

**Action Minutes  
Regular City Council Meeting  
City Council Chambers, Sedona City Hall,  
102 Roadrunner Drive, Sedona, Arizona  
Tuesday, April 14, 2015, 4:30 p.m.**

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

Mayor Moriarty called the meeting to order at 4:33 p.m.

**Roll Call:** Mayor Sandy Moriarty, Vice Mayor Mark DiNunzio, Councilor Scott Jablow, Councilor Angela LeFevre, Councilor John Martinez, Councilor Jon Thompson, and Councilor Jessica Williamson.

**Staff Present:** Interim City Manager Karen Daines; City Attorney Mike Goimaras; Director of Community Development Audree Juhlin; Assistant Director of Community Development/City Engineer Andy Dickey; Engineering Supervisor Stephen Craver; Associate Engineer Roxanne Holland, Senior Planner Mike Raber; Associate Planner Cari Meyer; Chief of Police Ray Cota; Commander Marlayne Hatler; Communications/Records Supervisor Michele Stover; Communications Specialists Sue Donahoe, Michele Peretic, Maryjane Smith, Vinita Richie, Johnna Johnson, and Mark Coughlin; Arts & Culture Coordinator Nancy Lattanzi, Parks & Recreation Manager Rachel Murdoch, City Clerk Susan Irvine; Deputy City Clerk JoAnne Cook.

**2. City's Vision Statement/Moment of Art**

Vice Mayor DiNunzio read the City's vision statement.

Nancy Lattanzi introduced Steinway pianist Lewis Landon who performed a song he composed titled "Sedona on my Mind." Mr. Landon is an accomplished musician and composer who recently relocated to Sedona from New York.

**3. Consent Items**

- a. **Minutes - March 24, 2015 City Council Special Meeting.**
- b. **Minutes - March 24, 2015 City Council Regular Meeting.**
- c. **Minutes - March 25, 2015 City Council Special Meeting.**
- d. **Approval of Proclamation, National Public Safety Telecommunications Week, April 12-18, 2015.**
- e. **Approval of Proclamation, PowerTalk 21 Day, April 21, 2015.**
- f. **AB 1933 Approval of a Final Plat Amendment of Harmony Hills PZ14-00012 (SUB).**
- g. **AB 1944 Approval of an amendment to the employment agreement between the City and new City Manager, Justin Clifton, reflecting a revised start date for commencing employment with the City.**

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

**4. Appointments – None.**

**5. Citizen Engagement Program (CEP) Update**

Karen Daines stated that there is a volunteer appreciation luncheon on Friday at the Teen Center to recognize City volunteers, and City Council is invited to attend. The Dells Land Use Group is in their report writing phase and is also coming up with ideas for community outreach. The CEP assessment group will have a report for Council at the next quarterly update. The Ranger/Brewer Road Master Plan Group is formed and will meet for the first time on April 28<sup>th</sup>.

## **6. Summary of Current Events**

Councilor Martinez advised that the Green Team hoped to address plastic bags in the City of Sedona but this was usurped by state legislation prohibiting local government from enacting any type of laws related to this. Another idea of the Green Team is the possible use of waterless urinals which would be a water saving project. Last Saturday was a walk to support the end of human trafficking. Mayor Moriarty felt privileged to take part in the activity.

## **7. Public Forum**

Ron Maassen, Sedona, invited everyone to attend the Grand Opening of the relocated telegraph office on May 16<sup>th</sup> from 1:00 to 3:00 p.m. on behalf of the Sedona Historical Society.

Jenine-Lacette DShazer, Sedona, advised that there will be a global march against chemtrails and geoengineering on April 25<sup>th</sup> starting at 10:00 am at Relics. The third Tuesday of each month there will also be screenings of documentaries and other related information at Relics. They have formed "GAASP" which is the Group Against Arizona Sky Pollution. There is lawsuit in the works by Michael Murphy the author of "What in the World and Why in the World are the Spraying". Rhode Island is considering a ban on geoengineering for the entire state which is H5480 and reflects A.R.S. Title 49.

## **8. Proclamations, Recognitions and Awards**

### **a. Presentation of Proclamation, National Public Safety Telecommunications Week, April 12-18, 2015.**

Mayor Moriarty read the proclamation and presented it to Chief Cota. Chief Cota thanked the Council for this recognition. He introduced Communications Specialists Sue Donahoe, Michele Peretic, Maryjane Smith, Vinita Richie, Johnna Johnson, and Mark Coughlin. The Sedona Police Communications Office operates 24 hours a day, 7 days a week, and the specialists demonstrate their caring for officers, public safety personnel, citizens, and visitors.

