

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
JANUARY 26, 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, January 26, 2006, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Vice Mayor Ed Winkler (attended by telephone conference call)
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Scott LeMarr (5:07 p.m.)
Council Member Dan Schweiker

Council Member Virginia "Jini" Simpson was 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
Police Chief John Wintersteen
Management Analyst Duncan Miller

DISCUSSION ITEMS

Discussion of Code Amendment Regarding Pre-Application Process and Citizen Review Meeting

Ms Cutro said in August 2003 the Town established the pre-application review process and the citizen review process. The citizen Review Process is required by "Growing Smarter" bill. The Pre-application Review process was a voluntary process. The concerns are that there is a duplication of meetings. The pre-application meeting is required prior to formal application.

The Citizen Review Meeting is after formal application. In addition there are numerous work sessions prior to hearings, and meetings are very time consuming for applicant and staff. The process is confusing to residents. It is unclear to residents which meetings are “official” meetings. If staff attends, the neighbors think the staff are on the applicant’s team. It gives false hope that neighbors can have extended involvement in administrative matters that do not require a hearing. Ms. Cutro reviewed the proposed amendments to Section 2-5-2 of the Town Code.

Ms. Cutro also reviewed the proposed changes to the pre-application process, which is in a Pre-application Process Guide and Application. This is not part of the Code.

Discussion of Electronic File Conversion Project Update

Ms. Cutro said they have 38 Special Use Permit Files, 77 variance files, 525 Plat Files, and 271 Hillside Files. The Town has put a subsection of the SUP materials on the Town’s web page. These need to be continually updated. The benefits of electronic files are they are easier to view, take up less space, and protect documents from being lost, stolen, damaged or misfiled. The future plans are to have subdivision files and private road files in electronic version. These are the last files to be converted to electronic files. There is a computer available at the Planning & Building counter for the public.

Jason Drobish demonstrated the access to the electronic documents.

Discussion of IGA with the City of Scottsdale and Scottsdale Unified School District for Kiva School Athletic Field Improvements

Mr. Martinsen said the IGA was discussed on December 15, 2005. The discussion was continued to tonight to allow a public discussion of the field design concept. Mr. Martinsen said there have been two more terms added to the IGA since December 15 on pages 3 and 5. He reviewed those changes.

Council Member Hamway noted that the school district can schedule as many events as they desire. The Town is limited to four special events.

Mr. Miller briefed Council on some subsequent changes that were made. Some attorneys who reside near Kiva requested a few changes, and Mr. Miller concurred with some of those changes that could add more clarity to the IGA. He reviewed the changes.

Mr. Martinsen said the word “compromise” with respect to lighting plans became confusing because there were two compromise plans. The Town’s proposal will be called the grant application plan and the neighbors’ plan will be the compromise plan.

Don Happ, D.H. Lighting Solutions, reviewed the plans. The original sports groups’ plan had 12 poles lighting the entire field. The neighbors provided a revised compromise plan with six 70’ poles, at an estimated cost of \$150,000. It would light one baseball field and a field for soccer.

The grant application plan has six 70' poles and one 80'/or 70' pole. It illuminates the softball field, the baseball field and the soccer field. It illuminates one-half the field. Mr. Happ said Council is deciding the IGA tonight and Council will decide which lighting plan to go with later. He recommended the grant plan because it gives a lot more playing area.

Council Member Hamway said the neighbors plan limits the usage to one team at a time. She does not believe we can move forward for the detail plans until there is an IGA. The other parties need to approve this, as well. It will probably be about two months before all parties sign the agreement.

Mr. Martinsen cautioned against approving the IGA unless the Town proceeds with the grant application lighting plan. The Town did not get involved in order to solve a school district maintenance problem. For the Town to invest as much money as is proposed, there should be a significant benefit for Town residents. There would be only limited benefit from only lighting a small portion of the field. He is also concerned about the grant. The grantor may say the Town is not using the field efficiently. The Town has not signed the grant agreement yet.

There was Council discussion that the Town would maintain control by implementing the grant application plan. If the Town does not approve the IGA, the school district would have control and they could light the entire field if the sports groups raised the money.

Scott O'Connor said Tim Burns and Ed Fleming, attorneys, pointed out that there needs to be an amendment to the Valley Presbyterian Church's special use permit. There are some issues that need to be cleaned up related to the parking lot.

Mr. Miller said this might be a minor amendment. The church may be reluctant to open their SUP.

EXECUTIVE SESSION

Council Member Schweiker made a motion to adjourn to executive session at 6:03 p.m. Mayor Clarke seconded the motion, which carried 6-0.

- a. Discussion and consultation with Town Attorney and Town representatives regarding the **Kiva Elementary School Athletic Field Improvement Project** as authorized by A.R.S. §38-431.03.A.3 and by A.R.S. §38-431.03.A.7.
- b. Discussion and consultation with Town Attorney regarding the **T-Mobile Lease Agreement** as authorized by A.R.S. §38-431.03.A.4.
- c. 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 7:04 p.m. on Thursday, January 26, 2006, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Vice Mayor Ed Winkler (attended by telephone conference call)
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson (attended by telephone conference call)

STAFF MEMBERS PRESENT

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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
IT Administrator Carl Hollish
Planner George Burton

PLEDGE OF ALLEGIANCE

Council Member Hamway led the Pledge of Allegiance.

