



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

Founded 1876
Incorporated 1899

MINUTES SPECIAL MEETING OF THE JEROME TOWN COUNCIL JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS THURSDAY, APRIL 18, 2013 AT 3:00 P.M.

ITEM #1:	<p>CALL TO ORDER/ROLL CALL</p> <p>Mayor/Chairperson to call meeting to order. Town Clerk to call and record the roll.</p> <p><i>Mayor Check called the meeting to order at 3:05 p.m.</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Nikki Check, Vice Mayor Lew Currier and Councilmembers Anne Bassett and Bill Phinney. Councilmember Randall Hunt had an excused absence.</i></p> <p><i>Other staff in attendance at roll call included Deputy Town Clerk Rosemarie Shemaitis, Public Works Director Dwain Dement and Contract Wastewater Operator Henry MacVittie. Town Attorney Bill Sims was in attendance telephonically during the executive session.</i></p>
ITEM #2:	<p>PUBLIC WORKS PROJECTS AND EXPENDITURE REQUESTS 2013-14</p> <p>The Mayor and Council will review proposed 2013-14 projects and expenditures presented by Public Works Director Dwain Dement, and may direct staff regarding same.</p> <p><i>Mr. Dement presented and reviewed a list of proposed projects for the coming year. He noted that some of the listed items are critical, including hiring a fifth crew member and purchasing a dump truck (estimated at \$25,000 to \$35,000), which will allow them to work much more efficiently. He also provided updates regarding several current public works projects.</i></p> <p><i>Highlights of the discussion follow, not necessarily in chronological order:</i></p> <ul style="list-style-type: none"> • <i>The regulator boxes in the Gulch and on School Street need to be replaced and enlarged. On School Street, the valves are in the street, and need to be moved into the box. Both regulators are old and are requiring a lot of maintenance by the crew. Cost estimates have been requested but are not yet available. It was generally agreed, and Mr. MacVittie confirmed, that the School Street regulator would take priority over the Gulch regulator, as it services more homes. Ms. Gallagher noted that, if the cost is estimated to be greater than \$25,000, we would need to go out to bid for these projects.</i> • <i>Regulators on Clark Street and County Road need to be rebuilt. Estimated cost - \$14,000.</i> • <i>Mr. Dement's list included an estimated \$2,500 for materials to build a turnout at Allen Springs.</i> • <i>He has also requested funds for two machines that could be used to thaw frozen pipes. One would be used for metal pipes and the other for plastic pipes. Total cost for both would be approximately \$1,725 plus tax and shipping.</i> • <i>Other items on his list of requests included: forks for the backhoe (\$650), a chop saw (\$380), a circular saw (\$200), materials to wire the new shop for lights (\$600), pipe to plumb an airline through the shop (\$500), a 4" Cla-Valve (\$2,700), a live tap kit (\$3,250), and two "Conex boxes" (40-foot shipping containers) for storage and materials to build a machine shed (\$3,750 each, delivered).</i> • <i>Septic tanks in the Gulch: It was noted that we have added RidX to the tanks, and that has been working. Mr. Dement said that, before the tanks are replaced, we would need to widen the road and install a new sewer line to them. He added that we would eventually need two 5,000 gallon tanks. Mr. MacVittie said that these tanks are in a</i>

