



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

**SUMMARIZED MINUTES  
OCTOBER 11, 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, October 11, 2007 at 5:00 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Dan Schweiker

Vice Mayor Scott LeMarr and Council Member Virginia "Jini" Simpson were not present

**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  
Public Works Director Andrew Cooper, Jr.  
Planning & Building Director Eva Cutro  
Senior Planner Molly Hood  
Management Services Director Lenore Lancaster  
Deputy Town Attorney Steven Zraick

**DISCUSSION ITEMS**

**Discussion of Fire Station Construction Administration and Project Update**

Mr. Martinsen stated that the construction plans for Paradise Valley Fire Stations Numbers 1 and 2 are nearly complete. He said it is appropriate to begin planning for construction management. The Fire Station Design Oversight Committee reviewed proposals by LEA Architects for construction administration services on October 8 and recommends acceptance by the Council. He said the proposal was for 2.5% of the construction costs and these costs are at or below market. There was Council consensus to proceed.

Mr. Cooper updated the Council on the Fire Station design process. He said the plans are 65% complete. By December 21, the construction drawings will be 100% complete. The construction bid opening is scheduled for February 1. The Council will award the contract February 28 and construction will be anticipated to begin March 16, 2008.

Mr. Martinsen reported that a traffic barrier will be installed temporarily at Fire Station Number 1. He said the installation of the sewer line across Tatum Blvd to the Station started last week and will be completed in two months.

### **Discussion of Morning Glory Meadows Preliminary Plat**

Senior Planner Molly Hood stated that the applicant requests approval of a preliminary plat for a 5-lot subdivision named Morning Glory Meadows located at 8459 N. Morning Glory Road. The proposed lots range in size from 1.10 to 2.0 acres. The subdivision will not include a subdivision wall, landscape lighting, private road, or private gate. The site is currently undeveloped.

She said each lot meets the minimum 165' width and minimum net acre size and all lots will be connected to the sewer system. The applicant will add 2 feet of pavement to the east half of the street to provide a total paved section of 26 feet. The applicant will also construct a vertical curb along the east side of Morning Glory.

The applicant will dedicate 50 feet of right-of-way for a new cul-de-sac off Morning Glory Lane called Orchid Lane. The cul-de-sac will have the required diameter of 90 feet and have a two-foot ribbon curb on both sides of the street.

A one-foot wide 'barrier-tract' owned and maintained by a homeowners association will be provided on the north side of Orchid Lane. This will prevent the creation of several non-conforming walls and structures on the existing lots to the north.

She reported that on September 18, 2007, the Planning Commission voted 7-0 to forward the application to Council with a recommendation for approval, subject to five stipulations.

She explained that the fifth stipulation concerns a drainage improvement project that will be jointly paid for by the Town, the Cornell Subdivision, and the Morning Glory Meadows Subdivision. It is necessary to re-construct and lower Morning Glory Lane to allow flood water to drain north into the Cherokee Wash. The Town's share would be approximately \$27,000. Mr. Miller reported that there is a legal mechanism allowing the Town to share in the cost of a contract entered into by a private developer.

There was Council consensus to proceed. The plat will be scheduled for Council consideration and action at the October 25, 2007 meeting.

**Motion and vote** – Councilmember Schweiker moved to go into executive session at 5:30 p.m. Council Member Cooney seconded the motion which passed by a vote of 5-0.

**EXECUTIVE SESSION**

- a. Discussion and consultation with Town Attorney regarding **intergovernmental agreement with the City of Scottsdale for sewer service** as authorized by A.R.S. §38-431.03.A.4.
- b. Discussion and consultation with Town Attorney regarding **development agreement with Five Star Development** as authorized by A.R.S. §38-431.03.A.4.
- c. Discussion consultation with Town Attorney regarding **Town Manager employment agreement** as authorized by A.R.S. §38-431.03.A.4 and discussion of the following public officers and personnel as authorized by A.R.S. §38-431.03.A.1.
  - James C. Bacon, Jr
- d. Discussion and consultation with Town Attorney regarding **development agreement with Crown Development** as authorized by A.R.S. §38-431.03.A.4 and legal advice, discussion and consultation with Town Attorney regarding **Mountain Shadows Special Use Permit**.

