

# TOWN OF JEROME

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

**MINUTES**  
**SPECIAL MEETING OF THE JEROME TOWN COUNCIL**  
**CONDUCTED VIA ZOOM**  
**TUESDAY, DECEMBER 7, 2021 AT 10:00 AM**

<p><b>ITEM #1:</b> 10:00 (0:08)</p>	<p><b>CALL TO ORDER/ROLL CALL</b></p> <p>Mayor/Chairperson to call meeting to order.</p> <p><i>Mayor Jack Dillenberg called the meeting to order at 10:00 a.m.</i></p> <p>Town Clerk to call and record the roll.</p> <p><i>Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Dillenberg, Vice Mayor Mandy Worth, and councilmembers Alex Barber and Jane Moore. Councilmember Sage Harvey was not in attendance. Also present were Town Attorney Bill Sims and Deputy Town Clerk Rosa Cays.</i></p>
<p><b>ITEM #2:</b> 10:01 (1:07)</p>	<p><b>AREA TRANSIT</b></p> <p>Council will discuss the possibility of Jerome’s participation in area transit services.</p> <p><i>Ms. Gallagher introduced Tod Morris, senior mobility planner with the Northern Arizona Council of Governments (NACOG), and Rudy Rodriguez, Deputy City Manager of Cottonwood.</i></p> <p><i>(3:32) Tod Morris shared a visual presentation and talked about the Jerome Transit Feasibility Plan. He said NACOG jumped in to help Cottonwood and Jerome figure out a good plan for this unique situation and said funding for the project would be available in October 2022. Mr. Morris stated that the transit service would be geared for residents, not necessarily for tourists, and that a service route would need to be determined based on need and interest of Jerome residents. He said what also needs to be determined is if the service is feasible, viable, and desirable, then shared the online survey results conducted last fall, filled out by 78 people, with over 80 percent stating they were Jerome residents. He said this was strong enough data to make determinations. Mr. Morris said most survey takers were aged 50+ who shared their needs for and access to transportation. He also talked about service considerations, such as busses in Jerome, budget, times and days of the week, impact on the supply of drivers, ADA paratransit service (determined by ADOT), and integration with existing Cottonwood area transit (CAT) routes, whose hub is at the Cottonwood Library. Mr. Morris said they were looking for a \$4,500 match from Jerome toward a total of \$9,000 per year to pay for the service. He said they are playing with “red route” adjustments to avoid a need for additional drivers or vehicles and evaluating navigation in Jerome. Mr. Morris said pickup in Jerome could be at the 300-level parking lot, although additional stops by the Sliding Jail and across from Puscifer on Main Street are also being considered. He said they would start with one day per week with a fee of \$1.25 one way that would include one transfer, which they would need because the route would only stop at the Cottonwood Library.</i></p> <p><i>Ms. Gallagher asked how often CAT busses go by the library. Mr. Morris said they leave every 45 minutes.</i></p> <p><i>Mr. Morris shared an example of a roundtrip to Walmart, which would cost a total of \$2.50 and would take a total of 145 minutes, including two transfers of busses. He then talked about the current “high level” door-to-door shuttle service Jerome offers on Wednesdays and asked if it would remain if public transit were established.</i></p> <p><i>Mayor Dillenberg said the town would maintain both if possible. Mr. Dillenberg asked if Walmart could be approached about free bus passes. Mr. Morris said he has not had much luck with other Walmarts in other rural areas but said he can look into it. Mr. Morris also said he was not sure what the ADA requirements are just yet, since it is an unusual route, and that it is an expensive service.</i></p> <p><i>He then asked if Jerome could make the \$4,500 commitment per year. Ms. Gallagher said it has been budgeted for the last two years in anticipation of adding the transit service.</i></p> <p><i>Ms. Moore asked if there would be other stops besides Walmart. Mr. Morris said Walmart was just one stop, which he simply used as an example. He presented a map showing other routes. Mr. Rodriguez said the routes stop at all grocery stores, pharmacies, medical clinics, and Yavapai College.</i></p> <p><i>Ms. Moore then suggested other stops in Jerome, including Hampshire Avenue at the high school or overlook lot owned by the Jerome Historical Society, or at the hairpin curve by the old fire station. She asked what times in the day the bus would come up to Jerome. Mr. Morris said this is still being evaluated. Mr. Rodriguez mentioned time constraints because of the effects on other routes, so they plan to start with just one bus stop for now. He was concerned that three stops were being suggested. Ms. Moore clarified that she meant two spots total, one</i></p>

