

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, November 22, 2022, 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.

Council Present: Mayor Sandy Moriarty, Vice Mayor Scott Jablow, Councilor Kathy Kinsella, Councilor Tom Lamkin, Councilor Holli Ploog, Councilor Jon Thompson, and Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, Assistant City Manager/Director of Public Works Andy Dickey, Engineering Supervisor Kurt Harris, City Attorney Kurt Christianson, Housing Manager Shannon Boone, Short-Term Specialist Teresah Arthur, Lieutenant Karl Waak, Arts Coordinator Nancy Lattanzi, Public Relations Coordinator Kegn Moorcroft, and City Clerk JoAnne Cook.

2. City's Vision

The City's Vision Statement was played.

3. Consent Items

- a. Minutes - November 8, 2022 City Council Regular Meeting.**
- b. Minutes - November 9, 2022 City Council Special Meeting.**

Councilor Kinsella corrected the November 8, 2022 minutes, item 8a. to add clarification that she did not agree with the imposed mandatory fine that would not allow for the Court's discretion.

Motion: Councilor Williamson moved to approve consent items 3a and 3b, as amended. Seconded by Councilor Ploog. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

4. Appointments

- a. AB 2878 Discussion/possible action regarding the appointment of Public Safety Personnel Retirement System (PSPRS) Local Board Members.**

Motion: Councilor Williamson moved to appoint Lynn Zonakis to the Public Safety Personnel Retirement System (PSPRS) Board with a term beginning immediately and ending July 31, 2026, or until a successor is appointed, whichever is later. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

- b. AB 2885 Discussion/possible action regarding the appointment of Planning & Zoning Commissioners.**

Motion: Councilor Williamson moved to reappoint Kathy Levin and Sarah Wiehl to seats on the Planning & Zoning Commission with a term beginning immediately and ending October 31, 2025 or until a successor is appointed, whichever is later, and appoint Will Hirst to a seat on the Planning & Zoning Commission with a term beginning immediately and ending October 31, 2024 or until a successor is appointed,

whichever is later. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

- c. **AB 2890 Discussion/possible action regarding the appointment of Historic Preservation Commissioners.**

Motion: Councilor Williamson moved to appoint Nate Meyer to the Historic Preservation Commission with a term beginning immediately and ending November 30, 2024 or until a successor is appointed, whichever is later, and reappoint Brynn Burkee Unger and John 'Jack' Fiene to the Historic Preservation Commission with a term beginning December 1, 2022 and ending November 30, 2025 or until a successor is appointed, whichever is later. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

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

Vice Mayor Jablow announced that the Stuff the Bus Event for the Sedona Toys for Tots will take place on Tuesday, December 6, 2022 from 10:00 a.m. to 5:00 p.m. and encouraged all to participate. The bus will be located at the Pavillion driveway off the Posse Grounds Road. He said the annual Chamber of Commerce and Tourism Bureau tree lighting and Santa visit will take place on December 2nd at 5:00 p.m., he encouraged all to attend. Councilor Kinsella said the League of Women Voters' Staying Healthy & Growing Older in the Verde Valley Event on December 1st at 1:30 p.m. at the Sedona Library, she encouraged all to attend. Councilor Williamson advised the City will be hosting a Community Plan Update Listening and Learning sessions as part of the Community Plan Update process. The first event is Thursday, December 1st at 1:30 p.m., the second session is scheduled for Wednesday, December 7th from 5:30-7:00 Zoom p.m. via Zoom, visit events@www.plansedona.com to register for Zoom sessions.

6. Public Forum- None.

7. Proclamations, Recognitions & Awards- None.

8. Regular Business

- a. **AB 2893 Discussion/possible action regarding the adoption of a Resolution approving the sale and execution and delivery of an Excise Tax Revenue Obligation, Second Series 2022, in an amount not to exceed \$10.2 million; approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents; delegating authority to determine certain matters with respect to the foregoing and declaring an emergency.**

Presentation by Cherie White and Mark Reader, Stifel Managing Director, Attorney Paul M. Gales, P.C., Greenberg Traurig LLP, and Karen Osburn.

Questions and comments from Council.

Opened to the public at 4:48 p.m.

The following spoke in opposition to item 8a: Ron Volkman spoke on behalf of Sherri Graham, Sedona, John Martinez, Sedona, Emily Taylor.

Brought back to Council at 5:06 p.m.

Questions and Comments from Council.

Public comment for item 8b was taken prior to Council taking action on item 8a at 5:27 p.m. Brought back to Council at 6:00 p.m.

Motion: Councilor Thompson moved to approve Resolution 2022-34, approving the sale, execution, and delivery of an excise tax revenue obligation evidencing all the interests of the owner thereof in a purchase agreement from the City; approving the form and authorizing the execution and delivery of such purchase agreement and other necessary agreements for such sale; delegating authority to designate certain terms thereof; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the resolution and declaring an emergency. Seconded by Councilor Williamson. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed

- b. AB 2894 Discussion/possible action regarding the approval of a Resolution authorizing the City of Sedona to enter into a purchase agreement to acquire the Real Property located near Hwy 89-A and Cultural Park Drive, Sedona, AZ 86336 (APN# 408-47-004C, 004W, 005A, 007, 008, 009A, 009B and 408-11-176B).**

Presentation by Karen Osburn, Cherie White, and Andy Dickey.

Questions and comments from Council.

Opened to the public at 5:27 p.m.

The following spoke in favor: Don Blaetter, Village of Oak Creek, Tracy Randall, Sedona, Linda Martinez, Sedona, Mark Tenbrook, Sedona, Sara First, Sedona.

