Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, December 13, 2016, 4:30 p.m.

1. Call to Order/Pledge of Allegiance/Moment of Silence/Roll Call
Mayor Moriarty called the meeting to order at 4:30 p.m.

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Curivan, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson, Councilor Joe Vernier.

Staff Present: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Director of Community Development Audree Juhlin, Assistant Director of Community Development Warren Campbell, Senior Planner Cynthia Lovely, Senior Planner Cari Meyer, Senior Planner Mike Raber, Assistant Planner Matt Kessler, Assistant Planner Adam Langford, Plans Examiner Brian Pearson, Development Services Representative Patty Lewis, Community Development Administrative Assistant Donna Puckett, Human Resources Specialist Nancy Wilson, Accounting Supervisor Derrick Beracy, Accounting Technician Marsha Beckwith, Accounting Technician Lori Dean, Accounting Technician Terry DePasquale, Accounting Technician Martha Keider, Lieutenant Lucas Wilcoxson, Sergeant Stephanie Foley, Executive Assistant to the City Manager Dianne Springfield, Arts & Culture Coordinator Nancy Lattanzi, City Clerk Susan Irvine, Deputy City Clerk JoAnne Cook, Records Clerk David Jakim.

2. City’s Vision/Moment of Art
A video of the City’s vision was played. Nancy Lattanzi introduced Justin Clifton, Sedona City Manager and musician. Justin sang the song “Darlin’ I” by Tony Lucca and accompanied himself on his guitar.

3. Consent Items
b. Minutes - December 1, 2016 City Council Special Meeting - Retreat.
c. Approval of Proclamation, Civil Air Patrol Month, December 2016.
e. AB 2187 Approval of a recommendation regarding a Liquor License Person Transfer and Interim Permit application for the Series 6 Bar Liquor License for Mooney's Irish Pub, 621 SR179 ST BST4, Sedona, AZ (License #06030002).
f. AB 2188 Approval of a recommendation regarding a Liquor License Agent Change/Acquisition of Control application for the Series 12 Restaurant Liquor License for Rene at Tlaquepaque, 336 State Route 179, Sedona, AZ (License #12030002).
g. AB 2189 Approval of an Extension of Premises/Patio Permit for Whole Foods Market located at 1420 West Hwy 89A, Sedona, AZ (License #07130041).
h. AB 2191 Approval of a resolution updating prescribed standards for Financial Disclosure Statements for local elected officials.

Motion: Vice Mayor Martinez moved to approve consent items 3a, 3b, 3c, 3d, 3e, 3f, 3g, and 3h. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

4. Appointments - None.

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

Vice Mayor Martinez stated the City website is an excellent resource for information on events. He advised that Tinsel Town/Red Rock Fantasy is taking place at Tlaquepaque through January 1st, and there will be ice skating on December 30th & 31st. The Bike Skills Park is coming along nicely, and they are looking for volunteers to train mountain bikers and work on the trails. Councilor Thompson stated that movie “Before the Flood” will be shown at Mary D. Fisher Theatre on December 22nd at 4:00 and 7:00 p.m. It is a film about the environment which stars Leonardo DiCaprio and is put on by Sedona Film Festival with free admission. Mayor Moriarty stated that you can obtain more information on holiday events by visiting www.holidaycentralsedona.com.

6. Public Forum

Robert O’Donnell, Sedona, stated that the Red Rock Fantasy is a nice first attempt to bring it back, but it does not equal the old Red Rock Fantasy. He feels it needs more displays and better flow. He stated that the City’s ornament display is excellent, and he would like to see families prepare displays instead of all businesses. Mr. O’Donnell expressed his concern about the Chamber of Commerce’s proposed Jordan Road property acquisition. He feels that the City is giving the Chamber more money than they need if they can afford to make large payments and later give the property to the City. He would prefer that the City to give the Chamber less money and use this extra money for projects and reserves.

7. Proclamations, Recognitions, and Awards

a. Presentation of Proclamation, Civil Air Patrol Month, December 2016.

Mayor Moriarty read the proclamation and presented it to Major Victor La Sala. Major La Sala thanked the City Council for their recognition of the Civil Air Patrol.


Mayor Moriarty read the proclamation and presented it to Jennifer Wesselhoff. Ms. Wesselhoff thanked the City Council for their recognition of this new idea which they hope will bring business to Sedona during a slow time.

8. Regular Business

a. AB 2182 Discussion/possible direction to reevaluate the criteria and process used to award grants for community building, economic stimulation, and arts & culture activities through the City’s Small Grants Awards Program.

Presentation by Karen Osburn, Robert Pickels, Jr., and Justin Clifton.

Questions and comments from Council.
By majority consensus, Council agreed that they will determine public purpose through the action of awarding grants, and they shall only make awards for programs, activities, and events that, in their assessment, serve a public purpose. Council further directed staff to do the following:

1. Help provide guidance to applicants and reviewers on what constitutes a public purpose, to include examples of what types of things have been previously funded (and therefore considered public purpose) in the application materials, and to lean on the following existing criteria:
   a. Eligible programs, activities, or events should:
      - Promote public health, safety, general welfare, prosperity, or contentment
      - Significantly impact the well-being and prosperity of Sedona residents in the areas of arts and culture, community building, or economic stimulation
      - Demonstrate that City funding is essential to the success of the program or service
      - Directly benefit City of Sedona residents and preferably occur within the City limits
      - Strive for programs that are innovative and distinctive
      - Provide documented benefits directly to City of Sedona residents
      - Advance the goals established in the Community Plan;

2. Assess financial need but don’t automatically lean toward “weaning”;
3. Examine balance sheet but don’t withhold funding if funds are being saved for a building fund or other designated purposes;
4. Remove ability to obtain funding from multiple City sources;
5. Don’t allow multiple applications from same non-profit;
6. Remove the three different categories from application process;
7. Continue with the work group process for the upcoming fiscal year; and
8. Make it a Council priority to reexamine the grants process as a whole.

Break at 6:05 p.m. Reconvened at 6:25 p.m.

b. AB 2176 Public hearing/discussion/possible action regarding an ordinance removing Sedona Land Development Code, Section 918, Accessory dwelling units (ADU).

Presentation by Audree Juhlin, Robert Pickels, Jr., and Justin Clifton.

Questions and comments from Council.

Motion: Councilor Thompson moved to go into Executive Session at 6:37 p.m. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

Break at 6:38 p.m. to the Vultee Conference Room. Reconvened in Council Chambers from the Executive Session at 6:59 p.m.
Motion: Vice Mayor Martinez moved to come out of Executive Session at 6:59 p.m. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

Opened the public hearing at 6:59 p.m.

No comments were heard.

Closed the public hearing and brought back to Council at 6:59 p.m.

Questions and comments from Council.

Motion: After 1st reading, Councilor Thompson moved to approve Ordinance No. 2016-10, an Ordinance of the City of Sedona, Arizona, amending the Sedona Land Development Code to repeal Section 918 (ADU Ordinance); providing for a savings clause; and providing for repeal of any Ordinance or parts of Ordinances or Code provisions in conflict herewith. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

c. AB 2183 Discussion/possible action regarding a resolution and ordinance amending the Sedona Land Development Code, Section 304, regarding Board of Adjustment.

Presentation by Robert Pickels, Jr., Audree Juhlin, and Justin Clifton.

Questions from Council.

Opened to the public at 7:20 p.m.

Mike Ward, Sedona, stated that he did not believe the City should do away with the Board of Adjustment. He felt the parties who come before the Board of Adjustment should have their case heard by a board of local people who know the community. He feels very strongly that the current system works and encouraged the Council to retain it.

Charlotte Hosseini, Sedona, stated that she feels the Board of Adjustment represents a broader view than a single person. Changing to a hearing officer would add another level of review which seems cumbersome to the citizens. She believes Council or the Planning and Zoning Commission should be considered instead of a hearing officer if Council chooses to eliminate the Board of Adjustment.

Brought back to Council at 7:26 p.m.

Questions and comments from Council.

Motion: Councilor Thompson moved to approve Resolution 2016-36, a Resolution of the Mayor and Council of the City of Sedona, Arizona, establishing as a public record the terms of proposed amendments to the Sedona Land Development Code, Section 304, Board of Adjustment with the following change under 304.01 B at the end strike availability and replace with “an administratively predetermined rotation or priority system”. Seconded by Councilor Jablow. Vote: Motion carried with five (5) in favor and two (2) opposed. Councilor Currivan and Councilor Vernier opposed.

Motion: After 1st reading, Councilor Thompson moved to approve Ordinance 2016-11, an Ordinance of the City of Sedona, Arizona, amending the Sedona Land Development Code, Section 304, Board of Adjustment. Seconded by Councilor
Jablow. Vote: Motion carried with five (5) in favor and two (2) opposed. Councilor Currivan and Councilor Vernier opposed.

d. AB 2192 Discussion/possible action regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short-Term Rental Regulations.

Presentation by Robert Pickels, Jr.

Questions from Council.

Opened to the public at 8:02 p.m.

Chetan Kane, Sedona, stated that she was not comfortable with posting her number on the outside of her house and was thankful for this proposed change.

Brought back to Council at 8:03 p.m.

Motion: Councilor Jablow moved to approve Resolution No. 2016-37, a Resolution of the Mayor and Council of the City of Sedona, Arizona, establishing as a public record the terms of proposed amendments to the City Code Chapter 5.25 (2016 Short-Term Rental Regulation Provisions). Seconded by Councilor Vernier. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

Motion: After 1st reading, Councilor Jablow moved to approve Ordinance No. 2016-12, an Ordinance of the City of Sedona, Arizona, amending the City Code Chapter 5.25 (Short Term Rental Regulation); providing for a savings clause; and providing for repeal of any Ordinance or parts of Ordinances or Code provisions in conflict herewith. Seconded by Councilor Lamkin. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

e. Reports/discussion on Council assignments – None.

f. Discussion/possible action on future meeting/agenda items

Mayor Moriarty stated that there is a Verde Valley Legislative Round Table Meeting tomorrow 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.

Executive Session was held during item 8b.

10. Adjournment

Mayor Moriarty adjourned the meeting at 8:06 p.m. without objection.
I certify that the above are the true and correct actions of the Regular City Council Meeting held on December 13, 2016.

Susan L. Irvine, CMC, City Clerk

Date