uptown and one lower in town. Mr. Morris said they can play around with stops and see what works in the pilot year.

Mr. Morris said marketing of this new service and familiarizing riders with the CAT system would be important; he welcomed strategies.

Ms. Barber thanked Mr. Morris and Mr. Rodriguez for their work on this project. She said the 300 level is more of a service for tourists and suggested two or three quick stops closer to residents who would use the bus.

Ms. Gallagher asked if there would be flexibility in changing the stops if the ones chosen are not effective. Mr. Morris said he was taking a flexible approach to the whole project. Ms. Gallagher said Council did not seem to think the 300-level stop would serve the residents well, and that perhaps the central steps on Main Street would be a good stop.

Vice Mayor Worth said school bus stops could be considered.

Mr. Rodriguez said they can look at the locations mentioned and make a test run with the stops suggested.

Ms. Barber mentioned that there is a red zone by the steps used by the police and fire departments.

Ms. Moore asked what size bus will be used. Mr. Rodriguez said they are “cutaways” that are 20-25 feet long and 8 feet wide.

Ms. Gallagher asked if certain days would be preferred. Mr. Morris said they are assessing this, and that Thursday was one day being considered. Mr. Rodriguez said Wednesday was also a possibility. He said they need to talk to Clarkdale about adjusting the route.

Ms. Gallagher pointed out that Wednesday is the established day for our existing shuttle service, and that choosing a different day would allow residents two opportunities each week to travel to Cottonwood.

(43:10) Council took a five-minute break.

**ITEM #3:**  
**10:51 (43:16)**

**EXECUTIVE SESSION**

Council will convene in executive session pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) to confer with and receive legal advice from the Town Attorney regarding:

1. Development agreement re: 300 Queen Street
2. Short term rentals

No action will be taken on these items.

**Motion to go into executive session at 10:51 a.m.**

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

(43:51) Council returned to open session at 11:37 a.m.

Ms. Gallagher stated for the record that at the next Council meeting, Sedona’s ordinance regarding short-term rentals would be discussed, with the possibility of doing something similar in Jerome.

**ITEM #4:**

**ADJOURNMENT**

**Motion to adjourn at 11:39 a.m.**

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

APPROVE:

ATTEST:

