



TOWN OF JEROME

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MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL

HELD via WEB CONFERENCE ON ZOOM

TUESDAY, MAY 12, 2020, AT 7:00 P.M.

Recording of the meeting began during discussion of Item #2.

ITEM #1:	<p>CALL TO ORDER/ROLL CALL</p> <p>Mayor/Chairperson to call meeting to order.</p> <p>Mayor Alex Barber called the meeting to order at 7:00 pm.</p> <p>Town Clerk to call and record the roll.</p> <p>Town Manager/Clerk Candace Gallagher called the roll. Remotely present were Mayor Barber, Vice Mayor Sage Harvey, and Councilmembers Mandy Worth, Jane Moore, and Dr. Jack Dillenberg. Zoning Administrator John Knight, Accounting Clerk Melanie Atkin, and Deputy Clerk Rosa Cays were also present.</p>																																										
ITEM #2: 7:01	<p>FINANCIAL REPORTS</p> <p>Financial reports for April 2020</p> <p style="text-align: center;"><u>Motion to Approve the April 2020 Financial Reports</u></p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER	X		X				DILLENBERG		X	X				HARVEY			X				MOORE			X				WORTH			X			
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ITEM #3: 7:02 (0:22)	<p>STAFF AND COUNCIL REPORTS</p> <p>Written staff reports by the Town Manager/Clerk, Deputy Town Clerk, Accounting Clerk, Utilities Clerk, Public Works Department, Municipal Court, Police Chief, and Fire Chief, and verbal reports from Council members.</p> <p>Ms. Gallagher said that the COVID-19 pandemic has continued to consume quite a bit of time with numerous online meetings. She then read from her report.</p> <p>Councilmember Mandy Worth noted that the Police Chief had reported that Officer Boan was back on duty, and that it was good to see him on the streets again. She then asked if Building Inspector Barry Wolstencroft had submitted a report, which Ms. Gallagher confirmed he had not.</p> <p>Councilmember Jane Moore said that building activity is visibly happening around town so it would be nice to hear from Mr. Wolstencroft.</p> <p>Mayor Barber requested that Mr. Wolstencroft submit a report via email.</p> <p>Ms. Gallagher suggested that perhaps Zoning Administrator John Knight could comment on behalf of Mr. Wolstencroft.</p> <p>Mr. Knight spoke briefly about building projects he and Mr. Wolstencroft had been working on and that he would talk to him about submitting an update to Council. Mr. Knight also mentioned that code enforcement issues had been addressed.</p> <p>Ms. Moore reiterated what she had said and thanked Mr. Knight.</p> <p>Mayor Barber thanked everyone for their extra efforts during this time.</p> <p style="text-align: center;"><u>Motion to Approve the Staff Reports</u></p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER	X		X				DILLENBERG			X				HARVEY		X	X				MOORE			X				WORTH			X			
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ITEM #4: 7:10 (7:55)	<p>ZONING ADMINISTRATOR'S PLANNING AND ZONING AND DESIGN REVIEW REPORT AND MINUTES</p> <p>Minutes are provided for the information of Council and do not require action.</p> <p>Mayor Barber asked the councilmembers if they wanted to discuss this item.</p> <p>Ms. Worth asked if Mr. Knight could do the usual "run through" of his report.</p> <p>Vice Mayor Sage Harvey brought up the community garden and thought perhaps it should go before DRB. This was discussed briefly and it was generally agreed that, although the Town is not required to do so, it would be best to bring the project before DRB.</p> <p>Mr. Knight then read from his report and made a few announcements, including that he had gone through town to talk to Jerome business owners about their plans to reopen once Gov. Ducey's stay-at-home orders expire.</p> <p>Mayor Barber asked Mr. Knight about his survey to local business owners.</p>																																										

Mr. Knight said he and Ms. Gallagher had considered sending a survey out to business owners but felt it was a few weeks too late to do so. Instead Mr. Knight went door to door and talked to owners in person. He said he could provide a summary.

Mayor Barber asked Mr. Knight to send a report to Council via email.

Mr. Knight wanted to mention that it has been good to meet with people and let them know that the Town cares and wants to make sure everyone is safe. Councilmembers thanked Mr. Knight for his efforts.

Vice Mayor Harvey reminded Ms. Gallagher that now that the residential permit parking process has changed, Council needs to make the necessary changes to the town code.

Ms. Gallagher said an ordinance amendment would be added to the next agenda.

ITEM #5:
7:20 (17:44)

APPROVAL OF MINUTES

April 14, 2020 regular meeting; April 22, 2020 special meeting

Mayer Barber moved to approve both minutes in one motion.

Vice Mayor Harvey clarified one part of the April 14, 2020 minutes where the audio had been muffled. Ms. Gallagher will include that clarification.

