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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, APRIL 10, 2018, AT 7:00 P.M.**

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| <p><b>ITEM #1:</b></p>                 | <p><b>CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE</b></p> <p>Mayor/Chairperson to call meeting to order.</p> <p><i>Mayor Vander Horst called the meeting to order at 7:01 p.m.</i></p> <p>Town Clerk to call and record the roll.</p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Vander Horst, Vice Mayor Kinsella, Councilmember Barber, Councilmember Currier and Councilmember Bachrach.</i></p> <p><i>Other staff present were Kyle Dabney, Zoning Administrator, and Joni Savage, Deputy Clerk. Accounting Clerk Melanie Atkin was present during part of the meeting.</i></p> <p>Mayor or Mayor's designee to lead the Pledge of Allegiance.</p> <p><i>Joni Savage led the pledge.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>ITEM #2:</b><br/><b>7:02</b></p> | <p><b>STAFF AND COUNCIL REPORTS</b></p> <p>Written staff reports by the Town Manager/Clerk, Deputy Town Clerk, Utilities Clerk, Accounting Clerk, Public Works Department, Building Inspector, Library, Municipal Court, Police Chief, and Fire Chief, and verbal reports from Council members.</p> <p><i>Mayor Vander Horst asked Ms. Gallagher to review her report.</i></p> <p><i>Ms. Gallagher reported that she:</i></p> <ul style="list-style-type: none"> <li>• <i>Checked references for the proposed engineering firm (Southwestern Environmental Consultants) and all were excellent.</i></li> <li>• <i>Continued work on the 2018-19 budget. The first budget meeting is scheduled for May 2.</i></li> <li>• <i>Attended a seminar hosted by the Risk Pool regarding insurance issues.</i></li> <li>• <i>Continued to work with ADP to resolve W-2 errors, primarily regarding PSPRS contributions. She said that this has been a difficult process and she has begun looking into alternative payroll providers.</i></li> <li>• <i>Submitted a payment request of \$91,000 with respect to our CDBG grant.</i></li> </ul> <p><i>She added that sales tax revenues continue to be robust and water flows have been okay.</i></p> <p><i>There followed a brief discussion regarding ADP. Ms. Gallagher said that she is gathering info regarding what other towns are using, and has set up a demo in mid-May with another provider of municipal software, Caselle. This would be an alternative to CYMA, and it includes a payroll function which seems to be a hybrid between outsourcing and doing it in house.</i></p> <p><i>Councilmember Currier noted that, in Ms. Gallagher's report regarding sales tax, there are some months where individual categories (i.e., retail, bar/restaurant and lodging) show less revenue than the same month during the prior year. She explained that, each category is still up from last year when looking at the year to date figures. "It's just a matter of timing," she said.</i></p> <p><i>Mr. Currier asked about the status of two springs projects that have not been started - installation of a turnout at the bottom of Mescal siphon, and rebuilding the falling walls on Allen Springs Road in Mescal Canyon.</i></p> <p><i>Ms. Gallagher said that Mr. MacVittie may need to bring in outside help with the turnout, and she believes he was waiting for spring to begin work on the walls.</i></p> <p><i>Councilmember Bachrach referenced Ms. Cay's report, and an item stating that an address on Center Street has owed the Town money since 2013. Ms. Gallagher said that this account has been turned over to a collection agency.</i></p> |

Mayor Vander Horst asked about another item in Ms. Cay's report regarding a restaurant owner whose business licenses have been expired for a long time. This was discussed briefly, and Mayor Vander Horst and Vice Mayor Kinsella expressed concern that inaction would set a precedent that it is okay to operate a business in Jerome without a license. Ms. Gallagher and Mr. Dabney agreed that we may need to begin the process soon to shut them down. There is a specific process required by the Town Code.

Mayor Vander Horst asked about an item in the Fire Chief's report stating, "The Chief completed 11 fire inspections in March with no buildings being inspected."  
 "How do you do that?" he asked. Speculations were made regarding typographical errors.

Vice Mayor Kinsella asked Mr. Dabney if they had done 11 inspections last month and he confirmed that they had.

**Motion:** Councilmember Currier made a **motion to approve the staff reports** and it was seconded by Councilmember Bachrach. **The motion passed, 5-0.**

**ITEM #3:**  
**7:13**

**PLANNING AND ZONING AND DESIGN REVIEW MINUTES/ RECOMMENDATIONS/ZONING ADMINISTRATOR'S REPORT**

Minutes are provided for the information of Council and do not require action.