PRESENTATIONS

Recognition of Dr. Randall Olson & Colin Williams

Mayor Clarke presented Dr. Randall Olson, pastor of Ascension Lutheran Church, and Colin Williams, owner of the Smoke Tree Resort, with a certificate of appreciation for their contribution in organizing a pancake breakfast to raise funds for Bay St. Louis, Mississippi.

CALL TO THE PUBLIC

There were no public comments.

MAYOR / COUNCIL / MANAGER REPORT

There were no reports.

CONSENT AGENDA

- a. **Minutes of Town Council Meeting January 12, 2006**
- b. **Report on Investments – purchase of a \$1 million Federal National Mortgage Association note 5% yield, maturity 7/25/08, and a short term \$1.5 million Federal Home Loan Bank Discount Corp. note with a yield of 4.16%, maturing 1/25/06.**
- c. **Renewal of Police CAD/Records Maintenance Agreement with New World Systems in the amount of \$25,569.**
- d. **Cancellation of Contract for the Reconstruction of 69th Place and Authorization to Re-Bid the Project**

Mr. Martinsen summarized the items on the Consent Agenda.

Council Member Coffman made a motion to approve the Consent Agenda. Mayor Clarke seconded the motion, which carried 7-0.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

Approval of Hurricane Katrina Relief Donations for Bay St. Louis, Mississippi and Presentations to Bay St. Louis Representatives

Chief Wintersteen summarized the donations to Bay St. Louis, which included police uniforms and equipment totaling about \$13,000, two fully equipped patrol cars and one unmarked police car, and some computer equipment. Other government agencies, including Phoenix, Sedona and the Salt River Project, donated equipment which the Town transported. Total general donations were \$20,973. Of this \$10,000 will go to Bay St. Louis Police Department for local match of a federal grant for bullet proof vests. The balance will go to the Bay-Waveland School District.

Cheryl Clarke said the Bay-Waveland School District will receive \$2,500 for the Bay Waveland Middle School for Robotics Team and \$8,473.25 for the North Bay Elementary School playground equipment.

Mayor Clarke made a motion to approve expending funds donated to the Town for Bay St. Louis, Mississippi, for the Bay St. Louis Police Department and for the Bay-Waveland School District, and present checks and keys for vehicles donated for Bay St. Louis to representatives of that city. Council Member Schweiker seconded the motion, which carried 7-0.

Chief Wintersteen introduced Assistant Chief David Stepro and Office Gus McKay from the Bay St. Louis Police Department.

Mayor Clarke presented a check of \$10,000 to the Police Department and a check for \$10,973.25 to the Bay-Waveland School District. He also gave them keys to the vehicles, Paradise Valley pins, and Bil Keane t-shirts.

Chief Steptoe thanked the Mayor and Council and showed a video presentation on what the Town's donations are helping to rebuild. He presented the Council with some gifts from the Mayor of Bay St. Louis.

Approval of Intergovernmental Agreement with City of Scottsdale and Scottsdale Unified School District for Kiva School Athletic Field Improvements

Mr. Martinsen said this is continued discussion of the proposed Intergovernmental Agreement with the City of Scottsdale and Scottsdale Unified School District for Kiva School Athletic Field Improvements. He summarized the responsibilities of each of the parties. This was continued from December 15 to allow for a public meeting on the conceptual design of the field improvements. Earlier in the work study session Council discussed some changes to the IGA.

Mr. Miller summarized the changes to the IGA.

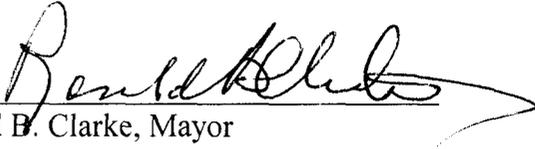
Larry Westhouse, 5817 N. Quail Run Road, said he believes the Council wants to preserve the quality of life for its residents. But he is concerned about promises that have been made in the past that don't come to fulfillment. In particular, he was concerned about promises made during the Valley Presbyterian Church special use permit. He was concerned that there is an annual renewal process and the Town could lose control.

Clay Baldwin, 5709 N. Monte Vista, said it is more about the process than the product. The IGA is going to go forward but the residents still don't know what the plan is.

Council Member LeMarr made a motion to approve the intergovernmental agreement between the Town, the Scottsdale Unified School District, and the City of Scottsdale, with the revisions recommended by Mr. Miller during the work/study session. Mayor Clarke seconded the motion, which carried 7-0.

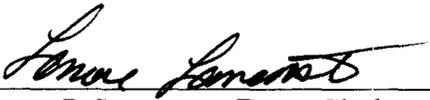
ADJOURNMENT

Mayor Clarke adjourned the regular meeting at 7:59 p.m.



Ronald B. Clarke, Mayor

ATTEST:

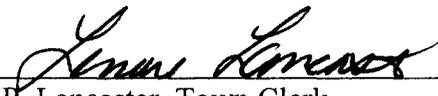


Lenore P. Lancaster, Town Clerk

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 26th day January 2006. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of February, 2006.



Lenore P. Lancaster, Town Clerk



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