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TOWN OF JEROME

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MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL
JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS
TUESDAY, JUNE 9, 2015 AT 7:00 P.M.

SIXTH REGULAR MEETING OF 2015

<p>ITEM #1: 7:00</p>	<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 Lew Currier called the meeting to the order at 7:00 p.m. Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Lew Currier, Vice Mayor Doug Freund, Councilmembers Abe Stewart, Alex Barber and Frank Vander Horst. Staff in attendance at roll call included Town Manager/Clerk Candace Gallagher, Zoning Administrator Albert Sengstock and Deputy Town Clerk Joni Savage.</i></p>
<p>ITEM #2: 7:02</p>	<p>PLEDGE OF ALLEGIANCE</p> <p>Mayor/Chairperson to lead the Pledge.</p> <p><i>The Pledge of Allegiance was led by Mayor Currier.</i></p>
<p>ITEM #3: 7:03</p>	<p>STAFF REPORTS</p> <p>Written staff reports by the Town Manager/Clerk, Deputy Town Clerk, Utilities Representative, Public Works Department, Building Inspector, Library, Municipal Court, Police Chief, and Fire Chief.</p> <p><i>With respect to the Manager's report, Councilmember Vander Horst noted that he also was in attendance at the recent Intergovernmental meeting. Mayor Currier said that he was told that there were two cases of drug overdose last month. He would like either the Fire Chief's report or the Police Chief's report to indicate these so that he can see if there is a pattern. Councilmember Vander Horst confirmed that one of them was a resident. Mayor Currier also noted that he was pleased to see an Accounts Receivable Aging included with Ms. Tovrea's report.</i></p> <p>Motion: <i>Following brief further discussion, Vice Mayor Freund made a motion to accept the staff reports. It was seconded by Councilmember Stewart. The motion passed with 5 ayes, 0 nays and 0 abstentions.</i></p>
<p>ITEM #4: 7:05</p>	<p>FINANCIAL REPORTS</p> <p>Issued checks and Budget to Actual reports for the month of May 2015. Figures included therein are presumed accurate as of the report's preparation date, but are subject to adjustment as further information is gained.</p> <p><i>Vice Mayor Freund asked if the \$800 fee received in Planning & Zoning during May would be refunded. Ms. Gallagher replied that it would most likely be refunded, and addressed through an agreement with the applicant. Mayor Currier noted that it appears we will not be spending all of the funds that were budgeted this year for R&M in Parks and Properties. He will be considering that, he said, when we begin talking about the leaning wall.</i></p> <p>Motion: <i>Councilmember Barber made a motion to accept the financial reports. It was seconded by Vice Mayor Freund. The motion passed with 5 ayes, 0 nays and 0 abstentions.</i></p>

ITEM #5: 7:06	PLANNING AND ZONING AND DESIGN REVIEW MINUTES/ RECOMMENDATIONS/ZONING ADMINISTRATOR'S REPORT <p>Minutes are provided for the information of Council and do not require action.</p> <p><i>Referencing Mr. Sengstock's report, Mayor Currier commented that, regarding parking ordinances, he should research carefully and tread lightly. Mr. Sengstock clarified that he is not doing anything with the ordinance; he is just explaining the Code in a newsletter article.</i></p>
ITEM #6: 7:07 8:13	COUNCIL MEETING MINUTES <p>May 12 regular meeting</p> <p><i>As not all members had had the opportunity to review the minutes, it was decided to approve them later in the meeting.</i></p> <p>Motion: Councilmember Stewart made a motion to postpone approval of the minutes until later. It was seconded by Vice Mayor Freund. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p> <p>At 8:13 p.m., Council returned to this item.</p> <p>Motion: Vice Mayor Freund made a motion to approve the minutes of May 12, 2015. It was seconded by Councilmember Barber. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
ITEM #7: 7:09	PETITIONS FROM THE PUBLIC <p>Pursuant to A.R.S. § 38-431.01 (H), public comment is permitted on matters not listed on the agenda but the subject matter must be within the jurisdiction of the Council. All comments are subject to reasonable time, place and manner restrictions. All petitioners must fill out a request form with their name and subject matter. When recognized by the chair, please step to the microphone, state your name and please observe the three (3) minute time limit. No petitioners will be recognized without a request. The Council's response to public comments is limited to asking staff to review a matter commented upon, asking that a matter be put on a future agenda, or responding to criticism.</p> <p><i>There were no petitions from the public.</i></p>
ITEM #8:	UNFINISHED BUSINESS
7:10	ITEM #8A: NUISANCE CODE <p>Council will continue their discussion of the possibility of "beefing up" the Town's existing nuisance ordinances, and may direct staff in that regard.</p> <p><i>Mayor Currier turned this over to Councilmember Stewart.</i></p> <p><i>Councilmember Stewart explained that Ms. Gallagher has researched this and everything that Council wanted to cover is already covered by our current Town codes. Chief Muma said that, if we were not going to enact a new ordinance, then we should post a notice regarding the Town's rules at the kiosk by the drinking fountain, or possibly at the Post Office. A notice was prepared and included in the meeting packets for Council's consideration.</i></p> <p><i>Council discussed the proposed notice, and most felt that it was "overkill," and too harsh. Councilmember Vander Horst asked about the Town's policy regarding drinking alcohol on the Town steps, and said that he feels it needs to be clarified. Councilmember Stewart said that it is an unwritten policy that one can drink from the third step up. Council asked if this was in our Code. Ms. Gallagher said that it is not. The Code allows alcohol in the Upper Park between certain hours, however, and the inference is that the Upper Park includes the top three steps. She added that this topic could be placed on an agenda for future discussion.</i></p> <p><i>Discussion returned to the Notice that was provided. Vice Mayor Freund commented that he had prepared an alternative Notice which uses the same points and puts them in a more positive form. Ms. Gallagher left the room briefly to make copies of Mr. Freund's Notice. It was reviewed by Council and generally well received.</i></p> <p>Motion: After brief discussion, Councilmember Stewart made a motion to accept the new version of the Notice submitted by Vice Mayor Freund and post it at the kiosk when it gets back into place. It was seconded by Councilmember Vander Horst. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>

