



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, October 12, 2017**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, October 12, 2017 at 3:00 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 Mark Stanton

Council Member David A. Sherf was not present

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Deputy Town Manager Dawn Marie Buckland
Public Works Director Brent Skoglund
Senior Planner Paul Michaud
Planner George Burton
Engineering Services Analyst Jeremy Knapp

ALSO PRESENT

Planning Commission Chair Daran Wastchak
Planning Commissioner Rick Mahrle
Planning Commissioner Dolf Strom
Mummy Mountain Preserve Trust Chair Joan Levinson

2. STUDY SESSION ITEMS

17-352 Discussion of Hillside Preservation Options

Kroy Ekblaw, City of Scottsdale Preserve Director, delivered a presentation on the creation of the Scottsdale Preserve and its funding mechanisms.

Note: Minutes of Town Council meetings are prepared in accordance with the provisions of Arizona Revised Statutes. These minutes are intended to be an accurate reflection of action taken and direction given by the Town Council and are not verbatim transcripts. Video recordings of the meetings along with staff reports and presentations are available online and are on file in the Office of the Town Clerk.

The Town Council discussed proposals made by Council Member Pace regarding hillside preservation and reconsideration of the Mummy Mountain Preserve Trust's mission, scope, and membership.

There was Council consensus for Council Member Pace and Council Member Moore to work with an advisory group to the Town Manager to review the Trust's bylaws and recommend changes.

17-321 Discussion of Statement of Direction Paradise Valley Bicycle + Pedestrian Master Plan

Senior Planner Paul Michaud and Planning Commission Chair Daran Wastchak discussed topics that were raised during Planning Commission meetings related to the Paradise Valley Bicycle and Pedestrian Master Plan and that were not included in the initial Statement of Direction (SOD) adopted by the Council. After much discussion, there was Council consensus not to amend the SOD to include the new topics. However, the Council directed staff and the Planning Commission to forward to the Council any safety concerns and other topics not addressed within the SOD's scope in a separate recommendation.

17-348 Discussion of Statement of Direction - Hillside Lighting Code

Planner George Burton and Planning Commissioner Dolf Strom summarized potential Hillside Lighting Code amendments that were not included in the initial Statement of Direction adopted by the Council. After much discussion, there was Council consensus not to amend the SOD to include the new topics. However, if the Commission identifies any health and safety issues they should be forwarded to the Council.

Mayor Collins recessed the meeting at 6:00 PM.

3. EXECUTIVE SESSION

- 17-334 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 action was taken on this item.

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 Mark Stanton

Council Member David A. Sherf was not present

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief Peter Wingert
Deputy Town Manager Dawn Marie Buckland
Public Works Director Brent Skoglund
Senior Planner Paul Michaud
Planner George Burton
Engineering Services Analyst Jeremy Knapp

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

**17-333 Proclamation Recognizing October as Domestic Violence
Awareness Month**

Mayor Collins presented a proclamation to Elsa Varela representing Eve's Place declaring October Domestic Violence Awareness Month.

17-350 Hillside Building Committee Update

Hillside Building Committee Chair Scott Jarson presented the Committee's annual report to Council.

9. CALL TO THE PUBLIC

There was no public comment.

10. CONSENT AGENDA

Mr. Burke summarized the items on the consent agenda. Items 17-337 and 17-341 were removed for separate discussion.

17-337 Minutes of Town Council Meeting September 28, 2017

A motion was made by Mayor Collins, seconded by Council Member Stanton, to approve the Minutes of Town Council Meeting September 28, 2017. The motion carried by the following vote:

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

Absent: 1 - Council Member Sherf

**17-341 Adoption of Resolution 2017-18, A Policy Governing the
Recognition of Individuals, Groups, or Organizations**

Recommendation: Adopt Resolution Number 2017-18.

A motion was made by Council Member Pace and seconded by Council Member Dembow to Adopt Resolution Number 2017-18 amending the third sentence of the Policy Statement to read: The Town of Paradise Valley (Town) shall incur all initial and maintenance costs associated with the recognition unless the Council deems funds shall be incurred by another source, but encourages donations to cover initial and maintenance costs associated with the recognition. The motion passed by the following vote:

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

Absent: 1 - Council Member Sherf

**17-338 Consideration of Kachina Estates Subdivision Sign & Modified
Subdivision Wall**

Recommendation: Approve the subdivision sign and deny adding screens to the subdivision fence wall.

