



Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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

MINUTES

SPECIAL MEETING OF THE JEROME TOWN COUNCIL JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS THURSDAY, SEPTEMBER 1, 2016 AT 1:15 P.M.

<p>ITEM #1:</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 Currier called the meeting to order at 1:15 p.m.</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Currier, Vice Mayor Freund, Councilmember Barber and Councilmember Vander Horst.</i></p> <p><i>Other staff present were Kathleen Jarvis, Librarian, and Joni Savage, Deputy Clerk.</i></p>
<p>ITEM #2: 1:17</p>	<p>INTERVIEWS WITH CANDIDATES FOR ZONING ADMINISTRATOR</p> <p>Council will conduct interviews with three applicants for the position of part-time Zoning Administrator: Charlotte Page, Owen Long and James Gardner. Following the interviews, Council may convene in executive session, pursuant to A.R.S. § 38-431.03 (A)(1), to discuss, and an appointment may be made, or staff directed to schedule additional interviews, upon reconvening into open session.</p> <p><i>Council conducted three interviews. Highlights of each are set forth below.</i></p> <p><u>Charlotte Page</u></p> <p><i>Ms. Page introduced herself as a resident of Jerome who has lived here for a little over three years and has owned property here since 2003. She has been in Arizona since 1998, and had worked for WL Gore and Associates.</i></p> <p><i>Mayor Currier asked her about her background in zoning. Ms. Page explained her personal property experience. She has never rezoned, but certainly has had to be in compliance. She and her husband have owned 18 properties and most of them have needed some kind of help.</i></p> <p><i>Mayor Currier noted for the record that Ms. Page's husband, Hunter Bachrach, has been elected to Council. "I feel that is relevant to this discussion," he said. Councilmember Vander Horst disagreed, and said that, legally, it is not relevant. Ms. Page noted that she had applied for this job prior to her husband's running for Council.</i></p> <p><i>Councilmember Vander Horst had a series of questions:</i></p> <p><i>Q: Have you read the zoning ordinance?</i></p> <p><i>A: Not completely, but some of it.</i></p> <p><i>Q: When you were at WL Gore, did you have to deal with the FDA, AGMA, Good Housekeeping practices, OSHA and that sort of thing?</i></p> <p><i>A: "All the work that you do at Gore is covered under regulatory compliance. At one point, a team that I worked with had to get ISO9001 for our product. There were international audits, regulatory compliance." She worked with quality assurance documentation at Gore. "It starts as a process to make a procedure, then you have to track the procedure through the life of the document. It is very regimented," she said.</i></p> <p><i>Q: In your reading of our ordinances, how would you compare the complexity of zoning ordinances to your work at W.L. Gore?</i></p> <p><i>A: Ms. Page responded that Federal regulations are very complex. As such, she said, regulatory compliance might be a strong reason for Council to consider her for this</i></p>

position. She believes our Code is less complicated. She added that she believes that everyone should follow the rules that have been set in place.

Q: Tell us about your experience in Customer Service, and give us an example of research you have done.

A: Ms. Page said that she did research for WL Gore prior to the internet, using a dial-in research database, which worked much like the internet. She is very good with the internet, she said, because of her prior experience. She did a research project for a new product at WL Gore. "We had a test product and reported back," she said.

Q: Describe a difficult customer service issue and how you handled it.

A: Ms. Page said customer service at WL Gore was typically over the phone, and she usually didn't have to work with difficult people. However, at a bookstore she managed in Taos, NM, she had to deal with a declining business and the challenge of dealing with the employees. She felt that she had a responsibility to listen to what they had to say. "Sometimes no response is better than jumping right in," she said.

Q: Tell us about a significant conflict and how you handled it or resolved it. In this position, not everyone is going to like the answer you give them.

