

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, January 9, 2018, 4:30 p.m.

1. Call to Order/Pledge of Allegiance/Moment of Silence/Roll Call

Mayor Moriarty called the meeting to order at 4:30 p.m.

Roll Call: Mayor Sandy Moriarty, Vice Mayor Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson, and Councilor Joe Vernier.

Staff Present: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Associate City Attorney Rob Pollock, Assistant Director of Community Development Warren Campbell, Chief of Police David McGill, Arts and Culture Coordinator Nancy Lattanzi, City Clerk Susan Irvine.

2. City's Vision/Moment of Art

A video of the City's Vision was played.

Nancy Lattanzi introduced Arvel Bird, a national artist known as the "Celtic Indian" whose performances are a reflection of his mixed-blood American Indian and Celtic heritages. Mr. Bird uses violins, fiddles, Native flutes, and Irish whistles to weave a powerful tapestry of music and stories. Mr. Bird performed "Tribal Music Suite: Journey of a Paiute", a Celtic & Native American concerto for violin and Native American flute, that earned him Best Instrumental Album and Best Producer at the Canadian Aboriginal Music Awards.

3. Consent Items

- a. **Minutes - December 12, 2017 City Council Regular Meeting.**
- b. **Minutes - December 13, 2017 City Council Special Meeting.**
- c. **Minutes - December 14, 2017 City Council Special Meeting.**
- d. **AB 2322 Approval of a Special Event Liquor License for Red RockAppella for a concert and fundraiser scheduled for Saturday, February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.**
- e. **AB 2323 Approval of a Special Event Liquor License for Rotary Club of Sedona Red Rocks for a beer tent in the finish line festival area of the Sedona Marathon scheduled for Saturday, February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ.**
- f. **AB 2324 Approval of a Special Event Liquor License for Red Earth Theatre for an art show closing and dance party scheduled for Friday, January 26, 2018, from 7:00 to 10:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.**
- g. **AB 2327 Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Tuesday, February 13, 2018, from 5:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.**

- h. AB 2328 Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Friday, February 16, 2018, from 6:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.**

Item 3h was pulled at the request of Susan Irvine as the event has been postponed and no action is required.

Motion: Councilor Lamkin moved to approve consent items 3a, 3b, 3c, 3d, 3e, 3f, and 3g. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

4. Appointments

- a. AB 2330 Discussion/possible action regarding the reappointment of members to the Personnel Board.**

Presentation by Mayor Moriarty.

Motion: Councilor Lamkin moved to appoint Noel Marquis, Kathryn Losoff, and Kenneth Jepson to seats on the Personnel Board with terms beginning immediately and ending October 31, 2020 or until a successor is appointed, whichever is later. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

5. Summary of Current Events by Mayor/Councilors/City Manager

Mayor Moriarty stated that the 30th anniversary of the incorporation of Sedona is in January and something may be done at a later date to celebrate this occasion. Vice Mayor Martinez urged people to check the City's website to learn about upcoming Parks & Recreation events. He also advised that approval has been received to add additional flags on 89A for holidays and the Marine Corps League is looking for volunteers to help installing them and contributions to help fund the flags and brackets. Councilor Thompson stated that the KSB speaker series on January 10th will cover the effect of animal agriculture on sustainability and will take place at 5:30 p.m. at 360 Brewer Road. The Sedona VegFest is scheduled for January 20th and 21st from 8:00 a.m. to 5:00 p.m. at the Sedona Performing Arts Center. Advance tickets are available at healthyworldsedona.com.

6. Public Forum

Tony Tonsich, Sedona, spoke about the Hub and objected to liquor licenses being issued to the venue when they are supported by City funds in competition with local businesses. He spoke about the traffic study which he felt was a waste of money. He also believes that the City looks into the interests of the Chamber first, the City staff second, and residents a distant third.

Julie Burnett, Sedona, spoke about the unregulated, billion dollar self-help industry and the dangers to participants. She requested that the City Council consider an ordinance to protect those who come to Sedona for health, healing, and spirituality.

7. Proclamations, Recognitions, and Awards – None.

8. Regular Business

- a. AB 2307 Presentation regarding the possible extension of the Yavapai County 1/4 cent jail tax.**

Presentation by Phil Bourdon, Yavapai County Administrator, Randy Garrison, Yavapai County Supervisor, and Captain Jeff Newnum, Yavapai County Sheriff's Office Detention Services Division.

Questions from Council.

Presentation only. No action taken.

- b. AB 2331 Public hearing/discussion/possible action regarding a resolution and ordinance amending the City Tax Code Article IV to temporarily increase the City's Transaction Privilege Tax by .5%, and to dedicate those tax receipts to transportation projects and related administrative and operating expenses.**

Presentation by Justin Clifton and Robert Pickels, Jr.

Questions from Council.

Opened the public hearing at 6:03 p.m.

The following spoke on this item: Tony Tonsich, Sedona, Bill Chisholm, Sedona, Robert Pond, Sedona, Bruce Huelat, Sedona, and Jerry Showalter, Sedona.

Closed the public hearing and brought back to Council at 5:50 p.m.

Comments from Council.

Motion: Councilor Lamkin moved to approve Resolution No. 2018-01, creating a public record for the terms of proposed amendments to City Tax Code Article IV (privilege taxes). Seconded by Councilor Thompson. Vote: Motion carried with six (6) in favor and one (1) opposed. Councilor Currivan opposed.

Motion: After 1st reading, Councilor Lamkin moved to approve Ordinance No. 2018-01, amending the City Tax Code Article IV by temporarily increasing the privilege tax from three percent (3%) to three and one-half percent (3.5%) for a period not to exceed ten years, and to dedicate use of said increased tax proceeds towards transportation projects and related administrative and operating expenses. Seconded by Councilor Thompson. Councilor Lamkin amended the motion to replace "not to exceed ten years" with "of ten years". Councilor Thompson approved the amendment. Vote: Motion carried with six (6) in favor and one (1) opposed. Councilor Currivan opposed.

Break at 6:06 p.m. Reconvened at 6:23 p.m.

- c. AB 2329 Discussion/possible action regarding proposed changes to the Planning and Zoning Commission's Operating Rules and Procedures.**

Presentation by Warren Campbell and Robert Pickels, Jr.

Questions from Council.

Comments from Council.

By majority consensus, Council agreed to send the rules back to the Planning & Zoning Commission with the City Council proposed edits and to review successive unexcused absences in Section 1.2.1 to possibly remove "successive" and, if changed, determine if the period for absences would be for a year or for their term.

- d. **AB 2321 Discussion/possible action regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short Term Rental Regulations.**

Presentation by Robert Pickels, Jr.

Questions and comments from Council.

Motion: Councilor Thompson moved to approve Resolution No. 2018-02, a Resolution of the Mayor and Council of the City of Sedona, Arizona, establishing as a public record the terms of proposed amendments to the City Code Chapter 5.25.010 (Short Term Rental Regulation) as amended. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

Motion: After 1st reading, Councilor Thompson moved to approve Ordinance No. 2018-02, an Ordinance of the City of Sedona, Arizona, amending the City Code Chapter 5.25.010 (Short Term Rental Regulation); providing for a savings clause; and providing for repeal of any Ordinance or parts of Ordinances or Code provisions in conflict herewith as amended. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

e. **Reports/discussion on Council assignments – None.**

f. **Discussion/possible action on future meeting/agenda items**

Councilor Thompson requested an agenda item for clarification of Proposition 202 funds and possibly designating the use of these funds. Vice Mayor Martinez supported this request. Councilor Jablow requested an agenda item for self-help regulations as requested earlier during public forum. Robert Pickels, Jr. advised that this would likely be addressed during this legislative session and felt this request might be premature.

9. Executive Session

Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

- a. **To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
- b. **Return to open session. Discussion/possible action on executive session items.**

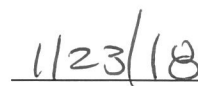
No Executive Session was held.

10. Adjournment

Mayor Moriarty adjourned the meeting at 7:11 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on January 9, 2018.


Susan L. Irvine, CMC, City Clerk


Date