



TOWN OF JEROME

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

MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL

JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS

TUESDAY, NOVEMBER 10, 2020, AT 7:00 P.M.

<p>ITEM #1: 7:03 (4:02)</p>	<p>CALL TO ORDER/ROLL CALL</p> <p>Mayor/Chairperson to call meeting to order. Mayor Alex Barber called the meeting to order at 7:03 pm.</p> <p>Town Clerk to call and record the roll.</p> <p>Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Barber, Vice Mayor Sage Harvey, and Councilmembers Jane Moore, Mandy Worth, and Dr. Jack Dillenberg. Zoning Administrator John Knight, Accounting Clerk Melanie Atkin, Deputy Clerk Rosa Cays, P&Z Chair Jessamyn Ludwig, P&Z commissioner Chuck Romberger, and DRB board member Carol Wittner also joined the meeting.</p>																																																																																				
<p>ITEM #2: 7:03 (4:34)</p>	<p>REORGANIZATION (Council members have been sworn in prior to this meeting by Town Magistrate Joan Dwyer.)</p> <p>ITEM #2A: SELECTION OF MAYOR AND VICE MAYOR</p> <p>Council may select their Mayor and Vice Mayor by nomination and vote.</p> <p>Mayor Barber announced that all councilmember had been sworn in prior to the meeting, and that it went smoothly. She then said that as long as she has been on the dais, the next mayor was usually the candidate with the most votes, if they wish to be mayor, and the candidate with the second most votes becomes vice mayor. After the nominations, Mayor Barber resigned her position to Mayor Dillenberg to take over the remainder of the meeting.</p> <p><u>Motion to Nominate Dr. Jack Dillenberg as Mayor of Jerome</u></p> <table border="1"> <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></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></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p><u>Motion to Nominate Mandy Worth as Vice Mayor of Jerome</u></p> <table border="1"> <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></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td>X</td> <td></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				DILLENBERG			X				HARVEY			X				MOORE		X	X				WORTH	X		X				COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER		X	X				DILLENBERG	X		X				HARVEY			X				MOORE			X				WORTH			X			
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<p>7:06 (7:20)</p>	<p>ITEM #2B: REMARKS BY MAYOR, VICE MAYOR AND COUNCILMEMBERS</p> <p>Mayor Dillenberg thanked the citizens of Jerome for the opportunity, made remarks about the honor of being mayor, and said he was committed to helping Jerome however he could. He thanked the mayor and vice mayor for the extraordinary work they've done, especially during the pandemic, and said that Ms. Barber and Ms. Harvey had spent hours on end at meetings looking out for the best interest of Jerome citizens.</p> <p>Vice Mayor Worth also expressed her appreciation for the dedication of Mayor Barber and Vice Mayor Harvey. She then thanked the Jerome citizens for keeping this council together and thanked the other councilmembers and town staff. She said she looked forward to the challenge of being vice mayor and learning under Mayor Dillenberg, and that she would be leaning on the other councilmembers.</p> <p>Mayor Dillenberg gave special thanks to Councilmember Moore for her expertise and said he was glad the council was back together again. He said he appreciated the mutual respect and their common commitment to the town of Jerome.</p> <p>Councilmember Sage Harvey said that it has been a pleasure to work with this council and staff and that much has been accomplished and she looks forward to the next two years. Ms. Harvey also said that it has been a great honor and privilege to be vice mayor to Ms. Barber and then described the experience of working behind the scenes together. She thanked Chief Allen Muma for his efforts during the pandemic, and though she was not in search of accolades, she wanted it known that she and Ms. Barber did what they could to keep the town safe. She thanked Chief Muma again, along with Lt. Rusty San Felice, Ms. Gallagher, Randy Garrison and his administrative assistant, and the mayors in the Verde Valley for keeping everyone safe, and thanked the citizens of Jerome for voting her back in.</p> <p>Mayor Barber thanked the citizens of Jerome for voting the hardworking council back in, then thanked Ms. Gallagher, town staff, volunteers, and everyone who dedicates themselves to Jerome. As the COVID-19 numbers climb and with holidays coming up, she urged everyone to remain vigilant and stay safe. She said that although she would not describe being mayor as "fun," it was a worthwhile experience. Ms. Barber said she will remain protective of Jerome and expects the best out of every councilmember and will help Mayor Dillenberg however she can.</p>																																																																																				

Councilmember Moore said what a privilege it has been to work with this council and that she looks forward to the next two years. She praised Ms. Barber and Ms. Harvey for their work as mayor and vice mayor and said she could not thank them enough for what they have done during the COVID crisis. She added that she looks forward to meetings in person again and said that having worked with many councils over 16 years, this one was fun.

Ms. Barber expressed her appreciation, especially because as mayor, the thanks were far and few between.

Mayor Dillenberg voiced one more round of appreciation and said he would keep the Council fun. He then reminded everyone about Veterans Day.

