



## Action Summary

### Town Council

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Thursday, June 25, 2020

2:00 PM

Council Chambers

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#### 1. CALL TO ORDER / ROLL CALL

**Present:** 7 - Mayor Jerry Bien-Willner  
Council Member Ellen Andeen  
Council Member Paul Dembow  
Council Member Scott Moore  
Vice Mayor Julie Pace  
Council Member Mark Stanton  
Council Member Anna Thomasson

#### 2. EXECUTIVE SESSION

[20-292](#)

Discussion or consultation with the Town representatives concerning negotiations for the purchase, sale, or condemnation of real property in the vicinity of 7100 E Lincoln Drive as authorized by A.R.S. §38 431.03(A)(7) and/or discussion and consultation with the Town Attorney for legal advice as authorized by A.R.S. §38 431.03(A)(3.)

**A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to go into executive session to discuss agenda items 20-292, 20-205, and 20-276. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-305](#) Discussion and consultation with the Town Attorney regarding contract negotiations or pending or contemplated litigation, related to Five Star Development project as authorized by A.R.S. §38-431.03(A)(4); discussion and consultation with the Town Attorney for legal advice regarding the development agreement and associated agreements with Five Star Development as authorized by A.R.S. §38-431.03(A)(3); and legal advice regarding zoning application for Palmeraie as authorized by A.R.S. §38-431.03(A)(3).

**to go into Executive Session**

[20-276](#) 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).

**to go into Executive Session**

### **3. STUDY SESSION ITEMS - APPROXIMATE START TIME 3:00 PM**

[20-282](#) Discussion of a Revised Statement of Direction for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort  
60 Minutes

**Indexes:** Smoketree Resort

**Received and Filed**

[20-299](#) Discussion of the Federal Cares Act, the AzCares Fund, AzDEMA, and FEMA Reimbursements for the Town  
15 Minutes

**Received and Filed**

[20-274](#) Discussion of Building Pad Height  
30 Minutes

**Received and Filed**

[20-283](#) Discussion of Cut-Through Traffic  
30 Minutes

**Received and Filed**

[20-298](#) Discussion and Direction to Enact a Summer Work Group for Banking and Investment Services and Related Policies  
30 Minutes

**Received and Filed**

[20-288](#) Discussion of the Town's Actual Revenue Collections to-date  
15 Minutes  
**Received and Filed**

**4. BREAK**

**5. RECONVENE FOR REGULAR MEETING 6:00 PM**

**6. ROLL CALL**

**Present:** 7 - Mayor Jerry Bien-Willner  
Council Member Ellen Andeen  
Council Member Paul Dembow  
Council Member Scott Moore  
Vice Mayor Julie Pace  
Council Member Mark Stanton  
Council Member Anna Thomasson

**7. PLEDGE OF ALLEGIANCE\***

**8. PRESENTATIONS\***

[20-301](#) Recognition of Donors to the Paradise Valley Mountain Preserve Trust  
**Read into the Record**

**9. CALL TO THE PUBLIC**

**10. CONSENT AGENDA**

Approval of the Consent Agenda

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

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-278](#) Minutes of Town Council Meeting May 28, 2020  
**Approved**

[20-279](#) Minutes of Town Council Special Meeting June 2, 2020  
**Approved**

- [20-280](#) Minutes of Town Council Meeting June 11, 2020  
**Approved**
- [20-289](#) Call a Special Meeting for August 20, 2020 to Canvass the Election  
**Approved**
- [20-285](#) Approval of 1st Amendment to Maricopa County Animal Care and Control Intergovernmental Agreement  
**Indexes:** Police Initiatives  
**Approved**
- [20-286](#) Approve Resolution 2020-27 Amending the Fiscal Year 2019/20 Adopted Budget  
**Adopted**
- [20-287](#) Approve Resolution 2020-24 Designating the Chief Fiscal Officer as the Town's Filing Agent for the Annual Expenditure Limitation Report for FY 2020/21  
**Adopted**
- [20-290](#) Approve Resolution 2020-23 Designating Applicant's Agent  
**Adopted**
- [20-291](#) Approve Resolution 2020-22 Authorizing an Application for and Acceptance of AzCares Funding and to Authorize the Town Manager to Execute Required Documents  
**Adopted**
- [20-296](#) Approval of an Infrastructure Improvement Agreement With Mountain Shadows Resort ("Resort") Providing For Payment By The Resort Of The Town's Design And Construction Costs For A New Median And Deceleration Lane On Lincoln Drive To Allow Left-Turn Access For Westbound Traffic Into The Resort's Westernmost Driveway  
**Approved**
- [20-297](#) Approval of Amendment to the Town Manager's Employment Agreement  
**Approved**
- [20-302](#) Adoption of Resolution 2020-26; Authorizing The Mayor And Town Manager To Advocate On Behalf Of Town Council During Council Recess  
**Adopted**

