

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
DECEMBER 4, 2024
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield called the meeting to order at 6:01 p.m.

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember
Mary Murphy, Councilmember
Josh Nicolson, Councilmember
Elizabeth Robb, Councilmember

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

Mayor Winfield reported on the passing of the Town of Marana Mayor Ed Honea, on November 22, 2024. Mayor Winfield acknowledged Mayor Honea's many years of public service and requested a moment of silence in Mayor Honea's honor.

Mayor Winfield expressed appreciation to the Oro Valley Police Departments Fraternal Order of Police, Lodge 53, and to Walmart, for hosting the annual *Shop With A Cop* event. Mayor Winfield also thanked the sponsors for their participation with the event.

Mayor Winfield reported that the El Conquistador Hilton Resort had held their 24th Annual Tree Lighting event, along with their 10th Annual Gingerbread event. Mayor Winfield encouraged citizens to visit the the El Conquistador Hilton Resort to partake in the festivities.

Councilmember Jones-Ivey reported that she had attended the *2024 Fashion Fusion* event held at

Tohono Chul, on November 22, 2024.

Councilmember Jones-Ivey encouraged citizens to make participation with the Amphi Project Graduation event part of their New Year's Resolution.

Vice Mayor Barrett recognized the Oro Valley Police Department, the citizens, Oro Valley Town Staff, and the Oro Valley Council, for their role in Oro Valley receiving national recognition as the *Safest and Wealthiest Place to Retire*.

Vice Mayor Barrett also recognized the passing of the Town of Marana Mayor, Ed Honea.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins reported the following:

- The Town of Oro Valley 50th Anniversary Update
- Article highlighting Jose Rodriguez with the Town of Oro Valley, and the history of Oro Valley roads
- 50 Businesses for 50 Years update
- Update on new business openings in Oro Valley
- Update on the Oro Valley Tree Lighting Festival
- Update on upcoming Town events

ORDER OF BUSINESS

Mayor Winfield reorganized the agenda by moving Regular agenda item #6 to the first item of the Regular agenda.

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Kathleen German voiced her concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Anthony Ferrara reported that the Oro Valley FAST team would hold their Winter Light swim event at the Oro Valley Aquatic Center. Mr. Ferrara also voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

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

Oro Valley resident Tricia Tozier voiced her concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Denise Chick voiced her concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Mayor Winfield requested that the Town Attorney and Town Manager address the questions from Mr. Tarris and Ms. Tozier.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

- A. Minutes - November 20, 2024
- B. (Re)appointments and/or appointments to the Board of Adjustment (BOA), Budget and Finance Commission (BFC), Historic Preservation Commission (HPC), Parks and Recreation Advisory Board (PRAB), Planning and Zoning Commission (PZC), Storm Water Utility Commission (SWUC), and the Water Utility Commission (WUC)

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

Vote: 7 - 0 Carried

REGULAR AGENDA

- 1. RECONSIDERATION OF DISCUSSION AND POSSIBLE ACTION REGARDING IMPROVEMENTS TO VISTOSO TRAILS NATURE PRESERVE ORIGINALLY CONSIDERED ON NOVEMBER 6, 2024

The following individuals spoke in support of item #6.

Oro Valley resident Bill Sugars
Oro Valley resident Sue Maurer
Oro Valley resident Rosa Dailey
Oro Valley resident Chris Weatermeyer
Oro Valley resident Phil Zielinski
Oro Valley resident Matt Wood
Oro Valley resident David Smoler
Oro Valley resident Mark Napier
Oro Valley resident Terry Hart

Parks and Recreation Director Roslyn Epting presented item #1 and provided a brief background on the Vistoso Trails Nature Preserve project.

