

TOWN OF JEROME

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

MINUTES

SPECIAL WORKSHOP MEETING OF THE JEROME TOWN COUNCIL CONDUCTED VIA ZOOM

MONDAY, AUGUST 23, 2021 AT 10:00 AM

ITEM #1:

CALL TO ORDER/ROLL CALL

10:00 (0:14)

Mayor/Chairperson to call meeting to order.

Mayor Dillenberg called the meeting to order at 10:00 a.m.

Town Clerk to call and record the roll.

Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Dillenberg, Vice Mayor Mandy Worth, and councilmembers Sage Harvey, Alex Barber, and Jane Moore. Also present were Town Attorney Bill Sims, Utilities Clerk Kristen Muenz, and Deputy Town Clerk Rosa Cays.

Before moving on to Item #2, Mayor Dillenberg thanked Mr. Sims, Councilmember Moore, and others for their work on the staff summary.

ITEM #2:

WATER AND SEWER RATES

10:02 (1:37)

Council will continue their discussion of possible changes to the water and sewer rate structure as presented in a study completed by Willdan Financial Services. A portion of this discussion may be conducted in executive session with the Town Attorney, pursuant to A.R.S. \S 38-431.03 (A)(3) and (A)(4).

Ms. Moore said that, because of Covid and having to conduct meetings via Zoom, she wanted to work with Ms. Cays on drafting something for the upcoming town newsletter so the public knows these discussions are happening. She also said it is of utmost importance that the town is covering costs when they make changes to the water rate structure.

Ms. Gallagher noted that the memo Council received is for discussion during closed session, which was the next step. She asked Jerome business owner John Bartell, who was online, if he had anything to say before Council went into closed session.

10:04 (3:12) Mr. Bartell said that he agreed that the public needs to know about these discussions, but suggested that we also let people know that the upside of doing this is that it will save residents money. Mr. Bartell asked why Council had to go into executive session.

(4:37) Mr. Sims replied to Mr. Bartell and told him that risks being considered will be discussed in executive session but that the outcome will be explained to the public.

Motion to go into executive session

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

Before the mayor could call the question, Mr. Bartell requested a copy of any public information discussed during the executive session.

Ms. Moore told Mr. Bartell that a few legal questions needed to be answered and that she too wants the information available to the public, that everyone needs water, and a new rate structure needs to be fair and cover costs.

Council then moved into executive session at 10:08 a.m.

At 10:55 a.m., Council returned to open session.

Ms. Gallagher reviewed a list of questions:

- Does Council wish to change billing for commercial accounts to a volumetric billing effective January 1?
 - o If so, Council will need to adopt a Resolution by December 1, 2021.
- Does Council wish to work toward volumetric billing for residential customers?
 - If commercial accounts are changed first, we can use experience gained with those in order to best determine how to move forward with the residential accounts, perhaps within the next two years.

Does Council wish to establish a water line maintenance fee based on the distance from where our water enters the town? (11:23) Mr. Bartell said that he agreed with the line maintenance fee and pointed out that Prescott charges a 40 percent premium to all outside residents. Does Council wish to go forward with looking at a 10,000-gallon base minimum? (13:18) Mr. Bartell said that according to the EPA and the USGS, the average water use is 82 gallons per day, or 2400 gallons per month. He explained how setting a 10,000-gallon minimum would affect lower-income residents. Ms. Gallagher summarized what had been decided—yes to all questions but the last one (regarding the 10,000 gallon minimum)—and said she would schedule another work session prior to the public hearing. She explained to Mr. Bartell about the public hearing taking place via Zoom and the possibility of continuing it so that the public is given ample opportunity to participate. Mr. Bartell mentioned that Willdan had submitted a proposal for starting with just the commercial accounts. ADDENDUM TO AGREEMENT WITH WILLDAN FINANCIAL SERVICES ITEM #3: Council may approve an addendum to the agreement with Willdan Financial Services for consulting services 11:04 (16:37) regarding the town's water and sewer rate structure. Councilmember Harvey said it would be wise to approve this addendum and have Dan Jackson of Willdan join Council at upcoming meetings to be sure they are doing things legally. Motion to approve the addendum to the agreement with Willdan Financial Services COUNCILMEMBER MOVED SECONDED ABSENT ABSTAIN AYE BARBER DILLENBERG Х HARVEY Х MOORE WORTH ITEM #4: **ADJOURNMENT** Motion to adjourn at 11:05 a.m. COUNCILMEMBER MOVED SECONDED ABSENT AYE NAY ABSTAIN DILLENBER Х HARVEY Х MOORE WORTH

APPROVE:	ATTEST:
Dr. Jack Dillenberg, Mayor	Candace B. Gallagher, CMC, Town Manager/Clerk
Date:	



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MINUTES

SPECIAL WORKSHOP MEETING OF THE JEROME TOWN COUNCIL CONDUCTED VIA ZOOM

THURSDAY, SEPTEMBER 9, 2021 AT 4:30 PM

ITEM #1:	CALL TO ORDER/ROLL	CALL
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4:31 (0:12)

Mayor/Chairperson to call meeting to order.

Mayor Dillenberg called the meeting to order at 4:31 p.m.

Town Clerk to call and record the roll.

Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Dillenberg, Vice Mayor Mandy Worth, and councilmembers Sage Harvey, Jane Moore, and Alex Barber. Also present were Dan Jackson of Willdan Financial Services and Deputy Town Clerk Rosa Cays.

ITEM #2:

WATER AND SEWER RATES

4:32 (0:56)

Council will continue their discussion of possible changes to the water and sewer rate structure as presented in a study completed by Willdan Financial Services. A portion of this discussion may be conducted in executive session with the Town Attorney, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

Mayor Dillenberg commended Councilmember Jane Moore on her piece in the recent town newsletter and asked her to lead the discussion.

Ms. Gallagher read from her staff report, summarizing what was considered at the previous meeting on August 23. She said Council had talked about starting the new water rate structure with commercial and out-of-town accounts by January 1, 2022 (a resolution would have to be adopted by December 1), then add residential accounts in a subsequent phase one or two years later.

Ms. Gallagher reminded Council that some residents use more water for landscaping and are not similarly using the sewer lines, so the way sewer rates are calculated needs to be considered. She mentioned that San Luis Obispo uses winter averages of water use to determine the sewer rate for the rest of the year. Council also needs to consider the approximately 11 accounts with one meter but multiple ratepayers; adding a line maintenance charge; and deciding on a minimum gallon usage base rate.

Vice Mayor Worth joined the meeting late due to technical difficulties. She asked for clarification on the number of properties that share one meter, which Utilities Clerk Kristen Muenz verified was 12 via the chat feature.

(6:17) Mr. Jackson talked about the downside of Jerome's current water rate structure and said it was outdated. He said that when Jerome changes its structure, some people will pay more, and some people will pay less—and the town will hear from those paying more. He said implementing the changes in phases would be wise and suggested the sewer rate be determined by the average winter usage. Ms. Moore said that the only exception to this working may be the vacation rentals. Mr. Jackson suggested they be treated as commercial accounts. Ms. Gallagher explained that in Arizona this was not possible due to state statutes.

Councilmember Harvey mentioned that the newest vacation rental in town hosted 16 people last weekend. Discussion ensued. Vice Mayor Worth said that roughly 25 to 30 percent of units in Jerome are short-term rentals.

Mr. Jackson said if the percentage is accurate, residential users would end up subsidizing short-term rentals, a powerful argument against using the average winter usage.

(17:27) Jerome business owner John Bartell commented on Vice Mayor Worth's statement regarding short-term rentals and suggested that the Zoning Administrator do a detailed, definitive study. He said 25 to 30 percent would be 80 to 100 rental units, which he found hard to believe. Ms. Worth said that she had looked online and made sure she was not double counting vacation rentals, and that the 2010 US Census listed Jerome as having 117 separate units.

Councilmember Barber thanked Vice Mayor Worth for clarifying the number of units in Jerome, which makes the percentage rate of vacation rentals more powerful.

Ms. Moore shared an example using a bar as the accountholder and explained what they would pay per month under a new water structure rate using 20k gallons/month of water. Mr. Jackson said what that business had previously been paying is far below what it has cost the town to serve it ("an unfairly low rate") and would finally be paying what it should.

Ms. Moore asked if the town could reverse the new water rate structure if it was negatively impacting residents. Mr. Jackson said the town would have to go through the whole process of a public hearing, etc., but to keep in mind that the town will only hear from those paying more and that the goal was to have a just, fair, and equitable water rate structure.

Ms. Moore stated that she struggles with selling free-flowing water as a commodity. Mr. Jackson said water is a product like a hamburger or gasoline. Ms. Moore disagreed. Councilmember Harvey also disagreed and said, "Water is life" and should be free. Mr. Jackson said food and gasoline and electricity are also essential, and cost money to produce. He said it is not unreasonable to expect people to contribute some of their income for these essentials.

(27:12) Mr. Bartell suggested calling water a resource rather than a commodity, and said it still costs money to get it to people. Under volumetric usage, people would pay for what they get, including a short-term rental with 16 guests. Vice Mayor Worth said that the more often you use water and the sewer, the more wear and tear on the infrastructure. She said people are paying for the delivery system, not necessarily the water, and the town needs to cover its costs to provide these utilities. Ms. Moore said this may be true of the sewer system but not the water system, that the water is flowing through no matter what.

Mayor Dillenberg said the town's hands were tied regarding short-term rentals and asked if there was anything the town could do. Mr. Jackson suggested that initially, sewer charges be based on 75 percent or 100 percent of water usage, then collect data and adjust as necessary. The winter average system would not work for short-term rentals.

Vice Mayor Worth asked if those accounts facing a drastic change to their rates could gradually adjust to new, higher rate over time. She suggested tracking water usage of commercial accounts for 12 months to determine the sewer rate since residential accounts would not change for at least the next year.

Ms. Gallagher said the town has that data.

Ms. Moore shared her personal water usage as an example, and Mr. Jackson said that her account would benefit from a sewer rate based on winter average water usage. Discussion continued about how to calculate the sewer rates for residential accounts. Mr. Jackson explained the difference between charging for full water usage or basing the rate on usage over the winter months.

Ms. Moore said she would like to spell out example scenarios for businesses in time for the public hearing, so people know what to expect with the water rate structure change.

(42:05) Mr. Bartell said that any business can figure this out for themselves; it's simple math. Ms. Moore said the math may be simple but how many businesses will sit down to do it? She would still like examples. Ms. Gallagher said that she could provide that information.

Mr. Jackson stated that water costs are going up and will continue going up, so it is reasonable for businesses to expect to pay more. He said businesses need to understand that what they are paying now is not enough to cover what it costs the town to serve them.

Mayor Dillenberg commented that it should not shock most businesses that their water rates will go up.

 ${\it Ms. Moore asked if residents could be told by how much the town is subsidizing the water and sewer costs.}$

Ms. Gallagher said that the public hearing was scheduled for the next Council meeting on September 14 via Zoom and that, if desired, Council may continue that hearing to a definitive date to maximize citizen participation.

Ms. Gallagher noted that Council was presented with two scenarios: one with a minimum volume usage and one with no minimum volume usage and asked if they had a preference at this point.

Ms. Harvey said that, for commercial accounts, a 12,000-gallon minimum volume usage would be a good starting point.

Mr. Jackson said he could draw up a scenario based on a 12,000-gallon minimum.

ITEM #3:	ADJO	ADJOURNMENT									
		Motion to adjo	ourn at 5:22	<u>o.m.</u>							
		COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN			
		BARBER			X						
		DILLENBERG			Х						
		HARVEY	Х		X						
		MOORE		Х	Х						
		WORTH			Х						

APPROVE:	ATTEST:
Dr. Jack Dillenberg, Mayor	Candace B. Gallagher, CMC, Town Manager/Clerk
Date:	



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MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL

CONDUCTED VIA ZOOM

TUESDAY, SEPTEMBER 14, 2021, AT 7:00 P.M.

ITEM #1:	CALL TO C	CALL TO ORDER/ROLL CALL									
7:00 (0:11)				rder.							
,,,,,	Mayor/Chairperson to call meeting to order. Mayor Jack Dillenberg called the meeting to order at 7:00 p.m.										
		to call and recor			, p						
		anager/Clerk Can		er called the ro	II. Present wer	e Mavor Dillenk	nerg. Vice Mayı	or Mandy Wort	th and		
		nembers Alex Bar									
		ight, Finance Mar									
	Mayor D	illenberg rearran	ged the age	nda and moved	up Items #10A	, 10B,and 10C to	o follow Item #	[‡] 3. Agenda iten	ns have		
	been lef	t in their original	order in the	se minutes.							
ITEM #2:	FINANCIA	L REPORTS									
7:01 (1:19)	Financial re	ports for August	2021								
	Mayor Di	illenberg thanked	l Councilmer	nber Barber foi	seconding the	motion, but it	was Councilm	ember Moore v	who did		
		Motion to accep	t the Augus	t 2021 Financia	l Reports						
		COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN]		
		BARBER DILLENBERG			X						
		HARVEY	Х		Х						
		MOORE WORTH		Х	X X				-		
ITEM #3:	STAFF AN	D COUNCIL REI	PORTS					•			
7:02 (2:22)	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 read highlights from her staff report.										
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7:24 (24:24) ITEM #5:	ZONING A Minutes are Mr. Knigl APPROVA July 26, 202	illenberg shared helps. member Harvey helps. Motion to accept COUNCILMEMBER BARBER DILLENBERG HARVEY MOORE WORTH MOMINISTRATO E provided for the helps. LOF MINUTES 21; August 4, 2021	MOVED R'S REPOFE information that question is a second to the second to	m for doing some for Chief Blair t 2021 Staff Reposer Seconded X RT AND MINUTED ON THE CONTROL OF COUNCIL BUT ONS FOR HIM. The 2021	about his staff	NAY ire action.	ABSENT	ABSTAIN			
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Motion to approve the minutes of the August 4, 2021 meeting as submitted

DILLENBERG HARVEY MOORE WORTH

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

ITEM #6: 7:27 (27:05)

PETITIONS FROM THE PUBLIC

Before Ms. Gallagher read aloud a letter regarding drainage issues on Dundee Road from Jerome resident Gary Felix¹, she stated that she had responded to it prior to the meeting and noted that, according to Mr. Felix, the letter was supported by other residents who live on Dundee Road.

ITEM #7

PRESENTATIONS

7:29 (28:50)

Item #7A: YAVAPAI COLLEGE UPDATE

Officials of Yavapai College will present an update regarding activities there.

President Lisa Rhine gave a Power Point presentation to update the Council on the changes at Yavapai College. Also present were Deb McCasland, Yavapai College board chair, and Rodney Jenkins, VP of community relations. Ms. Rhine shared a few key points: YCC opened a skilled trades center; is offering one free class to all thanks to the CARES Act; and all community colleges can now offer four-year degrees.

ITEM #8:

ORDINANCES AND RESOLUTIONS

7:49 (48:55)

ITEM #8A: 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 said this information was provided by building inspector Barry Wolstencroft.

Ms. Harvey pointed out a possible error regarding retaining walls and the fee for each (additional?) square foot. Ms. Moore said she did want clarification on this and wasn't sure if this could be approved if changes needed to be made. A brief discussion ensued.

Ms. Gallagher suggested they table the item until this can be clarified with Mr. Wolstencroft.

Motion to accept the August 2021 Staff Reports

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

ITEM #9:

UNFINISHED BUSINESS

7:52 (52:17)

ITEM #9A: PUBLIC HEARING: WATER AND SEWER RATES, FEES AND CHARGES

Council will conduct a public hearing 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 opened the public hearing.

Ms. Moore said Ms. Muenz had provided good examples of how certain rates would change in different scenarios. Ms. Gallagher shared the document on screen.

Ms. Barber had questions but was experiencing audio difficulties.

Ms. Harvey said she would like to see the "before/after" of how commercial accounts would be affected. She then deciphered what Ms. Barber was asking. Ms. Muenz explained why the rates change in some scenarios and not in others, and the advantage of having a gallon base.

Ms. Gallagher read a letter from Jerome resident David Soule².

Ms. Moore said Mr. Soule made valid points. She said she does not like to consider water a commodity and that Jerome cannot be compared to towns with aquifers. She wished more people were at the public hearing to weigh in.

Ms. Harvey suggested that Kristen's examples be sent out with the next utility bill.

(1:08:58) Jerome businessowner John Bartell wrote in the chatroom that he had a printout he wanted to share. He read it aloud. He addressed "brownout" and that people who use the most water want to continue getting it for free. He also shared statistics regarding water use.

