



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

**March 22, 2012**

**CALL TO ORDER**

Mayor LeMarr called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, March 8, 2012 at 3:30 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Scott P. LeMarr attended by telephone conference call  
Vice Mayor Mary Hamway  
Council Member Michael Collins arrived at 3:58 p.m.  
Council Member Paul E. Dembow  
Council Member Pam Kirby  
Council Member Vernon B. Parker  
Council Member Lisa Trueblood

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Planner George Burton  
Police Chief John Bennett  
Acting Public Works Director Brent Skoglund

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**Motion and vote** – Councilmember Kirby moved to go into executive session at 3:32 p.m.  
Councilmember Trueblood seconded the motion which passed by a vote of 6 – 0.

**EXECUTIVE SESSION**

- a. Discussion and consultation with the Town Attorney regarding pending or potential litigation regarding property located at 7505 N. 70<sup>th</sup> St. as authorized by A.R.S. §38-431.03.A.4 and legal advice regarding group home regulations as authorized by A.R.S. §38-431.03.A.3.
- b. Discussion and consultation with the Town Attorney regarding pending or potential litigation and current and/or future development agreement with Potomac Hotel Limited Partnership, MTS Land LLC, and or JDM Partners, 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.

- c. Legal advice regarding Planning Commission appointments as authorized by A.R.S. §38-431.03.A.3.
- d. The Town Council may go into executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the agenda items listed on the agenda as authorized by A.R.S. §38-431.03.A.3

### **WORK STUDY SESSION**

#### **Discussion of 7505 N. 70<sup>th</sup> St.**

Vice Mayor Hamway reconvened the Work Study Session at 4:42 p.m.

She stated that at the March 8, 2012 meeting, Council directed staff to conduct research into group homes and 7505 N. 70<sup>th</sup> St in particular. She stated that the Council just received a briefing in executive session from the Town Attorney and outside counsel Doug Jorden of Jorden Bischoff & Hiser. Based on those discussions more research must be done.

**Motion and vote** – Council Trueblood moved to go into executive session at 4:43 p.m. Councilmember seconded the motion which passed by a vote of 6 – 0. (Mayor LeMarr was not present for the vote)

#### **Update on Municipal Fire Protection Fee Bill (HB2060)**

Vice Mayor Hamway reconvened the work study session at 5:18 p.m.

Town Manager Jim Bacon introduced Doug Cole of Highground Public Affairs Consultants. Mr. Cole updated Council on the status of the municipal fire protection fee bill.

The bill's sponsor, Representative Kate Brophy-McGee, reasoned that the bill had better chances of passing if the original bill was held in the House and was replaced by a "striker" bill in the Senate. The new bill, HB2060, received a unanimous vote in the Senate Public Safety and Human Services Committee and a favorable vote in the Rules Committee. The bill was also reported out of both party caucuses. He said next week the bill would be voted on in the Committee of the Whole and then would be voted on by the Senate. If it passes it would be sent back to the House for a concurrence vote. The final step is for the Governor to sign it. It would go into effect 90 days after the legislature adjourns.

He noted that the bill is differentiated from a property tax because the bill clarifies that the fee is based on square footage and the town would not have the ability to record a property tax lien for

non-payment. He also stated that schools, charters schools, and sanctuary portion of a church will not be included in the square footage assessment.

Mr. Bacon stated that if the bill is adopted, it is hoped that this could go on the November 2012 ballot. In order to make that deadline, Council would need to vote to put it on the ballot by July 6. He noted that the public relations firm Scutari and Cieslak has been retained to assist with public outreach and education regarding the fire service fee implementation.

### **Discussion of Public Safety Overview, Communication & Technology**

Mayor LeMarr departed the meeting at 5:46 p.m.

Vice Mayor Hamway recessed the meeting at 5:46 p.m. and reconvened it at 5:55 p.m.

Police Chief John Bennett introduced Phoenix Fire Chief Bob Kahn, Deputy Chief Blake Anderson, Communications Operations Manager for the City of Scottsdale Patrick Cutts, and representatives from Redflex Traffic Systems.

Chief Bennett briefed Council on past and present police operations and staffing and the department's plans for the future. He started by summarizing crime statistics over the past year. He said when Paradise Valley's crime index is compared to other communities in Maricopa County it shows that the Town is one of the safest communities. He provided data illustrating that the Town has the lowest rates for murder, rape, and theft. The Town has the second lowest rate for robbery and assault. Paradise Valley has the seventh lowest burglary rate when vehicle burglaries are separated out.

He stated that in order for the Police Department to be effective in the future, consideration must be given to the following five keystones:

1. Patrol and Detectives must remain fully staffed and equipped

He described personnel and scheduling changes made in recent years. Although the total number of police personnel decreased 27.8% between 2008 and 2012, the number of patrol officers remained unchanged at 20. Cuts were made to civilian administration and command staff. By changing the schedule from 5 squads of 4 to 4 squads of 5, the department was able to reduce overtime expenses by 59%.

He recommended that in the next 1 or 2 budget years, the town should consider adding another detective and a uniformed administrative position.

2. Photo Radar should be continued

He stated that photo radar is important because it allows police officers to focus patrol in residential areas. It is an effective deterrent for motorists who otherwise speed and/or violate traffic signals. He stated that the new staffing schedule is able to work because of photo radar.

