

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
FEBRUARY 24, 2005
4:00 p.m.**

CALL TO ORDER

Mayor Clarke called the meeting of the Town Council of the Town of Paradise Valley, Arizona, to order at 4:04 p.m. on Thursday, February 24, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Vice Mayor Ed Winkler
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson (4:03 p.m.)

STAFF MEMBERS PRESENT

Town Manager Tom Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Police Chief John Wintersteen
Town Engineer William Mead
Public Works Director Andrew Cooper
Community Development Director Hamid Arshadi
Management Analyst Duncan Miller
Planner Paul Michaud
Building and Zoning Inspections Supervisor Armando Rivas
Fire Marshal Chuck Fitzgerald

DISCUSSION ITEMS

Discussion of Phoenix Country Day School Special Use Permit Amendment

Mr. Michaud stated this is a request for a special use permit amendment for a new middle school building, reconstruction of existing classroom buildings, installation of shade structures and new outdoor lighting. Building M was approved in 1996 at 5,960 square feet but never built. The new

proposal is for 11,800 square feet. Buildings F, G and J will replace 5 existing classroom buildings that total 16,607 square feet. The new buildings will total 21,100 square feet. New playground equipment will be added as well as shade structures. Building H will be replaced. The existing building is 9,503 and the new building will be 9,000 square feet. It will be set back further than the current building. There will be new outdoor lighting around the new buildings for security. All lighting meets the Code. The Planning Commission reviewed this December 7 and January 4 and unanimously recommended approval. The Planning Commission focused on traffic, increased parking lot screening along Stanford, underground of power poles, and open campus. He reviewed the issues. The new buildings do not result in an increase in student enrollment. All new structures will have fire sprinklers. There are no current violations. There were three neighborhood meetings. The applicant just raised yesterday the possibility of moving the basketball court to the wash. This would increase the setback to residential homes and there would be a reduction of noise by locating it at a lower elevation. The Flood Control Board would have to approve the use of the wash.

Tom Campbell, Planning Commissioner, said in order to deal with the back-up of traffic at Stanford and 40th Street, an intergovernmental intersection, the Planning Commission requested a right turn lane. He said moving the basketball court to the wash would be an improvement.

Andrew Miller said moving the basketball court to the wash would not have to go back to the Planning Commission. It could be handled as a stipulation.

Mr. Martinsen said this would come to Council on March 24th.

Discussion of International Building and Fire Codes

Mr. Martinsen said this is an important step for the Town. Most of the municipalities in the Valley have gone to the International Building and Fire Codes.

Mr. Arshadi said the Fire Marshal and the Building and Zoning Inspection Supervisor are here. The ICBO is the publisher of the Uniform Building Code's (UBCs) and has updated the UBCs every 3 years.

The Town adopted the 1997 UBC in 1999. Since then more uniform, user-friendly codes have become available. International Building Codes were designed to be used throughout the United States instead of having multiple codes. About 85% to 90% of the municipalities in the Valley have adopted the IBC. He reviewed the Codes being proposed for adoption.

The Town will remain current with industry standards and updates. This will help secure and maintain favorable insurance ratings for residents. The adoption of the IBC will implement advanced fire protection regulations to protect town residents and businesses. There will not be much impact on staffing and workload. The Town has already purchased the books and sent staff for training. The IBC will be a more user-friendly code. Builders, contractors, architects and engineers have been informed of the Town's intent to adopt the 2003 edition of the IBC.

There are several minor amendments that need to be done. Assisted living facilities are addressed in the IBC. The construction completion time will be added.

Fire Marshal Fitzgerald reviewed the Fire Code Amendments. The existing fire sprinkler ordinance requiring fire sprinklers in all livable areas, mechanical rooms and garages will remain the same. The existing section requiring fire sprinklers relating to remodels and additions will remain the same. Fire apparatus access roads definition and guidelines will be enhanced. A new section concerning firework displays has been added prohibiting displays within the Town limits with exceptions for federally recognized holidays. There will be a new requirement for interior smoke detectors to sound when the sprinkler system is activated in a single-family home. An appendix has been added addressing the control and suppression of hazardous fire areas. Hydrant spacing in commercial facilities and non-hillside single-family dwellings are addressed. The minimum flow for a hydrant will remain at 1,500 gallons per minute.

This will come to Council within the next 30 days. It would then be effective in 60 to 90 days. It applies to plans approved after the effective date.

Discussion of Tree Ordinance

Mr. Cooper said the purpose of this ordinance is to ensure replacement trees and new trees are low water use, drought tolerant and compatible with the Sonoran Desert environment. The ordinance does not discourage shade trees. The recommended trees would have the least effect on the desert environment.

Councilmember Schweiker expressed opposition to this because of property rights, stating Paradise Valley has prided itself on diversity. He didn't feel this should go anywhere.

Councilmember Hamway asked what are we trying to accomplish – water conservation or view corridors.

Councilmember LeMarr said he is supportive of xeriscape in the Town's right-of-way but he thought this ordinance is unnecessary. These trees will not reduce the water usage in Town.

Vice Mayor Winkler said the real problem is the height of trees.

Mayor Clarke said there are two issues: water conservation and the view corridor.

There was no support for this ordinance and staff was directed to not pursue this further.

Vice Mayor Winkler said the water committee could look at ways to inform the residents on water conservation.

Lorraine White, McDonald Drive, showed some aerials of the Town from the early 1970's, which showed minimal vegetation. She used to have a view of Camelback Mountain. The eucalyptus and oleanders have grown so high that they block her views.

EXECUTIVE SESSION

The Town Council may adjourn into executive session for discussion / consultation with attorney regarding the Town's position in pending or contemplated litigation, contract negotiations and settlement discussions as authorized by A.R.S. §38-431.03.A.4 and discussion and consultation with Town representatives concerning negotiations for the purchase, sale or lease of real property as authorized by A.R.S. §38-431.03.A.7.

Councilmember Simpson made a motion to adjourn to executive session at 5:10 p.m.
Councilmember Schweiker seconded the motion, which carried 7-0.

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 24, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

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Police Chief John Wintersteen
Town Engineer William Mead
Public Works Director Andrew Cooper
Community Development Director Hamid Arshadi
Fire Marshal Chuck Fitzgerald
Capital Projects Administrator Bob Ciccarelli

PLEDGE OF ALLEGIANCE

Andrew Cooper led the Pledge of Allegiance.

PRESENTATIONS

There were no presentations.

CALL TO THE PUBLIC

There were no speakers.

MAYOR / COUNCIL / MANAGER REPORT

There were no reports.

CONSENT AGENDA

- a. Minutes of Town Council Special Meeting February 10, 2005**
- b. Minutes of Town Council Regular Meeting February 10, 2005**
- c. Approval of Cox Communications License Agreement Extension**

Mr. Martinsen summarized the items on the Consent Agenda.

Vice Mayor Winkler made a motion to approve the Consent Agenda. Councilmember Hamway seconded the motion, which carried 7-0.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

Adoption of Resolution Number 1093; Approving an Intergovernmental Agreement with the City of Phoenix for a Sidewalk on the South Side of the McDonald Drive / Tatum Boulevard Intersection

Mr. Martinsen said this is an intergovernmental agreement with Phoenix for the construction of a sidewalk on the south side of McDonald Drive/Tatum Boulevard. The Town will construct the sidewalk for Phoenix, at Phoenix's expense. Phoenix will pay the Town before construction.

Councilmember Schweiker made a motion to approve Resolution Number 1093. Vice Mayor Winkler seconded the motion, which carried 7-0.

ADJOURNMENT

Mayor Clarke adjourned the meeting at 7:04 p.m.



Ronald B. Clarke, Mayor

ATTEST:

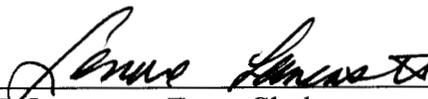


Lenore P. Lancaster, Town Clerk

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 the 24th day February 2005. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of March, 2005.



Lenore P. Lancaster, Town Clerk