Mayor Winfield provided a statement regarding item #1, followed by a motion.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to continue to work with the Town's contracted consultant Kimley Horn. To hold in reserve \$1.5 million, of the budgeted \$2 million as a match for a Land and Water Conservation Fund Grant, and direct the Town Manager to work with Town staff and Kimley Horn as funds allow, to identify eligible recreation amenities for the entire Vistoso Trails Nature Preserve Project; and report back to Council about the proposed additional amenities which would be additional to the concept by Kimely Horn, adopted by Council on September 18, 2024, at sixty percent design, developed and in conjunction with that plan which was presented at the November 6, 2024 Council meeting, to be included in the grant application as submitted to Arizona State Parks; and allocate \$500,000.00 for a three pronged approach, which includes a cobble approach, a non-cobble approach, and a seed only approach. Then staff and Ms. Field will return to Council with what this would look like in terms of acres, after a discussion with a

contractor.

Discussion ensued amongst council and staff regarding item #1.

Motion by Councilmember Josh Nicolson, **seconded by** Councilmember Harry Greene **SUBSTITUTE MOTION** to direct the Town Manager to amend the contract with the towns consultant Kimley Horn by December 20, 2024, to now include a pond concept with associated costs, and to come back to Town Council for review and approval.

Discussion continued amongst Council and staff regarding item #1.

Mayor Winfield recessed the meeting at 7:44 p.m

Mayor Winfield reconvened the meeting at 7:57 p.m.

Motion by Councilmember Josh Nicolson, **seconded by** Councilmember Harry Greene **SUBSTITUTE MOTION AS AMENDED**, to direct the Town Manager to amend the contract with the towns consultant Kimley Horn by December 20, 2024, to now include a pond concept with associated cost, and to come back to Town Council for review and approval.

Vote: 6 - 1 Carried

OPPOSED: Mayor Joseph C. Winfield

2. NOMINATION AND ELECTION OF VICE MAYOR

Motion by Councilmember Josh Nicolson, **seconded by** Councilmember Elizabeth Robb to nominate Melanie Barrett for Vice Mayor

Vote: 7 - 0 Carried

3. DISCUSSION AND POSSIBLE ACTION REGARDING THE COMMUNITY'S DRAFT VISION AND GUIDING PRINCIPLES FOR THE NEXT 10-YEAR ACTION PLAN, KNOWN AS OV'S PATH FORWARD

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

- Phase 1: Let's Talk
- Resident Responses
- Resident Feedback Provides the Building Blocks for each Part of the Plan
- Wordsmith Challenge
- Initial Draft Vision Statement
- Refined Draft Vision Statement
- Draft Guiding Principles
- Community
- Parks, Recreation, Trails
- Public Safety
- Housing
- Growth and Development
- Roads and Mobility
- Economic Development and Workforce
- Economic Development and Businesses
- Town Finances and Services
- Climate and Sustainability

- Water
- Environment and Views
- Phase 2: Let's Think
- Resident Working Groups
- Tools for working group members
- Summary and Recommendation

Jan Gordley, President of the Gordley Group, summarized the project and provided information on the focus of the current process.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Mary Murphy to accept OV's Path Forward draft vision and guiding principles as true to Phase 1 resident participation for Working Groups to consider, as written in Attachment 1.

Discussion ensued amongst Council and staff regarding the Community's Draft Vision and Guiding Principles for the Next 10-Year Action Plan, know as OV's Path Forward.

Council provided comments and feedback regarding item #3.

Vice Mayor Barrett requested to amend the main motion to add; limit height to no more than three stories and protect views. Mayor Winfield accepted the amendment, seconded by Councilmember Murphy.

Discussion continued amongst Council and staff regarding item #3.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Mary Murphy **FINAL MOTION AS AMENDED** to accept OV's Path Forward draft vision and guiding principles as true to Phase 1 resident participation for Working Groups to consider, as written in Attachment 1, and to add limit height to no more than three stories and protect views.

Vote: 7 - 0 Carried

4. PUBLIC HEARING: ORDINANCE NO. (O)24-10, DISCUSSION AND POSSIBLE ACTION REGARDING TOWN CODE AMENDMENTS TO CHAPTER 1, GENERAL, AND CHAPTER 9, GARBAGE AND LITTER, IN ORDER TO UPDATE THE TOWN'S NOTICING PROCEDURES FOR CODE VIOLATIONS

Oro Valley's Legal Services Director Tobin Sidles provided a brief overview of item #4.

