



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
SUMMARIZED MINUTES
MAY 28, 2009**

CALL TO ORDER

Mayor Parker called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, May 28, 2009 at 4:00 PM. A quorum was not present until 4:18 p.m.

COUNCIL MEMBERS PRESENT

Mayor Vernon B. Parker
Council Member Mary Hamway
Council Member Pam Kirby
Council Member Virginia "Jini" Simpson arrived at 4:18 p.m.

Vice Mayor Ron Clarke, Council Member Brian Cooney, and Council Member Scott LeMarr were not present.

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr.
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer William Mead
Planning & Building Director Eva Cutro
Chief of Police John J. Bennett
Public Works Director Andrew Cooper, Jr.
Public Safety Director John D. Wintersteen
Human Resources Manager Jinnett Hancock
Management Services Director Lenore Lancaster
Information Technology Manager Carl Hollish
Deputy Town Attorney Steven Zraick

Discussion of Emergency Management

Mr. Wintersteen briefed the Council on the Town's emergency management program which is being restructured due to retirements and transfers of functions between departments. He described the current program as well as the transition of emergency management duties to the Building Safety Manager.

He explained that the emergency management and disaster preparedness program has evolved and expanded since it was first adopted in 1975. The program is in place to respond to natural and human caused disasters including wildfire, flood, drought, severe wind, aircraft crash, hazardous material release, terrorism, and earthquake.

He detailed the Mayor's and Council's role in emergency management. The Mayor has the authority to declare an emergency and govern by proclamation; while the Council may "waive procedures and formalities" in procurement, appropriations, and open meeting laws.

Mr. Wintersteen made several recommendations. He said the Council and Staff should receive training on the National Incident Management System (NIMS). This is a systematic and proactive guide for all levels of government to prevent, protect against, respond to, recover from, and mitigate the effects of incidents. He also recommended updating the Town's Emergency Operations Plan and Town Code. Finally, he recommended developing a system for notifying residents, resorts and churches in the event of an emergency.

Discussion of Public Notification and Citizen Communication Efforts

Mr. Bacon stated that following the events of the Arizona-American TCE event in January 2008, the Town has been investigating ways to better notify residents in an emergency. The focus had been primarily on public health and safety alerts but has evolved into a more general review how to improve public communications on a range of topics.

Mr. Hollish briefed the Council on current technology trends and communication options available to the Town to improve transparency and information sharing with residents. He described various public notification systems which alert residents to imminent danger and/or less-critical information such as road closures through automated telephone database calls. The Town had some success using the Reverse-911 service to alert Arizona-American customers during the TCE event in 2008.

He also described email notification and social networking options including a service called "Nixle". Content manually prepared by staff can be sent out to those who voluntarily subscribe to the service. He said other services such as interactive blogging and open forums have certain legal concerns including records retention and open meeting law compliance.

He concluded with an update on the Town's website usage. He noted that the Town Hall and Police Department collectively receive over eleven thousand visitors per month. The most accessed pages are employment information and Police Department photo enforcement. He stated that the Town plans to redesign the website to bring more content "higher" into the structure to make it easier to quickly find information. The redesigned site will have a friendlier "feel" with a neutral background, contrasting colors, and scenic images.

He recommended that the Town utilize Reverse-911 for emergencies, use the social networking service called “Nixle” to send out announcements, and expedite redesign of the Town’s website. Council requested that the Town implement a public notification process to allow cell phone users to opt in to the Reverse-911 system and subscribe to Nixle. Moreover, there was Council interest in contracting with an outside professional website developer to redesign the Town’s site. There was also interest in adding additional content to the website, such as the *Town Reporter*.

Discussion of Employee Performance Review Process

Ms. Hancock briefed Council on a plan to revise the Town’s employee performance appraisal system. The objective of the new system is to create a true performance based review process that is customized to specific positions. The appraisal will tie performance to the Town’s mission, vision, values, and strategic initiatives. She said the current 5 point rating system will be replaced with a 7 point system based on achievement of specific goals agreed upon by the employee and supervisor. Under the new system, all reviews will be conducted at the same time with performance measured from July 1 – June 30 for all employees. This was done to align employee performance with the Town’s fiscal year goals and initiatives.

Mr. Bacon summarized the transition timeline. The Council is scheduled to approve the Mission, Vision, and Values Statement in June. Employees will be trained on the new system in July and develop performance goals during the late summer. By October performance goals will be agreed upon by employees and supervisors for the period October 1, 2009 to June 30, 2010. Performance reviews will be conducted for all employees in July 2010.

He concluded that at the meeting on June 11, Council will be updated on the training plan and review compensation and merit ratings. Council stressed the importance completing reviews on time.

Motion and vote – Councilmember Hamway moved to go into executive session at 6:08 p.m. Council Member Kirby seconded the motion which passed unanimously.

EXECUTIVE SESSION

- a.** Discussion and consultation with the Town Attorney regarding pending or potential litigation and current and/or future development agreement with **Potomac Hotel Limited Partnership and/or MTS Land LLC related to Mountain Shadows** as authorized by A.R.S. §38-431.03.A.4 and legal advice as authorized by A.R.S. §38-431.03.A.3.

