

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
FEBRUARY 7, 2024
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
Steve Solomon, Councilmember

EXECUTIVE SESSION

1. Pursuant to A.R.S. §38-431.03 (A)(1) and (A)(3) Personnel matter – Chief of Police annual performance review

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:03 p.m., pursuant to A.R.S. §38-431.03 (A)(1) and (A)(3) Personnel matter – Chief of Police annual performance review

Vote: 7 - 0 Carried

Mayor Winfield announced that the following staff would be joining Council in Executive Session: Chief of Police Kara Riley, Town Attorney Nathan Rothschild, and Town Clerk Mike Standish.

RESUME REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield resumed the regular session at 6:01 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
Steve Solomon, Councilmember

1. APPROVAL OF ANY DIRECTION TO THE TOWN ATTORNEY AND/OR NECESSARY STAFF AS DISCUSSED IN EXECUTIVE SESSION PERTAINING TO THE ANNUAL PERFORMANCE REVIEW OF THE CHIEF OF POLICE

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Harry Greene to proceed as directed.

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 and the Oro Valley Path Forward Community Events.

MAYOR AND COUNCIL REPORTS ON CURRENT EVENTS

Councilmember Jones-Ivey recognized Ema Aros, a Senior at Ironwood Ridge High School, for her academic excellence and community involvement.

Vice Mayor Barrett reported that she, Mayor Winfield, and some Oro Valley staff and Water Utility Commission members, had attended the Growing Water Smart Conference in Scottsdale, Arizona, where they learned about the future of water in Arizona and potential actions that could be taken to address water challenges in Arizona.

Councilmember Greene reported the following: Construction on the entrance to the Oro Valley Community Center had begun. Councilmember Greene also reported that he and Mayor Winfield had attended an event where retired Oro Valley Police Commander Chris Olsen was sworn-in as the University of Arizona Police Chief. Councilmember Greene also reported on the passing of James. E. Dalen, MD, MPH.

Councilmember Jones-Ivey encouraged citizens to attend the Senior Resource Fair Day, held on Saturday, April 20th at Steam Pump Ranch. Councilmember Jones-Ivey also encouraged citizens to attend the Project Graduation, *2024 Let's Misbehave, Murder at the Speakeasy Fundraiser* event, held on Friday, August 30, 2024.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins reported on the following:

- An open house for the Naranja Drive Multi-Use Path will be held on February 13, 2024.
- Oro Valley 50th Anniversary updates.
- Oro Valley Aesthetics & Wellness moved to a new location on Oracle Road.

ORDER OF BUSINESS

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene to move that Executive Session item #2, and Regular session item #4, be moved from the end of the meeting to after Regular agenda item #2, regarding the Pusch Ridge golf course.

Discussion ensued amongst Council and staff.

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene to move that Executive Session item #2, and Regular session item #4, be moved from the end of the meeting to after Regular agenda item #2, regarding the Pusch Ridge golf course.

Vote: 3 - 4 Failed

OPPOSED: Mayor Joseph C. Winfield
Vice-Mayor Melanie Barrett
Councilmember Tim Bohen
Councilmember Josh Nicolson

Mayor Winfield reviewed the order of business and stated the order would stand as posted.

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Tim Tarris spoke regarding his flight around the world to celebrate the 100th Anniversary of the Army Air Service.

Oro Valley resident John Cronin spoke regarding his experience with the Oro Valley Community Academy.

Vice Mayor Barrett requested that Water Utility Director Peter Abraham, follow up with Mr. Cronin regarding his comments during Call to Audience.

PRESENTATIONS

1. Presentation and update from Children's Museum Executive Director Hilary Van Alsborg

Ms. Hilary Van Alsburg provided an update regarding the Children's Museum Oro Valley at Tohono Chul.

Discussion ensued amongst Council and staff regarding presentation item #1.

2. Presentation regarding the Town's progress implementing the Your Voice, Our Future General Plan

Principal Planner Milini Simms presented item #2 and included the following:

- Your Voice, Our Future (YVOF)
- Importance
- 2023 YVOF Progress Report
- Notable accomplishments and ongoing work
- Remaining actions
- Relationship to OV's Path Forward
- Summary and Next Steps

CONSENT AGENDA

- A. Minutes - January 10, 2024
- B. Resolution No. (R)24-04, approval of a utility easement for the sole purpose of providing additional power to expanded Verizon telecommunications site at 551 W. Lambert Lane

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

Vote: 7 - 0 Carried

REGULAR AGENDA

2. PRESENTATION, DISCUSSION AND POSSIBLE ACTION REGARDING THE FEASIBILITY AND CAPITAL IMPROVEMENTS FOR OPERATING THE PUSCH RIDGE GOLF COURSE

Management Analyst Karl Shaddock presented item #2 and included the following:

- Pusch Ridge Operational Analysis
- Purpose
- Process
- Revenue and Expenses, Projected Through FY 2024
- Capital Improvement and Major Repairs
- Water Use
- Configuration
- Third-Party Lease
- Discussion

The following individuals spoke in support of item #2.

Oro Valley resident Paul Sedon
Oro Valley resident Tony D'Angelo

Oro Valley resident Dave Brown
Jeannee Yermakoff
Oro Valley resident Dan Talsma
Oro Valley resident Stan New
Oro Valley resident Guy Cook
Oro Valley resident Scott Avery
Oro Valley resident Jerry Ward
Oro Valley resident Scott Hunt
Oro Valley resident John Cronin
Oro Valley resident James Schilling
Phil Burdick
Oro Valley resident Vickie Lehr
Oro Valley resident Jack Holmes
Oro Valley resident Niranjana Vescio

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to continue operating the Pusch Ridge Golf Course as a golf facility.

Discussion ensued amongst Council and staff regarding item #2.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to continue operating the Pusch Ridge Golf Course as a golf facility.

Vote: 4 - 3 Carried

OPPOSED: Vice-Mayor Melanie Barrett
Councilmember Tim Bohan
Councilmember Josh Nicolson

Mayor Winfield recessed the meeting at 8:38 p.m.

Mayor Winfield reconvened the meeting at 8:52 p.m.

3. PRESENTATION AND DISCUSSION ON VALLEY VISTA SUBDIVISION SUBSIDENCE

Town Engineer and Public Works Director Paul Keesler, along with Fred Nacaroti of Ninyo & Moore Geotechnical and Environmental Sciences Consultants, presented item #3 and included the following:

- Issue History
- Original Geotechnical Evaluation
- Post-Construction Geotechnical Evaluation
- Issue Resolution

Oro Valley resident Joe Daily spoke regarding item #3.

Discussion ensued amongst Council and staff regarding the Valley Vista Subdivision Subsidence.

FUTURE AGENDA ITEMS

Councilmember Nicolson requested a future agenda item, to discuss a water harvesting plan, seconded by Vice Mayor Barrett.

Councilmember Nicolson requested a future agenda item, to discuss a plan to purchase water rights, seconded by Vice Mayor Barrett.

EXECUTIVE SESSION

2. Pursuant to A.R.S. 38-431.03 (A)(1) for discussion and possible discipline regarding Councilmember Bohen's behavior towards residents, staff and council members, including those that occurred on 1/10/19, 6/1/22, 12/18/23, and 12/19/23

Councilmember Bohen left the meeting at 10:08 p.m.

Discussion ensued amongst Council and staff regarding the focal point of the discussion.

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene to remain in public session for discussion and possible discipline regarding Councilmember Bohen's behavior towards residents, staff and council members, including those that occurred on 1/10/19, 6/1/22, 12/18/23, and 12/19/23.

Discussion ensued amongst Council and staff regarding the motion.

Mayor Winfield recessed the meeting at 10:11 p.m.

Mayor Winfield reconvened the meeting at 10:16 p.m.

Vice Mayor Barrett requested to amend the main motion, to move to go into Executive Session, seconded by Mayor Winfield.

Discussion continued regarding the Executive Session item.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Mayor Joseph C. Winfield **FINAL MOTION AS AMENDED**, to go into Executive Session at 10:19 p.m., Pursuant to A.R.S. 38-431.03 (A)(1) for discussion and possible discipline regarding Councilmember Bohen's behavior towards residents, staff and council members, including those that occurred on 1/10/19, 6/1/22, 12/18/23, and 12/19/23.

Vote: 4 - 2 Carried

OPPOSED: Councilmember Harry Greene
Councilmember Steve Solomon

Mayor Winfield stated the following staff would go into Executive Session: Town Attorney Nathan Rothschild, Town Clerk Mike Standish, and if needed, Town Manager Jeff Wilkins and Human Resources Director Andy Votava.

RESUME REGULAR SESSION

CALL TO ORDER

Mayor Winfield resumed the Regular session at 11:40 p.m.

4. DISCUSSION, WAIVER OF EXECUTIVE SESSION PRIVILEGE, AND ANNOUNCEMENT OF DISCIPLINE FOR COUNCILMEMBER BOHEN, IF ANY, AND DIRECTION TO TOWN ATTORNEY, TOWN MANAGER AND NECESSARY STAFF TO CARRY OUT ANY DISCIPLINE

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene to censure Councilmember Bohen for his conduct at Pusch Ridge Golf Course on December 18, and December 19, 2023.

Vote: 6 - 0 Carried

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene to ratify the Town Manager's response to the December 18, and December 19, 2023, incidents regarding Councilmember Bohen.

Vote: 6 - 0 Carried

Motion by Councilmember Steve Solomon, **seconded by** Councilmember Harry Greene move that Councilmember Bohen shall participate telephonically, or via Zoom, for the next two council meetings on February 16, and February 21, 2024.

Vote: 6 - 0 Carried

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to adjourn the meeting at 11:43 p.m.

Vote: 6 - 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 7th day of February 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Mike Standish, CMC
Town Clerk