policy**

Mr. Burke presented a resolution promulgating the Town's policy on storm water management. He characterized the policy as the status quo plus mapping and participation with the Maricopa County Flood Control District on flood control projects.

Under the policy the Town would:

- Rely on the updated Storm Drainage Design Manual to guide private development
- Construct storm drainage facilities with roadway projects as necessary
- Maintain individual storm drain studies in GIS
- Town constructs very small local projects (i.e. curb and gutter)
- Residents responsible for wash maintenance and private storm drainage structures, lot by lot solutions

- Meet federal and state requirements for storm water management, participate in the NFIP

There was Council discussion regarding the cost benefit analysis for constructing flood control projects to handle a 10 year event versus a 100 year event.

Resident Phyllis Peshkin provided additional information on eligibility of claims payment under FEMA's National Flood Insurance Program (NFIP).

The Council directed staff to research what constitutes a flood or flood damage under NFIP and if data is available from FEMA on the number of claims that have been filed and/or paid in Paradise Valley.

A motion was made by Council Member Sherf, seconded by Council Member Pace, to approve Resolution 2017-17. The motion carried by the following vote:

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

Absent: 1 - Mayor Collins

17-121 Adoption of Ordinance 2017-01 updating the Town's Storm Drainage Design Manual; and Adoption of Resolution 2017-06 establishing said document a public record

Mr. Knapp summarized the proposed Storm Drainage Design Manual. It was noted that the Council raised additional questions and concerns during the Study Session regarding the document. There was consensus to delay adoption until after the new Town Engineer has a chance to review the document. There was also direction to discuss the "first flush" requirement with the building community prior to final adoption.

A motion was made by Council Member Pace, seconded by Council Member Stanton, to table Ordinance 2017-01 updating the Town's Storm Drainage Design Manual; and Adopt Resolution 2017-06 establishing said document a public record. The motion carried by the following vote:

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

Absent: 1 - Mayor Collins

17-122 Adoption of Resolution Number 2017-07 Authorizing Membership in the Arizona Metropolitan Trust (AzMT) for Employee Medical, Dental, Vision, Life, Accidental Death and Short Term Disability Insurance

Human Resources Manager Jinnett Hancock presented a proposal to change employee health insurance providers from the Arizona Public Employers Health Pool to the Arizona Metropolitan Trust. The new plan would include employee medical, dental, vision, life, accidental death and short term disability insurance. She stated that the new plan would save the employee and the employer approximately \$67,000.

The Council posed questions about the pool including: how long the pool has been in existence, its financial stability, and the history of annual rate increases. There was Council concern expressed about the three-year contract commitment and that there was no cap on annual rate increases.

A motion was made by Council Member Moore, seconded by Council Member Sherf, to Adopt Resolution Number 2017-07. The motion carried by the following vote:

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

Absent: 1 - Mayor Collins

13. FUTURE AGENDA ITEMS

17-111 Consideration of Requests for Future Agenda Items

A motion was made by Council Member Dembow, seconded by Council Member Pace, to add a discussion of Council Rules of Procedure Section VIII(B)(13) regarding the number of Council Members required to add an item to an agenda. The motion carried by the following vote:

There was Council discussion that the item may be moot if this item is discussed at during the governance discussion at the Council Policy Retreat follow up meeting.

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

Nay: 1 - Council Member Stanton

Absent: 1 - Mayor Collins

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Pace reported on the April 4th ACOPS meeting. New member Chuck Matthews was sworn in and they received a briefing from the City of Phoenix Air Flight Rescue. ACOPS will prepare an FAQ section for the website regarding helicopters and drones. She encouraged Council Members to contract the Police Department to conduct a security audit of their homes and encourage friends and neighbors to do the same.

Vice Mayor Bien-Willner stated that the Town Manager's working group on the Alarm Monitoring System will present its recommendation to the Council on April 27.

Vice Mayor Bien-Willner recessed the meeting at 7:38 PM and reconvened the meeting in the Boardroom to consider the remaining Study Session items.

15. STUDY SESSION ITEMS CONTINUED**17-112 Legislative Update**

Ms. Buckland briefed the Town Council on pending legislation of interest to the Town. She reported that several bills that would have negatively impacted the Town were dead including the bill prohibiting photo enforcement, the requirement to renegotiate intergovernmental agreements every 8 years, and a bill adding a controversial ballot disclosure statement in bond elections.

17-128 Lighting Code Revisions to Article 10 Height and Area Regulations, Section 1023 Outdoor Lighting and Illumination; Article 22 Hillside Development Regulations, Section 2208 Outdoor Lighting; Article 25 Signs, Section 2506 Lighting; and Special Use Permit Guidelines, Section 2 Lighting as contained in Ordinance # 2016-04.

Ms. Cutro provided background on the lighting code provisions. Initially, staff identified certain technical updates and text clarifications in the lighting code. During the Planning Commission review the scope of amendments expanded to include security lighting standards, entry door lighting, driveway marker lighting, timeframe for holiday lights, and other additional standards. The Commission held 12 public meetings over 13 months before forwarding a recommendation to Council. The Council rejected the expanded scope and referred the ordinance back to the Commission. The Council also discussed at the policy retreat developing a statement of direction on lighting to help focus the Commission's review.

There was Council consensus not to refer the ordinance amendments back to the Planning Commission. Staff was directed to bring back an ordinance to Council making the recommended technical revisions related to lumen, kelvin, and lux measurements. There was also consensus to consider the recommended "housekeeping" amendments such as the period allowed for holiday lights.