A: "In regard to this position, the rules are pretty cut and dried," Ms. Page said. She said, "You can tell people what they can do and how they can accomplish it, or suggest an avenue for them to compromise. I don't believe you can just draw the line and say no, but you need to say 'here is what the problem is' and why." She added that, when she was working with employees at the bookstore, they had to cut back on either overhead or employees. She had to work with employees to eliminate benefits in order to keep them fully employed. "It wasn't that well received by everyone," she said, "but with communication, they realized that it was no longer affordable."

Councilmember Vander Horst said that he has never seen a job as interesting as hers as a fire dispatcher in Antarctica. Ms. Page said, "I did that, and I also worked heavy equipment for the highway department. Antarctica was a good experience."

Councilmember Barber was next to question Ms. Page.

Q: What is your opinion about rehabilitation homes in residential zones?

A: Ms. Page said that they lived next to a rehab home in Cottonwood. She doesn't think we can avoid allowing them in residential zones, and believes that they are legal there.

Q: What is your position on vacation rentals in residential zones?

A: "I don't really have a position," Ms. Page replied. "I, myself, have had a lot rentals, and I would personally like to use my home as a vacation rental." She mentioned that it is happening in Flagstaff, and said "It is my personal view, but I don't think that you can disallow it."

Vice Mayor Freund asked several questions of Ms. Page.

Q: Are you following SB1350, which was just passed by the Governor, and do you have an opinion about it?

A: Ms. Page said that, as she understood it, it means that towns cannot prohibit vacation rentals. "I believe it could affect Jerome," she said.

Q: Have you ever testified in court?

A: "No."

Q: (Referencing Ms. Page's resume) What is a rig stack house?

A: Ms. Page explained that, when your rig is finished, you stack the rig out for storage.

Q: Have you ever served on a Planning and Zoning or Design Review board?

A: Ms. Page said that she had not, and explained that, when she lived in Flagstaff, those positions were not volunteer, but elected by the Town Council.

Mayor Currier then questioned Ms. Page.

Q: Do you know about Proposition 207?

A: "I might recognize the intent of it."

Mayor Currier explained further. "It has to do with taking of property. If a community does something to affect the value of your property, you can then bring suit against them for the financial harm they may have done to you."

Ms. Page said that she knows of it as "The Takings Law." "If the Town denies you use for something, they should compensate you for your losses. That's been in effect for quite some time in Arizona."

Q: Jerome is a historical site on the National Register. What do you think being a National Historic Landmark means as far as zoning?

A: "We're lucky to have that designation. It's fortunate that we don't have a Denny's. I have a lot of respect for people keeping their homes historic." Ms. Page added that she believes it would be good for Jerome to have a "vision plan." She doesn't think that people have a good feel for that, and she believes there are "different camps in town that want different things."

Vice Mayor Freund mentioned the General Plan from 1981 and the committee that has been working on a new one for the last several years.

"Do we have a vision for the Town?" Ms. Page asked. "This is a logical step to protect our historic environment." There is the question of whether we want industry and growth, she said.

Vice Mayor Freund noted that those items are in the General Plan they are working on.

Q: What do you think of the parking situation here? What do you think we should do about it?

A: "It is an issue. I try to walk as much as possible," Ms. Page said. She added that she believes that the 300 Level parking was "brilliant." Parking in the blocked off area near the Sliding Jail is no longer viable, she said, and "we should do something about the parking that we have lost."

Ms. Page noted that she had tried to do some volunteer work in the Zoning office when Mr. Sengstock was here, and she is very interested in this position.

Mayor Currier asked Ms. Page if she had any questions.

Ms. Page said that she found it interesting how Design Review and Planning and Zoning works. She understood that, at this time, the job is part-time with a possibility of turning into full-time. She said that there are some grey areas about every permit that is issued.

Mayor Currier explained, "Because we are historic, this system is laid out by the Feds. Design Review is visual; for example, you can't pinstripe your house. It extends to the type of materials used. And Planning and Zoning says 'you can't put something in a residential zone,' how much parking is needed for a particular use, etc."

The Mayor went on to explain the Board of Adjustment and its function.

Ms. Page asked about our historic status as a way to keep vacation rentals out of the residential areas.

