



TOWN OF JEROME

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MINUTES SPECIAL MEETING OF THE JEROME TOWN COUNCIL VIA ZOOM TUESDAY, JANUARY 19, 2021 AT 1:00 PM

<p>ITEM #1: 1:02 (0:54)</p>	<p>CALL TO ORDER/ROLL CALL</p> <p>Mayor/Chairperson to call meeting to order.</p> <p><i>Mayor Jack Dillenberg called the meeting to order at 1:02 p.m.</i></p> <p>Town Clerk to call and record the roll.</p> <p><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, DRB Vice Chair Brice Wood, DRB member Carol Wittner, and P&Z commissioners Lance Schall and Henry Vincent.</i></p>
<p>ITEM #2: 1:04 (2:46)</p>	<p>MEXICAN POOL SITE</p> <p>Council will hear from Bethany Halbreich and Cameron Sinclair, purchasers of the Mexican Pool site at 300 Queen Street, regarding their plans for its restoration.</p> <p><i>[Mayor Dillenberg inadvertently started talking about the item before formally calling the meeting to order. After points of order to follow agenda protocol were requested by Ms. Barber and Ms. Harvey, the mayor continued.]</i></p> <p><i>Mayor Dillenberg apologized, then introduced the project and the prospective buyers of the property, Cameron Sinclair and Bethany Halbreich.</i></p> <p><i>Mr. Knight talked about the buyers' interest in the historic, controversial site, stated that they were in escrow, and that he was pleased to see they were willing to take preliminary questions from the Council.</i></p> <p><i>Mr. Sinclair thanked the Council for calling the meeting, then shared his background as a "recovering" architect in Boulder who did mostly post-conflict, post-disaster work for 20 years, along with historic preservation and community work. Ms. Halbreich briefly talked about her work in arts programming worldwide, along with innovation and strategy work.</i></p> <p><i>Mr. Sinclair said he and Ms. Halbreich have a shared interest of working on projects with civic purpose, to activate and connect communities in private/public partnership. He said their interest is not just in the site but also connection with the neighbors, and because town properties surround the site, Mr. Cameron said he envisions a "codesign" even though they're acquiring the property.</i></p> <p><i>Mr. Sinclair then presented the project via the information in the agenda packet. He said sustainability and historic preservation are at the core of the project and that he and Ms. Halbreich want to restore the pool to its original 1928 footprint.</i></p> <p><i>He said they see initially partnering with the Jerome Historical Society and that they would privately fund the project, perhaps expanding it to include renovation/preservation of the basketball court and parking area by Queen Street. Mr. Sinclair stated that most important was to deal with the erosion of the site and to protect the pool and surrounding sites. He made clear that he and Ms. Halbreich want to call Jerome home after a decade of work and travel and would like to bring the pool back to life by 2028, its 100-year anniversary. He talked briefly about the history of the Mexican pool, then went into the erosion challenges of the area. He said they also want to complete the work on the pump house and get it operational before they start working on their "master plan" that they see being led by the town.</i></p> <p><i>Mr. Sinclair stated he has never been involved in a project where they have received so much help before even going into escrow. He said they want to do a cultural resource study and work with SHPO to maintain the integrity of the pool. They would like endorsement of the work from the town and they have a copy of the letter from former property owner (and former Jerome mayor) Frank Vander Horst as proof that the hookup fees had been waived since it is a "pre-'50s" historic property. Mr. Sinclair said they are also looking for a conditional use permit (CUP) to allow for residence in the C-1 zone and building in the AR (agricultural) zone, but want to retain the pool's footprint completely and perhaps allow community use of it and the property in the future.</i></p> <p><i>He sees future opportunities in investing in the property: to restore and enhance the Queen Street district and the parking area and work in concert with other property owners in the area, including the town.</i></p>

Mr. Sinclair said the next steps would be to reconcile the topographical survey from the former property owner with the town's survey. They would also need approval for utility hookups to do restoration and rebuilding of the retaining wall system, to close on the property, implement a cultural resource study, and run a design sprint to include community participation in the process. Mr. Sinclair thanked everyone who has been involved.

Vice Mayor Worth said she was glad to see someone interested in the property who wants to work in harmony with the community.

Ms. Harvey read from the town's general plan, page 25. She also quoted in detail from the landslide study from 2005, the zoning ordinance, and other documentation about the site. She addressed the waiver of utility hook-up fees and read from the town code, clarifying that pools are not listed as a qualifying property and would be considered a ruin, not a structure. Ms. Harvey said her main concern was safety but also liability and stated that the town has other infrastructure priorities before they could begin to finance restoration of property-owned land on unstable ground for a private/public partnership.