Mr. Dabney read from his report.

He is working with Jason James of NACOG toward obtaining funding for items included in the Area Drainage Study. He noted that a Council resolution will be needed, and it was determined that this should be done at the next meeting.

He reported that the Planning and Zoning Commission did not support authorizing the Zoning Administrator to issue Certificates of No Effect. Mr. Dabney added that the Design Review Board does not want to review anything that is "like for like." He asked if Council would like him to further pursue this.

Discussion ensued.

Councilmember Bachrach asked if, when issuing a Certificate of No Effect, the Building Inspector would verify that the work to be done is "like for like." Mr. Dabney replied that the Building Inspector would look at Building Code items, while he would look at "like for like" with respect to historic preservation. He noted that painting something the same color as it was before would be considered maintenance and would not need a Certificate of No Effect.

Councilmember Currier said that a constituent had spoken to him to say that, if an applicant is required to go before a Board, and to pay the required fee to do so, and it was later determined that it had not been necessary for them to go before the Board, their money should be refunded. He said that he feels that would be appropriate.

Mayor Vander Horst said that he would not like to get to that point, and that he likes the concept of a Certificate of No Effect.

Mr. Dabney asked if, at the next Council meeting, he should provide those guidelines. "Yes," Mayor Vander Horst replied.

Councilmember Currier commented that he was under the impression that Mr. Dabney was having trouble with one of his boards.

Mayor Vander Horst stated that one of the things that troubles him is that the Commission wants to review things that don't require a permit.

"That is correct," Mr. Dabney said, and added that he has spoken with the Town Attorney about that, and the Attorney agrees with Mr. Dabney.

Vice Mayor Kinsella stated that he had been approached about something and he'd like it on record. "There was a large eviction that happened here in Jerome in the last couple of weeks," he said. "Was that eviction based on something the Town had anything to do with?"

"No," Mr. Dabney responded.

Councilmember Bachrach asked what prompted the initial inspection at that location. Mr. Dabney replied that he was asked about a window replacement, which was a red flag for him.

Councilmember Bachrach asked if the building will be vacant.

Mr. Dabney replied that it would not. The owner intends to leave the businesses on the ground floor.

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|                          | <p>Councilmember Bachrach asked if those are approved uses.<br/>         "Yes," Mr. Dabney responded, "but when I looked in the file there was nothing there." He said that he's trying to find out when they were actually approved, and added that they have business licenses. He has informed the owner that they will need to get a Conditional Use Permit.</p> <p>Councilmember Bachrach commended the members of the Planning and Zoning Commission. "I read the minutes from Wednesday February 7<sup>th</sup>," he said, "and it was a lengthy meeting. They are working very hard and I wanted to say they're doing a great job, their hearts are in the right places."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>ITEM #4:<br/>7:29</p> | <p><b>FINANCIAL REPORTS</b></p> <p>Budget to Actual reports, vendor ledger and balance sheet for February and March 2018</p> <p>Mayor Vander Horst asked about certain variances in the year-to-date budget-to-actual figures, and said, "If I were to make an assumption, it's a timing issue because we straight line all of the costs."</p> <p>Ms. Atkin agreed, and Ms. Gallagher said, "That's a big piece of it."</p> <p>Mayor Vander Horst requested that we input the budget differently next year, and not simply divide the total budget by 12 to determine monthly budget figures.</p> <p>Councilmember Currier asked about unspent monies in the Properties budget. Mayor Vander Horst and Ms. Gallagher stated that it represents monies budgeted for work sidewalks in front of Town properties, but it turns out that there is not a large need for that, so it could be used for other things.</p> <p>Vice Mayor Kinsella suggested that we could take part of that money and fix the parade steps. Any remaining funds could be used for continued work at the Hotel Jerome.</p> <p>Councilmember Bachrach said, "We've been talking about this for a long time. We've determined that homeowners are responsible for the sidewalks in front of their homes, and almost nobody repairs their sidewalks. Could we match the cost of it to motivate homeowners to make those repairs, maybe a few a year? We could offer a grant program."</p> <p>Mayor Vander Horst asked if that would require a change to our Code.</p> <p>Ms. Gallagher said that she didn't think so, she thought it would be Council's option.</p> <p>"I like that," Mayor Vander Horst said, "but we would have to let people know that the next Council could change it."</p> <p>The Mayor went on to say that he feels that the stairs next to the old Town Hall need to be addressed, and perhaps that should be done along with the parade steps. He feels that perhaps Mr. Bachrach's suggestion of a grant program could be a budget item for the next fiscal year.</p> <p>There followed a brief discussion regarding the work to be done on the steps. Councilmember Currier said that he thinks we should bid it out, and that the engineers could oversee it.</p> <p>Vice Mayor Kinsella noted that we have somebody on the Town crew that knows concrete, and it is Lyle Keith.</p> <p>Discussion returned to the possibility of the Town "granting" funds to property owners for sidewalk repairs. Mr. Kinsella asked if the Town's priority there would be residential or commercial sidewalks.</p> <p>Mayor Vander Horst replied that it would be dictated by the condition of the sidewalk and where the traffic is.</p> <p>Councilmember Bachrach commented that it will require the motivation of the property owner.</p> <p>Mayor Vander Horst said that we have other issues as well. Our current Code states that sidewalk maintenance is the responsibility of the adjacent property owner; however, the reason they need to be fixed is because of all the trucks and RV's driving over them. "Is it the owner's fault, the Town's or a prior Council who, in their infinite wisdom, decided to let us take over sidewalks twenty years ago?" he asked.</p> <p>Mayor Vander Horst went on to say that we want to use that \$50,000 this year, and he thinks the priority is the parade steps.</p> |