Mayor Dillenberg shared a comment from Jerome resident Cameron Sinclair posted in the chatroom³ regarding water rates for B&Bs. Ms. Harvey said most of the local B&Bs are using about the same amount of water as a regular family household. After a few comments from the mayor about community involvement, Ms. Gallagher suggested continuing the public hearing to October 12.

Ms. Harvey suggested notification of the next public hearing be sent out with the town bill. Ms. Moore suggested adding an out-of-town example to Kristen's scenarios.

¹ Mr. Felix's letter is included at the end of these minutes.

² Mr. Soule's letter is included at the end of these minutes.

³ Because the Zoom "chat" included several comments from the public, a transcript of the chat of this Zoom meeting is included at the end of these minutes.

Motion to continue the public hearing to October 12, 2021

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

8:18 (1:17:50)

ITEM #9B: JEROME PROPERTY IN CLARKDALE

Council will discuss options for the use or disposition of the property owned by the Town of Jerome located in Clarkdale adjacent to the Jerome Valley Cemetery.

Mr. Knight shared background on the 30-acre property, which was granted to Jerome in the early 20th century. He said it had been appraised in 2017 when the town considered selling some or all of it, and that 4 to 5 acres of it comprises the cemetery. He mentioned that Dave Garner, who has been cleaning up the cemetery on a volunteer basis, has ideas for how to maintain it, something to be discussed at a future meeting. Mr. Knight listed options for consideration: 1) develop the property; 2) obtain a development partner; 3) lease the property, perhaps to a vintner (although Clarkdale does not allow this type of use in this area); 4) sell it; 5) do nothing.

Ms. Moore said she would like Jerome Town Council to meet with the Clarkdale Town Council to talk about a mutually agreed-upon project they could work on together. If affordable housing were to be considered, maintaining ownership would be a way to control rent.

Mayor Dillenberg said that since the road adjacent to the property is private, nearby homeowners would need to be included in any discussions.

Ms. Moore said that in a 2005 proposal to Clarkdale to build homes on 16 one-acre parcels, Clarkdale wanted Jerome to pave the road; however, they were not keen on adding 16 houses to the area at that time.

Ms. Gallagher asked for clarification on staff direction.

Vice Mayor Worth suggested considering the joint meeting with Clarkdale a workshop and not a formal meeting and scheduling it sooner than later. Ms. Gallagher clarified that it would be a public meeting.

8:27 (1:26:45)

ITEM #9C: FRIENDS OF JEROME

Mayor Dillenberg will update Council on the initiative to create a "Friends of Jerome" nonprofit.

Mayor Dillenberg said Jerome residents Mimi and Chuck Romberger have been working on the nonprofit's website and have registered Friends of Jerome as a 501(C)3.

Ms. Harvey said rumors have circulated about what the mayor and the Rombergers were going to do with the money generated through the nonprofit. Mayor Dillenberg joked that they were going to buy a plane, then said they did not have a steadfast plan for what they would do with the money. He said talks have been had about ways to raise money and getting donations. Mayor Dillenberg said he wanted the rest of the councilmembers to give their input.

Ms. Moore said it would be helpful to know how the money would be used before someone would want to donate. Mayor Dillenberg agreed and said he wasn't going to determine this on his own; he wants council input.

Ms. Harvey called point of information and said it has been discussed at past meetings that monies would go toward the infrastructure. Mayor Dillenberg said this would be fine; whatever way it would help the town.

Ms. Barber asked Ms. Gallagher to clarify what Ms. Harvey had stated. Ms. Gallagher said she would have to verify this, but she believes that there are restrictions on how a nonprofit's money can be spent, and that it would need to be separate from the town government. A brief discussion ensued.

8:32 (1:31:37)

ITEM #9D: DRAFT ORDINANCE REGARDING SPECIAL EVENTS

Council will review an updated draft of an ordinance regarding special events and continue their discussion regarding same.

Ms. Gallagher stated that the new draft of this ordinance was based on past discussions. She said Town Attorney Bill Sims had suggested alternative language regarding required parking at the 300 level for larger events. She explained further.

Ms. Moore said after reading over Mr. Sims's suggested text, she thought perhaps it was not legal to require attendees of large events to park at the 300 level. Ms. Gallagher said enforcement would be the challenge. Ms. Moore then referred to permit issues in Section 10-3-4-G and wondered how a business would be able to anticipate the number of attendees at an event. She gave the example of a shop with a max capacity of 40 people and 200 show up and form a line down the street. Ms. Gallagher said a permit would not be needed, but a police officer to control the crowd might be.

Ms. Moore said she had trouble understanding certain passages but was otherwise fine with the draft.

Mayor Dillenberg agreed with Ms. Gallagher's suggestion to include a first reading on the next agenda. Ms. Gallagher welcomed any further input from the Council in the meantime.

8:38 (1:38:11)

ITEM #9E: PLANNING AND ZONING FEES

Council will review recommendations of the Zoning Administrator regarding changes to planning & zoning fees and may direct staff in this regard.

Mr. Knight said he thought that fees should be commensurate with the size of the project, i.e., larger projects should pay higher fees. He referred to the table in the agenda packet.

Ms. Harvey went over her questions and comments and said that several elements of the fee schedule need to be defined. She expressed that the fee to hold neighborhood meetings that require several members of town staff to be present should be increased and that residents who require multiple building permit extensions should be charged a penalty fee. Ms. Harvey said the charge for annexation should be higher.

Mr. Knight said that work done without a building permit should double the price of the application fee as a.

Ms. Barber asked Mr. Knight how he came up with the fees for Board of Adjustment appeals and appeals to council. He explained that he looked at other towns and not just Clarkdale to compare fees and said that attorney fees need to be considered. Mr. Knight also clarified the types of appeals and that the fee is waived for an appeal that is upheld regarding a staff decision determined by the Board to be erroneous. Fees for variances would not be waived.

Ms. Moore agreed with the fee amounts for conditional use permits (CUPs). Ms. Harvey also agreed and said that the fee for a commercial CUP should cost more since it's a money-making endeavor; a resident is just building a home.

Mr. Knight asked if Ms. Harvey meant the CUP fee should be determined by the type of use proposed or by the zone in which it is located. He gave Rich and Juarez Streets as examples of commercial zones with residential uses. Discussion ensued about the variety of types of CUPs. Mr. Knight felt the type of use should define the fee.

Ms. Harvey commented on the high fees for appeals in nearby towns. Mr. Knight said attorney fees need to be covered and the fee to appeal should be affordable but high enough to deter trivial appeals.

8:53 (1:53:05)

ITEM #9F: AFFORDABLE HOUSING

Council will discuss opportunities and tools to implement affordable housing in Jerome.

Ms. Harvey said she did not see any solutions in the report from Mr. Knight, who shared a few ideas of possible affordable housing: parcels on Diaz Street; Hotel Jerome; Town Hall/mixed use; density "bonuses"; guesthouses; mixed use in the commercial district; and the old high school.

Vice Mayor Worth said the League is promoting this issue at the state level and will be a topic at the national League conference.

ITEM #10:

NEW BUSINESS

7:08 (7:46)

ITEM #10A: JFD HALLOWEEN PARTY

Council may approve a request by the Fire Chief to hold the Fire Department's annual Halloween Party and Dance outdoors at the basketball court.

Chief Blair announced that Llory McDonald and Combo Deluxe would be playing at the Halloween dance instead of the Naughty Bits, who cancelled due to COVID. He said that the music will stop at midnight as requested and explained the logistics of and reasons for holding the event outdoors.

Mayor Dillenberg asked if the music could end at 11 p.m. Chief Blair explained why midnight was justified (e.g., added expenses and effort to produce the event, liquor license is in place, latecomers, etc.). Other councilmembers thought midnight was reasonable.

Ms. Moore inquired about security and safety precautions near the sliding jail. Chief Blair said the map in the agenda packet shows that the area will be fenced, and the sliding jail blocked to prevent entry.

Motion to allow the annual Halloween party to be held outdoors by the Sliding Jail

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

7:15 (15:06)

ITEM #10B: WAIVER OF FEES FOR SPECIAL EVENT LIQUOR LICENSES

Council may approve requests by the Jerome Chamber of Commerce and the Jerome Fire Department for a waiver of the \$75 fee to the Town for processing of Special Event Liquor Licenses.

This was discussed briefly.

Motion to waive the fees for special event liquor licenses for the JFD Halloween party and JCC town dinner

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

7:16 (16:03)

ITEM #10C: TEMPORARY BANNERS

Council may approve a request by the Fire Chief for the placement of certain temporary banners on Town property.

Chief Blair listed several examples of temporary banners that have been displayed on town property, including the annual VW Club event. Chief Blair noted that this group donates to the Fire Department. He proposed that events which benefit the town be allowed to display their banners on town property with a waiver of the maximum size requirements stated in the zoning ordinance.

Ms. Harvey suggested limiting the size of temporary banners even for town or town-sponsored events. Chief Blair gave more examples of the sizes of banners, including one for a national fire event that was 40 square feet. Ms. Harvey said the sign ordinance would need to be revised and suggested allowing banners up to 24 square feet but that anything larger would need approval.

Chief Blair said he was requesting a waiver for the current fire prevention banner.

Mr. Knight said the ordinance for temporary signs is amid revision, so this would be a good time to make this change to it. Ms. Gallagher asked for clarification on the motion.

Chief Blair said he would like approval for all town-sponsored events, i.e., those that benefit the town, like the Volkswagen Club event.

Ms. Harvey said she was willing to revise her motion to include town-sponsored events only (not just the national fire prevention banner), but not events like the one produced by the VW Club.

Ms. Moore pointed out any event could claim to benefit the town, so best to avoid this.

Ms. Gallagher asked if the national fire prevention banner was to be included as approved. Ms. Harvey said yes.

Chief Blair asked if the Art Walk or Ghost Walk banners would be included. Ms. Harvey said they were chamber as

Chief Blair asked if the Art Walk or Ghost Walk banners would be included. Ms. Harvey said they were chamber and historical society events, respectively, not town-sponsored events.

Motion to waive the ordinance requirements regarding temporary banners for town-sponsored events and the National Fire Prevention banner.

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

8:59 (1:58:36)

ITEM #10D: LIQUOR LICENSE – THE MINE CAFÉ

Council will review an application by the Mine Café for a Series 12 liquor license, and may recommend approval or disapproval, or take no action.

Motion to recommend approval of a Series 12 liquor license for the Mine Café

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

9:00 (2:00:15)

ITEM #10E: INTERGOVERNMENTAL AGREEMENT WITH CITY OF COTTONWOOD FOR POLICE DISPATCH SERVICES

Council will review and may approve an IGA with the City of Cottonwood for police dispatch services.

Ms. Gallagher said this was an agreement that Chief Muma has been working on for months and that he would very much like to move dispatch services from Camp Verde to Cottonwood. She said Mr. Sims has also reviewed and approved it.

Motion to approve the IGA with the City of Cottonwood for police dispatch services

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

9:01 (2:01:02)

ITEM #10F: INTERGOVERNMENTAL AGREEMENT FOR E-RATE SERVICES

Council will review and may approve an IGA with Yavapai County for discounted internet service through the E-Rate program.

Ms. Gallagher said this would be a renewal of an existing agreement and that Mr. Sims has reviewed and approved it. Following a brief discussion,

Motion to approve the IGA with Yavapai County for E-Rate Services

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

9:02 (2:02:21)

ITEM #10G: 2021 LEAGUE CONFERENCE

Mayor Dillenberg, Vice Mayor Worth and Zoning Administrator John Knight will discuss their experiences at the 2021 conference of the League of Arizona Cities and Towns.

Mayor Dillenberg said that attending the League Conference was a very positive and great learning experience.

Mr. Knight said it was his first League conference and he was impressed with how much they do for towns. He said that the award ceremonies did get tiresome, but he learned a lot and said the League was a worthwhile organization for Jerome to support.

Mayor Dillenberg said the award recognizing Ms. Moore's distinguished service stood out, and held her award up for everyone to see.

Vice Mayor Worth shared her observations of and enthusiasm for the conference. She reviewed sessions she had attended; spent time with members of Flagstaff's city council, which is going through some upheaval; and was pleased to see Senator Mark Kelly speak at the awards luncheon. The vice mayor said the presentations would be available online.

ITEM #11:

9:11

TO AND FROM THE COUNCIL

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

Ms. Barber said that if the town hall parking lot is not going to be paved, then it at least needs to be repaired. She also said that signs have been vandalized in Upper Park; that a sign needs to be posted by the horseshoe pits stating children must be accompanied by adults, and that the NO DOGS sign is no longer visible.

Ms. Moore requested a special meeting regarding the wastewater treatment plant.

Ms. Harvey brought up the issues residents have been having with tour companies. Ms. Gallagher said a letter had just been sent to the three tour company owners reminding them of their obligations to abide by town code.

Ms. Moore asked Ms. Gallagher to share the email received from a resident about the tour companies with the other councilmembers. Mayor Dillenberg requested that the letter sent to the tour companies also be shared with Council.

Ms. Gallagher acknowledged that this was Mr. Knight's last meeting as Jerome's zoning administrator and wished him luck. Ms. Moore thanked him for helping the town through some difficult situations. He said Jerome was "a small town with big problems."

ITEM #12:

ADJOURNMENT

Motion to adjourn at 9:18 p.m.

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

APPROVE:	ATTEST:	
Dr. Jack Dillenberg, Mayor	Candace B. Gallagher, CMC, Town Manager/Clerk	_
Date:		

ADDENDUM #2 – 10/12/21

Two articles provided by Councilmember Harvey for consideration along with Item 7B.

Q



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Montana Manufacturing Extension Center / News and Events / How much water is used to make a gallon of beer?

How much water does it take to manufacture a gallon of beer?

Paddy Fleming, MMEC Center Director MAY 13, 2019

Common sense would lead us to think that the number would be something just shy of 1 gallon of water. What we don't think about is the washup water that is being used. The best breweries in the world can make 1 gallon of beer and washup with 2 gallons of water. The water use ratio in this case equals 2. In Montana, our breweries have water use ratios of 4 to 8. That means that every gallon of beer that is manufactured in Montana requires anywhere from 4 to 8 gallons of fresh water.

Why does that matter? The number of breweries in Montana is growing fast. According to the Montana Brewers Association, the number of breweries doubled from 2012 to 2017. Montana's breweries are now manufacturing approximately 23 million gallons of beer annually. Impressive numbers, and the Montana economy is better off as a result. If we assume that our breweries have an average water use ratio of 6, our breweries are using approximately 139 million gallons of fresh water per year. Is that bad? Well, it takes a lot of electricity to pump that much water out of the aquifer. Both the electricity and the water could probably be put to better use elsewhere, and both cost the breweries money.

Another issue is discharge. If Montana's breweries are using 6 gallons of water to produce 1 gallon of beer, 5 of those gallons are being discharged to our municipal sewer systems or septic systems. Our Montana municipal sewer systems and septic systems are processing about 115 million gallons of brewery waste water per year. Does that matter? That depends on where the brewery is located. Some municipal sewer systems welcome the brewery wastewater to balance other discharges. In other areas, the municipal sewer systems can't handle anymore brewery discharge.

As a brewer, why should you care? First of all, it's good to be aware of your water usage and how it impacts your operations and your community sewer system. You can then consider how to use that information as you manage and grow your business:

- Do you know what your water use ratio is? You can look at your water bills and your production records to determine your water use ratio fairly quickly.
- Would improving your water use ratio reduce your operational costs? Given the low cost of water in Montana, reducing your water use ratio may not result in the greatest return on investment but, your customers are getting more educated and they are paying attention.

Would improving your water use ratio set you apart in the marketplace? With nearly 80 breweries in Montana, how are you different from your competition? One of your competitive advantages could be that you use less water than your competitor.

