

**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
March 16, 2011  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 5:00 PM**

**CALL TO ORDER**

The meeting was called to order at 5:00 PM

**ROLL CALL**

**PRESENT:** Satish Hiremath, Mayor  
Mary Snider, Vice Mayor  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Steve Solomon, Councilmember  
Lou Waters, Councilmember

**EXCUSED:** Barry Gillaspie, Councilmember

**EXECUTIVE SESSION AT OR AFTER 5:00 PM**

**MOTION:** A motion was made by Vice Mayor Snider and seconded by Councilmember Waters to go into Executive Session at 5:01 p.m. for the purpose of receiving legal advice regarding water rights pursuant to ARS 38-431.03 (A)(3).

**MOTION** carried, 6-0.

Mayor Hiremath stated that the following staff members would join Council in Executive Session: Town Attorney Tobin Rosen, Town Clerk Julie Bower, and Water Utility Director Philip Saletta.

**RESUME REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

**PRESENT:**

Satish Hiremath, Mayor  
Mary Snider, Vice Mayor  
Bill Garner, Councilmember  
Barry Gillaspie, Councilmember  
Joe Hornat, Councilmember  
Steve Solomon, Councilmember  
Lou Waters, Councilmember

**PLEDGE OF ALLEGIANCE**

Mayor Hiremath led the audience in the Pledge of Allegiance.

**UPCOMING MEETING ANNOUNCEMENTS**

Assistant Town Manager Greg Caton announced the upcoming Town meetings.

**COUNCIL REPORTS**

There were no Council reports.

**DEPARTMENT REPORTS**

Police Chief Danny Sharp reported that at approximately 2:43 p.m. today a vehicle ran off of the road and the driver was trapped in the vehicle. Officers responded and were able to pull the lady from the vehicle before it burst into flames.

Water Utility Director Philip Saletta said that recently, inserts have been included with the water bills and they encouraged users to update their contact information so that if there was a water emergency, the Water Utility could contact the owner.

**INFORMATIONAL ITEMS**

- A. On February 17, 2011, The Town Engineer received a letter of notification from the APWA that the Northern / Hardy Roundabout was selected for the Outstanding Small Project of the Year. We have been invited to the award banquet at the Historic Manning House on March 30, 2011 from 11:30 AM to 1:30 PM to receive the award. See the attached letter from the APWA.

Vice Mayor Snider congratulated Town Engineer Craig Civalier, the Town Engineering staff and the Development and Infrastructure Services Department for all of their great work on designing and creating the Northern/Hardy Roundabout.

- B. Staff Recognition Letters

## C. DIS Customer Feedback Forms

### **CALL TO AUDIENCE**

Oro Valley resident Mr. Gill Alexander requested a two-month extension from Golder Ranch Fire Department regarding the La Cholla annexation and it was granted. He said that the La Cholla Airpark residents were still upset with the letters that they received. Mr. Alexander urged the Council to send a more detailed letter to the La Cholla Airpark residents that explains the advantages to both the Town and the La Cholla Airpark residents regarding the annexation.

Mayor Hiremath said that the letter was never intended to be threatening and apologized to the residents who interpreted the letter in that way.

### **PRESENTATIONS**

- A. Presentation of a Plaque of Appreciation to Lyra Done for serving two terms on the Parks and Recreation Advisory Board, ending December 31, 2010

Mayor Hiremath presented a plaque of appreciation to Ms. Lyra Done for serving two terms on the Parks and Recreation Advisory Board.

- B. Presentation by Tucson Electric Power

Mr. Larry Lucero, Manager of Governmental Relations for Tucson Electric Power (TEP), gave a broad overview of the services provided by TEP.

Unisource Energy is the parent company to Tucson Electric Power (TEP) and UniSourceEnergy Services (UNS) and their corporate headquarters are located in Tucson, AZ.

TEP is UniSource Energy's largest subsidiary and comprises roughly:

- 80% of Operating Revenues
- 81% of Total Assets
- 400,000 Electric Customers

UniSource Energy Services was acquired a few years ago and they service approximately:

- 146,000 Gas Customers
- 90,000 Electric Customers

Mr. Lucero gave an overview of the utility service areas and the location of the transmission lines which span across the state of Arizona.

Tucson Electric Power has a diverse retail customer base. The largest retail customers include Freeport McMoRan (Copper Mining), Asarco (Copper Mining), University of Arizona (Education), Fort Huachuca, U.S. Army Intelligence Center (Military), Raytheon (Defense), IBM (Technology, Davis Monthan Air Force Base (Military), Arizona Portland Cement (Construction), and Liquid Air (Manufacturing).