Motion to Approve the April 14, 2020 (as clarified) and April 22, 2020 Minutes

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG			X			
HARVEY	X		X			
MOORE		X	X			
WORTH			X			

ITEM #6
7:21 (19:14)

PETITIONS FROM THE PUBLIC

Alex read a letter to the Council from Jerome resident Margie Hardie regarding enforcement of the Jerome Zoning Ordinance, in which she stated that the Zoning Administrator is solely responsible for enforcing it regardless if a formal complaint has been filed or not. Ms. Hardie also thanked Mr. Knight for enforcing the sign ordinance.

ITEM #7: UNFINISHED BUSINESS

7:24 (21:34)

ITEM #7A: RESOLUTION NO. 598, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA COMMITTING LOCAL FUNDS AS LEVERAGE FOR A FY20 COMMUNITY DEVELOPMENT BLOCK GRANT SSP APPLICATION

Council may approve Resolution 598, committing to a 20 percent match if awarded a FY20 Community Development Block Grant SSP application.

Motion to Approve the April 14, 2020 and April 22, 2020 Minutes

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
HARVEY		X	X			
MOORE			X			
WORTH			X			

7:24 (22:24)

ITEM #7B: POSSIBLE AMENDMENTS TO ZONING ORDINANCE – TEMPORARY SIGNAGE

Council will discuss possible amendments to the Zoning Ordinance regarding temporary signage.

Mr. Knight told the Council about recent complaints that have been called in regarding so-called temporary signs, and specifically the sign referred to in Margie Hardie's letter. The sign ordinance has been discussed with town attorney Bill Sims, who has advised it be revised.

Mr. Knight said temporary signs need to be treated all the same and that the ordinance cannot regulate content in any way. He proposed references to content be removed, and that the ordinance refer to size, location, and the time frame of when the sign could be posted. He referred to the Gilbert ordinance (addendum to the packet), specifically the temporary signs section (4.408).

Mr. Knight explained that one reason the ordinance was not more quickly and efficiently enforced regarding the temporary sign referred to in Ms. Hardie's letter was that he was concerned about obstructing free speech. Once this was resolved, it was determined signs could be regulated based on size. Mr. Knight said that If Council is interested in working on the ordinance, it would be timely considering the election coming up, and that it would affect real estate, contractor, political, and likely other types of signs.

Councilmember Jack Dillenberg said he had a question for Mayor Barber; she acknowledged him.

Vice Mayor Harvey called point of order, as she had used the Zoom feature to raise her hand and had been waiting. Dr. Dillenberg thought he had been called on by the mayor; discussion ensued.

Ms. Gallagher clarified that Dr. Dillenberg had physically raised his hand while the vice mayor had raised her hand "digitally." Dr. Dillenberg ceded to Vice Mayor Harvey, and the meeting continued.

Mayor Barber requested that Mr. Knight work on suggested amendments to the ordinance and present them to Council at the next meeting.

Mr. Knight said of course but that he wanted to be sure Council wanted to do this before he started working on it. He suggested ways to approach the ordinance amendment procedure.

Mayor Barber said she had trouble hearing everything Mr. Knight had said and opened the discussion to Council. She asked Ms. Gallagher who had their hand raised first.

Ms. Gallagher said Vice Mayor Harvey was in the process of speaking, that Dr. Dillenberg had his hand raised, and so did Ms. Worth. Ms. Moore chimed in and said she would be the fourth to speak.

Vice Mayor Harvey expressed her opinions about revising the ordinance. After reading the Gilbert ordinance and the Clarkdale ordinances—the latter reading very similar to Jerome’s—she said she did not see any reason to change the town ordinance. She said that Jerome is also in accordance with the ARS signage code regarding political signs except that Jerome requires that a political sign be taken down after 10 days rather than 15 days. She also pointed out that the zoning ordinance does not limit content other than for real estate signs. She listed a few examples of size restriction differences between the town’s ordinance and state statutes. Vice Mayor Harvey said enforcing our code as it stands should not be a problem.

Mr. Dillenberg had a question for Mr. Knight about ARS 16-1019 No. 5, letter I, which he read aloud. He asked if this meant that no signs are allowed on Hwy 89A. He later stated it was the signs along Hwy 89A by the high school that made him curious about this.

Ms. Gallagher explained her interpretation of the statute, as did Mr. Knight. Discussion ensued.

Mr. Knight said that the signs Dr. Dillenberg was referring were the “definition” of free speech according to the town attorney.

Mayor Barber continued to have trouble hearing Mr. Knight and Dr. Dillenberg—the sound was garbled.