7:19 (20:15)

ITEM #2C: RESOLUTION NO. 607, DESIGNATING SIGNATORIES FOR TOWN BANK ACCOUNTS

Council may approve Resolution No. 607, designating signatories for the Town's bank accounts with National Bank of Arizona and OneAZ Credit Union.

Ms. Gallagher said the tradition has been to have the mayor, vice mayor, and town manager as signatories, and that she would like to add Deputy Clerk Rosa Cays as a signatory as an emergency measure in cases when the mayor and vice mayor may not be available.

Mayor Dillenberg and Vice Mayor Worth said they were fine with being signatories.

Ms. Barber asked if the previous deputy clerk, Joni Savage, had been a signatory. Ms. Gallagher said no, because she was heavily involved in the finance department, but that the previous deputy clerk, Rosemarie Shemaitis, was a signatory. She said this would be used only as an emergency measure and would be cleared by the mayor if only staff would be signing a check.

Ms. Harvey said it wasn't good practice and it would be best to keep checks and balances in place instead of leaving it open to the possibility of embezzlement. She emphasized that this was not a reflection on staff.

Ms. Gallagher said it was not necessary to have Ms. Cays as signatory.

Ms. Moore agreed with Ms. Harvey.

Motion to Approve Resolution 607, to include Mayor Dillenberg, Vice Mayor Worth, and Ms. Gallagher as signatories

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

ITEM #3:
7:23 (24:26)

FINANCIAL REPORTS

Financial reports for October 2020

Ms. Harvey pointed out that recently, legal expenses have gone way up with recent P&Z ordinance changes. She suggested taking on ordinance changes little by little to avoid using up the budget.

Motion to Approve November 2020 Financial Reports

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

ITEM #4:
7:25 (26:17)

STAFF AND COUNCIL REPORTS

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.

Ms. Gallagher went over her report and highlighted the following: COVID-19 meetings are still taking place twice a week; grant reimbursement documents have been submitted to cover the cost of the windows at the Hotel Jerome; the CDBG grant to help cover the Dundee, Deception, and Holly waterline improvements is now underway; and preliminary information has been submitted to DEMA for reimbursement of pandemic expenses. She said the water flows are okay and sales tax revenues are rather astonishing, considering the situation, and that the burn pile was finally burned, so residents can start ridding their properties of brush again.

Vice Mayor Worth said that on the fire department's report in the incident logs, several illegal fires are listed and noted as "resident." She asked if the town cites this or if there is a fine, if this is a new thing, and if this was done by one person, and stated she did not want to see this happening on a regular basis and wants to mitigate the situation. Vice Mayor Worth then said that on the police department report, it was mentioned that an unexpected RICO distribution was received, and asked how the funding would be used, knowing there are restrictions. She also requested that an executive session be scheduled to discuss Chief Muma's eventual retirement based on the announcement in his staff report.

Ms. Barber suggested asking the fire and police chiefs questions about their staff reports before the council meeting so that they can either prepare and join the meeting or provide answers prior to the meeting. Ms. Barber said she too was concerned about the fires in Chief Blair's report and said she would be glad to reach out to him for more information.

Ms. Harvey reported that one fire was from a transient camping by the cemetery. She said she was not sure if he was cited but he was told to put it out.

Motion to Approve November 2020 Staff Reports

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

ITEM #5:
7:32 (33:25)

ZONING ADMINISTRATOR'S PLANNING AND ZONING AND DESIGN REVIEW REPORT AND MINUTES

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

Mr. Knight started off by saying he would take to heart the concern about legal fees and will take a look at them with Ms. Gallagher. He suggested that code amendments could be prioritized at the upcoming joint session with P&Z.

Ms. Moore said she listened to the audio of the October 21 P&Z meeting and that it appears there is a lot of misunderstanding about ordinance amendments that the Council has talked about with the planning and zoning commission. She urged everyone to listen to the audio of that meeting and hopefully by the time the joint session happens, "we can clear up some misunderstanding, I hope." Ms. Moore said she would also like more information about resolutions in the action minutes.

Vice Mayor Worth pointed out that Mr. Knight mentioned in his report that he had met with the current owner and new buyer of the Jerome Clubhouse. She requested an update about this at a subsequent meeting. Mr. Knight said that the building is in escrow and that he has been providing information to them. Vice Mayor Worth said that, perhaps after escrow closes, more information could be presented to Council. She then asked Ms. Gallagher about setting up a meeting to discuss code enforcement penalties. Mr. Knight said it could be worked into the joint meeting or at the next regular meeting.

Ms. Harvey said she too listened to the October 21 P&Z meeting and agreed with the serious confusion. She then expressed her disappointment in the commission because only Lance Schall signed up for the League of Arizona's webinar regarding the role of a planning and zoning commissioner. Ms. Harvey pointed out that on the P&Z application, applicants are asked if they are willing to read materials and take occasional workshops and felt the League's webinar should have been mandatory.

Ms. Barber said she too was disappointed and was hoping all the commissioners would have signed up for it. She strongly expressed her feelings about what it means to volunteer to be on the commission and what is expected of someone who does.

