



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, February 13, 2020**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, February 13, 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
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach
Assistant Town Attorney Deborah Robberson
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

2. EXECUTIVE SESSION

A motion was made by Council Member Dembow, seconded by Council Member Stanton, to go into executive session at 3:01 PM to discuss items 20-061 and 20-069. 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

- 20-069** Discussion or consultation with the Town Attorney to consider the Town's position and provide instruction regarding Development Agreement negotiations related to the Lincoln Plaza Medical Center as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice as authorized by A.R.S. §38 431.03(A)(3.)
- 20-061** Discussion or consultation with the Town Attorney in order to consider Town's position regarding contracts that are the subject of negotiations, pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation 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).
- 20-062** 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).

2. STUDY SESSION ITEMS

- 20-079** Discussion of Phase I Development Agreement for Lincoln Plaza Medical Center

Town Manager Jill Keimach reported that negotiations are ongoing with regard to the Lincoln Plaza Medical Center Development Agreement. She stated that the item would be rescheduled for the next meeting.

- 20-071** Update and Discussion of the CIP and PSPRS Financial Plans

Chief Financial Office Douglas Allen and STIFEL Managing Director Mark Reader updated the Council on responses from the public and private markets to the Town's potential bond offer.

The Council favored the public sale because of the more favorable interest rate and because residents would have the opportunity to invest in the bonds. The Council directed staff to further investigate the 6.5-year public sale with a three-year callable option, while at the same time preserving options for a private placement to provide rate protection. The Council further directed staff to investigate the possibility of upgrading the Town's credit rating.

20-066 Discussion of Alarm Program Next Generation Services

Police Chief Peter Wingert updated the Council on the Police Alarm Monitoring program and subscriber history. He discussed the possibility of offering customers with enhanced technology services, such as smart thermostats, door locks, lighting, and garage door that are controlled through remote applications. He discussed a proposed business plan and marketing strategy.

There was Council consensus to offer the enhances services to subscribers.

20-077 Discussion of Mayor's Forum for Paradise Valley Educators

Mayor Bien-Willner discussed the creation of a new Educator's Forum similar to the HOA forum. The purpose would be to provide an opportunity for information exchange between the Town and local schools and school district representatives. There was Council support to create the forum.

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
Assistant Town Attorney Deborah Robberson
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
Building Safety Manager/Fire Marshal Robert Lee

7. PLEDGE OF ALLEGIANCE*

Mayor Bien-Willner led the Pledge of Allegiance.

8. PRESENTATIONS

There were no presentations.

9. CALL TO THE PUBLIC

Residents Emmette Graham, Jon Monson, Bill Marrolt, and John Corritory encouraged the Council to consider zoning protections for flat land lots to protect views and native landscaping.

Resident Phyllis Peshkin submitted a written comment regarding agenda item 20-067 asking the Council to extend the drainage design concept report along Mockingbird Lane west to include 54th St and include Cherokee Wash from 56th St to 54th St.

10. CONSENT AGENDA

A motion was made by Council Member Thomasson, seconded by Council Member Stanton, to approve the Consent Agenda with the exception of item 20-067. 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

20-059 Minutes of Town Council Meeting January 23, 2020

20-060 Minutes of Town Council Retreat January 30, 2020

20-058 Adoption of Resolution 2020-01 Staggered terms for Advisory Committee on Public Safety Members

Recommendation: Adopt Resolution 2020-01; staggering terms of office for ACOPS Members

20-067 Award of Contracts to Kimley-Horn and Associates, Inc. in the of \$25,965 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Roadway Alignment Study and \$78,825 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Drainage Design Concept Report projects

Recommendation: Award Contracts to Kimley-Horn and Associates, Inc. in the amount of \$25,965 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Roadway Alignment Study and \$78,825 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Drainage Design Concept Report

A motion was made by Council Member Moore, seconded by Council Member Andeen, to authorize the Town Manager to executive contracts to Kimley-Horn and Associates, Inc. in the amount of \$25,965 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Roadway Alignment Study and \$78,825 for the Mockingbird Ln. (Invergordon Rd. to 56th St.) Drainage Design Concept Report and to waive the two-week waiting period to execute the contracts. 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**20-065 Adoption of Ordinance No. 2020-02 Amending Article 13-3
Fireworks**

Building Safety Manager/Fire Marshal Robert Lee summarized Ordinance Number 2020-02 amending Article 13-3 Fireworks to conform to Arizona law regarding when fireworks may be sold and used. The amendment increased the number of permissible dates to include Cinco de Mayo and the Hindu holiday Diwali.

There were no public comments and no discussion.

A motion was made by Council Member Thomasson, seconded by Council Member Moore, to adopt Ordinance Number 2020-02. 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

**20-080 Adoption of Resolution No. 2020-03 approving the Phase I
Development Agreement for Lincoln Medical Center, Paradise
Valley, Arizona**

This item was withdrawn from the agenda.

**20-078 Adoption of Resolution Number 2020-05 Establishing a Mayor's
Forum for Paradise Valley Educators**

Ms. Keimach stated that this item was discussed in study session. It would create a new Mayor's Forum made up of educators in Paradise Valley to foster communication between the Town and local schools and school district representatives.

There were no public comments and no discussion.

A motion was made by Vice Mayor Pace, seconded by Council Member Moore, to adopt Resolution Number 2020-05. 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 Andeen reported that ACOPS met on February 11 and discussed committee terms. She announced that the next Coffee with a Cop will be Wednesday, March 4 from 7:00 AM – 9:00 AM. The Citizen Safety Forum will be held on March 5th from 5:00 PM to 7:30 PM at the Paradise Valley United Methodist Church. March 6th is Black Balloon Day when thousands of families across the United States will tie a black balloon outside their house to symbolize a loved one who is struggling with additions or has died from an overdose.

Council Member Dembow expressed appreciation for birthday well wishes and the birthday cheese cake made by Executive Assistant Sarah Meland.

Council Member Thomasson reported on the quarterly update from Experience Scottsdale. From 2018 to 2019 there was a 2% increase in occupancy, which was higher than the top 25 markets in the country. Total occupancy was 70.7% and there was a 4% increase in average daily revenue. She noted that Experience Scottsdale is partnering with the Arizona Anti-trafficking Network because human trafficking occurs in and around hotels.

Council Member Pace announced that on February 17 the authors of The Real Story of Camelback Mountain would be reading their book at the Desert Botanic Garden at 10:00 AM and Noon. Proceeds from the sale of the book benefit the Paradise Valley Mountain Preserve Trust. She announced that the Trust has received two conservation easement donations and is accepting fee title to a third parcel later this month.

Mayor Bien-Willner announced that he will be speaking at an LAI event on February 20, 2020 to discuss short-term rentals.

15. STUDY SESSION CONTINUED**20-064 Discussion of Public Works/Engineering Building Design**

Town Engineer Paul Mood and DWL Architect Michael Braun discussed the proposed Public Works / Engineering Building expansion and remodel. Mr. Mood discussed the space needs assessment and Mr. Bruan described the conceptual design plans.

There was Council consensus to authorize staff to prepare a contract for design services.

20-072 Discussion of Hillside Safety Manual

Mr. Mood summarized the Hillside Safety Manual and provided an update on its implementation and enforcement, as well as, comments received from the development community. He recommended amending the manual to require the Safety Improvement Plan Insurance at the demolition stage rather than the construction stage. The Council agreed with the recommendation and asked staff to investigate the feasibility of requiring varying amounts of liability coverage based on the project size and scope.

There was Council consensus to add the Hillside Safety Manual text into Section 5-10-9 of the Town Code instead of keeping it as a separate document.

16. ADJOURN

A motion was made by Vice Mayor Pace, seconded by Council Member Dembow, to adjourn. 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

Mayor Bien-Willner adjourned the meeting at 8:00 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, February 13, 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