



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, January 23, 2020**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, January 23, 2020 at 3:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Council Member Ellen
Council Member Paul Dembow
Council Member Scott Moore
Vice Mayor Julie Pace attended by telephone conference call – arrived at 4:55 PM
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer Paul Mood
Chief Peter Wingert
Community Development Director Jeremy Knapp
Public Works Superintendent Jerry Cooper
Chief Information Officer Steven Brunasso
Chief Financial Officer Douglas Allen
Executive Assistance Sarah Meland
Building Safety Manager/Fire Marshal Robert Lee

2. STUDY SESSION ITEMS

**20-044 Discussion of Ordinance No. 2020-2; Amending Article 13-3
Fireworks to Comply with the Changes to ARS §36-1606**

Building Safety Manager/Fire Marshal Robert Lee presented draft Ordinance 2020-02 amending Article 13-3 of the Town Code to add Cinco de Mayo and Diwali to the list of holidays when fireworks may be used in Paradise Valley. The Ordinance change conforms to an amendment to ARS §36-1606 adopted by the legislature in 2019.

There was consensus to schedule the ordinance for a vote.

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).

20-047 Discussion of Native Plant Preservation Requirements

Community Development Director Jeremy Knapp summarized how the Town addresses native plant preservation. The Code currently requires a Native Plant Preservation Plan at the demolition and construction phase of new and remodeled single-family homes valued greater than \$500,000.

There was Council consensus for staff to conduct further research and bring back recommendations regarding the threshold for when a Native Plant Preservation Plan is required (i.e. less than \$500,000) on flatland lots and possibly expanding the list of protected native plants.

20-045 Discussion of Building Pad Height

Town Engineer Paul Mood briefed the Town Council on how the Town Code defines building pad height and how it has been interpreted and enforced. He noted that building pad heights and overall allowable structure heights are one of the most frequently asked questions by neighboring property owners.

There was Council consensus for staff to conduct further research on how other municipalities define pad height, consider options to provide consistency between how pad height is defined for residential and SUP properties; and if clarifying the definition would have Prop 207 implications.

20-043 Discussion with Land Use Committee Members

In preparation for the Town Council's planning retreat at the end of January, the Mayor and Council met with each member of the Town's land-use committees (Planning Commission, Board of Adjustment, and Hillside Building Committee) for their feedback on development issues. The Council heard from the following members:

Jon Newman	Board of Adjustment
Hope Ozer	Board of Adjustment
Rohan Sahani	Board of Adjustment
Scott Tonn	Hillside Committee
Scott Jarson	Hillside Committee
Eric Leibsohn	Board of Adjustment
Rick Chambliss	Board of Adjustment
Pamela Georgelos	Planning Commission

A motion was made by Council Member Stanton, seconded by Council Member Thomasson, to go into executive session at 5:37 to discuss item 20-052. The motion passed by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Vice Mayor Pace
Council Member Stanton
Council Member Thomasson

3. EXECUTIVE SESSION

- 20-052** Discussion or consultation with the Town Attorney in order to consider Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in the East Lincoln Drive South Development Area, including property owned by Gentree, LLC, and Jamel Greenway, LLC, as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding matters related to the East Lincoln Drive South Development Area as authorized by A.R.S. §38 431.03(A)(3).
- 20-050** Discussion or consultation with the Town Attorney to consider the Town's position regarding contract negotiations with Experience Scottsdale as authorized by A.R.S. §38 431.03(A)(4) and legal advice regarding pending litigation as authorized by A.R.S. §38 431.03(A)(3).
- 20-039** Discussion or consultation with the Town Attorney for legal advice regarding sanitary sewer system as authorized by A.R.S. §38-431.03(A)(3).
- 20-038** 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 Bien-Willner reconvened the meeting at 6:09 PM.

6. ROLL CALL**COUNCIL MEMBERS PRESENT**

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

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer Paul Mood
Police Chief Peter Wingert
Community Development Director Jeremy Knapp
Chief Financial Officer Douglas Allen
Public Works Superintendent Jerry Cooper
Chief Information Officer Steven Brunasso

7. PLEDGE OF ALLEGIANCE*

Kiva Elementary School 4th and 5th grade ambassadors Athina Beltran, Lauren Wittner, Grace Sheldon, Mia Smith, Kelsey Scheidt; and Martin Luther King, Jr Day essay contest winner Asa Silverman led the Pledge of Allegiance.

