

TOWN OF JEROME

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MINUTES

SPECIAL JOINT MEETING OF THE JEROME TOWN COUNCIL AND THE JEROME PLANNING & ZONING COMMISSION

VIA ZOOM

TUESDAY, DECEMBER 1, 2020 AT 6:00 PM

<p>ITEM #1: 6:01 (1:57)</p>	<p>CALL TO ORDER/ROLL CALL</p> <p>Mayor/Chairperson to call meeting to order. <i>Mayor Jack Dillenberg called the meeting to order at 6:01 p.m.</i></p> <p>Town Clerk to call and record the roll for Town Council. <i>Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Dillenberg, Vice Mayor Mandy Worth, and councilmembers Alex Barber, Sage Harvey, and Jane Moore. Also present were Zoning Administrator John Knight and Deputy Town Clerk Rosa Cays.</i></p> <p>Deputy Clerk to call and record the roll for Planning & Zoning Commission. <i>Zoning Administrator John Knight called the roll [Ms. Cays was having audio problems]. Present were Chair Jessamyn Ludwig, Commissioners Lance Schall and Henry Vincent, Vice Chair Chuck Romberger, and Commissioner Mike Harvey.</i></p>
<p>ITEM #2: 6:03 (4:38)</p>	<p>(P&Z ONLY): PRELIMINARY/FINAL SITE PLAN REVIEW FOR A DECK AND ACCESS STAIRS AT 146 JUAREZ STREET</p> <p>Planning and Zoning Commission will review proposed exterior improvements to extend an existing deck and add exterior stairs to a residential structure at 146 Juarez Street (APN 401-06-133C).</p> <p><i>Chair Ludwig read the zoning ordinance definition of deck aloud: "An open structure at least twelve (12) inches above the ground that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure ..." She then pointed out that the residence was in the AR zone, therefore the structure (not deck) needed a 20-foot setback.</i></p> <p><i>Mr. Knight said he had missed the definition of deck in the ordinance, but that he did talk with the applicant about this and that he has two choices: he can adjust the covered deck portion or remove the roof. He said the commission could add a condition to approve the project, table it, or deny it for noncompliance.</i></p> <p><i>Commissioner Mike Harvey said he had gone to the site and that it looked like the applicant was only adding six (6) to eight (8) square feet for an overhang. He asked if this was considered restructuring the entire thing.</i></p> <p><i>Mr. Knight replied that it was considered an expansion of the structure—but also of a nonconforming situation: the AR zone requires a 20-foot front or street setback. He has asked the applicant to meet with a surveyor to determine the front property line. If it were just a deck, the setback requirement is five (5) feet.</i></p> <p><i>Mr. Knight shared that he had been notified that construction was in progress without permits in place and stopped the work, and the applicant has since agreed to go through the mandatory process.</i></p> <p><i>(9:20) Contractor Elias Wetzel apologized for being noncompliant. He understands a surveyor is needed to determine the precise property line and that if the structure meets the 20-foot setback, he will add the roof to the 12-square-foot addition to the deck.</i></p> <p><i>Chair Ludwig said the commission could conditionally approve the project or wait for the survey.</i></p> <p><i>Commissioner Lance Schall said rather than table and wait for another meeting, he was inclined to conditionally approve the resolution.</i></p> <p><i>(12:27) Mr. Craig Hudson, son-in-law of the Prochaskas (owners of the property), said he was the one who hired Mr. Wetzel. He asked if it is determined that the setback is less than 20 feet, if it would be possible to contest the decision or get a variance.</i></p> <p><i>Mr. Knight said he would have an option to appeal to the Council or pursue a variance and take it to the Board of Adjustment.</i></p> <p><i>Mr. Hudson asked about the likelihood of getting a variance.</i></p> <p><i>Mr. Knight replied that without clear evidence that criteria was being met, it would not likely be approved.</i></p>

Mr. Hudson pointed out that the deck itself has been there and is not being extended into the setback any more than it currently is. Mr. Knight explained that it would be increasing a nonconforming situation. Chair Ludwig said she agreed with Mr. Schall and that a conditional approval would be a suitable option. Mr. Schall clarified that the approval would be a choice between two conditions for the applicant: meet the 20-foot setback criteria and build the overhang with the deck extension, or just extend the deck. If the applicant wanted to try a third condition, he would have to come back before the commission.

