

SUMMARY MINUTES
Regular Sedona City Council Meeting
City Council Chambers
Tuesday, May 13, 2008
4:30 p.m.

The order of business was as follows:

1. The meeting was called to order at: 4:30 pm

- Councilor Bradshaw read the City's Vision Statement

2. Roll Call.

Present: Mayor Colquitt, Vice Mayor Frey, Councilor Adams, Councilor Bradshaw, Councilor Gomez (arrived at 4:40 pm), and Councilor Stearn. Mayor Colquitt said Councilor Scagnelli was excused.

Staff Present: Alison Zelms, Assistant City Manager, Charles Mosley, City Engineer, Cherry Lawson, City Clerk (arrived at 5:00 pm), Cullen Hollister, Assistant Public Works Director, Eric Levitt, City Manager, John O'Brien, Community Development Director, Mary Finger, Deputy City Clerk, Mike Goimarac, City Attorney, Nicholas Gioello, Senior Planner, Ron Wheeler, SPD Commander, Beth Escobar, Associate Planner, Andrea Costello, Assistant to the City Manager, John Endicott, Financial Services, and Chief Joe Vernier.

Council-Elect present: Cliff Hamilton and Dan Surber.

3. Summary of Current Events by Mayor/Council/City Manager: None.

4. Reports and discussion on Council assignments. None.

5. Public Forum –for items not listed on the agenda—limit of three minutes per presentation. (Note that the Council may not discuss or make any decisions on any matter brought forward by a member of the public.)

- Janeen Trevillyan, of the Sedona Heritage Museum, described the educational and other aspects of the Museum, saying it would be ten years old this fall. She thanked the City for all its support on behalf of the Sedona Heritage Museum Board and members.
 - a) Mayor Colquitt presented the Sedona Water Wise Award to Hedayta Livingstone for her dedication and commitment to water conservation.
 - b) Mayor Colquitt presented a plaque to recognize the Boys Scout for their work at the Posse Ground Pool. Zachary Morgan, Eagle Scout, accepted the award from the Parks and Recreation Department in appreciation for his work.

6. Consent Items:

The consent portion of the agenda is a means of expediting routine matters that must be acted on by the Council. *All items approved will be done by one non-debatable motion*

passed unanimously. Any member of the Council, staff or public may remove any item for debate. Items removed from the consent portion may be acted upon before proceeding to the next agenda item.

- Mayor Colquitt said Chief Vernier had requested item 6d, a proclamation, be removed from the Consent agenda for discussion.
 - a. Approval of Minutes:
 - 1) April 9, 2008, Special Work Session Meeting
 - 2) April 22, 2008, Regular City Council Meeting
 - b. Approval of Bills: None
 - c. Liquor License(s):
 - 1) Approval of an Application for a Special Event Liquor License for the Sedona Boys and Girls Club for the 2008 Sedona Taste Fundraiser event on June 8, 2008 at Los Abrigados Resort and Spa.

ISSUE: State liquor laws require the City of Sedona's governing body to enter an order recommending approval or denial of a Special Event Liquor License.
 - 2) Approval of an Application for a Special Event Liquor License for the Sedona Chamber of Commerce for the Hard Hat Hip Hop Event at 336 Hwy 179 on May 30, 2008.

ISSUE: State liquor laws require the City of Sedona's governing body to enter an order recommending approval or denial of a Special Event Liquor License.
 - 3) Approval of an Application for a Special Event Liquor License for the Sedona Chamber of Commerce for the Hard Hat Hip Hop Event at 671 Hwy 179 on May 30, 2008.

ISSUE: State liquor laws require the City of Sedona's governing body to enter an order recommending approval or denial of a Special Event Liquor License.
 - d. Proclamations:
 - 1) Proclaiming May 5-9th 2008 as, "Elks National Youth Week"
 - 2) Proclaiming June 6, 2008, as "Sedona Public Library Day"
 - 3) Proclaiming May 11th-17th, 2008 as "National Police Week, and May 15th, 2008 as Peace Officers Memorial Day."
 - 4) Proclaiming, May 18th-24th, 2008 as "National Public Works Week."
 - 5) Proclaiming May 10-18, 2008, as, "The 25th Annual National Tourism Week"
 - e. Approval of a resolution establishing the need and public purpose for property acquisition, permanent storm sewer easements and temporary construction easements, and to authorize in advance formal condemnation proceedings if necessary for the installation and maintenance of storm drainage facilities for the Harmony-Windsong Storm Drainage Project.