\_\_\_\_\_  
Dr. Jack Dillenberg, Mayor

\_\_\_\_\_  
Candace B. Gallagher, CMC, Town Manager/Clerk

Date: \_\_\_\_\_



# TOWN OF JEROME

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## MINUTES

### REGULAR MEETING OF THE JEROME TOWN COUNCIL

**CONDUCTED VIA ZOOM**

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

<p><b>ITEM #1:</b> 7:01 (0:10)</p>	<p><b>CALL TO ORDER/ROLL CALL</b>          Mayor/Chairperson to call meeting to order.  <i>Mayor Jack Dillenberg called the meeting to order at 7:01 p.m.</i>          Town Clerk to call and record the roll.  <i>Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Dillenberg and councilmembers Sage Harvey, Alex Barber, and Jane Moore. Vice Mayor Mandy Worth arrived after roll call (1:43). Also present were Town Attorney Bill Sims, Finance Manager Melanie Atkin, and Deputy Town Clerk Rosa Cays.</i>  <i>Mayor Dillenberg mentioned that Mr. Sims was only available till 8 p.m. and rearranged the agenda in consideration of his limited time. Agenda items have been left in their original order in these minutes.</i></p>																																																																																																																														
<p><b>ITEM #2:</b> 7:02 (1:28)</p>	<p><b>FINANCIAL REPORTS</b>          Financial reports for November 2021  <b><u>Motion to accept the November 2021 Financial Reports</u></b></p> <table border="1" data-bbox="407 858 1409 989"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER		X	X				DILLENBERG			X				HARVEY	X		X				MOORE			X				WORTH			X																																																																																							
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<p><b>ITEM #3:</b> 8:08 (45:26)</p>	<p><b>STAFF AND COUNCIL REPORTS</b>          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.  <i>Ms. Gallagher read from her report. Mayor Dillenberg thanked the Jerome Fire Department for hosting the recent vaccination booster clinic. 89 vaccines were administered.</i>  <b><u>Motion to accept the November 2021 Staff Reports</u></b></p> <table border="1" data-bbox="407 1186 1409 1318"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE		X	X				WORTH		X	X																																																																																							
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<p><b>ITEM #4:</b> 8:13 (50:27)</p>	<p><b>PLANNING &amp; ZONING AND DESIGN REVIEW BOARD MINUTES</b>          Minutes are provided for the information of Council and do not require action.</p>																																																																																																																														
<p><b>ITEM #5:</b> 8:13 (50:52)</p>	<p><b>APPROVAL OF MINUTES</b>          October 26, 2021 (open and closed sessions); November 9, 2021 (open and closed sessions)  <i>Councilmember Moore made one correction to the November 9 open-session minutes.</i>  <b><u>Motion to approve the October 26 and November 9, 2021 open-session minutes, with minor correction to the November 9 minutes</u></b></p> <table border="1" data-bbox="407 1543 1409 1675"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p><b><u>Motion to accept the October 26, 2021 closed-session minutes</u></b></p> <table border="1" data-bbox="407 1728 1409 1860"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p><b><u>Motion to accept the November 9, 2021 closed-session minutes</u></b></p> <table border="1" data-bbox="407 1913 1409 2045"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE			X				WORTH		X	X				COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE			X				WORTH		X	X				COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE						X	WORTH		X	X			
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**ITEM #6:**  
8:17 (54:05) **PETITIONS FROM THE PUBLIC**  
There were no petitions from the public.

**ITEM #7:**  
7:04 (2:57) **ORDINANCES AND RESOLUTIONS**

**ITEM #7A: SECOND READING AND POSSIBLE ADOPTION – ORDINANCE NO. 477, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, APPROVING AN AMENDMENT TO THE ZONING MAP**

Council may conduct the second reading of Ordinance No. 477.

Councilmember Harvey motioned to move into executive session at 7:05 p.m.

**Motion to go into executive session at 7:05 p.m.**

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

Council returned to open session at 7:27 p.m.

(4:32) Mr. Sims said he has had productive conversations with applicant Cameron Sinclair and with Ms. Halbreich, who would like to proceed with the rezone and simultaneously address their verbal commitment to address subsidence and usage of a right of way adjacent to his property. Mr. Sims said they discussed that rather than rigidly tying the rezoning to a development agreement now, of which Mr. Sinclair and Ms. Halbreich had concerns, they address the zoning matter with a stipulation: the property would be rezoned subject to a stipulation regarding entering into a development agreement that would address subsidence and right of way issues, which Mr. Sinclair has told the public are both for the betterment of the community and of the property. Mr. Sims stated that people in the community, including councilmembers, were reticent to accept a development agreement before all the data was presented. He said Council could approve the rezone if the stipulation could be addressed and noted that the councilmembers needed more time to review the language that had been presented to them just 30 minutes before the meeting. Mr. Sims recommended they address this item at a future specified date once the terms of the stipulation have been discussed with Mr. Sinclair and then the Council.

