

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, April 11, 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, Assistant City Attorney Doug Drury, Arts Coordinator Nancy Lattanzi, Police Chief Foley, Deputy Police Chief Ryan Kwitkin, Assistant Director of Engineering/Public Works Sandy Phillips, Engineering Supervisor Kurtis Harris, Project Manager Johnathan Hoffman, Associate Engineer Bob Welch, Transit Administrator Robert Weber, Senior Code Enforcement Officer Brian Armstrong, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. Moment of Art

Nancy Lattanzi stated April is National Jazz Month and introduced saxophone player Chris Counelis. Chris played "In a Sentimental Mood" by, Duke Ellington and "St. Thomas" by, Sonny Rollins.

3. Consent Items

- a. Minutes - March 28, 2023 City Council Regular Meeting - Executive Session.
- b. Minutes - March 28, 2023 City Council Regular Meeting.
- c. Minutes - March 29, 2023 City Council Special Meeting.
- d. AB 2909 Approval of award of construction contract in an amount not to exceed \$849,425.00 for the SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project.
- e. Approval of Sexual Assault Awareness Month Proclamation, April 2023.
- f. Approval of Stand With Me, Be Drug Free Week Proclamation, April 9-15, 2023.

Item 3d was pulled from the consent agenda by Councilor Kinsella.

Presentation from Jonathan Hoffman and Sandy Phillips.

Questions and comments from Council.

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

Motion: Councilor Kinsella moved to approve consent item 3d. 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

Chief Police Foley introduced recently hired Deputy Police Chief Ryan Kwitkin who came from Florida with 24 years' experience. Deputy Chief Kwitkin expressed his thanks to administrative staff for the opportunity to serve the community of Sedona. Vice Mayor Ploog said 2,000 people attended the Celebration of Spring; additional regarding other programs can be found on the website by visiting [Signature Events | City of Sedona \(sedonaaz.gov\)](https://www.sedonaaz.gov/signature-events); and 242 runners participated in the Stumble and Run on April 1st. Councilor Furman stated former U.S. Congressman and AZ Representative Tom O'Halleran will be the guest speaker at Keep Sedona Beautiful's event on April 12th. Mayor Jablow advised he, Vice Mayor Ploog, and Councilor Fultz, met with Father Ignatius and Betty McGinnis from the Chapel of the Holy Cross along with Ranger Tinderholt to collaborate on mitigating parking and concerns the neighbors have voiced. He said updates will be posted on social media and shared during Council meetings.

6. Public Forum

Opened to public at 4:54 p.m.

Jim Kapsales, Sedona, cautioned Council on how easy it is to be fooled by some renewable energy systems, John Martinez, Sedona, thanked Council for their sponsorship of the 10th year of the Welcome Home Vietnam Veterans event, and stated the event would likely be the last local event.

Brought back to Council at 5:00 p.m.

7. Proclamations, Recognitions & Awards

a. Sexual Assault Awareness Month, April 2023.

Mayor Jablow read the proclamation and presented it to the Verde Valley Sanctuary Director of Community Based Advocacy Vivien Mann and Residential Services Manager Cassandra Presmyk. Cassandra spoke regarding the importance of this issue and the accomplishments of their program. Workshops will be provided on April 13th at the Cottonwood Library, April 19th at the Camp Verde Library, and April 27th at the Sedona Library. She said people can access the Sanctuaries crisis hotline 24 hours a day at 928-634-2511.

b. Stand With Me, Be Drug Free Week, April 9-15, 2023.

Mayor Jablow read the proclamation and presented it to the of the Greater Sedona Substance Abuse Committee Maudelle Kelly. Maudelle thanked Council for their support. She said 85% of our youth are drug free. She encouraged all to support their efforts during the week of April 9th – 15th and attend a Walk on April 15th at Mortimer's Farm in Dewy, AZ.

8. Regular Business

a. AB 2927 Presentation/discussion/possible action regarding a Resolution in support of Upper Verde River Wild & Scenic River

Designation.

Presentation by Friends of the Verde River's Executive Director Nancy Steele.

Comments and questions by Council.