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|                                                          | <p>Councilmember Currier said that Lyle Keith could oversee the work, and asked that staff be directed to approach the Town crew and get this rolling.</p> <p>Mr. Currier asked about the sewer budget, noting that it currently shows a deficit.</p> <p>Ms. Gallagher stated that we've been doing a lot of work on the septic tank installation.</p> <p><b>Motion:</b> Vice Mayor Kinsella moved <b>to accept the financial reports of February and March 2018</b> and the motion was seconded by Councilmember Currier. <b>The motion passed, 5-0.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>ITEM #5:</b><br/><b>7:38</b></p>                   | <p><b>COUNCIL MEETING MINUTES</b></p> <p>Open session: March 13, 2018 regular meeting</p> <p>Following a brief discussion,</p> <p><b>Motion:</b> Vice Mayor Kinsella moved <b>to approve the regular meeting minutes of March 13, 2018</b> and the motion was seconded by Councilmember Bachrach. <b>The motion passed, 5-0.</b></p> <p>Closed session: February 13, 2018</p> <p>If necessary, Council may enter into executive session, pursuant to A.R.S. §38-431.01(A)(2), for the discussion or consideration of records exempt by law from public inspection.</p> <p><b>Motion:</b> Councilmember Currier moved <b>to approve the Closed session minutes of February 13, 2018</b> and the motion was seconded by Councilmember Barber. <b>The motion passed with 4 ayes, 0 nays and 1 abstention.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>ITEM #6:</b><br/><b>7:41</b></p>                   | <p><b>PETITIONS FROM THE PUBLIC</b></p> <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>There were no petitions from the public.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>ITEM #7</b><br/><b>7:42</b></p> <p><b>7:44</b></p> | <p><b>ORDINANCES</b></p> <p><b>ITEM #7A: SECOND READING AND POSSIBLE ADOPTION: ORDINANCE NO. 438, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 2-4-6, "ORDER OF BUSINESS," OF ARTICLE 2-4, "COUNCIL PROCEDURE," OF THE JEROME TOWN CODE</b></p> <p>Council may conduct the second reading of, and may adopt, Ordinance No. 438, to amend the Town Code to include a "Consent Agenda" item, and to allow the Chair to take items on the agenda in whatever order he or she deems most appropriate under the circumstances.</p> <p>Mayor Vander Horst said that, in about 50% of our meetings, we change the order of agenda items because of presentations, or because a large audience is here for a specific item. If we were to publish the agenda in the actual order, it would allow people to get to the meeting for the item they want to be present for. It is for the convenience of the citizens of Jerome, he said.</p> <p>Councilmember Currier said that he had previously expressed doubt about this, but now has no objection to it.</p> <p><b>Motion:</b> Councilmember Currier made a <b>motion to approve Ordinance No. 438</b> and Vice Mayor Kinsella seconded it. <b>The motion passed, 5-0.</b></p> <p>Mayor Vander Horst asked when this would become effective, and Ms. Gallagher replied that it would go into effect in 30 days.</p> <p><b>ITEM #7B: SECOND READING AND POSSIBLE ADOPTION: ORDINANCE NO. 439, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 1, "GENERAL," OF THE JEROME TOWN CODE BY THE ADDITION OF NEW ARTICLE 1-4, "SCRIVENER AND FORMATTING ERRORS"</b></p> <p>Council may conduct the second reading of, and may adopt, Ordinance No. 439, to amend the Town Code to authorize the Town Clerk to make certain minor corrections to the Town Code as needed.</p> <p>Councilmember Currier noted that this would address an issue brought up by the Design Review Board regarding the need to correct typos in the Zoning Ordinance. He said that he is in favor of the ordinance.</p> |