Discussion ensued amongst Council and staff regarding item #4.

Mayor Winfield opened the public hearing.

No comments were received.

Mayor Winfield closed the public hearing.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Elizabeth Robb to approve Ordinance No. (O)24-10, amending Town Code Chapter 1, General, and Chapter 9, Garbage and Litter, in order to update the Town's Noticing Procedures and allow citations for abatement of properties with litter and garbage to be handled by Town staff through the Town Court.

Vote: 7 - 0 Carried

5. PUBLIC HEARING: ORDINANCE NO. (O)24-11, DISCUSSION AND POSSIBLE ACTION REGARDING ZONING CODE AMENDMENTS TO CHAPTER 22 AND OTHER RELATED SECTIONS TO 1) REFLECT RECENT STATE LAW CHANGES REGARDING MUNICIPAL REVIEW TIMEFRAMES OF RESIDENTIAL REZONING APPLICATIONS, 2) LEGAL PROTEST AREAS AND 3) ESTABLISHING AN EXPIRATION PERIOD FOR ALL DEVELOPMENT REVIEW APPLICATIONS

Mayor Winfield opened the public hearing.

No comments were received

Mayor Winfield closed the public hearing.

Principal Planner Michael Spaeth presented item #5 and included the following:

- Purpose
- Timeframes for residential rezoning applications
- Legal Protest
- Expiration of Development Review applications
- Commission Recommendation and Summary

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Mary Murphy to approve Ordinance No. (O)24-11, the proposed code amendment, based on a finding it is in conformance with state law and all applicable zoning code requirements.

Discussion ensued amongst Council and staff regarding item #5.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Mary Murphy to approve Ordinance No. (O)24-11, the proposed code amendment, based on a finding it is in conformance with state law and all applicable zoning code requirements.

Vote: 7 - 0 Carried

6. PUBLIC HEARING: ORDINANCE NO.'S (O)24-12 AND (O)24-13, DISCUSSION AND POSSIBLE ACTION REGARDING TOWN CODE AMENDMENTS TO COMPLY WITH ARIZONA REVISED STATUTES, APPLICABLE TO ACCESSORY DWELLING UNITS BY 1) CHANGING ZONING CODE DEFINITIONS AND STANDARDS RELATED TO GUEST HOUSES, 2) UPDATING TOWN CODE CHAPTER 8 RELATED TO SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS

Mayor Winfield opened the public hearing.

No comments were received.

Mayor Winfield closed the public hearing.

Senior Planning Technician Patty Hayes presented item #6 and included the following:

- Purpose
- Process
- Accessory Dwelling Unity Definitions
- Zoning Code; Definitions
- Where can an ADU/Guest House be built?
- State and Oro Valley ADU Standards
- Town Council Study Session
- Subject B & C: Height and location of front yard ADU
- Subject D: Quantity of ADUs

- Subject E: Type of ADU
- Subject F: Rental of ADU
- Short-Term Rental of ADU
- Pima County Assessor
- Summary & Recommendation

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Ordinance numbers (O)24-12 and (O)24-13, amendments to the Town and Zoning Codes regarding regulation of Accessory Dwelling Units, based on the finding the request is consistent with Arizona Revised Statutes.

Discussion ensued amongst Council and staff regarding item #6.

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Ordinance numbers (O)24-12 and (O)24-13, amendments to the Town and Zoning Codes regarding regulation of Accessory Dwelling Units, based on the finding the request is consistent with Arizona Revised Statutes.

Vote: 7 - 0 Carried

FUTURE AGENDA ITEMS

Councilmember Robb requested a future agenda item, for a future meeting in January, to post Calle Buena Vista as a *No Parking Zone* between Calle Concordia and Linda Vista Boulevard, seconded by Vice Mayor Barrett.

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Mary Murphy to adjourn the meeting at 9:19 p.m.

Vote: 7 - 0 Carried

Michelle Stine, MMC, CPM
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, Arizona held on the 4th day of December 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk