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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, December 7, 2017**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Collins called to order the Town Council Meeting for Thursday, December 7, 2017 at 4:15 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 David A. Sherf

Council Member Mark Stanton 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  
Engineering Services Analyst Jeremy Knapp

**2. STUDY SESSION ITEMS**

**17-426      Governance - Discussion #7 / Remaining Items**

The Town Council continued its discussion of appointments to committees, commissions, and boards. Mayor Collins offered a proposal that would require the Mayor to submit a plan to Council at the beginning of each year detailing the recruitment, interview, and appointment process. It was hoped that this process would provide predictability and transparency while also giving the Council input and/or oversight regarding the annual appointment process.

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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.

There was Council consensus to proceed with the proposal for 2018 for both annual appointments and mid-term vacancies. There was further consensus to hold a special meeting on Tuesday, January 9, 2018 at 4:00 PM to review the Mayor's plan. The Council directed the Town Clerk to advertise for the two vacancies on ACOPS and one vacancy on the Planning Commission.

**17-428      Review of Contract Proposal for a Single Trash Hauler**

Town Manager Kevin Burke presented the proposed license agreement for a single trash hauler. The Council asked staff to obtain additional information regarding service rates, taxes, and fees; and quantify safety improvements that would result from having fewer trash trucks on Town streets.

There was Council consensus to hold a public meeting and possible vote on January 25, 2018. Staff was directed to take additional steps to advertise the meeting and solicit public input. Mr. Burke stated that the contract terms and conditions would be published on the Town's website, ½ page ads would be placed in the Town of Paradise Valley Independent Newspaper, notifications would be posted on the Town's various social media platforms, and emails would be sent to multiple distribution lists.

Mayor Collins recessed the meeting at 6:09 PM

### **3. EXECUTIVE SESSION**

**17-412      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 6:17 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 David A. Sherf

Council Member Mark Stanton 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  
Engineering Services Analyst Jeremy Knapp

**7. PLEDGE OF ALLEGIANCE\***

Mayor Collins led the Pledge of Allegiance.

**8. PRESENTATIONS\*****17-431      Mummy Mountain Preserve Trust 20 Year Anniversary**

Mayor Collins presented a proclamation to Mummy Mountain Preserve Trust Boardmember Phil Schneider recognizing the Preserve Trust's 20<sup>th</sup> Anniversary. Mr. Schneider thanked the Council and made additional comments.

**17-411      Planning Commission Update**

Planning Commission Chair Daran Wastchak presented the annual update and accomplishments of the Commission. He responded to questions from the Council.

**9. CALL TO THE PUBLIC**

There were no public comments.

**10. CONSENT AGENDA**

Mr. Burke summarized the items on the Consent Agenda. Council Member Dembow requested to remove item 17-427.

**17-414 Minutes of Town Council Meeting November 16, 2017**

**A motion was made to approve the Consent Agenda with the exception of item 17-427. 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 Sherf

**Absent:** 1 - Council Member Stanton

**17-427 Resolution 2017-23 Managerial and Minor Amendment Fees for Schools, Government Buildings, and Places of Worship**

**Recommendation:** Adopt Resolution 2017-23 approving the reduction in fees for managerial and minor amendments for schools, government buildings, and places of worship

The Council requested an opportunity to revisit the policy decision to discount Special Use Permit fees for schools, churches, and government buildings.

**A motion was made by Council Member Moore, seconded by Council Member Dembow, to continue Resolution 2017-23 to a future meeting. 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 Sherf

**Absent:** 1 - Council Member Stanton

**11. PUBLIC HEARINGS**

There were no public hearings.

**12. ACTION ITEMS****17-415      2018 Legislative Agenda**

Deputy Town Manager Dawn Marie Buckland reviewed the 2018 Legislative Agenda. There were no further amendments or public comment.

**A motion was made by Council Member Sherf, seconded by Council Member Dembow, to adopt Resolution 2017- 22 approving the 2018 Legislative Agenda 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 Sherf

**Absent:** 1 - Council Member Stanton

**17-416      Cancellation of December 21, 2017 Council Meeting**

The Council discussed cancelling the December 21, 2017 regular meeting. There was consensus to cancel the meeting so long as the governance discussion topic would be scheduled on the January 9<sup>th</sup> study session and the January 11<sup>th</sup> meeting, if necessary.

**A motion was made by Council Member Pace, seconded by Vice Mayor Bien-Willner, to cancel the December 21, 2017 regular Council meeting. 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 Sherf

**Absent:** 1 - Council Member Stanton

**13. FUTURE AGENDA ITEMS**

Mr. Burke summarized the items on the future agenda schedule. He stated that the Council had agreed to hold a special meeting on January 9, 2018 at 4:00 PM to discuss the recruitment and interview process for committees, commissions, and boards, and governance. He announced that the public meeting and possible vote on the single hauler trash collection agreement would be held on January 25, 2018.

Council Member Sherf departed the meeting at 7:20 PM.

The Council posed process questions about the identification and budget prioritization of capital projects in general, and the Doubletree Ranch Road improvement project between Invergordon Rd and Scottsdale Rd specifically. The Council suggested to the Town Manager that contracts approved by the Council not be executed until after the following Council meeting so that the Council could exercise its option to reconsider the contract without monetary penalties.

**A motion was made by Council Member Pace, seconded by Council Member Moore, to discuss the capital improvement project prioritization and budgeting process in general, and the Doubletree Ranch Road improvement project specifically. The motion carried by the following vote:**

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

**Absent:** 2 - Council Member Sherf  
Council Member Stanton

#### **14. MAYOR / COUNCIL / MANAGER COMMENTS**

Council Member Pace announced that Chief Wingert and other officers and Police Volunteers would participate in the Special Olympics fundraiser "Over the Edge" this weekend.

Council Member Dembow announced that the Annual Car Show event raised approximately \$10,000 for charities benefitting Arizona military families.

Vice Mayor Bien-Willner reported that he attended the MAG Regional Council during which a 9<sup>th</sup> Circuit Court of Appeals ruling on Clean Air Regulations was discussed.

Mayor Collins recessed the meeting at 7:30 PM.

## 15. STUDY SESSION CONTINUED

### 17-426 Governance - Discussion #7 / Remaining Items

The Council discussed the following governance topics:

- Conflict of interest policy
- Ethics policy
- Training for members of land use committees
- Sequence regarding variances versus Hillside Building Committee

There was Council consensus to modify the Town's existing conflict of interest acknowledgement statement to include a preamble and explanatory scenarios. The document would be given to all elected and appointed officials and training would be provided every two years. It was agreed that the Town Attorney would continue to be responsible for rendering opinions on conflicts of interest. The Town Attorney would use his or her discretion to refer it to outside counsel.

The Town Attorney was tasked to work with Council Member Pace to amend the Town Council Ethics Policy. There was discussion about clarifying exactly what behavior was being regulated.

There was consensus to create a common curriculum of training materials for the land use committees. The Town Attorney and Council Member Moore agreed to work on a training manual. A full day training course would be required for committee members taught by an outside expert, such as the City Attorney for Marana.

Mayor Collins departed the meeting.

The Council discussed the sequence for hearing applications requiring decisions from both the Hillside Building Committee and the Board of Adjustment. It was agreed not to change the current process of requiring a variance first. The discussion focused on processes and tools to improve hillside building safety. Development of a safety check list was suggested that would allow staff and the developer to identify safety concerns at the outset. Staff was directed to develop recommendations and report back to Council.

## 16. ADJOURN

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

**Aye:** 4 - Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace

**Absent:** 3 - Mayor Collins  
Council Member Sherf  
Council Member Stanton

Vice Mayor Bien-Willner adjourned the meeting at 8:56 p.m.

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

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Duncan Miller, Town Clerk

**STATE OF ARIZONA                    )**

:SS.

**COUNTY OF MARICOPA            )**

**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, December 7, 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