Mayor Currier said, "That status helps us get grants. This can be done by residents also. We have been threatened from time to time that we could lose that historic status." He went on to say that the job could become a full-time position. "Sometimes we have a lot, sometimes not much going on," he said, noting that the Boards have not met for some time. He added that this may change because "there might be a couple of bombshells coming this way."

"The Zoning Administrator interprets the Code to individuals and to the Boards," Mayor Currier said, "and if they make a mistake, it can land us in court, and it is a significant expense."

Ms. Page asked if there have been any significant amendments to our ordinances.

Mayor Currier replied, "SB1350 did a lot to them. We're trying to feel our way forward. There is

one school of thought that it has destroyed zoning -- the state controls what happens. The other school says it is all fine.... At the moment, the legislature seems to be in favor of the property owner rather than the community."

Ms. Page commented that Arizona has strong landlord/tenant acts as well. If the interpretation of the Zoning Administrator has led to problems in the past, she said, grey areas in the ordinance may need to be clarified.

Vice Mayor Freund referred to Prop 207, noting that "if we make any change, we could be challenged on the basis of the Private Property Protection Act."

Council thanked Ms. Page, and took a brief recess prior to the next interview.

Owen Long

Mr. Long stated that he has been in building and development for the last 20 years. Most recently from the San Francisco Bay area, he said that he has experience with expensive, high-end buildings and currently resides in Sedona.

Councilmember Vander Horst began the questioning.

Q: Have you read our Town Zoning Code?

A: "Yes. I haven't spent hours and hours, but I probably spent half a day on it."

Q: How would you compare it to others?

A: "I am surprised that it is separated out. I'm used to seeing it more comprehensive, but the clarity is quite good." He added that he has worked with Bisbee, Benson and some other towns in Southern Arizona.

Q: Can you give us an example of great customer service?

A: Mr. Long explained that he had been the Executive Director for Habitat for Humanity in Flagstaff for two years. "The position requires a lot of grace," he said. "You're a public figure dealing with City Council and churches." He said that he has had to "familiarize himself to environments and be respectful." He added that code enforcement can be difficult because "sometimes people don't like to hear no," but he likes "being a part of the fabric of the community and acting like I'm one of them."

Q: How will you handle that type of conflict, when you have to tell them they can't do something?

A: Mr. Long commented that he's been told that "on the other side" for many years. "When the code is legible like that," he said, "I like to be pro-active. I like to do problem-solving and resolving issues. But sometimes, no is no." He said that he would have a real presence in the community as a "friendly advisor."

Mr. Long added that part-time would work well for him, as he is working on an investment in Clarkdale -- he is involved with the Clarkdale Hotel.

Q: What was your favorite job?

A: "Habitat for Humanity. It felt like I was part of the community. It was easy to do, so it didn't matter how many hours I put into it."

Councilmember Barber was next to question Mr. Long.

Q: What is your opinion regarding vacation rentals in residential zones?

A: "It is problematic. I've dealt with it in Flagstaff and Sedona. ... People are treating it as a business, so there needs to be some sort of taxation to prevent it, or if allowing it, with some sort of taxation."

Vice Mayor Freund then questioned Mr. Long.

Q: "Have you been following SB1350?"

A: "No, I have not. I just moved back to the area."

Vice Mayor Freund explained that it takes away the rights of the city to forbid vacation rentals. Mr. Long said that he is "somewhat aware," but he isn't sure of a proper outcome.

Q: Do you think renting is a land use?

A: "I don't think so. If it's single family that becomes a rental, that's fine. If you rent out rooms and compete with hotels, that might be considered a change of use."

Q: Have you ever testified in court?

A: "Yes I have – some for international lawsuits. The most recent were eight owners from China."

Q: You have been developing for the last 10 years. Do you think Jerome would be exciting enough for you? We're not fast paced development here.

A: "I don't see a lot of change or growth, but I would like to help preserve the Town. I love this Town."

Mayor Currier was next to question Mr. Long.

Q: Are you familiar with Proposition 207? (The Mayor explained Prop 207 briefly.)

