

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, September 24, 2024, 4:30 p.m.

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

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 Anette Spickard, Deputy City Manager Andy Dickey, City Attorney Kurt Christianson, Director of Public Works/City Engineer Kurt Harris, Assistant City Attorney Monique Coady, Director of Community Development Steve Mertes, Associate Engineer Jonathan Hoffman, Associate Engineer James Crowley, Interim Housing Manager Jeanne Frieder, Planning Manager Cari Meyer, Director of Financial Services Barbara Whitehorn, Purchasing Administrator Ian Coubrough, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. Roll Call

3. Consent Items

- a. **Minutes - September 10, 2024 City Council Meeting - Executive Session.**
- b. **Minutes - September 10, 2024 City Council Regular Meeting.**
- c. **Minutes - September 11, 2024 City Council Special Meeting.**
- d. **Approval of Proclamation, Meals on Wheels 40th Anniversary, September 28, 2024.**
- e. **AB 3108 Approval of an amendment to Sedona City Code (SCC) Sections 12.05.040 and 12.05.110, modifying the Maricopa Association of Governments (MAG) and specifications regarding utility trench backfill procedures. (Second meeting)**
- f. **AB 3109 Approval of a recommendation regarding an application for a Temporary Extension of Premises/Patio Permit Liquor License for Mooney's Shebeen LLC, DBA Mooney's Irish Pub, located at 671 SR 179, BST-4, Sedona, AZ.**
- g. **AB 3114 Approval of a Resolution authorizing the execution of an Intergovernmental Agreement (IGA) between the City of Sedona and the Yavapai County Flood Control District (YCFCD) contributing an amount not-to-exceed \$300,000 in YCFCD funds to be used for the design and construction of general drainage improvement projects.**
- h. **AB 3118 Approval of a Resolution approving the form of the lease purchase agreement with Zions Bancorporation, N.A. and authorizing the execution and delivery thereof for the purchase of four (4) replacement Police Interceptors in the amount of \$360,769.02, plus interest.**

Item 3h was pulled off Consent Items by staff.

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

Ian Coubrough explained the change in the Lease Purchase Agreement being Exh. A of the agreement and the payment schedule.

Motion: Councilor Kinsella moved to approve Resolution No. 2024-25, approving the form of the lease purchase agreement with Zions Bancorporation, N.A. and authorizing the execution and delivery thereof for the purchase of four (4) replacement Police Interceptors in the amount of \$360,769.02, plus interest, as amended in Exh A. Seconded by Vice Mayor Ploog. 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 invited all to attend the 40th Anniversary Celebration of Sedona Community Center's Meals on Wheels Program on September 28, 2024 from 10:00 a.m.- 2:00 p.m.

6. Public Forum

Opened to public at 4:35 p.m.

The following voiced concerns regarding unregulated pickleball courts/sports courts and urged Council to regulate pickleball courts/sport courts on private property within City limits:

Becky Hofer, Sedona, Samantha Hofer, Sedona, Ellen Engelstein, Sedona, James Blair, Sedona, Robert Pifke, Sedona.

Brought back to Council at 4:51 p.m.

7. Proclamations, Recognitions & Awards

a. Proclamation, Meals on Wheels 40th Anniversary, September 26, 2024.

Mayor Jablow presented the proclamation to Marjorie Harris, Executive Director of the Sedona Community Center. Marjorie thanked Council for their support.

Item 8c was moved up prior to item 8a.

8. Regular Business

Motion: Vice Mayor Ploog moved to enter into Executive Session regarding item 8a. Village at Saddlerock Crossing at 5:40 p.m. Seconded by Councilor Williamson. Motion carried with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

Reconvened in open session at 6:05 p.m.

No action taken.

- a. **AB 3035 Public Hearing/possible action regarding a request for approval of a Zone Change (ZC) and Development Agreement to allow for development of a 100-room hotel and 46-unit multifamily housing project (Village at Saddlerock Crossing) at 1259 & 1335 W State Route 89A; 82 & 86 Saddlerock Circle; and 105 Elk Road. The property is within the Soldiers Pass Community Focus Area, is ±6.3 acres, and is located south of the intersection of W State Route 89A and Soldiers Pass Road between Saddlerock Circle and Elk Road. APN: 408-26-004B, 408-26-004C, 408-26-009C, 408-26-009C, 408-26-010, 408-26-011, 408-26-012, 408-26-013, 408-26-014, 408-26-086A, 408-26-088. The requested Zone Change is from CO (Commercial) and RM-2 (Medium-High Density Multifamily) to L (Lodging). Case Number: PZ19-00005 (ZC, DEV) Owner/Applicant: The Baney Corporation (Curt Baney) Authorized Representative: Withey Morris Baugh, PLC (Jason Morris and Benjamin Tate).**

Presentation by Cari Meyer.

