

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
MAY 26, 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 4:00 p.m. on Thursday, May 26, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Vice Mayor Ed Winkler (attended by telephone conference call)
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

Council Member Rick Coffman was not present.

STAFF MEMBERS PRESENT

Town Manager Tom Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Town Engineer William Mead
Police Chief John Wintersteen
Public Works Director Andrew Cooper
Planning Director Eva Cutro
Management Analyst Duncan Miller
Fire Marshal Chuck Fitzgerald

DISCUSSION ITEMS

Discussion of Kiva Elementary School Athletic Field Improvements

Councilmember Hamway stated that over \$100,000 has been raised in donations, including in-kind donations for landscape design, architectural design, surveying, and grant writing. The Scottsdale Charros has agreed to donate \$50,000. The Kiva PTO will contribute \$3,000 annually for maintenance. APS has announced \$5,000 in secured funding and has given a letter of support.

Chief Wintersteen reviewed the security issues. The budget is \$40,000. He said current security problems at the school are minimal.

Councilmember Hamway reviewed the issues for irrigation, lighting, parking, restroom/storage, rules and regulations, field maintenance, and the four phases of the master plan. The total cost is \$600,000. Councilmember Hamway requested the Town contribute one-third of the cost for the project.

Mr. Martinsen said the Town cannot take formal action tonight.

Discussion of Tatum Boulevard/McDonald Drive Intersection Improvements Phase 2 Design and Construction Schedule

Mr. Mead reviewed the street and drainage improvements that were not included in Phase 1 of the Tatum Boulevard/McDonald Drive Intersection Improvement Project.

Mr. Ciccarelli reviewed the specifics of Phase 2 improvements. The overall project is estimated at \$703,200. Part of that is the \$150,000 to be paid by City of Phoenix for their sidewalk. The project is to be bid out this month and construction will start in July 2005. There is a 90-day construction period ending in October 2005.

Discussion of SUP for Guard Gate - The Preserve at Lincoln

Ms. Cutro said this is for an application for a guard gate at The Preserve at Lincoln. In December 2003 the Council approved an eleven lot subdivision for this site. The original application included a guard gate, but the applicant withdrew the request for the guard gate. Ms. Cutro reviewed the design of the gate. The Planning Commission recommended approval with a stipulation precluding individual vehicular gates on the eleven lots. At the time of the hearing there was no known opposition. Since that time there have been three letters in opposition to the gate.

EXECUTIVE SESSION

Discussion and consultation with the Town Attorney regarding **Special Use Permit Code Revisions** as authorized by A.R.S. §38-431.03.A.3.

Discussion and consultation with Town Attorney regarding **Notice of Claim from property located at 5311 N. 74th Street** as authorized by A.R.S. §38-431.03.A.4

Discussion and consultation with Town representatives concerning **right-of-way acquisition in the vicinity of Tatum Blvd and McDonald Drive** as authorized by A.R.S. §38-431.03.A.7 and **settlement discussions regarding Camelhead Estates III condemnation action** as authorized by A.R.S. §38-431.03.A.4.

Councilmember Simpson made a motion to adjourn to executive session. Councilmember Schweiker seconded the motion, which carried 6-0.

The meeting recessed at 5:18 p.m.

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, May 12, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

Vice Mayor Ed Winkler and Council Member Rick Coffman were not present.

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
Building & Zoning Director Hamid Arshadi
Planning Director Eva Cutro
Fire Marshal Chuck Fitzgerald
Management Analyst Duncan Miller

PLEDGE OF ALLEGIANCE

Councilmember Hamway led the Pledge of Allegiance.

PRESENTATIONS

Recognition of Sergeant Michael Cole as Police Department Officer of the Year

Chief Wintersteen recognized Sgt. Mike Cole as the Police Department's Officer of the Year for the coming year. Sgt. Cole was the "Lead Detective" on the April 2004 homicide investigation.

CALL TO THE PUBLIC

Joni Boulware, 7459 N. 58th Place, addressed Council on the wash maintenance program, which left the wash by her house barren of native plants. She felt the program needed to be better managed. She did feel fountain grass needed to be addressed because it takes over, spreads rapidly and crowds out the native species.

Victor Maragni, 5602 E. Via Buena Vista, addressed Council on the noise ordinance. Each ordinance has a cost attached to it and this will impact the construction industry. Now Council is looking at fireworks and he felt it would impact the resorts. He also was concerned with speed limits, which he felt were low and would cause accidents.

MAYOR / COUNCIL / MANAGER REPORT

Mr. Martinsen announced that Human Resources Administrator Jill Boehm had a baby boy this morning.

Mayor Clarke announced that El Charro donated sticky buns to the Town for employees to celebrate the Town's 44th anniversary.

CONSENT AGENDA

- a. Minutes of Town Council Meeting May 10, 2005**
- b. Minutes of Town Council Meeting May 12, 2005**
- c. Minutes of Town Council Meeting May 16, 2005**
- d. Approval of Final Maps for Montelucia Suites and Montelucia Casitas**
- e. Adoption of Resolution Number 1098 Transfer of Funds within the 2004-2005 Budget**

Mr. Martinsen summarized the items on the Consent Agenda.

Councilmember Schweiker made a motion to approve the Consent Agenda. Councilmember Hamway seconded the motion, which carried 5-0.

PUBLIC HEARINGS

None

ACTION ITEMS

Adoption of Resolution Number 1099, Approving the Tentative Budget for Fiscal Year 2005-2006

Ms. Lancaster reviewed the major projects, new programs, opportunities and challenges for fiscal year 2005-06. She reviewed the major funding sources and the expenditures by category.

Based on information presented during the work/study portion of the agenda, Council discussed the need to increase funding for the Kiva School project.

Councilmember Hamway made a motion to approve Resolution Number 1099 with the change for funding the Town's share of renovating Kiva School playing field to \$200,000 from the current \$50,000 budgeted. Councilmember Schweiker seconded the motion, which carried 5-0.

Approval of Agreement with Scottsdale Convention and Visitors Bureau

Mr. Martinsen said the Town's return on investment in the Scottsdale Convention and Visitors Bureau is 8 to 1. This year's investment is the same as the prior year.

Councilmember Schweiker made a motion to approve the agreement with the Scottsdale Convention and Visitors Bureau. Councilmember Hamway seconded the motion, which carried 5-0.

Adoption of Ordinance Numbers 562 & 563 and Resolution Numbers 1096 & 1097 Amending Chapter 5 & 13 of the Town Code Adopting the International Building & Fire Codes Respectively

Mr. Arshadi summarized the background of the building codes. The intention is to use the International Building Codes throughout the United States. He listed the various codes that will be adopted tonight.

There was Council discussion regarding the provision limiting fireworks displays to federal holidays.

Councilmember Schweiker moved to adopt Ordinance Numbers 562 and 563 and Resolution Numbers 1096 and 1097. Mayor Clarke seconded the motion.

Councilmember Simpson moved to amend the Ordinance 563 and Resolution 1097 to allow for fireworks permits. Councilmember LeMarr seconded the motion.

Councilmember Schweiker withdrew his original motion and moved to send Ordinances 562 and 563 and Resolutions 1096 and 1097 back to work session for further consideration. The motion was seconded by Councilmember Simpson. The motion was approved by a vote of 5-0.

Approval of Mutual Aid Agreement with the City of Scottsdale for Fire and Emergency Medical Services

Mr. Martinsen said this is a recommendation to approve a mutual aid agreement with the City of Scottsdale for a one year term for fire and emergency medical services. This is a one-mile in and one-mile out arrangement. There is no cost for this service.

Councilmember LeMarr made a motion to approve the mutual aid agreement with the City of Scottsdale for fire and emergency medical services. Councilmember Simpson seconded the motion, which carried 5-0.

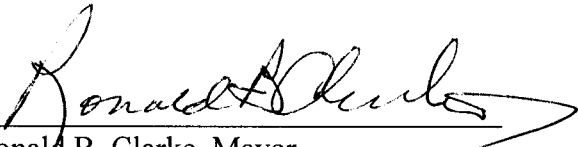
Modification to Stipulated Judgment with Camelhead Estates Unit 3 for Right-of-Way Acquisition

Mr. Martinsen recommended the Council approve a change to the stipulated judgment that would reduce the height of the sound wall by two feet in front of lot 13. This is subject to the homeowners' association providing the necessary documentation that they concur with this change.

Councilmember Simpson made a motion to accept the modification to the stipulated judgment with Camelhead Estates Unit 3 for the modification to reduce the height of the sound wall along lot 13. Mayor Clarke seconded the motion, which carried 5-0.


ADJOURNMENT

Mayor Clarke adjourned the meeting at 7:49 p.m.



Ronald B. Clarke, Mayor

ATTEST:



Lenore P. Lancaster, Town Clerk



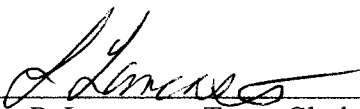
OFFICIAL SEAL
OFFICE OF TOWN CLERK
TOWN OF PARADISE VALLEY
LENORE LANCASTER, TOWN CLERK



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 the 26th day May 2005. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10TH day of June, 2005.



Lenore P. Lancaster, Town Clerk