**11. PUBLIC HEARINGS****12. ACTION ITEMS**[20-273](#)

Award of Construction Contract for Sanitary Sewer Repairs

**A motion was made by Council Member Moore, seconded by Council Member Stanton, to authorize the Town Manager to execute the construction contract with Achen Gardner Construction, LLC in the amount not to exceed \$281,842.96 and waive the 14-day contract execution waiting period. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-295](#)

Award of Construction Contract for Lincoln Drive Median Improvements

**A motion was made by Council Member Moore, seconded by Council Member Stanton, to authorize the Town Manager to execute the construction contract with Markham Contracting Co., Inc. in the amount not to exceed \$2,333,226.88 and waive the 14-day contract execution waiting period. The motion carried by the following vote:**

**Aye:** 6 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Stanton  
Council Member Thomasson

**Recused:** 1 - Vice Mayor Pace

[20-272](#)

Adoption of Ordinance No. 2020-08; Amending Article 5-8-4 Native Plant Preservation and Article 5-10-5 Grading And Dust Control Regulations

**A motion was made by Council Member Moore, seconded by Council Member Thomasson, to Adopt Ordinance Number 2020-08. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-303](#)

Adoption of Resolution 2020-21 (Adopt Board and Commission Training Manual and Institute Training); Ordinance 2020-03 (Modify Town Code to have Council Approve Rules for Commission, BOA and HBC); Resolution 2020-09 (Adopting Rules for Commission); Resolution 2020-10 (Adopting Rules for BOA); Resolution 2020-11 (Adopting Rules for HBC)

**A motion was made by Council Member Thomasson, seconded by Council Member Moore, to adopt Resolution 2020-21, Ordinance 2020-03, Resolution 2020-09, Resolution 2020-10, and Resolution 2020-11 The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-300](#)

Motion to Reconsider Ordinance Number 2020-07 and the Adoption of Resolution Number 2020-25 and the Adoption of amended Ordinance Number 2020-07; Adopting Amendments to the Floodplain Section of the Town Code by Reference

**A motion was made by Council Member Dembow, seconded by Council Member Moore, to reconsider Ordinance Number 2020-07. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**A motion was made by Council Member Stanton, seconded by Council Member Dembow, to adopt of Resolution Number 2020-25 and adopt Ordinance Number 2020-07. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-284](#)

Approval of a Revised Statement of Direction for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort

**A motion was made by Council Member Moore, seconded by Council Member Stanton, to approve the revised Statement of Direction for Smoke Tree Resort, remand the Special Use Permit application to the Planning Commission, and direct staff to work on the development agreement related to land dedications and right-of-way construction. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

[20-304](#)

Consideration of a New 3-year Contract with Two One-Year Extensions with Experience Scottsdale

**A motion was made by Council Member Moore, seconded by Council Member Dembow, to authorize the Town Manager to execute an agreement with Experience Scottsdale and waive 14 day waiting period. The motion carried by the following vote:**

**Aye:** 5 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Thomasson

**Recused:** 2 - Vice Mayor Pace  
Council Member Stanton

### 13. FUTURE AGENDA ITEMS

[20-277](#)

Consideration of Requests for Future Agenda Items

**No Reportable Action**

### 14. MAYOR / COUNCIL / MANAGER COMMENTS

### 15. ADJOURN

**A motion was made by Council Member Dembow, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson