



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

JANUARY 27, 2011

CALL TO ORDER

Mayor LeMarr called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, January 27, 2011 at 4:05 PM.

COUNCIL MEMBERS PRESENT

Mayor Scott P. LeMarr
Vice Mayor Mary Hamway
Council Member Michael Collins
Council Member Paul E. Dembow
Council Member Pam Kirby
Council Member Vernon B. Parker arrived at 4:20 p.m.
Council Member Lisa Trueblood

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr.
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Public Works Director Andrew Cooper
Budget & Finance Director David Andrews
Community Development Director Eva Cutro
Planner George Burton
Police Chief John Bennett
Human Resources Manager Jinnett Hancock
Senior Planner Molly Hood

ALSO PRESENT

Maria Syms, Planning Commission Chair

Visioning Committee Update

Vice Mayor Hamway briefed the Council on the progress of the Visioning Committee. She reported that the first of two Town Hall meetings was held on January 26th and was well attended. It provided a good opportunity for residents to provide feedback on what they liked about the town and made suggestions about what new programs or services should be offered. Based on preliminary feedback, she noted that preservation of one-acre zoning and privacy remains important to residents.

Councilmember Trueblood, Committee Co-chair, suggested that the Committee reach-out to families with children by holding a “Civic Duty Night”. School-aged residents would be invited to hold mock elections for council and hold discussions and votes on Town issues. She recommended contacting the schools to obtain permission to send fliers home to parents about the event.

There was Council interest to implement this idea as soon as possible.

Discussion of Noise Code Statement of Direction

Mr. Miller explained that the Town Council reviewed an initial draft of amendments to the Town’s ordinances governing noise on November 4, 2010. The amendments were drafted based on the recommendation of a sound expert who had been hired by the Town to study noise emanating from a local resort. The noise consultant suggested that the Town’s noise ordinance, as written, is antiquated and difficult to enforce. Specifically, the existing “Absolute Standard” of 56decibels (dB) maximum from 7 a.m. to 10 p.m. and 45dB from 10 p.m. to 7 a.m. does not work well in all areas of the Town. Many parts of the Town have ambient noise levels in excess of the absolute standards, thus making noise complaints difficult to measure and prove.

At the November meeting, Council agreed that nuisance noise is an issue of great concern to residents and Special Use Permit properties. Because the Planning Commission has much experience studying complex issues and seeking common ground between residents and SUP properties, Council asked Staff to develop a scope of work for the Planning Commission regarding noise code amendments.

Mr. Miller recommended that the Council direct the Planning Commission to focus on the following questions:

1. Whether to adopt the “local ambient deviation” method as the primary means for regulating stationary noise sources?
2. Whether to retain current regulations for unique noise sources such as animals, yard/landscape equipment, and burglar alarms?
3. Whether construction noise should be regulated primarily through days and hour limitations as is done currently, but with an additional absolute standard to be applied to construction noise too?
4. Whether a new “absolute standard” should be retained and used primarily for intermittent noises?

He further recommended that the Planning Commission’s study should involve resident input as well as input from other stakeholders such as resorts.

The Council agreed with the recommendation to forward the list of questions for the Planning Commission to review and report back within 90 days. Further, Council agreed that the

Commission is authorized to use the noise consultant for help in developing recommendations. Council stressed that the recommended amendments should be clearly enforceable.

Planning Commission Chair Maria Syms agreed that the Commission is well suited to address this issue since all SUPs are reviewed by the Commission. She said often times there are noise considerations during review of SUP applications. She said the Commission would add this item to its next meeting agenda.

Budget Update

Mr. Bacon briefed Council on his forecast of governmental revenues for Fiscal Years 2010/11 through Fiscal Year 2015/16. He said during this time, revenues would continue to decline until 2013. His forecast showed that revenue in 2015/16 would equal 2010/11. In addition to declining revenues, he anticipated double digit increases in public pension costs in FY 2011-12 (10% increase in ASRS and 18% increase in PSPRS). He also expected a double digit increase in healthcare costs. As a result, it is clear expenditure cuts must be made to balance the budget.

Mr. Bacon stated that at the budget policy retreat in December, Council directed him to develop a list of recommended expenditure reductions to help balance the budget.

First, he recommended eliminating the Heath Reimbursement Account. Currently the Town contributes \$1,200 per year per employee. Contributions will end June 30, 2011. Employee accounts will remain open until June 30, 2012 to pay remaining claims. He estimated that this would result in annual savings of \$100,000.

Second, he recommended reducing the Town's contribution to the employee 401(a) supplemental retirement program. Currently, the Town contributes \$1,200 per year if the employee also agrees to participate in an amount determined by job classification. He recommended reducing the contribution to \$520 effective July 1, 2011. He estimated that this would result in annual savings of \$50,000.

Third, he recommended requiring employees to pay a portion of Healthcare costs for certain plan designs. Currently the Town offers three healthcare plans. The Town fully funds single coverage. He recommended that the Town continue to offer all three plans but require employees to participate financially in the upper tier plan. He estimated that most employees in the upper tier plan will switch to another plan. Because of an anticipated increase in insurance premiums he expected the change would be revenue neutral.

Council questioned what effect this would have on the employee's total income. Mr. Bacon said he would provide more detailed information at a future meeting.

Fourth, he recommended that the Town implement a furlough plan in calendar year 2012 and 2013. He said this would be implemented by resolution. His recommendation would be 90 hours per year.

Fifth, he asked for Council direction on closing the Town offices on Fridays, excluding police patrol and detectives. He noted that this was discussed last year but the Council rejected it. Since that time, some members have expressed interest in revisiting the issue. His initial estimate was that Friday closures could result in savings of between \$50,000 and \$100,000. Mr. Bacon said he would not recommend it unless the savings was greater than \$50,000. There was Council consensus to direct the Manager to develop an implementation for Friday closures and report back. He was asked to take into consideration soft costs and opportunity costs.

Finally, he explained that Council must adopt an increase in the sales tax by April 28 in order for it to be effective by July 1, 2011 and be reflected in the budget. Moreover, the Town must give 60-days notice prior to discussion of any increases in taxes or fees on its website.

There was Council consensus that discussions about revenue increases should take place subsequent to a full review of expenditure reductions. Moreover, Council asked for more thorough information on a fire service fee mechanism. Council expressed interest in assessing both revenue options before either is approved or implemented. Council asked that information on the fire service fee include the structure, collectability, yield, administrative costs, etc. It was discussed that one possible outcome of the fire service fee research could be the need for a property tax.

Motion and vote – Vice Mayor Hamway moved to go into executive session at 5:45 p.m. Councilmember Collins seconded the motion which passed by a vote of 7-0.

EXECUTIVE SESSION

- a. Legal advice from the Town Attorney regarding medical marijuana as authorized by A.R.S. §38-431.03.A.3.
- b. Discussion of legal advice from Town Attorney regarding zoning approvals for guard gates as authorized by A.R.S. §38-431.03.A.3.
- c. Town Manager and Town Attorney Performance Evaluation as authorized by A.R.S. §38-431.03.A.1.

RECONVENE FOR REGULAR BUSINESS MEETING

CALL TO ORDER

Mayor LeMarr reconvened the meeting of the Town Council at 6:13 P.M.

COUNCIL MEMBERS PRESENT

Mayor Scott P. LeMarr
Vice Mayor Mary Hamway
Council Member Michael Collins
Council Member Paul E. Dembow
Council Member Pam Kirby
Council Member Vernon B. Parker
Council Member Lisa Trueblood

STAFF MEMBERS PRESENT

Town Manager James C. Bacon., Jr
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Police Chief John Bennett
Budget & Finance Director/Assistant Town Manager David Andrews
Public Works Director Andrew Cooper, Jr.
Community Development Director Eva Cutro

PLEDGE OF ALLEGIANCE

Councilmember Parker led the Pledge of Allegiance.

PRESENTATIONS

Mayor LeMarr recognized the following volunteers for their service to the Town. He presented each of them with a lapel pin marking their years of service.

5 Years

Joan Levinson, Mummy Mountain Preserve Trust
Fred Pakis, Mummy Mountain Preserve Trust
Phil Schneider, Mummy Mountain Preserve Trust
Colin Williams, Mummy Mountain Preserve Trust
John Hudson, Municipal Court Conflict Judge

10 Years

Lou Werner III, Planning Commission
Tom Campbell, Planning Commission

15 Years

Peter Connolly, Personnel Appeals Board
Dorothy Smith, Personnel Appeals Board
Jim Van Houten, Personnel Appeals Board
Dr. Stan Perlman, Police Department
Psychologist

35 Years

Russ Mosser, Certified Reserve Police Officer,
Planning & Zoning Commission, Town Council
(two terms), Municipal Property Corporation
Board, Public Safety Personnel Retirement
Board, PVPD Homeland Security, Crime
Prevention Team and Visioning Committee

CALL TO THE PUBLIC

There were no public comments.

MAYOR / COUNCIL / MANAGER REPORT

Mayor LeMarr thanked the Visioning Committee for hosting Grady Gammage on January 12 at Town Hall. He was invited to speak about land use, economics, and offer suggestions to the Town on the visioning process.

CONSENT AGENDA

- a. Minutes of Town Council Meeting November 18, 2010**
- b. Minutes of Town Council Meeting December 9, 2010**
- c. Minutes of Town Council Meeting December 16, 2010**
- d. Minutes of Town Council Meeting December 17, 2010**
- e. Minutes of Town Council Meeting January 13, 2011**
- f. Approval of Special Event Liquor License for Boys & Girls Club**
Recommendation: Approve the Special Event Liquor License for Boys & Girls Clubs of Greater Scottsdale for an event on February 10, 2011 at the Scottsdale Plaza Resort, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed
- g. Adoption of Resolution Number 1230, Repealing and Replacing Resolution Number 901 Regarding the Mary Ann Brines Exceptional Performance Award Program and Committee**
Staff Contact: James C. Bacon, Jr., Town Manager, 480-348-3690

h. Adoption of Ordinance Number 632, Repealing Section 2-7-5 of the Town Code
Recommendation: Adopt Ordinance Number 632.

Mr. Bacon summarized the items on the Consent Agenda.

Motion and vote – Councilmember Kirby moved to approve the Consent Agenda as submitted. Vice Mayor Hamway seconded the motion which passed by a vote of 7 – 0.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

There were no action items.

ADJOURNMENT

Executive session

Motion and vote – Vice Mayor Hamway moved to go into executive session at 6:24 p.m. Councilmember Kirby seconded the motion which passed by a vote of 7-0.

Mayor LeMarr reconvened the regular meeting.

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

Mayor LeMarr adjourned the meeting at 7:09 p.m.



Scott P. LeMarr, Mayor

ATTEST:



Duncan Milley, Town Clerk