Motion to approve the site plan (Resolution 2020-17) on the condition it meets the required setback for the roof over the deck extension

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ludwig			X			
Romberger		X	X			
Schall	X		X			
Vincent			X			

**ITEM #3:
6:16 (17:07)**

RESPECTIVE ROLES AND RESPONSIBILITIES OF P&Z AND COUNCIL

Council and the Commission will discuss their respective roles and responsibilities, and any concerns in that regard.

Mayor Dillenberg expressed appreciation on the Council's behalf for the P&Z Commission and the work they do. He said because of recent discussions about the role of P&Z, that it was inferred that the Council wanted to take over the commission's responsibilities, which he clarified is not the case. He said he wanted to get a clear understanding of each group's respective roles and to do it in the spirit of good faith, goodwill, collaboration, and appreciation.

Chair Ludwig said she felt the same about the Council and her fellow commissioners; that she wanted cooperation and clarity between the two and suggested they all move forward and see how it goes.

[At this point, the meeting inadvertently moved to the next item.]

Councilmember Harvey asked if they had skipped item #3; that it was not clear that Mayor Dillenberg had opened it up for discussion. Ms. Harvey referred to the zoning ordinance and asked the P&Z commissioners if they had read Article 1 – Administration, the sections on Purpose and Powers and Duties. She pointed out that it was clear in the ordinance that P&Z is an advisory committee, and that the reason they have authority to approve final site plans is because Council passed an ordinance stating so, which they also have the right to change. She reiterated that Council is not trying to take away control and referred to the state statute Title 9, chapter 4, article 6, that also states that P&Z is an advisory committee to council.

Mayor Dillenberg said he appreciated Ms. Harvey's attention to detail and believes everyone wants to do the best they can for Jerome.

Councilmember Moore said that the previous item on the agenda was a good example of the necessity to catch things in the P&Z applications to make sure they meet zoning requirements; she commended Chair Ludwig. She listed some of the challenges, like the pressure to get things done quickly; sticky, nonconforming structures, and conflicts in the zoning ordinance itself. She acknowledged that it's a hard job and appreciated the commissioners' willingness to do the work. Ms. Moore wants the two boards to work together to catch these anomalies.

Councilmember Barber thanked everyone and clarified that Council would like to look at final site plan approvals, not take them away from P&Z, especially if they are controversial.

Vice Mayor Worth also shared her appreciation for the commissioners. With the mayor and Chair Ludwig's approval, she asked if a brief synopsis of the two groups' roles in relation to each other could be expressed. Ms. Gallagher said Council is the appointing body of P&Z and has oversight in that respect and added that Council has given power to P&Z for site plan reviews and took back final approval for conditional use permits a few years ago.

Mr. Knight restated that the Council is the final authority and said that it's good to have an appeals process in place should an applicant be unsatisfied with the decision of a lower body. If the Council is interested in being the final authority, it can diminish the applicant's appeal process and suggested that they be thoughtful of what projects they want final authority on.

Ms. Barber clarified that Council is mostly interested in final approval for new construction and for controversial projects. Ms. Harvey agreed.

Fire Chief Rusty Blair explained how nonconforming situations could be handled by the zoning administrator and that new construction should be able to meet all building requirements. He said the main concern is with expanding nonconforming situations.

Ms. Moore agreed with Chief Blair and said that Council wants to make sure nonconforming situations are not exacerbated or causing issues with fire safety and encroachment on other people's property.

It was agreed that no motion or action was needed, and that this was basically a dialogue between Council and the Planning and Zoning Commission.