**Motion:** Vice Mayor Kinsella made a **motion to adopt Ordinance No. 439** and Councilmember Currier seconded it. The **motion passed, 5-0.**

ITEM #8

**UNFINISHED BUSINESS**

7:46

**ITEM #8A: RESOLUTION NO. 565, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, TO PLACE A QUESTION ON THE AUGUST 2018 BALLOT REGARDING STAGGERED FOUR-YEAR TERMS FOR COUNCILMEMBERS**

Council may adopt Resolution No. 565, to place a question on the August 2018 ballot regarding staggered four-year terms for Councilmembers.

*Ms. Gallagher explained that, as directed, she had done some research regarding the actual cost to produce a publicity pamphlet related to this ballot question. It occurred to her that, while initiatives and referenda require a publicity pamphlet, this would be neither. It is simply a question asked by Council. She checked with the Town Attorney and he agreed that a publicity pamphlet would not be required for this, therefore the cost of that is no longer an issue.*

*Mayor Vander Horst asked if there would be any added cost.*

*Ms. Gallagher replied that there could be a minimal additional cost for adding verbage to the ballot itself. She estimated that it would be no more than a few hundred dollars.*

**Motion:** Vice Mayor Kinsella made a **motion to approve Resolution No. 565** and Councilmember Bachrach seconded it. The **motion passed, 5-0.**

7:49

**ITEM #8B: PUBLIC HEARING - REVISED GENERAL PLAN**

Council will conduct a Public Hearing on the Revised General Plan, as drafted by the General Plan Steering Committee and approved by the Planning & Zoning Commission.

*Mayor Vander Horst opened the Public Hearing.*

*Dr. Jack Dillenberg, a Jerome resident, said that he had submitted some language about health, and he would like that to be under consideration.*

*Mayor Vander Horst said, "We have that and we will be addressing it in item 8C."*

*The Mayor added that he had received a comment from Margie Hardie, and proceeded to read it into the record:*

*"The paper written and submitted for addition to the Jerome General Plan as a Public Health Element has some very valuable thoughts to consider for a municipal population. The GP has been approved by the Planning Commission and forwarded to the Council without many elements that may appear in a GP for a large city of county such as these suggestions.*

*In order to have a Public Health element, the town should have a department which can support all the issues mentioned below.*

*We are very fortunate to have the Yavapai County Health Department to provide the Jerome citizens with many health care needs.*

*Also, before Jerome were to adopt these goals, certain statistics would be useful in supporting the inclusion in the GP. When writing the GP the committee used verifiable statistics to see the need for a goal, remembering that the plan was not intended to be specific but we also spent time researching and talking about the needs and realities of living in Jerome.*

*The 2017 General Plan was also written with an implicit concern for public health and safety. Walking paths, clean environment, adequate housing, etc. all work towards similar but not as specific goals.*

*I appreciate any suggestions that benefit the town and hope that these suggestions could be implemented by outreach to our community although I don't see this as an Element of the General Plan.*

*Thank you.*

*Margie Hardie"*

*No one else came forward, and Mayor Vander Horst closed the public hearing.*

7:51

**ITEM #8C: RESOLUTION NO. 566, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, TO AMEND AND/OR ADOPT A REVISED GENERAL PLAN AND/OR READOPT THE EXISTING GENERAL PLAN**

Council may approve Resolution No. 566.

Councilmember Bachrach stated that he does not want to re-adopt the 1981 plan. There were some specific/very minor changes mentioned, and with those exceptions, he said, he thinks the revised Plan is well written and reflects the feelings of the majority of the population in Jerome.