- b. Discussion and consultation with Town Attorney regarding intervenor in the Matter of the Application of NewPath Network, LLC for Approval of a Certificate of Convenience and Necessity to Provide Transport and Backhaul Telecommunications Services before the Arizona Corporation Commission – Docket No. T-20567A-07-0662 and/or potential contract with NewPath Networks as authorized by A.R.S. §38-431.03.A.4.**

- c. Legal advice from the Town Attorney regarding the process for appointment of an interim presiding judge of the Paradise Valley Municipal Court as authorized by A.R.S. §38-431.03.A.3.**

CALL TO ORDER

Mayor Parker reconvened the meeting of the Town Council at 7:00 P.M.

COUNCIL MEMBERS PRESENT

Mayor Vernon B. Parker
Council Member Mary Hamway
Council Member Pam Kirby
Council Member Virginia “Jini” Simpson

Vice Mayor Ron Clarke, Council Member’s Brian Cooney, and Council Member Scott LeMarr were not present.

STAFF MEMBERS PRESENT

Town Manager James C. Bacon., Jr
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer William Mead
Police of Chief John J. Bennett
Planning & Building Director Eva Cutro
Public Safety Director John D. Wintersteen
Public Works Director Andrew Cooper, Jr.
Management Services Director Lenore Lancaster

PLEDGE OF ALLEGIANCE

Chol Deng Dongwei led the Pledge of Allegiance. Mr. Dane stated that he was a “Lost Boy of Sudan” and became a citizen of the United States this year.

PRESENTATIONS

Recognition of Retiring Police Lieutenant Karl J. Emberg

Lieutenant Karl Emberg was recognized for his 34 years of service to the Town of Paradise Valley. He was presented with a plaque from Redflex Traffic Systems. Mayor Parker presented him with a proclamation and a gift from the Town. Chief Bennett presented him with his retirement badge, gun and shadow box displaying his badges and uniform patches.

Public Safety Director John Wintersteen also recognized him for all his accomplishments and service to the Town.

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 May 14, 2009**
- b. Cancellation of Town Council Meetings for July 23, August 13, and August 27, 2009**
Recommendation: Cancel the regularly scheduled meetings for July 23, 2009, August 13, 2009, and August 27, 2009.
- c. Approval of Proposed Sign for BLT at Camelback Inn**
Recommendation: Approve one monument sign for BLT Steakhouse at the Camelback Inn.
- d. Approval of Ordinance Number 612, Amending Chapter 5 of the Town Code Regarding Permit Expiration**
Recommendation: Approve Ordinance Number 612, amending Section 5-1-2 & 5-2-2 of the Town of Paradise Valley Code related to permit expiration.
- e. Authorize a Process to Appoint a Municipal Court Presiding Judge to Fill the Vacancy Created by the Retirement of Judge J. Philip Grace**
Recommendation: Authorize a process to select a presiding judge.

Mr. Bacon summarized the consent agenda.

Council Member Hamway asked that items 11d and 11e be removed.

Motion and vote – Council Member Simpson moved to approve the consent agenda with the exception of items 11d and 11e. Councilmember Hamway seconded the motion which passed by a vote of 4-0.

11d. Approval of Ordinance Number 612, Amending Chapter 5 of the Town Code Regarding Permit Expiration

Council asked for clarification regarding the difference between “lapse” and “expire” as used in Chapter 5. Ms. Cutro responded that the term “expire” is used in the International Building Code to reference when a permit is no longer active. Under the Code if a contractor does not take action or call for inspections for more than 180 days the permit expires. However, it but can be reactivated. She explained that a few years ago the Council adopted an ordinance which places a maximum 900 day limit on construction activity. Building activity which exceeds this limit is considered to have lapsed. Council also questioned the language regarding pool construction.

Mr. Bacon asked to withdraw the ordinance. He stated that Staff would further clarify the language and address concerns regarding pool permits and bring the ordinance back at a future meeting.

11e. Authorize a Process to Appoint a Municipal Court Presiding Judge to Fill the Vacancy Created by the Retirement of Judge J. Philip Grace

Motion and vote - Council Member Hamway moved to request that the current presiding judge, associate presiding judge, and court administrator meet soon for the purpose of recommending to the Council an appointment of an interim presiding judge to serve the remainder of the term being vacated by the resignation of the current presiding judge; said recommendation to then be considered by the Council at the Council meeting immediately after the recommendation has been forwarded to the Council. Council Member Kirby seconded the motion which passed by a vote of 4-0.

PUBLIC HEARINGS

There were no public hearings.

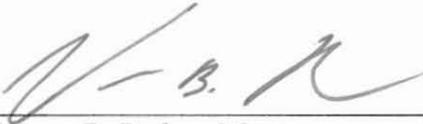
ACTION ITEMS

There were no action items.

ADJOURNMENT

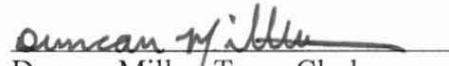
Motion and vote - Councilmember Simpson moved to adjourn. Councilmember Hamway seconded the motion which passed 4-0.

Mayor Parker adjourned the meeting at 7:40 p.m.



Vernon B. Parker, Mayor

ATTEST:


Duncan Miller, 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 Paradise Valley Town Council held on then 28th day May 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12 day of June, 2009.


Duncan Miller, Town Clerk