Mr. Knight noted that Chuck Romberger signed up for the league's webinar as well, but that Chair Jessamyn Ludwig would be working that day. He said he had not heard from Henry Vincent.

Ms. Harvey suggested that the town could purchase the webinar to be part of the commissioner training.

Ms. Worth said she agreed with Ms. Harvey and Ms. Barber. She said volunteers are wanted but also need to be willing to go through training.

Mayor Dillenberg asked Ms. Gallagher to look into purchasing a copy of the webinar.

ITEM #6:
7:43 (43:56)

APPROVAL OF MINUTES

October 8 special meeting open session; October 8 special meeting closed session; October 13 regular meeting

Ms. Gallagher suggested tabling the October 8 special meeting closed session, as one member had requested a change. She then explained to Mayor Dillenberg that the October 8 and 13 minutes could be approved together or separately.

Ms. Barber said she had corrections to the October 13 meeting and asked that they be approved separately. She clarified under Item #3, Staff and Council Reports, information about meetings that had and had not taken place with then Councilmember Worth, Mr. Bacharach and Chloe Van Hoose. She also clarified under Item #10, To and From the Council, that she had not said a "public" meeting with Randy Garrison about public use of public lands. Ms. Gallagher said she would remove the word "public" before "meeting."

Ms. Harvey pointed out a typo in Item #9.

Ms. Gallagher then pointed out two statements regarding Ms. Moore that needed to be clarified, both under Item #9D. A brief discussion ensued, and Ms. Gallagher said she would make the necessary changes.

Motion to Approve the October 8 special Council meeting minutes

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

Motion to Approve the October 13 regular Council meeting minutes with revisions discussed

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

ITEM #7:
7:51 (52:06)

PETITIONS FROM THE PUBLIC

Jerome property owner John Bartell shared a statement regarding Jerome's status as a National Historic Landmark (NHL). He said he wanted to address a conversation with Ms. Moore at a previous meeting regarding the town's design guidelines. He said there is really no risk of Jerome losing its NHL status, then shared statistics of how landmarks have lost their status. He said not a single American town has lost its status as a national historic site, and that everyone should be

	<p>able to do what they want with their own property. Mr. Bartell said the Council needs to be sensitive to these rights. He said obviously Jerome is unique, but that the town does not need to be concerned about losing its NHL status, and he wanted Ms. Moore to understand this.</p> <p>Ms. Moore said her understanding was that SHPO said Tombstone almost lost its NHL status because they were building replica buildings.</p>
<p>ITEM #8: 7:51 (56:19)</p>	<p>PRESENTATIONS</p> <p>ITEM #8A: COCODONA 250 RACE</p> <p>Steve Aderholt will address Council to provide information about the planned "Cocodona 250" running event that will pass through Jerome in May 2021.</p> <p>Race director Steve Aderholt introduced himself and mentioned that the owner of Aravaipa Running, Jamil Coury, was also in the meeting. He talked about Aravaipa Running and its reputation and the professionalism of events they produce, and that his goal was to ensure minimal impact to Jerome residents with the Cocodona race. Mr. Aderholt described the 254-mile route and course from Black Canyon City to Flagstaff. He said it will take runners five days to complete the race, although most will finish in four days. He referred to pg. 4 of information in the agenda packet and said a major aid station will be located at the top of Mingus Mountain and a minor one at Jerome State Park [Douglas Mansion], which would also be the halfway point of the race. Mr. Aderholt said they want runners in and out of Jerome quickly, then explained what the route through town would be (Mingus to the Gulch, across 89A to the commercial district, down Jerome Avenue to UVX Road and onward to the state park). He said he was working on the approval with ADOT and mentioned that John Litteer of ADOT had also joined the meeting.</p> <p>Ms. Moore asked if runners would be coming off Hwy 89A onto Gulch Road. Mr. Aderholt explained that the runners would be coming from the top of Mingus to Gulch Road and that there were a number of trails they could take. Ms. Moore asked if it was Allen Springs Road; Ms. Barber confirmed that it was. Ms. Moore asked if they had gotten permission from Freeport McMoRan. Mr. Aderholt said the US Forest Service has the right of way on the road he was talking about and that he had talked to the mining companies.</p> <p>Ms. Moore said when an outfit wants to do something like this, they provide the signed liability insurance documents to the town, etc. Mr. Aderholt said yes, they were well versed in producing this type of event and were working with several other cities and two counties. He said they were happy to meet the necessary requirements. Mr. Aderholt said by the time runners get to Jerome, they will be spread out and likely hiking, and would be due to arrive in Jerome on Tuesday, May 4 around 10 am. He said they plan to put in serious rules for the runners and crew vehicles to ensure minimal impact so that traffic would not be slowed or stopped. He said they have preliminary approvals from most entities except ADOT and Jerome.</p> <p>Mayor Dillenberg pointed out that there are no sidewalks on Douglas Road, then asked about public johns for the runners and said Jerome is sensitive to mask wearing, social distancing, and protecting our citizens. He then asked if there was anything in it for the town.</p> <p>Ms. Harvey asked if support vehicles would be following the runners from Allen Springs Road onto Gulch Road. Mr. Aderholt said no, they would stay on 89A from the top of Mingus.</p> <p>Mr. Bartell remarked that events like this were great for the town.</p> <p>Ms. Moore said the Council should require proof that Freeport McMoRan has signed off on this, as most of Allen Springs Road belongs to the mining company; only a little over a mile of it is Forest Service property. She said that the town actually has jurisdiction on that road. Ms. Gallagher said she has talked to Mr. Aderholt about the insurance and requested copies of all permits. Mr. Aderholt said he will provide all of the necessary documents.</p> <p>Vice Mayor Worth agreed that these kinds of events are great, especially during the pandemic, and that it was something people can get excited about. She said her concern was the two "blind" crossovers from Gulch Road to Holly Street/East Avenue, and by the Methodist Church.</p> <p>Ms. Harvey said emergency services to Mingus Mountain near the top of the Gulch Road can take 45 minutes to an hour, something to keep in mind. Mr. Aderholt said they were well aware.</p> <p>John Litteer of ADOT joined the discussion, and said he planned to survey the areas of concern, and that there are about eight locations that ADOT needs to check in the area, because from ADOT's perspective, public safety is the priority. He said the biggest impact will be in Jerome and wanted to be sure Jerome had a say in the approval process. Mr. Litteer mentioned that ADOT has worked with other race groups and will take that knowledge forward with Aravaipa Running.</p> <p>Mayor Dillenberg asked if there was an opportunity to get crosswalks in place at the crossovers. Mr. Latier said it was a good question and that it could be revisited.</p> <p>Ms. Gallagher said she would add this topic to the December 8 meeting for further discussion.</p> <p>Dr. Dillenberg said he was willing to collaborate and enhance the town's relationship with ADOT. He thanked Mr. Aderholt for the presentation.</p> <p>Ms. Barber said no decision could be made yet as the town needs to see permits and documentation. Mr. Aderholt said he would provide them.</p> <p>Ms. Moore asked if Bill Sims needed to be consulted about liability. Ms. Gallagher said she would reach out to the town's Risk Pool.</p>