Questions and comments from Council.

Presentation by Ben Tate of Withey Morris Baugh representing the Baney family.

Break at 6:58 p.m. Reconvened at 7:22 p.m.

Questions and comments from Council

Opened Public Hearing at 8:20 p.m.

The following spoke in favor of the zone change:

Larry Jackson (spoke for himself and wife), Sedona, , Hayden Baney, Baney Corporation, Bend, Oregon, Carol Rizzi (spoke for herself and husband John), Sedona, Tom Carter (Sonya), Sedona.

The following spoke in opposition to the zone change:

Michael Vitek, Sedona, Ann Kelley spoke for Sedona Residents Unite, Sedona, Colleen Hallinan, Sedona, gave her time to Allen Sirotkiu, Sedona, Kristen Brock, Sedona, Peter Brock, Sedona.

Howard Kipnis, Sedona, spoke in favor of the item or continuation.

Brigitte Laurica, Sedona, requested continuation or denial.

Closed Public Hearing at 8:51 p.m.

Comments from Council.

Motion: Councilor Williamson moved approve Ordinance No. 2024-06, regarding case number PZ 19-00005 (ZC), Village at Saddlerock Crossing, rezoning the property identified herein from its present designation of CO (Commercial) & RM-2 (Medium-High Density Multifamily) to L (Lodging), based on compliance with ordinance requirements, consistency with the Sedona Community Plan, Soldiers Pass CFA Plan, Transportation Master Plan, GO! Sedona Pathways Plan, Climate Action Plan, the Land Development Code, and the requirements for approval, as

specified in LDC Sections 8.3 and 8.6, and satisfaction of the Zone Change findings and applicable Land Development Code requirements, and conditions of approval as recommended by the Planning and Zoning Commission, subject to the Conditions of Approval, as amended. Seconded by Councilor Dunn. Vote: Motion passed with four (4) in favor (Dunn, Fultz, Furman, Williamson) and three (3) opposed (Jablow, Kinsella, Ploog).

Motion: Councilor Williamson moved to approve Resolution 2024-26 authorizing the City of Sedona to enter into a development agreement with Baney Corporation for the development of a lodging and multifamily residential mixed-use project at 1259 & 1335 W State Route 89A; 82 & 86 Saddlerock Circle; and 105 Elk Road. Seconded by Councilor Dunn. Vote: Motion passed with four (4) in favor (Dunn, Fultz, Furman, Williamson) and three (3) opposed (Jablow, Kinsella, Ploog).

Break at 9:53 p.m. Reconvened in open session 9:59 p.m.

- b. AB 3087 Discussion/possible action regarding the award of a Construction Contract for the Dry Creek Road Shared-Use Pathway Improvements Project, Two Fences Trailhead to Gringo Road, to the contractor Mulcaire & Son Contracting, LLC, in an amount not-to-exceed \$376,019.90.**

Presentation by Kurt Harris and Jonathan Hoffman.

Comments and questions from Council.

Motion: Councilor Williamson moved approve award of the construction contract with Mulcaire & Son Contraction, LLC for the Dry Creek Road Shared-Use Pathway Improvements Project, Two-Fences Trailhead to Gringo Road, in an amount not-to-exceed \$376,019.90, subject to approval of the written contract by the City Attorney’s Office. Seconded by Councilor Dunn. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

Item 8c AB 3071 was moved prior to item 8a AB 3035.

- c. AB 3071 Discussion/possible direction on Land Use Assumptions (LUA), Infrastructure Improvement Plan (IIP), and Development Fees.**

Presentation by Presentation by Ben Griffin, Senior Fiscal/Economic Analyst, Tischler Bise, Inc., and Anette Spickard.

Comments and questions from Council.

By majority consensus, Council directed staff to do more comparisons, as close to comparing apples to apples as possible, from neighboring cities regarding the other funding sources used for CIP projects and parks, and other funding options may be available for consideration and to bring back to Council at the November 12, 2024 Council meeting.

- d. AB 3066 Discussion/possible action regarding future meeting/agenda items.**

Mayor Jablow advised Council will be meeting with the Sedona Fire District Board in the

Vultee Conference Room tomorrow starting at 1:00 p.m.

b. 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.**

10. Adjournment

Mayor Jablow adjourned the meeting at 10:12 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on September 24, 2024.


JoAnne Cook, CMC, City Clerk

10/08/24
Date