**CALL TO ORDER**

Mayor Winkler reconvened the meeting of the Town Council at 7:07 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Dan Schweiker

Vice Mayor Scott LeMarr and Council Member Virginia "Jini" Simpson were not present

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**PLEDGE OF ALLEGIANCE**

Councilmember Cooney led the Pledge of Allegiance.

**PRESENTATIONS**

**Recognition of Carol Critchfield**

The Mayor recognized local artist Carol Critchfield to show appreciation for lending to the Town her works of art for display at Town Hall from October 2006 through September 2007.

**CALL TO THE PUBLIC**

Paradise Valley resident Janice Stoney addressed the Council regarding the re-opening of the Arizona-American Water Company rate case hearing before the Arizona Corporation Commission. She asked the Council not to endorse a rate design, and particularly not endorse the rate design developed by the resorts which disproportionately spreads the cost of the highblock surcharge among resorts and residents.

**MAYOR / COUNCIL / MANAGER REPORT**

Councilmember Schweiker announced that the Scottsdale Convention and Visitors Bureau presented Tom Martinsen with a Soleri Bell in recognition of his retirement and for his contributions to the resort community.

Councilmember Clarke reminded the Council that the 3<sup>rd</sup> Annual Paradise Valley Classic Car Show will be held on Saturday, November 10 from 9:00 AM to 12:00 Noon. It will be held at the Town Hall Complex, followed by a ride around the base of Mummy Mountain and a no host lunch at El Chorro Lodge. The Show is opened to pre-1975 automobiles. The entry fee is \$50 with proceeds going to D.A.R.E. and the American Cancer Society Relay for Life.

**CONSENT AGENDA**

- a. Minutes of Town Council Special Meeting September 26, 2007**
- b. Minutes of Town Council Special Meeting September 27, 2007**
- c. Minutes of Town Council Meeting September 27, 2007**
- d. Approval of Special Event Liquor License for Ascension Lutheran Church**  
*Recommendation:* Approve the special event liquor license application for the Ascension Lutheran Church, subject to the stipulations in the action report.
- e. Approval of Planning Commission Chair**  
*Recommendation:* Confirm the election of Dolf Strom by the Planning Commission to serve as Chair from October 2007 to October 2008.
- f. Approval of Arts Committee Request for Council Authorization to Display Art Work At Town Hall**  
*Recommendation:* Authorize the continued loan of four metal sculptures from Zischke Studio which are displayed outdoors at the Town Hall Complex, indefinitely or until the sculptures are sold.

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**

**Approval of Amendment of Contract Award for Paving at Fire Stations No. 1 and No. 2.**

Mr. Martinsen stated that on August 16, 2007 the Council awarded a contract to CPC Construction, Inc to grade and pave the driveway and parking area at Fire Station Number 1. The final site plan for Fire Stations 1 and 2 have been completed and the areas to be paved are greater than what was previously approved by Council. The contractor revised the cost estimate based on the new plans. The scope of work is to construct an 8,785 square foot paved driveway and a 2,880 square foot parking area at Fire Station 1. At Fire Station 2 the contractor will pave a 2,800 square foot parking area. He recommended approval of the new contract amount of \$40,429.

**Motion and vote** – Councilmember Hamway moved to amend the original contract amount of \$21,981 to CPC Construction, Inc. which was approved at the Council meeting of August 16, 2007, to \$40,429 for grading and paving driveways and parking areas at temporary Fire Stations No. 1 and 2. Councilmember Clarke seconded the motion which passed unanimously.

**Motion and vote** – Councilmember Schweiker moved to go back into executive session at 7:24 p.m. Councilmember Cooney seconded the motion which passed by a vote of 5 – 0.

**ADJOURNMENT**

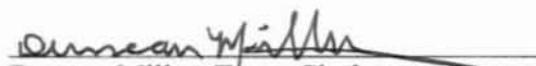
**Motion and vote** – Councilmember Clarke moved to adjourn. Councilmember Schweiker seconded the motion which passed unanimously.

Mayor Winkler adjourned the meeting at 8:00 p.m.



Ed Winkler, Mayor

ATTEST:

  
Duncan Miller, Town Clerk