



**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
JUNE 12, 2008
7:00 p.m.**

CALL TO ORDER

Town Clerk Duncan Miller called the regular meeting of the Town Council of the Town of Paradise Valley, Arizona, to order at 7:02 p.m. on Thursday, June 12, 2008, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

PLEDGE OF ALLEGIANCE

Mr. Miller led the pledge of allegiance.

NEW TOWN COUNCIL - OATH OF OFFICE

Oath of Office Administered by the Judge Philip Grace

Paradise Valley Presiding Judge John Philip Grace administered the oath of office to Council Members Mary Hamway, Pam Kirby, Scott LeMarr, and Vernon Parker.

ROLL CALL

Council Member Ron Clarke
Councilmember Brian Cooney
Councilmember Mary Hamway
Councilmember Pam Kirby
Councilmember Scott LeMarr
Councilmember Vernon B. Parker
Councilmember Virginia "Jini" Simpson attended by telephone conference call

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr.
Town Attorney Andrew M. Miller
Town Clerk Duncan Miller
Town Engineer William C. Mead
Management Services Director Lenore Lancaster
Public Works Manager Andrew Cooper
Police Chief John D. Wintersteen
Planning & Building Director Eva Cutro
Court Services Manager Elsa Lynch

ELECTION OF MAYOR / OATH OF OFFICE

The Town Clerk opened the floor for nominations for the Office of Mayor.

Nominations: Councilmember Simpson nominated Vernon B. Parker. Councilmember Hamway nominated Scott LeMarr. There were no further nominations. The Town Clerk closed nominations.

Point of Personal Privilege: Councilmember Cooney requested that the Clerk call the roll in reverse alphabetical order. There were no objections from the council.

Roll Call Vote:

Councilmember	Vote
Councilmember Simpson	Parker
Councilmember Parker	Parker
Councilmember LeMarr	LeMarr
Councilmember Kirby	Parker
Councilmember Hamway	LeMarr
Councilmember Cooney	Parker
Councilmember Clarke	Parker

Vote Summary: Parker 5, LeMarr 2

Judge John Philip Grace administered the Oath of Office to Mayor Vernon B. Parker.

ELECTION OF MAYOR / OATH OF OFFICE

Mayor Parker opened the floor for nominations for Vice Mayor.

Councilmember LeMarr nominated Ron Clarke. There were no further nominations. The Mayor closed nominations.

Councilmember	Vote
Councilmember Simpson	Clarke
Councilmember Parker	Clarke
Councilmember LeMarr	Clarke
Councilmember Kirby	Clarke
Councilmember Hamway	Clarke
Councilmember Cooney	Clarke
Councilmember Clarke	Clarke

Vote Summary: Clarke 7

Judge John Philip Grace administered the Oath of Office to Vice Mayor Ron Clarke.

PRESENTATIONS

Recognition of Dan Schweiker

Mayor Parker and the Council recognized Councilmember Dan Schweiker for his many years of distinguished service to the Town. The Mayor presented him with a print of Abraham Lincoln by artist Bret Rowe. Mr. Schweiker thanked the Council and staff.

CALL TO THE PUBLIC

Paradise Valley resident Jane Cole requested information on who is responsible for watering the new trees planted on Lincoln Drive as part of the sidewalk construction project. The Mayor directed the Town Manager to follow up with Ms. Cole.

David Schmid, Vice President for Development, Five Star Development Resort Communities, LLC, addressed the Council concerning the referendum filed against The Ritz-Carlton Special Use Permit. He said Five Star chose to file a Special Action in Superior Court to avoid project delays and increased projects costs. Five Star's contention is that the Council's approval of The Ritz-Carlton Special Use Permit was administrative, not legislative. Therefore, the Ordinance 603 is not referable. He asked the Council to instruct its attorneys to advise the Court there was no change of zoning classification and that the Town Council did not create policy in this case.

MAYOR'S / MANAGER'S REPORT

Mr. Bacon announced that this is John Wintersteen's last meeting as police chief. The Council will be approving the employment agreement with the new chief, John J. Bennett later in the meeting.

CONSENT AGENDA

- a. **Minutes of Town Council Meeting May 15, 2008**
- b. **STATUTORY DESIGNATIONS PURSUANT TO A.R.S. § 9-237**
 - **Duncan Miller, Town Clerk**
 - **William C. Mead, Town Engineer**
 - **John D. Wintersteen, Town Marshal**
- c. **Approval of Agreement with John J. Bennett to Serve as the Paradise Valley Police Chief**

Mr. Bacon summarized the items on the Consent Agenda.

Motion and vote - Councilmember LeMarr moved to approve the Consent Agenda as submitted. Councilmember Hamway seconded the motion, which passed by a vote of 7-0.

TOWN OFFICER OATH OF OFFICE

Judge Grace administered the oath of office to Town Marshal John D. Wintersteen, Town Engineer William C. Mead, and Town Clerk Duncan Miller.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

There were no action items.

EXECUTIVE SESSION

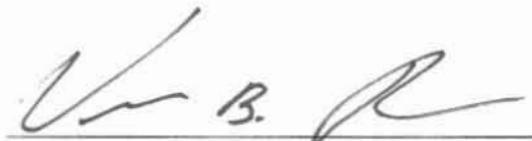
The Town Council may adjourn into Executive Session at one or more times during the meeting. Executive Sessions are not open to the public.

- a. Discussion and consultation with Town Attorney regarding pending or contemplated litigation regarding **Husam Khazen v. Town of Paradise Valley, et. al., CV2008-013810** as authorized by A.R.S. §38-431.03.A.4.

Motion and vote - Councilmember LeMarr moved to go into Executive Session following a brief recess. Vice Mayor Clarke seconded the motion, which passed by a vote of 7-0.

ADJOURNMENT

Mayor Parker adjourned the meeting at 8:55 p.m.



Vernon B. Parker, Mayor

ATTEST:



Duncan Miller, Town Clerk