



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, February 27, 2020**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, February 27, 2020 at 3:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Vice Mayor Julie Pace attended by telephone conference call
Council Member Ellen
Council Member Paul Dembow
Council Member Scott Moore arrived at 3:44 PM
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach
Town Attorney Andrew Miller attended by telephone conference call
Assistant Town Attorney Deborah Robberson
Town Clerk Duncan Miller
Town Engineer Paul Mood
Chief of Police 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 Andeen, seconded by Council Member Stanton, to go into executive session at 3:00 PM to discuss items 20-087 and 20-088. The motion carried by the following vote:

Aye: 6 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Vice Mayor Pace
Council Member Stanton
Council Member Thomasson

Absent: 1 - Council Member Moore

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).

- 20-087** 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.)
- 20-088** 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).
- 20-091** Discussion or consultation with the Town Attorney in order to consider the Town's position regarding contract negotiations with Crown Castle as authorized by A.R.S. §38 431.03(A)(4).
- 20-090** Discussion or consultation with the Town Attorney for legal advice regarding pending legislation affecting short-term rentals and other pending legislation as authorized by A.R.S. §38 431.03(A)(3).
- 20-089** 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

20-086 Discussion of Lincoln Drive Median Landscape Improvements

Town Engineer Paul Mood updated the Council on the Lincoln Drive median project to reconstruct medians between 32nd St and Mockingbird Ln; realign the intersection of Invergordon Rd and Lincoln Dr; and enhance the crosswalks at Lincoln Dr and Tatum Blvd consistent with the Visually Significant Corridor Master Plan. There was Council consensus to:

1. Proceed with left turn phasing for eastbound and westbound Lincoln Dr at Invergordon Rd
2. Bring back alternative crosswalk designs for Lincoln Dr and Tatum Blvd that were more understated than the initial proposals
3. Prepare an intersection design and cost estimate for Lincoln Dr and 56th St.
4. Investigate awarding a Job Order Contract to expedite construction

20-092 Discussion of Development Agreement for Lincoln Plaza Medical Center

Town Manager Jill Keimach and Assistant Town Attorney Deborah Robberson summarized the terms of the proposed development agreement with Lincoln Plaza Medical which included the following terms. Lincoln Plaza Medical Center commitments:

1. Dedicate 40' of Lincoln Drive to the Town
2. Grant the Town a sidewalk and utility easement for an enhanced sidewalk plan
3. Execute and record a Shared Access Agreement with Smoke Tree (Gentree) to construct and pay for a shared driveway serving both properties
4. Construct at its own cost sidewalks, landscaping, shared driveway and closure of driveways

Town of Paradise Valley commitments:

1. Dismiss its quiet title/condemnation action related to the 40' dedicated roadway
2. Provide for existing monument sign to remain within the sidewalk easement area (with future alterations through normal SUP procedures)
3. Include Sidewalk Easement Area in future FAR and lot coverage calculations
4. Provide median for Left In/Left Out access from shared driveway

Ms. Keimach stated that the agreement is scheduled for a vote later in the meeting.

A motion was made by Council Member Moore, seconded by Council Member Thomasson, to go into executive session at 4:50 PM to discuss item 20-087. 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

20-093 Jones-Gordon School Art Exhibit

The Mayor and Council recessed at 5:00 PM to attend the Jones-Gordon School art opening in the Community Room.

A motion was made by Council Member Andeen, seconded by Council Member Stanton, to go into executive session at 5:39 PM to discuss items 20-091. The motion passed by the following vote:

Aye: 6 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Council Member Stanton
Council Member Thomasson

Absent: 1 - Vice Mayor Pace

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
Vice Mayor Julie Pace attended by telephone conference call
Council Member Ellen Andeen
Council Member Paul Dembow
Council Member Scott Moore
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach
Town Attorney Andrew Miller attended by telephone conference call
Assistant Town Attorney Deborah Robberson
Town Clerk Duncan Miller
Town Engineer Paul Mood
Chief of Police Peter Wingert
Community Development Director Jeremy Knapp
Public Works Superintendent Jerry Cooper
Chief Information Officer Steven Brunasso
Chief Financial Officer Douglas Allen

7. PLEDGE OF ALLEGIANCE*

Students from the Jones Gordon School led the Pledge of Allegiance.

8. PRESENTATIONS

There were no presentations.

9. CALL TO THE PUBLIC

Resident Phil Hagenah discussed his concerns about construction of a new house on Cholla Drive and encouraged the Council to amend the Town Code to preserve view corridors.

10. CONSENT AGENDA

A motion was made by Council Member Dembow, seconded by Council Member Thomasson, 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

20-094 Minutes of Town Council Meeting February 13, 2020

20-084 Adoption of Resolution No. 2020-04, authorizing the Mayor to execute Uniform Video Service License Agreements with service providers.

Recommendation: Adopt Resolution Number 2020-04.

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

20-095 Adoption of Resolution No. 2020-03 approving the Development Agreement for Lincoln Medical Center

Town Manager Keimach presented Resolution 2020-03 authorizing the Mayor to execute a development agreement with Lincoln Plaza Medical Center as discussed in the Study Session.

There were no public comments.

A motion was made by Council Member Dembow, seconded by Council Member Stanton, to Adopt Resolution No. 2020-03 and associated development agreement in a substantially similar form to what was discussed in the study session. The motion carried by the following vote:

Aye: 6 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Council Member Stanton
Council Member Thomasson

Absent: 1 - Vice Mayor Pace

13. FUTURE AGENDA ITEMS

20-096 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

Town Manager Keimach reported that the Police Department provided active threat training to Town Hall employees this week.

Council Member Andeen 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.

Council Member Stanton recognized the PV Arts Board and the students and staff from the Jones-Gordon School for the art exhibit in the Community Room.

Council Member Thomasson recognized the Mayor for his advocacy regarding short-term rental legislation.

Council Member Dembow recognized PVPD Officer Michael Toporek for his heroic response to a medical emergency in Town.

Mayor Bien-Willner reported on efforts at the legislature to communicate the importance of preserving local decision making.

A motion was made by Council Member Andeen, seconded by Council Member Stanton, to go into executive session at 6:43 PM to discuss item 20-090. The motion passed by the following vote:

Aye: 6 - Mayor Bien-Willner
Council Member Andeen
Council Member Dembow
Council Member Moore
Council Member Stanton
Council Member Thomasson

Absent: 1 - Vice Mayor Pace

15. STUDY SESSION CONTINUED**STAFF MEMBERS PRESENT**

Town Attorney Jill Keimach
Town Attorney Andrew Miller attended by telephone conference call
Assistant Town Attorney Deborah Robberson
Town Clerk Duncan Miller
Chief of Police Peter Wingert
Community Development Director Jeremy Knapp
Chief Financial Officer Douglas Allen

20-100 Discussion of Ambulance RFP

Ms. Keimach and Ms. Robberson summarized the proposed request for proposal for ambulance services. Ms. Robberson noted that the Town is consulting with Matt Zavadsky, EMS Senior Association with the Center for Public Safety Management, LLC, who attended the Study Session by telephone conference call. There was Council consensus to authorize staff to issue the RFP.

20-097 Interviews for Committee, Commission, and Board Appointments

The Mayor and Council met with John Goldsberry, Bill Petsas, and Katheryn Petsas to discuss their interest in volunteering for a Town committee, commission, or board.

20-098 Update and Discussion of the Capital Improvement Program and Financial Plan

Chief Financial Officer Douglas Allen updated the Council on public and private options and rates to issue bonds. There was Council consensus to direct staff to bring back a resolution on March 12, 2020 authorizing a \$8 million bond issuance for a 6 or 6.5 year bond and callable after four years. The Council favored private placement unless there was a material difference in final interest rates.

20-099 Discussion of Planning and Zoning Process Action Plan

Ms. Keimach summarized the Planning and Zoning Process Retreat held on January 30, 2020 and presented a timeline for considering the following items in future Study Sessions:

- General Plan Update
- Special Use Permit Guidelines
- Training, Rules and Procedures for Boards and Commissions
- Applicant Interaction at Statement of Direction (SOD) integrated with staff presentation
- Study Session materials must be submitted for staff review and packet inclusion
- Public Outreach during Planning Process
- Cell Infrastructure on SUP Properties
- Development Standards and Interpretations
- Native Plant Preservation
- Interpretation of pad elevation and overall height
- Curbing and Impact to Stormwater
- Options to Address Cut Through Traffic (for incorporation in General Plan)
- Hillside Building Committee – board membership, open space criteria, solar applications

16. ADJOURN

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

Aye: 5 - Mayor Bien-Willner
Council Member Andeen
Council Member Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Dembow
Vice Mayor Pace

Mayor Bien-Willner adjourned the meeting at 9:46 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 27, 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