



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, May 31, 2018**

1. CALL TO ORDER / ROLL CALL

Mayor Collins called to order the Town Council Meeting for Thursday, May 31, 2018 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 and Council Member David A. Sherf were 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
Interim Community Development Director Paul Michaud
Chief Financial Officer Douglas Allen
Engineering Services Analyst Jeremy Knapp
Town Engineer Paul Mood
Deputy Town Attorney Deborah Robberson

2. STUDY SESSION ITEMS

**18-248 Discussion of Hillside Code Updates - Safety Section (Article XXII of
the Town Zoning Ordinance and Chapter 5 of the Town Code)**

Town Manager Kevin Burke and Planner George Burton presented a proposed hillside safety improvement Ordinance. The ordinance included three components: a revised hillside building committee review process; a construction staging plan; and a safety improvement plan. Mr. Burton also presented a separate ordinance amending the blasting operations section of Town Code Chapter 5.

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. Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

There was Council support for the following concepts in the draft document:

1. Addition of a pre-application submittal process
2. Submission of a Safety Improvement Plan (SIP) no later than the formal hillside review submittal (or earlier if the applicant so desires),
3. Submission of a Construction Staging Plan (CSP) as part of the building permit process (or earlier if the applicant so desires),
4. Amendments to the blasting section of code with the exception of the video recording language which was to be modified, and;

The Hillside Safety Ordinance would reference a manual rather than incorporating the safety plan and checklist in the ordinance. Finally, the Council asked for a one-year review of the ordinance.

18-242 Discussion of Major Special Use Permit Amendment - Statement of Direction (SUP-18-06). 7125 E Lincoln Drive - Lincoln Medical Plaza

Interim Community Development Director Paul Michaud presented an updated draft of the Statement of Direction for a Major Special Use Permit amendment for Lincoln Medical Plaza. He stated that draft was updated to reflect feedback provided by the Council at the May 24th meeting. The Council provided additional feedback related to height, discouraged uses, landscape buffering, traffic, and parking.

Attorney Jason Morris, Withey Morris, spoke on behalf of the applicant. He requested that the SOD language related to uses be less restrictive and requested that the applicant be permitted to make their case to the Planning Commission for changes in use.

3. EXECUTIVE SESSION

18-213 Discussion of Town Manager Performance Reviews as authorized by A.R.S. §38-431.03(A)(1) and Town Manager contract negotiations as authorized by A.R.S. §38-431.03(A)(4).

18-230 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).

There was no action on this item.

4. BREAK

Mayor Collins recessed the meeting at 5:55 PM.

5. RECONVENE FOR REGULAR MEETING

Mayor Collins reconvened the meeting at 6:00 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

Absent: Council Member David A. Sherf

STAFF MEMBERS PRESENT

Town Manager Kevin Burke
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Deputy Town Manager Dawn Marie Buckland
Public Works Director Brent Skoglund
Police Lieutenant Dan Perry
Interim Community Development Director Paul Michaud
Engineering Services Analyst Jeremy Knapp
Special Projects Coordinator Eva Cutro

7. PLEDGE OF ALLEGIANCE*

Mayor Collins led the Pledge of Allegiance.

8. PRESENTATIONS*

There were no presentations.

9. CALL TO THE PUBLIC

There were no public comments.

10. CONSENT AGENDA

Mr. Burke summarized the items on the Consent Agenda.

A motion was made by Council Member Stanton, seconded by Vice Mayor Bien-Willner, 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 Pace
Council Member Stanton

Absent: 1 - Council Member Sherf

18-229 Approval of Termination of 401(a) Defined Contribution Plan

Recommendation: Approve the termination of the Town's 401(a) Defined Contribution Plan.

**18-235 Approval of Intergovernmental Agreement with Maricopa County for
Regional Emergency Management and Disaster Services**

Recommendation: Authorize the Mayor to execute the Intergovernmental Agreement for
Regional Emergency Operations Management and Disaster Services
between Maricopa County, Arizona and the Town of Paradise Valley,
Arizona.

**18-233 Approval to extend the Intergovernmental Agreement between the
Superior Court of Maricopa County and the Town of Paradise Valley
for jury services.**

Recommendation: Approve the amendment to extend the Intergovernmental Agreement
between the Superior Court of Maricopa County and the Town of Paradise
Valley for jury services for an additional two-year term (June 30, 2018 -
June 30, 2020).

**18-232 Approval of Intergovernmental agreement ("IGA") between the
Town of Paradise Valley and City of Tempe authorizing Paradise
Valley Municipal Court to participate in the East Valley Regional
Veterans Court.**

Recommendation: Authorize the Mayor to execute an IGA between the Town of Paradise
Valley and City of Tempe permitting Paradise Valley Municipal Court to
participate in the East Valley Regional Veterans Court held at Tempe
Municipal Court and authorizing the use and payment of City of Tempe
judicial officers to adjudicate Paradise Valley's veterans court cases.

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS**18-234 Adoption of Ordinance Number 2018-11 making a technical correction to Article 6-2, Procedure for the Preparation and Filing of Plats/Maps**

Town Attorney Andrew Miller explained that proposed ordinance 2018-11 makes a technical correction to Town Code Section 6-2-3 by deleting redundant paragraph C.

There was no discussion or public comment.

A motion was made by Council Member Dembow, seconded by Vice Mayor Bien-Willner, to suspend Section 8(b)(2) of the Town Council Rules and Procedures and adopt Ordinance Number 2018-11, as amended. 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

18-238 Approval of Ordinance Number 2018-12 amending the Town Code to change references to the “Director of Administration and Government Affairs” to “Chief Financial Officer” and Adding the Office of Deputy Town Manager

Mr. Miller stated that proposed Ordinance 2018-12 is another technical correction to update the titles of administrative offices following a departmental reorganization. The position of Director of Administration and Government Affairs was eliminated and the offices of Deputy Town Manager and Chief Financial Officer were created.

There was no discussion or public comment.

A motion was made by Council Member Moore, seconded by Council Member Dembow, to suspend Section 8(b)(2) of the Town Council Rules and Procedures and adopt Ordinance Number 2018-12. 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

13. FUTURE AGENDA ITEMS

18-245 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

Mr. Burke explained that staff would no longer be providing a recommendation on variances in hearings before the Board of Adjustment. Rather, findings in favor and in opposition to the request based on the variance criteria would be presented.

He recognized Town Attorney Andrew Miller on his 20 years of service with the Town and presented him with an engraved crystal trophy.

Council Member Pace reported on the Memorial Day Ceremony at the Camelback Cemetery.

Mayor Collins recessed the meeting at 6:30 p.m. and reconvened the Study Session to continue discussion of item 18-248 Hillside Safety Ordinance.

15. 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 7:02 p.m.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

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, May 31, 2018.

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