TEP is fairly dependent on fossil fuel which is why they are mindful of federal policy with respect to greenhouse gases and clean coal technologies. TEP coal facilities are some of the most efficient, cleanest burning and most recently constructed coal plants in the country.

The Navajo, Four Corners, and the San Juan generating stations are not state of the art facilities and will have challenges meeting the new government standards.

About half of the energy used in Arizona is generated by coal which is why it is important to maintain a safe and affordable way of producing electricity by coal generating facilities.

There is a federal mandate to increase solar generation capacity to 15% by 2025.

TEP paid \$830,000 in Oro Valley sales taxes to the Arizona Department of Revenue (DOR) in 2010.

## **CONSENT AGENDA**

Councilmember Garner requested that item (C) be removed from the Consent Agenda so that it could be discussed and voted upon separately.

- A. Minutes - February 9, 2011 Joint Study Session with the Town of Marana
- B. Correction to Minutes of the January 19, 2011 Town Council Regular Session
- D. Fiscal Year 2010/11 Financial Update Through January 2011
- E. Resolution No. (R)11-16 Authorizing and Approving a Performance Based Incentive Renewable Energy Credit Purchase Agreement Between the Town Of Oro Valley and Tucson Electric Power Company
- F. Resolution No. (R)11-17 Authorizing and Approving a Photovoltaic Generating Facility Distribution System Interconnection Agreement Between the Town of Oro Valley and Tucson Electric Power Company

**MOTION:** A motion was made by Councilmember Garner and seconded by Vice Mayor Snider to approve the Consent Agenda with the exception of item (C).

**MOTION** carried, 7-0.

- C. Metropolitan Tucson Convention and Visitors Bureau Quarterly  
Report: October 1, 2010 - December 31, 2010

Councilmember Garner said that the articles were lacking information specific to Oro Valley. In order to market Oro Valley as a destination, there needs to be a focus on branding the Town.

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Gillaspie to approve item (C).

**MOTION** carried, 7-0.

## **REGULAR AGENDA**

### **1. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ANGEL STATUE AT JAMES D. KRIEGH PARK IN MEMORY OF CHRISTINA-TAYLOR GREEN**

Assistant Recreational Manager Robert Carmona gave an overview of the proposed angel statue at James D. Kriegh Park in memory of Christina-Taylor Green.

This angel is a replica of the 9/11 World Trade Center angel and will be provided by a foundation composed of families of lost loved ones by the 9/11 tragedy. The statue and installation will be of no cost to the town. The statue will stand nine (9) feet, eleven (11) inches tall. This is the seventh statue made out of the 9/11 steel. The angel will be placed west of the restroom and just outside of the fence of field one.

The Green family has requested that the statue be installed by the end of March and unveiled on Little League opening day ceremonies on Friday, April 1, 2011.

Ms. Leslie Shultz-Crist thanked Council for considering the placement of the angel at James Kriegh Park. The statue would be a source of great strength and hope for the community.

**MOTION:** A motion was made by Councilmember Waters and seconded by Councilmember Solomon to approve the proposed angel statue at James D. Kriegh Park in memory of Christina-Taylor Green.

**MOTION** carried, 7-0.

**2. DISCUSSION AND POSSIBLE ACTION REGARDING SHORT-TERM DELIVERY OPTIONS OF CENTRAL ARIZONA PROJECT WATER THROUGH THE TUCSON WATER SYSTEM**

Water Utility Director Philip Saletta gave an overview of the short-term delivery options of Central Arizona Project (CAP) water.

The Town's water supply portfolio consists of:

- Groundwater (Currently operating twenty-one wells)
- Reclaimed Water (Mainly used to irrigate golf courses)
- Central Arizona Project Water
  - Currently for long-term storage credits
  - Future short-term delivery options
  - Future long-term delivery options
- Water Conservation

Mr. Saletta discussed the Oro Valley Water Utility (OVWU) water use and supply graph.

The Town utilizes a growth rate of 1% to 3%. The use of reclaimed water has reduced the Town's groundwater demand significantly. The Town will need to look at options in the near future in order to further reduce groundwater demand and maintain the sustainable groundwater production level of 5,500 acre feet which will help preserve the aquifer for a long time.

Councilmember Garner inquired as to what the growth projections will be in 2024-25.

