



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, March 8, 2018**

1. CALL TO ORDER / ROLL CALL

Vice Mayor Bien-Willner called to order the Town Council Meeting for Thursday, March 8, 2018 at 3:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

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

Mayor Michael Collins 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
Town Engineer Paul Mood
Engineering Services Analyst Jeremy Knapp
Community Development Director Eva Cutro
Public Works Director Brent Skoglund
Public Works Supervisor
Financial Services Manager Doug Allen

2. STUDY SESSION ITEMS

18-083 Discussion of Storm Drainage Design Manual Policy

Town Engineer Paul Mood and Engineering Services Analyst Jeremy Knapp presented the draft Storm Drainage Design Manual. The Council discussed finding the right balance between preserving a natural wash and maximizing the value of the property. Staff was directed to organize a charrette with various examples of properties with washes and invite builders and residents to comment.

There was consent for Council Member Moore to meet with staff separately to incorporate his edits.

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.

**18-113 Discussion Regarding Amending §11-2-30 of the Town Code -
prohibiting parking on visible areas of residential property**

Town Attorney Andrew Miller presented a proposed ordinance regulating parking on residential property. There was not support to proceed with the ordinance as drafted. Mr. Miller was asked to re-draft the ordinance to specifically address parking at properties with home occupations, which include short-term rental properties.

**18-114 Discussion Regarding Amending Article 6-2 of the Town Code and
§6-9-7 of the Town Code - procedures for plats and lot splits**

Mr. Miller presented an ordinance amending the approval process for plats and lots splits. The Council directed staff to amend the draft ordinance to provide that lot splits and final plats would still be present to the Council but they could be placed on the consent agenda and not require a study session prior to approval.

**18-110 Discussion Regarding Amending §15-2-12 of the Town Code to
Allow for the Discharge of Swimming Pool Water into the Sewer
System**

Mr. Miller presented a draft ordinance allowing residents to discharge swimming pool water into the sewer system. This practice is currently prohibited by Town Code because of sewer capacity restrictions under the previous intergovernmental agreement (IGA) between the Town and the City of Scottsdale. When the IGA was amended, the volume restrictions were removed. It was noted that residents on septic should not discharge pool water into their septic system. Moreover, residents may not drain chlorinated pool water into a wash or drain chlorinated or non-chlorinated water into the street.

There was Council consensus to schedule the ordinance for a vote. Council directed staff to develop a strategy to educate residents on the new requirements.

18-107 Discussion of Community Services Funding

Town Clerk Duncan Miller presented the following options for implementing the community Services funding program for FY 2017-18: invite proposals for funding; conduct a community needs assessment; fund a specific agency or program identified by Council; or do not appropriate the budgeted funds this year. The Council directed staff to invite grant funding applications. Council Member Pace and Council Member Sherf were assigned to advise the Town Manager on his funding recommendations to Council.

18-103 Legislative Update

Deputy Town Manager Dawn Marie Buckland updated the Council on legislation of interest to the Town including photo enforcement, zoning regulations for private schools, and signs in the right-of-way.

3. EXECUTIVE SESSION

A motion was made by Council Member Moore, seconded by Council Member Dembow, to go into executive session for discussion and consultation with the Town Attorney or Town representatives concerning negotiations for the purchase, sale, lease, or transfer of real property with the Franciscan Renewal Center as authorized by A.R.S. §38-431.03(A)(7). The motion carried by the following vote:

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

Absent: 1 - Mayor Collins

The Council went into executive session at 5:00 PM

18-112 Discussion and consultation with the Town Attorney or Town representatives concerning negotiations for the purchase, sale, lease, or transfer of real property with the Franciscan Renewal Center as authorized by A.R.S. §38-431.03(A)(7).

18-100 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).

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 arrived 6:30 PM
Council Member David A. Sherf
Council Member Mark Stanton

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
Community Development Director Eva Cutro
Public Works Director Brent Skoglund
Public Works Supervisor Jerry Cooper

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

**18-111 Recognize the Baha'i Faith Community and Martin Luther King, Jr.
Celebration**

Mayor Collins presented a proclamation to the Bahai Faith Community for partnering with the Town for the past 20 years on the Martin Luther King, Jr. Day celebration. Farshad Agahi, Nika Ramzi, and John Wintersteen, representing the Martin Luther King, Jr Day organizing Committee, presented they Town with a crystal plaque.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the items on the Consent Agenda.

18-101 Minutes of Town Council Meeting February 22, 2018

A motion was made by Council Member Moore, seconded by Council Member Dembow, to approve the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

18-082 Award of Pavement Preservation Contract on Unit Pricing

Public Works Supervisor Jerry Cooper presented a recommendation to award a contract to M.R. Tanner for street maintenance materials and services, and the pavement management program for FY 2017-18. He responded to questions from the Council.

There were no public comments.

A motion was made by Council Member Dembow, seconded by Council Member Stanton, to Award a three (3) year with two (2) additional one (1) year extensions Pavement Preservation Maintenance Unit Pricing contract, on a unit cost basis to M.R. Tanner The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

18-108 Implement the FY2017-18 Pavement Maintenance Program by approving the funds from budget line item 20-40-871/Pavement Maintenance Program to M.R. Tanner in the amount of \$3,316,564.00

There were no public comments.

A motion was made by Council Member Dembow, seconded by Vice Mayor Bien-Willner, to Award the following funds to M.R. Tanner in the amount of \$3,316,564.00 for a full mill and 1 1/2 asphalt overlay in Maintenance Districts 2 and 4 and a full mill & 1 1/2 rubberized asphalt overlay on Tatum Boulevard from Caidia Del Sol south to town limits. Crack seal and apply Polymer Modified Master Seal (PMM) in Maintenance District 14 and Mockingbird Lane from Invergordon Road to 56th Street. The motion carried by the following vote:

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

Absent: 1 - Council Member Pace

Council Member Pace joined the meeting.

- 18-109 Authorize the Town Manager to enter into a contract with Arizona Trench Company for trenching, installation of underground conduits, pull boxes and equipment pads for District 30 Overhead to Underground Conversion Project in an amount of \$659,196 and authorize payment of \$159,757 to Arizona Public Service and \$113,286.63 to CenturyLink upon completion of District 30 in Fiscal Year 2019 and authorize a budget transfer from FY2017-18 CIP Project 2016-14.1 Lincoln Drive - Ritz Related Roadway Improvements to CIP Project 2016-02 APS District 30 to fund the town's portion of the project.**

Engineering Services Analyst Jeremy Knapp presented a contract and budget transfer to underground APS utility conversion district 30.

Scottsdale resident Charles Lotzar spoke in favor of the project. Joe Kelly did not speak but submitted a comment card supporting the project.

A motion was made by Council Member Stanton, seconded by Council Member Sherf, to take the following actions related to the APS District 30 Overhead to Underground Conversion project:

1. Authorize the Town Manager to enter into a contract with Arizona Trench Company in an amount of \$659,196
2. Authorize payment of \$159,757 to Arizona Public Service
3. Authorize payment of \$113,286.63 to CenturyLink
4. Authorize a budget transfer from FY2017-18 CIP Project 2016-14.1 Lincoln Drive – Ritz Related Roadway Improvements to CIP Project 2016-02 APS District 30 to fund the town's portion of the project.

The motion carried by the following vote:

Aye: 7 - Mayor Collins
Vice Mayor Bien-Willner
Council Member Dembow
Council Member Moore
Council Member Pace
Council Member Sherf
Council Member Stanton

18-097 Adoption of Ordinance Number 2018-05; Unruly Gatherings

Police Chief Peter Wingert presented a draft ordinance regulating unruly gatherings and assessing a new administrative fee. Chief Wingert responded to questions.

There was no public comment.

A motion was made by Council Member Dembow, seconded by Vice Mayor Bien-Willner, to adopt Ordinance 2018-05, the Unruly Gatherings Ordinance, set a 30-day implementation of the ordinance, and require a six month and one -ear review of the ordinance. The motion carried by the following vote:

Aye: 7 - Mayor Collins
Vice Mayor Bien-Willner
Council Member Dembow
Council Member Moore
Council Member Pace
Council Member Sherf
Council Member Stanton

13. FUTURE AGENDA ITEMS

18-102 Consideration of Requests for Future Agenda Items

Mr. Burke summarized the future agenda schedule. There were no requests to add items to the schedule.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Pace provided an update on ACOPS activities.

Mayor Collins recessed the meeting at 7:15 PM

15. STUDY SESSION ITEMS CONTINUED

Mayor Collins reconvened the study session in the Boardroom at 7:20 PM.

Present: 6 - Mayor Michael Collins
Vice Mayor Jerry Bien-Willner
Council Member Paul Dembow
Council Member Scott Moore
Council Member Julie Pace
Council Member Mark Stanton
Absent: 1 - Council Member David A. Sherf

18-098 Interviews for Committee, Commission, and Board Appointments

The Town Council interviewed Rick Chambliss, Jeff Gaia, John Graham, Michael Cummiskey, Teresa Zachariah, Orme Lewis, Jr., Anna Thomasson, and Jo Talubee Flittie. The Council then discussed all of the applicants interviewed on both February 22 and March 8 and made committee nomination suggestions. Council Members were assigned to contact certain applicants to verify their interest in serving. Appoints would be scheduled for March 22, 2018.

16. ADJOURN

A motion was made by Vice Mayor Bien-Willner, seconded by Council Member Dembow, 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 9:55 PM.

SUBMITTED BY:

STATE OF ARIZONA)
)
) :SS.
COUNTY OF MARICOPA)

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, March 8, 2018.

Duncan Miller, Town Clerk