



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Summary

### Town Council

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

---

Thursday, June 10, 2021

2:00 PM

Council Chambers

---

### Amended

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

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

#### 2. STUDY SESSION ITEMS

- [21-224](#) Discussion and Possible Direction of Construction and Landscape Noise Regulations  
30 Minutes  
**Received and Filed**
- [21-232](#) Discussion of Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services  
10 Minutes  
**Received and Filed**
- [21-214](#) Interview and Possible Discussion of Applicants to Fill a Vacancy on the Planning Commission  
10 Minutes  
**Received and Filed**

[21-228](#) Discussion and Possible Direction on Landscape Maintenance Regulations for Area Adjacent to Rights of Way, Sidewalks and Private Property  
30 Minutes  
**Received and Filed**

### 3. EXECUTIVE SESSION

[21-208](#) Discussion or consideration of applicants to fill the Planning Commission vacancy as authorized by A.R.S. §38-431.03(A)(1).

**A motion was made at 4:00 PM by Council Member Thomasson, seconded by Vice Mayor Stanton, to go into executive session to receive legal advice on items 21-208, 21-206, and 21-207. The motion carried by the following vote:**

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

[21-206](#) Discussion and consultation with the Town Attorney regarding pending or contemplated litigation related to Five Star Development project as authorized by A.R.S. §38-431.03(A)(4); and 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).

**to go into Executive Session**

[21-207](#) Discussion or consideration regarding Town Manager, Town Attorney, and Assistant Town Attorney performance review and goal setting as authorized by A.R.S. §38-431.03(A)(1).

**to go into Executive Session**

[21-230](#) Discussion or consultation for legal advice with the attorney or attorneys of the Town Council regarding conflict of interest law as authorized by A.R.S. §38-431.03(A)(3).

**A motion was made at 7:25 p.m. by Council Member Andeen, seconded by Vice Mayor Stanton, to go into executive session to receive legal advice on item 21-230. The motion carried by the following vote:**

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

[21-209](#)

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).

**No Reportable Action**

#### **4. BREAK**

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

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

**7. PLEDGE OF ALLEGIANCE\*****8. PRESENTATIONS\*****9. CALL TO THE PUBLIC****10. CONSENT AGENDA**

Approval of the Consent Agenda

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

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

[21-210](#) Minutes of Town Council Meeting May 27, 2021

**Approved**

[21-229](#) Minutes of Town Council Meeting June 3, 2021

**Approved**

[21-216](#) Adoption of Resolution 2021-13 Adopting the Annual Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year 2022

**Recommendation:** Adopt Resolution 2021-13

**Adopted**

[21-215](#) Adoption of Resolution 2021-14 Designating the Chief Fiscal Officer as the Town's Filing Agent for the Annual Expenditure Limitation for Fiscal Year 2021/22

**Recommendation:** Adopt Resolution 2021-14.

**Adopted**

[21-218](#) Adoption of Resolution 2021-16 Amendment to the Financial Management Policies

**Recommendation:** Adopt Resolution 2021-16.

**Adopted**

[21-222](#) Approval Contract No. CON-21-177-PBW to Purchase Town Vehicles Budgeted in Fiscal Year 2022

**Recommendation:** Approve Contract No. CON-21-177-PBW to purchase three (3) vehicles budgeted in Fiscal Year 2022 in an amount not to exceed \$134,408. The three (3) vehicles will not be purchased until after July 1, 2021 contingent on budget approval.

**Approved**

[21-221](#) Award of Contracts to South West Environmental, Inc. in the amount of \$11,744.10 for Sewer Manhole Rehabilitation Services and to Project Engineering Consultants, Ltd. in the amount of \$5,225.62 for Sewer Manhole Rehabilitation Design and Construction Administration & Inspection Services.

**Recommendation:** Authorize the Town Manager to execute contract CON-21-172-ENG with South West Environmental, Inc. in the amount of \$11,744.10 for Sewer Manhole Rehabilitation Services and waive the 14-day contract execution wait period.

Authorize the Town Manager to execute contract CON-21-173-ENG with Project Engineering Consultants, Ltd. in the amount of \$5,225.62 for Sewer Manhole Rehabilitation Design and Construction Administration & Inspection Services and waive the 14-day contract execution wait period.

**Approved**

[21-223](#) Acceptance of Donations to the Town

**Recommendation:** Accept Donations to the Town.

**Approved**

[21-227](#) Approval of Contract Funding with Trick Dog Technology, a division of My Computer Works, Inc. for IT consulting services for James Bailey

**Recommendation:** Approve funding for the contract with Trick Dog Technology, a division of My Computer Works, Inc

**Approved**

[21-234](#) Approval of Amendment to the Town Manager's Employment Contract

**Recommendation:** Authorize the Mayor to execute Amendment Three to the Town Manager's Employment Agreement, CON-19-063-TMG-A3, and waive the 14-day contract execution wait period.

**Approved**

[21-235](#) Approval of Settlement Agreement between the Town of Paradise Valley and Five Star Development Resort Communities, et al. to Resolve Disputes in Pending Litigation and other Matters

**Recommendation:** Approve Settlement Agreement between the Town of Paradise Valley and Five Star Development Resort Communities, et al.

**Approved**

## RECESS REGULAR MEETING

## 11. SPECIAL MEETING - PUBLIC HEARINGS

[21-219](#) Adoption of Resolution Number 2021-12 Adopting the FY2021/22 Final Budget, Capital Improvement Plan and the Strategic Revenue Plan.