Water Utility Director Philip Saletta stated that the town uses a growth projection of 1% for the first five years, 2% for the next five years and then 3% for the final five years. Even if the growth rate comes in a little lower than projected, it will still be necessary to reduce groundwater production even at the current levels of use in order to ensure long term viability.

Councilmember Waters inquired as to the cost of an IGA with Tucson Water regarding wheeling and asked whether or not it would delay the projected cost of infrastructure improvements to bring in CAP water.

Mr. Saletta stated that if the town would enter into an IGA with Tucson Water, it would cost approximately \$500 per acre foot.

Mr. Saletta discussed the need for renewable water and stated that it is due to:

- Declining water levels in our wells
- Over pumping of our aquifer
- Meeting assured water supply requirements
- Need to reduce reliance on Central Arizona Groundwater Replenishment District (CAGRD)

CAP Delivery Short-term Options

- 1,000 AF, 1,500 AF, and 3,000 AF
- Cost per AF estimate
  - \$387 per acre foot for the 1,000 AF option
  - \$445 per acre foot for the 1,500 AF option
  - \$678 per acre foot for the 3,000 AF option
- Advantages
  - Reduces groundwater level declines
  - Moves us closer to sustainable groundwater production
  - Reduces CAGRD obligations
  - Defers major capital costs for long-term options
  - No significant increases over projected rate increases
- Disadvantages
  - Reduces ending fund cash balances
  - Some sunk costs for short-term project

Mr. Saletta discussed the timeline for the short-term/interim CAP water delivery if one of the options is approved by the Council.

He requested Council direction and stated that the Water Utility Commission has reviewed and recommended approval of moving forward with discussions with Tucson Water for the short-term CAP delivery options.

Oro Valley resident Mr. Doug McKee has followed water issues for fifteen years and is glad to see town staff evaluating alternatives. Instead of being a short-term option, it might turn into a long-term solution. The 1,000 and 1,500 AF options will not be enough to reach equilibrium. The water table will still decline. He urged Council to move forward quickly with the 3,000 AF option even though it is a little more costly.

Councilmember Hornat favored moving forward with the 1,500 AF option as soon as possible. The 3,000 AF option is too expensive.

Councilmember Gillaspie said that it is important to give flexibility to staff since the true costs are not yet know.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Councilmember Hornat to direct the Water Utility staff to discuss, negotiate, and develop an intergovernmental agreement with the City of Tucson and Tucson Water for short-term interim delivery options for Oro Valley Central Arizona

Project Water through the Tucson water system for future Council consideration.

**MOTION** carried, 7-0.

**3. PUBLIC HEARING - ORDINANCE NO. (O)11-08 FOR A TRANSLATIONAL ZONING FROM PIMA COUNTY RURAL HOMESTEAD (RH) TO ORO VALLEY R1-144 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT FOR A 10-ACRE ANNEXED AREA KNOWN AS ANNEXATION AREA "O", LOCATED AT 14260 N. HAWK CANYON TRAIL, SOUTH OF STONE CANYON AND NORTH OF LA CHOLLA AIRPARK; PARCELS 219-15-003A AND 219-15-003B**

Senior Planner Matt Michels gave an overview of Ordinance No. (O)11-08.

Mr. Michels stated that this was a translational zoning item which means that once a property is annexed into the town, there is a requirement that the town translates or changes the zoning from Pima County's classification to the Town of Oro Valley's classification.

The Planning and Zoning Commission recommended unanimous approval on February 1, 2011.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

**MOTION:** A motion was made by Vice Mayor Snider and seconded by Councilmember Gillaspie to adopt Ordinance No. (O)11-08 for a translational zoning from Pima County Rural Homestead (RH) to Oro Valley R1-144 (Single Family Residential) zoning district for a 10-acre annexed area known as annexation area "O", located at 14260 N. Hawk Canyon Trail, south of Stone Canyon and North of La Cholla Airpark.

**MOTION** carried, 7-0.

**4. PUBLIC HEARING - ORDINANCE NO. (O)11-09 AMENDING THE ORO VALLEY TOWN CODE CHAPTER 10, OFFENSES, ARTICLE 10-6, ANTI-GRAFFITI; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER**



Permitting Division Manager Paul Keesler gave an overview of Ordinance No. (O)11-09. He said that Council had previously directed staff to re-examine particular sections of the Code for possible revisions. These sections include:

- 10-6-3, Prohibited Acts
- 10-6-4, Accessibility to Graffiti Implements
- 10-6-8, Prevention Provisions

Staff reviewed these sections as well as section 10-6-5, Penalties.

