



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, NOVEMBER 4, 2021**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, November 4, 2021, at 3:00 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
Vice Mayor Mark Stanton 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 Julie Pace attended by video conference
Council Member Anna Thomasson attended by video conference

STAFF MEMBERS PRESENT

Town Manager Jill Keimach attended by video conference
Town Attorney Andrew J. McGuire attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
Attorney Michael Goodman, Gust Rosenfeld PLC attended by video conference
Town Clerk Duncan Miller
Chief of Police Peter Wingert attended by video conference
Community Development Director Lisa Collins attended by video conference

A motion was made at 3:01 PM by Council Member Thomasson, seconded by Vice Mayor Stanton, to go into executive session to receive legal advice on items 21-340 and 21-354. The motion carried by the following vote:

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

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 (www.paradisevalleyaz.gov) 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).

2. EXECUTIVE SESSION

- 21-340** Discussion or consultation for legal advice with the Town Attorney regarding Town Code amendments related to code enforcement (special events, nuisance noise, unruly gatherings, and rental registration) as authorized by A.R.S. §38-431.03(A)(3).
- 21-344** Discussion or consultation with the Town Attorney to consider the Town's position regarding contract negotiations with the Super Bowl Host Committee 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).
- 21-343** Discussion of Assistant Town Attorney responsibilities following retirement as authorized by A.R.S. §38-431.03(A)(1).
- 21-354** Discussion or consultation for legal advice with the Town Attorney regarding proposed zoning ordinance regarding regulations for walls, view fences and combination view fences as authorized by A.R.S. §38-431.03(A)(3).
- 21-341** 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).

3. STUDY SESSION ITEMS**STAFF MEMBERS PRESENT**

Town Manager Jill Keimach attended by video conference
Town Attorney Andrew J. McGuire attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
John Austin Gaylord, Gust Rosenfeld, PLC, attended by video conference
Town Clerk Duncan Miller
Chief of Police Peter Wingert attended by video conference
Town Engineer Paul Mood attended by video conference
Community Development Director Lisa Collins attended by video conference

The study session convened at 5:10 PM.

- 21-347** Discussion of Proposed Zoning Ordinance regarding Regulations for Walls, View Fences and Combination View Fences

Community Development Director Lisa Collins summarized the current ordinance governing walls, view fences, and combination view fences. She explained concerns that have been raised with the current ordinance and the lack of clarity with the associated exhibits. She discussed possible code amendments related to view fence and combination view fence regulations and how they would be applied to properties on major arterials, minor arterials, and collector streets. She also discussed the possible elimination of the fence hedge maintenance agreement.

She reported that the Planning Commission discussed the ordinance and suggested amendments. They voted unanimously not to recommend amendments to the Code but did recommend clarifying the exhibits.

There was Council consensus to schedule this item for another study session to consider eliminating the fence hedge maintenance agreement requirement and further discuss fence / wall setbacks.

21-351 Discussion of Proposed Ordinance No. 2021-05, the Paradise Valley Community Tree City Ordinance

John Gaylord, Gust Rosenfeld, PLC, summarized a draft Town Tree Ordinance. He stated that adoption of the ordinance was required in order for the Town to continue to be eligible for the Tree City USA designation. He detailed what would be required of the Public Works Department under the ordinance and stated that many of the duties are already performed by the Department.

The Council requested an additional study session with more information on the costs of materials and staff time to implement the proposed ordinance.

21-349 Paradise Valley, 2022 General Plan - Update

Ms. Collins summarized the General Plan review schedule. She highlighted the Community Open House on November 17, 2021 at Town Hall and on Zoom. She reminded Council that the 60-day review period will occur between November 1 and December 31, 2021. The Planning Commission and Town Council will hold study sessions in January and February 2022. The Council was scheduled to adopt the Plan on March 10 and send it to the voters for ratification at the August 2, 2022 regular election.

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 Mark Stanton 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 Julie Pace 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 McGuire attended by video conference
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Town Clerk Duncan Miller
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Community Development Director Lisa Collins attended by video conference
Town Engineer Paul Mood attended by video conference

7. PLEDGE OF ALLEGIANCE*

Member of Ballers Dream Foundation of Arizona Justin White, Chase Salone, and Cynthia Wenstrom led the Pledge of Allegiance.

8. PRESENTATIONS

21-348 Proclaim November 2021 as Baller Dream Foundation Month

Mayor Bien-Willner read a proclamation declaring November 2021 as Ballers Dream Foundation in Paradise Valley. The Foundation is a non-profit organization supporting young cancer patients and their families.

9. CALL TO THE PUBLIC

Resident Michael Carmel discussed a code enforcement issue with a property in his neighborhood. He recommended reducing the amount of time Code violators are given to cure the violations, increase fines to encourage compliance, and further regulation of short-term rental properties.

10. CONSENT AGENDA

There were no consent agenda items.

11. PUBLIC HEARINGS

There were no public hearings.

12. ACTION ITEMS

There were no action items.

13. FUTURE AGENDA ITEMS

21-342 Consideration of Requests for Future Agenda Items

Town Manager Keimach summarized upcoming agenda items. There were no requests to schedule any other items.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Members provided comments and updates related to current events.

A motion was made at 6:57 PM by Vice Mayor Stanton, seconded by Council Member Pace, to go into executive session to receive legal advice on items 21-343 and 21-344. The motion carried by the following vote:

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

15. ADJOURN

A motion was made at 9:06 PM by Vice Mayor Stanton, seconded by Council Member Thomasson, to adjourn. The motion carried by the following vote:

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

Mayor Bien-Willner adjourned the meeting at 9:06 PM

TOWN OF PARADISE VALLEY

SUBMITTED BY:

Duncan Miller
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, November 4, 2021.

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
Duncan Miller, Town Clerk