6:35 (37:00)

ITEM #4A – SETBACKS, APPEALS AND REVIEW PROCESS

Council and Planning and Zoning Commission will discuss possible ordinance amendments related to setbacks, yard requirements, and appeals to Council.

Mr. Knight clarified that three topics would be covered under this item: setbacks for stairs; front, back and side yards; and the appeals process.

Chief Blair said P&Z has done a good job on stairs setbacks and access, and that they are consistent with setbacks for decks. He did say that the deck ordinance should also be addressed and likely revised to require fire-resistant materials be used for second-story decks.

Mayor Dillenberg moved the discussion forward to yards.

Chief Blair said that front and back yards are important in consideration of fire safety. He mentioned the minimal setbacks needed for side yards to allow room to move firefighting apparatus and that many nonconforming structures exist without this. Chief Blair said redefining yards is not ideal and that unusually shaped yards need to go through appeals to make a case. He said if a building with no setbacks is up against a retaining wall with a road above it, firefighters can approach it from the top. He said because of Jerome's uniqueness, each situation needs to be treated as such.

Mayor Dillenberg said the town needs to be sensitive to fire risk. He then asked Chair Ludwig if she wanted to add anything to the discussion. She stated that the commission had made all their recommendations at the P&Z meeting, unless any of the commissioners wanted to add anything.

Ms. Barber suggested adding "with the fire department's approval" to the section on determining yards for unusually shaped yards.

Vice Mayor Worth asked what the P&Z Commission had decided on determining yards, because she could not discern a clear recommendation. She also said it made sense to include JFD on some of these determinations, especially for unusually shaped lots.

Mr. Knight said that in the past, unusually shaped lots were handled on a case-by-case basis, often with the applicant's preference as the determination, according to Commissioner Schall. Mr. Knight said that the language can easily be expanded to include "with review by the Jerome Fire Department."

Chair Ludwig confirmed this was discussed and agreed that having JFD approval is a good idea.

Ms. Harvey also liked the idea of including the fire department to determine a yard for safety reasons.

Vice Mayor Worth referred to the section on setbacks/access stairs in Ms. Gallagher's memo, and asked if the Council as well as the P&Z Commission agreed on the recommended five-foot setback and the requirement of a variance if new stairs would be added. She also asked, if someone needed to repair existing stairs within the setback, would they be allowed to repair and retain those access stairs?

Chief Blair said it would be ideal if steps could be upgraded to meet current fire safety standards and added that the fire department cannot stop someone from fixing their steps.

Mr. Knight said that a five-foot setback for stairs in side yards is reasonable, but that stairs in front yards, like many in Jerome, need to have a zero setback. He said a landing could make it safer. He said he would discuss the details with Chief Blair.

Chief Blair referred to Mr. Knight's analysis (pg. 17 of the agenda packet) and his reference to landings. He also said that if stairs are to be built within ten feet of the lot line, fire-resistant materials must be used and that someone cannot be forced to use fire-resistant materials to repair existing wooden stairs.

Vice Mayor Worth pointed out that "site plan review" was also listed as a topic of discussion for this item.

Ms. Harvey said that regarding the appeals process, she believes a town resident living outside the 300 feet (discussed as the required distance for an appeal) could be adversely affected by a project, especially due to the slope of the town, and suggested the distance be expanded to 500 ft. She also said 15 days to appeal was adequate.

Mr. Knight said that 300 feet—or even 5,000 feet—is not always an appropriate measure, and that adding to the ordinance that an applicant outside the distance for an appeal would need to demonstrate how they were adversely affected by a project would allow for such situations.

Vice Mayor Worth agreed with Mr. Knight and Ms. Harvey on this. She said drainage is also something to consider in these matters.

Ms. Moore reminded everyone that town attorney Bill Sims had made good suggestions on the language about appeals qualifications at the September 21 Council meeting, which is in the minutes.