## **9. Regular Business**

### **a. AB 1928 Presentation/discussion/possible direction on the development of a service contract between the City of Sedona and Red Earth Theatre for the management and operation of a small live performing arts venue in the City's Teen Center facility located at Posse Grounds Community Park.**

Presentation by Karen Daines and Kate Hawkes Producing Artistic Director of Red Earth Theatre, Jim Bishop Board Member of Red Earth Theatre, and Kate Krall.

Questions from Council.

Opened to the public at 5:42 p.m.

Shondra Jepperson, Sedona, spoke in favor of this project and is willing to do a fundraiser to support this request.

Ronald Maassen, Sedona, spoke in favor of this request.

Mayor Moriarty shared written support of the San Patricio Estates Homeowners Association.

Nancy Robb Dunst, Sedona, spoke in favor of this request.

Elizabeth Oakes, Sedona, spoke in favor of this request and gave her support of Kate Hawkes.

Joshua Jennings, Sedona, pastor for Aletheia Church stated that they use the Teen Center for services and events and would like to continue their use of the facility.

Matthew Oskowis, Sedona, stated he believes that the teen center was supposed to be for the youth, and he feels there are not adequate opportunities provided. He believes that there should be a cooperative effort with the Sedona Performing Arts Center and feels this proposal does not support the school district and will compete with their venue.

Jerry Showalter, Oak Creek Canyon, is the chairman of the youth committee who was tasked with finding a use of the teen center for youth. He feels that Kate Hawks is offering an excellent program to utilize this space and could offer opportunities for youth in the summer. He asked that the City Council support this request.

Brought back to Council at 6:00 p.m.

Comments from Council.

**By majority consensus, Council directed staff to bring back a contract for approval at the next City Council meeting.**

**Break at 6:07 p.m. Reconvened at 6:22 p.m.**

**b. AB 1903 Discussion/possible action per Sedona Land Development Code (SLDC) § 400.09, on a request for reconsideration of Case No. PZ13-00016 (ZC) (Rezoning Application for construction of a CVS Pharmacy at 20 Airport Road). If a majority of the Sedona City Council vote to reconsider this case, then the Council will hold a public hearing and consider anew the following:**

**AB 1903 Public hearing/discussion/possible action on reconsideration of the following regarding:**

**1. A proposed ordinance effecting a Zone Change to PD (Planned Development) thereby allowing the construction of a new 12,913 square foot commercial building (CVS/pharmacy) and associated site improvements at 20 Airport Road. The property is currently zoned C-2 (General Commercial) and RS-12 (Single Family Residential). A general description of the area affected includes but is not limited to the southeast corner of W. State Route 89A and Airport Road. The lot is further identified as Assessor's Parcel Numbers 408-26-217A & B. Applicant: Withey Morris, PLC; Agent: Armstrong Development Properties Inc.; Case Number: PZ13-**

**00016 (ZC). Per SLDC § 400.07 ultimate approval of this rezoning is contingent upon a favorable vote of 3/4 of the members of the Sedona City Council due to the fact that the City has received the requisite number of protests from adjoining property owners to require a super-majority vote; and**

**2. A resolution approving a development agreement setting forth among other things, terms governing the density of development, construction of improvements, and payment of fees.**

Introduction by Karen Daines.

Opened the reconsideration issue to the public at 6:26 p.m.

Mac McCall, Sedona, spoke in opposition to the reconsideration.

Brought back to Council at 6:28 p.m.

**Motion: Councilor Williamson moved for reconsideration of Case No. PZ13-00016 (ZC) (Rezoning Application for construction of a CVS Pharmacy at 20 Airport Road). Seconded by Councilor Jablow. Vote: Motion carried with five (5) in favor and two (2) opposed. Vice Mayor DiNunzio and Councilor LeFevre opposed.**

Presentation by Jason Morris on behalf of the applicant Armstrong Development.

Questions from Council.

Opened the public hearing at 7:21 p.m.

James Eaton, Sedona, believes the first plan is the best plan Council is going to see with the exception of the left turn across 89A. He is opposed to the project based on the fact that the access on 89A is not right in, right out only. He feels that Council should opt for the first plan with the access changed to right in, right out. He believes that traffic on 89A is absurd and something needs to be done.

