TOWN
Of
PARADISE VALLEY

TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
Thursday, September 12, 2019

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, September 12, 2019 at 3:00 p.m. in the Town Hall Boardroom.

COUNCIL MEMBERS PRESENT
Mayor Jerry Bien-Willner
Council Member Ellen Andeen
Council Member Paul Dembow
Vice Mayor Scott Moore attended by telephone conference call
Council Member Julie Pace
Council Member Mark Stanton
Council Member Anna Thomasson

STAFF MEMBERS PRESENT
Town Manager Jill Keimach
Town Attorney Andrew Miller
Deputy Town Manager Dawn Marie Buckland
Deputy Town Attorney Deborah Robberson
Town Clerk Duncan Miller
Police Chief Peter Wingert
Town Engineer Paul Mood
Public Works Director Brent Skoglund
CFO Douglas Allen
CIO Steven Brunasso
Planner George Burton

2. STUDY SESSION ITEMS

19-336 Review of Town Hall Remodel of Front Entry and Consideration of Donated Ed Mell Sculpture to Honor Donors to Paradise Valley Mountain Preservation Trust

Town Manager Jill Keimach explained that one of the goals of the newly renamed Paradise Valley Mountain Preserve Trust was to recognize past donors and raise awareness about mountain preservation. In consequence, the Trust worked with local artist Ed Mell to design a large sculpture of a mountain affixed to a base listing the names of donors to the Trust. She presented three options near the entry to Town Hall for the sculpture's location. There was Council consensus favoring "Layout B" which was to the left and perpendicular to the Town Hall entrance. It would require

removing a bike rack and designing a drainage solution. Council made the following requests:

- Prepare design plans and renderings for Council review
- Review drainage
- Limit lighting to something discrete
- Police assessment of the location and dimensions of the sculpture both as a vehicular barrier and for the potential of blocked views
- Consider a shade structure and hardscape at the entrance to Town Hall for people to congregate during community events

19-315 Discussion of Lavitt Manor II Final Plat, a Two Lot Subdivision with Private Road, Located at 7525 North Ironwood Drive

Planner George Burton presented a final plat for a two-lot subdivision with a private road located at 7525 N Ironwood Dr. The Planning Commission reviewed and approved the preliminary plat and private road conditional use permit on August 20, 2019 by a vote of 7 – 0. He stated that the final plat is in substantial conformance with the preliminary plat. He summarized the final plat and noted public comments that were received at the Planning Commission hearing and those received since then.

The Council discussed the plat and posed questions regarding infrastructure capacity and future improvements. There was consensus to schedule the final plat for a vote on September 26 at which time the Council asked for staff to provide a more detailed response to the concerns raised by residents who submitted comments.

19-329 Discussion of Amendment to the Town's Investment Policy

Chief Financial Officer Douglas Allen presented a recommended change to the Town's Investment Policy that would provide greater flexibility in the distribution of investments among the Town's outside broker PFM, Wells Fargo, and the Local Government Investment Pool (LGIP). He recommended increasing the maximum investment limit in LGIP from $7.5 million to $10.5 million. The investment limit has not been amended since 2007. This amendment would allow the Town to maximize interest income based on which funds are performing better. He stated that a complete review of the Town's investment policy was scheduled for a future date and would include representatives from PFM, Wells Fargo, and the Town's financial auditing firm.

There was Council consensus to schedule the amendment for a vote on September 26; however, Council asked for further justification for establishing a dollar amount limit instead of a percentage allocation.

Council Member Pace moved to go into executive session at 4:45 PM to discuss items 19-326 and 19-318. Council Member Dembow seconded the motion which passed by the following vote:

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

3. EXECUTIVE SESSION

19-325 **Discussion or consultation with the Town Attorney to consider the Town's position regarding a potential Settlement Agreement regarding Case Number CV2018-015014 as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding condemnation law as authorized by A.R.S. §38 431.03(A)(3.)**

19-318 **Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the East Lincoln Drive South Development Area authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding the development area as authorized by A.R.S. §38 431.03(A)(3.)**

19-317 **Discussion and consultation with the Town Attorney regarding contract negotiations, pending or contemplated litigation, or settlement agreements related to Five Star Development project as authorized by A.R.S. §38-431.03(A)(4) and/or discussion and consultation with the Town Attorney for legal advice regarding the development agreement and associated agreements with Five Star Development as authorized by A.R.S. §38-431.03(A)(3).**

19-320 **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 6:15 PM.

6. ROLL CALL

COUNCIL MEMBERS PRESENT
Mayor Jerry Bien-Willner
Council Member Ellen Andeen
Council Member Paul Dembow
Vice Mayor Scott Moore attended by telephone conference call
Council Member 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
Police Chief Peter Wingert
Town Engineer Paul Mood
Chief Financial Officer Douglas Allen
Chief Information Officer Steven Brunasso
Planner George Burton

7. PLEDGE OF ALLEGIANCE*

Junior Officer Torin Thomas lead the Pledge of Allegiance.

