

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
APRIL 19, 2023
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Winfield called the meeting to order at 5:07 p.m.

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember
Josh Nicolson, Councilmember
Steve Solomon, Councilmember

EXECUTIVE SESSION – Pursuant to ARS 38-431.03(A)(3) and (A)(4) regarding Joplin v. Town of Oro Valley

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:08 p.m., pursuant to ARS 38-431.03(A)(3) and (A)(4) regarding Joplin v. Town of Oro Valley.

Vote: 7 - 0 Carried

Mayor Winfield announced that the following staff would be joining Council in Executive Session; Interim Town Manager Chris Cornelison, Town Attorney Jonathan Rothschild, Legal Services Director Tobin Sidles, Attorney from Humphrey and Peterson, P.C., representing the Municipal Risk Pool and Town Clerk Mike Standish.

RESUME REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield resumed the Regular Session at 6:00 p.m.

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember
Josh Nicolson, Councilmember
Steve Solomon, Councilmember

1. APPROVAL OF ANY DIRECTION TO THE TOWN ATTORNEY AND/OR NECESSARY STAFF AS DISCUSSED IN EXECUTIVE SESSION PERTAINING TO JOPLIN V. TOWN OF ORO VALLEY

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Steve Solomon to proceed as directed in Executive Session.

Vote: 6 - 1 Carried

OPPOSED: Councilmember Tim Bohen

PLEDGE OF ALLEGIANCE

Mayor Winfield led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Town Clerk Mike Standish announced the upcoming Town meetings.

MAYOR AND COUNCIL REPORTS ON CURRENT EVENTS

Councilmember Joyce Jones-Ivey recognized Tanish Doshi, a Sophomore at Basis Oro Valley High School, for his academic excellence and community support.

Councilmember Greene reported that the National Veterans of Foreign Wars (VFW), had authorized a VFW post to be located in Oro Valley.

Councilmember Jones-Ivey reported that Canyon Del Oro's Project Graduation was still in need of volunteers. She encouraged citizens to sign up at www.cdoprojectgraduation.com.

Councilmember Bohen reported that he had attended the *Celebrate Oro Valley* event held on April 8th. Councilmember Bohen thanked the Parks and Recreation staff who had volunteered to work the event.

Councilmember Bohen reported that the garage at Steam Pump Ranch had been completed and was thankful that the garage would provide shade for constituents and staff.

Mayor Winfield reported that he had attended a ribbon cutting for the State Route 77 Wildlife Gate and Fence project on April 19, 2023. Mayor Winfield thanked the Oro Valley Public Works Director and Town Engineer, Paul Keesler, for his role in completing the project.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Interim Town Manager, Chris Cornelison, reported that the concrete had been poured for the Community Center pathway, and that the town had received 50% designs for the elevator at the Community Center. Mr. Cornelison also reported that town staff would celebrate Earth Day on Friday, April 21, 2023, with the removal of invasive species at Vistoso Trails Nature Preserve.

ORDER OF BUSINESS

Mayor Winfield reorganized the agenda by moving Regular Agenda item #6 to the second item, with Regular Agenda item #2 to follow. The remaining agenda items would remain as posted.

INFORMATIONAL ITEMS

There were no Informational Items.

CALL TO AUDIENCE

Oro Valley resident Dr. Diane Stephenson voiced her concerns regarding safety issues along Naranja Drive.

Curt Riesberg voiced his concerns regarding the street lights along Rancho Vistoso Boulevard.

Oro Valley resident Elizabeth Lance voiced her concerns regarding safety issues along Naranja Drive.

Oro Valley resident Joe Pickens voiced his concerns regarding safety issues along Naranja Drive.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

Councilmember Bohen requested that Consent item (A) be removed from the Consent Agenda for discussion.

Councilmember Bohen and Councilmember Solomon requested that Consent item (D) be removed from the Consent Agenda for discussion.

- B. Resolution No. (R)23-14, delegating authority to the Oro Valley Chief of Police to sign and enter a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund overtime and mileage under the Operation Stonegarden program
- C. Resolution No. (R)23-15, delegating authority to the Oro Valley Chief of Police to sign and enter a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund equipment under the Operation Stonegarden program

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to approve Consent Items (B) and (C).

Vote: 7 - 0 Carried

A. Minutes - March 29, March 30 and April 5, 2023

Councilmember Bohen stated that he was able to get his question answered by staff prior to the meeting.

Motion by Councilmember Tim Bohen, **seconded by** Mayor Joseph C. Winfield to approve Consent item (A).

Vote: 7 - 0 Carried

D. Resolution No. (R)23-09, adopting proposed amendments to the Parliamentary Rules & Procedures and Code of Conduct

Councilmember Solomon requested clarification on page 14, paragraph three of the Parliamentary Rules and Procedures.

Discussion ensued amongst Council and staff.

Mayor Winfield suggested that the language in question on page 14 be changed to: If a member denies having said anything improper, the words recorded can be read to the member and, if necessary, the assembly can decide by vote whether the member was heard to say it.

Discussion continued amongst Council and staff.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Tim Bohen to approve Consent item D.

Vice Mayor Barrett requested an amendment to the main motion to include the following language: If a member denies having said anything improper, the words recorded can be read to the member and, if necessary, the assembly can decide by vote whether the member was heard to say it.

Mayor Winfield accepted the amendment to the main motion, seconded by Councilmember Bohen.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Tim Bohen FINAL MOTION AS AMENDED: to approve Consent item D, and amending the language on page 14, paragraph three of the Parliamentary Rules and Procedures, to read: If a member denies having said anything improper, the words recorded can be read to the member and, if necessary, the assembly can decide by vote whether the member was heard to say it.

Vote: 7 - 0 Carried

REGULAR AGENDA

6. RESOLUTION NO. (R)23-17, DISCUSSION AND POSSIBLE ACTION TO APPOINT JEFF WILKINS AS THE ORO VALLEY TOWN MANAGER AND TO APPROVE AN EMPLOYMENT AGREEMENT, EFFECTIVE APRIL 19, 2023

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Tim Bohen to appoint Jeff Wilkins as the Oro Valley Town Manager and to approve an Employment Agreement, Effective April 19, 2023.

Discussion ensued amongst Council and staff regarding item #6.

Vice Mayor Barrett requested an amendment to include the approval of Resolution No. (R)23-17 in the main motion.

Councilmember Solomon accepted the amendment, seconded by Councilmember Nicolson.

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Tim Bohen FINAL MOTION AS AMENDED: To approve Resolution No. (R)23-17, appointing Jeff Wilkins as the Oro Valley Town Manager and to approve an Employment Agreement, Effective April 19, 2023.

Vote: 7 - 0 Carried

2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT TO A CONDITIONAL USE PERMIT FOR CALIBER COLLISION, LOCATED WITHIN THE MERCADO DEL RIO COMMERCIAL CENTER NORTH OF PUSCH VIEW LANE, APPROXIMATELY 1/4-MILE WEST OF ORACLE ROAD

Principal Planner Michael Spaeth presented item #2 and included the following:

- Purpose
- Location Map
- Applicant's Request
- Background and History
- Conditional Use Permit
- Planning and Zoning Commission
- Summary and Recommendation

Bret Flory of Cross Architects, and representing the applicant, provided a brief overview of the proposed project and included the following:

- Section 22.5 CUP Review Criteria

Mayor Winfield opened the public hearing.

The following individual spoke regarding item #2.

Oro Valley resident Paul Loomis

Mayor Winfield closed the public hearing.

Caliber Regional Manager, Andrew Jones, was available for questions regarding item #2.

Discussion ensued amongst Council, staff, Mr. Flory and Mr. Jones regarding item #2.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Harry Greene to approve the proposed Conditional Use Permit amendment, subject to the conditions in Attachment 1, based on a finding that the request is in conformance with the General Plan and all applicable Zoning Code requirements.

Attachment 1 - Conditions of Approval

1. All vehicles awaiting repair must be stored within the screened-in storage yard as depicted in the associated CUP site plan.
2. Any required building permits shall be obtained no later than 30 days following approval of the CUP. If not completed, reconsideration of the CUP will be required.
3. All construction for the revised site design shall be completed no later than 6 months from building permit approval. If not completed, reconsideration of the CUP will be required.
4. Enhanced landscaping shall be provided as shown on the approved Landscape Plan (2202770), specifically along the north buffer-yard to fill existing gaps and provide a continuous tree canopy.
5. All auto body repair and spraying related activities must be limited to inside the designated spraying booths or internal building areas [carry over from prior CUP approval (OV8-07-04)]

Mayor Winfield requested an amendment to include that best efforts are made to approach the nearby property owner about having a shared wall.

Vice Mayor Barrett accepted the amendment, seconded by Councilmember Greene.

Discussion continued amongst Council and staff regarding item #2.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Harry Greene **FINAL MOTION AS AMENDED:** To approve the proposed Conditional Use Permit amendment, subject to the conditions in Attachment 1, based on a finding that the request is in conformance with the General Plan and all applicable Zoning Code requirements and subject to the condition that best efforts are made to approach the nearby property owner about having a shared wall.

