



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, December 2, 2021

3:00 PM

Council Chambers

1. CALL TO ORDER / ROLL CALL

Present: 6 - Council Member Paul Dembow
Council Member Julie Pace
Council Member Anna Thomasson
Mayor Jerry Bien-Willner
Vice Mayor Mark Stanton
Council Member Ellen Andeen
Absent: 1 - Council Member Scott Moore

2. EXECUTIVE SESSION - START TIME 3:00 PM

[21-394](#)

Discussion or consultation with the Town's attorney(s) for legal advice and to consider the Town's position and provide possible instruction regarding EPCOR Water Arizona, Inc's rate case currently pending before the Arizona Corporation Commission (Docket WS-01303A-20-0177), as authorized by A.R.S. §38-431.03(A)(3) and §38-431.03(A)(4).

A motion was made at 3:01 PM by Council Member Thomasson, seconded by Council Member Dembow, to go into executive session for legal advice regarding items 21-394 and 21-380.. The motion failed by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen
Absent: 1 - Council Member Moore

[21-380](#)

Discussion or consultation for legal advice with the Town Attorney regarding Town Code amendments related to code enforcement (special events, nuisance noise, unruly gatherings, and rental registration) as authorized by A.R.S. §38-431.03(A)(3).

to go into Executive Session

[21-395](#)

Discussion or consultation with Town's Attorney(s) in order to consider employment, assignment, and recruitment of Town Attorney, as authorized by A.R.S. § 38-431.03(A)(1) and A.R.S. § 38-431.03(A)(4)

A motion was made at 8:18 PM by Council Member Thomasson, seconded by Council Member Pace, to go into executive session for legal advice regarding item 21-395. The motion carried by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen

Absent: 1 - Council Member Moore

[21-381](#)

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

3. STUDY SESSION ITEMS - APPROXIMATE START TIME 4:00 PM

[21-377](#) Discussion of Statement of Direction regarding a new Special Use Permit (SUP-21-02) for a private roadway gate on East Cottontail Run Road (5000 E Cottontail Run Rd & 7117 N Tatum Blvd)
15 Minutes

Received and Filed

[21-390](#) Discussion of 2021 International Fire Code
15 Minutes

Received and Filed

[21-393](#) Discussion of Status of EPCOR Water Arizona, Inc. Rate Case (Docket No WS-01303A-20-0177)
30 Minutes

Received and Filed

[21-391](#) Discussion of Amendments to the Paradise Valley Town Code Regarding Nuisances, Unruly Gatherings, Non-Compliant Short-Term Rentals, and the Peace, Health, Safety, and Welfare of the General Public
30 Minutes

Received and Filed

4. BREAK

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

Present: 6 - Council Member Paul Dembow
Council Member Julie Pace
Council Member Anna Thomasson
Mayor Jerry Bien-Willner
Vice Mayor Mark Stanton
Council Member Ellen Andeen
Absent: 1 - Council Member Scott Moore

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

Approval of the Consent Agenda

A motion was made by Council Member Dembow, seconded by Vice Mayor Stanton, to approve the Consent Agenda with the exception of item 21-378. The motion carried by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen
Absent: 1 - Council Member Moore

[21-379](#) Minutes of Town Council Meeting November 18, 2021

Approved

[21-383](#) Discussion and Action to Cancel the December 16, 2021 Council Meeting

Recommendation: Cancel the December 16, 2021 Council Meeting.

Approved

[21-378](#) Consideration of Statement of Direction regarding a new Special Use Permit (SUP-21-02) for a private roadway gate on East Cottontail Run Road (5000 E Cottontail Run Rd & 7117 N Tatum Blvd)

Recommendation: Approve the Statement of Direction for a new Special Use Permit for a private roadway gate at 5000 E Cottontail Run Rd.

A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to approve the Statement of Direction for a new Special Use Permit for a private roadway gate at 5000 E Cottontail Run Rd as amended. The motion carried by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen

Absent: 1 - Council Member Moore

[21-392](#) Discussion and Action to Approve Additional Funding for Legal and Expert Witness Services Related to the EPCOR Water Rate Case Pending at the Arizona Corporation Commission

Recommendation: Approve additional funding of \$50,000 for legal services from the Crockett Law Group and expert witness services from Thornton Financial Consulting (John Thornton).

Approved

[21-396](#) Discussion and Action on the Janssen Settlement Agreement, waiving future claims against Janssen Pharmaceuticals (Johnson & Johnson) related to the national opioid epidemic, in order to participate in a national settlement; and

Discussion and Action on the Distributors Settlement Agreement, waiving future claims against certain opioid distributors (Mckesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation) related to the national opioid epidemic, in order to participate in a national settlement.

Recommendation: Approve the Janssen Settlement Agreement, and authorize the Mayor or Town Manager to execute the Settlement Participation Form; and

Approve the Distributors Settlement Agreement, and authorize the Mayor or Town Manager to execute the Settlement Participation Form.

Approved

11. PUBLIC HEARINGS

[21-384](#)

Discussion and Action on Series 11 Liquor License for Sanctuary on Camelback Mountain Resort & Spa

Recommendation: Forward the Sanctuary on Camelback Mountain Resort & Spa application for a Series 11 liquor license transfer to the Arizona Department of Liquor Licenses and Control with a recommendation for approval.

A motion was made by Council Member Dembow, seconded by Council Member Pace, to forward the Sanctuary on Camelback Mountain Resort & Spa application for a Series 11 liquor license transfer to the Arizona Department of Liquor Licenses and Control with a recommendation for approval. The motion carried by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen

Absent: 1 - Council Member Moore

12. ACTION ITEMS

[21-376](#)

Discussion and Action on Photo Enforcement Contract

Recommendation: authorize the Town Manager to enter into a contract with American Traffic Solutions Inc. to provide photo enforcement services.

Indexes: Police Technology; Police Initiatives

A motion was made by Council Member Pace, seconded by Council Member Andeen, to authorize the Town Manager to enter into a contract with American Traffic Solutions Inc. to provide photo enforcement services. The motion carried by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen

Absent: 1 - Council Member Moore

13. STUDY SESSION CONTINUED

[21-386](#)

Paradise Valley, 2022 General Plan - Update
5 Minutes

Received and Filed

[21-385](#)

Volunteer Committee, Commission, and Board Appointment Process
Update
15 Minutes

Received and Filed

14. FUTURE AGENDA ITEMS

[21-382](#)

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 at 8:28 PM by Council Member Pace, seconded by Council Member Andeen, to adjourn. The motion failed by the following vote:

Aye: 6 - Council Member Dembow
Council Member Pace
Council Member Thomasson
Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen

Absent: 1 - Council Member Moore