Chair Ludwig said the commission had discussed that a fee of \$50 for an appeal would be appropriate.

Ms. Harvey asked if staffing costs have been calculated for an appeals process.

Mr. Knight responded that based on the last appeal in Jerome, the process immediately engages attorney's fees and that appeals will vary dramatically. He described the two kinds of appeals: an applicant who is appealing a decision and an appellant who is adversely affected by an applicant's project.

Ms. Harvey said this may need to be considered in setting a fee, and that if it is set too low, it may allow for frivolous appeals.

Ms. Barber asked what other Verde Valley communities charge for the appeals process. She also thought a \$50 fee would not be adequate.

Mayor Dillenberg said the Council may need to set criteria with a variety of fees.

Vice Mayor Worth asked if other jurisdictions use a graduated fee scale.

Mr. Knight said he found dramatic differences in appeals fees; that most are around \$200 and that one town charged in the \$1000s. Another jurisdiction required a deposit by the applicant and fees were assessed against the deposit. Mr. Knight said he would come back with more information via email.

Chief Blair said that regarding the fire code, someone can appeal whether the code was interpreted properly.

Mr. Knight said that appeals of administrative decisions go to the Board of Adjustment; there is no fee, but that the provision is in the ordinance.

Ms. Worth reminded everyone that they still needed to discuss the appeals period and building permit issuance.

Mr. Knight said that an appeals period is typically 15 days and that Cottonwood, Sedona, and Clarkdale all have a 15-day appeals period and that Flagstaff has it set at 10 days. Mr. Knight would suggest 15 days and asked if the town would want to allow work to proceed during the established period. As an example, he said Sedona stops work on a project until after the appeals period has passed.

Mayor Dillenberg agreed that 15 days seemed like a good mark and was in support of holding a building permit until the appeals period ends.

Mr. Knight moved on to P&Z's role in site plan reviews, which currently stop at Planning & Zoning unless a site plan review is appealed. He asked for clear direction on what projects Council wants involvement in and suggested a meeting with two councilmembers and two commissioners to compile a list. He said many jurisdictions use a hearings officer, usually the zoning administrator, to approve some projects, with the caveat that if a project is controversial or other issues are present, then it would involve the boards.

Mayor Dillenberg said he liked the idea of a collaborative meeting with representatives of P&Z and Council and asked Chair Ludwig what she thought. She agreed that it was a great idea and said it does need to be determined what types of site plan reviews Council would want to see.

Ms. Moore referred to the memo from Mr. Sims who wrote that a planning and zoning commission doesn't typically have final approval on site plan reviews and instead, makes recommendations to council for their consideration and action. She said that because of the unusual nature of building in Jerome, she would like Council to review site plans for new construction, nonconforming, and other unusual situations.

Mr. Knight said Mr. Sims's comments were true for ordinance amendments, subdivisions, and larger projects, but site plan reviews are handled by administrative staff or the planning and zoning commission in most local jurisdictions.

Ms. Moore said that because of Jerome's small lots, fire safety, parking, and other anomalies, she wants major construction, even a house on an unusual lot, and nonconforming structures (not small additions or projects) to go before Council. Until the ordinance issues are ironed out, she said having P&Z make recommendations for these types of projects is a good thing.

Ms. Harvey pointed out an issue with the zoning ordinance referred to in Mr. Sims's memo regarding grading and excavating, which Mr. Knight said has been noticed.

Ms. Barber said that with "more eyes on the prize," less things would fall through the cracks, and agreed with Ms. Moore that P&Z and the Council should work together as a team on the "tricky situations."

Mr. Knight encouraged members from both boards to reach out to him if they were interested in meeting the following week to work on a list of projects.

7:10 (1:11:31)

ITEM #4B – ADMINISTRATIVE APPROVAL OF SMALL PROJECTS

Council and Planning and Zoning Commission will discuss possible ordinance amendments to allow small projects to be processed administratively by staff instead of through the Planning and Zoning Commission and Design Review Board/s.