The following spoke against: Pasquole Neri, Sedona/Lake Montezuma, Sylvia Sepielli, Sedona, Samaire Armstrong, Sedona, Ron Volkman, Yavapai County, John Martinez, Sedona.

Mary Bird, Sedona, asked that consideration for development be given to arts and museums.

Brought back to Council at 6:00 p.m. Council continued with item 8a before taking action on item 8b.

Motion: Councilor Thompson moved to approve Resolution 2022-35 authorizing the Purchase Contract for the City of Sedona to purchase the property located near Hwy 89-A and Cultural Park Drive, Sedona, AZ 86336 (APN# 408-47-004C, 004W, 005A, 007, 008, 009A, 009B and 408-11-176B) located in Yavapai County, City of Sedona, Arizona, for the sum of \$20,000,000 and authorizing the Mayor to execute the documents required to complete the purchase. Seconded by Councilor Ploog. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

Break at 6:50 p.m. Reconvened at 7:11 p.m.

Item 8f was moved prior to item 8c.

- c. AB 2850 Public hearing/discussion/possible action regarding adoption of a Resolution and Ordinance updating the City of Sedona's Consolidated Fee Schedule.**

Motion: Councilor Ploog moved to approve Resolution No. 2022-37, creating a public

record entitled "2022 Amendments to the Sedona Consolidated Fee Schedule." Seconded by Vice Mayor Jablow. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

(After First Reading)

Motion: Councilor Ploog moved to adopt Ordinance No. 2022-12 adopting proposed changes to the Consolidated Fee Schedule. Seconded by Vice Mayor Jablow. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

- d. AB 2887 Discussion/possible action regarding an Ordinance revising the Sedona City Code, Chapter 5.05.030 Section B, related to special event business licensing.

(After First Reading)

Motion: Councilor Williamson moved to adopt Ordinance 2022-13, revising City Code Chapter 5.05.030B, related to special event business licensing. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

- e. AB 2897 Discussion/possible action regarding approval of a grant agreement with the Arizona Department of Emergency Management in the amount of \$900,000 for the City of Sedona's Emergency Operations Center project.

Presentation by Joanne Keene.

Motion: Councilor Kinsella moved to approve the grant agreement with Arizona Department of Emergency Management in the amount of \$900,000 for the City of Sedona's Emergency Operations Center project. Seconded by Councilor Ploog. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

Item 8f was moved prior to item 8c.

- f. AB 2837 Discussion/possible action regarding approval of a Resolution and Ordinance amending Sedona City Code Chapter 5.25 Short Term Rental Regulation to include implementation of SB 1168.

Presentation by Teresah Arthur and Joanne Keene.

Comments and questions from Council.

Opened to the public at 8:09 p.m.

Diana Sparks, Sedona, spoke in favor of sensible regulations, Sara First, Sedona, had questions regarding the notifications and background/sex offender checks for guests. Cameron Wylde, Sedona, spoke in favor of regulations and said both waste service companies offer concierge services to get trash cans to the curb, he voiced concerns regarding the work related to all guests required to have a sex offender background checks and urged council to require for the booking agent only.

Brought back to Council at 8:17 p.m.

Motion: Councilor Williamson moved to approve Resolution No. 2022-36, establishing as a public record the proposed amendment to Sedona City Code Chapter 5.25 entitled “2022 Amendments to Sedona City Code Chapter 5.25 (Short-Term Rental Regulation)”. Seconded by Councilor Lamkin. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

(After First Reading)

Motion: Councilor Williamson moved to adopt Ordinance No. 2022-11 an ordinance of the Mayor and Council of the City of Sedona, Arizona adopting amendments to the Sedona City Code Chapter 5.25 (Short-Term Rental Regulation) related implementing SB 1168; providing for penalties, a savings clause, and repeal of any conflicting ordinances. Seconded by Vice Mayor Jablow. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, and Williamson) and zero (0) opposed.

- g. AB 2892 Discussion/possible action regarding an Ordinance amending City Code Section 2.15.050 to consider increasing the mayor’s salary by \$100 per month and city councilor salaries by \$50 per month.**

Motion: Councilor Williamson moved to adopt Ordinance No. 2022-14 amending City Code Section 2.15.050 and increasing the mayor’s salary by \$100 per month and city councilor salaries by \$50 per month. Seconded by Councilor Thompson. Vote: Motion carried with five (5) in favor (Moriarty, Jablow, Lamkin, Thompson, and Williamson) and two (2) opposed. Councilors Kinsella and Ploog opposed.

h. Reports/discussion regarding Council assignments

Councilor Kinsella said the Community Center extended an invitation for Councilmembers to ride-along during the Meals On Wheels Program. Councilor Thompson advised Sedona Recycles the first Friday in December at 10:00 am. Councilor Ploog said the Verde Valley Care Givers (VVCG) launched new program for telehealth services, they have an annual campaign going on right now, the gala has been cancelled for this year, they have a Superhero Program for donations for those interested in being a superhero visit the VVCG Coalition website to make a donation.

i. Discussion regarding ideas for future meeting/agenda items

Vice Mayor Jablow a discussion regarding possibly reducing the Historic Preservation Commission members requested from seven to five members to a future agenda. Supported by Councilor Williamson.

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:

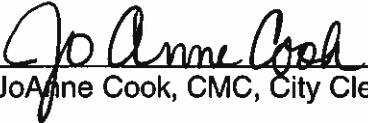
- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
- b. Return to open session. Discussion/possible action on executive session items.**

No Executive Session was held.

10. Adjournment

Mayor Moriarty adjourned the meeting at 9:26 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on November 22, 2022.


JoAnne Cook, CMC, City Clerk

12/13/2022
Date