Attachment 1 - Conditions of Approval

1. All vehicles awaiting repair must be stored within the screened-in storage yard as depicted in the associated CUP site plan.
2. Any required building permits shall be obtained no later than 30 days following approval of the CUP. If not completed, reconsideration of the CUP will be required.
3. All construction for the revised site design shall be completed no later than 6 months from building permit approval. If not completed, reconsideration of the CUP will be required.
4. Enhanced landscaping shall be provided as shown on the approved Landscape Plan (2202770), specifically along the north buffer-yard to fill existing gaps and provide a continuous tree canopy.
5. All auto body repair and spraying related activities must be limited to inside the designated spraying booths or internal building areas [carry over from prior CUP approval (OV8-07-04)]

Vote: 7 - 0 Carried

3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING THREE ITEMS RELATED TO A PROPOSED SELF AND RV STORAGE IN THE MERCADO DEL RIO COMMERCIAL CENTER, LOCATED NORTH OF PUSCH VIEW LANE, APPROXIMATELY 1/4-MILE WEST OF ORACLE ROAD. THE ITEMS INCLUDE:

ITEM A: CONDITIONAL USE PERMIT FOR SELF-STORAGE
 ITEM B: DEVELOPMENT AND LANDSCAPE PLAN FOR SELF AND RV STORAGE
 ITEM C: ARCHITECTURE

Oro Valley Principal Planner Michael Spaeth presented item #3 and included the following:

- Purpose
- Location Map
- Applicant's Proposal
- Background and History
- Conditional Use Permit
- Item A: Conditional Use Permit
- Item B: Development/Landscape Plans
- Item C: Architecture

- Planning and Zoning Commission action
- Summary and Recommendation

Mr. Paul Oland of Paradigm Land Design, and Daniel Hinojosa of Johnson Development Associates, Inc., provided a brief overview of the team and the proposed project, and included the following:

- JDA: Part of the Johnson Group
- Operating Facilities: Self-Storage
- JDA Projects - Class A, Climate-Controlled, Self-Storage

Mr. Oland continued the presentation.

Mr. Dale Couture, with Ware Malcomb, provided 3D models for the proposed design.

Mr. Oland continued the presentation and included the following:

- Approval Criteria

Mayor Winfield opened the public hearing.

The following individual spoke in opposition to item #3.

Oro Valley resident Paul Loomis

The following individual spoke in support of item #3.

Oro Valley resident Paula Donley

Mayor Winfield closed the public hearing.

Discussion ensued amongst Council, staff, Mr. Oland and Mr. Hinojosa regarding item #3.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Mayor Joseph C. Winfield to deny the Conditional Use Permit for the proposed self-storage use, based on finding that it is incompatible with surrounding properties and that it is not consistent with the goals and policies of the General Plan.

Discussion continued amongst Council, staff and Mr. Oland regarding item #3.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Mayor Joseph C. Winfield to deny the Conditional Use Permit for the proposed self-storage use, based on finding that it is incompatible with surrounding properties and that it is not consistent with the goals and policies of the General Plan.

Vote: 5 - 2 Carried

OPPOSED: Councilmember Harry Greene
Councilmember Steve Solomon

Mayor Winfield recessed the meeting at 8:22 p.m.

Mayor Winfield reconvened the meeting at 8:33 p.m.

4. RESOLUTION NO. (R)23-16, DISCUSSION AND POSSIBLE ACTION TO ADOPT THE FY 23/24 - FY 24/25 STRATEGIC PLAN

Chief Information Officer, Chuck Boyer, provided a brief overview of item #4.

Discussion ensued amongst Council and staff regarding item #4.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No. (R)23-16, adopting and approving the FY 2023/24 - FY 2024/25 Town Council Strategic Plan, including the edit received from Council regarding 4.3.3, for town owned public art.

Vote: 6 - 1 Carried

OPPOSED: Councilmember Tim Bohen

5. DISCUSSION AND POSSIBLE ACTION REGARDING THE POTENTIAL EXPANSION OF THE TOWN'S SCHOOL RESOURCE OFFICER PROGRAM

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene that Oro Valley adopt the following policy: Every school in Oro Valley with an enrollment of 200 or more students, shall have a School Resource Officer or other alternate security approved by the Oro Valley Police Chief. Oro Valley shall request a 50% reimbursement from each school for the cost of the Oro Valley provided School Resource Officers.

Discussion ensued amongst Council and staff regarding item #5.

Oro Valley Police Chief provided a brief presentation and included the following:

- Mission of the Agency
- Mission of the School Resource Officer Unit
- Response Times
- Regional Response
- Total Cost of a School Resource Officer

Discussion continued amongst Council and staff regarding item #5.

Motion by Councilmember Steve Solomon, **seconded by** Mayor Joseph C. Winfield to continue the item to the May 3, 2023 Regular Council meeting.

Vote: 7 - 0 Carried

FUTURE AGENDA ITEMS

Councilmember Bohen requested an upcoming study session agenda item to explore the greatly increasing costs of asphalt and other road materials in the local market. No second was received.

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to adjourn the meeting at 9:16 p.m.

Vote: 7 - 0 Carried

Michelle Stine, MMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 19th day of April 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk