



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the regular meeting of the City Council of Sierra Vista held on the 28th day of May 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 11th day of June 2015

SEAL

Maria G. Marsh
Deputy City Clerk

Jill Adams
City Clerk

**Sierra Vista City Council
Meeting Minutes
May 28, 2015**

Mayor Mueller called the May 14, 2015 City Council Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call

Mayor Rick Mueller – present
Mayor Pro Tem Bob Blanchard – present
Council Member Alesia Ash – present
Council Member Gwen Calhoun – present
Council Member Rachel Gray – present
Council Member Hank Huisking – present
Council Member Craig Mount – absent

Others Present:

Mary Jacobs, Assistant City Manager
Tom Alinen, Police Chief
Ron York, Fire Chief
Scott Dooley, Public Works Director
Sharon Flissar, Engineer
Don Brush, Director Community Development
Larry Whitney, Building Administrator
Jeff Pregler, Planner
Victoria Yarbrough, Leisure and Library Services Director
Abe Rubio, IT Director
Pam Weir, Management Analyst
Judy Hector, PIO
Jill Adams, City Clerk

Invocation – Pastor Harold Thomsberry, Sierra Vista Baptist Church, conducted the invocation.

Pledge of Allegiance – Council Member Ash led the pledge.

Item 1 Acceptance of the Agenda

Mayor Pro Tem Blanchard moved that the agenda for the Regular City Council Meeting of May 28, 2015, be approved. Council Member Mount seconded the motion. The motion carried unanimously, 7/0.

Awards and Presentations

Police Department Employees of the Year were acknowledged:

- Dennis Nichols, Volunteer of the Year
- Nathan Drake – Client Service Award
- Marco Madrid – Supervisor of the Year
- Jessica Vannoy – Civilian Employee of the Year Alternate
- Jennifer Charest – Civilian Employee of the Year
- Justin Allyn – Police Officer of the Year Alternate

- Paul Clark, Police Officer of the Year

A proclamation declaring the month of May 2015 as National Military Appreciation Month was presented to Cynthia Giesecki, Fort Huachuca's Spouse of the Year and President of the Fort Huachuca Spouses' Club and Major Mesa, Acting Community Service Director.

City Manager's Report - Mr. Potucek made the following announcements:

- Council Work Session on June 2, 2015 at 4:30 p.m. in City Hall Council Chambers continuation of the budget work session and will focus on the operations and maintenance;
- Council Work Session on June 9, 2015 at 4:30 p.m. in City Hall Council Chambers regarding the normal update session and segment on the Juvenile Drug Court;
- The Annual Street Maintenance Edge Mill & Pavement Overlay project was awarded to KE&G in the amount of \$120,000;
- The Seventh Street Pedestrian Crossing at Seventh Street & Railroad project bid opening was held on Tuesday, 5/26/15. KE&G was the only bidder at \$73,280.00; and
- The Seventh Street Sidewalks/Fry Blvd to SR90 Bypass project bid opening was held on Tuesday, 5/26/15. KE&G was the only bidder at \$52,161.

Council Member Calhoun asked when the work would start on Seventh Street. Mr. Potucek stated that he does not have that date available; but will provide it to Council Member Calhoun at a later time.

Item 2 Consent Agenda

Item 2.1 Approval of the Regular City Council Meeting Minutes of May 14, 2015

Item 2.2 Resolution 2015-046, Special Event Liquor License for Ms. Mary Elizabeth Tieman on behalf of the Sierra Vista Chamber of Commerce for the Power of the Purse event scheduled June 18, 2015

Council Member Mount moved that the Consent Agenda consisting of the Regular City Council Meeting Minutes of May 14, 2015 and Resolution 2015-046, a Special Event Liquor License for Ms. Mary Elizabeth Tieman on behalf of the Sierra Vista Chamber of Commerce for the Power of the Purse event scheduled June 18, 2015, be approved. Mayor Pro Tem Blanchard seconded the motion. The motion carried unanimously, 7/0.

Public Hearing

Item 3 Resolution 2015-047, an interim permit, person transfer, corporation-type of ownership for a Series 6 Liquor License for Charles Gewlas on behalf of Castle and Cooke Arizona Inc. dba Pueblo Del Sol Country Club

Council Member Gray moved that Resolution 2015-047, an interim permit, person transfer, corporation-type of ownership for a Series 6 Liquor License for Charles Gewlas on behalf of Castle and Cooke Arizona Inc. dba Pueblo Del Sol Country Club, be approved. Council Member Huisking seconded the motion.

Ms. Adams stated that this a routine application to insert a new agent on behalf of Castle and Cooke, which is the same license that has been place at PDS Country Club. The notice of the public hearing was posted the required 20 days and no comments have been received. The Police Department did perform the background check and have no objections to it moving forward. If approved by Council, it will be forwarded to the State Liquor Board for final action.

The motion carried unanimously, 7/0.

Item 4 Resolution 2015-048, Public Hearing; 30-day public record; 2015 International Building Codes, with amendments

Council Member Ash moved that Resolution 2015-048, Public Hearing; 30-day public record; 2015 International Building Codes, with amendments, be approved. Council Member Gray seconded the motion.

Mr. Brush stated that the resolution would set a 30-day public record to allow for comments to the City's adoption of the 2015 sweep of international codes. It has been City policy to stay updated on the codes generally when they come out, which is every three years. The City is currently on the 2012 edition with the exception of the residential energy codes, which were rolled back to the 2006 version in November 2013.

The 2015 codes have been amended in very minor ways and will have little impact on the building industry. The City's local amendments to the Code are also minimal and carry over from the current version. Every city has local amendments to the International Building Codes.

Clarifications were made and one of those was to include a better definition of a warming kitchen which affects churches and clubs so that the City does not create unnecessary hardship requiring a grease interceptor because all they are doing is warming up food that is brought in.

The larger change had to do with the reduction of tenant separation requirements for commercial multi-tenant buildings and those are costly improvements for builders with minimal benefit when there are sprinklers in place. Some old language affecting swimming pool has been deleted since the international building code has come out with a swimming pool code. The remaining changes are minor, mostly involve clarification and reference changes.

Staff recommends adoption of the 2015 codes with the exception of leaving Chapter 11 of the international residential code affecting energy back at the 2006 version and also to stay with the 2012 energy code for commercial development. Both are stringent codes that are sufficient for what is needed in Sierra Vista.

A public training and information session was held on April 30 and about 35 contractors were in attendance. The training was well received, all questions were addressed and the building community seems satisfied.

If the resolution is approved, it will return to Council on July 9 for final consideration.

The motion carried unanimously, 7/0.

Item 5 Resolution 2015-049, requesting a Conditional Use Permit for a 73-foot Verizon Wireless Communications Tower at 151 Colonia de Salud Tax Parcel 107-49-291

Council Member Gray moved that Resolution 2015-049, requesting a Conditional Use Permit for a 73-foot Verizon Wireless Communications Tower at 151 Colonia de Salud, Tax Parcel 107-49-291, be approved. Council Member Huisking seconded the motion.

Mr. Brush stated that this is a request from Verizon Wireless to develop a new 73-foot communications tower located at 151 Colonia de Salud, behind the Forsberg building. Mr. Brush provided a map of the area.

The tower is proposed as a monopine which is consistent with the City code requirements for having some sort of stealth design in the ways that these are proposed. It does meet the 17 guidelines that the code recommends, which include things like allowing for additional carriers, this tower would allow for additional carriers, requires a screen wall with landscaping at the bottom for the equipment, addresses issues such as zoning, setbacks, asking them to locate an existing tower to at least exhaust those opportunities before proposing a new tower, requiring the stealth design, and etc.

A neighborhood meeting was held on March 12th and two people attended that meeting and expressed some concerns with electromagnetic frequencies (EMF). The 500-foot notification was provided as required by code and there was one comment received and that was from Cochise County. They addressed some esthetic design and maintenance issues which helped P&Z formulate the conditions. The other comment was from a citizen questioning the need for the tower.

As required by code, the City notified Fort Huachuca and they provided a comment indicating that there would be no impact for Fort's missions as a result of the tower.

A letter of opposition was received on May 26 and made available to Council. There was a petition attached to the letter and it has been updated since that date. The Planning and Zoning Commission heard the item on May 19th and at that meeting, two members of the public expressed concerns regarding the health effects of the long term exposure to EMFs. They cited studies indicating health impacts in other areas of the country. Staff, the Commission and the applicant heard those concerns and then noted that the issue is regulated by the federal government under the Federal Communication Commission and is outside City purview.

There are four conditions recommended:

- 1) Communications tower shall be of mono-pine design stealth approach with maintenance provisions to ensure that it looks decent over time;
- 2) Landscaping with maintenance provisions to landscape around the perimeter of the that wall;
- 3) An 8-foot wall; and
- 4) The communications tower shall allow for co-location of two future carriers.

The Planning and Zoning Commission recommended approval of the Conditional Use Permit by a vote of 4/2. Staff recommends approval based on City code requirement.

Mr. Engbrocks with Verizon stated that they are seeking a conditional use permit for a new wireless communications facility, a 73-foot monopine. The design was chosen due to its ability to conceal antennas not just for the current Verizon proposal but also for future carriers. There will be structural capacity for Verizon plus two additional carriers.

Verizon's proposed tower is on a 76-acre light industrial property. The site was chosen to fill a significant gap in service in the residential and commercial area surrounding the site. The search ring itself is actually centered in the residential neighborhood. Verizon looked at approximately seven sites, residentially-zoned and commercial property inside Verizon's search area, a vacant commercial parcel inside the search area and multiple existing vertical structures outside of the search area. None of the existing vertical structures would work to fill the coverage objective and also to handle capacity offloads from two of the existing sites in the area.

Verizon was able to shift the location of the tower outside of their search area and also outside of the residential neighborhood to the 76-acre light industrial property that houses the Forsberg business complex as well as the new hospital. Verizon is more than 377 feet from the property lines more than 450 feet from the closest residential dwelling. The site meets or exceeds all of the requirements for a wireless facility as well as all of the code requirements for a special use permit. The site will operate within the FCC safety standards for the emissions which are currently 1,000 watts per square centimeter and the site fully loaded will operate at less than 1% of that established standard.

There is a significant gap in service in the area as it exists today and there are in-building service deficiencies and there are also expected capacity demand increases. Currently Verizon is looking at 8,000 average daily trips in front of the hospital which in the next decade is expected to increase over 13,000 average daily trips with the additional residential and commercial growth which is driving the need for the new location.

In response to Council Member Calhoun, Mr. Engbrocks stated that there are coverage gaps and there is a sufficient level of service which is described as in-building coverage. The capacity demands on the existing network will also have an effect as in essence as capacity increases, the coverage area for the existing cells can add to the flow and can shrink in increase. The capacity demands is really what is driving the need. There is greater than a 90 DBM signal loss currently in the search area and the site will bring it into what is considered an acceptable level.

In response to Mayor Mueller, Mr. Engbrocks stated that Verizon wants to get to 90 DBM.

In response to Council Member Calhoun, Mayor Mueller explained the term DBM as a unit of measurement.

Council Member Mount asked about the study or evidence that shows that there is commercial and residential growth. Mr. Engbrocks stated that when the existing towers were built there was no hospital, neighborhood nor a Forsberg complex and basically the capacity reports, the taxing on the existing Verizon Network. The aeriels indicate that there are a lot of residences along with the new hospital that drive the demand and not just for the proposed site; but also for the existing network.

Council Member Huisking asked how the proposed tower will benefit the residents. Mr. Engbrocks explained that today individuals may have service outside but not inside and it is a very low level of coverage that is in the area surrounding the site. As the capacity demands increase, it will shrink even worse. Today there will be a fast, busy, and unable to connect to the network along with poor voice quality and lower data speed. With the addition of the tower and the capacity, there will be faster data, uploads and downloads, better voice quality and more robust connections to the network and more reliable connections to the network. These are capacity and coverage sites that will improve not just in the neighborhood; but that will improve each site surrounding in the existing neighborhoods.

Council Member Huisking asked if the towers have protection against the monsoon lightning storms. Mr. Engbrocks stated that each tower is grounded; but he does not know the effect of a direct hit to the equipment. Everything is grounded for safety and all that information is part of the building code, the requirement that would come in when they submit for a building permit.

The following individuals expressed concerns about the possible long term health issues from the radio signals emitted from the towers and the structure's impact to the value of their nearby homes:

- Leah Allyn also collected more than 100 physical and online signatures from residents opposed to the tower's construction'

- Joanne Berry noted that she cannot believe that the City can set their own, stricter guidelines that will protect residents on many levels;
- Justin Allyn also voiced his concern with the relationship that the City has with Fort Huachuca;
- Rene Farkis, also voice her concerns with the tower affecting the property values at Mesa Verde and impeding sales and suggested the tower being moved further east.

Council Member Mount stated that he voted against the last tower that went in off of esthetics; but he believes that this one is not any better and he noted that if the City does not stand against it, they will keep coming in. The incentive to make that not happen is to not vote for it this time and have them come back with a better plan.

Council Member Mount stated that he thinks that Council needs to remember and the irony is that Council lives in Sierra Vista which means Mountain View. He does not want to be on a Council that starts to block the resident's view of the mountains with cell phone towers. The residents are leaving and now is the time, if Council is going to draw a line in the sand, that they do it now and get a better plan in and then Council comes back and re-visits it after the City starts to achieve more growth. For those reasons, he will be voting no.

Council Member Calhoun asked about the other sites located further east that were looked at by Verizon and the reasons why they were rejected. Mr. Engbrocks referred to the alternative sites analysis that detailed each of the sites along with the map that indicates Verizon's search area. As far as the vertical elements, it is always preferred to locate on an existing vertical element because it is less expensive and it is an easier path.

In response to Council Member Calhoun, Mr. Engbrocks explained that a vertical element could be utility pole, existing tower, or a roof top of a multi-story building. Verizon looked at the roof top of the existing hospital; but that is outside of the coverage area, too close to an existing tower and would not allow for frequency sharing - basically an overlap in coverage. The existing wireless tower at the Sheriff Station on the north side of the residential neighborhood and that was also outside of the search area, too close to the existing sites and Verizon was never able to get any interest from the County to collocate any antennas; but it would not have worked anyway. The third option that was looked at was a utility substation to the west of the neighborhood and looked at collocation on an additional pole; but it was more of a quarter mile out of the search area, would not meet the coverage objective and the utility company would not allow them to attach any antennas to that pole. In addition to that, there is a vacant commercial lot within the residential development and Verizon looked at that site; but were able to move the site outside of the neighborhood, more than 400 feet from the nearest residential dwelling to what Verizon deemed a more appropriate site with an existing commercial use with an underlying industrial zoning district with an existing buffer with the Forsberg building between the residential neighborhood and the tower site.

Council Member Calhoun commented that the City is caught in a dilemma, that in her mind is similar to electric lines all over the place from the old days when the City had lines, telephone poles and she believes that in some areas those lines went underground; but that is what people needed in order to live where they lived.

Council Member Calhoun stated that her dilemma is that nobody has made any comments about giving up cell phones and her understanding is that the towers have to do with the cell phones and if the City does not have the towers, eventually people will not be able to use their phones in certain areas. It would be nice if Verizon had an answer, where they could put things underground or etc.

Council Member Calhoun also commented that she was not aware of the value of homes being affected by the tower.

Mr. Engbrocks stated that it is just the nature of the physics behind the transmission of radio signals and the antennas need to be mounted in the air in order to provide coverage to an area.

Council Member Calhoun asked about other towers and EMFs. Mr. Engbrocks stated that it is a requirement of the Sierra Vista Code that the location/tower would be able to accommodate multiple carriers. This tower will be designed with structural capacity for two additional carriers at minimum. There would be a cumulative effect but at max power output, each carrier would still be less than 1% of the FCC safety standard. Even at full load with multiple carriers, they will still be less than 3% of the recognized safety standard.

Mr. Engbrocks stated that every tower including this one will go through an FAA evaluation and FAA will not only evaluate the tower for flight safety but also for radio operations. That process will happen with the FAA after the entitlement process. The hospital and each airport in the vicinity will all get the opportunity to review and comment and then any FAA requirements that come out of that would have to be abided by Verizon.

Mayor Mueller clarified that in the City's Code, the City is required to talk to the frequency manager on Fort Huachuca and that specifically deals with the clean electromagnetic atmosphere with the Buffalo Soldier Range and that is why that is there so that the City does not do anything unless Fort Huachuca has looked at it and has made sure that the frequencies that are being used will not cause any interference to the electronic testing going on at Fort Huachuca.

Council Member Gray asked about the current site since it is out of the circle that Verizon needs. Mr. Engbrocks stated that Verizon was able to locate, of the initial search area, just outside the search area to the east. Any further than that then there is overlap coverage and does not allow for the frequency sharing, which is what adds the capacity to the network.

Council Member Gray asked what the effectiveness is if it is already outside of the circle area. Mr. Engbrocks stated that it is a sufficient tradeoff. It is not the ideal spot but there is a good enough level of service that Verizon can get to, within the coverage objective zone, that 90 DBMs for indoor coverage and can still make the connections to existing sites. There is a tradeoff in the geographic areas that it will cover but it is still sufficient and it is probably a 95% solution moving outside as opposed to being located at the church or at the commercial area.

Council Member Gray noted that on the petition there are 45 signatures on the on line petition that asks for Council to not vote in favor. She also stated that she has not made it a secret about how she feels about the towers' esthetics and there should be a better job as a City with regulations as to how they look and how they will be maintained and taken care of and keeping the neighborhoods in mind. The Windemere is a perfect example of that and therefore, she will be voting no.

Council Member Huisking stated that this is the third cell tower that Council is being asked to approve and her concern is how many does the City need and does it change the esthetics, the skyline. She also noted that Verizon stated that they need a vertical element because it is less expensive; however, she understands that there may be alternatives and therefore, she would like to know what they are.

Council Member Huisking stated that Health issues were mentioned; but not specifically what health issues and asked if Verizon does any research with regard to health issues as it is hard to look at

approving, not because she does not want to use a cell phone or because she does not believe that capacity needs to be built; but if there are alternatives, maybe it is worth at least exploring those to explain to people if it is more expensive than what it is that is needed to create the environment that is needed. For those reasons, she will be voting against it.

Council Member Ash echoed Council Member Calhoun's concerns and stated that it was important that the City send the right messages to businesses if it is going to be successful in attracting new endeavors to the area as earlier in the week Council heard from Ms. McFarland, economic development manager, about how she is in the process of attracting cyber security companies. The City wants to attract cyber security companies and wants to be on the cutting edge of technology; but the City also wants to shun cell phone towers and the infrastructure that allows for that data capacity.

The motion carried, 4/3. Council Members Huisking, Gray and Mount voted no.

Item 6 Ordinance 2015-002, Code Amendments to Title III, Chapter 30.16 (C) Work Sessions and declaring a 30 day public record

Council Member Mount moved that Ordinance 2015-002, Code Amendments to Title III, Chapter 30.16 (C) Work Sessions and declaring a 30 day public record, be approved. Mayor Pro Tem Blanchard seconded the motion.

Ms. Adams stated that the ordinance was requested and discussed by Council on several occasions over the last year. The primary change to the chapter is to extend the time limit for the work sessions. Currently the ordinance restricts Council to one and a half hours for work sessions and as business becomes busier, Council has found that there have been a lot more items come up during those work sessions and get pressed for time and unfortunately, Council is not able to adequately address everything that they would like to at any given meeting. This amendment will allow Council to extend the work sessions to one hour if needed based on the discussion of the current work session. Work session will still be scheduled for an hour and a half; but as Council needs to extend they will be able to.

The other change is to the ordinance relates to the possibility for public comment on subjects during work sessions. Currently the ordinance only addresses public comment at Council meetings. This would add the provision that on certain subjects, noticed in advance to the public, that Council could seek public input during the work sessions for those items.

The motion carried unanimously, 7/0.

New Business

Item 7 Resolution 2015-050, Amending the Council Practice and Procedure Guidelines

Council Member Calhoun moved that Resolution 2015-050, amending the Council Practice and Procedure Guidelines, be approved. Council Member Huisking seconded the motion.

Ms. Adams stated that in September 2013 Council by resolution adopted the first Council's Practice and Procedure Guidelines. Over the last year and a half, Council has implemented some efficiencies that directly affect some of the practices that were listed in the guidelines. The update addresses them, specifically the change to electronics, i.e., electronic council packets or inquiries. The update also adds sections related to Council's Meet and Greet and conflict of interest practices. If approved, the new manual will be put out electronically and upon request on paper. The electronic version has

full links to statutory and ordinance reference as well as other potential materials that may provide additional information to the sections.

Council Member Calhoun thanked staff and reiterated that the manual is to help Council Members follow a process. Should those things change, the document is a working document and so it can be added to as needed. Council has agreed to amend it about every two years.

The motion carried unanimously, 7/0.

Item 8 Ordinance 2015-003, Code Amendments to Development Code Articles 151.02, Definitions, 151.10, Sign Regulations, and 151.11, Outdoor Light Control

Mayor Pro Tem Blanchard moved that Ordinance 2015-003, code amendments to Development Code Articles 151.02, Definitions, 151.10, Sign Regulations, and 151.11, Outdoor Light Control, be approved. Council Member Gray seconded the motion.

Mr. Pregler explained that the goals of the code amendments was to provide a public benefit while providing an effective advertising tool for businesses. The public benefit was to reduce light pollution in the community and also better esthetics for signs.

Mr. Pregler presented a timeline which was requested during the work session with regard to the entire code amendment process:

- Process starts in September 2013 where City receives a letter from local business owner requesting that the local sign code be changed to offer digital signs in the community;
- On October 22, 2013, Council received a presentation regarding digital signs all issues associated with digital signs. At that work session, Council recommended that a taskforce be formed;
- On December 3, 2013, the taskforce was created consisting of various stakeholders in the community, i.e., business owners, churches, dark sky advocates and local citizens in the community;
- There were three separate meetings: December 3, 2013, January 16, 2014 and February 10, 2014;
- On February 25, 2014 staff presented to Council the task force recommendations;
- The recommendations were endorsed by the Chamber of Commerce;
- March through November 2014, the discussion of digital signs was put on the back burner because needed time to work on VISTA 2030;
- There were Planning and Zoning work session on December 2, 2014, January 6, 2015, January 20, 2015 and February 3, 2015;
- On March 3, 2015 public hearing Planning and Zoning provided recommendations to Council;
- The Planning and Zoning Commission did recommend all of staff's recommendations with the exception of the sign brightness level. Staff is recommending 200 NITS; but the Planning and Zoning Commission did vote that there be a maximum level of 100 NITS;
- On April 9, 2015 the Mayor and Council did approve a 30-day public record for the particular process.

Mr. Pregler stated that during the 30-day public comment period, the City did receive a number of comments from the public that were requesting a reduction in the sign brightness level from 200 NITS to 100 NITS, to increase the message display time from the 15 minute seconds to a longer time for traffic safety purposes and general esthetics of digital signs.

Mayor Mueller asked if 15 seconds is the quickest that a message can change. Mr. Pregler stated that he is correct.

Mayor Mueller noted that if a business owner wanted to change it once a day or every 30 seconds he could; but if they go 14 seconds it is wrong.

Council Member Mount asked who picked the people on task force. Mr. Pregler stated that he did and that he asked for recommendations from the Chamber of Commerce.

In response to Council Member Mount, Mr. Pregler stated that staff made the recommendation for 200 NITS based on the recommendations from the task force.

Council Member Mount moved to amend Section 151.10.007 of the amendment to Article 151.10 Signs regulations, specifically changing the description of sign brightness limits on page 5, line 12 from the limits of the night time brightness level of 200 NITS in commercial and industrial areas to read to the limits of the night time brightness level to 150 NITS in commercial and industrial areas and also change the length of the message display specifically under the heading Length of Message Display, page 4, line one to require minimum message display time of 15 seconds to read require minimum message display time for 40 seconds.

Council Member Mount stated that he believes that this brings about a compromise, the Planning and Zoning Commission, the voice of the public as well as the task force by meeting right in the middle and he believes that it is the responsible thing to do and it represents a win-win situation for the Council.

Mayor Mueller asked Council Member Mount if he wants to do one amendment or two. Council Member Mount stated that one for each.

Motion to amend Section 151.10.007 of the amendment to Article 151.10 Signs regulations, specifically changing the description of sign brightness limits on page 5, line 12 from the limits of the night time brightness level of 200 NITS in commercial and industrial areas to read to the limits of the night time brightness level to 150 NITS in commercial and industrial areas.

Mayor Pro Tem Blanchard seconded the motion.

Council Member Calhoun asked if his purpose was for a win-win for everybody. Council Member Mount stated that it is correct and he has spoken to one of the business owner where this came through and he has yet to meet a business owner that wants it at 200 NITS. This is the compromise and Council needs to show that they can compromise.

Council Member Calhoun made the comment that there is not that much difference between the 100 and 200 NITS.

Council Member Gray stated that the consensus that came out of the meetings was that the 200 NITS was already a compromise coming down from 400 NITS, coming down from 300 NITS and that what was agreed upon and she feels that 200 NITS in this situation is the way that it should be because that is the recommendation from the task force.

Council Member Huisking stated that she disagrees with that and feels that because this is the first one and so much work has gone into it, less is more and if the City starts out with 100 NITS the City can always increase it but can't decrease it and would like to amend it further to say that 100 NITS is

more appropriate. However, she is fine with the 15 seconds rule because it is variable and it is up to each business owner.

Mayor Mueller stated that he cannot have two motions on the table and therefore, will not ask for a second because Council is still in discussion concerning the first issues, which is the motion to amend it to 150 NITS and not the time.

Council Member Ash asked if the 150 NITS was an acceptable standard across the industry. Mr. Pregler stated that there really is not set standard when it comes to NIT levels. Every jurisdiction has based their decision on a local community issues. However, his personal information off research that he has done, 150 is not been seen in a community; but it does not mean that it cannot be done.

Council Member Ash asked if the NIT level can be changed once Council sets the NIT level as she does not believe that to be true; it may be more difficult. Mayor Mueller stated that his understanding is that it would cost the business owner money to have a technician come and readjust whether it is going up or down on the NIT level once Council has established a bench mark.

Council Member Mount commented that the task force said 200 NITS, the Planning and Zoning Commission disagreed with them and then also everything received from public disagreed with that task force and this is a good compromise to meet both and it is a win-win. It is still darker than 200 and it is still brighter than 100.

Mr. Potucek stated that Council can change the ordinance and codes however they see fit and any signs that came in at a certain level would probably be grandfathered in and just like the nonconforming signs that are in now.

Council Member Huisking stated that she is concerned about the difficulty the Council may have in lowering the NIT level if it later determines that 200 is too high and noted that it would be more prudent to start at the lowest level as from experience, once a level or standard is established, it is extremely hard to decrease it.

Council Member Gray stated that she appreciates what Council Member Mount is trying to do; but the most vocal of the 100 NITS advocates were also on the task force and there has been a change on how they seem to feel about it and just to say that there has been a change, she does not know if they will have another change later.

Council Member Gray asked Mr. Potucek about the incentives to change signs to less bright signs than what is currently out in the community.

Mr. Potucek stated that the City has many nonconforming signs in the community and the City would like to improve the esthetics of the community and also do right by the businesses at the same time. It is a fine line; but his feelings are that the City has to have some incentive to try and have these businesses change out their nonconforming signs to what would be a lower, less obtrusive sign requirement and that is one of the reasons why staff made the recommendation to stay with the 200 NITS that the task force recommended.

Council Member Mount stated that he respectfully disagrees with that logic and agrees with Council Member Huisking that those signs are already there, someone already approved them and to try and fight to get that removed is like trying to remove that cell tower which was just approved. It is not going to happen, once it gets set, it is harder to take away.

Sarah Barchas, resident, urged Council to preserve the reason so many relocated to this part of the state. Many people have come to Sierra Vista because of the night skies and it is a matter of legacy. Southern Arizona is renowned for its clarity of night skies and for astronomical viewing and being one of the centers for astronomical viewing in Arizona, in the United States and the world.

Ted Forte of the Huachuca Astronomy Club said that the most recent consensus by the astronomical community supports a 100 nit level.

Dave Grieshop, Planning & Zoning Commissioner recommended 100 NITS for public safety and to protect the character of Sierra Vista.

Motion to amend the brightness limits from of 200 NITS to 150 NITS failed, 1/6. Mayor Mueller, Mayor Pro Tem Blanchard, Council Members Huisking, Ash, Gray, and Calhoun voted no.

Council Member Huisking moved to amend the brightness from 200 NITS to 100 NITS. Council Member Mount seconded the motion.

Council Member Calhoun asked about the NITS level in Flagstaff. Mr. Pregler stated that it is low; but Flagstaff is very strict on their NIT levels. However, Cochise County has a 200 NIT level and that was another reason why the 200 NITS level was recommended.

Motion to amend the brightness from 200 NITS to 100 NITS carried, 4/3. Mayor Mueller and Council Members Ash and Gray voted no.

Council Member Mount rescinded his motion to change the length of the message display specifically under the heading Length of Message Display, page 4, line one to require minimum message display time of 15 seconds to read require minimum message display time for 40 seconds.

First motion to approve Ordinance 2015-003, code amendments to Development Code Articles 151.02, Definitions, 151.10, Sign Regulations, and 151.11, Outdoor Light Control was unanimously approved.

Item 9 Resolution 2015-051, City Support for U.S. Bike Route 90

Council Member Huisking moved that Resolution 2015-051, City Support for U.S. Bike Route 90, be approved. Council Member Ash seconded the motion.

Mr. Brush stated that the American Association of State Highway and Transportation Officials (AASHTO) has designated an East-West corridor crossing the state of Arizona to be developed as United States Bike Route 90 (USBR 90) and requests resolutions of support from the jurisdictions the corridor crosses.

The Arizona Department of Transportation (ADOT) is supportive of the routes running through Arizona. Bike Route "90" runs through Arizona along with portions of routes "66" and "79". Bike Route "90" will pass through the city of Sierra Vista.

John Wettack and Kenneth Kingsley, residents, voiced their support and talked about bicycling, tourism and its advantages.

The motion carried unanimously, 7/0.

Item 10 Resolution 2015-052, Amend Intergovernmental Agreement (IGA) between the Sierra Vista MPO (SVMPO) and City of Sierra Vista to host the SVMPO providing support and resources

Council Member Mount moved that Resolution 2015-052, Amend Intergovernmental Agreement (IGA) between the Sierra Vista MPO (SVMPO) and City of Sierra Vista to host the SVMPO providing support and resources, be approved. Mayor Pro Tem Blanchard seconded the motion.

Mr. Potucek stated that the City established and the Governor designated the Sierra Vista Metropolitan Planning Organization (SVMPO) in early 2013. The SVMPO is a stand-alone organization with currently one full-time and one recently hired part-time (intern) staff member. Member jurisdictions of the SVMPO include the City of Sierra Vista, Cochise County, and the Arizona Department of Transportation (ADOT). The City and the Sierra Vista MPO (SVMPO) entered in to an Intergovernmental Agreement (IGA) on June 26, 2014 to host the SVMPO providing support and resources to allow the organization to function and ensure no loss of federal transportation funding to the City or county areas that were designated urbanized, per the 2010 U.S. Census.

The amended IGA increases the amount the SVMPO agrees to pay for office and site services to the City. The current amount of \$2,000 per month (\$24,000 per year) is increased to \$2,500 per month (\$30,000 per year). The increase is due to the SVMPO hiring a part-time staff member that will require office space, support, and resources, per the IGA.

The SVMPO's budget to pay for staff and transportation planning for the region is funded by federal transportation funds. Federal transportation funds require a match, either cash or in-kind. All resources provided by the City to the MPO, per the IGA, will count toward the match requirement as in-kind and applied accordingly.

The motion carried unanimously, 6/0. RG not present

Item 11 Resolution 2015-053, Resolution Approving the 2015-2017 Strategic Plan Framework

Council Member Ash moved that Resolution 2015-053, Resolution Approving the 2015-2017 Strategic Plan Framework, be approved. Council Member Huisiking seconded the motion.