A: Mr. Long said that he was not familiar with that.

Q: There has been an influx of group homes in Prescott. The newspapers have many pros and cons. Have you run into that? Any thoughts about how that should be handled?

A: Mr. Long said that he has done a lot of rezoning for residential homes, senior living and homeless shelters. He has experience with transitional housing for women. "It could become very political," he said. "We've had to move sites three times, and then into the poorest areas."

Q: What kind of a zone should they be in?

A: "That's very interesting, it's almost a mixed use. It's kind of a small hotel/boarding house situation. Perhaps they would need a variance."

Q: Another problem we have here is parking. Presently, parking is tied to the use. That sometimes becomes a problem.

A: Mr. Long said that, if there were parcels of flat land that could be purchased, or are already owned, he would suggest parking in those areas and using a local van service.

Q: The whole town is a historic site, and with that, comes strict rules from the Feds. What do you think a Design Review Board deals with?

A: Mr. Long spoke of his experience dealing with these boards, and how he would go over the site plan with them, height restrictions, setbacks, etc.

The Mayor clarified that those matters are under the purview of the Planning and Zoning Commission. He asked Mr. Long, "What is the goal of the Design Review Board?"

Mr. Long answered, "The aesthetic look of the building," and noted that other DRBs look at all of those things, including site plans, variances and setbacks.

Vice Mayor Freund asked Mr. Long if he had any questions.

Mr. Long said that he wondered, "What is the size future of the Town? Are you trying to keep it small?"

Councilmember Vander Horst said, "You will get four or five different answers to that."

Mayor Currier said, "The mechanics are controlled by water and terrain. Everyone is concerned about water in Arizona, and we tried to make a population projection to 2050. 900 would be our maximum, best guess. At the moment, we're at 450. The other factor is terrain. It is much less expensive to build on flat land." He said that home development is almost impossible here, and he doesn't expect to see mass development."

Vice Mayor Freund interjected, "We don't have the water."

"I believe we would all oppose mass development," Councilmember Vander Horst said.

Mayor Currier recalled that, 45 years ago, when he came here, there were 250 people and a

lot of abandoned homes. "The mine deliberately tore down buildings and restructured the architecture of the infrastructure to handle only a few people," he said. "Barnside was a very hot item for interior decoration and they tore down many houses for that. The first few years, it was reclaim what could be. Then, we went through a period of one house a year with little and slow growth. Last year we may have added one house."

Vice Mayor Freund said, "We're experiencing a lot more pressure from our commercial endeavors. Lodging in 1981 was seven or eight rooms, now we have maybe a hundred."

Mr. Long asked how the government deals with some of the obvious ADA issues that we would have here. Mayor Currier said, "We do what we can, and the Feds seem to understand that. Old construction does not require ADA. We make an honest effort."

Mr. Long asked about condemnation, adding that he sees some old buildings here. "We've only condemned a couple," the Mayor replied. "That is part of our ambience."

Mr. Long asked how many city staff there are. Ms. Gallagher replied that, including part-time, there are about 28 regular staff on payroll.

Mr. Long asked how many hours Council is anticipating that the Zoning Administrator would work. Mayor Currier explained that the budget this year is for 20 hours a week. It could go up to full-time, he said, but not during this budget period. "At the moment, the Zoning Administrator is a lightning rod," he added. "Most of our legal expenses come from zoning. At the moment, things are quiet."

Vice Mayor Freund commented, "The lull before the storm."

Council thanked Mr. Long and took a brief recess prior to the next interview.

James Gardner

Mr. Gardner said that he currently works for the Town of Chino Valley and was born and raised in Cottonwood.

Councilmember Vander Horst began the questioning.

Q: Have you read our zoning code?

A: "I have, and I've read a lot of zoning codes. It is pretty succinct. Not a lot of focus on violations. I don't see a lot of process in there so I imagine that is done at the policy level."

Q: In your mind, we don't have a lot of penalties. Is that a good thing or bad thing for us?