Councilmember Moore stated for the record that she had recused herself from this item.

(10:58) Mr. Sinclair stated that he and Ms. Halbreich talked with Mr. Sims about how to make it beneficial for the town and for them so they can move forward, knowing that dealing with rezoning and subsidence issues can take time. He said the challenge is to start construction of a retaining mechanism to be approved through the DRB, P&Z, and Council process within the time required. He said he and Ms. Halbreich agreed with the language Mr. Sims presented before the meeting and said if Council wanted to table the item for another month, so be it.

**Motion to table Item #7A to the January 11, 2022 regular Council meeting**

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

**ITEM #7B: RESOLUTION NO. 630, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING THE ADOPTED FEE SCHEDULE REGARDING PLANNING & ZONING, DESIGN REVIEW AND BOARD OF ADJUSTMENT FEES**

Council may adopt Resolution No. 630.

Ms. Moore thought Council had previously authorized administrative approval for paint or roof maintenance if colors or materials remained the same and wondered about the fee, which Ms. Gallagher said could be removed. Ms. Moore acknowledged that it still took staff time to administer and was fine with leaving it. Ms. Moore also asked if large alterations under \$500 (\$25 fee) and new construction of accessory features (\$50 fee) should cost the same.

Councilmember Barber agreed with Ms. Moore that the fees should be the same and added that work done without approval should double the application fees, which Ms. Gallagher said was already on the list.

Ms. Harvey said neighborhood meeting fees should be higher than \$50 plus mailings because past meetings have required the attendance of several staff members. She suggested also charging for staff time. Ms. Barber and the vice mayor agreed.

Vice Mayor Worth supported charging double for work done without approval, noting that that everyone needs to be treated the same. She also asked for clarification on fees for application/permit extensions.

Ms. Harvey stated that this had been previously discussed and said the first extension request would require a minimal fee, but subsequent requests would cost more in order to discourage them. Vice Mayor Worth suggested \$25 for the first extension request and \$200 for all subsequent extensions and a review of the fees in a year.

Vice Mayor Worth then questioned the fees for large alterations valued higher than \$10,000 and the \$500 maximum fee.

Ms. Gallagher clarified all the suggested changes, although she was unclear on the maximum charge for large alterations.

Ms. Barber suggested removing the maximum fee for large alterations. Everyone agreed.

**Motion to adopt Resolution No. 630 with changes recommended by Council**

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

ITEM #8:

**UNFINISHED BUSINESS**

8:30 (1:08:00)

**ITEM #8A: JEROME PIONEER CEMETERY**

Council will consider a recommendation from Dave Garner to allow goats to graze at the Jerome Pioneer Cemetery as a method of keeping brush and weeds in check.

*Mayor Dillenberg said he liked Mr. Garner’s suggestion to have goats be the groundskeepers for the old cemetery.*

*Ms. Moore said from her experience with goats, that they like to rub and jump on things and was concerned about damage to the graves and tombstones.*

*Mayor Dillenberg asked Ms. Moore if she would be willing to talk to Mr. Garner about the goats. Ms. Moore said she wants to see the cemetery kept in better shape and to repair the fence.*

*Ms. Gallagher suggested fixing the fence regardless and had not heard other council members’ opinions about the goats.*

*Ms. Harvey supported having the fence fixed and agreed with Jane that goats are rambunctious; she thought it was a good idea for her to talk with Mr. Garner.*

*Vice Mayor Worth noted that goats are used in cemeteries all over the world in place of groundskeeping. She wondered if goats have done damage to old graves in Washington, DC.*

*(1:1:22) Jerome resident and homeowner Jera Peterson said she was concerned about the goats at the cemetery, as she lives close to it. Ms. Harvey explained that they were discussing the old Pioneer Cemetery in Clarkdale, not the cemetery in Jerome.*

8:37 (1:14:23)

**ITEM #8B: TOUR BUSINESSES**

Council will review and may approve current tour routes for our tour businesses and discuss possible amendments to the Town Code in that regard.

