

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
FEBRUARY 9, 2006
5:00 p.m.**

CALL TO ORDER

Mayor Clarke called the meeting of the Town Council of the Town of Paradise Valley, Arizona, to order at 5:00 p.m. on Thursday, February 9, 2006, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

Vice Mayor Ed Winkler and Council Member Scott LeMarr were not present.

STAFF MEMBERS PRESENT

Town Manager Thomas M. Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Town Engineer William Mead
Public Works Director Andrew Cooper
Planning Director Eva Cutro
Management Analyst Duncan Miller

DISCUSSION ITEMS

Budget Update

Ms. Lancaster stated bed taxes are up 7% and sales taxes up 6% compared to the previous year, despite the closure of two resorts. State shared sales taxes are up 16.5% compared to last year and 5.7% compared to budget; vehicle license fees are up 13.7% compared to last year and 11.8% compared to budget, and HURF is up 7.1% compared to last year but down 2.7% compared to budget. Permits and licenses are down from budget due to the delay of construction of Montelucia. However revenues are up 1.4% compared to last year. Interest revenues are up 10% compared to budget and 61% compared to last year. Franchise fees are up 6% compared to

last year and to budget. Miscellaneous revenues are also up because of the road abandonment revenues. Ms. Lancaster stated that salaries and benefits account for 61% of the governmental funds operating budget. They are currently 48% of budget as of December 31. While the Invergordon Road project will be over budget by about \$1 million, underground district 31 will not be done this year for a savings of \$300,000 and the Lincoln Drive Sidewalk will not be done this year for a savings of \$582,600 less the cost of easements and engineering, currently at \$102,000.

Discussion of Town Procurement Policy

Ms. Lancaster reviewed the impact of HB 2579 on the Town's procurement policy. This primarily impacts the Town's use of technical registrants – architects, engineers, landscape architects, assayers, geologists, and land surveyors. She reviewed the proposed changes to the Policy, which was originally adopted by Council in 2000.

Mr. Miller reviewed proposed changes to the Paradise Valley Municipal Code Article 3-5 Public Bids. Some additional sections will be added to the Procurement Policy as a result of deleting sections from the Town Code.

EXECUTIVE SESSION

Council Member Schweiker made a motion to adjourn to executive session at 5:50 p.m. Councilmember Simpson seconded the motion, which carried 5-0.

- a. Discussion and consultation with Town Attorney regarding the **T-Mobile Lease Agreement** as authorized by A.R.S. §38-431.03.A.4.
- b. Discussion and consultation with Town representatives regarding **right-of-way acquisition in the vicinity of Lincoln Drive and 52nd Place and Lincoln Drive and 60th Street** as authorized by A.R.S. §38-431.03.A.7.

CALL TO ORDER AND ROLL CALL

Mayor Clarke reconvened the Town Council of the Town of Paradise Valley, Arizona, at 7:00 p.m. on Thursday, February 9, 2006, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

Vice Mayor Ed Winkler and Council Member Scott LeMarr were not present.

STAFF MEMBERS PRESENT

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

PLEDGE OF ALLEGIANCE

Mr. Andrew Cooper led the Pledge of Allegiance.

PRESENTATIONS

Recognition of Anthony & Jeanne Pavo and Recognition of Robert & Carole Griego

Bernie Barry, Chairman of the Mummy Mountain Preserve Trust, introduced Trustees, Colin Williams and Joan Levinson. He presented framed Bil Keane personalized cartoons to Anthony and Jeanne Pavo and Robert and Carole Griego, and thanked them for their generous donations to the Mummy Mountain Preserve Trust.

Mayor Clarke presented certificates of appreciation to the Pavios and the Griegos and expressed his appreciation for their donations.

CALL TO THE PUBLIC

There were no public comments.