3. Regional cooperation with federal, state, and local law enforcement agencies should be fostered

He noted that Paradise Valley has a productive relationship with federal and regional law enforcement agencies. This cooperation has been invaluable to the town in recent investigations. The Department is committed to continuing these relationships.

4. Public safety communications infrastructure must be updated

He reported that the department began a three phase plan to upgrade public safety communications in 2008. The first two phases involved remodeling the dispatch center and relocating equipment. They were completed in 2008. The third phase includes purchase of new radios and upgrading the antennae site on Mummy Mountain. When this is completed the Town would be able to join the Regional Wireless Cooperative. He noted that one of the requirements of the Town's IGA with the City of Phoenix is to provide communications interoperability. It has also been a goal of the Department of Homeland Security since September 11, 2001.

5. New technologies should be implemented

He stated that there are a number of technology initiatives that he will present to Council at future capital improvement project budget discussions. These include technologies such as in-vehicle laptop computers, license plate readers, on-officer audio/video recorders, and off-the-shelf computer software.

Council discussed a bill being considered in the legislature that eliminates photo radar. If the bill passes, it would require resources to be diverted or the need to reassign patrol duties. Chief Bennett stated that if photo radar is eliminated, he would conduct a force study in April and brief Council on the number of new officers that might be required to make up for the loss of photo radar as an enforcement tool.

**Discussion of Technology-Based Service Improvements on Items Such as: Records Management, Paperless Agendas, Meeting Transparency, Webcasting, and other Service Improvements**

This item was not discussed.

**RECONVENE FOR REGULAR BUSINESS MEETING**

**CALL TO ORDER**

Vice Mayor Hamway reconvened the meeting of the Town Council at 7:12 P.M.

**COUNCIL MEMBERS PRESENT**

Vice Mayor Mary Hamway  
Council Member Michael Collins  
Council Member Paul E. Dembow  
Council Member Pam Kirby  
Council Member Vernon B. Parker  
Council Member Lisa Trueblood

Mayor Scott P. LeMarr was not present

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Police Chief John Bennett  
Planner George Burton  
Acting Public Works Director Brent Skoglund

**PLEDGE OF ALLEGIANCE**

Vice Mayor Hamway led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations

**MAYOR / COUNCIL / MANAGER REPORT**

Town Attorney Andrew Miller reported that the Town has taken proactive steps to abate certain code violations at 6144 Fanfol Dr. The Town initiated a nuisance abatement process in Municipal Court. If it is not appealed or cured in 30 days, the Town will have the right to go on to the property and correct the code violations. The work includes stucco and painting the exterior of the house, cleaning landscaping, painting the wall, in addition to some of the safety issues associated with the unfinished remodeling.

**CALL TO THE PUBLIC**

Residents Wayne Harris, Duncan Brattel, Robert Backie, Julie Chaffin, Dave Gorman, Marc Brodeur, Jeff Kate, Liz Petruie, Jim Boyd, Steven Turkeltaub, and Ed Winkler encouraged the Town to aggressively enforce code violations against the property at 6144 E Fanfol Dr and supported abatement efforts to clean up the property.

**CONSENT AGENDA**

- a. Minutes of Town Council Meeting March 8, 2012**
- b. Adoption of Resolution Number 1250, Amending the Town Council Rules and Procedures**  
*Recommendation:* Adopt Resolution Number 1250  
*Staff Contact:* James C. Bacon, Jr., Town Manager, 480-348-3690
- c. Adoption of Resolution Number 1251, Certifying the 2012 Primary Election Results**  
*Recommendation:* Adopt Resolution Number 1251  
*Staff Contact:* Duncan Miller, Town Clerk, 480-348-3610
- d. Approval of Harold Lot Split**  
*Recommendation:* Approve the Harold Lot Split, subdividing approximately 2.35-acres into 2 residential R-43-zoned lots, subject to the stipulations in the action report.

Mr. Bacon summarized the items on the consent agenda.

Vice Mayor Hamway asked for clarification on sewer service regarding the Harold Lot Split. Community Development Director Eva Cutro confirmed that the properties would be able to hook into the Phoenix sewer system. There had been a moratorium but it has since been lifted.

**Motion and Vote:** Councilmember Kirby moved to adopt the Consent Agenda as presented. Councilmember Parker seconded the motion which passed by a vote of 6 – 0

**PUBLIC HEARING**

There were no public hearings.

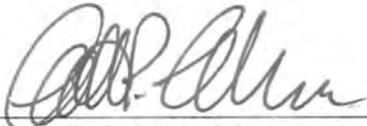
**ACTION ITEMS**

There were no action items.

**ADJOURNMENT**

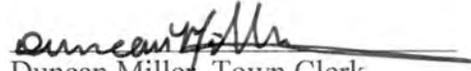
**Motion and vote** – Councilmember Kirby moved to adjourn. Councilmember Trueblood seconded the motion which passed by a vote of 6 - 0.

Mayor LeMarr adjourned the meeting at 7:35 p.m.



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Scott P. LeMarr, Mayor

ATTEST:

  
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Duncan Miller, Town Clerk