<p>ITEM #9: 8:23 (1:21:34)</p>	<p style="background-color: #92d050; padding: 2px;">ORDINANCES AND RELATED RESOLUTIONS</p> <p>ITEM #9A: FIRST READING - ORDINANCE NO. 463, AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, RELATING TO THE TRANSACTION PRIVILEGE TAX; ADOPTING "THE 2012-2014 AMENDMENTS TO THE TAX CODE OF THE TOWN OF JEROME BY REFERENCE; ESTABLISHING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS.</p> <p>Council may conduct the first reading of Ordinance No. 463, adopting 2012-2014 amendments to the Model City Tax Code as previously approved by the Municipal Tax Code Commission.</p> <p><i>Mayor Dillenberg read Ordinance No. 463 in title only.</i></p> <p><i>Ms. Gallagher said the League recently sent this to Jerome; that these amendments need to be formally adopted and no changes can be made. She said it was basically housekeeping and that these provisions have been in place for years. The second reading will be at the December meeting.</i></p>																																										
<p>8:24 (1:25:38)</p>	<p>ITEM #9B: RESOLUTION NO. 608, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "THE 2012-2014 AMENDMENTS TO THE TAX CODE OF THE TOWN OF JEROME"</p> <p>Council may approve Resolution No. 607, declaring as a public record the document entitled "The 2012-2014 Amendments to the Tax Code of the Town of Jerome."</p> <p><i>Ms. Gallagher said the reason for this resolution is so the town does not have to endure the expense of publishing the tax code amendments in full as part of the ordinance. The Resolution makes the document a public record which is then referenced in the ordinance. and makes this a public record reference in the ordinance</i></p> <p style="text-align: center;"><u>Motion to Approve Resolution No. 608</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">COUNCILMEMBER</th> <th style="text-align: center;">MOVED</th> <th style="text-align: center;">SECONDED</th> <th style="text-align: center;">AYE</th> <th style="text-align: center;">NAY</th> <th style="text-align: center;">ABSENT</th> <th style="text-align: center;">ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td style="text-align: center;">X</td> <td></td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td></td> <td></td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td style="text-align: center;">X</td> <td style="text-align: center;">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				MOORE			X				WORTH		X	X			
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WORTH		X	X																																								
<p>8:26 (1:27:02)</p>	<p>ITEM #9C: FIRST READING – ORDINANCE NO. 464, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING THE JEROME TOWN CODE BY ADOPTING A NEW CHAPTER 19, "RECREATIONAL MARIJUANA," ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; PROHIBITING MARIJUANA TESTING FACILITIES; PROHIBITING MARIJUANA ESTABLISHMENTS; SETTING FORTH VIOLATIONS; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.</p> <p>Council may conduct the first reading of Ordinance No. 465, amending the Town Code to prohibit retail marijuana establishments. A portion of this discussion may be conducted with the Town Attorney in executive session, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).</p> <p><i>At the Mayor's request, Ms. Gallagher read Ordinance No. 464 by title only.</i></p> <p><i>Ms. Harvey said she was alright with the entire ordinance except for Article 19-6. Ms. Gallagher said she would contact Town Attorney Bill Sims to have him join the meeting.</i></p> <p><i>Vice Mayor Worth brought up comments made on social media platforms and asked if Ms. Gallagher had received any or if anyone from the public in the meeting wanted to comment on the ordinance. Ms. Gallagher said she had not received any comments. Vice Mayor Worth said she had had discussions in person and on social media and wanted to make sure Council was listening to the public.</i></p> <p><i>(1:30:18) Mr. Bartell asked if the town was prohibiting marijuana retail sales to regulate it for the future or because it's thought that allowing them is not good for the town. Mayor Dillenberg said it was more the latter. Ms. Harvey and Ms. Barber said it was both. Mr. Bartell talked about what was happening in other states and towns and the missed opportunity for sales revenue.</i></p> <p><i>Ms. Barber interjected that Lt. San Felice thought it was the best route for Jerome to prohibit retail sales, and that after much deliberation, the Council decided to do that. She said it was not likely Jerome would even have the option to allow retail since the number of licenses would be limited. She also commented that people on social media are misinformed about what the statute entails, and that Jerome does not have the police manpower to deal with people smoking pot illegally.</i></p> <p><i>Ms. Gallagher announced that Mr. Sims had joined the meeting and let him know that Ms. Harvey was opposed to Article 19-6, which would prohibit marijuana delivery.</i></p> <p><i>Mr. Sims said this ordinance prohibits retail, cultivation, manufacturing, testing, etc., and is being done in the interest of public health and safety, not zoning. He said this was a model taken directly from the League, with a few modifications by him and Ms. Gallagher, and that what Article 19-6 covers is delivery of recreational marijuana from outside retail sources. He agreed with Ms. Barber that Jerome would likely not get the opportunity to have a retail business in town and that this is not encroaching on what the voters approved—people can still smoke and grow marijuana in private. He said Article 19-6 does not have to be adopted.</i></p> <p><i>Ms. Gallagher brought up marijuana cafés.</i></p> <p><i>Mr. Sims said in Colorado, shop owners were advertising coffee and the option to smoke marijuana. Article 19-6 would theoretically prohibit external delivery or transfer of marijuana.</i></p> <p><i>Ms. Harvey said her concern was for someone who may need marijuana as medicine, doesn't have a medical card, doesn't know how to grow it, and perhaps can't pick it up. She believes that this person should be allowed to have it delivered.</i></p> <p><i>Mr. Sims reiterated that the Council does not have to approve 19-6; that he was simply providing the full envelope of options to restrict use.</i></p>																																										

Vice Mayor Worth said she had the same concern as Ms. Harvey. She has been watching Colorado and Michigan and paying attention to cafés and gifting to persons 21 or older, and is not sure how Arizona is handling these things. Mr. Sims said there is nothing to stop gifting or to bar marijuana use in private establishments. It would be called "facilitating delivery," not selling.

Vice Mayor Worth said some places are becoming established as "consumption only," like a smoking lounge or cigar shop.

Mayor Dillenberg asked what action needed to be taken regarding the ordinance. Ms. Gallagher suggested a motion removing Article 19-6 and any other changes at this meeting, before the second reading.

Ms. Moore asked about cafés in residential zones vs. commercial zones.

Mr. Sims said a café cannot be established in a residential zone. In a commercial district, a café can advertise they allow smoking there. Ms. Moore said then it is possible for bars to allow pot smoking. Mr. Sims said yes. Mr. Sims then read from the statute regarding what was allowed.

Mayor Dillenberg asked if anyone else wanted to remove Article 19-6 besides Ms. Harvey. Vice Mayor Worth and Ms. Barber said they did.

Ms. Barber said she was ready to make a motion to remove Article 19-6, with a second from Ms. Harvey.

Vice Mayor Worth said she wanted to see landlord approval in the ordinance, that if someone doesn't own property, they need approval from the property owner to grow. She would also like to see in the ordinance that a business cannot offer or advertise a place for consumption if it carries a liquor license. Mr. Sims said this was not possible because the town is restrained by the statute. Landlords cannot control if a tenant grows or smokes marijuana in their home if they're 21 and partaking in the allowed amount.

Ms. Moore asked for clarification on Article 19-6 and if it would prohibit a person from taking marijuana to a café.

Mr. Sims said they cannot facilitate delivery and that towns trying to bar smoking cafés are trying this angle. Ms. Moore said this is why she would like to wait and see what falls out in other municipalities and what legal challenges arise.

Vice Mayor Worth asked if prohibition of marijuana in bars was covered. Mr. Sims said it was not in the statute; that the liquor board controls that.