MAYOR / COUNCIL / MANAGER REPORT

Council Member Simpson said we have had the Relay For Life Kickoff. The Relay will be on May 5. She also announced that Chief Wintersteen is heading a task force on the effort to defend photo radar. The task force includes four different municipalities and representatives of the insurance industry.

Mayor Clarke said Proposition 400 will be on the ballot on May 16. Pro and Con arguments are due February 15, 2006. The Town Reporter has additional information on this issue.

CONSENT AGENDA

- a. **Minutes of Town Council Meeting January 19, 2006**
- b. **Minutes of Town Council Meeting January 26, 2006**
- c. **Adoption of Resolution Number 1116; Authorization to Acquire Easements or Fee Title to Land Needed for the Lincoln Drive Sidewalk Improvement Project**
- d. **Report on Investments – short-term purchase of a \$1 million Federal National Mortgage Association note due February 22, 2006, yield of 4.37% and a long-term investment of a \$1 million Federal Home Loan Bank note due February 26, 2007, yield of 4.8%.**
- e. **Adoption of Ordinance Number 575 Amending Pre-Application Review Process and Citizen Review Process**
- f. **Award of Contract for Annual Sanitary Sewer Repairs to Hoffman Southwest in the amount of \$33,801.75.**
- g. **Award of Contract for Stanford Drive at Palo Cristi Traffic Calming Project to Asphalt Services of Arizona in the amount of \$33,150.**

Mr. Martinsen summarized the items on the Consent Agenda.

Mr. Miller noted that for the resolution authorizing condemnation, there has been a change in the legal description.

Council Member Simpson made a motion to approve the Consent Agenda. Council Member Coffman seconded the motion, which carried 5-0.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

Award of Contract for Town Hall Improvements

Mr. Martinsen said the recommendation is to award a contract to Niche Contractors, Inc. in the amount of \$318,169 for the Town Hall Improvements. A larger room will be available for the work study session. The improvements will also allow for the addition of the in-house plan review.

Mr. Ciccarelli summarized the bid results. The bid includes an alternate to foam the flat areas of the roof.

Council Member Hamway made a motion to award a contract to Niche Contractors, Inc. in the amount of \$318,169. Council Member Schweiker seconded the motion, which carried 5-0.

Approval of Ordinance Number 573, Nuisance Noise

Chief Wintersteen said the ordinance's primary focus is to achieve a balance between activities normally associated with home ownership, the peace and quiet of neighborhoods as a quality of life issue, and the legal and practical issues that must be considered when enforcing such an ordinance. He reviewed the areas addressed in the ordinance. It addresses animal noise, yard/landscape equipment noise, audible burglar alarms, and clarifies the time prohibitions for construction and related activities. He said residents will be educated through the Paradise Valley Independent and there will be handouts to landscaping companies.

Michael Hudson, 115 N. Sunway Drive, Gilbert, Arizona, said he works for a company that distributes lawn equipment and he supported the ordinance.

Linda Remick, 9901 N. 16th St., said she works for AZ Rents, and said it is a good ordinance for their landscapers and they would distribute flyers, in English and Spanish, to the landscapers.

Liz Clendenin, 5229 E. Doubletree Ranch Road, had a concern on the requirement for a phone number to be posted in the front yard if there is an audible alarm.

Chief Wintersteen said the phone number is not the homeowner's telephone number, it is the telephone number of a responsible party who can turn off the alarm.

Council Member Coffman made a motion to adopt Ordinance 573. Council Member Schweiker seconded the motion, which carried 5-0.

ADJOURNMENT

Mayor Clarke adjourned the regular meeting at 7:29 p.m.



Ronald B. Clarke, Mayor

ATTEST:



Lenore P. Lancaster, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of Paradise Valley held on then 9th day February 2006. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 27th day of February, 2006.



Lenore P. Lancaster, Town Clerk



OFFICIAL SEAL
OFFICE OF TOWN CLERK
TOWN OF PARADISE VALLEY
LENORE LANCASTER, TOWN CLERK