Mr. Keesler stated that sections 10-6-3 & 10-6-4, adequately address the following issues/questions raised in the last meeting:

- Possession of graffiti implements
- Sale of graffiti implements
- Graffiti outside the Town limits/jurisdiction
- Community service as a penalty
- Entering private property
- Conflict with HOA rules
- Cameras as a deterrent and evidence gathering mechanism

However, Sections 10-6-5 and 10-6-8 were revised to better address the following issues raised at the last meeting:

- Community service supervision for minors
  - Persons 18 years and under require adult supervision
  - Revised section 6-5 to add in the phrase "Responsible Adult"
- Prevention of Graffiti
  - Ordinance needs to comply with design guidelines for other Town technical Codes
  - Revised section 10-6-8-A as presented
- Clarification to make the Code more "friendly"
  - Change Code to illustrate "friendliness" to victims (private vs. industrial/commercial property.
  - Revise Code to include that (1) Town will support retrofit by providing information sources, (2) OVPD will increase the surveillance in high activity areas
- Revised section 10-6-8 B as presented

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

**MOTION:** A motion was made by Councilmember Solomon and seconded by Vice Mayor Snider to approve Ordinance No. (O)11-09 amending the Oro Valley Town Code Chapter 10, Offenses, Article 10-6, Anti-Graffiti; repealing all resolutions, ordinances and rules of the Town of Oro Valley in conflict therewith; preserving the rights and duties that have already matured and proceedings that

have already begun thereunder.

**MOTION** carried, 7-0.

Mayor Hiremath recessed the meeting at 7:10 p.m.

Mayor Hiremath reconvened the meeting at 7:18 p.m.

**5. PUBLIC HEARING - ORDINANCE NO. (O)11-07 ADOPTING A NEW ORO VALLEY ZONING CODE REVISED (OVZCR) CHAPTER 28, SIGNS AND REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER, OV709-007**

Mayor Hiremath appointed a sub-committee that consisted of Vice Mayor Snider and Councilmembers Hornat and Waters to review the Sign Code dealing with real estate signage. The proposed Sign Code regarding real estate signs was never intended to be a revenue generating source but was designed to reduce compliance issues.

Councilmember Waters stated that the Sign Code was a work in progress and that Council never intended to target real estate agents or create an unfriendly business environment towards them.

Vice Mayor Snider said that she had a productive discussion with Mr. Steve Huffman from the Tucson Association of Realtors (TAR) regarding the real estate signage issues.

Councilmember Hornat said that the Town was trying to establish accountability by instituting penalties for improper signage.

Councilmember Solomon stated that the proposed Sign Code actually expands the visibility and placement of open house signs by allowing them closer to the roadway. The fines were primarily targeted to issues of immediate health and safety.

Mayor Hiremath opened the public hearing.

Government Affairs Director for the Tucson Association of Realtors and Oro Valley resident Mr. Steve Huffman thanked Council for meeting with him last week regarding the proposed penalties for real estate signs. The association and its members don't have a problem with most of the Sign Code. The real point of contention is the fine schedule and enforcement. There needs to be an

education component so that realtors and agents will know exactly what is expected of them.

Mr. Huffman stated that there appeared to be differential treatment regarding the severity of the fines for real estate agents and brokers as compared to open house signs. The fine schedule for open house/real estate signs were far in excess of similar fines for other temporary signs that were allowed in the right-of-way. He was also concerned about the specific time period used for calculating multiple violations.

Oro Valley resident Mr. Bob Semple has been a licensee in the real estate business for almost twenty years and currently is the broker and manager for the Oro Valley office of Long Realty and is a member of the Oro Valley Sign Code Task Force. Mr. Semple stated that the fine schedule was a bit harsh and it needs a specific time period used for calculating multiple violations. Roughly 30-40% of the signs used by agents do not have their name on them. He suggested that signs that are in violation and pose a danger to the immediate health and safety of the public should be picked up by the Town, kept for thirty days and then the agent should have to pay a fine to get their sign back.

Councilmember Garner asked for clarification regarding the current procedure for pulling signs that pose a risk to the health and safety of the public.

Zoning Inspector Jonathan Lew clarified that in addition to posting violation notices on signs, Town staff will confiscate signs that are in hazardous locations.

