



**TOWN COUNCIL MEETING**  
**6401 E. LINCOLN DRIVE**  
**PARADISE VALLEY, ARIZONA 85253**  
**SUMMARIZED MINUTES**  
**February 25, 2010**

**CALL TO ORDER**

Mayor Parker called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, February 25, 2010 at 4:00 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson  
Council Member Bernie Barry  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Town Engineer William C. Mead  
Police Chief John Bennett  
Planning & Building Director Eva Cutro  
Management Services Director Lenore Lancaster  
Planner George Burton  
Public Works Director Andrew Cooper

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**Second Quarter Budget Review**

Mr. Bacon reported that for the first six months of Fiscal Year 2010 the Town was financially healthy. He said the Town was on target for revenues and has favorable variances on expenditures.

Ms. Lancaster explained the methodology used to develop quarterly financial reports. Revenues including local taxes, franchise fees, and certain miscellaneous revenues are developed by month with all other revenues straight-lined. Expenditures including salaries, social security/medicare, and retirement are allocated based on the number of work weeks per month. Most other expenditures are straight-lined.

She said construction sales and use taxes and permits fees were strong. Revenues did not meet budget for the second quarter, but year-to-date revenues exceed budget. She said the Town continues to monitor and control expenditures with a year-to-date savings of \$306,022.

Responding to a question from Councilmember Barry about normalizing Phoenix Fire contract payments, Ms. Lancaster believed it was important to use the same methodology for the year and normalize the payments next fiscal year.

Mr. Bacon noted that the past practice of lease purchasing capital assets would not be utilized for the foreseeable future. The delta between the capital lease and investment income is currently not in the Town's favor. Moreover, the state expenditure limitation is no longer a factor in capital purchases.

### **Discussion of Regulations for Solar Installations**

Mr. Mead explained that over the past year the Town received a number of requests to install roof mounted solar panels on hillside properties. Although encouraging sustainability is one of the Town's goals, there are two obstacles preventing some property owners from installing solar equipment. He said some requests were denied because the addition of the solar panels raised the overall height of the house beyond the allowable 24-foot height limitation. Secondly, the fees assessed for hillside properties are higher than those charged for non-hillside properties. One reason for the higher fees is that these installations must be reviewed by the Hillside Committee.

Staff proposed amending the administrative relief section of the Code to allow the Planning & Building Director to grant administrative relief of up to 10% additional height for solar panels on hillside properties to be consistent with non-hillside properties. Secondly, staff suggested amending the fee schedule by creating a separate solar panel hillside building committee review fee of \$200.

There was Council consensus to reduce the hillside review fees. After discussion about eliminating the need for solar applications to be reviewed by the Hillside Committee or developing a Staff/Hillside Committee Chair hybrid committee to approve these requests, it was decided to amend the Code to extend administrative relief to hillside properties. If approved the application would still be reviewed by the Hillside Committee. This solution would still give neighbors who are below or at the same elevation as the applicant's property to provide feedback at a public hearing. The only remaining concern was that applicants may have to wait a month to receive approval from the Hillside Committee.

**Motion and vote** - Councilmember Clarke moved to go into executive session. Vice Mayor Simpson seconded the motion which passed unanimously at 4:51 pm.

**EXECUTIVE SESSION**

- a. Discussion and consultation with the Town Attorney regarding pending or potential litigation as authorized by A.R.S. §38-431.03.A.4 and discussion of legal advice from the Town Attorney as authorized by A.R.S. §38-431.03.A.3 regarding **Special Use Permit restrictions and zoning regulations related to the school property located at 6050 N. Invergordon Road**
  
- b. Discussion of **Town Manager and Town Attorney performance review** as authorized by A.R.S. §38-431.03.A.1.

**RECONVENE FOR REGULAR BUSINESS MEETING**

**CALL TO ORDER**

Mayor Parker reconvened the meeting of the Town Council at 5:47 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson  
Council Member Bernie Barry  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon., Jr  
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Town Engineer William C. Mead  
Planning & Building Director Eva Cutro  
Management Services Director Lenore P. Lancaster

**PLEDGE OF ALLEGIANCE**

Mayor Parker led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

There were public comments.