Ms. Worth said the state statute in its present form, as well as most temporary sign ordinances in Arizona and across the country, are going to be found in violation of free speech. Ms. Worth said she also read the Supreme Court case decision, which basically determined that temporary signs cannot be regulated according to content. She suggested the Council review sections of the decision to determine how Jerome’s ordinance should be revised. Ms. Worth said this is a new decision that will soon be widely adopted.

Ms. Moore agreed with Ms. Worth and said she would like to see the most relevant, succinct information from the Supreme Court ruling. She asked if anyone knew if Mr. Sims was the city attorney for Gilbert and if the other towns he represents will be dealing with their respective sign ordinances. Ms. Moore also suggested that the amendment process start with P&Z with a recommendation to the Council, and to keep it less wordy than Gilbert’s ordinance. She then pointed out that Jerome treats banners differently in the ordinance.

Vice Mayor Harvey agreed with Ms. Moore.

Mr. Knight agreed with Ms. Worth and what she had said about the Supreme Court decision and other local ordinances. He said the problem is implementing them as they stand—only size can be regulated. He agrees with Ms. Moore that this should go back to P&Z. He also offered to share the Supreme Court decision with Council, which Mayor Barber asked him to send via email.

Motion to initiate the ordinance amendment process with P&Z, then present to Council

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
HARVEY			X			
MOORE		X	X			
WORTH			X			

7:46 (43:38)

ITEM #7C: POSSIBLE AMENDMENTS TO ZONING ORDINANCE – TELECOMMUNICATIONS FACILITIES (CELL SITES)

Council will discuss possible amendments to the Zoning Ordinance regarding telecommunications facilities (cell sites). Mayor Barber moved to table this item until next month to gather more information. Vice Mayor Harvey seconded the motion.

Ms. Moore said Mr. Knight had suggested having a workshop about this item and thought this would be a good idea. The mayor agreed and opened the topic to discussion.

Ms. Gallagher said the item could be tabled to a workshop for a date to be determined.

Mr. Knight said the more he learns about telecommunications the more complicated it gets. He has received information from Attorney Sims about some of the legal challenges around telecommunications. He agrees a special workshop would be appropriate.

Mayor Barber asked Ms. Gallagher how this could be planned and if a Doodle poll was in order.

Ms. Gallagher said more information would need to be gathered first and suggested Mr. Sims participate in the workshop.

Motion to table Item #7C to a special workshop on a date to be determined

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
HARVEY		X	X			
MOORE			X			
WORTH			X			

ITEM #8:

NEW BUSINESS

7:48 (46:28)

ITEM #8A: BLANKET EXTENSION OF BUILDING AND ZONING PERMITS

Council will discuss extending previously approved building and zoning permits for an additional six months as a result of the construction slowdown due to Covid-19.

Mayor Barber introduced the item and invited discussion by Council.

Ms. Worth was ready to make a motion if there was no further discussion. Dr. Dillenberg second the motion.

Vice Mayor Harvey made it known that her hand was raised and said that if no one was paying attention to who had their hands raised, then it did not matter if hands were raised. She said it was a “very unprofessional Council meeting” as far as she could tell. She then explained why she thought the sound was garbled during the meeting. Vice Mayor Harvey returned to the topic at hand and said that other cities and counties are approving building and zoning permit extensions. She said Jerome should hold residents to the six-month extension if it is approved.

Mr. Knight said he had talked to Jerome's town attorney about how to do this. He can do the extensions individually, which is time consuming and takes staff resources. A blanket extension would make the process more efficient. He said this would apply to active permits only and that letters would be sent to applicants.

Motion to allow the Mayor to extend active building and zoning permits for six months from this date, May 12, 2020, with further extensions requiring individual review

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG			X			
HARVEY		X	X			
MOORE			X			
WORTH	X		X			

7:53 (50:50)

ITEM #8B: RESOLUTION NO. 599, A RESOLUTION OF THE TOWN OF JEROME, ARIZONA MAYOR AND COMMON COUNCIL, DESIGNATING THE CHIEF FISCAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2020 EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL

Council may approve Resolution No. 599, designating Candace Gallagher as the official to submit the FY20 Expenditure Limitation Report to the Auditor General's office.

Motion to Approve Resolution No. 599

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG			X			
HARVEY	X		X			
MOORE			X			
WORTH		X	X			

7:54 (51:48)

ITEM #8C: COVID-19 PANDEMIC AND TOWN RE-OPENING

Council will discuss what the Town's re-opening should look like following the COVID-19 pandemic.

Ms. Gallagher stated that Dr. Dillenberg requested that this be on the agenda, then went over the governor's recent orders.

Dr. Dillenberg said he wanted to discuss this because of his concerns for the Jerome citizens. He shared his observations of town visitors not following CDC guidelines.

