

**Action Minutes
Special City Council Meeting
Sedona City Hall, Council Chambers
102 Roadrunner Drive, Sedona, Arizona
Tuesday, September 10, 2024, 3:00 p.m.**

1. Call to Order

Mayor Jablow called the meeting to order at 3:00 p.m.

2. Roll Call

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 item: City Manager Anette Spickard, Deputy City Manager Andy Dickey, City Attorney Kurt Christianson, Director of Community Development Steve Mertes, and City Clerk JoAnne Cook.

3. Executive Session

Motion: Councilor Williamson moved to enter into Executive Session at 3:03 p.m. Seconded by Councilor Fultz. Motion carried with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

Kurt Christianson gave the admonition.

- a. **Discussion and consultation to consider its position and instruct its attorneys and designated representatives regarding contract negotiation and negotiations for the purchase, sale or lease of real property in the area between SR 179 and Canyon Drive and just north of SR 179 and Copper Cliffs Drive, in the area south of SR 89A just west of Brewer Road, and in the area north of SR 89A between Madole Road and Stutz Bearcat Drive. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(4) & (7).**
- b. **Discussion and consultation for legal advice with the City Attorney, to consider the City's position, and instruct its attorneys regarding pending or contemplated litigation or settlement discussions in order to avoid or resolve litigation in the matter of Axys Capital Total Return Fund, LLC's A.R.S. 12-1134 notice of claim regarding Coconino County APN 408-08-002A, 408-08-006A, 401-09-001A, 401-09-001B, 401-009-001C, 401-13-059, 401-14-015, 401-14-016, and 401-14-017. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(7).**
- c. **Return to open session. Discussion/possible action regarding executive session items including adoption of a resolution waiving partial enforcement of Ordinance 2023-03 on Coconino County APN 408-08-002A, 408-08-006A, 401-09-001A, 401-09-001B, 401-009-001C, 401-13-059, 401-14-015, 401-14-016, and 401-14-01.**

Reconvened in open session at 4:12 p.m.

Motion: Councilor Kinsella moved to adopt Resolution No. 2024-21 waiving partial enforcement of Ordinance 2023-03 on Coconino County APN 408-08-002A, 408-08-006A, 401-09-001A, 401-09-001B, 401-009-001C, 401-13-059, 401-14-015, 401-14-016, and 401-14-01. Seconded by Vice Mayor Ploog. Motion carried with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

4. Adjournment – None.

Mayor Jablow advised the meeting will be continued on Tuesday, September 24, 2024 at 3:00 p.m. at 102 Roadrunner Drive, Sedona, AZ, 86336.

I certify that the above are the true and correct actions of the Special City Council Meeting held on September 10, 2024.


JoAnne Cook, CMC, City Clerk

9/24/2024
Date