Motion: Councilor Furman moved to approve Resolution 2023-11 in support of Upper Verde River Wild & Scenic River Designation. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

- b. AB 2936 Discussion/possible action regarding an Ordinance amending the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife).**

Presentation by Brian Armstrong, Arizona Game and Fish Department Region 2 Field Supervisor Timothy Holt, and Chief Foley.

Questions and comments from Council.

Opened to the public at 5:56 p.m.

Jim Kapsales, Sedona, spoke in favor of the Ordinance, Jen Farnsworth, Sedona, voiced concerns regarding private property rights, John Martinez, Sedona, voiced concerns about the language regarding bird feeders.

Brought back to Council at 6:05 p.m.

Questions and comments from Council.

First reading by Kurt Christianson.

Motion: Councilor Williamson moved adopt Ordinance No. 2023-02 an ordinance of the Mayor and Council of the City of Sedona, Arizona adopting amendments to the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife) as amended. w/ addition of skunks and foxes in the definition of wildlife. Seconded by Councilor Fultz. Vote: Motion passed with six (6) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Williamson) and one (1) opposed (Kinsella). For the record, Councilor Kinsella opposed based on the fact that she wanted the name type of animals reduced and to remove water references from the Ordinance.

Break at 6:30 p.m. Reconvened at 6:53 p.m.

- c. AB 2378 Discussion/possible action regarding the Sedona in Motion transportation program, and approval of a Construction Contract for the SR 179 Pedestrian Crossing at Oak Creek Project to J. Banicki Construction, Inc., in an amount not to exceed \$3,461,567.15.**

Presentation by Robert Weber, Andy Dickey, Bob Welch, and Kurt Harris.

Questions and comments from Council.

Motion: Councilor Williamson moved to approve award of the construction contract with J. Banicki Construction, Inc., for the SR 179 Pedestrian Crossing at

Oak Creek Project in an amount not to exceed \$3,461,567.15, for the base bid and Bid Alternative Item 1, subject to approval of the written contract by the City Attorney's Office. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

- d. 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 Policy Development Group Principal, Paul Senseman and Policy Development Group Lobbyist Todd Baughman, and Joanne Keene.

Questions and comments from Council.

By consensus, Council agreed to oppose SB 1313.

Opened to the public at 8:32 p.m.

Dale Casey, Sedona, suggested an addendum be added to SB 1350 to require the owners of short-term rentals to live on the residence of rental property. He believes this would increase the amount of long-term rentals.

Brought back to Council at 8:35 p.m.

- e. AB 2937 Discussion/possible action regarding ideas for possible resolutions for consideration by League of Arizona Cities and Towns' Policy Committees. Including discussion of a City OHV ordinance.**

Presentation by Mayor Jablow. Mayor Jablow is requesting a resolution promoting further restricting OHV use on AZ roadways be submitted to League's 2024 legislative policy agenda and to consider a implementing a City ordinance.

Comments and questions from Council.

Opened to the public at 9:07 p.m.

Dan Candler, Sedona, spoke against this item.

Brought back to Council at 9:09 p.m.

Motion: Vice Mayor Ploog moved to approve the resolution promoting further restrictions to OHV use on Arizona roadways and submit to the League of Arizona Cities and Town for further consideration as part of the League's 2024 legislative policy agenda. Seconded by Mayor Jablow. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

- f. Reports/discussion regarding Council assignments**

Councilor Furman announced the Coconino Plateau Watershed Partnership accepted a \$154,000 grant from the Bureau of Reclamation to complete their aquifer study. Vice Mayor Ploog said the Sister Cities will be hosting an event of Sedona's First Sister City and the Mayor of Canmore, Canada will be in meeting with City Council on Saturday,

April 29th from 9:00 a.m. – 11:00 a.m. at City Hall in Council Chambers. This event is in coordination with the Sister Cities, she encouraged all interested to attend.

g. Discussion regarding ideas for future meeting/agenda items.

Mayor Jablow advised tomorrow's Executive Session meeting will start at 2:00 p.m. tomorrow and the Work Session will start at 3:00 p.m.

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 9:17 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on April 11, 2023.


JoAnne Cook, CMC, City Clerk

4/25/2023
Date