*Ms. Gallagher said all tour companies have submitted route changes for council approval. She said Chief Muma had made a few recommendations: limited hours of operation with no tours past 11 p.m.; prohibit tours in commercial areas where residents are located or restrict the hours to no later than 9 or 10 p.m.; prohibit amplified sound; and prohibit parking on Main Street and Jerome and Hull Avenues when the tour vans are not in use except for loading or unloading (Ms. Gallagher will verify with the town attorney if this is possible). She reminded Council that it was suggested the town limit the number of tour business licenses to be issued and that they may wish to clarify that residents cannot independently allow tours on their property if they’re in a residential zone.*

*Ms. Barber agreed with Chief Muma’s recommendations and suggested they cap the number of tour businesses to three, possibly four.*

*Ms. Harvey said she would like to restrict hours to no later than 10 p.m.—period—in commercial and residential zones. She also pointed out that parking on Main Street is ADOT right of way, so it may not be possible to restrict parking, and that the road to the cemetery, where the UVX permits tours, goes down North Drive, which is in the R-1-5 zone. Ms. Harvey referred to one of the tour company’s maps and listed other traversed residential areas.*

*Ms. Moore said she would like bright lights to be prohibited and wanted to be sure that walking tours are also restricted from residential zones. She also pointed out that businesses are required to have parking for their own vehicles, per the zoning ordinance, which could be an issue for the tour companies. Ms. Moore asked how the town could regulate tours that operate outside of Jerome. She was told a van comes up to the cemetery that is not a local tour business.*

*Vice Mayor Worth referred to the tour business ordinance, which states that they are subject to the zoning ordinance requirements.*

*(1:2:22) Ms. Peterson, who lives on North Drive, said tours have increased quite a bit and are there as late as 1 a.m., use bright lights, and stop at the Tamale Ladies house to tell their story. She said sometimes three different tours are at the cemetery and that traffic and noise, especially on the weekends, has greatly increased on her street, which has also worsened the road condition due to higher use.*

*Ms. Harvey informed Ms. Peterson that she can call the police when this happens. Ms. Peterson said it happens all weekend, with many of the tours stopping on her street and even leaving cars running that cannot make it down to the cemetery.*

*Vice Mayor Worth said that from a safety and liability perspective, the business owners should be aware of this as well as trespassing issues, even in the C-1 zone.*

*Ms. Gallagher said she would draft the ordinance and alert the businesses about unapproved routes.*

*Ms. Gallagher informed Ms. Moore that walking tours are covered in the town code under tour businesses.*

**Motion to approve the new tour routes except for those that access residential areas**

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

7:36 (13:28)

**ITEM #8C: CONTRACTUAL OPTIONS FOR ADDRESSING STREET ABANDONMENT AND SUBSIDENCE**

Council will discuss with the Town Attorney contractual options for addressing street abandonment and the area of subsidence near the Sliding Jail. A portion of this discussion may take place in executive session, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

Mr. Sims suggested that the Mayor direct him to meet with Ms. Gallagher, Mr. Sinclair, and Ms. Halbreich to discuss the terms of the development agreement addressing subsidence and the abandonment of the right of way (ROW). He said this would also allow time to draft an amendment to the ordinance related to this matter.

(15:38)As the applicant, Mr. Sinclair reiterated that the work around the subsidence and the ROW is not connected to the rezone. He said the challenge is not negotiating that they build a retaining system in exchange for the rezone; that what is being negotiated are abandonment and subsidence issues and liability in exchange for their commitment to pay for the retaining systems that should be the liability of the town.

8:40 (17:05)

**ITEM #8D: SHORT-TERM RENTALS**

Council will discuss with the Town Attorney its options with respect to controlling or regulating short-term rentals and may direct staff in this regard. Discussion may include a review of an ordinance enacted by the City of Sedona. A portion of this discussion may take place in executive session, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

Mr. Sims said short-term rentals are a problem across the state because the legislature has stepped in and limited local jurisdictions' power to regulate. He said Sedona has been at the helm of this problem and almost lost their state shared revenue for breaking the law and going against the state statute. Ms. Gallagher informed Mr. Sims that Jerome receives just under \$300,000 per year in state shared revenue. Mr. Sims said Sedona has since made their ordinance rigorous in its demands of short-term rental owners and shared an example: Each short-term rental owner has to have someone respond within 60 minutes to a call about noise, traffic, trash, or safety issues or will face charges of a civil violation and/or fine of up to \$2500. Another option, he said, would be to involve the police regarding similar complaints, as long as the short-term rental (STR) is being treated the same as other residents. Mr. Sims said some jurisdictions are using HOAs, which works in larger communities, but may not necessarily work well in Jerome. He said Flagstaff is exploring deed restrictions, and so is Camp Verde, with guesthouses restricted from becoming STRs. Mr. Sims said completely barring them would not work—the state statute cannot be violated. He reminded everyone about the Goldwater Institute prior claim.

Ms. Moore read from Senate Bill 1350, then asked if Jerome could require two parking spaces for each unit rented out as an STR. She then read from another section in the bill that defined short-term rental and referred to it as a "transient lodging establishment." Mr. Sims said that whatever regulation is established for STRs must also be applied to long-term rentals. Discussion ensued about multiple STRs in one building, shared kitchens, and possible parking requirements.

Vice Mayor Worth said the state has tied Jerome's hands. She said establishing HOAs in town is not feasible, and with limited space for accessory buildings that can't be resided in anyway, deed restrictions would likely not work, but what Sedona has done to regulate STRs is more in line with Jerome's situation, and with modifications to the Sedona ordinance, could work for Jerome.

Ms. Harvey said SB1350 has handed the town the tools to regulate but not stop STRs and suggested following Sedona's lead. She listed several problems that already exist with STRs, including parking, noise, and garbage. As for parking, Ms. Harvey responded to Ms. Moore and said only so many parking permits are available, so this may not be the solution to multiple STRs in one building.

Mayor Dillenberg said small HOAs could work in his neighborhood on East and Holly.

Ms. Barber said she would like to craft a Jerome ordinance using the Sedona ordinance. She pointed out another tool from SB1350 that the town could use, then reported that Airbnb had recently shut down several listings because of numerous complaints about them. She said too many complaints about a B&B can get it delisted, and that if the police get involved, the complaints need to be reported and tracked. Mayor Dillenberg asked Ms. Gallagher to discuss this with Chief Muma.

Ms. Moore said she wanted to do whatever is within the town's legal power.

(40:23) Jerome resident and homeowner Teri Klein pointed out that everyone feels the same way about this matter and urged everyone to listen to another legal perspective that her husband Attorney Jeff Koppelman has suggested. She said many residents are concerned and asked why Council was not considering a different legal perspective when the town has one at hand, or would they be willing to.

Mr. Sims said that he had emailed Mr. Koppelman acknowledging his points and wants to collaborate with him but that he has gotten no response. A brief exchange followed.

(42:21) Jerome resident and homeowner Sally Dryer asked that everyone get together and talk about all options. She said she would like to hear Mr. Sims's and Mr. Koppelman's perspectives.

Mayor Dillenberg asked Mr. Sims to facilitate a discussion with Mr. Koppelman.

Ms. Moore said STRs are a commercial use in a residential zone and that if citizens could get statewide support and convince legislators to realize this, it would be helpful.