Mr. Knight introduced the item and said it has been discussed long before he started working for the town. He asked for clear direction on what level of projects could be approved by administration and listed examples of projects from the last two years. He said if the process were simpler, it is likely more residents would comply with it.

Chief Blair said he didn't see problems with most of the projects on the list, then began listing projects he would like to see, and asked questions about locations, accessory buildings, setbacks, etc.

Mr. Knight clarified that the projects Chief Blair referred to are not exempt and still need to meet the standards. He said projects would need to be specifically identified in the ordinance that could be approved administratively and could include those that would need to be approved by the fire chief. Mr. Knight said they would all still need to meet P&Z and DRB standards, etc. He said he would get back to Chief Blair about setbacks for accessory buildings.

Ms. Barber pointed out that it wouldn't just be Mr. Knight approving projects, that the building inspector and fire chief would also be involved with some of the applications. Mr. Knight confirmed this.

	<p>Ms. Harvey said her concern was #13 (Modifications/improvements to existing residential structures that add no additional square footage) on Mr. Knight's list in his analysis and thought DRB would be involved to preserve the historical value of some homes. She was also concerned about additions of 120 square feet or less and thinks they need to be reviewed by P&Z and DRB. As for walls less than 48 inches tall, Ms. Harvey said many times these are built as retaining walls and need to be engineered and done correctly on Jerome's topography.</p> <p>Vice Mayor Worth said she agreed that paint stain should not have to go before DRB, but that projects requiring a building permit may need to also go before DRB. And if not, it needs to be made clear in the ordinance that certain projects still need permits and inspections, that materials need to be approved, etc. Ms. Worth continued through the list and shared her thoughts on each example.</p> <p>Mr. Knight said to keep in mind that the design guidelines soon to be written will address many of these items, like fences, modifications, and additions.</p> <p>Ms. Moore said she was fine with numbers 1 through 8 on Mr. Knight's list. She said the zoning ordinance addresses rock or retaining walls up to four feet high, so perhaps that section needs to be looked at first; as for sheds, modifications, and additions, Ms. Moore suggested waiting for the design guidelines but would also like DRB to see those projects.</p> <p>Mr. Blair also shared his comments about projects on the list. He said he would like to be involved with sheds, additions, and modifications to be sure the fire code requirements are being met. He gave examples of how sheds could be converted for other uses.</p> <p>Ms. Harvey said demolition is also history and is addressed in the code.</p> <p>Ms. Barber asked Mr. Knight to explain the appeals process for administrative decisions. He said they currently go to the Board of Adjustment unless the Council would like to change this. He also gave scenarios where decisions could go to one of the boards or directly to Council. He suggested keeping this appeals process in place but wanted Council to be aware of it.</p>
<p>7:26 (1:27:49)</p>	<p>ITEM #4C – RESIDENTIAL LODGING</p> <p>Council and Planning Commission will discuss possible ordinance amendments related to the definitions and permit process for various types of Residential Lodging. This may include, but is not limited to bed and breakfast, boarding house/rooming house, hotel and motel uses.</p> <p>Mr. Knight introduced the item, which he said first came up when the former Cuban Queen project was in process. He went over what definitions can be removed from the ordinance (some are dated) and how to treat certain definitions in a residential vs. commercial zone. He said this was done mostly for clarification.</p> <p>Mayor Dillenberg asked about parking. Mr. Knight said any new development would require parking, but unfortunately parking cannot be required for short-term rentals in residential areas.</p> <p>Ms. Harvey asked why the number of rooms is being changed from three to four for B&Bs. Mr. Knight explained that this may be a moot point but that it was because an existing B&B had four rooms (but is now being defined as a small hotel).</p> <p>Ms. Moore said she didn't understand why the parking requirement isn't in effect for vacation rentals and B&Bs in residential areas, even though residential use has parking requirements. She also brought up the impact on neighborhoods and that she wants to keep the number of rooms for B&B to three.</p> <p>Ms. Barber said she would like to keep B&Bs at three rooms.</p> <p>Chair Ludwig clarified that to be defined as a B&B, the owner or caretaker must live on premises.</p> <p>Mayor Dillenberg was surprised that there were no parking requirements for short-term rentals in residential areas and said he wanted to talk to Mr. Sims about it.</p> <p>Chief Blair asked for clarification on when a short-term rental becomes a hotel, noting that hotels require sprinklers.</p>
<p>7:33 (1:34:39)</p>	<p>ITEM #4D – SIGNS</p> <p>Council and Planning Commission will discuss possible ordinance amendments related to various types of temporary signs.</p> <p>Mr. Knight retold the story about the Supreme Court decision in Gilbert, Arizona, where they determined size but not content could be restricted, including campaign/election signs. He said P&Z is recommending that signs in residential areas be limited to six square feet and in the commercial zone to eight square feet.</p> <p>Ms. Harvey said political signs are addressed in the Arizona Revised Statutes (A.R.S.). She asked if the time limit was being eliminated from the zoning ordinance.</p> <p>Mr. Knight clarified that the A.R.S. refers to political signs in the right of way (ROW), and that Jerome has the authority to regulate signs on private property. He said he has discussed this with Bill Sims; that a time limit cannot be placed on residential signs, political or not, since they need to be treated as temporary signs.</p> <p>Ms. Harvey asked for clarification on the time limit for temporary signs, which she understood to be 45 consecutive days or no more than 90 days in a calendar year.</p> <p>Mr. Knight said this was true for the commercial/industrial zone. He told Ms. Harvey he would get further clarification on the A.R.S. and mentioned that a list of prohibited signs was also added to the ordinance.</p>

7:38 (1:39:31)

ITEM #4E – MIXED USE

Council and Planning Commission will discuss possible ordinance amendments related to mixed use in the C-1 and I-1 Zones.

Mr. Knight explained the definition of mixed use as a building with residential and commercial space, for example, House of Joy, Mimi, and Retro Roadrunner Resale. He said he talked with the attorney for Verde Ex, who would like to allow mixed use at the old high school (i.e., in the industrial zone). Sprinklers would be a key component, and reduction in parking requirements may want to be considered. Mr. Knight mentioned that mixed use has already been allowed with a conditional use permit (CUP).

Ms. Harvey said this is already allowed with a CUP and questioned why it was being discussed; that Council did not initiate this. Mr. Knight replied that P&Z initiated this.

Vice Mayor Worth asked if the Hotel Jerome would be considered mixed use, which he confirmed. She said she knew of several mixed use/CUP setups in the commercial zone and assumed at least one building in the industrial zone had a CUP for mixed use. Ms. Worth said mixed use needs to be more clearly defined in the ordinance.

Ms. Moore agreed that a residential CUP is already in place for commercial and industrial zones and didn't see the need to define mixed use in the ordinance.

Vice Mayor Worth asked Mr. Knight if a residential CUP covered a specific space or a whole building in the commercial zone, and if mixed use would apply to the entire building.

Mr. Knight said this has probably varied over the years and could be clarified in the ordinance by the Council, if interested, with details and standards about parking and other impacts.

Chief Blair said sprinklers and other safety features will be needed for mixed use, depending on the size of structure and number of units.

Ms. Barber also brought up fire safety and said the direction seems to be to continue allowing mixed use via a CUP and perhaps add details about parking, fire safety, etc., to the ordinance without adding mixed use as a definition.

Mayor Dillenberg said it is good to acknowledge the importance and recognition of fire safety in all this.

(1:49:36) Jerome resident and property owner Nancy Weisel said one reason this has come up is because of a building she and Tracy Weisel own where they recently had a problem with renting out space—her potential tenants were given confusing information about living and working in the same space, which is why she wants clarification on this. She said her tenants have never needed a CUP and that she has always had residential and commercial spaces in the building.