Contact Paddy at pfleming@montana.edu or 406-994-3812

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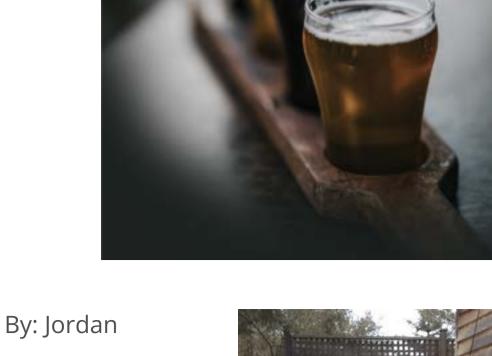
BUYERS GUIDE

EVENTS

June 1, 2019 Food in Canada

beer

■ MENU



Whitehouse Craft beer

continues its boom in this country, and there are no signs of it slowing any time soon. In 2013, there were 380 breweries across Canada.



brewer put it, there's a "dirty little secret" associated with this boom that many craft brewers don't want to talk about: a lot of water gets used and wasted before their beer actually reaches a pint glass. According to Ontario environmental non-profit the Bloom Centre, a craft brewery with poor conservation policies could equal the water usage of 20,000 residents. Put another way, the average craft

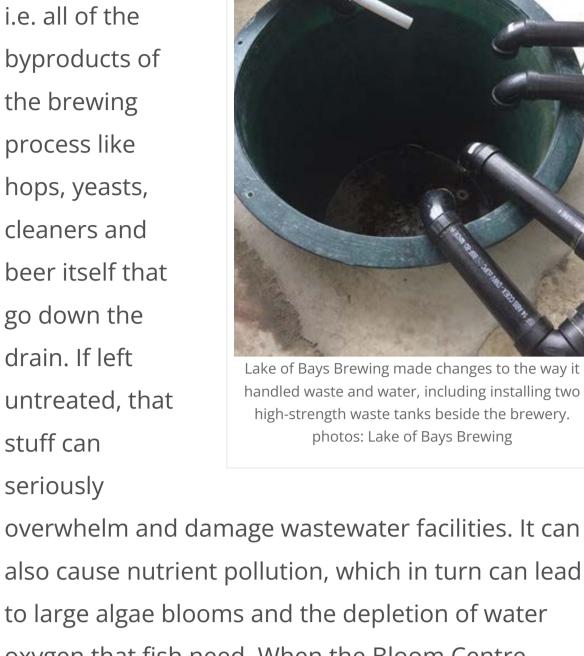
different than a Blue or a Keith's. But, as one craft

brewer uses up to eight litres of water just to make one litre of beer — and some a lot more than that (large brewers like Molson Coors typically use between three and five litres of water per litre of beer). The bigger problem, however, could be wastewater i.e. all of the

the brewing process like hops, yeasts, cleaners and beer itself that go down the drain. If left untreated, that stuff can seriously oxygen that fish need. When the Bloom Centre started its Water and Beer initiative in 2012 — a program meant to help brewers manage their water

should have been.

byproducts of



thinking about wastewater. "Right when we first opened and were commissioning our production system, we had an incident where we had some beer that we made that we didn't want to sell to the public. Not knowing any better, we put it right down the drain. That caused some serious issues at the wastewater plant, and so it was an issue on everybody's radar right from the get-go." Smith says they tried a few different stop-gaps over the next few years, but as the brewery grew, so did its wastewater problem. By 2016, the municipality was knocking at the door again, saying they seriously

needed to reduce the strength of what they were

putting down the drain. And so they did, installing

brewery that can capture high-strength waste until

it's later trucked offsite. They also installed a flow

balancing tank for low-strength discharge that can

two large underground tanks right beside the

and resources — it found that some craft breweries'

wastewater was many times the strength that it

Baysville, Ont. Lake of Bays Brewing was one of

this tiny Muskoka village in 2010, he wasn't even

them. When Darren Smith launched the brewery in

adjust the strength of that wastewater before it goes to the sewer. But the biggest thing they did, says Smith, was getting brewery staff to think differently about what they were dumping. "We came up with a little rule of thumb called 'colour, chunks and acid.' If what you were about to put down the drain met any of those restrictions, it went to the high-strength drain. If not, it could probably go to the low-strength drain." So far, it's all paid off. Smith says the strength of what's now being sent to the municipality is 90 per

surcharges for straining the system, says a source with in-depth knowledge of the water practices of the craft beer industry who wishes to remain anonymous. "Part of the issue here is that you don't know what you don't know if you don't measure. And

you don't know what you don't know if someone isn't

knocking on your door telling you that you're causing

So why aren't more municipalities knocking on those

cent lower than what it was. "I think they're happy

The Lake of Bays example is an exception rather

than rule, however, as many breweries don't hear

from their municipalities, let alone receive consistent

with us now."

issues."

beer, or less.

doors? "Because of the tourism aspects, the economic development," says the anonymous source. "There's always this tension within cities and regions and towns between economic development and environmental regulations." There is one notable exception, though: Vancouver. The city wants to become the greenest city in the world by 2020, so when commercial water consumption went up by 10 per cent between 2013 and 2014, something had to be said. And the city said that a part of that increase was due to the

proliferation of craft breweries. The hope was that

most craft breweries would reduce their water

consumption to seven litres of water per litre of

specifically aimed at fermentation operations. It

A year later, the city also passed a wastewater bylaw

requires every brewery to remove solids from their wastewater, as well as monitor and treat wastewater pH, and pay treatment fees depending on their production volume. As positive as these announcements were, however, the follow-through has been questioned by some. Take Luppolo Brewing Company, for example, which opened in craft-heavy East Vancouver in 2016. As they went through all of the bureaucracy of

launching, no one mentioned water efficiency.

"There was never any mention of it from any level,"

if you were a large brewery, they'd worry about it.

But still, if you have 10 or 15 small breweries, that

The same is true on the wastewater side, says Parfitt.

themselves, but I've heard nothing. And when they

"A few times they've come and taken samples

adds up to a lot of water consumption."

says head brewer and co-owner Ryan Parfitt. "Maybe

were taking those samples, they said to me, 'We don't know really what we're looking for. We're going to take these samples, look at them all, put them on a chart or a graph and try to make some decisions as to what our threshold is going to be for acceptable levels.' That was two years ago." This hasn't stopped Parfitt and other breweries in Vancouver from taking water management seriously, however. At Luppolo, they do everything they can to prevent clean water from going down the drain, recovering, for instance, heat exchanger and steam

condenser water, and using refractometers instead

of large volume gravity samples, which can waste a

lot of water. They're also looking into other measures

like collecting rainwater to use for low-level cleaning.

Outside of Vancouver, some breweries are taking

water management seriously of their own volition,

breweries with stated water management practices

too (though it should be noted that several

on their websites were contacted for this story and never responded). Toronto's Steam Whistle Brewing is one. In 2008, the company installed a new brewhouse that reduced water consumption by about 75 per cent, and recently they launched a program to conserve even more water through the installation of a new bottle washer, keg-filling line and shower heads on their packaging line. Environmental stewardship has always been a focus at Steam Whistle, says VP of marketing Tim McLaughlin, but there's an economic imperative at

work here as well. "It's something that just makes

sense from a business standpoint because those

Still, admits McLaughlin, it can be expensive to

the bottom line."

efficiencies in terms of water also help contribute to

implement some of these efficiencies, and that's likely another big reason why craft breweries particularly the small ones — are unable or unwilling to do anything about reducing water consumption or properly treating wastewater. It doesn't have to be that way, however, says the anonymous source. "The challenge in the food and beverage space is that there are a lot of companies that are selling solutions that deal with the end of the pipe — like putting a treatment system at the

end. If you're not doing anything to make it weaker

by improving your practices, then of course any

quote you get to deal with it is going to be bloody expensive. So I think there's a disconnect right now between some of the service providers not either wanting to or not having the time to understand the nuances of different sectors." Couple that with inaction from provincial and municipal authorities, and it's a recipe for continued inertia, the anonymous source says. "If the ministries or the municipalities got a little tighter on regulation, in a roundabout way it would

actually improve not only the bottom line for a lot of

craft breweries, but it would actually improve their

footprint. But there's that bubble of pain for a while,

especially if people kick it down the road and then

have to react, as opposed to being proactive."

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JEROME POLICE DEPARTMENT

ALLEN L. MUMA, CHIEF 305 MAIN STREET POST OFFICE BOX 335 JEROME, ARIZONA 86331 (928) 634-8992 FAX (928) 649-2776



October 6, 2021

TO: Honorable Mayor and Jerome Town Council

FROM: Allen Muma, Chief of Police

Attached please find the police activity reports for September 2021.

The September "Calls for Service" report contained no significant single incidents to report. Call volume for September continued to be above average.

The parking kiosks brought in \$25,617.70 (as well as cash in the amount of \$3,320.00 at the PD due to the continued problems with the kiosks) for the month of September 2021. In comparison to last year's revenue of \$17,353.95 for the same time period, our price structure change has resulted in an increase income of about 65%.

There were 349 parking citations that were issued for the month of September, the increase number of citations were due to adding the extra parking compliance officer on the days that we had nobody. Parking kiosk maintenance continued to be a problem for the month of September, however it has improved and we currently are having problems primarily with one kiosk.

I continue to work on the dispatch change. We have a planned changeover of November 1, 2021.

I have completed the permit process for approval from ADOT for the speed display feedback signs for Highway 89A in Jerome. The equipment has arrived, the permit application and supporting documents were submitted in August, but I am still waiting for final approval from ADOT before I can install them.

Allen L. Muma, Chief of Police

JEROME POLICE DEPARTMENT 305 MAIN STREET

JEROME, AZ 86331 (928) 634-8992 Date: 10/08/2021
Page: 1
Agency: JPD

Calls For Service Totals By Call Type

09/01/2021 to 09/30/2021

Call Type	9	Totals	
10-34	Motorist Assist	2	
205	Trespass	2	
240	Assault	1	
459A	Burglar Alarm	1	
487	Theft	1	
500	Welfare Check	1	
647A	Suspicious Person	3	
666A	Suicide Attempt / Report	1	
903	Follow-Up	4	
908F	Found Property	8	
908L	Lost or Stolen Property	4	
961	Accident - No injuries	4	
ACP	Assist Cottonwood PD	2	
ACPD	Assist Clarkdale PD	2	
ADPS	Assist DPS	3	
AF	Assist Fire Department	4	
AYCSO	Assist YCSO	3	
BD	Barking Dog Complaint	2	
BI	Background Investigation	1	
CA	Citizen Assist	2	
DIS	Disorderly Conduct	4	
DSE	Dundee Speed Enforcement	1	
DUI	Driving Under the Influence	1	
DUIT	DUI Task Force	1	
ES	Escort Services	2	
FF	Family Fight	1	
FP	Foot Patrol	2	
FPF	Fingerprinting	3	
FW	Fireworks Related	1	
HAR	Harrassment	1	
HSE	Hampshire Speed Enforcement	12	
INFO	Information	2	
ME	Medical Emergency	2	
NR	Narcotics Related Incident	1	
OA	Officer Assist	1	
OT	Oversize Truck	4	
PARK	Parking Complaint	2	
PE	Parking Enforcement	26	
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JEROME POLICE DEPARTMENT 305 MAIN STREET

JEROME, AZ 86331 (928) 634-8992 Date: 10/08/2021
Page: 2
Agency: JPD

Calls For Service Totals By Call Type

09/01/2021 to 09/30/2021

Call Typ	De Company	Totals	
PKM	Parking Kiosk Maintenance	3	
REC	Reckless Driver	1	
SC	Security Check	28	
SS	Suspicious Situation	3	
T/S	Traffic Stop	1	
TCD	Traffic Control Duties	3	
TF	Trip & Fall / Slip & Fall	1	
TO	Traffic Offense	4	
TRN	Training	8	

Grand Total for all calls

170

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INFORMATION PROVIDED BY COUNCILMEMBER JANE MOORE FOR ITEM 7B

Gosling Czubak Engineering Sciences, Inc.

Source:

http://www.goslingczubak.com/news-resources/news/effects-of-brewery-wastewater-on-treatment-plants.html

Introduction

During the past decade, the number of microbreweries has increased substantially in Michigan. While the product and the employment created by these microbreweries can be a boon to a small community, wastewater from the brewing process and brewery equipment cleaning can cause problems for wastewater treatment plants.

Background

Wastewater from breweries can contain highly elevated levels of BOD_5 , suspended solids, ammonia, and phosphorus. The wastewater can include rinse water from brewing vessels along with other more thorough cleaning processes. The BOD_5 component in the wastewater comes from the sugars, grains, and yeasts used in the brewing process. The phosphorus is likely contained in products used to clean bottles, kegs, brewing vessels, and floors. Unless the brewery has specialized procedures and tanks for handling wastewater, most of the waste is washed into the municipal sewer.

Smaller wastewater treatment plants may have trouble dealing with the high strength wastewater, potentially causing a permit violation.

Discussion

Although the wastewater volume may not be problematic, the high strength waste can contribute a significant share of a treatment plant's overall organic load.

It is not uncommon for a brewery's wastewater to contain a concentration of BOD₅ more than 20 times stronger than wastewater from a home. Phosphorus concentrations can be 5 to 10 times more than domestic wastewater. At these concentrations, a moderate amount of wastewater volume can contain a large portion of a treatment plant's organic load.

For example, in one small community, a microbrewery's wastewater comprised about 3% of the total influent volume to the treatment plant but more than 40% of its organic load. The high organic load taxed the treatment plant's aeration system making compliance with the discharge permit challenging.

In addition to increasing aeration requirements and the resulting electrical power costs, the high organic load also increased the plant's sludge production and triggered high strength wastewater surcharges to the brewery.

Modifying Wastewater Strength from Microbreweries

It may be possible to reduce the wastewater strength from microbrewery facilities. A reduction in the wastewater strength has the advantage of reducing the loading on the municipal treatment plant and potentially reducing high-strength wastewater surcharges to the brewery.

Some of these measures may be easy for the brewery to implement and others, such as installing pretreatment systems may have a significant cost.

It is important to meet with the operators of the brewery and help them understand the effect of their wastewater discharges on the treatment system. Similarly, it is important that treatment plant operators understand the nature of the processes and the obstacles that the brewery may have in reducing their waste strength.

Sometimes, modification of cleaning procedures or use of alternative cleaning compounds can reduce loading to the plant. Another alternative may be diversion of the high strength waste to holding tanks and transporting it to another treatment facility with capacity to handle the waste.



TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331 (928) 634-7943

Zoning Administrator Analysis Planning and Zoning Commission Wednesday, September 15, 2021

Item 4: Conditional Use Permit for Microbrewery

Location: 416 Hull Avenue

Applicant/Owner: Denise Maurice/Charles and Michelle Romberger

Zone: C-1

APN: 401-06-078D

Prepared by: John Knight, Zoning Administrator Discussion/Possible Action – P&Z Reso. 2021-16

Summary: The applicant requests approval of a Conditional Use Permit (CUP) to allow use of an existing building for a microbrewery with a tap room. In addition, the applicant is requesting a code interpretation that a microbrewery is similar to one of the other uses conditionally permitted in the C-1 Zone (see discussion below regarding use).

Use Interpretation: Sections 507.B.19 and 507.C.13. of the zoning ordinance include language that allows the Planning and Zoning Commission and Town Council to approve uses that are not specifically listed in the ordinance. Section 507.B.19 refers to permitted uses and Section 507.C.13 refers to conditionally permitted uses. The code states the following.

Any other such uses as determined by the Planning and Zoning Commission and approved by the Town Council to be similar to those uses listed above and not detrimental to the public health, safety and general welfare in accordance with the provisions of this Ordinance.

Response: The Commission has the authority to recommend approval of a use that is not specifically listed in the ordinance. As noted, the Commission's recommendation will be forwarded to Council for final approval. This is tentatively scheduled for the October meeting (if recommended for approval by the Commission).

Background: Microbreweries were not common in Arizona until the late 1990s. Since the zoning ordinance was originally adopted in the late 1970s, microbrewery was not listed as a permitted or conditional use. However, the Commission and Council have the authority to allow non listed uses if there is a similar use identified in the code. There are two uses that could be considered similar. These include bars (Section 507.C. 5.) and spirituous liquor tasting facilities. Bars and restaurants are listed as permitted uses, while spirituous liquor tasting facilities are listed as conditional uses. The applicant has asked that the proposed use be classified as a spirituous liquor tasting facility, as opposed to a bar. These two options are discussed below.

Option #1 – Bar: Section 507.C.5., under permitted uses, reads as follows:

Establishments serving food or beverages inside a building such as: restaurants, cafes, coffee shops, bars, taverns, cocktail lounges, excluding entertainment and dancing in connection therewith.

The proposed use is similar to a bar in that it serves an alcoholic beverage; in this case, just beer. However, it differs from a bar in several ways. The primary difference relates to the type of liquor license required. The state of Arizona requires microbreweries to obtain a Series 3 license. This prohibits the sale of other alcoholic beverages and requires that 80% of the beer sold be produced on site. For reference, a bar requires a Series 6 license and allows for sale of all types of spirituous liquor.

Option #2 – Spirituous Liquor Tasting: Section 507.C.15 lists spirituous liquor tasting as a conditional use. The code defines this use as follows:

Spirituous Liquor Tasting Facility - An establishment promoting the retail sales of vinous, spirituous or malt liquor to consumers, and allowing tasting of those vinous, spirituous or malt liquors on the premises of the tasting facility. A vinous, spirituous or malt liquor tasting facility may include snacks, not meals, to consume with vinous, spirituous or malt liquor as a complement to but not as the primary function of the tasting facility. Vinous, spirituous or malt liquor tasting facilities may not include dining room seating. Vinous, spirituous or malt liquor tasting facilities may have an "Other Food" License for ware washing and appetizer preparation only, not for meal preparation. A vinous, spirituous or malt liquor tasting facility shall not have a Series 12 restaurant liquor license.

Even though microbrewery is not specifically listed in the definition, there are several uses identified that are very similar. These include the sale and tasting of wine (listed as vinous), spirits (distilled alcohol) and malt liquors (typically defined as beer with an alcohol content exceeding 6%). The applicant believes the proposed use is most similar to wine tasting. The applicant notes that many of the customers will order flights of beer for tasting purposes rather than a full glass of beer (see attached email from the applicant). Note that this definition restricts the serving of food to appetizer preparation only (no full meals). The applicant does not intend to serve full meals and will limit food to snacks and appetizers.

Parking: The parking requirement will vary depending on whether the proposed use is determined to be a bar or a spirituous liquor tasting facility. A bar requires 1 space per 6 seats while a spirituous liquor tasting facility requires 1 space per 300 square feet of usable area. If classified as a bar, the proposed business would likely be required to obtain additional parking, which would be very difficult. Since the existing business is a retail establishment, it has the same parking requirement (1 space per 300 square feet) as a spirituous liquor tasting facility. Like many businesses in town, the building does not have any off-street parking. If changed to another use, the new use cannot increase the nonconformity. In other words, the applicant would not be allowed to establish a more intensive use on the site than currently exists (without providing additional parking).

Code Compliance:

Section 302.B.1. General Regulations: Zoning district regulations established elsewhere in this Ordinance specify that certain buildings, structures and uses of land may be authorized by the Commission as Permitted Conditional Uses in a given district subject to the provisions of this Section and to requirements set forth in district regulations. The Planning and Zoning Commission is empowered to make recommendations to the Town Council regarding granting or denying applications for use permits and to impose reasonable conditions upon them. Prior to becoming effective, all actions

by the Planning and Zoning Commission concerning a use permit application must be acted upon by the Town Council in accordance with the provisions of subsection 302 E.

Response: The Commission is "empowered" to make recommendations to the Council regarding granting or denying the proposed request and may add reasonable conditions. Note that conditions are included in the accompanying resolution. The Commission has the authority to modify or add conditions if necessary.

Section 302.D. Commission Actions and Findings:

- 1. It is the express intent of this Ordinance that any use for which a Conditional Use Permit is required shall be permitted as a Principal Use in the particular zoning district, provided that all special conditions and requirements of this Ordinance are met. Therefore, the action of the Commission shall be one of approval or denial based upon its judgment as to whether the specified conditions have been or will be met. The Commission shall consider not only the nature of the use and the special conditions influencing its location in the particular district, but also the proposed location of buildings, parking and other facilities within the site, the amount of traffic likely to be generated and how it will be accommodated, and the influence that such factors are likely to exert on adjoining properties. The Commission may make such suggestions as it considers desirable and shall provide all possible guidance to the applicant in his preparation of application, plans, and data in such manner as to satisfy the intent of this Section.
- 2. The Commission shall consider the application at their next regular meeting if the application was filed at least fifteen (15) days prior to such meeting. Otherwise it shall be carried over until the next regularly scheduled meeting. The Commission may reach a decision, continue the matter to a specified date (but not later than the next regularly scheduled meeting), or may set the matter for public hearing. Prior to holding a public hearing, a Neighborhood Meeting may be required in accordance with Section 306 of this Zoning Ordinance. If the Commission does set the matter for public hearing, notice thereof shall be given to the public by publication of a notice in the official newspaper of the Town and by posting the property included in the application not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered and a general description of the area affected.
- 3. In order to grant any use permit, the findings of the Commission must be that the establishment, maintenance, or operation of the use or building applied for will not be detrimental to the public health, safety, peace, convenience, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the Town.
- 4. The Commission may designate such conditions in connection with the use permit as it deems necessary to secure the intent and purposes of this ordinance and may require guarantees and evidence that such conditions are being or will be complied with.
- 5. If the Commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this Ordinance will be met, it shall deny the permit. Notice of denial, including reasons therefore, shall be mailed to the applicant at the address shown in the application, and the Commission shall report its actions to the Council at its next regular meeting.
- 6. If the Commission approves the application it shall direct the Zoning Administrator to draft a Conditional Use Permit setting forth all conditions and requirements governing such use,

- shall make the approved site plan a part of the record of the case, and shall submit the permit to the Town Council for action at Council's next regular meeting.
- 7. Failure of the applicant to comply with the conditions and safeguards which are a part of the terms under which a Conditional Use Permit is granted shall be deemed a violation of this Ordinance and punishable under Section 109.

Response: The Commission is required to review the proposed application and make findings for approval (included in the attached resolution). The Commission may also add conditions to ensure compliance with the approval.

Recommendation: The Zoning Administrator requests that the Planning and Zoning Commission review/discuss the proposed application, add/modify conditions if necessary, and make a recommendation to the Town Council. Note that the attached resolution makes a determination that the proposed use is similar to spirituous liquor tasting facility. Should the Commission wish to make a determination that the use is similar to a bar, the Commission should table the item and the applicant will be required to obtain additional parking (or find a different location with parking).

Attachments:

- P&Z Reso. 2021-16
- Application and supplemental information



TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331 (928) 634-7943

P&Z Resolution 2021-16 Recommending approval of a CUP for a microbrewery

Whereas the Town of Jerome has received an application from Denise Maurice for a conditional use permit to allow a microbrewery in the C-1 Zone at 416 Hull Avenue (APN 401-06-078D); and

Whereas a microbrewery is not specifically listed as a permitted or conditional use in the Jerome Zoning Ordinance; and

Whereas the applicant has requested that microbreweries be determined to be similar in nature to a spirituous liquor tasting facility which requires a conditional use permit (CUP); and

Whereas the Jerome Planning & Zoning Commission reviewed this application at their September 15, 2021, meeting; and

Whereas the Planning and Zoning Commission has considered not only the nature of the use and the special conditions influencing its location in the particular district, but also the proposed location of buildings, parking, and other facilities within the site, the amount of traffic likely to be generated and how it will be accommodated, and the influence that such factors are likely to exert on adjoining properties; and

Whereas the Planning and Zoning Commission finds that the establishment, maintenance, or operation of the use or building applied for will not be detrimental to the public health, safety, peace, convenience, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the Town; and

Whereas the Planning and Zoning Commission has designated conditions in connection with the use permit that it deems necessary to secure the intent and purposes of the Jerome Zoning Ordinance and may require guarantees and evidence that such conditions are being or will be complied with.

Now, therefore be it resolved that the Planning and Zoning Commission of the Town of Jerome, Arizona, recommends approval of this Conditional Use Permit by the Town Council, subject to the following conditions:

- 1. **No Outdoor Use** All business shall be conducted inside the proposed building. Any expansion of the use into outdoor spaces will be subject to obtaining a separate conditional use permit and may require additional parking.
- 2. **Outdoor Display and Storage** Outdoor storage or display of goods or materials shall be prohibited.
- 3. **Area** The usable area shall be limited to no more than the area that is currently being used for retail space which is approximately 450 square feet.

P&Z RESOLUTION NO. 2021-16

- 4. **Construction Hours and Noise** Construction and noise shall be limited between 8:00 pm and 7:00 am in accordance with Section 10-1-13.C. of the Jerome Town Code.
- 5. **Sign** A separate application for the Design Review Board will be required for approval of any signage.
- 6. **Other Improvements/Changes** Any subsequent modifications to the building or use will require additional review by the Planning and Zoning Commission and/or the Design Review Board.
- 7. **Building Permit Submittal and Code Requirements** The applicant shall consult with the Building Inspector and submit detailed drawings for building permits that clearly demonstrate compliance with all Code requirements.
- 8. **Liquor License** Prior to opening for business, the applicant shall obtain the necessary liquor license required by the Arizona Department of Liquor.
- 9. **Violation** Failure of the applicant to comply with the conditions and safeguards which are a part of the terms under which a Conditional Use Permit is granted shall be deemed a violation of this Ordinance and punishable under Section 109 of the Jerome Zoning Ordinance.
- 10. **Expiration of Approval** Any use permit issued by the Town Council shall be commenced within six (6) months from the date of Council ratification, and diligently pursued, otherwise it shall become null and void. If necessary, the applicant may request an extension by the approval body, if the extension is submitted prior to approval expiration.

