

**Action Minutes - Revised
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, March 28, 2023, 4:30 p.m.**

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

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

Council Present: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, Assistant City Manager/Director of Public Works Andy Dickey, City Attorney Kurt Christianson, Police Chief Foley, Housing Manager Shannon Boone (via Teams), Parks & Recreation Manager Dawn Norman, Executive Assistant to the City Manager Jill Adams, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. City's Vision

The City's Vision Statement was played.

3. Consent Items

- a. **Minutes - March 14, 2023 City Council Special Meeting - Executive Session.**
- b. **Minutes - March 14, 2023 City Council Regular Meeting.**
- c. **Minutes - March 15, 2023 City Council Special Meeting.**
- d. **AB 2925 Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for Sedona Beer Company located at 465 Jordan Road, Ste 1-7, Sedona, AZ (File# 229282).**
- e. **AB 2929 Approval of Resolutions authorizing the execution of Intergovernmental Agreements (IGA) between the City of Sedona and the Sedona-Oak Creek Unified School District No. 9 for: 1) Operation and Maintenance of the Sedona Community Swimming Pool and 2) Use of Facilities.**

Motion: Vice Mayor Ploog moved to approve consent items 3a-3e. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

4. Appointments - None.

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

Councilor Kinsella advised the Sedona Community Center won the Yavapai County Golden Plate Award for food safety. Councilor Furman said Keep Sedona Beautiful will have its Annual Awards of Excellence Ceremony on Wednesday, April 19th from 4:00 – 6:00 p.m. Councilor Williamson said the Sedona Recycle Center is in need of volunteers and encouraged anyone interested in being a goodwill ambassador for efficient and responsible recycling to reach out to the Center. Vice Mayor Ploog acknowledged Parks

and Recreation Manager Dawn Norman and announced that her last day with the City is Thursday and said that she will be missed; and , the Sedona Stumble 5K and 10K will be held this Saturday at Posse Grounds, registration is open through March 31st; the 13th Annual Celebration of Spring is on Saturday, April 8th from 9:00 a.m. – 1:00 p.m., the Egg Hunt is free and there is an entry fee of \$5; Storytime in the Park is on Wednesdays at 10:00 a.m. at Sunset Park, it's free and geared to ages four through eight years old; Pickleball Organized Play is on Mondays, Tuesdays, Thursdays, Fridays, and Sundays, the schedule can be found at www.sedonaaz.gov.; Yappy hour is on Thursdays from 9 – 10 a.m.; Open Gym is on Tuesdays and Thursdays from 7:00 – 9:00 p.m. at the West Sedona School, the fee is \$2; and, tennis lessons are offered on Mondays or Wednesdays at Posse Grounds Park tennis courts. Mayor Jablow advised the new Forest Supervisor is Aaron May Mayville. Mayor Jablow stated he met with Chairwoman of the Yavapai Apache Nation Tanya Lewis about a month ago; Mayor he, Vice Mayor Ploog, Councilor Fultz, and Karen Osburn recently met with Director of Arizona Department of Transportation Jennifer Toth and discussed OHVs on the roads; he and Vice Mayor Ploog recently met with the US Department of Transportation in Washington D.C. via Zoom; and he, Councilor Fultz, and Karen Osburn met with representatives from Polaris.

6. Public Forum

Opened to public at 4:42 p.m.

Mark Tenbrook, Sedona, spoke regarding transparency and public engagement and information posted on the City's webpage. He suggested all committees calendars, agendas, and minutes be posted on the City's website. He thanked Robert Weber for posting the Transportation Committee information on the City's website.

Jessica Sierra, Sedona, spoke, commented on the importance of having a dark sky community. She urged Council to have the grandfathered properties be required to comply with the Dark Sky Ordinance.

Brought back to Council at 4:46 p.m.

7. Proclamations, Recognitions & Awards – None.

8. Regular Business

a. AB 2933 Presentation/discussion by Executive Director Marjorie Harris of the Sedona Community Center to provide an update to the City Council on the Community Center's activities, accomplishments, and general service provision to the community.

Presentation by Marjorie Harris. She invited all to participate in their volunteer program.

Questions and comments from Council.

Presentation and discussion only, no action taken.

Item 8c was moved up prior to 8b during meeting.

b. AB 2920 Discussion/possible action regarding approving a Settlement

Agreement with Tlaq Partners, LLC to acquire necessary right-of-way and to resolve other claims for the SR179 Pedestrian Crossing at Oak Creek.

Presentation by Kurt Christianson.

Questions and comments from Council.

Opened to the public at 5:58 p.m.

Rob Smith, Sedona, spoke against the project.

Brought back to Council at 6:01 p.m.

Questions and comments from Council.

Motion: Councilor Kinsella moved to approve the Settlement Agreement with Tlaquepaque to acquire necessary right-of-way and to resolve other claims for the Pedestrian Crossing at Oak Creek Project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 6:10 p.m. Reconvened at 6:32 p.m.

Item 8c was moved up prior to item 8b during meeting.

- c. AB 2934 Discussion/possible action regarding the approval of a Resolution approving a Land Lease Option Agreement and a \$300,000 financial contribution in the form of a loan to The Villas on Shelby, LLC, for a Low-Income Housing Tax Credit (LIHTC) application at 2250 Shelby Drive.**

Presentation by Shannon Boone, Bonnie Harbage and Matt Shoemaker of HS Development Partners.

Questions and comments from Council.

Motion: Vice Mayor Ploog moved to approve Resolution 2023-10 related to the application by Villas on Shelby LLC for competitive 9% tax credits and approve the associated land lease Option Agreement and \$300,000 financial contribution in the form of a loan to the project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 8:10 p.m. Reconvened at 8:15 p.m.

- d. AB 2931 Discussion/possible action regarding proposed amendments to the Sedona City Council Rules of Procedures and Policies.**

Presentation by Kurt Christianson. Kurt advised Council that clapping is part of people's first amendment rights and as long as it does not become disruptive to the meeting, Council cannot stop people from clapping. Going forward clapping will be allowed during meetings. Council unanimously agreed.

Questions and comments from Council.

Opened to the public at 7:54 p.m.

The following voiced concerns with the constitutionality of first amendment rights within

the proposed changes with clapping and other forms of expression: Jim Kapsales, Sedona, Janet Johnson, Yavapai County, and Jessica Sierra, Sedona.

Brought back to Council at 8:01 p.m.

Comments and questions from Council.

Kurt explained clapping is a form of

Motion: Councilor Williamson moved to approve the amendments to the City Council Rules of Procedure and Policies as shown on Exhibit A and as amended during the meeting. Seconded by Councilor Fultz. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

For the record Councilor Kinsella objected to the proposed amendment to Rule 6.3R1a.

e. AB 2861 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.

Presentation by Joanne Keene.

By majority consensus, Council agreed to oppose SB 1278.

By consensus, Council agreed to oppose HB 2536.

By majority consensus, Council agreed to support SB 1585.

f. Reports/discussion regarding Council assignments – None.

g. Discussion regarding ideas for future meeting/agenda items

Mayor advised tomorrow's meeting

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 Jablow adjourned the meeting at 8:41 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on March 28, 2023.

Jo Anne Cook
JoAnne Cook, CMC, City Clerk

4/25/2023
Date