Chief Blair said that anytime there is a change of use, the building requires a fire inspection and the possibility of having to install a sprinkler system.

Ms. Weisel asked for further clarification as she has never had to get a CUP and the use has changed over the years. Discussion ensued. Chief Blair said he would prefer having buildings sprinkled.

Ms. Harvey said her understanding is that the use has always been the same and told Ms. Weisel she didn't need to change anything.

7:54 (1:55:44)

ITEM #4F – TELECOM ORDINANCE

Council and Planning Commission will discuss possible ordinance amendments related to providing a permit process and standards for new telecom facilities.

Mr. Knight said the FCC has adopted a new set of draconian rules, and that the state has also adopted rules essentially giving telecom companies free reign to submit and process permits unless local jurisdictions have ordinances in place. He said Ms. Barber and he went to a seminar months ago about the federal and state telecom ordinances and what they learned is if Jerome has an ordinance in place, the town can have some control. Mr. Knight requested clarification from Council whether to pursue this or not.

Ms. Barber asked Ms. Gallagher to post a photo showing a mock-up of a cell site by the Jerome Steps on Main Street. She said that on November 14, 2017, Verizon came before Council with "small" cell sites to install in town. Ms. Barber said, "we don't want 20th-century telecom in the state's most Western town," that the town has aesthetic standards and doesn't want new poles. She then talked about scientific studies regarding 5G and how they have been dismissed by the telecom companies. Ms. Barber emphasized that she is into stealth standards and wants proof of environmental and health safety before allowing anything to be installed in Jerome. She also said the town should not allow installations on town property.

Mayor Dillenberg said he is not a fan of 5G and is not interested in adding it to Jerome. "The juice ain't worth the squeeze," he said.

Ms. Barber said that in 1996, the FCC came out with radiation standards on cellphones and other devices and that most other countries are not rolling out 5G until health effects are reported. She said 4G is working fine and maybe better than 5G; that this is all to keep cellphones from becoming obsolete. She referred to the mocked-up photo.

Ms. Harvey agreed with Mayor Dillenberg and Ms. Barber.

Chief Blair said he doesn't need more obstructions in town to stop him from doing his job.

Mr. Knight said to keep in mind that the federal and state laws rule—like with the short-term rentals—that all Jerome can do is set restrictions. Hence, the town needs an ordinance.

Mayor Dillenberg said he wanted to talk to Mr. Sims about wording the ordinance so the town can keep some control in place.

Ms. Barber offered to help Mr. Knight and Ms. Gallagher work on an ordinance and wondered if they should meet before the FCC hearing on January 25, 2021. She also reported that the FCC has threatened towns that don't cooperate, saying they can lose their sales tax. She also wondered if the new tower on Sunshine Hill is Verizon's new 5G since it was installed after Jerome said no in 2017. She asked Ms. Gallagher to distribute the notes and photo from that Council meeting to the current councilmembers.

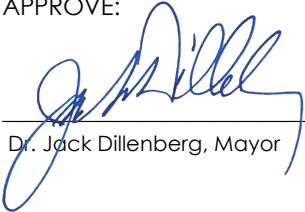
Ms. Harvey said all appeals to this law have been denied by the FCC. Discussion continued.

Mayor Dillenberg thanked Chair Ludwig and the commission for the work they do and said he wants to collaborate at every opportunity.

Mr. Knight reminded everyone that code enforcement will be discussed at a special meeting soon.

ITEM #5	ADJOURNMENT						
	<i>Motion to adjourn at 8:11 p.m.</i>						
	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
	BARBER		X	X			
	DILLENBERG			X			
	HARVEY	X		X			
	MOORE			X			
	WORTH			X			

APPROVE:



Dr. Jack Dillenberg, Mayor

Jessamyn Ludwig, P&Z Chair

ATTEST:



Candace B. Gallagher, CMC, Town Manager/Clerk

Date: 01/13/2021