



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

**SUMMARIZED MINUTES  
DECEMBER 6, 2007**

**CALL TO ORDER**

Mayor Winkler called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, December 6, 2007 at 5:00 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Vice Mayor Scott LeMarr  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Dan Schweiker  
Council Member Virginia "Jini" Simpson

**STAFF MEMBERS PRESENT**

Town Manager Thomas M. Martinsen  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Chief of Police John D. Wintersteen  
Town Engineer William C. Mead  
Management Services Director Lenore Lancaster  
Planning & Building Director Eva Cutro  
Public Works Director Andrew Cooper  
Senior Planner Molly Hood  
Paralegal Nancy James

**DISCUSSION ITEMS**

**Discussion of Longtail Run Preliminary Plat**

Ms. Hood stated that the applicant requests approval of a preliminary plat for a 6-lot subdivision named Longtail Run located at 5316 E. Roadrunner Road. The proposed subdivision meets all area requirements for R-43 lots, including size, lot width, access to a public street, and setbacks.

All lots will be on a new 8" sewer line and served by an existing 6" water line. The subdivision will comply with fire protection requirements including fire hydrant spacing, fire flow requirements, and all new structures will have fire sprinklers. The application does not include subdivision signage, subdivision wall, landscape lighting, private road, or private roadway gate.

The Planning Commission reviewed the application on November 20, 2007 and voted unanimously to recommend approval of the preliminary plat subject to five stipulations.

It was noted that a drainage easement runs through the center of one of the proposed lots. Responding to a question from the Council regarding drainage easements, Town Engineer Bill Mead stated that it is prohibited to alter a drainage wash but it is possible to install culverts and span a wash.

### **Discussion of Air Quality Management Plan – Proposed Town Ordinances**

Mr. Miller stated that Maricopa County is classified as a "serious area" for PM-10 particulate matter according to the Clean Air Act. The Maricopa Association of Governments coordinated with municipalities to develop a plan to reduce PM-10 pollution by 5% per year until the County is in compliance with air quality standards set by the Environmental Protection Agency. In June the Town Council adopted Resolution Number 1150 committing to adopt specific measures in the 5% Plan. Several of these measures relate to new regulations that the Town must adopt by ordinance, which include regulations designed to: (1) reduce off-road vehicle use; (2) pave or stabilize existing unpaved parking lots; (3) restrict vehicular use and parking on vacant lots; and (4) restrict the manner in which leaf blowers are used.

The Council questioned the Town's policy of encouraging special use permit properties to pave dirt parking lots instead of using alternative methods of dust control. It was noted that asphalt parking lots create heat islands whereas gravel or chemical stabilizers do not.

The Mayor directed that a future work session be scheduled to discuss the possibility of prohibiting leaf blowers in the Town, and a discussion regarding the concept of "just in time" grading permits.

There was Council consensus to schedule the Ordinance for a vote at the next meeting.

### **Discussion of Master Fee Schedule**

Ms. Lancaster stated that the Master Fee Schedule, which is a list of all fees charged by the Town to perform certain services, is periodically reviewed and updated to reflect changing Town expenses and market conditions. In 2002, a methodology was approved by the Council requiring full cost recovery when setting fees. She said the 2008 Master Fee Schedule will clarify when it is appropriate to waive fees including:

- Fees for Town projects will be waived.
- Fees for governmental agencies and public schools will be waived.
- Fire Prevention permit fees may be waived for charitable events where the vendor provides documentation that equipment and services are being donated to the charitable event.
- Re-inspection fees and Special inspection fees during normal business hours may be waived by the building inspector.
- Variance fees may be waived by the Town Manager if the Town contributed to the hardship.

The Council requested staff to compare the Town's zoning fees with other Valley municipalities, particularly SUP fees. Council directed that the Fee Scheduled be brought back for another work session before scheduling it for a vote.

**Motion and vote** – Mayor Winkler moved to go into executive session at 5:50 p.m. Councilmember Schweiker seconded the motion which passed unanimously.

**EXECUTIVE SESSION**

- a. Discussion and consultation with Town Attorney regarding **settlement with Rural/Metro Corporation** as authorized by A.R.S. §38-431.03.A.4.
- b. Discussion and consultation with Town Attorney regarding the **development agreement with Five Star Development** as authorized by A.R.S. §38-431.03.A.4.

**CALL TO ORDER**

Mayor Winkler reconvened the meeting of the Town Council at 7:02 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Virginia "Jini" Simpson

Vice Mayor Scott LeMarr and Council Member Dan Schweiker were not present.

**STAFF MEMBERS PRESENT**

Town Manager Thomas M. Martinsen  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Town Engineer William Mead  
Police of Chief John Wintersteen  
Public Works Director Andrew Cooper  
Management Services Director Lenore Lancaster  
Capital Projects Administrator Robert Ciccarelli

**PLEDGE OF ALLEGIANCE**

Chief John Wintersteen led the Pledge of Allegiance.

**PRESENTATIONS**

**Recognition of Highlands Drive Underground Utility Conversion District Leaders**

Mayor Winkler recognized Highlands Drive Underground Utility Conversion District Leaders Richard and Penny Post, Michael and Anita Fountain, Wolfgang and Nancy Monthofer, and Dale and Vicki Jensen. The district leaders were instrumental in organizing neighborhood support for removing 15 poles and 6,215 feet of aerial utilities involving 24 properties.

**CALL TO THE PUBLIC**

There were no public comments.

**MAYOR / COUNCIL / MANAGER REPORT**

Councilmember Clarke reported on the 3<sup>rd</sup> Annual Vintage Car Show. He announced that a total of \$7,275.29 was raised at the event. The proceeds will be equally divided between D.A.R.E. and the Relay For Life. He noted that one of the benefits of the car show was the large amount of community involvement.

Councilmember Simpson reported that she attended the 4<sup>th</sup> Annual Governor's Summit. The main discussion topic was the state's anticipated \$800 million budget shortfall. The Governor pledged that state shared revenues will not be affected. Councilmember Simpson said she would work during the legislative session to help preserve state shared revenue.

Mayor Winkler announced that the Town hosted 5<sup>th</sup> grade classes from Cherokee Elementary School today for an Arbor Day celebration. The students were given a tour of the municipal complex and helped plant a tree.

### **CONSENT AGENDA**

**a. Minutes of Town Council November 15, 2007**

**b. Report on Investments**

*Recommendation:* Receive and file the report.

**c. Award of Contract for Annual Slurry Seal Program**

*Recommendation:* Award the annual slurry seal contract for Fiscal Year 2007/2008 to Southwest Slurry Seal, Inc. in an amount not to exceed \$195,076.

**d. Approval of Sewer Payback for Mr. Frank Adams**

*Recommendation:* Authorize a future sewer payback for Mr. Frank Adams in the amount of \$42,597.60 from four additional properties that could potentially connect to the sewer main recently installed by Mr. Adams.

**e. Adoption of Ordinance Number 599 Amending Town Code Chapter 3, Administration, Section 3-2-6 Powers and Duties Subsection (N) Authority to Sign Town Checks and Section 3-8-1 Procurement and Materials Management**

*Recommendation:* Adopt Ordinance 599 increasing the Town Manager's procurement and check signing authority to \$25,000.

**f. Approval of Matching Funds by the Town for Contributions to the United Way**

*Recommendation:* Authorize Town contributions to the 2007 United Way Campaign to match 100% of the contributions made by Town employees, and also match contributions made by volunteers up to \$100.00

Mr. Martinsen summarized the items on the consent agenda.

**Motion and vote** – Mayor Winkler moved to adopt the Consent Agenda as submitted. Councilmember Hamway seconded the motion which passed unanimously.

**PUBLIC HEARINGS**

There were no public hearings.

**ACTION ITEMS**

There were no action items.

**ADJOURNMENT**

**Motion and vote** – Mayor Winkler moved to adjourn. Councilmember Schweiker seconded the motion which passed unanimously.

Mayor Winkler adjourned the meeting at 7:13 p.m.



Ed Winkler, Mayor

ATTEST:

  
Duncan Miller, Town Clerk