<p>7:22</p>	<p>ITEM #8B: SOLAR DESIGN GUIDELINES</p> <p>Council will continue their review of, and may approve, Solar Design Guidelines which have received prior approval from both the Planning & Zoning Commission and the Design Review Board.</p> <p><i>Mayor Currier stated, "Council was not too enthused by this."</i></p> <p><i>Councilmember Vander Horst commented that the research Mayor Currier had done included some very good points that should be adopted.</i></p> <p><i>Mr. Sengstock said that these are nationally accepted guidelines that can give the Boards something to follow when dealing with solar installations. He said that this would be a good intermediary instrument to use in the meantime. We can continue to look at this, he said, and eventually adopt it as an ordinance. In the short term, however, "we are winging it," and these nationally accepted guidelines would assist the Board with these applications when they come to them.</i></p> <p><i>Mayor Currier said that, if possible, solar installations should match the color of the roof and should be on the back side of the house. Mr. Sengstock said that the guideline is that they are to have the least visual impact. The panels themselves are pretty much the color that they are, he said, but the framing colors could be changed.</i></p> <p><i>Councilmember Vander Horst stated that he believes that Jerome is different from the rest of the nation, and he would prefer more specific guidelines.</i></p> <p><i>Vice Mayor Freund said that he was glad to hear that we are heading toward an ordinance, and, as an interim tool, he believes that this is a worthy document.</i></p> <p><i>Mr. Sengstock said that this will serve as a base document, which can evolve, with more specific language, into an ordinance. Right now, he said, we have no specific criteria to turn someone down. With the guidelines in place, the Design Review Board could deny an applicant.</i></p> <p><i>Mayor Currier asked Mr. Sengstock if he could deliver an ordinance to Council within six months. Mr. Sengstock confirmed that he could, with assistance from Ms. Gallagher and input from the Town Attorney.</i></p> <p><i>Councilmember Stewart asked if the ordinance would include other alternative energy sources, such as wind. Mr. Sengstock said that wind technology is really good, and they are small and quiet now. He will look into that.</i></p> <p><i>Mayor Currier stated that Council could accept these guidelines on a short term basis and look for an ordinance from Mr. Sengstock within the next six months.</i></p> <p><i>Ms. Gallagher asked for a formal motion to approve the guidelines.</i></p> <p>Motion: Vice Mayor Freund made a motion to accept the Solar Design Guidelines. It was seconded by Councilmember Barber. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
<p>7:32</p>	<p>ITEM #8C: VERDE RIVER STRING OF PEARLS PROJECT</p> <p>Council will review and may approve funding in the amount of \$500 toward the Verde River String of Pearls project.</p> <p><i>Mayor Currier explained that Jerome has been asked to contribute \$500 in support of the Verde River String of Pearls project. Discussion ensued.</i></p> <p><i>Vice Mayor Freund pointed out that, on a per resident basis, Jerome is being asked to contribute much more than the other Verde Valley towns (\$1.13 per Jerome resident, as compared to 20 to 28 cents per resident in the other towns) ... "five times as much per resident and we're not on the river."</i></p> <p><i>Councilmember Barber noted that we are not on the river, but we do enjoy it.</i></p> <p><i>Councilmember Stewart asked if the other Verde Valley towns are all contributing. Mayor Currier did not know. He noted that they are also asking that Jerome have a seat on their committee, and asked if any Council members were interested in that. Councilmember Vander Horst commented that it would be a moot point if we don't contribute.</i></p> <p><i>Mayor Currier said he that he would take the seat at the moment, and will convey the Council's concerns to the group.</i></p>