**Recommendation:** Adopt Resolution 2021-12.

**A motion was made by Council Member Andeen, seconded by Vice Mayor Stanton, to continue the public hearing on Resolution 2021-12 to June 24, 2021.  
The motion carried by the following vote:**

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

## RECONVENE REGULAR MEETING

## 12. ACTION ITEMS

[21-220](#)

Consideration of a Subdivision Sign at 6403 E Luke Avenue (MI-20-02)

**Recommendation:** Approve the Cameldale Estates subdivision sign at 6403 E Luke Avenue, subject to the stipulations in the Staff Report.

A motion was made by Council Member Andeen, seconded by Council Member Pace, to approve the Cameldale Estates subdivision sign at 6403 E Luke Avenue, subject to the following stipulations:

1. The subdivision monument sign shall be in substantial compliance with the submitted documents that includes the following:
  - a. Narrative from Dirk Bloom dated May 6, 2021;
  - b. Overall Site Plan, Sheet DRB200, prepared by Drewett Works Architecture, dated February 17, 2020;
  - c. Site Plan (Detail), Sheet DRB201, prepared by Drewett Works Architecture, dated February 17, 2020;
  - d. Signage Plan, Sheet DRB202, prepared by Drewett Works Architecture, dated February 17, 2020 with the sign material using mocha-colored stone veneer and bronze lettering (or similar material); and
  - e. FXLuminaire up light cut sheets, 3 pages, showing that each fixture is 35 watt, 331 lumens and 2,700 Kelvins. Sign light fixtures shall not exceed 3 light fixtures per sign face, be pointed away from the right-of-way property line, be directed onto the sign as not to create light spillover, have an antique bronze metallic powder coat finish (or similar finish), and the brightness of these fixtures not exceed 0.75 foot-candles at the property line.
2. The applicant shall provide a setback certification for the monument sign along Invergordon Road and Luke Avenue prior to footing inspection approval for the sign building permit.
3. Lot 2 of the Luke Avenue Lot Line Adjustment shall not be used in the future for calculation of a subdivision sign(s) separate from the sign application for Cameldale Estates.
4. The subdivision monument sign shall consist of a monument sign, lighting, and surrounding landscaping; which shall be maintained by the property owner in good condition (e.g., material finish in good appearance, properly secured, no weeds). Maintenance and enforcement shall follow Town Code provisions, including that landscaping within the 50-foot by 50-foot corner vision complies with Section 8-1-13 of the Paradise Valley Town Code that limits landscape material to two-foot tall.
5. Removal of the subdivision monument sign is allowable at any time and is a private matter between the property owner(s), or successors.

The motion carried by the following vote:

- Aye:** 5 - Mayor Bien-Willner  
Vice Mayor Stanton  
Council Member Andeen  
Council Member Pace  
Council Member Thomasson
- Nay:** 2 - Council Member Dembow  
Council Member Moore

[21-225](#)

Award of Contracts to Achen-Gardner Construction, LLC in the amount of \$303,168.56 for Sewer Rehabilitation Construction Services and to Project Engineering Consultants, Ltd. In the Amount of \$23,017.79 for Sewer Rehabilitation Design and Construction Administration & Inspection Services

**Recommendation:** Authorize the Town Manager to execute contract CON-21-170-ENG with Achen-Gardner Construction, LLC in the amount of \$303,168.56 for Sewer Rehabilitation Construction Services and waive the 14-day contract execution wait period.

Authorize the Town Manager to execute contract CON-21-171-ENG with Project Engineering Consultants, Ltd. In the amount of \$23,017.79 for Sewer Rehabilitation Design and Construction Administration & Inspection Services and waive the 14-day contract execution wait period.

A motion was made by Council Member Andeen, seconded by Council Member Pace, to Authorize the Town Manager to execute contract CON-21-170-ENG with Achen-Gardner Construction, LLC in the amount of \$303,168.56 for Sewer Rehabilitation Construction Services and waive the 14-day contract execution wait period; and authorize the Town Manager to execute contract CON-21-171-ENG with Project Engineering Consultants, Ltd. In the amount of \$23,017.79 for Sewer Rehabilitation Design and Construction Administration & Inspection Services and waive the 14-day contract execution wait period. The motion carried by the following vote:

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

[21-231](#)

Adoption of Resolution 2021-17 Approving an Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services

**Recommendation:** Adopt Resolution No. 2021-17 authorizing the Town Manager to sign the Intergovernmental Agreement (CON-21-178-TMG) between the Town and City of Phoenix for Fire and Emergency Services.

A motion was made by Council Member Pace, seconded by Vice Mayor Stanton, to adopt Resolution No. 2021-17 authorizing the Town Manager to sign the Intergovernmental Agreement (CON-21-178-TMG) between the Town and City of Phoenix for Fire and Emergency Services. The motion carried by the following vote:



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

[21-212](#) Appointment to the Planning Commission

**Recommendation:** Make an appointment to fill the vacancy on the Planning Commission through March 2023

**A motion was made by Council Member Moore, seconded by Council Member Thomasson, to appoint to Kristina Locke to fill a vacancy on the Planning Commission through March 2023. The motion carried by the following vote:**

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

**Nay:** 2 - Council Member Andeen  
Council Member Pace

### 13. STUDY SESSION CONTINUED

[21-213](#) Discussion of Committee, Commission, and Board Appointment Process

**Received and Filed**

### 14. FUTURE AGENDA ITEMS

[21-211](#) Consideration of Requests for Future Agenda Items

**Recommendation:** Review the current list of pending agenda topics.

**Received and Filed**

### 15. MAYOR / COUNCIL / MANAGER COMMENTS

### 16. ADJOURN

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

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