Vice Mayor Kinsella asked, if this is accepted tonight, can things be added to it later, or would it have to go back to Planning and Zoning?

Mayor Vander Horst said, "We have the option of adopting as is, amending and adopting, or re-adopting the old plan." He added that, if Council adopts this plan and then wants to add the language regarding health, they would have to start all over.

Ms. Gallagher agreed. "If you adopt it tonight and then make changes," she said, "it would be an amendment, and you would have to go through the whole thing again."

Councilmember Currier asked, "Can't we add addendums over the years?"

Ms. Gallagher said that she believes that what the statute says is that any amendment or re-adoption has to go through all of the steps again.

Councilmember Bachrach confirmed that they wouldn't have to re-write the entire plan.

Ms. Gallagher stated that Council could make amendments right now and adopt the Plan, but once that is done, she believes that any further amendments would have to go through the public hearing process again. It was clarified that this would not require the creation of another Steering Committee.

Ms. Moore, a resident, said, "I would like to know how you could make a major amendment or addition to the Plan without having the public review it."

Mayor Vander Horst replied, "The statute allows us to amend as presented to the Council."

Ms. Moore said, "But does it mean to add an additional three pages to it?"

"It could," Mayor Vander Horst replied.

Ms. Moore said that she feels that Council should get a legal opinion about this, and she does not feel that they should add "a huge amount of pages that the public does not have a chance to look at."

Councilmember Bachrach said, "I don't think anyone is suggesting we add three pages."

Ms. Moore said that, on her computer, the health portion suggested to be added was three pages. She added that she had suggested that a reference to building "whatever you want" in the Gulch should be deleted, because the Gulch is historic. "That seems like a simple thing," she said, but "now you have something brand new that nobody can give an opinion on."

Dr. Dillenber, who had suggested the inclusion of something about health, discussed the document he had submitted. He is only requesting the addition of one sentence, he said, and that sentence doesn't change anything. He said that he is suggesting this inclusion now because, if we wanted to get a grant regarding healthcare, he believes that, if we haven't mentioned it in the General Plan, we will miss the opportunity. "I only request that one sentence is put in the plan which will allow for, in the years to come, us to make requests. You now have a record that says you have an interest in health."

David Hall, Jerome a resident, said that he feels that this document is a Planning and Zoning document and is required by the State for circulation and land use. "The health thing is great," he said, "but I don't think it needs to be in the General Plan." He noted that there is nothing in the Plan about the Fire Department, yet the Fire Department goes for grants. "For right now," he said, "other than little tweaks, this document works pretty well." He added that, since this is going to require four votes out of five to pass, any changes to the proposed plan should also be approved by at least four members. Mayor Vander Horst noted for the record that the current General Plan does address the Fire Department.

Councilmember Currier said, "We can pass this document, but we can still amend it later and run it past the public. I don't like making amendments tonight. There will be no end to it. It would be better to pass the thing first and then add things into it."

Vice Mayor Kinsella said, "Ms. Moore wants to verify the Gulch being Historic. I want to clarify the wetland statement, because that was proved not to be correct. Could we have a drop-dead date for anything to be added and have a public hearing at that point with the corrections? Adding amendments and additions later -- they get lost."

Mayor Vander Horst summarized, "Are you saying we should have a special Council meeting where Council discusses changes and then after that have the public look at it and then a public hearing to discuss it?"

Vice Mayor Kinsella said, "Yes. I've been in meetings over the years, where people take this General Plan as the Bible, not a working document, but a Bible. ... Can we not take a little bit more time and make sure the document is correct? Knowing Jerome, I think it will take a little bit longer to do another General Plan again."

This was discussed briefly.

Ms. Moore asked where the proposed statement regarding health would fit into the Plan.

"That's a good question," Mayor Vander Horst responded, "but I don't think we need to answer it tonight."

Mr. Hall said that he feels it is a good idea to have another meeting, get some changes, and then have another public hearing, and suggested that we check with the Town Attorney regarding the process for that.

Natalie Barlow, a Jerome resident, said that she doesn't think the revisions or changes being discussed would be considered an amendment. "I don't think 'amendment' is even a word here," she said. "We're just revising it."

Councilmember Bachrach asked if the public would be included in the process and he was assured by other Council members that they would be.

Ms. Barlow said, "You would have a public hearing, I think that is a good idea," and said again that she feels that what Council will be doing is different than an amendment.