A: "It could go either way. It depends on what your chronic violations are. You could take care of the little issues with absolutely no problems and not have any big issues. However, if you run into a chronic violator and you don't have any way to get that to stop, that could be a problem. Maybe in this community you wouldn't need it."

Q: How do you manage conflict when you make decisions that people aren't happy with?

A: "That is what I do right now, day to day," Mr. Gardner said. He noted the importance of following precedent, acting responsibly and taking responsibility for the decisions you make.

Q: As Council and as Zoning Administrator, our role is to serve citizens of the Town. Could you give an example of your customer service skills?

A: Mr. Gardner said that he is the Planner in Chino Valley, and spends a lot of the day helping citizens get through the process of use permits and zoning changes. "You should treat everyone as well as you would treat any customer," he said.

Q: Why do you want part-time work?

A: Mr. Gardner said that he wants to branch out and do other things, yet still have the stability of a part-time position.

Q: We have, by estimates, over a million visitors. How would you handle the influx of tourists in regard to the Zoning Administrator position?

A: "That's a good question. A General Plan would assist in long-term planning."

However, it is important to me to focus on the locals. I'm aware of the short-term rental issue Jerome has had and the State's decision. They all see the State as meddling in local business. However, if you have a million plus visitors, you can benefit from that and make the town strong. I believe the Zoning Administrator would be a good spot for that."

Councilmember Barber asked questions next.

Q: What is your opinion regarding short-term rentals in residential zones?

A: "In some cities and towns, it can be a good thing; however, in a Town with limited housing, like Jerome, it is overwhelming and I don't think the Town needs vacation rentals." He said that it is "detrimental to residents."

Q: What about substance abuse residences in residential areas?

A: "That's a tough one. Coming from Prescott, I have lived near several. They have a big presence in Prescott. HUD has put a microscope on our area. We've struggled to deal with them. If you can create a set of standards for them, require documentation from them, that is one way to make sure they don't get out of hand. It is a difficult land use issue because the Federal government has so much control."

Vice Mayor Freund then questioned Mr. Gardner.

Q: Have you ever testified in court?

A: "No."

Q: You are aware of Prop 207 and its complications. What were your economic recommendations to the Navajo Nation to balance economic development with cultural sustainability?

A: "That was a 300-page document, so I'll try to summarize. I worked with several chapters. Their land masses are huge with low populations and it depends on each chapter – business infrastructure in place in larger areas, where they want growth and culture as a part of growth. Use it to display their culture and draw tourism to that. Tourism can be a double-edged sword, you can be overrun by it. The Navajo Nation wants to draw tourism. A lot of it was to acknowledge the past and how to grow with it."

Q: Right now our Zoning Ordinance is structured so that violators go into criminal court. There has been discussion of making this a civil process. Have you had any experience in dealing with this?

A: Mr. Gardner said that he is used to the civil hearing, and is not familiar with the criminal process. He believes that the civil process is more accepted by citizens.

Q: What sort of time frame are you looking at for a position here? Looking at your resume, I think it looks like you might be moving on up to a higher position.

A: Mr. Gardner said that he has had opportunities in the Valley, but wants to stay in northern Arizona, doing what he enjoys.

Mayor Currier was next to question Mr. Gardner.

Q: What are your thoughts about parking? Have you had much experience dealing with that?

A: Mr. Gardner said that he didn't have a lot of experience with that issue. He was working with the public works department on parking for uptown Sedona. They added No Parking signs and a lot of meters, and it led to an uproar. He added a permit for local people and "maybe uptown do a two-hour limit." He said that he has a transportation background from his education, but hasn't done a lot of transportation work in the real world. "I have theories," he said, "but they are harder to put into practice because of reality."

Q: We're historic, so we have rules and regulations. This is significant because grant money comes through that. It also brings in Design Review and Planning and Zoning issues.

A: Mr. Gardner said that he never worked with Design Review. He worked on historic

preservation with Sedona, but has not walked anyone through that process.