DRB Vice Chair Brice Wood talked about how the landslide study of 2005 came to be written for a visitor center that included restrooms, a meeting hall, and a retail facility. ADOT did not want to take a chance on it after reading the geology report about the property. He said it was a slide zone and a zone of subsidence, very serious issues. He then asked Mr. Sinclair about his involvement with Airbnb.

Mr. Sinclair said he led refugee housing for about 40k people from natural disasters and other projects as part of the philanthropic branch of Airbnb. Discussion ensued about the short-term rental controversy in Jerome.

Mr. Wood then asked what public/private partnerships Mr. Sinclair was working on. Mr. Sinclair listed small- and large-scale projects, including the port of Cape Town with the Nelson Mandela Foundation. He pointed out that the Mexican pool is a personal project in which he is investing his own funds.

Mr. Wood asked if they planned to live on the property, to which Mr. Sinclair said yes.

Ms. Barber clarified that she had met once with Mr. Sinclair, Mr. Knight, and the mayor, and that she did not approve or disapprove of the project. She said she likes the idea of revitalizing the pool but questioned if the land could hold the pool full of water. Ms. Barber said safety of the project is the greatest consideration and that an amazing retaining wall would need to be built above and below the property.

Mr. Sinclair agreed wholeheartedly with Ms. Barber and said he and Ms. Halbreich knew they would have to invest \$30-40k just in a retaining system and know they need to do something very robust and work with Verde Exploration since it would have to be built on their property. He said they plan to bring in the engineers and construction team but also want to involve our Planning & Zoning Commission and Design Review Board in the process as they understand the safety concerns but also the significance of aesthetic aspects. He said as for filling the pool with water, the idea was still up in the air, but that a filled pool could also serve as a fire suppression supply. Mr. Sinclair said that if in the engineering study they discover that the weight of water would be too much, they won't do it.

Jerome resident Carol Yacht said building a retaining wall seems lowballed at \$30-40k. As for utility fees, she asked how the pool would be addressed and if they would be commercial vs residential rates.

Ms. Sinclair said the \$30-40k is just for the wall system, not the whole project.

Ms. Moore said she has seen the cost as high as sixty thousand to several hundred thousands for recently built retaining walls. She said knowing the geology, she is extremely concerned about this area in the slide zone. She said if the pool was constructed in 1928, it was likely done without rebar and asked if core samples from underneath the pool have or will be taken. She said the pool was only operable for a few years, likely less than ten years because of the landslides that began in the 1930s, so there is no history of longtime use. She also questioned access from Diaz Street and reiterated her grave concern about the geology. She said that she hopes they take the project on slowly.

Mayor Dillenberg supported Ms. Moore's comments and her concern about the safety and commented that at least these are people doing their homework and who aren't just planning to build a private home.

Mr. Sinclair referred to a 2018 soil report from the previous owner, who had planned to build a two-story structure on top of the pool; the project did not go forward. He said they do not plan to build a structure over the pool and know they need to do more geological surveying and engineering studies and work with the surrounding properties.

Ms. Harvey said the results from the 2018 report were the same as those of the 2005 study, which means there is seepage under the surface. She said the pool as fire suppression was not realistic and asked if anyone has conferred with Public Works Director Marty Boland about utilities on the site.

Jerome resident Margie Hardie said she did not come to Jerome to change it. She asked how much money the town would have to spend for this project as a "partner," which she sees as planned development, and said infrastructure basics need to be taken care of first. She said the town does not want to develop housing in the C-1 zone, as it says in the General Plan. She then said Jerome is "not a humanitarian effort" and does not need help.

Ms. Barber pointed out the sewer issues at hand and listed some of them. She said perhaps some of the landslides destroyed some of the infrastructure and is causing the seepage in the Mexican pool area. She also mentioned the

sewer treatment plant that needs renovation. Ms. Barber said it seemed like a wonderful project but that the town is currently dealing with many infrastructure issues before it can move forward with new projects and that safety was her main concern. She also asked what work the town crew was doing down by the old Cuban Queen. Ms. Gallagher said it was a sewer leak, an ongoing problem in that general area.

Mr. Sinclair responded to Ms. Hardie and said that one thing to note, in terms of development, that this is a small, private lot, that they're becoming residents of Jerome, and that this is not a humanitarian act. He said they are not asking the town for any funding and that they are taking on the cost of surveying, which will protect the Guth property, town properties, and the parking area. He said they want to do something civic-minded and could easily get rid of the pool and build a two-story house and eradicate the view by building something robust. It's not what they want to do.

Mayor Dillenberg made comments about the potential of the project with someone who has the experience and wants to be part of the community.

Ms. Moore asked Mr. Sinclair if they wanted to provide other housing on the property, and if this didn't come to fruition, would they still be interested in the property.

Mr. Sinclair said they would love to have the whole property and access to the view with no neighbors, but they understand the need for affordable housing in Jerome so wanted it known they're aware that it could happen on town property around them and are open to it.

Ms. Moore said the housing plans from the 1920s, which Mr. Sinclair had brought up earlier in the meeting as potential inspiration, were done before the slide happened.

Vice Mayor Worth said that all the concerns brought up are valid, but also thinks that creative people are always welcome in Jerome. She said Mr. Sinclair is aware of the due diligence required and she does not want to discourage the project.

Ms. Barber thanked Mr. Sinclair and Ms. Halbreich for wanting to preserve the pool and work with SHPO.

Ms. Hardie asked about the letter from the planning and zoning department regarding the waiver of water and sewer hookups and asked if this would deter them if the waived fees were not transferred to them.

Mr. Sinclair said the money they would save from the utility hookups would be put into the project.

Ms. Harvey reiterated that the site does not qualify for waived hookup fees.

Mr. Sinclair replied that if the fees were speciously waived for the previous owner, that was the town's problem. He said if they were not waived for them, then it would mean less they could spend on the retaining system.

Mr. Knight suggested a meeting be held with Mr. Sinclair and Ms. Halbreich and representative members of the Council, P&Z, and DRB to work out some of these concerns.

Mr. Sinclair offered to answer any other questions.

ITEM #3:
2:26 (1:23:06)

CODE ENFORCEMENT

Council will continue their discussion of code enforcement procedures and penalties.

Mr. Knight said he has talked to Ms. Moore about the process and to Police Chief Allen Muma about record management of code enforcement with the software used by JPD. He reminded councilmembers that in other local jurisdictions, code enforcement is complaint driven, but that would mean driving around Jerome with blinders on. Mr. Knight requested input about penalty fees as well.

Ms. Moore said that when someone calls to complain about something, she doesn't see a need for it to go directly to the JPD and would prefer to let staff investigate first. She said she wants to keep things neighborly.

Vice Mayor Worth said regarding penalty fees, there needs to be drastic increases for repeat offenders.

Ms. Harvey said she has talked to Chief Muma about the record management system (RMS) used by JPD. She said it is tracking software, not a place to report to police, and that Chief Muma is willing to incorporate code enforcement tracking to save the town money. Ms. Harvey clarified that this was not a way to criminalize offenses.

Chief Muma joined the meeting at 2:30 p.m.

Ms. Barber agreed with the points brought up by the other councilmembers.

Chief Muma also clarified that he was willing to share the database software and was not suggesting that JPD supervise code enforcement.

Mayor Dillenberg asked if any action needed to be taken. Mr. Knight said he simply needed direction and explained how the tracking system would generally work and how it could be accessed by staff.

Ms. Barber asked if work was being done on a complaint form. Mr. Knight confirmed that Utilities Clerk Kristen Muenz has already created it based on other complaint forms used by local jurisdictions and that he would forward it to councilmembers to review for their input.

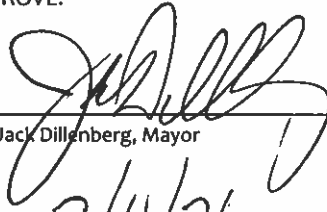
Ms. Harvey asked if everyone agreed on using the RMS system to track complaints.

Ms. Barber, once it was explained how it would be implemented, said she was fine with it, as were Vice Mayor Worth and Mayor Dillenberg.

	<p><i>Ms. Moore asked how it would work and gave an example of someone calling town hall to complain about nonpermitted construction and how a staff member would record the complaint in the record management system.</i></p> <p><i>Chief Muma clarified that this would be the basic process but that it wouldn't mean the JPD would be following it unless it became a criminal issue. He also explained how he could set access levels to protect everyone's privacy. The chief said it was a very flexible program that can also pull reports for Mr. Knight and the Council.</i></p>																																										
ITEM #4:	<p>ADJOURNMENT</p> <p><u><i>Motion to Adjourn at 2:42 p.m.</i></u></p> <table border="1" data-bbox="412 436 1414 560"> <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	X				DILLENBERG	X		X				HARVEY			X				MOORE			X				WORTH			X			
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APPROVE:

ATTEST:



Dr. Jack Dillenberg, Mayor

Date: 2/11/21



Candace B. Gallagher, CMC, Town Manager/Clerk