<p>7:37</p>	<p>ITEM #8D: LEANING WALL</p> <p>Council will review and discuss engineered plans prepared by Core Structure Group for stabilization of the leaning wall near Upper Park.</p> <p><i>Town Engineer Richard Aldridge explained that Council approved Core Structure Group to come up with a design for stabilizing the leaning wall. It consists of building three buttresses on the face of the wall, and then removing some of the excess material behind it. It will have a couple of I-beams about seven feet high, with a historic beam going across the front of it. Core10 steel was specified, which is a natural rusting type of beam -- it builds a patina and then it stops rusting. It would look like it had been there for a while, and would have a nice visual effect. He recommended that we put the project out to some contractors to get informal estimates. His firm's estimates, he said, are at \$36,000, however it could be a lot more costly than that. He believes the best approach is to let contractors look at it before we go out for an actual bid. He added that we should also have someone look at the soil. The design is sound and will hold the wall back, he said, however there may still be a few unknowns once it has been excavated.</i></p> <p><i>Councilmember Stewart suggested that the concrete buttresses use an exposed aggregate, which would make it look historic and should not affect the cost. He added that he feels the estimates are "pretty steep."</i></p> <p><i>Richard Johnson, a Jerome citizen, asked if it would be possible to use some of the slag we have here. Councilmember Stewart replied that the concrete companies don't want to mix slag with their concrete.</i></p> <p><i>Mayor Currier noted that there are funds "floating around" in the current budget, and he would like this work to start happening. He asked staff to submit the project to contractors. Mr. Aldridge noted that we are not looking for a bid at this time, but rather a "ball park number."</i></p> <p><i>Councilmember Vander Horst suggested that the subsidence issue may be a stronger priority right now. Mayor Currier agreed, but noted that the engineers have suggested that we wait for a couple of months and see what happens there. Councilmember Stewart reminded everyone that this project has been in the works for a couple of years, and we have had the funding for it. Ms. Gallagher confirmed that there is some grant funding for the project.</i></p> <p><i>Vice Mayor Freund requested a discussion of the subsidence at the next meeting. Councilmember Stewart asked if the plan submitted by the engineer would be a public document. Ms. Gallagher confirmed that it is already a public document.</i></p> <p><i>Mayor Currier thanked Mr. Aldridge for the work on the wall.</i></p>
<p>ITEM #9:</p>	<p>NEW BUSINESS</p>
<p>7:48</p>	<p>ITEM #9A: RENTAL OF STORAGE SPACE AT HOTEL JEROME</p> <p>Council will consider a request by Richard Johnson/Ghost Town Tours to lease a storage space (Studio B2) on the lower level of the Hotel Jerome. This space has not previously been leased, and Council may establish a rental price for same.</p> <p><i>Mayor Currier invited Mr. Johnson to speak.</i></p> <p><i>Richard Johnson explained that "people like to go into old buildings." He inquired about this space, and Building Inspector Barry Woltenscroft advised him that it would need an update on the lighting. Mr. Johnson suggested that any work they would do on the space could be applied to their rental agreement.</i></p> <p><i>Mayor Currier noted that Council had adopted a process for the rental of town properties, and asked why this is coming before them. Ms. Gallagher explained that Council needs to set a rental price. She noted that a similar space there is renting at 25 cents per square foot. The space is 221 square feet, which would make the rental price, at that rate, \$55.25 per month. It was noted that the space has been empty for years.</i></p> <p><i>Councilmember Stewart asked if utilities are included in that pricing. Ms. Gallagher said that they are not, and any utility costs would need to be paid separately.</i></p> <p><i>Vice Mayor Freund expressed concern about gaps in the railing there. Mr. Johnson said he noticed that also, and could hire someone to fix it. The cost could be applied to his rent.</i></p> <p>Motion: Councilmember Stewart made a motion to accept the rental space at 25 cents a square foot. It was seconded by Mayor Currier. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p> <p><i>Ms. Gallagher will advertise the space.</i></p>