ISSUE: Staff is requesting Council approval of a resolution establishing the necessity and public purpose for permanent storm drainage easements and related temporary construction easements for the purpose of constructing, installing, building, operating, and maintaining storm water collection and drainage infrastructures. The resolution would authorize in advance formal condemnation proceedings in Superior Court if the necessary easements cannot be obtained by informal negotiations.

- f. Approval of a resolution establishing the need and public purpose for property acquisition, permanent storm sewer easements and temporary construction easements, and to authorize in advance formal condemnation proceedings, if necessary, for the installation and maintenance of storm drainage facilities for the Chapel Area Storm Drainage.

ISSUE: Staff is requesting Council approval of a resolution establishing the necessity and public purpose for permanent storm drainage easements and related temporary construction easements for the purpose of constructing, installing, building, operating, and maintaining storm water collection and drainage infrastructures. The resolution would authorize in advance formal condemnation proceedings in Superior Court if the necessary easements cannot be obtained by informal negotiations.

- g. Approval to waive the Development Fee for a Conditional Use Permit for the Sedona Sunrise Center for Adults. Applicant: Sedona Sunrise Center for Adults Case Number: CUP2008-1

ISSUE: The applicant is requesting a waiver of the fee for a Conditional Use Permit Application.

- h. Approval of prices for the Sedona Community Pool.

ISSUE: Staff is requesting Council approval of prices for the Sedona Community Pool

- i. Approval of Construction Manager at Risk (CMAR) Construction Services Guaranteed Maximum Cost (GMP) Contract GMP-4 for the Major Pump Stations Modifications Project at \$2,946,804.00 Plus City's Contingency of \$50,000.00.

ISSUE: Staff is requesting Council approval of an award for the fourth of five anticipated Construction Manager at Risk (CMAR) Construction Services Guaranteed Maximum Cost (GMP) Contracts to Fann Environmental, LLC for a portion of the Upgrade to the City's Major Wastewater Pump Stations Project. The contract amount for this GMP-4 is \$2,946,804.00. The requested approval amount with the City Contingency of \$50,000 included is for a cost of \$2,996,804.00 for this portion of the work.

- j. Approval Of A Contract With Mojave Educational Services Cooperative To Enclose Open Portion Of Centrifuge Building At Wastewater Treatment Plant at a cost of \$98,646.01.

ISSUE: Staff is requesting Council approval of a contract with Mohave Educational Services Cooperative in the amount of \$98,646.01 to enclose the centrifuge building.

- k. Approval to reappoint Robert Gordon and Joel Gilgoff to three-year terms on the Board of Adjustment.

ISSUE: Mayor Colquitt, Councilor Gomez, and Vice Chair Gary Rich are recommending Robert Gordon and Joel Gilgoff to be reappointed to three-year terms on the Board of Adjustment.

- l. Approval to appoint Eugene I. Snyder to a three-year term on the Housing Commission.

ISSUE: Mayor Colquitt, Councilor Adams, and Chair Linda Martinez are recommending Eugene I. Snyder to fill an unexpired term ending October 31, 2010 on the Housing Commission.

- m. Approval to postpone indefinitely consideration of a proposed right-of-way exchange of real property between the City of Sedona and Pinon, LLC, pursuant to Arizona Revised Statutes 9-407.

ISSUE: Staff is recommending continuing indefinitely the proposed approval of a right-of-way exchange between the City and Pinion LLC.

- n. Approval of a resolution for a Historic Preservation Grant application for Jordan Historical Park.

ISSUE: Staff is requesting Council approval of a resolution in support of a grant application with the Arizona state Historic Preservation Heritage Fund Program.

Councilor Bradshaw moved to approve all the consent items, with the exception of 6d. Councilor Gomez seconded. Result: Passed. Action: Passed. Summary: Yes 6; No 0; Absent—Scagnelli.

- Mayor Colquitt recognized Joe Vernier, Police Chief, who introduced several of his officers. He spoke on their behalf, recognizing the sacrifices made by the men and women in blue.
- Mayor Colquitt thanked all the officers present for their hard work. She read aloud the proclamation entitled, *Proclaiming May 11th-17th, 2008 as "National Police Week, and May 15th, 2008 as Peace Officers Memorial Day."*
- Mayor Colquitt proclaimed May 10-18, 2008, as, "The 25th Annual National Tourism Week", and read the proclamation aloud. Jennifer Wesselhoff from the Chamber of Commerce accepted the proclamation.
- Mayor Colquitt proclaimed May 18th-24th, 2008 as "National Public Works Week", and read the proclamation aloud. Charles Mosley, City Engineer, thanked the Mayor and Council for their recognition and invited everyone to attend the Public Works Fair at the

Teen Center on May 20, from 1-6:30 pm. He said there would also be an exhibit next week at the Sedona Library to showcase the Public Works Department.

- Mayor Colquitt introduced Wastewater Treatment Manager, Patricia Livingston, who was voted employee of the year at the Employee Appreciation Day celebration earlier in the day.

Councilor Bradshaw moved to approve consent item 6d. Councilor Gomez seconded. Result: Passed. Action: Motion carried by unanimous roll call vote. Summary: Yes 6; No 0; Absent—Scagnelli.

7. Presentation by the Sedona Main Street Program.

- Becky O'Banion, President of the Sedona Main Street Program, presented the semi-annual report of Main Street Sedona. She thanked the City for its support and outlined the highlights and goals of the Main Street Sedona program. Council had received the Sedona Main Street Program Semi-Annual Report to the City dated March 31, 2008, including financials. She asked members and staff present to stand.

8. Presentation/Update on Technology and Education Grant from West Sedona School.

- Dr. Lisa Hirsch, Principal of West Sedona School and recipient of the Technology and Education Grant introduced West Sedona Technology teacher Scott Keller and Library Media teacher Cheryl Yeatts, who were on the school's Technology Committee. Dr. Hirsch provided a PowerPoint presentation which highlighted the achievements, goals, and importance of this Technology and Education grant. She thanked the City for its support.
- Mayor Colquitt and other Councilors congratulated and thanked Dr. Hirsch and the Technology Committee members for their fine work.
- Councilor Bradshaw said there would be a Monte Carlo night fundraiser at the Enchantment Resort on May 24, 2008, with a large portion of the money raised to go to West Sedona School.

9. PUBLIC HEARING: Discussion/possible action regarding a request for a Time Extension of a previous approval for the Preserve at Oak Creek Condominiums. The applicant is requesting a 24-month time extension to begin construction of the previously approved 158-unit condominium project. A general description of the area affected includes but is not necessarily limited to the area surrounding the intersection of Highway 89a and Art Barn Road in Uptown Sedona. The applicant received zone change approval for the project by the City Council on February 14, 2006, with an effective expiration date of March 14, 2008. The subject property is further identified as Assessor's Parcel numbers 401-08-002A, -006; 401-09-001A, -001B, -001C; 401-13-059; and, 401-14-015, -016, -017, -064, -065, and -075. Applicant: Cole Sedona Preserve, LLC. Case numbers: TE2008-1 (DEV2005-12, SUB2005-19 and ZC2005-7).

- Nick Gioello, City Senior Planner, described this project and its history. He explained the reasons for the time-extension requests and referenced the reports and information Council had received in their packet. He said Planning and Zoning recommended approval of this most recent request. Mr. Gioello said the applicant met the criteria for the approval of the time extension and provided the anticipated timeline for this project. He said the applicant was present for questions.

- Principal Architect, Jay Blatter, and Scott Cole, Phoenix, answered Council's questions and provided additional information on financing and the fees in lieu of constructing affordable housing, which had been at \$1.8 million in 2005-2006. Discussion followed. John O'Brien, Community Development Director, said the *in lieu* fees would probably be much lower, due to the market's severe downturn in the past couple of years.

Mayor Colquitt opened the public hearing at 5:28 p.m. No one asked to speak. She closed the public hearing at 5:29 p.m.

Councilor Gomez moved to approve case number TE2008-1, Preserve at Oak Creek, based on compliance with all ordinance requirements and the time extension criteria set forth in Section 400.11B of the Land Development Code, subject to applicable ordinance requirements, the conditions of approval associated with the original review and approval of the Preserve at Oak Creek project and the attached conditions of approval, with a building permit to be issued and the project under construction and diligently pursued by no later than March 14, 2010. Councilor Stearn seconded. Result: Passed. Summary: Yes 6; No 0; Absent—Scagnelli.

10. Discussion/possible action on the formation of a task force to evaluate possible effluent reuse/disposal alternatives and land use options.

The Water Conservation Advisory Committee was requesting that City Council form a task force to explore all options available for the reuse and/or disposal of Sedona's effluent water and to also look at possible land use options for a portion of the City owned land in the area of the wastewater treatment plant.

- Eric Levitt, City Manager provided details on this item and said he supported the Water Conservation Committee's request for a task force, except that he recommended no staff members serve on the task force. He said Wastewater would be a resource for the committee/task force. He stressed that land use issues needed to be addressed, as well.
- Anita McFarland, Chair of the Water Conservation Committee, provided more information in support of a task force. She said any well-considered direction from Council, would be appreciated. She referenced a February 14, 2008, memo from the Water Conservation Advisory Committee to the Mayor and Council Members.
- Lengthy discussion followed about many aspects of effluent reuse/disposal alternatives, land use options, stakeholders, and agencies that might be included in such a task force.

Councilor Bradshaw moved to direct the city manager to come back with a specific scope of the mission of an effluent task force and how they would compile a list of effluent land use options for public discussion. Councilor Stearn seconded. Result: Passed. Summary: Yes 6; No 0; Absent—Scagnelli.

11. Discussion/possible action regarding the Sedona Teen Center and operations by the Boys and Girls Club.

- Boys and Girls Club Executive Director Todd Bale addressed council to ask for two-year extension of the current lease at the Sedona Teen Center. Discussion followed.
- Eric Levitt, City Manager, said he supported the Boys and Girls Club request. He said the two-year lease would have a review period after the first year, and there would be language added to allow the City could use the facility during non-club hours.
- Michelle Werth, Director of Operations, talked about ways to reach out to the high school students, including community service opportunities and special events.

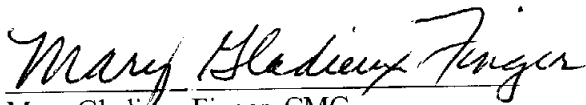
Councilor Gomez moved to approve continuing operations of the Teen Center by the Boys and Girls Club. Seconded by Councilor Stearn. Result: Passed. Summary: Yes 6; No 0; Absent—Scagnelli.

City Attorney Mike Goimarac referred to a privileged memo he had sent to Council regarding some litigation and strategy.

Councilor Adams moved to accept the recommendations, per a recent memo from the City Attorney, to move forward in regard to the Tonto Supply Company matter. Councilor Stearn seconded Result: Passed. Summary: Yes 6; No 0; Absent—Scagnelli.

- 12. Discussion/possible action on future meeting/agenda items.**
 - Mayor Colquitt said there would be no work session and no budget session on Wednesday, May 14, 2008.
- 13. Discussion/possible action on executive session items.** None.
- 14. Adjournment.**
 - Mayor Colquitt called for adjournment, without objection, at 6:26 pm.

Respectfully submitted by:



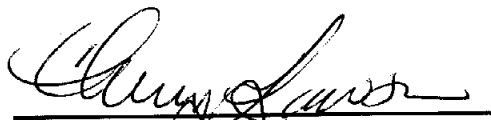
Mary Gladioux Finger, CMC
Deputy City Clerk

CERTIFICATION

I hereby certify that the attached minutes from the Regular City Council Meeting, held on May 13, 2008 at 4:30 p.m., are a true and correct copy of that meeting.

I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of May, 2008.



Cherry Lawson, CMC
City Clerk