Ms. Worth agreed with Dr. Dillenberg's concerns. She said municipalities have zero ability to override state-level decisions. She said suggestions can be made (e.g., "Bisbee is a mask-friendly town") but no rules or regulations can be set to supplant state rules and regulations. Jerome has no local control.

Vice Mayor Harvey pointed out the packet addendum she included regarding this item: executive orders from the governor, who is thoroughly following the White House orders, and guidelines for a phased reopening. She said she also included what Sedona has been doing in response to COVID-19. Vice Mayor Harvey said it boils down to personal responsibility and mutual respect. She said Sedona is using signs as reminders to visitors, as are other communities in the Verde Valley, and suggested Jerome adopt a similar campaign. The vice mayor said yes, things are opening again, but we are not back to normal.

Mr. Knight said Sedona is doing a good job with reminders and thought it would be good to get Jerome businesses to post similar reminders for visitors. He also suggested setting up handwashing stations in public locations throughout town.

Vice Mayor Harvey said she is not in support of handwashing stations. She said people need to take personal responsibility and carry their own sanitizing supplies.

Dr. Dillenberg said he liked the idea of signs in business windows, one in every store to alert visitors to mutual care. He suggested having wipes rather than washing stations, but minimally he would like to see signs in local businesses.

Mayor Barber said Gov. Ducey talked about opening Arizona in three phases, and that we are currently in the first phase. He encouraged Arizonans to follow CDC guidelines, protect themselves, and make good decisions. She said nothing has been said about requiring the use of masks or gloves. The mayor said Verde Valley leaders, specifically Sedona, have come up with a campaign/flyer: "Safe. Clean. Ready." Mayor Barber pointed out that Jerome will do what's best for our uniquely small community and its tight physical spaces, and try to stay within the guidelines the rest of the Verde Valley is following—but it must be tailored to suit our safety needs. She also gave residents a few words of advice, then talked about the amount of garbage being generated from takeout packaging from local restaurants. Mayor Barber referred to the governor's message: "Stay healthy, return smarter, return stronger."

Ms. Worth said this was a productive conversation, and she liked the idea of a Jerome-tailored message for businesses. Her third point: as elected leaders and town staff, she strongly urged that we need to be modeling behavior to stay safe. She said we need to at least be aware of the perception each time we leave our homes.

Ms. Moore said she and Dave Hall will not open his shop until June. She shared details of how they will handle safety protocol when the shop does open. Masks will likely be required, and occupancy will be limited.

Mayor Barber said Gov. Ducey has encouraged businesses to do what they feel is best for them and they do not necessarily have to open during the first phase. She asked Ms. Gallagher if councilmembers had been sent the email from Sedona regarding safety. It was confirmed that they had received it.

Mayor Barber said it is better to be safe than sorry, and councilmembers agreed.

Motion to continue following CDC guidelines and follow Gov. Ducey's orders

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
HARVEY		X	X			
MOORE			X			
WORTH			X			

ITEM #9:
8:14 (1:12:48)

TO AND FROM THE COUNCIL

Council may direct staff regarding items to be placed on a future meeting agenda.

Mayor Barber said she had nothing to add.

Vice Mayor Harvey brought up the trash on weekends and is concerned about the amount being generated. She said trash cans throughout town have been overflowing on Saturdays for the last two weeks. She said the town needs to address this. The vice mayor then talked about the anxiety being felt from the COVID-19 pandemic and encouraged everyone to remember human kindness and personal space.

Ms. Worth thanked Vice Mayor Harvey for her words and said the reminder to be kind and respectful is important. She also thanked the town and the mayor for assistance with the food bank—coordinator Randy Boardman was not available to do his usual pick-up, so the town loaned the church a truck, which Vice Mayor Harvey drove to pick up food in the valley. Ms. Worth then shared statistics about use of the food bank and said in April, 25 percent of Jerome residents visited the food bank each week. She expressed her gratitude to the town and the mayor for the support and encouraged residents to ask for help.

Ms. Moore thanked the others for their comments. She also asked Mr. Knight if the definitions of boarding house and hotel would be addressed with the other zoning ordinance amendments and pointed out that it would affect a specific business, but also a few other places in Jerome.

Mr. Knight agreed it was worth addressing and would add it to the May 20 P&Z agenda.

Dr. Dillenberg thanked everyone. He also mentioned the virtual home tour on the Jerome Chamber Commerce website and encouraged everyone to watch it.

Mayor Barber gave thanks to everyone once again and reminded everyone to use the food bank so produce does not go to waste.

ITEM #10:
8:29

ADJOURNMENT

Motion to continue following CDC guidelines and follow Gov. Ducey's orders

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
HARVEY		X	X			
MOORE			X			
WORTH			X			

APPROVE:

ATTEST:

 Christina "Alex" Barber, Mayor

 Candace B. Gallagher, CMC, Town Manager/Clerk

Date: _____