<p><b>ITEM #9:</b></p>	<p><b>NEW BUSINESS</b></p>																																										
<p>8:51 (1:28:01)</p>	<p><b>ITEM #9A: REQUEST FOR ABANDONMENT OF TOWN RIGHT-OF-WAY</b>                  Council will consider a request by Sean Bauer for abandonment of a portion of a town right-of-way located at 686 Verde Avenue and may direct staff in this regard.</p> <p><i>Ms. Harvey said she had an issue with this request because it involves town utilities and because she was confused about Mr. Bauer's ownership of the property and doesn't believe he is a licensed contractor.</i></p> <p><i>Ms. Gallagher explained that Mr. Bauer wants the town to abandon the ROW but that the town would maintain the utility easement.</i></p> <p><i>Ms. Harvey reminded everyone about Gulch Radio wanting to install an antenna in that area and all the residential complaints it spurred.</i></p> <p><i>Ms. Barber said the parcel numbers were correct but that the address was incorrect. She said she would also like to see the house plans. A brief discussion ensued regarding the correct address of the property.</i></p> <p><i>Vice Mayor Worth said she was looking at the county GIS and noticed that one of the parcels is not addressed. She too is unsure of who is building the house and for whom, and that the owner of record is not Mr. Bauer. The vice mayor would also like to see a sketch of the lot coverage to see how the easement would be affected.</i></p> <p><i>(1:33:53) Mr. Sinclair clarified that what was happening was a lot combination and ROW abandonment, but that it is not clear who is requesting this or why.</i></p> <p><i>Vice Mayor Worth stated that to combine parcels or do a lot line adjustment, the applicant must prove hardship as a reason for the request.</i></p> <p><i>Ms. Moore said they would have to determine who else this would impact.</i></p> <p><i>Ms. Harvey said that off-street parking would also have to be part of the site plan.</i></p> <p style="text-align: center;"><b>Motion to table Item #9A due to more information and clarification needed</b></p> <table border="1" data-bbox="406 871 1409 997"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE			X				WORTH		X	X			
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WORTH		X	X																																								
<p>9:00 (1:37:47)</p>	<p><b>ITEM #9B: PROP 202 FUNDING REQUEST</b>                  Council will discuss and may decide on a project for which to request funding for this year's Prop 202 funding distribution from the Yavapai-Apache Nation.</p> <p><i>Ms. Barber said she would like to see the funding go toward the public bathrooms and that Fire Chief Rusty Blair had also suggested this.</i></p> <p><i>Ms. Harvey said the public restrooms would be a good project but that the shuttle van could also stand to be repaired or replaced. Mayor Dillenberg said he had talked to the driver, Scott (Aaron) Kolu, who said a shorter van would be safer to drive in Jerome. Ms. Harvey suggested that it be ADA compliant.</i></p> <p><i>Ms. Moore said the town could also use revenue from the hotel tax for the van.</i></p> <p><i>Ms. Harvey asked if there was any money left from last year's Prop 202, and Ms. Gallagher confirmed that there was. Mayor Dillenberg proposed funding the restrooms and a new van.</i></p>																																										
<p><b>ITEM #10:</b> 9:05 (1:42:10)</p>	<p><b>TO AND FROM THE COUNCIL</b>                  Council may direct staff regarding items to be placed on a future agenda.</p> <p><i>Vice Mayor Worth said she would like to add to the next agenda a discussion about the Hotel Jerome window estimates. She also requested that Council be shown the final cost of the public restrooms.</i></p> <p><i>Ms. Barber informed everyone that the Circle Trail would be nonmotorized, which was discussed at the previous Council meeting.</i></p> <p><i>Ms. Moore said she would like to talk about residential signage for certain roads at the next meeting. She said residents have been requesting them.</i></p> <p><i>(1:44:18) Resident and homeowner Carol Wittner said the signs on School Street need to be larger.</i></p>																																										
<p><b>ITEM #11:</b></p>	<p><b>ADJOURNMENT</b></p> <p style="text-align: center;"><b>Motion to adjourn at 9:08 p.m.</b></p> <table border="1" data-bbox="406 1732 1409 1854"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG			X				HARVEY	X		X				MOORE			X				WORTH		X	X			
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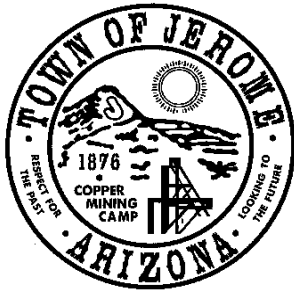
ATTEST:

