



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, May 28, 2020**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, May 20, 2020 at 3:05 p.m. in the Town Hall Boardroom and through remote participation as authorized by Resolution 2020-08.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner attended by video conference
Council Member Ellen Andeen attended by video conference
Council Member Paul Dembow attended by video conference
Council Member Scott Moore attended by video conference
Council Member Anna Thomasson attended by video conference

NOT PRESENT

Vice Mayor Julie Pace
Council Member Mark Stanton

A motion was made by Council Member Moore, seconded by Council Member Andeen, to go into executive session at 3:05 PM to discuss item number 20-218. 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

2. EXECUTIVE SESSION

20-218 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 as authorized by A.R.S. §38 431.03(A)(3).

20-220 Discussion or consultation with the Town Attorney to consider the Town's position and provide instruction regarding negotiations related to an agreement with the Mountain Shadows Resort related

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).

to left turn lane on Lincoln Drive 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.)

- 20-219 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).**

Mayor Bien-Willner convened the study session at 4:20 PM.

3. STUDY SESSION ITEMS

COUNCIL MEMBERS PRESENT

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

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach attended by video conference
Town Attorney Andrew Miller attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
Town Clerk Duncan Miller
Town Engineer Paul Mood attended by video conference
Chief of Police Peter Wingert attended by video conference
Community Development Director Jeremy Knapp attended by video conference
Public Works Director Brent Skoglund attended by video conference
CFO Douglas Allen attended by video conference
CIO Steven Brunasso attended by video conference
Senior Planner George Burton
Planning Manager Paul Michaud

**20-225 Discussion of Crown Castle Intermediate Special Use Permit
Amendment**

Senior Planner George Burton presented the request by Crown Castle to amend their Special Use Permit to relocate and replace the faux rock screens with equipment cages at the following locations: 7300 N Tatum Blvd; 6401 E McDonald Dr; and 5395 N Invergordon Rd. He said the Planning Commission voted 6-0 on May 5, 2020 to forward the SUP to the Town Council with a recommendation for approval, subject to stipulations.

Tanya Friese, representing Crown Castle, confirmed that the application does not include a request for 5G facilities. Furthermore, she confirmed that municipalities do not have the authority under federal law to consider health impacts of cellular facilities.

Mr. Burton noted that this item is scheduled for action later in the meeting.

20-190 Discussion of Planning Process Applicant Interaction & Public Outreach

Planning Manager Paul Michaud presented recommendations from the Planning Commission regarding planning process improvements and public outreach. The Council supported the recommendation on requiring public noticing at the application stage and the recommendation related to size and location of signage. The Council did not support the recommendation to reduce the 1,500-foot radius for notifications sent by mail, regardless of whether the application is on a property adjoining another municipality. There was also consensus that the citizen review hearing should take place earlier in the process. It was understood that this would require a code change. Finally, there was support for allowing applicant and public participation in drafting of the statement of direction.

There was consensus to schedule this for another study session and authorize the Town Manager to refer the ordinance change to the Planning Commission.

20-230 Discussion of Lincoln Drive Median Island Construction Contract

Town Engineer Paul Mood presented a contract for the construction of median islands on Lincoln Drive between 32nd St and Mockingbird Ln. He noted that the quote came in over budget. He discussed potential scope modifications and pricing adjustments to reduce costs.

The Council directed staff to work with the contractor to find cost savings and report back to Council at the next meeting.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Bien-Willner reconvened the meeting at 6:00 PM.

6. ROLL CALL**COUNCIL MEMBERS PRESENT**

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

STAFF MEMBERS PRESENT

Town Attorney Jill Keimach attended by video conference
Town Attorney Andrew Miller attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
Town Clerk Duncan Miller
Town Engineer Paul Mood attended by video conference
Chief of Police Peter Wingert attended by video conference
Community Development Director Jeremy Knapp attended by video conference
Chief Information Officer Steven Brunasso attended by video conference
Chief Financial Officer Douglas Allen attended by video conference
Public Works Director Brent Skoglund attended by video conference
Senior Planner George Burton

7. PLEDGE OF ALLEGIANCE*

Mayor Bien-Willner led Pledge of Allegiance.

8. PRESENTATIONS**20-234 Updates from Elected Officials**

United States Senator Martha McSally and State Senator Kate Brophy-McGee addressed the Council and provided updates on legislative priorities and goals.

9. ACTION ITEMS**20-232 Adoption of Resolution Number 2020-16 Approving the FY2020/21
Tentative Budget**

Chief Financial Officer Douglas Allen presented the tentative budget for Fiscal Year 2020-2021. He stated that the Town took a unique approach to budgeting this year. In March, the Town experienced sharp drops in revenue resulting from the COVID-19 pandemic and accompanying reduction in economic activity. Accordingly, departments were asked to categorize their budget requests into three priorities.

