

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
May 20, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:00 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

ABSENT:

Brendan Burns, Councilmember

EXECUTIVE SESSION - Pursuant to A.R.S. 38-431.03(A)(4) and ARS 38-431.03(D) for the purpose of discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public bodies regarding matters that are the subject of pending or contemplated litigation (Paula Mora v. Town of Oro Valley) or in settlement discussions conducted in order to avoid or resolve litigation

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to go into Executive Session at 5:01 p.m. pursuant to A.R.S 38-431.03(A-(4) and ARS 38-431.03(D) for the purpose of discussion or consultation with the attorneys regarding the public body in order to consider its position and instruct its attorneys regarding the public bodies regarding matters that are the subject of pending or contemplated litigation (Paula Mora v. Town of Oro Valley) or in settlement discussions conducted in order to avoid or resolve litigation

MOTION carried, 6-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorney Kelly Schwab, Legal Services Director Tobin Sidles and Deputy Town Clerk Mike Standish.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Communications Administrator Misti Nowak announced the upcoming Town meetings and events.

COUNCIL REPORTS and Spotlight on Youth

Councilmember Zinkin presented a video that was made for the National League of Cities and Towns.

Councilmember Snider reported that she along with Mayor Hiremath, Vice Mayor Waters and Councilmember Hornat attended the Steven M. Gooter Foundation's presentation of their donation of 12 Automatic External Defibrillators to the Town's Police Department.

Councilmember Snider recognized Andres Fernandez Pallares', a recent graduate of Canyon Del Oro High School, for his outstanding academic achievements, leadership and compassion.

Councilmember Zinkin reported that Canyon Del Oro High School won the Division II State Baseball title.

DEPARTMENT REPORTS

No reports were received.

ORDER OF BUSINESS

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

INFORMATIONAL ITEMS

1. Public Safety Providers Quarterly Reports (Jan. - Mar. 2015)

CALL TO AUDIENCE

Oro Valley resident Lyra Done spoke about the exciting things that had taken place at the newly acquired Town Community and Recreation Center.

Oro Valley resident Donald Bristow expressed his concerns over the mold report released regarding the Town's Community and Recreation Center.

Oro Valley resident Geri Ottoboni spoke about the proposed Pima County Bond election slated for November 3, 2015 and was concerned about the Town's view on the bond.

Oro Valley resident Beverly Mylan thanked the Oro Valley Police Department for their continued service.

Oro Valley resident Don Barnett was concerned with the lifeguard status at the Town's Community and Recreation Center.

Oro Valley resident Ryan Hartung was concerned about the temporary sign at Naranja Park and inquired about future plans for a more permanent sign.

Oro Valley resident Shirl Lamonna was concerned with the Town's economic development strategy and the increased focus of tourism to Oro Valley.

CONSENT AGENDA

Vice Mayor Waters requested that item (B) be removed from the Consent Agenda for discussion.

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

Councilmember Hornat requested that item (E) be removed from the Consent Agenda for discussion.

A. Minutes - April 29 and May 6, 2015

C. Greater Oro Valley Chamber of Commerce Quarterly Report: January 1, 2015 -

March 31, 2015

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to approve Consent Agenda items (A) and (C).

MOTION carried, 7-0.

B. Visit Tucson Quarterly Report: January 1, 2015 - March 31, 2015

Vice Mayor Waters gave an overview of the Town's investment in Visit Tucson and the potential benefits to Oro Valley associated with their tourism campaigns and marketing ideas.

President and CEO of Visit Tucson Brent DeRaad gave an overview of Visit Tucson's summer advertising campaigns.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the Visit Tucson Quarterly Report: January 1, 2015 - March 31, 2015.

MOTION carried, 7-0.

D. Approval of the 2015/16 Employee Healthcare Insurance Premium Rates and Health Savings Account Contributions

Councilmember Garner asked for clarification on the bid solicitation process.

Town Manager Greg Caton discussed the process used for selecting a health provider.

CBIZ Vice President of Client Services Oscar Diaz explained the long term strategies for becoming self insured.

Discussion ensued amongst Council, staff and Mr. Diaz regarding Employee Healthcare Insurance Premium Rates and Health Savings Account Contributions.

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Snider to approve the recommended premium rates and health savings contributions as presented.

MOTION carried, 7-0.