8. PRESENTATIONS

Mayor Bien-Willner welcomed the Town Council and staff back from the summer legislative break. He highlighted the Town's accomplishments over the last year and presented a list of goals and objectives for the next year.

9. CALL TO THE PUBLIC

Resident Judith Brown spoke in opposition to Consent Agenda Item 19-316 regarding acceptance of two grants from the Governor's Office of Highway Safety for DUI enforcement.

Resident Ronald Duff spoke in opposition to a pending subdivision near Invergordon Rd and N. Ironwood Drive.

10. CONSENT AGENDA

Town Manager Keimach summarized the items on the Consent Agenda.

19-321 Minutes of Town Council Meeting June 13, 2019

19-322 Minutes of Town Council Special Meeting July 1, 2019

19-323 **Minutes of Town Council Special Meeting August 19, 2019**

19-327 **Appointment to the PV Arts Board**

Recommendation: Appoint Mary Hamway to fill the unexpired term on the PV Arts Board through March 2020.

19-316 **Consider Acceptance of Governor's Office of Highway Safety Grants**

Recommendation: Accept two Governor's Office of Highway Safety DUI grant for $20,000 each.

19-330 **Approval of Town participation in and administrative support for the Town of Paradise Valley Fifteenth Annual Veterans' Appreciation Vintage Car Show to be held on Saturday, November 9, 2019**

Recommendation: Authorize Town Participation in and Administrative Support for the Town of Paradise Valley Fifteenth Annual Veterans' Appreciation Vintage Car Show.

19-331 **Report to Town Council on Expenditures Pursuant to Town Code Section 3-8-7**

Recommendation: Affirm / approve the renewal of the Police Department's New World System annual maintenance agreement with Tyler Tech in the amount of $154,963 for the service period July 1, 2019 to June 30, 2020.

A motion was made by Council Member Dembow, seconded by Council Member Pace, to approve the Consent Agenda as submitted. The motion carried by the following vote:

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

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

19-335 Approval of Conditional Settlement with Abdul A. Mahmood and Erum Noon, Case No. CV 2018-015014.

Town Attorney Andrew Miller briefed the Council on a proposed settlement agreement with Abdul A. Mahmood and Erum Noon to condemn a 10-foot-wide easement along the north boundary line of the parcel located in the vicinity of Lincoln Drive and 67th Street. The settlement amount was $99,765, plus interest.

There was no public comment and no discussion.

A motion was made by Council Member Pace, seconded by Council Member Dembow, to approve the Conditional Settlement with Abdul A. Mahmood and Erum Noon, Case No. CV 2018-015014 in the amount of $99,765, plus interest. The motion carried by the following vote:

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

13. FUTURE AGENDA ITEMS

19-324 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 made the following announcements:
October 2 – Coffee with a Cop
October 22 – Shred Safely Event and National Prescription Drug Take Back Day
November 6 – Coffee with a Cop
November 14 – Blood Drive
She announced that she attended the state Public Safety Personnel Retirement Board meeting.
She thanked those who participated in 911 Tower Challenge

Council Member Stanton announced that the Council will recognize Ed Lowry for displaying his photographs of the Grand Canyon at Town Hall for the last year. The art opening for Lynn Bellino would be held on October 22.

Council Member Pace reported on the status of various PV Mountain Preserve Trust initiatives

including: the children's book called "The Real Story of Mummy Mountain", the Ed Mell sculpture recognizing past donors to the Mountain Preserve Trust, and the donor recognition event on October 9th.

Council Member Thomasson thanked Council Member Andeen for her leadership in making the 911 Towner Challenge a success.

Council Member Dembow announced that the 15th Annual Paradise Valley Veterans Appreciation Car Show will be held on Saturday, November 9th. He responded to an article published by the Arizona Tax Research Association which noted Paradise Valley's increase in expenditures for the current budget year. He clarified that the Town does not assess a property tax and that the increased expenditures are largely the result of the Town's efforts to pay down public safety pension debt.

A motion was made by Council Member Pace, seconded by Council Member Stanton, to go into executive session to discuss item 19-317 at 6:46 PM. The motion carried by the following vote:

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

15. ADJOURN

A motion was made by Council Member Thomasson, seconded by Council Member Pace, to adjourn at 9:45 PM. The motion carried by the following vote:

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

Mayor Bien-Willner adjourned the meeting at 9:44 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, September 12, 2019.

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.

TOWN CLERK TOWN OF PARADISE VALLEY SEAL 1961 MARICOPA COUNTY, ARIZONA

Duncan Miller, Town Clerk