<p>7:58</p>	<p>ITEM #9B: PROFESSIONAL SERVICES CONTRACT – ANDREW JOLLEY</p> <p>Council will review and may approve a renewed professional services contract with Town Prosecutor Andrew Jolley (Prescott Law Group, PLC).</p> <p><i>Mr. Jolley was present at the meeting, accompanied by Town Magistrate Joan Dwyer. Ms. Gallagher explained that he has agreed to a renewed contract at the same rate and with the same terms. Police Chief Allen Muma has expressed support for renewing the contract.</i></p> <p><i>Mr. Jolley offered to answer any questions, and noted that he has served Jerome for four years, and enjoys working here.</i></p> <p>Motion: Councilmember Vander Horst made a motion to renew the professional services contract with Mr. Jolley. It was seconded by Vice Mayor Freund. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
<p>8:00</p>	<p>ITEM #9C: CONTRACT WITH SIMS MURRAY, LTD. AS TOWN ATTORNEY</p> <p>Council will review the contract with Sims Murray, Ltd. as Town Attorney, which was extended and expired May 31, 2015, and may approve extending the contract in accordance with the terms thereof. Mr. Sims has offered to extend his contract for one year at the same rate and with the same terms and conditions.</p> <p><i>Following a brief discussion, wherein it was clarified that we are under no obligation to go out to bid for legal services, and wherein Mayor Currier stated that he is happy with Mr. Sims and Mr. Murray,</i></p> <p>Motion: Mayor Currier made a motion to approve the contract extension with Sims Murray, Ltd. It was seconded by Councilmember Stewart. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
<p>8:03</p>	<p>ITEM #9D: INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF REVENUE</p> <p>Council will review, and may approve, an intergovernmental agreement with the Arizona Department of Revenue related to the administration of Transaction Privilege Tax.</p> <p><i>It was briefly discussed and generally agreed that the Town would not want to administer its own sales tax collection. Ms. Gallagher noted that the agreement has been reviewed and approved by our Town Attorney.</i></p> <p>Motion: Mayor Currier made a motion to approve the intergovernmental agreement with the Arizona Department of Revenue. It was seconded by Vice Mayor Freund. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
<p>8:05</p>	<p>ITEM #9E: INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY OFFICE OF EMERGENCY MANAGEMENT</p> <p>Council will review and may approve a renewed intergovernmental agreement with the Yavapai County Office of Emergency Management for fiscal year July 1, 2015 through June 30, 2016.</p> <p><i>Ms. Gallagher noted that this agreement has been reviewed by the Town Attorney. He did recommend a minor wording change, which she has submitted to the County. (In Section 4E he would like to add the words "subject to annual appropriations.") He has agreed, however, that it could be adopted without that change.</i></p> <p><i>Mayor Currier informed the Council that Allen Muma is the head of the Emergency Management for us. Councilmember Stewart noted that the rate is \$0.43 per person, and asked if that rate changed. Ms. Gallagher stated that it has not changed during her tenure here.</i></p> <p>Motion: Councilmember Vander Horst made a motion to approve the Intergovernmental Agreement with the Yavapai County Office of Emergency Management. It was seconded by Councilmember Stewart. The motion passed with 5 ayes, 0 nays and 0 abstentions.</p>
	<p><i>Mayor Currier called a five-minute break at this time to read over the minutes. Upon reconvening, the minutes were approved. The vote is reflected under Item #6 on Page 2.</i></p>

<p>ITEM #10: 8:16</p>	<p>TO AND FROM THE COUNCIL</p> <p>Council may direct Staff as to items of pending importance that they would like placed on a future meeting agenda.</p> <p><i>Vice Mayor Freund said that we need to have a plan for the subsidence issue as we roll into our monsoon season. There will be a lot of water in that area.</i></p> <p><i>Councilmember Stewart stated that he will not be present at the next regular Council meeting being held in July.</i></p> <p><i>Councilmember Vander Horst would like to discuss or ask staff to delineate the alcohol policy on the Town steps. It was briefly discussed and agreed that Council is not looking to change anything, but rather to clarify whether the steps are considered part of Upper Park, and whether an ordinance is necessary. Ms. Gallagher will speak with Chief Muma and report back to Council.</i></p>
<p>ITEM #11: 8:16</p>	<p>APPROVAL OF CLOSED SESSION MINUTES</p> <p>May 12, 2015 executive session.</p> <p>If necessary, Council may enter into executive session, pursuant to A.R.S. §38-431.01(A)(2), for the purpose of discussion or consideration of records exempt by law from public inspection.</p> <p><i>Motion:</i> <i>Vice Mayor Freund made a motion to approve the closed session minutes of May 12, 2015. It was seconded by Councilmember Vander Horst. The motion passed with 5 ayes, 0 nays and 0 abstentions.</i></p>
<p>ITEM #12: 8:20</p>	<p>ADJOURNMENT</p> <p><i>Upon motion by Councilmember Vander Horst, seconded by Councilmember Barber and unanimously approved, the meeting was adjourned at 8:20 p.m.</i></p>

Edited by Town Manager/Clerk Candace Gallagher from minutes taken and transcribed by Deputy Town Clerk Joni Savage.

APPROVE:

ATTEST:

Lew Currier, Mayor

Candace B. Gallagher, CMC, Town Manager/Clerk

Date: _____