E. Resolution No. (R)15-35, approving the donation of scoreboards from the Oro Valley Fast Pitch Softball League to be installed on the two softball fields at Riverfront Park

Councilmember Hornat asked if the locations of the donated scoreboards would be consistent with the current Master Park Program.

Parks and Recreation Director Kristy Diaz-Trahan said that the locations of the donated scoreboards would be consistent with the current Master Park Program.

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Snider to approve the donation of scoreboards from the Oro Valley Fast Pitch Softball League to be installed on the two softball fields at Riverfront Park.

MOTION carried, 7-0.

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING THREE APPLICATIONS FOR A SERIES 10 (BEER & WINE STORE) LIQUOR LICENSE FOR GIANT STORE #617 LOCATED AT 8080 N. ORACLE ROAD, GIANT STORE #812 LOCATED AT 10505 N. ORACLE ROAD AND GIANT STORE #813 LOCATED AT 12885 N. ORACLE ROAD

Deputy Town Clerk Mike Standish gave an overview of item #1.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to recommend approval of the issuance of a Series 10 liquor license to Giant Store #614 located at 8080 N. Oracle Road, Giant Store #812 located at 10505 N. Oracle Road and Giant Store #813 located at 12885 N. Oracle Road.

MOTION carried, 7-0.

2. PRESENTATION OF FIVE-YEAR FINANCIAL FORECAST THROUGH FY 2019/20

Finance Director Stacey Lemos gave a presentation of the Five-Year Financial Forecast that included the following:

- Forecast Overview
- General Fund Revenues
- General Fund Expenditures
- General Fund - Highway Fund Revenues
- Highway Fund Expenditures
- Highway Fund
- Bed Tax Fund Revenues & Expenditures

- Bed Tax Fund

Discussion ensued amongst Council and staff regarding the Five-Year Financial Forecast through FY 2019/20.

3. PUBLIC HEARING: RESOLUTION NO. (R)15-36, ADOPTION OF THE TENTATIVE BUDGET FOR FY 2015/16 AND SETTING THE LOCAL ALTERNATIVE EXPENDITURE LIMITATION FOR FY 2015/16

Finance Director Stacey Lemos gave an overview of the Tentative Budget for FY 2015/16 that included the following:

- FY 15/16 Budget Timeline
- Strategic Plan Focus Areas
- Changes from April 15th Recommended Budget
- FY 14/15 to FY 15/16 Budget Comparison
- FY 15/16 Revenue Sources - \$119.7M
- FY 15/16 Expenditure Categories - 119.7M
- FY 15/16 General Fund Overview
- General Fund Authorized Use of Reserves
- Community Center and Golf Fund - IN TOTAL
- Community Center and Golf Fund - OPERATIONS
- FY 15/16 Capital Improvement Program (CIP)
- Final Notes and Next Steps

Mayor Hiremath opened the public hearing.

The following individual spoke on item #3

Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Resolution No. (R)15-36, adopting the Tentative Budget for fiscal year 2015/16 and setting the local alternative expenditure limitation for fiscal year 2015/16 at \$119,687,709.

Discussion ensued amongst Council and staff regarding the proposed budget for FY 2015/16 and setting the Local Alternative Expenditure Limitation for FY 2015/16.

MOTION carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

Mayor Hiremath recessed the meeting at 8:45 p.m.

Mayor Hiremath reconvened the meeting at 8:54 p.m.

4. **AMENDING SECTION 28.5.B.15 OF THE ORO VALLEY ZONING CODE TO ALLOW ILLUMINATED WINDOW SIGNS ON BUSINESS STORE FRONTS AND TO SECTION 28.6.B TO ALLOW THE USE OF BALLOONS FOR A GRAND OPENING OR CHANGE OF OWNERSHIP AND MINOR CHANGES THROUGHOUT SECTION 28 RELATED TO THE AMENDMENTS**
 - a. **RESOLUTION NO. (R)15-37, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 28.5.B.15, RELATING TO ILLUMINATED WINDOW SIGNS AND TO SECTION 28.6.B. RELATING TO BALLOONS AND MINOR CHANGES RELATED TO THE AMENDMENTS PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD**

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to adopt Resolution No. (R)15-37, declaring the proposed amendments to the Oro Valley Zoning Code Revised Section 28.5.B.15 and 28.6.B.7, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

MOTION carried, 7-0.

