

TOWN  
*Of*  
PARADISE VALLEY



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TOWN COUNCIL  
Ronald B. Clarke, Mayor

Ed Winkler, Vice Mayor  
Mary Hamway  
Dan Schweiker

Richard Coffman  
Scott LeMarr  
Jini Simpson

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Town Hall - 6401 E. Lincoln Drive

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**Thursday, November 17, 2005**

**4:00 p.m.**

**AGENDA**

**1. CALL TO ORDER**

**2. WORK/STUDY DISCUSSION ITEMS**

Work/Study is open to the public however the following items are scheduled for discussion only. The Town Council will be briefed by staff and other Town representatives. There will be no votes and no final action taken on discussion items. The Council may give direction to staff and request that items be scheduled for consideration and final action at a later date. The order of discussion items and the estimated time scheduled to hear each item is subject to change.

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|--|-------------------|
| <b>a. Discussion of Invergordon Manor Preliminary Plat</b>               | <b>20 minutes</b> |
| <i>Staff Contact:</i> Eva Cutro, Planning Director, 480-3522             |                   |
| <b>b. Discussion of Horseshoe Lot Split</b>                              | <b>30 minutes</b> |
| <i>Staff Contact:</i> Eva Cutro, Planning Director, 480-3522             |                   |
| <b>c. Discussion of Town Hall Improvements</b>                           | <b>20 minutes</b> |
| <i>Staff Contact:</i> Thomas M. Martinsen, Town Manager, 480-3690        |                   |
| <b>d. Discussion of Noise Ordinance</b>                                  | <b>40 minutes</b> |
| <i>Staff Contact:</i> John D. Wintersteen, Chief of Police, 480-948-7418 |                   |

### **3. EXECUTIVE SESSION**

The Town Council may adjourn into Executive Session at one or more times during the meeting. Executive Sessions are not open to the public.

- a.** Discussion and consultation with Town Attorney regarding the **Valley Rain Construction Company Claim** as authorized by A.R.S. §38-431.03.A.4.
- b.** Discussion and consultation with Town Attorney regarding the **Horseshoe Lot Split** as authorized by A.R.S. §38-431.03.A.3.
- c.** Discussion and consultation with Town Attorney regarding the **Rural/Metro license agreement** as authorized by A.R.S. §38-431.03.A.4.
- d.** Discussion and consultation with Town Attorney regarding the **General Plan and rezoning** as authorized by A.R.S. §38-431.03.A.3.
- e.** Discussion of **Town Manager performance review** as authorized by A.R.S. §38-431.03.A.1

### **4. DINNER BREAK 6:30 PM**

## 7:00 PM Town Hall Council Chambers

### 5. RECONVENE FOR REGULAR MEETING

### 6. ROLL CALL

### 7. PLEDGE OF ALLEGIANCE

### 8. PRESENTATIONS

### 9. CALL TO THE PUBLIC

Citizens may address the Council on any matter not on the agenda. In conformance with Open Meeting Laws, Council may not have discussion or take action on this matter at this Council meeting, may respond to criticism, ask that staff review a matter raised, or ask that it be put on a future agenda. Those making comments shall limit their remarks to three (3) minutes. **Please fill out a Speaker Request form prior to addressing the Council.**

### 10. MAYOR / COUNCIL / MANAGER REPORTS

The Mayor, Council or Town Manager may provide a summary of current events. In conformance with Open Meeting Laws, Council may not have discussion or take action at this Council meeting on any matter discussed during the summary.

### 11. CONSENT AGENDA

All items on the Consent Agenda are considered by the Town Council to be routine and will be enacted by a single motion. There will be no separate discussion of these items. If a member of the Council or public desires discussion on any item it will be removed from the Consent Agenda and considered separately.

#### a. Minutes of Town Council Meeting November 3, 2005

#### b. Report on Investments

*Recommendation:* Receive and file the report.

*Staff Contact:* Lenore Lancaster, Management Services Director, 480-348-3532

#### c. Adoption of Ordinance Number 572 Denial of Building Permits for Non-Compliance with Tax Regulations and Other Town Code Provisions

*Recommendation:* Adopt Ordinance Number 572 denying building permits for non-compliance with tax regulations and other Town Code provisions.

*Staff Contact:* Lenore Lancaster, Management Services Director, 480-348-3532

#### d. Adoption of Resolution Number 1109 Recognition of Catherine F. Connolly

*Recommendation:* Adopt Resolution Number 1109 recognizing Catherine F. Connolly, Executive Director of the League of Arizona Cities and Towns.

*Staff Contact:* Thomas M. Martinsen, Town Manager, 480-348-3690

- e. Adoption of Ordinance Number 574 Creating the Court Enhancement Fund**  
*Recommendation:* Adopt Ordinance Number 574 creating the Court Enhancement Fund  
*Staff Contact:* Elsa Lynch, Court Services Manager, 480-948-7620

- f. Referral to Planning Commission for Study and Recommendations**  
*Recommendation:* Forward Article IX Nonconformance, Section 907 Structural Alterations or Additions to Nonconforming Structures (the 50% rule), Article XXIV Walls and Fences, Section 2415 Nonconformity, and study of minor versus major remodels to the Planning Commission for further study.  
*Staff Contact:* Eva Cutro, Planning Director, 480-348-3522

- g. Approval of Settlement with Valley Rain Construction Company**  
*Recommendation:* Authorize the Town Attorney to prepare and the Town Manager to execute a settlement agreement between the Town and Valley Rain Construction Company regarding a notice of claim submitted by Valley Rain on August 6, 2004.  
*Staff Contact:* Andrew M. Miller, Town Attorney, 480-348-3691

## 12. PUBLIC HEARINGS

None

## 13. ACTION ITEMS – The Town Council May Take Action on Any of These Matters.

- a. Approval of Intergovernmental Agreement with City of Scottsdale and Scottsdale Unified School District for Kiva School Athletic Field Improvements**  
*Recommendation:* Approve an intergovernmental agreement between the Town of Paradise Valley, City of Scottsdale and Scottsdale Unified School District which provides for joint usage and improvements of the Kiva Elementary School athletic field.  
*Staff Contact:* Thomas M. Martinsen, Town Manager, 480-348-3690
- b. Adoption of Resolution Number 1112 Adopting the 2006 Master Fee Schedule**  
*Recommendation:* Adopt Resolution Number 1112 adopting the 2006 Master Fee Schedule.  
*Staff Contact:* Lenore Lancaster, Management Services Director, 480-348-3532

**c. Adoption of Ordinance Number 571 Regarding Building Permit Requirements**

*Recommendation:* Adopt Ordinance Number 571; amending Chapter 5 Building, Section 5-10-13 Dedication of Public Right-of-Way; Drainage Easements, and other Requirements and Section 5-10-14 Required Improvements, to raise the development threshold from \$150,000 to \$500,000; and clarifying Section 5-10-14 Required Improvements, Section 5-10-19 Electrical and Electronic Services, and Section 5-10-20 Street Improvements.

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

**d. Adoption of Ordinance Number 567 creating Article XVII, Assisted Living Home, and Related Amendments to Reference Assisted Living Home**

*Recommendation:* Adopt Ordinance Number 567 creating Article XVII, Assisted Living Home, and Related Amendments to Reference Assisted Living Home

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

**e. Presentation of Comprehensive Annual Financial Report and Report on Examination of Annual Expenditure Limitation**

*Recommendation:* Receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2005 and the Report on Examination of Annual Expenditure Limitation Report.

*Staff Contact:* Lenore Lancaster, Management Services Director, 480-348-3532

**14. ADJOURN**

**AGENDA IS SUBJECT TO CHANGE**

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for disabled persons at public meetings. Please call 948-7411 (voice) or 483-1811 (TDD) to request accommodation to participate in the Town Council meeting.