Should the Council wish to approve the application, the subdivision sign and fence screens shall be in substantial compliance with: the narrative, dated July 10, 2017; the fence details; and the site plan.

17-346 Approval of an Intergovernmental Agreement (IGA) between the Town of Paradise Valley and the City of Phoenix for Stormwater Improvements at 52nd Street and Turquoise

Recommendation: It is recommended that Town Council direct the Town Manager to execute an IGA between the Town of Paradise Valley and the City of Phoenix for stormwater improvements at 52nd Street and Turquoise.

A motion was made by Council Member Stanton, seconded by Council Member Pace, to approve the Consent Agenda items 17-338 and 17-346. The motion carried by the following vote:

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

Absent: 1 - Council Member Sherf

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

17-349 Action on Statement of Direction - Hillside Lighting Code

There was no staff presentation or additional discussion beyond what was discussed during the study session.

Residents Teresa Zachariah and Scott Tonn addressed the Council regarding hillside preservation and supported the proposals offered by Council Member Pace during the study session.

A motion was made by Council Member Moore, seconded by Council Member Dembow, to make no changes to the Statement of Direction (SOD) for the lighting section of the Hillside Code update. The motion carried by the following vote:

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

Absent: 1 - Council Member Sherf

**17-342 Action on a Statement of Direction Paradise Valley Bicycle +
Pedestrian Master Plan**

There was no staff presentation or additional discussion beyond what was discussed during the study session.

Resident Brett Goett addressed the Council regarding bicycle safety and encouraged the Town to seek opportunities to engage in constructive dialog with the cycling community.

A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Moore, to make no changes to the Statement of Direction (SOD) for the Paradise Valley Bicycle & Pedestrian Master Plan approved by the Town Council on June 22, 2017. The motion carried by the following vote:

Aye: 5 - Mayor Collins
Vice Mayor Bien-Willner
Council Member Moore
Council Member Pace
Council Member Stanton

Nay: 1 - Council Member Dembow

Absent: 1 - Council Member Sherf

13. FUTURE AGENDA ITEMS

Mr. Burke summarized the items on the future agenda schedule. There were no other additions.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Mr. Burke reported that the Town received the Voice of the People Award for Excellence in Foundations of Livability from The National Citizen Survey.

Council Member Pace reported on the activities of the Advisory Committee on Public Safety.

Council Member Dembow announced that the Annual Paradise Valley Veterans' Appreciation Car Show would be held on November 11, 2017 in the Town Hall Parking lot.

Mayor Collins recessed the meeting at 7:23 PM

15. CONTINUED STUDY SESSION ITEMS

The Council took a five-minute recess and reassembled in the Boardroom.

17-351 Governance - Discussion #3

Mr. Burke stated that the Mayor and Town Council were determined, as one of their policy goals for this term, to review governance procedures and make any necessary amendments. The Council discussed the concept of “limited government” and how it applies to policy decisions in Paradise Valley. The Council identified a list of concepts that could potentially be incorporated into a definition. There was consensus to continue the discussion at the next meeting.

17-339 Discussion of Policing Unruly Gatherings

Police Chief Peter Wingert presented options to regulate parties at residential properties. He outlined a three-pronged approach to pursue criminal penalties, civil fines, and administrative fees against unruly gathering participants and owners of problem properties.

There was Council support to draft an ordinance with the recommendations summarized by Chief Wingert. There were concerns about the charges that could be brought against property owners who may have been unaware of the gathering(s) and unable to cure the violations in an expeditious manner. The draft ordinance was also to include “safety valve” provisions so that enforcement of the ordinance would not be “unfairly punitive” to owners.

16. ADJOURN

Mayor Collins announced that a special meeting would be held on October 26, 2017.

A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:

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

Absent: 1 - Council Member Sherf

Mayor Collins adjourned the meeting at 9:12 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

Duncan Miller, Town Clerk

STATE OF ARIZONA)
COUNTY OF MARICOPA) :ss.

CERTIFICATION

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Thursday, October 12, 2017.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

Duncan Miller, Town Clerk