Ms. Gallagher wished to clarify that what she was hearing was that Council wishes to hold a special Council meeting to review suggestions and agree on what changes they would like to make, then have staff incorporate those changes into a revised draft, then have another public hearing and then take action after the public hearing. She said that she would check with the Attorney regarding that process.

**Motion:** Vice Mayor Kinsella made a **motion to do what Ms. Gallagher had just said, and to verify the process with the Attorney**, and Councilmember Bachrach seconded the motion. **The motion passed, 5-0.**

8:12

**ITEM #8D: PROFESSIONAL ENGINEERING SERVICES**

Council will review proposed rates and terms of a contract with Southwestern Environmental Consultants, Inc. of Cottonwood, AZ, and may approve an agreement with the firm for on-call engineering services.

Ms. Gallagher stated that the fees in the proposed agreement with Southwestern Environmental Consultants (SEC) are in line with what has been paid in the past, and the Attorney has reviewed and approved the agreement.

**Motion:** Vice Mayor Kinsella made a **motion to bring SEC on board with the Town of Jerome** and Councilmember Bachrach seconded the motion.

Councilmember Currier expressed concern regarding a paragraph stating that the firm's liability would be limited to the fee earned under the agreement.

Ms. Gallagher said that she had discussed that with the Town Attorney, who advised that this would not be a problem because we will have a Certificate of Insurance naming the Town as an additional insured.

After brief further discussion, the question was called.

**The motion passed, 5-0.**

Vice Mayor Kinsella asked that we have them come up soon to look at some projects.

ITEM #9

**NEW BUSINESS**

8:16

**ITEM #9A: COMMUNITY ARTS PROGRAM**

Council will review a proposal by Librarian Kathleen Jarvis to transform the Kids Art Workshop program into a community arts program that would serve children and adults alike, and would be part of the Library department. Discussion will include a job description for a part-time employee who would serve as the program director, children's librarian and library clerk.

Mayor Vander Horst noted that Ms. Jarvis had proposed this at the recent budget retreat. She had provided an outline to Council at this meeting with more detailed information.

Mayor Vander Horst asked about the level of the Town's current investment in the Kids Art Workshop. Ms. Gallagher responded that we budget about \$3,000, but receive donations to cover all but about \$1,000 of that.

Mayor Vander Horst summarized that Council is looking at the difference between \$4,500 and \$3,000. Ms. Gallagher said that she would assume that we would still solicit for some funds. Ms. Jarvis agreed, stating that most donations come through an annual fundraising event.

Vice Mayor Kinsella asked who is in charge of collecting those funds, and Ms. Gallagher said that the receipts are turned into the finance office.

Ms. Jarvis noted that, while the annual fundraiser is the primary source of donations, there are also donation boxes that bring in some funds. She added that it has been a problem to hire a Kids Art Workshop Director, and then tell them that they must go out and solicit donations to pay for the program.

"Kids Art Workshop as it stood is no longer working," Ms. Jarvis said. "The past director said the program has gone stale." She said that the other issue is that the program served primarily six- to twelve-year-olds, but we don't have those now. We have three- to six-year-olds. "We don't have enough kids in that age group to do a completely separate program for them," she said.

Ms. Jarvis went on to say that the library needs another part-time staff person, and it has been difficult for her to take a day off when she needs to.

Ms. Jarvis explained that the new program would include all ages, and they have had many people sign up already for the program, with the hope that it will exist. She talked about the "Fun with Math and Science" program at the library, which she has been trained on.

Ms. Jarvis talked about the cost for this person would be approximately \$4,500 per year at 24 hours per month. This would include the Arts program as well as working as a part-time library staffer.

Councilmember Currier talked about his experience with the Head Start program, and asked Ms. Jarvis for more details about the program, and whether they would be going on road trips.

Ms. Jarvis stated that there would be no road trips, and that the program would encompass 14 hours per month. The specific scheduling is yet to be determined. She is thinking about a weekly program.

Mr. Currier asked, "What about feeding the children?"

Ms. Jarvis said that this would not be part of the program, and noted that any child under the age of six will have to be accompanied by a caregiver.

"I just want to make sure you know what you're getting into," Councilmember Currier said.

Ms. Jarvis said, "The concept of the Kids Art Workshop is gone. It is not working, and I am willing to let that go. It has been wildly popular with the Town; however, I can't justify putting my energy into making something happen that isn't serving anyone." She added that she believes that Ms. Davis had recruited kids out of Clarkdale last year just to have a minimal program.

Councilmember Bachrach commented that the arts and the library are important to the citizens of Jerome, "so you'll have an Art Director and will have to have a flexible schedule."

"Yes," Ms. Jarvis said, and added that she has a list of artists who will support this.

**Motion:** Councilmember Bachrach made a **motion to support the Community Arts Program proposal** and Councilmember Barber seconded the motion. The **motion passed, 5-0.**

8:28

#### **ITEM #9B: PROFESSIONAL LEGAL SERVICES**

The contract with Bill Sims of Sims Murray Ltd. as Town Attorney has recently expired. Council will discuss whether to enter into a renewed agreement with Mr. Sims or to issue a Request for Qualifications for legal services. Mr. Sims has offered to extend his contract at the same rate and terms.

Ms. Gallagher explained that Mr. Sims had originally contracted with us in 2012 and he has agreed every year since to extend his contract at the same rate (\$195/hour) and terms. The most recent extension expired in December, she said, and apologized for having overlooked that. "You can extend it for as long as you like," she said.



**Motion:** Vice Mayor Kinsella made a **motion to extend the professional legal services contract with Sims Murray LTD at \$195 an hour for one year**, and Councilmember Bachrach seconded the motion.  
After brief further discussion, the **motion passed, 5-0.**

8:31

**ITEM #9C: PROCLAMATION: FAIR HOUSING MONTH**

Council may approve a Proclamation designating April 2018 as Fair Housing Month.

Ms. Gallagher noted that this is a requirement for our CDBG funding. It was noted that it is also the right thing to do.

Mayor Vander Horst read the proclamation:

*"Town of Jerome Proclamation, Fair Housing Month – April 2018*

**Whereas**, the National Fair Housing Law of 1986, as amended by the Fair Housing Amendments Act of 1988, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

**Whereas**, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

**Whereas**, April has traditionally been designated as Fair Housing Month in the United State;

**Now, Therefore**, I, Mayor Vander Horst Vander Horst, Mayor of the Town of Jerome, Arizona, do hereby proclaim April 2018 as Fair Housing Month in the Town of Jerome, and urge all citizens of this community to comply with the letter and spirit of the Fair Housing Law."

**Motion:** Councilmember Currier **moved to approve the Proclamation** and the motion was seconded by Vice Mayor Kinsella. The **motion passed, 5-0.**

8:32

**ITEM #9D: CDBG – FY 2017 STATE SPECIAL PROJECTS FUNDS**

Council will consider whether to apply for funding through the Community Development Block Grant State Special Projects Account, a competitive funding round with an application deadline of May 17, 2018.

Ms. Gallagher stated that the next round of competitive CDBG funding is coming up, with an application deadline of May 17. This is the same funding we applied for unsuccessfully last year. She has spoken with Isabel Rollins at NACOG, who told her that she could not say that we have more than a 50 percent chance of success this year. We still have eight people on the waiting list for housing rehab from the prior grant.

Ms. Gallagher said that providing matching funds would give us additional points in the application scoring. Committing \$42,000 would give us four extra points, and committing \$56,000 would give us five.

"Out of how many?" Mayor Vander Horst asked, but Ms. Gallagher did not know.

Ms. Gallagher noted that, last year, we received word about the grant award in June. If Council were to commit these funds in the budget, and we did not receive the grant, we could quickly reallocate the funds, as we typically do not adopt the budget until July.

Vice Mayor Kinsella said that he had just read an article about the administration sweeping all CDBG funding.

Ms. Gallagher said that she was told that this funding was already in place.

Councilmember Bachrach asked if there was a stipulation in the grant that the applicants would have to do the work with a permit and inspection.

Ms. Gallagher replied in the affirmative.

**Motion:** Councilmember Barber made a **motion to match funds at \$42,000.** Councilmember Currier said that he would second it but would prefer it to be \$56,000.

**Motion:** Councilmember Barber **amended her motion to match funds at \$56,000.00** and Councilmember Currier seconded the motion.

Mayor Vander Horst said that he wants to make sure that this does not represent a gift of public funds, which would be illegal, and added that we know who the eight people are. "I don't but you do," he said, addressing Ms. Gallagher.

Ms. Gallagher responded that she believes that NACOG would start over with the application process. She will verify that with Ms. Rollins.