Ms. Gallagher had a few questions for Mr. Gardner.

Q: You mentioned you had worked with housing rehabilitation. Was that associated with the CDBG, and were you doing the administration?

A: Mr. Gardner replied that they had received a grant through (recording here was unintelligible), and he was administering it.

Q: What if the position became full-time?

A: I would like to evaluate it. If it came in a year from now, that would be okay.

Q: How much notice would you need to give to your current employer?

A: Mr. Gardner said that he believed he could begin working here in mid-October.

Councilmember Vander Horst asked Mr. Gardner if he had any history with obtaining grants. Mr. Gardner answered, "Yes, in my current position, I've been working with the EPA." He added that he anticipates receiving funding by the end of the year. It is a half million dollar grant for a sewer line extension. He added that infrastructure projects are what he works most on with grants. They are usually a loan with a 50 percent match. He asked if the Town had its own engineer, and Mayor Currier said that we contract with a firm out of Flagstaff.

The Mayor asked Mr. Gardner if he had any questions.

"What are your biggest code enforcement issues?" Mr. Gardner asked.

"People doing work on the weekends when nobody is around," the Mayor replied. "The biggest turmoil we've had is vacation rentals."

Mr. Gardner asked, "What is the position of the Town now that the State has gone ahead and allowed [vacation rentals]?"

Mayor Currier replied, "We're looking to see what other cities do. We led the parade on that one for a while. We're hoping someone else will pick it up." The Mayor said that one school of thought is that residential zoning is dead because of SB1350. He added, "I think this group home situation will be the next thing coming down. So far, that hasn't come into play, but it's getting such turmoil over in Prescott. ... We'll see where that leads."

The Mayor went on to say that Jerome's growth is minimal, with one or two houses a year going in. "If we get 900 people here by 2050 it would be amazing," he said. "We're already at 450, so it's going to be a slow development."

"Our primary economic source is tourism, at the moment," he said. "Personally, that makes me uncomfortable. I'd rather stand on three legs than one, however, until we figure out what those other two legs are, that's where we are. The Zoning Administrator has been a lightning rod and you'd be walking into that, and in a small town like this everybody knows everything."

"Whether it's true or not," Councilmember Vander Horst added.

Vice Mayor Freund said that he believes there will be pressure on our parking ordinance also. "That's one of the things that holds back unbridled commercial development," he said.

Mayor Currier noted that "we've had turmoil in the zoning department over the years. There have been many personnel changes and many interpretation conflicts. You will find history doesn't always work on your side."

Councilmember Vander Horst added, "We've had a lot of changeover in this position, and it would be really nice if someone stayed awhile."

Mr. Gardner said that he'd like to stay somewhere for awhile. If this became a full-time position, he said, that would be great. He's here most weekends.

Vice Mayor Freund talked about the new General Plan. "We started it several years ago," he said. "The next Zoning Administrator will be the fourth involved with it." Mr. Gardner said that he had read a little bit of the old Plan. He asked about the Steering Committee and how far along that process is.

Mayor Currier told Mr. Gardner that he could set his own time schedule. He would like to have the Zoning Administrator walk around more and see what's going on. Mr. Sengstock did that, the Mayor said, and he thought that was a good move.

Mr. Gardner said that, right now, his job is 75% at a desk. "It would be great to see a full-time

	<p>general planner for Jerome," he said. Mayor Currier thanked him for coming.</p> <p>Upon motion by Vice Mayor Freund, seconded by Councilmember Vander Horst and unanimously approved, Council entered into into executive session at 3:26 p.m.</p> <p>Mayor Currier called the meeting back into session at 3:45 p.m.</p> <p>Motion: Councilmember Vander Horst made a motion to offer the position to James Gardner. It was seconded by Vice Mayor Freund. The motion passed, 4-0.</p>
ITEM #3:	<p>ADJOURNMENT</p> <p>Upon motion by Vice Mayor Freund, seconded by Councilmember Barber and unanimously approved, the meeting adjourned at 3:47 p.m.</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: _____