Ms. Barber made her motion again but said she would revise what she said before and leave Article 19-6 in if it would keep marijuana smoking out of cafés. Ms. Harvey said she would then rescind her second.

Ms. Gallagher said they needed a motion to revise the ordinance. Ms. Barber made the motion, this time to remove Article 19-6, and Ms. Harvey seconded it. Mayor Dillenberg called the question, and the vote was split 3-2.

Mr. Sims said a roll call was needed under the new open meeting law. Ms. Gallagher called the roll:

- Mayor Dillenberg – no
- Vice Mayor Worth – yes
- Ms. Barber – yes
- Ms. Harvey – yes
- Ms. Moore – no.

Mayor Dillenberg said the yeses had it to remove Article 19-6 before the second reading.

Motion to remove Article 19-6 from the draft ordinance

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

Ms. Barber requested a five-minute break at 8:58 p.m.

ITEM #10:
9:07 (2:00:30)

UNFINISHED BUSINESS

ITEM #10A: BLANKET EXTENSION OF PERMITS

Council will consider an additional extension of previously approved building and zoning permits. Previously, a blanket extension had been granted for six months, expiring on November 12.

Mr. Knight said a blanket extension was granted six months ago due to the pandemic. He said he has been asked for extensions from several applicants, which can be handled individually or as a second blanket extension. He said some were in planning and several were building permits. Mr. Knight said this would extend the permits to May 12, 2021.

Ms. Harvey said this would possibly affect the contract with the Cuban Queen and parking. Ms. Gallagher said her understanding was that this extension would affect those expiring in the next 6 months. Mr. Knight said it would affect the Cuban Queen project and that the applicants have already requested an extension independently should the blanket extension not pass.

Ms. Worth clarified that the extended permits would remain as issued, which Mr. Knight confirmed. She then suggested making it a three-month extension instead of six months. Mr. Knight said he didn't see much change in the next three months and that it wouldn't make much difference to those financially affected by the pandemic. He said COVID is not going away in the next few months.

Motion to Approve a blanket extension of six months to May 12, 2021

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

9:12 (2:05:55) **ITEM #10B: DISCUSSION: DRAFT ORDINANCE TO AMEND THE JEROME TOWN CODE REGARDING THE KEEPING OF BEES WITHIN TOWN LIMITS**

Council will review a first draft of an ordinance amending the Town Code regarding the keeping of bees in Jerome and may direct staff in this regard.

Ms. Gallagher said this was up for discussion to determine the route Council may want to take with a beekeeping ordinance. She said she worked with the mayor on this, taking ideas from Sedona and Winslow's ordinances, and brought up some of the issues with their ordinances.

She suggested besides the town code, to also put something in the zoning ordinance about needing a conditional use permit once it's established what zones beekeeping would be allowed. Or the Council could leave things as they are or prohibit beekeeping altogether.

Ms. Moore said bees have been coming into shops for years, long before beehives were in town. She said she's not sure if the problem is because of the hives. And if the town code were to be amended, she asked if it would it prohibit those who already have hives. Ms. Gallagher said those people would likely have time to get into compliance.

Ms. Harvey said the wild bees are getting forced out, from what she has read in studies about them. She shared a few other facts and said she is still having bee problems at home. Ms. Harvey thinks that hives should be prohibited in the C-1 and residential areas; that Jerome is too small a town to allow hives.

Ms. Worth commended Ms. Harvey for the outstanding research, that she had read it but that she needed more time to digest it.

Mayor Dillenberg suggested tabling the discussion until the next meeting since winter is here and it will give everyone more time to think about it.

Motion to table the discussion until the regular Council meeting in December

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

9:22 (2:15:07) **ITEM #10C: COVID-19**

Council will again discuss plans and timeline for reopening Town Hall, resuming the weekend shuttle service, and conducting in-person public meetings.

Mayor Dillenberg suggested everything remain as it is; that things are getting worse, not better with regard to the spread of COVID-19.

Ms. Barber said that the numbers are spiking and that Jerome now has a line item on the county website.

Ms. Gallagher clarified that town hall is not closed and that services are still provided; there is just no public access.

Motion to continue current practices (doors locked, no weekend shuttle, no in-person meetings)

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

ITEM #11: **NEW BUSINESS**

9:23 (2:16:59) **ITEM #11A: PARKING PERMIT REQUIREMENTS**

Council will review requirements for obtaining parking permits and may provide direction to staff regarding what qualifies as an off-street parking space.

Mr. Knight said he had been working with Janice Pontius at the police department, who was doing an audit of parking permits. Mr. Knight said a good case to review is one on School Street where the residents are concerned about the safety of off-street parking at their building. He said it was previously established that if a resident had off-street parking, they were ineligible for a permit unless the off-street parking was deemed unsafe, as claimed by the residents at 537 School Street. Mr. Knight also brought up the dangerous off-street parking on Clark Street.

Ms. Harvey said she has seen three cars parked at 537 School Street as a child. She doesn't see any danger in the off-street parking there and said the photos submitted were deceptive. She said Jerome has parking problems, not issues, and that it is a difficult place to park and that new residents need to be aware of this before they move to town. She noted that this property had been turned into a duplex on the condition that they have three off-street parking spaces. Ms. Harvey said she has also been talking to Ms. Pontious, whose suggestion was to get landlords onboard and send letters urging them to educate potential tenants of the parking situation in Jerome.

Ms. Barber said the owner of 537 School Street brought the duplex idea to council after her husband died, with the promise that three off-street spaces were available. If the council that approved the duplex knew what the actual situation was with the parking, they likely would not have approved the duplex.

Ms. Gallagher clarified that Mr. Knight was asking for direction, not action, which he confirmed, and not just for this situation but in general.

Ms. Moore said cars have parked there. The tenants have parking and should use it.

Vice Mayor Worth reiterated that so many different parking scenarios exist in town and that what is needed is a comprehensive catalogue listing all properties and their quirks. Ms. Harvey said she would volunteer time to work on the list, as did the vice mayor. Ms. Barber said until we get the list, parking needs to be addressed case by case.

(2:31:31) Jerome resident Lacey Ritter attempted to speak but there were audio issues. Mr. Knight suggested having Jerome resident Jennifer Coleman speak in the meantime.

(2:32:44) Ms. Coleman said she understood the parking complications and the need for disclosure in her lease and talked about her experience in renting the lower unit at 537 School Street. She said that had she known about the parking issues, she might not have signed the lease. She said in applying for a parking permit, she was subjected to personal questions. Ms. Coleman talked about other problems with using the driveway and her concerns for safety, insurance, and invited councilmembers to try parking there. She also said the previous tenant had been given a parking permit and that many spaces stay empty along the street, even though "storage" vehicles are also being parked.

(2:40:24) Ms. Ritter said the submitted photos were to give a clear understanding of the parking situation and were illustrating the restricted space with the trashcan and planting pots. She said there is room to park on School Street, although the weekends are busy and that construction workers take spaces at times, but she was told that no more parking permits can be issued for School Street. Ms. Ritter said some people are making assumptions about the parking space and she too invited councilmembers to come and try it.

Ms. Harvey said that Ms. Pontious and Mr. Knight have informed her that School Street is full, which is permitted for houses on both sides of the street. She also reiterated that she has seen three cars parked at 537 School Street and has recently walked by to make sure her memory was accurate. Ms. Harvey shared her own parking challenges and said she would be happy to try the space with her truck.

Ms. Coleman said her own car is small but is still concerned that safety is the issue due to tourists stopping to read the historic plaque on the building and invited further discussion about the problem.

(2:50:34) Jerome resident and DRB member Carol Wittner shared her views on the parking challenges, as she lives next to 537 School Street. She said Ms. Ritter and Ms. Coleman sometimes have 4-5 cars on the street on the weekends due to visitors and that it does create a problem. Ms. Wittner said the previous tenant used to cover the historic plaque, so perhaps that would be an option to keep tourists from gathering by the driveway. She said most of the time the street is jammed.

Mr. Knight said that Ms. Pontious has been tracking the permits and had recently determined that up to seven spaces may be open on the second bend of School Street. He said they are auditing permits, so availability may change. He acknowledged that two trucks have been stored on the street that will likely need to be moved, opening up two more spaces.

Ms. Ritter said they should not be penalized for having visitors—temporary passes are available for them, and that neighbors have construction workers taking up spaces as well. She said two other vehicles at the start of School Street also never move, besides the ones Mr. Knight mentioned. Ms. Ritter also said that even if two small cars parked in the driveway, they would still block the sidewalk, yet another safety issue.

Vice Mayor Worth mentioned again her cataloging idea and suggested visiting the site.

Mayor Dillenberg suggested Mr. Knight meet with Ms. Harvey and Vice Mayor Worth to discuss the issue, and Mr. Knight said he would coordinate with them.

10:05 (2:58:58)

ITEM #11B: DISTRICT SIGNS

Council will discuss current district signage and may determine if changes are needed to the process, appearance and/or locations.

Mr. Knight said that Kevin Savage, president of the Jerome Chamber of Commerce had told him that the Chamber is still committed to adding headers to the signs and a map. But Mr. Knight said that, after looking at the poor condition of the signs, perhaps Council would like to do something different with them. He questioned if they were needed or still had value, and said to keep in mind that businessowners may need to be reimbursed for the signs they had made.

Ms. Harvey said the signs are not effective, don't look good, and are not up to date. She said it was something we tried but it didn't work. The mayor agreed.

Ms. Barber said there would be no problem with repurposing the signs or getting rid of them. She said the idea started with former zoning administrator Al Sengstock and she doubted the businesses would expect a refund.

Mayor Dillenberg said the town could use the space for more useful signs.

Ms. Moore said the email in the packet from Mr. Savage seemed to suggest maps instead of district signs set up around town.