Adopted and approved by a majority vote of the Planning and Zoning Commission on the 15th day of September 2021.

Rosa Cays, Deputy Town Clerk	Chairman Lance Schall	

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File #:			
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TOWN OF JEROME, ARIZONA

600 Clark Street, P.O. Box 335, Jerome, AZ 86331 (928) 634-7943

General Land Use Application - Check all that apply

General Land Ose Applica	tion - check an that apply				
☐ Site Plan Review \$100 ☐ Design Review \$50 ☐ Demolition \$50/\$200 ☐ Signage/Awning \$	25 Paint/Roofing \$0				
Time Extension \$0 Other:	Other:				
Note: Refer to the corresponding Project Application C	hecklist/s for additional submittal requirements.				
Applicant: Denise Maurice	Owner: Chuck and Mimi Romberger				
Applicant mailing address:	Property owner mailing address:				
12200 E. Hwy 69, Lot 41, Dewey, Az 86327	416 Hull Avenue, Jerome, Az				
Applicant role/title:					
Applicant phone: (443) 487-2955	Owner phone: (928) 239-9330				
Applicant email: deemaurice65@yahoo.com	Owner email: chuck.romberger@gmail.com				
Project address: 416 Hull Avenue, Jerome, AZ	Parcel number: 401-06-078D				
Describe project: Microbrewery with tap room brewing a	nd serving on site				
 I understand that review by the Jerome Design Review Board, Planning and Zoning Commission, and Town Council is discretionary. I understand that the application fee is due at submission and review will not be scheduled until fee is paid to the Town. I understand review criteria are used in evaluation by the Jerome Design Review Board and/or Planning and Zoning Commission. These criteria are included in the Jerome Zoning Ordinance. I understand that this application will not be scheduled for consideration until all required materials have been submitted and the application is determined to be complete. Applicant Signature: Date: 08/30/2021 Property Owner Signature: Date: 08/30/2021 					
Received from: For Town Use Only Received the sum of \$ 600 as: Check No. Credit Card By: Posa For: John Knight					
Tentative Meeting Date/s - DRB: P&Z:					

Page 1 of 1 Updated: 6/24/2021

Barn Star Brewery, LLC Denise Maurice and Keith Castro 12200 E. Hwy 69, Lot 41 Dewey, AZ 86327

RE: Intent for Use for House of Joy 416 Hull Avenue, Jerome, AZ 86331

Dear Mr. Knight,

We are seeking a permit to allow us to operate a microbrewery in the town of Jerome. Here are the details of our intent for use:

1. **Lessee**: Denise Maurice DBA Barn Star Brewery, LLC

2. **Property**: 416 Hull Avenue, Jerome, AZ 86331

3. **Description**: Approximately 450 square feet of usable commercial space on the 1st floor with a residence on the second floor and full basement.

4. **Use**: Basement will be used for brewing, 1st floor will be the tap room in which guest can sit and enjoy a cold craft brewed beer, 2nd floor will be used by the business owners as their place of residence.

5. Hours of Operation: Friday 3pm -10pm, Saturday 12pm-10 pm, Sunday 12-6

6. #Employees: Initially 2 (just us) but potential to hire 1 or 2 more employees

7. **Commencement:** Approximately Jan 1, 2022

8. **Term of Lease**: 36 Months

We look forward to working with you and the City of Jerome. Please let us know if you need further information.

Sincerely,

Denise Maurice and Keith Castro Barn Star Brewery, LLC

John Knight

From: Denise Maurice <deemaurice65@yahoo.com>
Sent: Wednesday, September 8, 2021 7:54 PM

To: John Knight **Subject:** Requested info

Hi John,

Here are some points Keith and I came up with:

Micro Breweries are very similar to wine tasting establishments.

The most popular order in a microbrewery is a beer flight.

Beer flights are 4-6 small servings (3-5 oz) of various beers that have been brewed on site and patrons will have an opportunity to purchase crowlers or growlers of beer to go which is similar to a wine tasting room in which patrons taste wine and purchase bottles of wine to go.

The series 3 liquor license will only allow serving of beers that are PRODUCED on-site. No outside beer, wine, mead, liquor is allowed which is vastly different than a bar or restaurant/bar.

The building we have chosen has a seating area of 438 sq feet.

A taproom is a place where on site brew is served and the name is interchangable with a tasting room for wine. Essentially a taproom is tasting room but for beer.

A series 3 microbrewery license also allows beer that has been brewed on site to buy and take home in growlers and crowlers. These are to-go sales in which the visitor is not staying to drink unlike a bar where the patrons are there to stay to drink.

Many patrons who visit Jerome will most likely be visiting Jerome to eat and shop and tour the city. The brewery will not be the only destination but we will offer merchandise and beer available to go so that visitors to Jerome will essentially be in and out

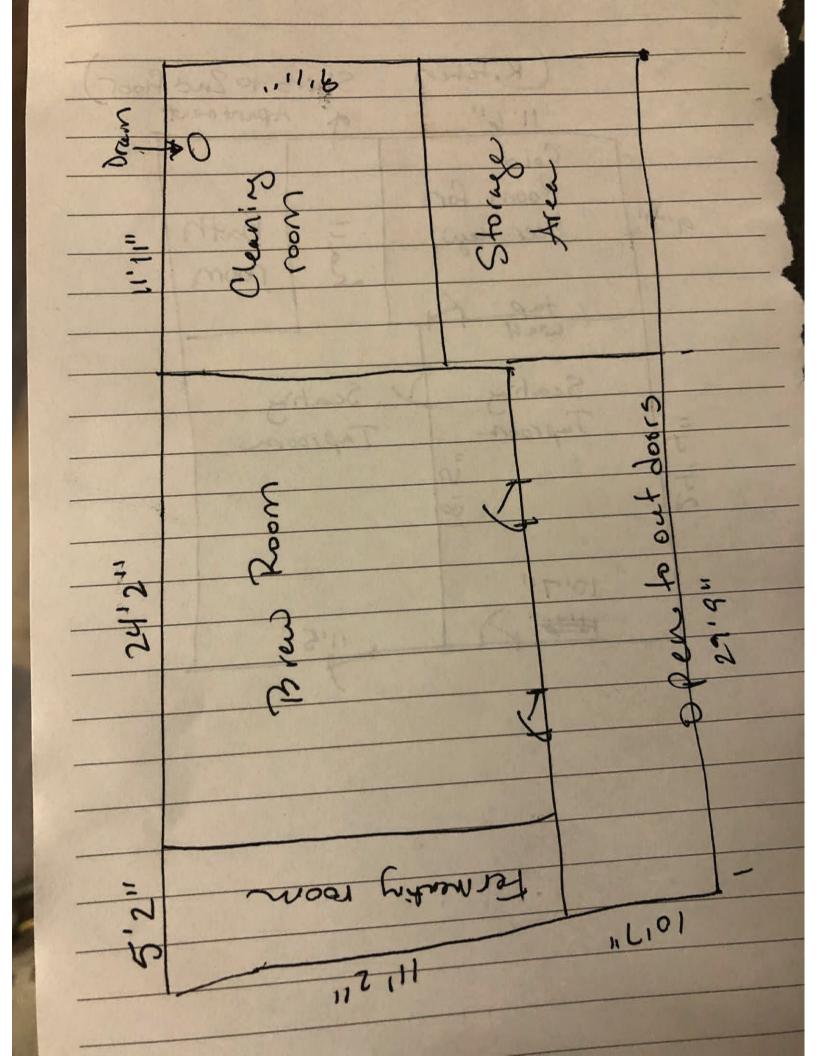
We also will be living in the same building where we work unlike the wine tasting places in which most owners do not live and work in Jerome.

I am also curious about the high school parking. Is the high school owned by the town or is it privately owned. Just thinking that it would be a good place to add parking and have the free shuttle make stops there.

Let me know what you think or if you need anything else. Fingers crossed.

Thanks for all your help,

Denise and Keith



Kitchen Strirs to 2nd floor)
A Apartment 11. 611 Cold Room for beer keys Scaling