

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
APRIL 13, 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 5:06 p.m. on Thursday, April 13, 2006, 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 Dan Schweiker
Council Member Virginia "Jini" Simpson

Council Member Scott LeMarr was not present.

STAFF MEMBERS PRESENT

Town Manager Thomas M. Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Chief John Wintersteen
Public Works Director Andrew Cooper
Planning Director Eva Cutro
Management Analyst Duncan Miller

DISCUSSION ITEMS

Discussion of Kiva Elementary School Athletic Field Improvement Grant Funding and Related Issues

Mr. Martinsen summarized the issues related to grant funding. Some of the issues were discussed with the Arizona Sports and Tourism Authority (AZSTA) several weeks ago. The issues are:

- The most recent estimate for the project is \$700,000, an increase from the original \$600,000 estimate included in the grant request. AZSTA has requested the Town either revise or stand-by its original estimate. He recommended revising the estimate.

- AZSTA would like a list of the secured funding for the project. There have been a number of donations, including \$50,000 from the Charros. We need to itemize the funds and the Town's budget for the project. If there is a short-fall, AZSTA would like assurances from the Town that it will make up any shortfall, including construction of the restroom.
- The field renovation, site improvements, peripheral improvements and lighting would be part of Phase I. The restrooms would be done later. AZSTA wants a commitment that the restroom/storage room will be built in the reasonable future.
- AZSTA explored ways that the usage of the field could be intensified by scheduling on the weekends or scheduling games. The Town has said no to this request.
- AZSTA was concerned that the School District could terminate the joint usage of the athletic field early. They wanted the School District to agree to refund any unamortized balance. The Town's position is that the Town would be accountable for the use of the field, but we may wish to have an agreement with the school that they will not curtail field usage prematurely.
- The Valley Presbyterian Church special use permit is an issue. Ms. Cutro has reviewed the SUP and site plan. Ms. Cutro said there is a stipulation addressing the use of the parking lot, gating, and times of use. It indicates that ballpark activity is to be limited to 24 events per year. Ms. Cutro said this means the Church cannot have more than 24 events on the ball field a year. It does not mean that Kiva Field can be limited to 24 events.
- The final issue has to do with siting a wireless facility on top of one of the light poles. This is something the School District would have to approve. Council Member Hamway said we would have to order the lights with a special reinforced steel pole to hold the antenna. It would add to the cost of the lights. Principal Mike Helminski said the concern of the School District is that there is inconclusive data on the long-term affects of a cell tower on elementary school children.

It was recommended that Mr. Martinsen write a letter to AZSTA for Council review.

Discussion of Scottsdale Sewer Intergovernmental Agreement Request for Payment of Sewer Development Fees

Mr. Martinsen said the Town entered into a two part IGA with the City of Scottsdale for sewage treatment. We agreed to buy additional capacity when the flows reached a certain point. Tonight's discussion is due diligence on the part of the Council to make sure that we are paying what we should be paying. Mr. Martinsen said the Town monitors flows, analyzes the flows, and reports the flows to Scottsdale. Kennedy/Jenks has analyzed the flows. There are two trigger points. The first is when the Town reaches 792,000 gallons per day; we need to purchase additional capacity. Second, there is a trigger point when the flows reach 460,000 gpd flowing south. We have not reached this trigger point.

Ms. Lancaster stated the billed rate agrees with the City of Scottsdale fee schedule. Bank of America would capital lease the purchase for either 10 or 15 years. The Town can secure the lease with other assets, or with excise taxes.

Mr. Miller summarized the terms of the IGA that pertain to the purchase of additional capacity. This needs to be paid by August 8, 2006. Mr. Miller said we have installed liners in the manholes to reduce the flow resulting from rain. The next trigger point will be 85% of the capacity that we purchased.

Mr. Martinsen said this will be on the next agenda for authorization to pay.

Discussion of 2005 Census Survey

Mr. Martinsen said every 10 years the Federal government conducts a census. MAG is active in coordinating the census. The 2000 census is the basis for distributing state revenue sharing. Ten years is a long time to wait if you are a growing community. Many of the cities wanted a mid-decade census, which MAG sponsored. The Town reluctantly agreed to the survey. The results of the mid-decade survey are in and most of the MAG cities show a decrease in population from the Department of Economic Security population statistics. The Town is not only impacted in terms of revenues but also in terms of the expenditure limitation.