	<p>sensitive area and ADEQ would be pressing to hook those homes up to the sewer system. It was agreed that this should be strongly considered when determining how to proceed.</p> <ul style="list-style-type: none"> • Access to Cleopatra Hill tanks: The crew has cleared a road to the footpath. If we build a suitable road to the tanks (it would be an ATV road only), there would be a \$12,000 deduct from the contract price for the work there. Once built, the road will be of great use to our crew. It is gated at County Road. • Materials for the walkway in Upper Park were discussed, including the option of using bricks, stone, pavers or concrete. It was generally agreed that we should use concrete with exposed aggregate, as was used in Middle Park. • Drainage project at the Sliding Jail: Mr. Dement would like to install a catch basin there, and the drainage would then go over the hill. It would not run onto anyone's property. They will use 18" corrugated pipe, and they have about half of what they will need. The need to protect the Powder Box Church was noted. • It was discussed that engineering for the sewer plant road would be carried over to the 2013-14 budget. • Steve Pontious, a resident of Gulch Road, was present. There was discussion regarding an area of the road near his home that has eroded badly and needs to be built up. Mr. Pontious expressed concern that a vehicle could go over the edge of the embankment there and roll over to the Tillman's house. He said that the road goes from 9 feet wide to 5 feet wide in that location, and tires slip off the edge of the road. Mr. Dement said that they would need to install gabion baskets there. Ms. Gallagher and Mr. Dement noted that this is a priority project. • Ms. Gallagher commented, regarding the leaning wall, that she has spoken with Jane Moore, who is trying to find funding to do the repairs that will preserve it. She does not want to go back to DRB until she knows how much money we will have to work with. It was generally agreed that we would wait at least 60 days in order to see what funding becomes available. • Mr. MacVittie reported that all is well at the sewer plant. He noted that the flow there is metered and it runs about 45,000 gallons per day. All the water goes through the wetlands, and is chlorinated and dechlorinated before it enters Bitter Creek.
<p>ITEM #3: 3:57 pm</p>	<p>REIMBURSEMENT FOR INSTALLATION OF SEWER LINE</p> <p>The Mayor and Council will review a request by Steve Knowlton for partial reimbursement of costs he incurred in installing a new sewer line from Clark Street to School Street.</p> <p>Ms. Gallagher explained that this is in regard to a lateral sewer line, not a main sewer line. Mr. Knowlton extended the line so that Mr. Walsh's property could be hooked into it at some point in the future. Ms. Gallagher said that the Knowltons had done a good job on this project, and they have asked if they could be reimbursed for some of their expenses, and that they felt that reimbursement of 50% of their costs would be fair. Even though this is not a Town line, she said, their work did benefit the Town.</p> <p>Councilmember Phinney explained that, when the Knowltons were preparing to install a sewer line for their property, they discovered that there were many weird things going on with the line there, including that Mr. Walsh's sewer line goes through 15.Quince Restaurant. He said that Mr. Knowlton took care of many problems, including replacing clay lines along the Chinese Steps that were ready to collapse. Mr. Phinney said that he doesn't know when it becomes the responsibility of the town or the responsibility of the owner of the line, but the Knowltons took care of it and did a great job. It wasn't required, but they did extra work, including stubbing out the line for Mr. Walsh even though he was not connected to it. He can now be connected whenever he wants.</p> <p>Vice Mayor Currier asked about an easement. Ms. Gallagher said that Paula Taylor has granted an easement through her property.</p> <p>Mr. Currier asked about the line going through 15.Quince. Mr. Phinney and Mr. Dement explained that the line actually goes <u>through</u> the restaurant. The toilets in the restaurant currently hook up directly to Mr. Walsh's line. Now, Mr. Walsh would be able to plumb into the new line.</p> <p>Councilmember Bassett commented that 15.Quince would be at the head of that line, instead of partway down the line, if it is capped off. The Town won't hook up Mr. Walsh unless he requests that it be done.</p> <p>Vice Mayor Currier asked who would be responsible if the Knowltons' refuse comes up in the</p>

restaurant's basement. Mr. MacVittie clarified that this could not happen because the Knowltons' line bypasses the restaurant. They have their own sewer lateral connecting to the Town's main. There was discussion that Walsh's line still goes through the restaurant, but the new lateral was stubbed out for him.

Mr. Dement said that the restaurant has had to have a plumber come a few times to snake out the line. He said that the situation is between the two property owners and does not involve the Town.

Vice Mayor Currier asked if Paula Taylor's building is also on that line. Mr. Dement confirmed that Mr. Knowlton also hooked her building up to the new line. Mr. Currier commented that there are many apartments on one line. Mr. Dement said that Mr. Knowlton used a 6" line and "did it right," but, per our ordinance, it is not our line or our responsibility.

Mr. Currier confirmed that it is a secondary or tertiary main.

Mr. MacVittie said that many of the mains cross over different properties, and there are lots of laterals. He said that, if we pay for any portion of the cost, then we would have some ownership. He said that this type of situation isn't clearly defined, and that, at some point, the Town is going to have to determine where the lines are and where the Town's responsibility ends.

Mr. MacVittie went on to say that many of the laterals, which are 4" lines, are on private property, and, historically, when those lines have backed up, Public Works has gone around and snaked those lines. He thinks that that is an expense that the Town should not incur – other townships or private sewer companies do not do that. Problems with the service laterals, he said, are not normally considered the municipality's responsibility if the lines are entirely on private property.