Mayor Vander Horst said that he was feeling that we were giving money, knowing who the people are, so he feels better now.

Councilmember Bachrach asked, "Are Town employees and publicly elected officials exempt from applying?"

Ms. Gallagher responded that she believes that they can apply, and had been told that previously. This was discussed briefly. Ms. Gallagher noted that although Council is approving the funding, they are not making the decision regarding who is awarded funds.

Vice Mayor Kinsella said, "But we're making a motion to add more money to the fund to sweeten the deal."

Councilmember Barber said that she understands Mr. Kinsella's point, and said, "We're just concerned that there might be a conflict of interest when we vote on something for which we might be eligible."

Ms. Gallagher noted that Council does not need to take any action at this meeting, but just give her direction. She will let Ms. Rollins know that Council wishes to commit funding, and there will be a Resolution at the next meeting.

Councilmember Barber said that she feels it would be good to consult the Attorney as well.

Vice Mayor Kinsella commented that he didn't think there would be a conflict of interest because the choice of who receives funding is being made through an application process, and Council does not make that choice.

Mayor Vander Horst said, "We will give you direction to tell Isabel that we will submit the application."

ITEM #10  
8:41

**TO AND FROM THE COUNCIL**

Council may direct staff as to items of pending importance that they would like placed on a future meeting agenda.

Vice Mayor Kinsella asked if it was possible to talk with ADOT about a problem on Hull Avenue, where drivers are waiting to get a parking spot as people are still walking to their cars. They park in the center of the road while they wait for a parking space, and you can't get around them. "I thought, maybe a sign that says move to the right or left," he said. "I think it would help with the flow."

Mr. Kinsella said that he also noticed a vehicle getting very close to pedestrians near the Haunted Hamburger. "If this lady had not moved her head forward," he said, "the [vehicle's] mirror would have taken it off." He suggested a sign saying, "Pedestrians Ahead."

Lastly, he said, "We went through a lengthy process to put up shuttle signs. Why are they dropping passengers off everywhere else other than the shuttle stops? It's restricting the flow of traffic."

Councilmember Bachrach added that she witnessed the shuttle driver talking on her cell phone while she was driving with passengers.

Ms. Gallagher said that she would address the issues with the shuttle.

Councilmember Barber commented that people don't pay attention to signs, and she doesn't feel they are effective. She referenced the signs at East Avenue.

Mr. Dabney pointed out that it is illegal to stop in the middle of a State highway, and asked, "Isn't that a police issue?"

Councilmember Barber said that she believes the police should be patrolling around more and checking the trouble areas. She feels that would be more effective than putting up more signs.

Councilmember Bachrach agreed with Mr. Kinsella that there is a problem with people stopping in the street on Hull Avenue, and suggested having someone in uniform directing traffic on weekends, and telling people not to stop on the highway.

Mr. Bachrach went on to say that the recommendations of the NAU traffic study have still not been implemented, and he believes that we should have a properties/project manager person. "Give them our top five," he said. "Seems we're always talking about things that don't get done. Somebody should champion it."

Councilmember Currier asked about the implementation of the residential parking ordinance. He was told that this was addressed in the Police Chief's report, and it is still on schedule.

Vice Mayor Kinsella commented that there are a lot more parking spaces than they thought. "We just need to show residents how to park," he said, adding that he, Chief

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | <p>Muma and Marty Boland did the parking inventory. Chief Muma has the information and is in the process of implementing it.</p> <p>Councilmember Currier asked, "Will we have enough for Holly Street?"</p> <p>"We've found some interesting information that will be brought to the Council's attention soon," Vice Mayor Kinsella replied.</p> <p>Mayor Vander Horst asked that Chief Muma come to the next meeting to update Council on this.</p> <p>The Mayor also asked Ms. Gallagher to schedule a meeting, to include himself, Ms. Gallagher, Councilmember Bachrach and Kyle Dabney, to discuss parking.</p> |
| <p>ITEM #11</p> | <p><b>ADJOURNMENT</b></p> <p>Upon <b>motion</b> by Councilmember Bachrach, seconded by Councilmember Currier and unanimously approved, the meeting was <b>adjourned at 8:50 p.m.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                              |

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

APPROVE:

ATTEST:

\_\_\_\_\_  
Frank Vander Horst, Mayor

\_\_\_\_\_  
Candace B. Gallagher, CMC, Town Manager/Clerk

Date: \_\_\_\_\_