Priority One: The base budget funds a vital, mandated, or primary service(s) that has a direct impact on residents, but does not to keep pace with an increase in demand. Priority one is recommended to be funded effective July 1.

Priority Two: Has an impact on Town operations and delivery of service, keeps pace with demand. Priority Two is recommended to be set aside in a contingency account and assessed in September / October 2020.

Priority Three: Represents where a department was heading in February '20. Poised to resume, but not likely to materialize for all requests in FY2021. Priority Three is recommended to be set aside in a contingency account and assessed early next calendar year Jan-Mar 2021. Depends on tourism and service demands.

Mr. Allen stated that the Council would receive revenue updates approximately monthly during the fiscal year. This would allow the Council to make informed decisions about authorizing Priority Two expenditures.

Mr. Allen summarized proposed Financial Management, contingency, personnel, and capital project policies. There was Council consensus to schedule the recommended policy amendments for a vote.

Mr. Allen stated that adoption of the Final Budget was scheduled at a public meeting on June 11, 2020.

A motion was made by Vice Mayor Pace, seconded by Council Member Andeen, to Adopt Resolution Number 2020-16 approving the FY2020/21 Tentative Budget that sets the maximum appropriation for the fiscal year at \$64,220,371; and hold a Special Meeting/Public Hearing on June 11, 2020. 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

20-216 Award of Community Services Funding for Fiscal Year 2019-20

Town Clerk Duncan Miller presented the recommendations of the Town Manager Advisory Group on Community Services Funding made up of Town Manager Keimach, Council Member Thomasson, and Council Member Moore. He stated that 12 funding requests were received totaling \$117,000. The Council budgeted \$65,000 and the recommendation was to award funding to eight organizations in the total amount of \$45,000.

There Council discussed the organizations to be funded. Council Member Dembow expressed his preference not to appropriate government funds to support non-profit agencies.

A motion was made by Council Member Andeen, seconded by Council Member Moore, to authorize the Town Manager to execute funding agreements with the community services organizations listed below in the total amount of \$45,000.

Agency	Amount
Arizona Helping Hands	\$5,000
BSA, Grand Canyon Council	\$3,000
Central AZ Shelter Services	\$20,000
Duet Partners in Health & Aging	\$5,000
Franciscan Renewal Center	\$2,000
notMYkid	\$5,000
Save the Family Foundation of AZ	\$4,000
Special Olympics, Arizona	\$1,000
Total	\$45,000

The motion carried by the following vote:

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

Nay: 1 - Council Member Dembow

10. CALL TO THE PUBLIC

There were no public comments.

11. CONSENT AGENDA

There were no consent agenda items.

12. PUBLIC HEARINGS

20-226 Consideration of Crown Castle Intermediate Special Use Permit Amendment.

Senior Planner George Burton presented the request by Crown Castle to amend their Special Use Permit to relocate and replace the faux rock screens with equipment cages at the following locations: 7300 N Tatum Blvd; 6401 E McDonald Dr; and 5395 N Invergordon Rd.

Tanya Friese, representing Crown Castle, thanked the Council for their consideration.

Mayor Bien-Willner opened the public hearing. There were no public comments.
Mayor Bien-Willner closed the public hearing.

A motion was made by Vice Mayor Pace, seconded by Council Member Stanton, to Adopt Ordinance Number 2020-06. 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

20-235 Consideration of Draft Ordinance No. 2019-07; Changes to Article XI, Section 1102.2.B. of the Zoning Ordinance; Medical Marijuana Dispensary Regulations

Town Attorney Andrew Miller recommended continuing the public hearing. There was Council discussion to select a specific date for the rescheduled hearing.

Mayor Bien-Willner opened the public hearing. There were no public comments.
Mayor Bien-Willner closed the public hearing.

A motion was made by Mayor Bien-Willner, seconded by Council Member Thomasson, to Continue the public hearing on Draft Ordinance No. 2019-07 from May 28, 2020 to October 22, 2020. 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

20-224 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

The Mayor, Manager, and Council Members provided updates.

STUDY SESSION CONTINUED**20-233 Discussion of Draft Ordinance No. 2020-07, amending Chapter 5, Building and Construction, Article 5-11, Floodplain Administration of the Town Code**

Town Attorney Andrew Miller presented draft Ordinance 2020-07. He stated that the Town's Floodplain Administration section of the Town Code must be updated in order for the Town to qualify for the National Flood Insurance Program. He said the Town worked closely with the Arizona Department of Water Resources (ADWR) to draft amendments to bring the Code into conformance with the latest FEMA and ADWR regulations.

Mr. Miller summarized the amendments. There were no additional suggestions or amendments. Mr. Miller stated that the ordinance would be schedule for a vote at the next meeting.

A motion was made by Council Member Stanton, seconded by Council Member Moore, to go into executive session at 8:48 PM to discuss item 20-220. 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

15. ADJOURN

A motion was made by Council Member Moore, 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 9:08 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, May 28, 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