- b. **PUBLIC HEARING: ORDINANCE NO. (O)15-08, AMENDING SECTION 28.5.B.15 OF THE ORO VALLEY ZONING CODE TO ALLOW ILLUMINATED WINDOW SIGNS ON BUSINESS STORE FRONTS AND TO SECTION 28.6.B TO ALLOW THE USE OF BALLOONS FOR A GRAND OPENING OR CHANGE OF OWNERSHIP AND MINOR CHANGES THROUGHOUT SECTION 28 RELATED TO THE AMENDMENTS**

Senior Planning Technician Patty Hayes gave an overview of the proposed amendments to the Oro Valley Zoning Code regarding illuminated window signs and balloons that included the following:

- Proposal
- Illuminated Window Sign
- Balloons
- Balloon Height
- General Plan
- Conclusion

At the conclusion of the presentation Ms. Hayes requested the word "minimum" be replaced with "maximum" in the proposed ordinance section 28.6.B, letter (g).

Councilmember Garner requested that the wording in Exhibit "A", section (d), reflect the change from "shall be not" to "shall not be".

Discussion ensued amongst Council and staff regarding illuminated window signs.

Mayor Hiremath opened the public hearing.

The following individuals spoke in opposition to item #4b:

Oro Valley resident Don Bristow
Oro Valley resident Bill Adler

The following individual spoke in favor of item #4b:

President and CEO of the Greater Oro Valley Chamber of Commerce, and Oro Valley resident Dave Perry

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and staff regarding item #4b.

MOTION: A motion was made by Councilmember Garner and seconded by Vice Mayor Waters to approve the portion of the Sign Code that addressed balloons as written and presented in 28.6.B, with the following corrections:

Section 28.6.B, item 7, letter (g) the word "minimum" shall be replaced with the word "maximum".

Exhibit "A", item (i), letter (d) "shall be not" will be replaced with "shall not be".

MOTION carried, 7-0.

MOTION: A motion was made by Councilmember Zinkin and seconded by Vice Mayor Waters to change the Zoning Code pertaining to illuminated window signs to allow for one illuminated neon sign not to exceed six (6) square feet.

MOTION carried, 5-2 with Mayor Hiremath and Councilmember Burns opposed.

5. DISCUSSION AND POSSIBLE ACTION ON THE PLANNING DIVISION TWO YEAR WORK PLAN (FISCAL YEAR 15-16 AND FISCAL YEAR 16-17) INCLUDING LONG RANGE PLANS AND ZONING CODE AMENDMENTS

Senior Planner Chad Daines gave an overview of the Planning Work Plan that included the following:

- Purpose
- Why a Work Plan?
- Planning Work Task: January - December 2014
- General Plan: Action Item Completion Status

- Planning Work Plan FY 13-15 Report Card
- Your Voice / Our Future (General Plan Update)
- The District
- Arroyo Grande / Tangerine 550
- Zoning Code Amendments
- Planning Commission Process and Prioritization
- Recommendation

The following individual spoke in opposition to item #5.

Oro Valley resident Bill Adler

Discussion ensued amongst Council and staff regarding the Planning Division's two-year Work Plan.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to accept the Planning Division Two Year Work Plan (Fiscal Year 15-16 and Fiscal Year 16-17) as provided on Attachment 1.

Councilmember Burns requested an amendment to move Senior Care to number two (2), Annexation to number three (3) and The District to number four (4).

Councilmember's Zinkin and Garner accepted the amendment.

MOTION carried, 7-0.

6. DISCUSSION AND POSSIBLE DIRECTION REGARDING PERSONNEL POLICY 14 - OVERTIME

Discussion ensued amongst Council and staff regarding Personnel Policy 14 – Overtime.

The Town Council directed staff to gather input and develop an overtime policy and allow the Memorandum of Understanding (MOU) negotiations to begin this fall between the Town and the Police Department Union.

7. ~~*DISCUSSION AND POSSIBLE DIRECTION REGARDING ESTABLISHING A TASK FORCE FOR THE ENVIRONMENTALLY SENSITIVE LAND ORDINANCE (Removed from the agenda on 5/18/15 at 11:00 a.m.)~~

FUTURE AGENDA ITEMS

No future agenda items were requested.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to adjourn the meeting at 10:34 p.m.

MOTION carried, 7-0.

Prepared by:

Michelle Stine
Senior Office Specialist

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 20th day May, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2015.

Julie K. Bower, MMC
Town Clerk