

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR AND STUDY SESSION
NOVEMBER 1, 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 5:01 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 (Attended via Zoom)
Steve Solomon, Councilmember

EXECUTIVE SESSION

1. Pursuant to A.R.S. §38-431.03 (A)(2) - for discussion and consideration of records exempt from public inspection, the records to be discussed are the minutes from the following executive sessions: May 19, 2021, October 5, 2022; and July 19, 2023

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:05 p.m., pursuant to A.R.S. §38-431.03 (A)(2) - for discussion and consideration of records exempt from public inspection, the records to be discussed are the minutes from the following executive sessions: May 19, 2021, October 5, 2022; and July 19, 2023

Discussion ensued among Council and staff regarding the Executive Session item.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:05 p.m., pursuant to A.R.S. §38-431.03 (A)(2) - for discussion and consideration of records exempt from public inspection, the records to be discussed are the minutes from the following executive sessions: May 19, 2021, October 5, 2022; and July 19, 2023.

Vote: 7 - 0 Carried

Mayor Winfield announced that the following staff would be joining Council in Executive Session: Town Manager Jeff Wilkins, Deputy Town Manager Chris Cornelison, Town Attorney Nathan Rothschild, Legal Services Director Tobin Sidles, and Town Clerk Mike Standish

Councilmember Nicolson joined the meeting in person.

RESUME REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield resumed the Regular Session at 6:12 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

Vote: 7 - 0 Carried

1. PURSUANT TO DISCUSSION AND CONSIDERATION OF RECORDS EXEMPT FROM PUBLIC INSPECTION IN EXECUTIVE SESSION, DIRECTION TO TOWN ATTORNEY AND ANY POSSIBLE ACTION

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene based on discussion from July 19, 2023, item #2, Executive Session discussion, and to approve the following statement to be read by the Town Attorney: Due to public statements which have been made which have caused confusion about the proposal for a public private partnership between the Town and the Developer of the Oro Valley Marketplace, the Council would like to share the following items from the July 19, 2023, item 2 Council session, that discussed this issue.

The Town granted zoning entitlements for 532 apartment units and hotels. Recreational open space for the apartments was partially to be satisfied by a central common area. The total cost of the project was estimated at least \$9.5 million. The developer wanted their contribution capped at \$3 million. The Town would also be responsible for taking over and maintaining an acre of grass, and some infrastructure. The Town Council did not believe the common area improvements justified the cost to the Town, and declined to enter into this agreement.

Vote: 7 - 0 Carried

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 Jones-Ivey recognized Brady Allen, a homeschooled ninth grader, for his academic excellence and community involvement.

Councilmember Jones-Ivey encouraged citizens to attend and/or volunteer for the Oro Valley Cup, a fundraiser presented by Project Graduation to help raise funds for Project Graduation.

Vice-Mayor Barrett reported that she and other Council members had attended the Oro Valley State of the Town. Vice-Mayor Barrett congratulated Mayor Winfield for delivering an excellent speech at the event.

Vice-Mayor Barrett reported that she had attended the *Safe Treats*, National Night Out event hosted by the Oro Valley Police Department.

Vice-Mayor Barrett also thanked the community and the Oro Valley Police Department for a safe and successful trick-or-treating night.

Councilmember Greene expressed gratefulness for the nearly completed section of the new multi-use path on La Cañada Drive.

Councilmember Solomon provided a brief summary of the Rockin' 4 Heroes event held in Oro Valley, and expressed enthusiasm for this event to continue.

Mayor Winfield recognized Officer Michael Kleinberg for his leadership with the planning of the *Safe Treats*, National Night Out event, hosted by the Oro Valley Police Department. Mayor Winfield also recognized other volunteers for their assistance with this event.

Mayor Winfield reported that he had attended the Oro Valley HalloVeen Spooktacular event held on October 28, and the Dispose-A-Med event on October 29, where Officer Michael Kleinberg was also in attendance. Mayor Winfield recognized Dylan Hiatt for leading the Oro Valley HalloVeen Spooktacular event.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins reported the following items:

- The State of the Town video and transcript will be available via the Town's website in the next couple of weeks.
- The Town will host the following upcoming events; *Friday Night Concert* series held on November 3, *Movies on the Lawn* on November 4, 2023, and the Steam Pump Ranch *Second Saturday Bike Swap* event on November 11, 2023
- Welcomed the following new Oro Valley businesses; Arizona Design and Construction, Aspirational Wealth Management, Beck Legacy Group, Body Fit Training, Harbor Freight Tools, Haslett & Associates Insurance Inc., and Golder Ranch Fire District who moved their Administration Offices into Oro Valley.

ORDER OF BUSINESS

Mayor Winfield reorganized the agenda by moving Presentation item #2, to the first Presentation item. The remaining items would remain as posted.

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Tim Fagan voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Tim Tarris spoke regarding the Town of Marana's Sports and Aquatic Complex.

Oro Valley resident Anthony Ferrara voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Bonnie Quinn recognized the town for their participation with the Rockin' 4 Heroes event.

PRESENTATIONS

1. Presentation of the 26th Annual Oro Valley Community Academy Graduates

Planner Alexandra Chavez presented item #1 and introduced the following 2023 Oro Valley Community Academy Graduates in attendance.

Richard Bachmeier
Michael Burns
Tony D'Angelo
Pamela Davis
Lori Friedt
Jay Hillmer
Linda Hillmer
Patricia Jaeger
Tom Karrenberg
Bob Kellar
Beth Lenholt
Gayle Lopez
Matthew Miller
Pati Olson
Franklin Roth
Patrick Silva
Ann Silva
Jim Skalicky
Marla Smith
James Stacy
Bill Van Dam
Sandra Wilson
Phil Zielinski

2. Progress report on the Community's new 10-year action plan, known as OV's Path Forward

Principal Planner Milini Simms presented the Community's new 10-year action plan, known as OV's Path Forward and included the following:

- Launching OV's Path Forward
- Everyone's voice is needed!
- www.OVPathForward.com
- Routine updates to Town Council about the community's work
- Feedback Heard So Far
- Participate today

Discussion ensued amongst Council and staff regarding the new 10-year action plan, known as OV's Path Forward.

CONSENT AGENDA

- A. Town Council Minutes - October 18, 2023, and General Plan Community Engagement Advisory Group Minutes - September 28 and October 16, 2023
- B. Resolution No. (R)23-39, authorizing and approving a grant contract between the Town of Oro Valley and the Governor's Office of Highway Safety (GOHS) for funding materials and supplies (Foxfury 360 Lights) to enhance accident investigation throughout the Town of Oro Valley; and directing the town manager, town clerk, town legal services director or their duly authorized officers and agents to take all steps necessary to carry out the purposes and intent of this resolution
- C. Resolution No. (R)23-40, authorizing and approving a grant contract between the Town of Oro Valley and the Governor's Office of Highway Safety (GOHS) for funding personnel services (overtime), employee related expenses and materials and supplies (exam gloves, phlebotomy supply kits, blood alcohol kits) to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley; and directing the town manager, town clerk, town legal services director, or their duly authorized officers and agents to take all steps necessary to carry out the purposes and intent of this resolution
- D. Resolution No. (R)23-41, authorizing and approving a grant contract between the Town of Oro Valley and the Governor's Office of Highway Safety (GOHS) for funding to support personnel services (overtime), employee related expenses, and materials and supplies (radar devices) to enhance the Special Traffic Enforcement Program (STEP); and directing the town manager, town clerk, town legal services director, or their duly authorized officers and agents to take all steps necessary to carry out the purposes and intent of this resolution
- E. Resolution No. (R)23-43, authorizing and approving an Intergovernmental Agreement (IGA) between the Town of Oro Valley and the Arizona Department of Transportation (ADOT) for the design and construction of traffic signal modifications to the existing traffic signals at the intersections of Tangerine Road at 1st Avenue and at La Canada Drive

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Consent items (A) to (E).

Vote: 7 - 0 Carried

REGULAR AGENDA

2. RESOLUTION NO. (R)23-42, DISCUSSION AND POSSIBLE ACTION REGARDING TOWN OF ORO VALLEY SPONSORSHIP POLICIES FOR COMMUNITY EVENTS AND TOURISM EVENTS AND DELEGATIONS OF AUTHORITY THAT ALLOW THE TOWN MANAGER TO SIGN SPONSORSHIP AGREEMENTS

Community and Economic Development Director Paul Melcher provided a brief overview of item #2.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No. (R)23-42, approving the Community Event and Tourism Sponsorship Policies and delegate authority to the Town Manager to sign sponsorship agreements.

Discussion ensued amongst Council and staff regarding item #2.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No. (R)23-42, approving the Community Event and Tourism Sponsorship Policies and delegate authority to the Town Manager to sign sponsorship agreements.

Vote: 7 - 0 Carried

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT OF THE REGULAR SESSION

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to adjourn the Regular Session at 7:07 p.m.

Vote: 7 - 0 Carried

STUDY SESSION

CALL TO ORDER

Mayor Winfield called the Study Session to order at 7:08 p.m.

STUDY SESSION AGENDA

1. PRESENTATION AND DISCUSSION REGARDING A PROPOSED ZONING CODE AMENDMENT TO ALLOW MOBILE FOOD UNIT COURTS AS A CONDITIONAL USE WITHIN C-N, C-1, AND C-2 COMMERCIAL ZONES AND DEVELOP ASSOCIATED STANDARDS

Planning Manager Bayer Vella presented Study Session item #1 and included the following:

- Purpose
- What are Mobile Food Units and Mobile Food Unit Courts?
- Existing Code
- Research
- Goals
- Proposed Mobile Food Unit Court Code Elements

- Common Court Design vs. Proposed High Standards
- Possible Mobile Food Unit Court Locations
- General Plan Compliance
- Discussion

Discussion ensued amongst Council and staff regarding Study Session item #1.

Council provided support and guidance for staff regarding Study Session item #1.

Mayor Winfield recessed the meeting at 7:52 p.m.

Mayor Winfield reconvened the meeting at 8:04 p.m.

2. PRESENTATION AND DISCUSSION REGARDING A POTENTIAL ZONING CODE AMENDMENT TO AMEND PROVISIONS REGARDING THE KEEPING OF ANIMALS FOR FOOD PRODUCTION AND ANIMAL HUSBANDRY PURPOSES ON RESIDENTIALLY ZONED PROPERTIES

Planning Manager Bayer Vella presented Study Session item #2 and included the following:

- Purpose
- Research
- Zoning Code Amendment Development
- Key Topic #1: Expand Allowances for Small Agriculture Animals
- Key Topic #1: Key Topic #1: Expand Allowances for Small Animals
- Key Topic #2: Identify Appropriate Property Size
- Key Topic #2: Identify Appropriate Property Size
- Key Topic #3: Establish New Limits for Number of Animals
- Key Topic #4: Establish Restrictive Property Standards
- Key Topic #5: Identify Additional Stipulations
- Discussion & Feedback

Discussion ensued among Council and staff regarding Study Session item #2.

The following individuals spoke in support regarding Study Session item #2.

Oro Valley residents Savanna and Ben Randall

Discussion continued amongst Council and staff regarding Study Session item #2.

Council provided the following guidance to staff:

- Regarding Key Topic #2, a minimum lot size as 20,000 Sq. Feet when identifying the appropriate property size.
- Regarding Key Topic #3, provide even numbers when establishing new limits for number of animals.
- Regarding Key Topic #3, move pot-belly pigs and bees to a larger lot size.
- Regarding Key Topic #4, set-backs make sense as listed.

ADJOURNMENT

Mayor Winfield adjourned the Study Session at 9:16 p.m.

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 and study session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 1st day of November 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk