



**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
SUMMARIZED MINUTES  
DECEMBER 17, 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, December 17, 2009 at 4:30 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson arrived at 4:41 p.m.  
Council Member Bernie Barry  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Management Services Director Lenore Lancaster  
Information Technology Manager Carl Hollish  
Information Technology Technician Jason Drobish  
Public Works Director Andrew Cooper, Jr.  
Police Chief John Bennett

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**Presentation of New Town Website**

Mr. Bacon said that the redesign of the Town's official website was discussed at last year's budget retreat. This showed the importance the Council placed on the topic since many new programs were cut from the budget in an effort to reduce expenditures. Moreover, there was a desire that the updated website would provide a better vehicle to improve resident communications. A team of 5 staff members worked with a professional firm to redesign the site based on the Council's feedback.

Mr. Hollish stated that the Town contracted with the professional firm CivicPlus which has an extensive national presence with over 500 local government clients. He presented the redesigned website which included the following features:

- Notify Me emails subscription lists
- Events Calendar
- Frequently asked questions
- Service Requests
- Staff Directory
- News and Announcements
- Document and Archive Centers
- Opinion Polls
- Bid Postings
- ADA and Accessibility Compliance

Council suggested that service requests should be based on the problem area and not departmentally based. They also requested that the Town develop a process policy on service requests detailing who would be responsible for responding for following up with the requests.

#### **Discussion of Sales Tax Audit Program**

Mr. Bacon stated that the Council requested information on the Town's sales tax audit program. He said the Town's program is more like forensic accounting and not just identification of tax reporting errors. Thus it requires someone with extensive auditing experience and someone equally knowledgeable with tax court rulings.

Ms. Lancaster explained the scope of services performed by the Town's current auditor including:

- Conducts between 15 and 17 construction sales tax audits
- Coordinates audits with AZ Dept of Revenue
- Interfaces with Unified Audit Committee which drafts amendments to the Model City Tax Code
- Conducts tax research and provides tax advice collection for Town
- Provides Taxpayer assistance
- Represents the Town before the Municipal Tax Hearing Office

She explained how the auditor identifies potential audits and the general process by which audits are conducted. She noted that there are a number of steps involved beyond a normal audit. Most notably, audit notices must first be submitted through the Municipal Joint Audit Committee to give the Taxpayer the option of having a multijurisdictional audit performed.

Ms. Lancaster noted that when the Town first implemented the program there were only two auditing firms providing local tax auditing services. The Town contacted with one of the firms for 40 months and the other firm for 59 months. She provided a comparison showing that net collections during the tenure of the first firm equaled \$114,422 and net collections during the tenure of the second firm equaled \$1,478,721.

She said the current contract expires in 2011. She noted that there is now a third out-of-state firm providing this service. Council suggested that given the significant reduction in the number of building permits being issued the Town should reduce the number of construction audits required by the new contract.

There was concern among some members of the Council that the contract fee was too high and that auditing could be done in-house by existing staff. Mr. Bacon said he would research municipalities who conduct in-house tax audits and determine appropriate staffing levels, salary and compensation costs, and collections experience.

Mayor Parker recessed the meeting at 5:40 p.m.

#### **EXECUTIVE SESSION**

There was no executive session.

#### **RECONVENE FOR REGULAR BUSINESS MEETING**

#### **CALL TO ORDER**

Mayor Parker reconvened the meeting of the Town Council at 5:50 P.M.

#### **COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson  
Council Member Bernie Barry  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon., Jr  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Police Chief John Bennett  
Public Works Director Andrew Cooper, Jr.  
Planning & Building Director Eva Cutro

**PLEDGE OF ALLEGIANCE**

Mayor Parker led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations

**CALL TO THE PUBLIC**

There were public comments.

**MAYOR / COUNCIL / MANAGER REPORT**

There were no reports.

**CONSENT AGENDA**

- a. Minutes of Town Council Meeting December 3, 2009**
- b. Adoption of Resolution Number 1208, Authorizing the Town to Enter into an Intergovernmental Agreement with Arizona Department of Transportation to Provide Engineering and Construction Administration Services**  
*Recommendation:* Adopt Resolution Number 1208 authorizing the Mayor to execute an intergovernmental agreement with the Arizona Department of Transportation to utilize American Recovery and Reinvestment Act funding to resurface various streets in the Town.
- c. Adoption of Resolution 1209 Regarding Guardgates**  
*Recommendation:* Adopt Resolution Number 1209, clarifying the Town's interpretation of Policy 1.7.8 of the Town of Paradise Valley General Plan so as to exempt subdivisions with existing gates as of March 20, 2003 from "open access" requirements when amending their SUP(s) to improve or relocate guardhouses and/or gates.

Mr. Bacon summarized the items on the Consent Agenda.

Council Member Hamway asked that item 11c be removed.

**Motion and vote** – Councilmember Clarke moved to approve the Consent Agenda with the exception of item 11c. Vice Mayor Simpson seconded the motion which passed by a vote of 7-0.

**11c. Adoption of Resolution 1209 Regarding Guardgates**

Council Member Hamway asked to have this item removed because she was contacted by a couple residents who wanted the opportunity to speak. However, they were not present in the audience. She acknowledged and agreed with the *Independent Newspaper* article written by Vice Mayor Simpson regarding the guardgate issue. She said this Resolution allows existing communities with guardgates to renovate them without the additional pedestrian access requirement.

Council Member LeMarr noted that although the General Plan is very specific about guardgates, the intent of the General Plan Review Committee, of which he was chair, was to apply the General Plan provision to future subdivisions and not to pre-existing ones. He supported the proposed Resolution and suggested that when the General Plan is re-adopted the language be further clarified.

Vice Mayor Simpson stated that this issue came up because an existing subdivision submitted an SUP amendment application to renovate a guardgate. She believed that the Planning Commission misinterpreted the intent of the General Plan to require pedestrian access to the subdivision as a condition of approval. She said the General Plan is simply a vision statement. It does not carry the weight of ordinance. She supported the Resolution to clarify the intent of the policy.

Council Member Clarke stated that he and the late George Adams also served on the General Plan Review Committee. He supported the Resolution.

Council Member Kirby announced that she, like a couple other councilmembers live in a gated community. Prior to the meeting she asked the Town Attorney if she had an obligation to recuse herself from voting on this item, particularly since she lives in the gated community that was the catalyst for this policy change. The Town Attorney advised that living in a gated community does not create a conflict for any councilmember.

Mayor Parker stated that this item was fully discussed and vetted in a work study session and there was ample opportunity for the public to comment on the proposed resolution.

**Motion and vote** - Vice Mayor Simpson moved to approve Resolution Number 1209. Council Member Hamway seconded the motion which passed by a vote of 7-0.

**PUBLIC HEARINGS**

There were no public hearings.

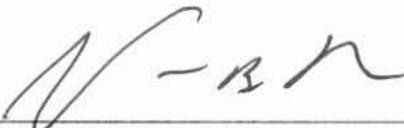
**ACTION ITEMS**

There were no action items.

**ADJOURNMENT**

**Motion and vote** – Councilmember Clarke moved to adjourn. Councilmember Kirby seconded the motion which passed by a vote of 7-0

Mayor Parker adjourned the meeting at 6:00 p.m.

  
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Vernon B. Parker, Mayor

ATTEST:

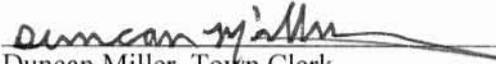
  
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Duncan Miller, Town Clerk

**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 17<sup>th</sup> day December 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14 day of January, 2009



  
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Duncan Miller, Town Clerk