8. PRESENTATIONS

**20-041 Presentation of Paradise Valley Vintage Car Show Proceeds to the
Sentinels of Freedom and the Military Assistance Mission.**

The Paradise Valley Veterans' Appreciation Vintage Car Show Committee presented checks to the Sentinels of Freedom and the Military Assistance Mission. Both organizations benefit Arizona military families.

20-049 Paradise Valley Arts Board Annual Update

PV Arts Board Chair Janie Russo presented the annual update to Council. She highlighted the preparations for the student art show featuring the Jones Gordon School and Town Hall art exhibit featuring Lynn Bellino.

20-017 Advisory Committee on Public Safety Update

ACOPS Chair, Council Member Andeen provided the annual update to Council. She highlighted the Committee's efforts to promote resident engagement and information sharing in the community. She recommended that the Council consider changing committee terms so that they stagger in order to mirror other committees and provide continuity.

9. CALL TO THE PUBLIC

Scottsdale resident Sheryl Bronkesh, President of the Phoenix Holocaust Association, addressed the Council regarding a series of presentations at the Burton Barr Central Library in Phoenix called Holocaust by Bullets January 26 – March 10, 2020.

10. CONSENT AGENDA**20-040 Minutes of Town Council Meeting January 9, 2020****20-048 Approve Resolution 2020-02 Amending the Fiscal Year 2019/20
Adopted Budget to Designate use of State Funding for Public
Transit Programs**

Recommendation: Adopt Resolution 2020-02

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

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Vice Mayor Pace
Council Member Stanton
Council Member Thomasson

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS**20-046 Approve Ordinance 2020-01 Amending Town Code Chapter 3 to
Clarify Offices and Transaction Approvals**

Chief Financial Officer Douglas Allen presented Ordinance 2020-01 amending Chapter 3 of the Town Code to remove the position of Deputy Town Manager and add the position of Chief Information Officer. The amendment also replaces the authority for the Deputy Town Manager to co-sign checks over \$25,000 with the Chief Financial Officer.

There were no public comments and no Council discussion.

A motion was made by Council Member Andeen, seconded by Council Member Dembow, to Adopt Ordinance 2020-01 The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Vice Mayor Pace
Council Member Stanton
Council Member Thomasson

13. FUTURE AGENDA ITEMS

20-042 Consideration of Requests for Future Agenda Items

Town Manager Keimach summarized the future agenda schedule.

There were no motions to add any items to the future agenda list.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Member Dembow and Council Member Thomasson reported on the Arizona Distracted Driving Summit.

Council Member Pace announced that the launch of the children's book: The Story of Camelback Mountain would be held at the Desert Botanical Garden on February 17. Proceeds will benefit the Paradise Valley Mountain Preserve Trust.

Mayor Bien-Willner thanked those who attended the annual Martin Luther King, Jr Day event. He updated the Council on efforts to address on-going concerns related to short-term residential rental.

Mayor Bien-Willner recessed the meeting at 7:12 PM and reconvened the meeting in the Boardroom at 7:25 PM.

15. STUDY SESSION CONTINUED

20-018 Discussion of Staggered Terms for Advisory Committee on Public Safety Members

Police Chief Peter Wingert presented a draft resolution providing for staggered terms for members of the Advisory Committee on Public Safety. There was Council support to schedule the resolution for a vote at the next meeting.

20-051 Discussion of Customer Service and Cost Savings Program

Town Manager Jill Keimach presented a proposal to develop a program to encourage financial efficiencies during the budget process. The program would include rewards to recognize previous and on-going governmental efficiencies and initiatives. In addition, she presented options for a customer service survey for those visiting municipal buildings.

There was Council support to proceed with the recommend.

A motion was made by Council Member Dembow, seconded by Council Member Moore, to go into executive session at 7:41 PM to discuss items 20-050 and 20-039. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Vice Mayor Pace
Council Member Stanton
Council Member Thomasson

(Vice Mayor Pace and Council Member Stanton departed the meeting at 8:30 PM.)

16. ADJOURN

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

Aye: 5 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Council Member Thomasson
Absent: 2 - Vice Mayor Pace
Council Member Stanton

Mayor Bien-Willner adjourned the meeting at 9:56 PM

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, January 23, 2020.

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