Ms. Jacobs stated that in 2007, the Council adopted its first iteration of "Our Future Vistas" Strategic Leadership Plan, a document outlining the Council's 20 year vision, strategic focus areas, goals, and two-year objectives. Since then, the City Council has met every two years to develop a new plan, which is then used by City staff to set the goals, priorities and budget for each fiscal year.

In March, the Council and senior management team met for two days with facilitator Julia Novak to create a new structure for the strategic leadership plan. The resulting plan is different than the last three, while incorporating many of the same key values.

Rather than strategic focus areas, the new plan identifies "Critical Success Factors," which include:

- A. Economic Prosperity
- B. Efficient and Accountable City Government
- C. Environmental Leadership
- D. Healthy and Active Way of Life
- E. Safe and Welcoming Community
- F. Well-Maintained Infrastructure and Facilities

Within these success factors, the Council identified sixteen initiatives for completion over the coming two years. The majority of initiatives fall under Economic Prosperity, in keeping with the primary focus of Council. The initiatives will be assigned to key staff, which will be tasked with creating an action plan that will insure completion by June 30, 2017. Where appropriate, staff will identify within the action plans where and how appropriate boards or commissions can participate.

Once approved, the new strategic plan framework will be reflected within the upcoming budget, added to the city's website, and incorporated into departmental work plans. In addition, we will endeavor to communicate the plan to the City's own employees, boards and commissions, as well as key community, regional and state leaders. Status reports will continue to be provided to the Council every six months, and in the spring of 2016, the Council and management team will meet again to determine if any course corrections are necessary.

The City Council strategic planning effort has been an extraordinary success to date, and City staff welcomes the opportunity to meet the challenge of implementing the next round of initiatives. Senior managers have used the plan to develop departmental strategic plans that are in alignment with Council priorities.

In response to Council Member Calhoun, Ms. Jacobs explained the term framework.

The motion carried unanimously, 6/0.

Item 12 Resolution 2015-054, Appointment of David Thompson to the Airport Commission, said term to expire October 12, 2016

Council Member Gray moved that Resolution 2015-054, Appointment of David Thompson to the Airport Commission, said term to expire October 12, 2016, be approved. Council Member Huisking seconded the motion. The motion carried unanimously, 7/0.

Call to the Public

Yvonne T. Mayer, Hereford resident, talked about employee salary increases; voiced her concern over the increased obligation to the citizenry; and inquired about the projects that will have to be cut in order to support the increased salaries.

Frank Gonzalez with Lawley Motors stated that he looks towards economic development because of the car dealerships and noted that the tier tax on large items is a feasible thing to do as it is not uncommon.

Mayor Mueller explained tier rate over \$5,000. Base rate stays below and above is a reduced rate.

Kale Kiyabu, resident, talked about a survey being circulated in the community that asks the citizens if they want to have increased taxes (provided Council some cards and noted that others are being mailed in to Council).

Mayor Mueller noted that the City has received 30 of the cards to-date.

Nolan Schoonmaker representing Donavon Dodge talked about the tier tax initiative and provided six advantages to the City and noted that there are 26 cities in Arizona that have this approach.

Tom Crosby, resident, talked about the ill-gotten gain of SSVEC Franchise tax obtained by omitting the truth in ballot language; taxes should be a ballot issue; also talked about the red light cameras; the fact that there should be a city charter and an election of the city manager or mayor.

Comments and Requests of the Council

Council Member Huisking stated that she appreciates the work from the community; asked the staff, knowing that there are two more towers coming in, that for the sake of what the towers are intended to do to ask more questions and find out about alternatives. In closing she stated that she is not against the towers; but would like more information about the alternatives.

Council Member Mount thanked people for their attendance; stated that he learned new things when he stepped into Council; stated that Council will have a budget and will work through it; he understands economics and believes that the residents are the biggest stakeholders as the budget represents their needs.

Council Member Ash thanked the Police Department awardees for their hard work and diligence; thanked the Fort Huachuca spouses; thanked the Digital Sign Taskforce, Planning and Zoning, and the staff that worked on the recommendation and on making sure that the dark skies are protected.

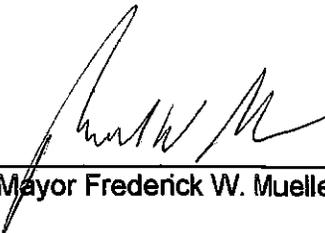
Council Member Calhoun thanked everyone present; commented that there are citizens that are engaged and how important that is; and reported on the VITA Meeting that she attended.

Mayor Pro Tem Blanchard had nothing to report.

Mayor Mueller thanked guests and staff.

Adjournment

Mayor Mueller adjourned the May 28, 2015 meeting of the Sierra Vista City Council at 7:21 p.m.



Mayor Frederick W. Mueller

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk