

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331 (928) 634-7943 www.jerome.az.gov

MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL

CONDUCTED VIA ZOOM

					LD VIA ZO			
			TUESDA	AY, OCTOBE	R 12, 2021, A	T 7:00 P.M.		
TEM #1:	CALLTO	O ORDER/ROLL	CALL					
7:00 (0:40)		· · · · · · · · · · · · · · · · · · ·		order				
.00 (0.40)	Mayor/Chairperson to call meeting to order. Mayor Jack Dillenberg called the meeting to order at 7:00 p.m.							
	1	ŭ		•	at 7:00 p.m.			
		erk to call and rec						
								ayor Mandy Worth,
		cilmembers Alex B						
		es, Police Chief All		_				
	_	•			eration of the	public in atten	dance. Agenda	items have been lef
	their	original order in th	iese minutes	·				
ITEM #2:	FINANC	IAL REPORTS						
7:02 (3:00)	Financia	l reports for Septe	ember 2021					
		Motion to acce	pt the Septe	ember 2021 Find	ancial Reports	<u>i</u>		
		COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
		BARBER DILLENBERG		Х	X X			
		HARVEY	Х		X			
		MOORE WORTH			X X			
ITEM #3:	CTAFF /	AND COUNCIL R	FDODTS		^			
9:45 (2:14:25)	Reports by the Town Manager/Clerk, Deputy Town Clerk, Utilities Clerk, Accounting Clerk, Public Works Department Building Inspector, Library, Municipal Court, Police Chief, Fire Chief, and Council members. Ms. Gallagher shared highlights from her staff report (included in the agenda packet). In reference to the Hotel Jerome mentioned in Ms. Cays's staff report, Vice Mayor Worth asked about the cost of glas and requested that the estimates for the work to be done on the storefront windows at the hotel be shared with Council when they are all submitted.							
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ITEM #4: 9:55 (2:24:17)	and re Counc Ms. Co Counc would perha	erence to the Hote equested that the cil when they are a ays said she was w cilmember Barber d like a tour could aps they could be t Motion to acce COUNCILMEMBER BARBER DILLENBERG HARVEY MOORE WORTH ADMINISTRAT	el Jerome me estimates fo ell submitted aiting on the said she was call the cent apped for m pt the Septe x COR'S REPO the informa	entioned in Ms. or the work to be d. e third estimate s invited to tour er and schedule nore informatio ember 2021 Stap SECONDED X DRT AND MIN tion of Council	Cays's staff re one done on the e and would for the Skilled Tr e one. She also n. ff Reports AYE X X X X X X X X X X X X X X X X X X X	port, Vice May e storefront wi prward them a eade Center at said they wou	or Worth asked ndows at the h Il to Vice Mayor Yavapai College Ild be adding a	otel be shared with Worth. and said anyone wh brewery course, so

APPROVAL OF MINUTES

9:55 (2:24:34)

August 23, 2021 (open and closed sessions); September 9, 2021; September 14, 2021

Ms. Gallagher noted that the closed session minutes for August 23 were not yet available.

Ms. Harvey pointed out an error in the September 14 minutes, which was corrected.

Motion to approve the minutes of the August 23, 2021 meeting as submitted

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

Motion to approve the minutes of the September 9, 2021 meeting as submitted

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

Motion to approve the minutes of the September 14, 2021 meeting with one correction

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

ITEM #6: 7:46 (46:46)

PETITIONS FROM THE PUBLIC

Property owner Cameron Sinclair spoke about the rezoning of 300 Queen Street and suggested options for how the town could avoid potential litigation regarding repairs needed in the area. It was decided a special Council meeting would be scheduled to discuss this further.

ITEM #7:

ORDINANCES AND RESOLUTIONS

7:51 (52:24)

ITEM #7A: RESOLUTION NO. 624, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING THE ADOPTED FEE SCHEDULE REGARDING BUILDING PERMIT FEES

Council may adopt Resolution No. 624.

Ms. Gallagher stated that this fee schedule was a much simpler version of the existing building permit fees and clarified the fees for a retaining wall, which had been questioned at the September 14 Council meeting.

Ms. Harvey said the valuation and fee schedule did not seem equitable and explained how. Discussion ensued.

Vice Mayor Worth suggested seeking expert assistance.

Motion to table Resolution No. 624

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

8:03 (1:04:20)

ITEM #7B: RESOLUTION NO. 625, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, APPROVING A CONDITIONAL USE PERMIT FOR A MICROBREWERY AT 416 HULL AVENUE

Council may adopt Resolution No. 625.

Mayor Dillenberg thanked Ms. Harvey for the articles in the agenda packet that she shared with the Council and said that he too had more questions about the effects a microbrewery would have on the water system.

Ms. Moore said she would like to hear from the applicants.

(1:05:55) Partner of the applicant, Keith Castro, introduced Ron Clark, president of Applied Products Group, which specializes in water and wastewater treatment. Mr. Clark addressed concerns about the waste produced from a brewery and said the articles in the agenda packet were very general and made blanket statements. He said Barnstar Brewing Company is a small operation and would not have the capacity to brew more than four batches per week; a batch is 42 to 48 gallons of beer. He said their plan is to brew three batches per week, which would take a total of approximately 600 gallons of water for the brewing and production process. Mr. Clark said it would have little to no impact on Jerome's water or wastewater system.

(1:12:20) Ms. Mound asked about the amount of beer that would be produced per week. Mr. Clark said it would be three batches; the applicant, Denise Maurice, said they would not produce more than two to three batches per week. Ms. Moore asked if the liquor license for a microbrewery required a minimum amount of beer to be produced and said she had other questions that were not addressed at the P&Z meeting (she had listened to the audio) or in the information provided to Council. Her concerns included seating, access across an easement next to the building, and ammonia and solids that would be added to the sewer treatment plant.

(1:18:16) Mr. Clark commented on Ms. Moore's concerns about the treatment plant and said that the solids are removed from the brewing process.

Vice Mayor Worth said that she has a brewing background and is familiar with the liquor licensing process. She said she was unsure if the resolution could be approved without a liquor license in place and would be more comfortable tabling this item until Council had clarification from the town attorney or the state liquor department. Ms. Gallagher said that she would inquire.

Ms. Barber said that she too would like to see a seating plan, had concerns about parking, and that no one has addressed the ammonia levels in the brewing process. She said she would second the vice mayor's suggestion that they table this item until the Council had more information.

Ms. Harvey said she also had a list of questions and concerns, and that a change of use permit (CUP) would be required as well as sprinklers installed in the building, based on the information provided by the fire chief. (1:25:05) Ms. Maurice responded to the question about seating and made a comment about the parking.

(1:25:49) Mr. Clark explained the wastewater treatment process and said there are ways to lessen the impact on the sewer system. He said a bakery would dump more sugars into the plant than a microbrewery.

Ms. Harvey asked if a filtering system would be used at the microbrewery. Mr. Clark said it was a possibility and up to the Council.

(1:27:26) Rob Fullmer of the Arizona Craft Brewers Guild said this was not a water issue at all and that he wants a good relationship with the town. He said Jerome has great resources nearby in Yavapai College and other places to study water usage issues. He said the town could monitor the brewery, which is limited in its footprint at the House of Joy. He asked Council to talk to the applicant and to the Guild and produce a plan. He asked that Jerome give an opportunity that others have not been given.

Ms. Moore said she does not have enough information to make a decision and that she still wanted to know about seating and how the waste product would be disposed of.

(1:36:44) Ms. Mound talked about the minimum requirements for the liquor license and asked if a conditional use permit would be needed for the residence in the building.

(1:37:55) Ms. Maurice said they cannot apply for a liquor license until they have an address for the location, so they are waiting for final approval from the Council. She said they were ready to answer any questions.

Ms. Moore asked Ms. Maurice if she could answer any of the questions she had asked thus far.

Mayor Dillenberg called on Mr. Fullmer who had his hand raised.

(1:38:56) Mr. Fullmer said the licensing process favors the Council, and in the meantime, stakeholders are on hold with their plans, which is a costly endeavor. He said he and the applicant have answers to questions and mentioned that he has never heard of ammonia being a problem with a brewery.

Ms. Harvey reminded the mayor that there is a motion and a second on the floor and asked if he could call the question.

Vice Mayor Worth amended her motion and said she would like to table the item "until the closest possible date" so that information the councilmembers have requested could be submitted and reviewed.

Ms. Moore said that even if the item is tabled, she is still waiting for answers on waste disposal, seating, how much beer would be made, ammonia levels, and if the applicant can guarantee the brewery will not impact the wastewater stream.

Vice Mayor Worth suggested a list of questions from Council be submitted to Ms. Gallagher to pass on to Ms. Maurice. Mayor Dillenberg said to Ms. Maurice that the Council wants to make sure this project would work for the town and wants to facilitate a quick outcome for her. He said the Council is not wanting to be an obstacle.

(1:44:53) Mr. Fullmer asked for a water report so they have a baseline to work from.

Motion to table Resolution No. 625

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

Ms. Harvey requested a break at 8:46. Council returned at 8:57.

8:57 (1:47:14)

ITEM #7C: RESOLUTION NO. 626, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, APPROVING AGREEMENT FOR DISTRIBUTION OF OPIOID SETTLEMENT FUNDS

Council may adopt Resolution No. 626.

Ms. Gallagher briefly reviewed the provisions of this agreement and noted that, in order to receive all of the funding, Yavapai County needs 100 percent participation from the towns.

Motion to approve Resolution No. 626

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

8:59 (1:49:02)

ITEM #7D: RESOLUTION NO. 627, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, CORRECTING THE ADOPTED FEE SCHEDULE OF THE TOWN OF JEROME TO INCLUDE AN EXISTING RATE CATEGORY PREVIOUSLY OMITTED

Council may adopt Resolution No. 627.

Ms. Gallagher explained that one line had previously be inadvertently omitted from the fee schedule and needs to be added back in.

Motion to approve Resolution No. 627

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

9:00 (1:49:56)

ITEM #7E: FIRST READING – ORDINANCE NO. 475, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING THE JEROME TOWN CODE BY THE ADDITION OF NEW SECTION 10-3 THEREOF, ENTITLED "SPECIAL EVENTS"

Council may conduct the first reading of Ordinance No. 475.

Mayor Dillenberg read Ordinance No. 475 in title only.

Ms. Moore said that in section 10-3-7 [Exceptions, no. 5], regarding private events held in a town park, that "attended by no more than 10 people" seemed low to her. Discussion ensued and it was decided that ten people would be revised to 20 people maximum.

Under the same section, Ms. Moore asked if requiring attendees to park at the 300 level should be left in the ordinance. Ms. Gallagher said it would be hard to enforce, so it probably should not be in the ordinance. She recommended taking out the section, then agreed the wording could be changed; she suggested they replace "must" with "encouraged to."

Ms. Harvey asked what the maximum number of attendees should be in the same section. She suggested 75. These changes will be made prior to the ordinance's second reading.

9:05 (1:55:09)

ITEM #7F: FIRST READING – ORDINANCE NO. 476, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING THE JEROME TOWN CODE TO REMOVE THE RESIDENCY REQUIREMENT FOR THE POSITIONS OF TOWN CLERK AND TOWN MANAGER

Council may conduct the first reading of Ordinance No. 476.

Mayor Dillenberg read Ordinance No. 476 in title only.

ITEM #8:

UNFINISHED BUSINESS

7:06 (6:36)

ITEM #8A: PUBLIC HEARING CONTINUED: WATER AND SEWER RATES, FEES AND CHARGES

Council will continue a public hearing which commenced on September 14, 2021 regarding possible changes to water and sewer rates, fees and charges and may opt to continue the hearing to a future date and/or direct staff to prepare a Resolution adopting new rates for approval at a future meeting.

Mayor Dillenberg spoke briefly, then introduced Dan Jackson of Willdan Financial Services.

Mr. Jackson shared a presentation on screen to make several points about Jerome's "anachronistic" fixed rate plan, which makes assumptions about water use, e.g., that two people would use more water than one person. He said if Jerome were to go with a volume-based charge, it would vary greatly how each resident would be affected by this change, depending on their water use. Mr. Jackson said Jerome pays the lowest rates in the area for water services, then went through two scenarios and examples in each that have been discussed in the past. Mr. Jackson recommended a five-year rate plan where the rates would automatically increase for the next four years to help cover the costs of water service. He said the town is not recovering its costs with the current rate plan nor is it encouraging conservation, and that a volumetric plan would do the opposite. He further explained options for how Jerome could implement a new rate plan.

Mayor Dillenberg asked about residents with low income who have gardens or large trees they want to keep alive. Mr. Jackson said Jerome could implement a "lifeline" rate for those at a certain income level, of a certain age, or retirees, and sell them water service at a discounted rate. He said this would mean raising the rates for other users to make up for the reduced revenue.

Ms. Moore said that with a flat rate, the town knows how much revenue is coming in each month. She said if the town were to start with commercial accounts, it would need to keep an eye on revenue, at least to start, to make sure it is covering its costs. Ms. Moore shared a few other thoughts about paying a flat rate and the higher expense of sewer service.

Councilmember Barber reminded everyone of the options Mr. Jackson has presented to the town and that right now only commercial and out-of-town accounts are being considered for a new rate plan.

Ms. Gallagher reminded Council that this was a public hearing and that she had a letter from resident Mairi Ross who asked that it be read aloud. Ms. Gallagher read the letter to Council.

(34:54) Homeowner Suzy Mound said that as a single resident with no yard, she would like to see the implementation of a usage rate.

(35:35) Businessowner John Bartell said many studies say that the average user consumes 2,000 gallons per month; a couple uses 4,000 gallons. With the 8,000-gallon allowance, half would be plenty to water gardens, trees, etc. He said people like Ms. Mound are subsidizing the heavy water users. Mayor Dillenberg asked for Mr. Jackson's thoughts.

Mr. Jackson said he has heard the per capita number is closer to 150 gallons per day per person, or closer to 4,500 gallons of water consumption per month, but that Mr. Bartell is correct in saying that with fixed rate charges, low-volume users subsidize high-volume users. He said as difficult as the transition may be, with a volumetric plan, you pay for what you use.

Mayor Dillenberg said a fair, best decision for residents is the goal.

Ms. Barber responded to Mr. Bartell and said revenue from the kiosks has been subsidizing the costs of water and sewer more so than the residents. She also said it is important to keep the mountain green and flourishing.

Ms. Moore said the idea of subsidizing other residents' heavy use she finds difficult, in that the care of nature in town benefits everyone, not just those with yards. She said residents use conservation measures when needed. She said if the charges increase, water use will decrease, which will mean less revenue for the town.

(42:46) Ms. Mound clarified that she is not complaining and realizes Jerome's rates are low.

(43:18) Mr. Bartell said he was not pitting people against each other—it's math, not a feeling.

Ms. Gallagher explained what the Council's options were at this point: continue or close the public hearing and direct staff to draft a resolution.

Councilmember Harvey suggested continuing the public hearing.

Ms. Gallagher clarified the next steps and details to be included in a draft resolution – volumetric billing for commercial customers, with a 12,000 gallon base usage, as well as a line maintenance charge as mentioned by Ms. Barber.

9:06 (1:55:55)

ITEM #8B: ZONING ADMINISRATION, CODE ENFORCEMENT AND HISTORIC PRESERVATION

Council will continue their discussion of the position of Zoning Administrator/Code Enforcement Officer/Historic Preservation Officer and the possibility of separating those functions.

Mayor Dillenberg said it has been recently discussed that the historic preservation officer (HPO) be a separate position.

Ms. Gallagher asked if Council would like to advertise for two positions.

Vice Mayor Worth said she would like to see the job descriptions. She asked if the P&Z commission would stay under the zoning administrator and if the design review board would work with the HPO.

Ms. Harvey said the Council needs to agree on job responsibilities before anything is posted to the public. The vice mayor agreed.

(1:58:38) Mr. Sinclair asked for confirmation that Chief Muma is currently the acting zoning administrator/code enforcement officer, per the town code. Ms. Gallagher said Chief Muma does enforce the code but is not the acting zoning administrator.

Ms. Moore said she would like to continue advertising the position as it is to see what applications come in and said a HPO could be consulted on an as-needed basis. A brief discussion ensued about one person doing both jobs.

9:13 (2:02:18)

ITEM #8C: TOWN CO-SPONSORSHIP OF CHAMBER EVENTS

Council will discuss co-sponsorship by the Town of Chamber of Commerce Events such as Roam in Jerome and Light up the Night.

Mayor Dillenberg said he would like more engagement with the Jerome Chamber of Commerce (JCC).

(2:03:07) JCC president Nancy Crosby asked if the town intended to sponsor Roam in Jerome, which would allow the JCC to display a banner that does not follow the sign ordinance on town property.

Ms. Gallagher stated that the town used to co-sponsor the first-Saturday Art Walk, so it would be plausible that it would co-sponsor Roam in Jerome.

Ms. Harvey asked about the size of the banner. A brief discussion ensued. Ms. Harvey suggested the town waive the sign size requirements for that banner through the rest of the calendar year.

Ms. Gallagher asked if Light up the Night would also be co-sponsored. The mayor said yes.

Ms. Barber wanted to be sure there was enough room for all the banners.

Motion to approve co-sponsorship of the JCC events and allow existing banners to be displayed through December 31, 2021

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

ITEM #9:

NEW BUSINESS

9:21 (2:10:16)

ITEM #9A: DESIGN REVIEW GUIDELINES

Council will review Design Review guidelines drafted by consultant Bill Otwell.

Ms. Gallagher suggested this may be the time to decide on if Council wanted the boards and Jerome Historical Society review the guidelines and provide feedback to Council. Council agreed.

7:03 (3:47)

ITEM #9B: TOUR BUSINESSES

Council will discuss issues related to tour businesses in Jerome and possible amendments to the Town Code in that regard.

Chief Muma said an email from September 30 regarding the tour businesses was sent to an address he no longer uses so he was unaware that this item would be on the agenda. He believes changes need to be made to the ordinance regarding tour businesses and that the town needs to follow through with what is <u>already in</u> the ordinance. He requested this item be tabled to a future agenda.

Councilmember Moore said she has received letters of complaint and asked if anyone wanted to discuss the item in preparation for the next meeting. She agreed the ordinance needs to be revised and wondered if the number of tour companies could be limited.

Mayor Dillenberg tabled the item with consensus from the Council.

9:22 (2:11:20)

ITEM #9C: SUCCESSION PLANNING: TOWN MANAGER AND TOWN CLERK

Council may discuss issues related to the employment, assignment, or appointment options for filling the positions of Town Manager and Town Clerk following the eventual retirement of the current Town Manager/Clerk. Some or all of this discussion may take place in executive session pursuant to A.R.S. §38-431.03 (A)(1).

Motion to move into executive session at 9:22 p.m.

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

Council returned to open session at 9:44 p.m.

Vice Mayor Worth stated that it was discussed that cross training would begin with existing personnel to assist with any needed, unexpected, or planned changes to the current structure.

ITEM #10:

TO AND FROM THE COUNCIL

9:58 (2:27:14)

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

Ms. Barber asked that at the next meeting, the porta-john budget be reviewed, and the discussion continued about a public restroom.

Ms. Moore said a title search needs to be conducted of the properties near the Sliding Jail. She said town property lines need to be determined. She also asked that the COVID restrictions be discussed at the next meeting to determine if Council is ready to return to in-person meetings.

Vice Mayor Worth announced upcoming conferences she planned to attend. She also said Clarkdale has hired a new town manager and plans a meet-and-greet on October 18. Jerome Town Council has been invited to attend.

ITEM #11:

ADJOURNMENT

Motion to adjourn at 10:03 p.m.

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

() ///

APPROVE

Date:

Dr. Jack Dillenberg, Mayor

11-10-2021

ATTEST:

Candace B. Gallagher, CMC, Town Manager/Clerk