(3:06:13) Chamber president Kevin Savage commented on what mistakes were made with the signs. He said the planks should have been made of metal, not wood. What he had suggested in his email was a general map of the business district showing the fire station, restrooms, defibrillators, etc. He said he was fine with taking the signs down.

Mayor Dillenberg suggested taking down the district signs for now.

Mr. Knight said he was looking for direction at this point and would get input from businessowners. He said he was fine with tabling the item to the December meeting.

Mr. Savage mentioned that though the planks were \$10, many businesses spent upward of \$100 to have a sign graphically done.

Ms. Moore said she had ideas and would meet with Mr. Knight.

10:19 (3:12:26)

ITEM #11C: GHOST PEPPER LEASE

Council will consider a request by Bill Sotiros of the Ghost Pepper Company to transfer his lease of space at 500 Main Street to a potential new owner of the business.

Ms. Gallagher shared information about the situation, that the current owner, Bill Sotiros, was leasing the retail space month-to-month as the lease had recently expired and that the business was being sold. Mr. Sotiros was requesting that the new owner be approved to enter into a new lease with the town.

Vice Mayor Worth asked how someone is considered appropriate when they lease property from the town. Ms. Gallagher said they would consider if the business reflects the historic and creative nature of town.

Vice Mayor Worth asked if a leaseholder's rental or credit history is checked. Ms. Gallagher said it has not been in the past.

Mayor Dillenberg asked if the rent was being raised. Ms. Gallagher said the rent is \$1,200 per month and that the lease includes a provision to increase the rent by 10 percent a year, but Council has never exercised that option. Town attorney Bill Sims had said it would be acceptable to pass the lease to the new businessowner and also advised raising the lease amount by 10 percent.

Ms. Barber asked if the business would remain the same, i.e., would there be changes to the floorplan, inventory, etc.? (3:16:11) Bill Sotiros said the new owner, speaking on his behalf, wants to keep the store as it is.

Ms. Barber suggested not raising the rent yet because of COVID.

Motion to approve the lease with the new business owner at the same rate and terms

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

10:24 (3:17:36)

ITEM #11D: APPOINTMENT TO PLANNING & ZONING COMMISSION

Council may make an appointment to fill a vacancy on the Planning and Zoning Commission for the remainder of the unexpired term ending February 28, 2023. As of the agenda preparation date (11/3/20) two applications had been received, from Mike Parry and Mike Harvey.

Mayor Dillenberg shared a few comments about having encouraged Mike Parry to fill the vacancy on P&Z, not knowing Mike Harvey was applying for it, then asked Mr. Knight for his input.

Mr. Knight said both candidates were capable.

(3:18:50) Mr. Harvey said he would appreciate the opportunity to serve Jerome and spoke about having the experience, time, and interest; that he didn't travel and would be open to training.

Ms. Moore moved to appoint Mr. Harvey to P&Z, and said she thought he would be good.

Ms. Barber reminded everyone that Mr. Parry had previously stepped down, couldn't make all meetings, and no longer lives in Jerome full time. She recommended giving Mr. Harvey a chance.

Motion to appoint Mike Harvey to the Jerome Planning and Zoning Commission

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

10:29 (3:22:26)

ITEM #11E: APPOINTMENT TO PSPRS BOARD

Council may approve the appointment of the Mayor, or the Mayor's designee, as Chair of the PSPRS Board, as per statute.

Ms. Harvey said she was willing to serve another term.

Motion to retain Sage Harvey as Mayor's designee as Chair to the PSPRS Board

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

ITEM #12:
10:31 (3:24:38)

TO AND FROM THE COUNCIL

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

Ms. Harvey said it was probably time for a survey of the Hotel Jerome parking area. She also announced that the Chamber of Commerce has canceled Light up the Mountain, but she and Ms. Barber asked Chamber president Mr. Savage if they could take it on. He was supportive of the idea and even helped with the decorations.

Ms. Barber reminded everyone that the League was holding their online training for newly elected officials starting December 1.

Ms. Moore said that a meeting needs to be scheduled to discuss the town's AZPDES permit for the wastewater treatment plant. Ms. Gallagher said she would set up a meeting.

Vice Mayor Worth shared her experience at the NACOG retreat at the Grand Canyon. She suggested Jerome host the summer NACOG meeting. She also said she would like the Council to review residency requirements for town staff within the next few months.

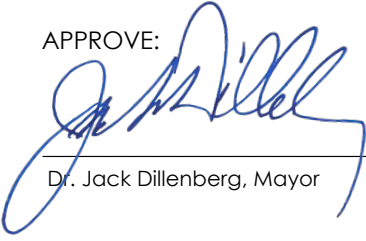
ITEM #13:

ADJOURNMENT

Motion to adjourn at 10:38 p.m.

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

APPROVE:



Dr. Jack Dillenberg, Mayor

ATTEST:



Candace B. Gallagher, CMC, Town Manager/Clerk

Date: 12/9/20