

**TOWN OF PARADISE VALLEY
MINUTES
TOWN COUNCIL MEETING
APRIL 28 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 4:02 p.m. on Thursday, April 28, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

Mayor Ron Clarke
Council Member Rick Coffman
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson (5:01)

Vice Mayor Ed Winkler was not present.

STAFF MEMBERS PRESENT

Town Manager Tom Martinsen
Town Attorney Andrew Miller
Management Services Director Lenore Lancaster
Police Chief John Wintersteen
Building & Zoning Director Hamid Arshadi
Public Works Director Andrew Cooper
Planning Director Eva Cutro
Capital Projects Administrator Bob Ciccarelli
Management Analyst Duncan Miller
Fire Marshal Chuck Fitzgerald

DISCUSSION ITEMS

Discussion of Proposed Fire Service Subscription Payment Enforcement Plan

Fire Marshal Fitzgerald provided an updated status on the letters sent notifying homeowners of the requirement to subscribe for fire service. As of today, there are 121 new contracts with a value of \$45,074. Ninety-two notices were returned to Rural/Metro as undeliverable. Rural/Metro will actually visit the site to determine the reason for the returned letter. The second

letter will be sent May 6. There is a fifteen day notice, after which a third letter will be mailed, if necessary.

Chief Wintersteen said he is copied on the third letter that is mailed. This would be treated like a Code violation. A notice of violation will be sent approximately two weeks after the third Rural/Metro letter. A case file will be developed and then turned over to the prosecutor. The prosecutor will decide whether to issue a summons and prosecute.

Review of Site Plan for Temporary Fire Station Number 2

Fire Marshal Fitzgerald reviewed some relocation of trees and shrubs to provide better access to Lincoln and to provide screening for the carport for the fire truck. An existing wall would be moved further back to accommodate employee parking. He indicated the cost of enhancements is approximately \$130,000. The driveway will be widened. Asphalt will be added to the driveway to reduce dust. The carport will be in the front of the house and parallel to it.

Discussion of Ordinance Number 557 Regarding Hours for Heavy Construction Work

Mr. Arshadi said council members have voiced concerns about the excessive noise from construction on weekends. Currently construction activities generating a noise level in excess of 45 db(A) are permitted between sunrise and sunset, Monday through Saturday. The proposal is to prohibit heavy equipment between sunset and sunrise, and on Saturdays, Sundays, and legal holidays. There is a concern that some builders may be forced to apply for time extensions under the new Code on limitations on a building permit construction completion time.

There was discussion of regulating other noisy equipment, such as leaf blowers. There was discussion of enforcement issues. Council requested that the ordinance be expanded to address noise pollution in general. There was discussion of 7 am or sunrise and 6 pm or sunset. Council also requested that Staff find out what other communities do.

Budget Update

Ms. Lancaster reviewed the actual versus budget as of February 28, 2005. Revenues have a favorable variance of approximately \$190,000. Salaries and benefits, the largest portion of expenses, are below budget by 3.2%. Capital expenditures will be below budget because many of the projects will be delayed until the next fiscal year. Last week the town hall air conditioner broke, and the Town will have to either repair it or replace it. We are currently using a temporary unit for \$5700 per month.

EXECUTIVE SESSION

Discussion and consultation with Town Attorney regarding the license agreement with Rural/Metro Fire Department and intergovernmental agreement with the City of Scottsdale 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.

Discussion and consultation with Town representatives concerning “Donahoe Property” auction as authorized by A.R.S. §38-431.03.A.7.

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

The meeting adjourned at 5:02 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, April 28, 2005, in the Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253.

COUNCIL MEMBERS PRESENT

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

Vice Mayor Ed Winkler was 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
Planning Director Eva Cutro
Fire Marshal Chuck Fitzgerald
Management Analyst Duncan Miller

PLEDGE OF ALLEGIANCE

Councilmember LeMarr led the Pledge of Allegiance.

PRESENTATIONS

There were no presentations.

CALL TO THE PUBLIC

No one addressed Council.

MAYOR / COUNCIL / MANAGER REPORT

Councilmember Schweiker said he is on the MAG Trash and Soundwall Committee.

CONSENT AGENDA

- a. Minutes of Town Council Meeting April 14, 2005**
- b. Minutes of Town Hall Meeting April 16, 2005**
- c. Award of Contract for Sanitary Sewer Repair to Pierson Construction Company in the amount of \$46,000.**
- d. Authorization to Accept FY 2005 State Homeland Security Grant Program Funds for Personal Protection Equipment.**

Mr. Martinsen summarized the items on the Consent Agenda.

Councilmember Coffman made a motion to adopt the Consent Agenda as submitted. Councilmember Schweiker seconded the motion, which carried 5-0. Councilmember LeMarr was not present for the vote.

PUBLIC HEARINGS

None

ACTION ITEMS

Award of Contract for Right-of-Way Acquisition for Lincoln Drive Sidewalk Improvement Project


Mr. Mead said this is a Federal project that must follow Federal land acquisition requirements. He reviewed the responsibilities of the consultant. Pharos Corporation was the low bidder at \$45,616 for right-of-way acquisition services for the Lincoln Drive Sidewalk Improvement Project.

Mr. Ciccarelli reviewed the right-of-way that needed to be acquired for sidewalk easement, slope easement and temporary construction easement.

Councilmember LeMarr made a motion to award a contract in the amount of \$45,616 to Pharos Corporation for right-of-way acquisition services for the Lincoln Drive Sidewalk Improvement Project. Councilmember Schweiker seconded the motion, which carried 6-0.

ADJOURNMENT

Mayor Clarke adjourned the meeting at 7:14 p.m.



Ronald B. Clarke, Mayor

ATTEST:



Lenore P. 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 28th day April 2005. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of May, 2005.



Lenore P. Lancaster, Town Clerk



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