Jim DeGeorge, Sedona, spoke in favor of the project as originally proposed. He feels Council should approve the original request with the benefits to the community. He urged Council to approve the original plan.

Yvonne Govin, Sedona, spoke in favor of approval of the project as presented in the original plan.

Joe Fedler, Sedona, spoke in opposition to commercial sprawl in the City of Sedona. He asked that the people who are opposed not be criticized when they are following the City's rules. He asked that the City Council vote their conscience based on what they feel is best for the future of the City of Sedona.

James Lando, Sedona, spoke in favor of the application as originally presented. He stated that he signed the petition in opposition to the project without realizing what he signed. He feels the original plan is far superior and urged the City Council to approve it. He asked if he could reject his signature from the petition.

Mac McCall, Sedona, stated that the neighbors are now split on the project and somewhat ambivalent. His concern is the traffic on Airport Road and emergency access. He feels that the City Council should approve the plan as originally presented.

Anthony Caetano, Sedona, advised that he signed the original petition and asked that the City Council approve the original plan. He asked that CVS install a fence to keep people from accessing Les Springs through the open space.

Matthew Oskowis, Sedona, spoke in favor of the project as originally presented.

Mayor Moriarty noted that Ernie Strauch departed the meeting prior to speaking, but his card was in support of the project.

Closed the public hearing and brought back to Council at 7:36 p.m.

Comments from Council.

Jason Morris requested that the City Council defer their decision until the neighbors are given an opportunity to affirm their signatures on the petition requiring the super majority vote.

**Motion: Councilor Thompson moved to continue this issue until the May 12, 2015 meeting of the Council. Councilor Williamson seconded. Further discussion by Council. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.**

- c. **AB 1923 Discussion/possible action regarding approval of a Series 9 Liquor License for CVS/pharmacy #10425 proposed to be located at 20 Airport Road, Sedona, AZ (Liquor License #09130056).**

Introduction by Audree Juhlin. Presentation by Jason Morris on behalf of the applicant.

**Motion: Councilor Jablow moved to recommend approval of a Series 9 Liquor License for CVS/pharmacy #10425 proposed to be located at 20 Airport Road, Sedona, AZ (Liquor License #09130056). Seconded by Vice Mayor DiNunzio. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.**

- d. **AB 1922 Discussion/possible action regarding approval of a Construction Contract with KP Ventures Well Drilling and Pump Company, LLC for the Wastewater Reclamation Plant Injection Well No. 2 Drilling Project, in an amount not to exceed \$304,160.74.**

Introduction by Karen Daines. Presentation by Andy Dickey.

Questions from Council.

**Motion: Councilor Thompson moved to approve the construction contract with KP Ventures Well Drilling and Pump Company, LLC for the drilling and testing of Injection Well No. 2, in an amount not to exceed \$304,160.74, all subject to approval of the written contract by the City Attorney's Office. Seconded by Councilor Jablow. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.**

- e. **AB 1916 Discussion/possible action regarding proposed State legislation and its potential impact on the City of Sedona.**

Presentation by Karen Daines.

Questions and comments from Council.

**Presentation and discussion only. No action taken.**

**f. Reports/discussion on Council Assignments.**

Councilor LeFevre advised that she attended meetings of KSB who working on national monument status, the Verde Valley Land Restoration Group, and the Oak Creek Watershed Commission. Councilor Martinez stated that the Coconino Plateau Water Advisory Committee will host their annual retreat on April 24<sup>th</sup>, and the focus will be on the future of their entity. Vice Mayor DiNunzio stated that he will email a report with details on the Verde Valley Transit Organization who has contracted through the county for transit consultant paid for by ADOT to address regional transit.

**g. Discussion/possible action of Future Meeting/Agenda Items.**

Councilor Jablow requested a future agenda item to look at the fee and fine structure for violations of vacation rentals, and Councilor Martinez supported this request. Councilor LeFevre requested a future agenda item to support a declaration in support of the Flagstaff Living Wage Coalition and their lawsuit against the State Legislature, and Councilor Williamson supported this request.

**10. 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.**

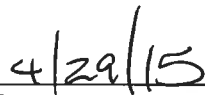
No Executive Session was held.

**11. Adjournment**

Mayor Moriarty adjourned the meeting at 9:23 p.m. without objection.

**I certify that the above are the true and correct actions of the Regular City Council Meeting held on April 14, 2015.**

  
Susan L. Irvine, CMC, City Clerk

  
Date