Council Member Simpson said MAG is making a formal complaint to the Federal government. MAG is not optimistic about the outcome.

EXECUTIVE SESSION

Council Member Schweiker made a motion to adjourn to executive session at 5:47 p.m. Vice Mayor Winkler seconded the motion, which carried 6-0.

- a. Discussion and consultation with Town Attorney regarding the **CoxCom Tax Appeal** as authorized by A.R.S. §38-431.03.A.4.
- b. Discussion and consultation with Town representatives regarding **property in the vicinity of Tatum Blvd and Mockingbird Lane** as authorized by A.R.S. §38-431.03.A.7.
- c. Discussion and consultation with Town Attorney regarding **mutual aid agreements with the City of Phoenix and City of Scottsdale** as authorized by A.R.S. §38-431.03.A.4.

CALL TO ORDER AND ROLL CALL

Mayor Clarke reconvened the Town Council of the Town of Paradise Valley, Arizona, at 7:05 p.m. on Thursday, April 13, 2006, 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 Dan Schweiker
Council Member Virginia "Jini" Simpson

Council Member Scott LeMarr was not present.

STAFF MEMBERS PRESENT

Town Manager Thomas M. Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Planning Director Eva Cutro
Public Works Director Andrew Cooper
Police Chief John Wintersteen
Management Analyst Duncan Miller

PLEDGE OF ALLEGIANCE

Ms. Lenore Lancaster led the pledge of allegiance.

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 March 23, 2006

- b. Report on Investments – purchase of \$1,000,000 Federal Home Loan Mortgage Corp, maturing 8/7/06, yield of 4.95%.**
- c. Approval of Market Salary Range Adjustment for Building Services Positions**

	Minimum	Midpont	Maximum
Building & Zoning Inspector	\$43,517	\$52,271	\$61,025
Building & Zoning Inspections Supervisor	\$49,987	\$61,279	\$72,570
Plans Examiner	\$49,987	\$61,279	\$72,570
Building Services Manager	\$69,479	\$85,118	\$100,758

- d. Award of Contract for Building Services Manager Recruitment Services to CPS Executive Search in the amount of \$13,500.**
- e. Approval of Special Hiring / Continuation Bonus Program to assist in the recruiting of outside candidates for building services positions.**
- f. Award of Contract for Exterior Painting of Public Safety and Public Works Buildings to Skyline Builders & Restoration, Inc. in an amount not to exceed \$15,781.**
- g. Authorization to Purchase Fire Pumper Truck for Fire Station #1 from American LaFrance Fire Pumper Truck in an amount not to exceed \$408,081.**
- h. Approval of Addendum #3 to Electric Distribution Undergrounding Agreement with Arizona Public Service Company extending the time of completion for undergrounding the APS service area for an additional five years.**
- i. Approval of Invergordon Road Construction Change Order 9 for the Deletion of Landscape Boulders for a cost savings of \$36,000.**

Mr. Martinsen summarized the items on the Consent Agenda.

Council Member Schweiker asked to remove item g.

Council Member Schweiker made a motion to approve the Consent Agenda, except item g. Vice Mayor Winkler seconded the motion, which carried 6-0.

Council Member Schweiker said there may be more pollution free equipment available in the future. Council Member Schweiker made a motion to purchase a fire engine from American LaFrance as recommended, and to also evaluate the feasibility of a future change order to equip the engine with the proposed pollution reduction equipment which is tentatively to become available in late 2007. Mayor Clarke seconded the motion, which carried 6-0.

PUBLIC HEARINGS

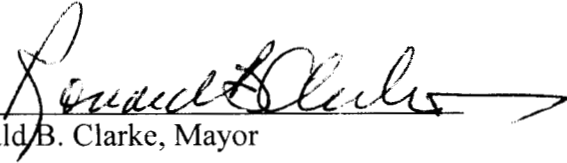
There were no public hearings.

ACTION ITEMS

There were no action items.

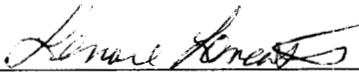
ADJOURNMENT

Mayor Clarke adjourned the meeting at 7:13.



Ronald B. Clarke, Mayor

ATTEST:



Lenore P. Lancaster, Town Clerk



OFFICIAL SEAL
OFFICE OF TOWN CLERK
TOWN OF PARADISE VALLEY
LENORE 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 13th day April 2006. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of April, 2006.



Lenore P. Lancaster, Town Clerk