**MAYOR / COUNCIL / MANAGER REPORT**

There were no reports.

**CONSENT AGENDA**

- a. Minutes of Town Council Meeting January 14, 2010**
- b. Minutes of Town Council Special Meeting January 25, 2010**
- c. Minutes of Town Council Meeting January 28, 2010**
- d. Minutes of Town Council Special Meeting February 11, 2010**
- e. Authorization to Purchase a PM-10 Certified Street Sweeper**  
*Recommendation:* Authorize the purchase of a PM-10 certified street sweeper in an amount not to exceed \$187,423.  
*Staff Contact:* Andrew Cooper, Jr., Public Works Director, 480-348-3573
- f. Renewal of Police CAD/ Records Management System Software Maintenance Agreement**  
*Recommendation:* Authorize the Town Manager to approve payment for annual software maintenance support of the Computer-Aided Dispatch/Records Management System in the amount of \$37,549.  
*Staff Contact:* Lenore P. Lancaster, Management Services Director, 480-348-3532
- g. Adoption of Resolution Number 1200 Authorizing the Town Clerk to Hold a Consolidated Election on May 18, 2010**  
*Recommendation:* Adopt Resolution Number 1200 authorizing the Town Clerk to conduct the Council General (Runoff) Election on May 18, 2010 as a polling place election.  
*Staff Contact:* Duncan Miller, Town Clerk, 480-348-3610
- h. Approval of Ordinance Number 620 Establishing a Public Safety Fee and Prosecution Assessment**  
*Recommendation:* Approve Ordinance Number 620, authorizing the Municipal Court to impose a public safety fee and prosecution assessment.  
*Staff Contact:* Andrew M. Miller, Town Attorney, 480-348-3691
- i. Approval of Resolution Number 1210 Amending the Town's Financial Management Policies**

**Recommendation:** Adopt Resolution Number 1210 amending the Town of Paradise Valley Financial Management Policies to incorporate changes to the emergency appropriation policy.

**Staff Contact:** Andrew M. Miller, Town Attorney, 480-348-3691

**j. Adoption of the Salary and Classification Plan and Authorization for the Town Manager to Recruit and Hire a Budget & Finance Director/Assistant Town Manager**

**Recommendation:** Adopt the Town's salary and classification plan thereby establishing positions, titles, and salary ranges resulting from the newly recognized restructuring plan; and authorize the recruitment and hiring of a Budget & Finance Director/Assistant Town Manager.

**Staff Contact:** Andrew M. Miller, Town Attorney, 480-348-3691

**k. Approval of Resolution Number 1211; Adopting the November 2009 Maricopa County Multi-Jurisdictional Multi-Hazard Mitigation Plan**

**Recommendation:** Approve Resolution Number 1211, adopting the November 2009 Maricopa County Multi-Jurisdiction Multi-Hazard Mitigation Plan

**Staff Contact:** Eva Cutro, Planning & Building Director, 480-348-3522

**l. Adoption of Resolution Number 1213, Amending the Master Fee Schedule to Reflect a Reduction of the Fees for a Hillside Review of Plans for the Addition of Solar Photovoltaic and Solar Hot Water Heater Only**

**Recommendation:** Adopt Resolution Number 1213, reducing the fees for a Hillside Building Committee's review of plans for the addition of solar photovoltaic or solar hot water heater only applications.

**Staff Contact:** Andrew M. Miller, Town Attorney, 480-348-3691

Mr. Bacon summarized the remaining items on the Consent Agenda.

Councilmember LeMarr removed item 11e for separate discussion.

**Motion and vote** – Councilmember Clarke moved to approve the Consent Agenda with the exception of item 11e. Vice Mayor Simpson seconded the motion which passed by a vote of 7-0.

**e. Authorization to Purchase a PM-10 Certified Street Sweeper**

**Recommendation:** Authorize the purchase of a PM-10 certified street sweeper in an amount not to exceed \$187,423.

Mr. Cooper said the Town operates two sweepers to maintain 140 linear miles of paved streets. He said the older of the two sweepers has been out of service for two months. The cost to repair the sweeper is estimated at \$5,500. Instead of repairing it the Town investigated replacing the sweeper. However, the purchase of a new sweeper was not in the budget so the Town's \$37,485 matching share would come out of the contingency fund.

Councilmember LeMarr suggested that even though the Town's share was relatively small it would be preferable not to purchase a replacement. He said the Town could either rely on the other sweeper or contract with a third party to provide sweeping services.

Mr. Cooper responded that maintenance costs would increase if only one sweeper was used for all streets. He said sweepers can only be operated about 4 or 5 years before the maintenance costs start increasing significantly. Moreover, cleaning the streets less often would accelerate asphalt deterioration.

Resident Christine Larkin spoke in opposition to the expenditure. She suggested that the Town contract for the service instead.

**Motion:** Vice Mayor Simpson moved to approve item 11e. Councilmember Clarke seconded the motion.

**Vote:** The motion passed by a vote of 5 to 2.

**AYE**

**Parker**

**Simpson**

**Barry**

**Clarke**

**Kirby**

**NO**

**LeMarr**

**Hamway**

**PRESENTATIONS**

**a. Recognition of Paradise Valley Police Officers, Detectives, US Marshal Service and Town Residents**

The Mayor and Council recognized the following Paradise Valley police officers, detective, the US Marshal Service, and Town residents for meritorious service to the Town:

**July 29,2009 Arrest of a homicide suspect- Letter of Appreciation**

Corporal Donald Fanning

Officer Lindsay McCall

**December 11, 2009 Missing Person - Certificate of Appreciation**

Town resident - Marcus Mitchell

Town resident - Mcghann Will

Town resident - Jason Maxham

**December 4,2009 Assistance in the arrest of the home invasion suspects - Certificate of Merit**

Officer Gregg Smith

**December 4, 2009 Arrest of home invasion suspects - Unit Citation**

Detective Sergeant Dennis Dodd  
Detective Corporal Steven Schrimpf  
Detective Frank Hoekstra  
Detective John Wagner

**December 4, 2009 Assistance in the arrest of the home invasion suspects - Citation**

United States Marshal David Gonzales  
Senior Inspector United States Marshal Service Joshua Butout

**b. Presentation of Volunteer Service Awards**

Mayor Parker presented the years of service awards to the following volunteers:

**5 Years**

Mary Hamway, Town Council  
Robert Coulter, Municipal Property Corporation  
James Otto, Personnel Appeals Board  
Neal Tyner, Personnel Appeals Board  
Emily Kile, Board of Adjustment  
Maureen Strom, Historical Advisory Committee

**10 Years**

Kathryn Gasser, Historical Advisory Committee  
Louise McCall, Arts Advisory Committee  
Sandy Slaton, Municipal Court Judge

**20 Years**

Scott LeMarr, Board of Adjustment, Planning Commission and Town Council

**PUBLIC HEARINGS**

There were no public hearings.

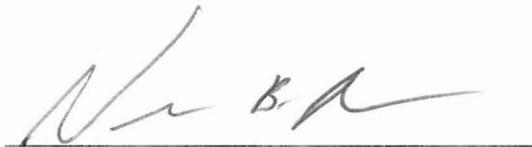
**ACTION ITEMS**

There were no action items.

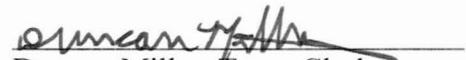
**ADJOURNMENT**

**Motion and vote** – Vice Mayor Simpson moved to adjourn. Councilmember Hamway seconded the motion which passed by a vote of 7-0

Mayor Parker adjourned the meeting at 6:20 p.m.

  
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Vernon B. Parker, Mayor

ATTEST:

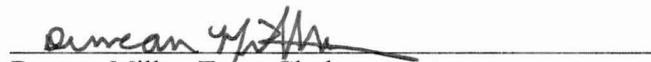
  
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Duncan Miller, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on then 25<sup>th</sup> day February 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11 day of March, 2010.



  
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Duncan Miller, Town Clerk