Motion: Councilmember Bassett made a motion to **cut a check for \$3,000 to Mr. Knowlton and Ms. Robinson as a thank you for technical and physical assistance for work on this building.** She said that it would not give us ownership of the sewer line. It was seconded by Councilmember Phinney.

Ms. Gallagher suggested that it may be better to note the payment as a reimbursement rather than as a thank you. Mayor Check said that she didn't like calling it one thing when it is another. Councilmember Bassett said that she would like to reimburse them for part of the cost for all the help they have given the town – she doesn't think that it is that separate an issue.

Mayor Check said that she doesn't want to put the Town in this situation because it could set a precedent in the future. This makes her nervous, she said, and she would like to work through more details to define exactly how this will work and how it will look in the future if other similar situations arise.

Vice Mayor Currier suggested that we pay them the \$3,000 and tie it to a document to be drafted by the attorney that relieves us from liability, or defines the extent of our liability.

Mayor Check said that she would like to see a diagram of what went into the ground and how much of it would be considered a service lateral that would be taken over by the town. She would like exact footage and where it is. Ms. Gallagher asked if the Mayor would like something similar to an as-built drawing. Mayor Check said that she would, and also that she would like to know the calculation of the cost associated with the exact part that the Town would be responsible for.

At this time, Councilmember Phinney **withdrew his second.**

Mr. Phinney commented that he feels that there should be some remunerative compensation for all that Mr. Knowlton did, which was above and beyond what he actually needed to do. They helped the residents of the Town and have been selfless with their help with Mr. Walsh.

Vice Mayor Currier asked if \$3,000 is adequate. Maybe, he said, it should be more. There was brief discussion, and Mayor Check said that she would like the payment to reflect what the town is taking responsibility for.

At this time, Councilmember Bassett **withdrew her motion.**

Councilmember Bassett suggested that Ms. Gallagher and the attorney draft a document to accompany the payment, which would be written in a way that minimizes future town liability. Vice Mayor Currier agreed, and Councilmember Phinney suggested a reimbursement of two-thirds of the cost. Councilmember Bassett agreed that two-thirds would be a good amount.

Vice Mayor Currier noted that the Mayor is asking for a specific amount, not a percentage. The

	<p>Mayor agreed and said that she would like to know the amount applicable to the portion that we would be responsible for – it could be a few dollars or it could be the entire amount.</p> <p>Ms. Gallagher asked if Council would like to review this one more time when she has all the requested information. It was discussed and generally agreed that Ms. Gallagher should just proceed with this and issue the payment in an amount based on the portion of the line that serves customers other than Mr. Knowlton, and bring it back to Council only if she had any questions, or if it ends up being a 100% reimbursement.</p> <p>Councilmember Phinney noted that, if a contractor had done the work, it would have cost at least three times what we are talking about paying.</p>
4:18 pm	<p>Motion: Councilmember Bassett made a motion to go into executive session. It was seconded by Vice Mayor Currier and approved by all.</p>
4:18 pm	<p>Council took a short break before going into executive session.</p>
ITEM #4:	<p>EXECUTIVE SESSION: PUBLIC WORKS STAFFING</p> <p>The Mayor and Council may enter into executive session pursuant to A.R.S §38-431.03.A.1 for the purpose of discussing staffing in the Public Works department with the Town Manager and Public Works Director.</p>
ITEM #5:	<p>EXECUTIVE SESSION: TRANSIENT DWELLING RENTALS</p> <p>The Mayor and Council may go into Executive Session, pursuant to A.R.S. §38-431.03.A.3 and A.4 for the purpose of consultation with the Town Attorney regarding transient dwelling rentals (commonly known as "vacation rentals") and the impact on other Council actions. No action will be taken while in Executive Session.</p>
ITEM #6: 5:46 pm	<p>ADJOURNMENT</p> <p>Upon motion by Vice Mayor Currier, seconded by Councilmember Bassett and unanimously approved, the meeting was adjourned at 5:47 p.m.</p>

Edited by Town Manager/Clerk Candace Gallagher from minutes taken and transcribed by Deputy Town Clerk Rosemarie Shemaitis.

APPROVE:

ATTEST:

Nikki Check, Mayor

Candace B. Gallagher, CMC, Town Manager/Clerk

Date: _____