Councilmember Hornat said that the Town is not going to police signs. Brokers need to be held accountable for the proper placement of signs.

Councilmember Waters said that the most effective way of enforcement is to confiscate signs that are in violation of the Code.

Permitting Division Manager Paul Keesler gave an overview of the locations where temporary signs are allowed. Under no circumstance should a sign be in the sidewalk, in a handicap ramp, in a bike lane, or in a median. A-frames will not be eligible for the closer placement to the roadway. All A-frames must be ten (10) feet from the edge of the pavement.

Mr. Keesler said that on local streets, the standard set-back has been lowered to five feet. Requests for placing signs less than five feet from local streets will be reviewed on a case by case basis.

Councilmember Solomon wanted to see certain types of signs pre-approved to be allowed between the sidewalk and the pavement or curb line.

Councilmember Waters requested that staff work with the Association of Realtors in order to convey the new requirements of the Sign Code.

Mr. Keesler stated that staff will prepare illustrations so that the new requirements are clear.

Vice Mayor Snider said that the process needs to be as simple as possible and that the Sign Code should be crafted towards how the Council can serve the residents of Oro Valley.

Oro Valley resident Mr. Bill Adler said that he has never seen a Master Sign Program that provides variety and good design which is what the Code specifies it is supposed to do. Master Sign programs always provide a greater number and a greater size of existing sign types. It doesn't have anything to do with variety or design. The Master Sign Program should either be abandoned or it should be enforced the way it's written. The art and garage sale signs should be allowed but with the same restrictions that are placed on real estate signs such as no signs in the medians and no signs close to the edge of the roadway. These signs should not be allowed to be put up the day before the event. There needs to be design guidelines because poorly crafted signs pose a safety risk to people that are trying to read them while driving. He requested that staff look at section C-2E regarding permits because the wording is unclear. Business banners are twice as large as they need to be. He felt that A-frames should be allowed as long as they are internal to the project and they are pedestrian oriented. He is opposed to having construction and development signs in or near the right-of-way. These signs need to be internal to the project and smaller in design.

Mr. Jon Scalon, representing Keller Williams, asked the Council to allow certain A-frames because the A-frames that he uses are made out of strong metal frames that could withstand high winds. He said that there should be a grace period so that people can learn where they can place certain signs. Mr. Scalon recommended that staff be educated on the new Sign Code changes because he has received two citations in the past and they were both incorrect.

Mayor Hiremath closed the public hearing.

**MOTION:** A motion was made by Vice Mayor Snider and seconded by Councilmember Hornat to clarify the time period for violations shall be within a one year period and the real estate agent and broker will be notified of the violation and the realtor will be notified by his/her sign being confiscated by Town staff and he/she be charged a fee to recover the sign. However, if the same agent has a second sign in violation, a fine will be levied upon the agent and the broker is notified. The first fine for the confiscation of the sign shall be \$25.00. If a sign is confiscated for a second time, a \$50.00 fee shall be levied upon the agent. A third violation by the same agent within a year, the real estate agent

and broker shall be fined \$250.00 and the broker shall be notified. All fines of \$1,000 per day shall be eliminated.

A friendly amendment was made by Councilmember Hornat that stated that the broker be notified and the agent be fined \$25.00 for a first offense and strike the next section. For a second violation by the same agent within a year, the real estate agent and the broker will be notified of the violation, the agent will be assessed a fine of \$50.00 and the agent's broker will be assessed a fine of \$50.00. Third violation by the same agent within a year, the real estate agent and broker will be notified of the violation and the agent and broker will be assessed a fine of \$100.00. The \$250.00 fine shall be struck and a maximum of \$500.00 in fines may be assessed to an agent per calendar year. Section (e.)(i) shall be struck. This amendment was not accepted by Vice Mayor Snider.

Discussion ensued regarding the fine structure for real estate agents and brokers who have signs that are in violation of the Sign Code.

Zoning Inspector Jonathan Lew clarified that a violation notice is sent to the agent to notify them that their sign is in violation.

Councilmember Garner wanted Town staff to confiscate signs that are in violation.

Councilmember Solomon stated that if a sign is creating a public hazard, it should be confiscated and a fine larger than \$25.00 shall be issued in order to cover the administrative costs for staff having to pick up the sign, notify the individual, store the sign, and return the sign. There should be a distinction between signs that are a public hazard and signs that are not.

Councilmember Garner made a friendly amendment to have each sign confiscated that is in violation. This amendment was accepted by Vice Mayor Snider.

Councilmember Hornat made a friendly amendment to state that on the third violation, the agent and broker shall be assessed a \$100.00 fine. This amendment was accepted by Vice Mayor Snider.

Councilmember Garner wanted to see a punitive fine schedule for someone that does not have an active permit in the right-of-way.

Councilmember Solomon requested a future agenda item to discuss the town's permitting process.

Planning Manager David Williams clarified the two processes for placing signs legally. First, signs can be placed when they are operating under a broker annual permit which costs \$1,000.00 and secondly, the agent can receive a three

day permit which allows them to place signs in the right-of-way for \$25.00.

**MOTION** carried, 7-0.

Planning Manager David Williams said that the town will need to re-evaluate the current fee structure because the current permit fee schedule does not cover the administrative costs.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Councilmember Garner to allow a maximum of sixteen (16) square feet for banner signs.

Councilmember Gillaspie retracted his motion.

Councilmember Gillaspie thought that the language on page forty-two (42), under subsection vii. PERMIT was unclear.

Town Attorney Tobin Rosen recommended striking the language after, "THE PERMIT SHALL BE RE-ISSUED" in order to clarify the intent of making the permits renewable.

The Council was in unanimous agreement to this change.

**MOTION:** A motion was made by Councilmember Solomon and seconded by Vice Mayor Snider to strike number fourteen (14) ~~Posters that do not advertise or refer to the business,~~ under Section A. Prohibited Permanent and Temporary Signs.

**MOTION** carried, 7-0.

**MOTION:** A motion was made by Councilmember Solomon and seconded by Councilmember Hornat to require freestanding banner signs be limited to a maximum height of four (4) feet above grade and be mounted within a solid perimeter frame which matches the banners color.

**MOTION** carried, 7-0.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Vice Mayor Snider to amend Section 28.9 Prohibited Signs, to allow barber type animated signs during business hours only.

Councilmember Solomon made a friendly amendment to allow barber type animated signs during business hours only for barber shop businesses. This amendment was accepted by Councilmember Gillaspie and Vice Mayor Snider.

**MOTION** carried, 7-0.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Councilmember Hornat to adopt Ordinance (O)11-07 adopting a new Oro Valley Zoning Code Revised (OVZCR) Chapter 28, Signs as shown in Exhibit "A" with all previous amendments hereby approved.

Vice Mayor Snider made a friendly amendment to have the newly adopted Sign Code go into effect sixty (60) days after adoption. This amendment was accepted by Councilmember Gillaspie and Councilmember Hornat.

Councilmember Garner felt that the thirty day effective date would allow plenty of time for the implementation of the new Sign Code.

Councilmember Solomon said that this new Sign Code enhances the ability of the usage of signage. The sooner it goes into effect, the better it would be for businesses.

Councilmember Gillaspie withdrew his consent to the friendly amendment.

**MOTION:** A motion was made by Vice Mayor Snider and seconded by Councilmember Solomon to amend the original motion to allow a sixty (60) day implementation period for the real estate sign changes which would allow the brokers to communicate the changes to the agents and the rest of the Sign Code would be effective in thirty (30) days.

**MOTION** failed, 1-6 with Mayor Hiremath, Councilmember Garner, Councilmember Gillaspie, Councilmember Hornat, Councilmember Solomon, and Councilmember Waters opposed.

Mayor Hiremath called the original question.

**MOTION** carried, 7-0.

## **FUTURE AGENDA ITEMS**

Councilmember Solomon requested to re-examine the permit process and fees for real estate signs, seconded by Vice Mayor Snider.

Vice Mayor Snider stated that she would like to bring back the discussion regarding A-frames as soon as possible, seconded by Councilmember Solomon.

Councilmember Garner requested that all permit fees regarding signs be brought forward for discussion, seconded by Councilmember Solomon.

Mayor Hiremath stated that he would like to revisit the temporary economic alleviation for businesses, seconded by Councilmember Solomon.

**CALL TO AUDIENCE**


No comments were received.

**ADJOURNMENT**

**MOTION:** A motion was made by Mayor Hiremath and seconded by Councilmember Waters to adjourn the meeting at 8:45 p.m.

**MOTION** carried, 7-0.

Prepared by:

  
\_\_\_\_\_  
Michael Standish, CMC  
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 16<sup>th</sup> day of March, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9<sup>th</sup> day of MAY, 2011.

  
\_\_\_\_\_  
Julie K. Bower, MMC  
Town Clerk