\_\_\_\_\_  
Dr. Jack Dillenberg, Mayor

\_\_\_\_\_  
Candace B. Gallagher, CMC, Town Manager/Clerk

Date: \_\_\_\_\_





Founded 1876  
Incorporated 1899

# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

## STAFF SUMMARY REPORT

**FROM:** Candace Gallagher, Town Manager/Clerk

**ITEM:** **ITEM #8A: WATER RATES, FEES AND CHARGES**

**MEETING DATE:** January 11, 2022

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The public hearing on water rates, fees and charges has been continued to this meeting in order to further discuss a possible line maintenance charge.

I have done calculations based on the distance from where water enters Jerome, with a “base” distance that would carry no charge, and then a charge for every 1,000 feet of distance beyond that. *As a beginning point for this discussion*, I’ve attached a spreadsheet with two scenarios for your review. We can discuss other possible scenarios or approaches at this meeting.

Council has the option to either continue or close the public hearing at this point and to take action at either this meeting or at a future meeting.

## SCENARIOS FOR MONTHLY WATER LINE MAINTENANCE CHARGE

### SCENARIO ONE:

**Base distance = 6,500 feet**

**\$2 per 1,000 feet (or portion thereof beyond 6,500)**

Up to 6,500 feet	\$0.00
Between 6,500 and 7,500 feet	\$2.00
Between 7,500 and 8,500 feet	\$4.00
Between 8,500 and 9,500 feet	\$6.00
Between 9,500 and 10,500 feet	\$8.00
Between 10,500 and 11,500 feet	\$10.00
Between 11,500 and 12,500 feet	\$12.00
Between 12,500 and 13,500 feet	\$14.00
Between 13,500 and 14,500 feet	\$16.00
Between 14,500 and 15,500 feet	\$18.00
Between 15,500 and 16,500 feet	\$20.00

### SCENARIO TWO:

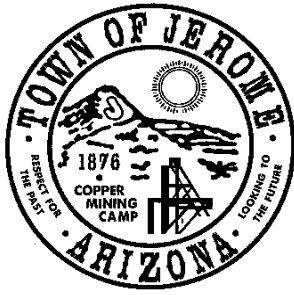
**Base distance = 6,500 feet**

**No charge up to base distance**

**Graduated charge per 1,000 feet or portion thereof beyond base distance**

**(\$0.50 for first 1,000, \$1.00 for second 1,000, \$1.50 for third 1,000, etc.)**

Up to 6,500 feet	\$0.00
Between 6,500 and 7,500 feet	\$0.50
Between 7,500 and 8,500 feet	\$1.50
Between 8,500 and 9,500 feet	\$3.00
Between 9,500 and 10,500 feet	\$5.00
Between 10,500 and 11,500 feet	\$7.50
Between 11,500 and 12,500 feet	\$10.50
Between 12,500 and 13,500 feet	\$14.00
Between 13,500 and 14,500 feet	\$18.00
Between 14,500 and 15,500 feet	\$22.50
Between 15,500 and 16,500 feet	\$27.50



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## STAFF SUMMARY REPORT - **UPDATED**

**FROM:** Candace Gallagher, Town Manager/Clerk  
**ITEM:** **ITEM #8C: WATERLINE IMPROVEMENTS AND HYDRANT INSTALLATION**  
**MEETING DATE:** January 11, 2022

---

In 2021, the Town applied for CDBG funding to complete waterline improvements and hydrant installations on Dundee, Deception and Holly. We received a funding award in the total amount of \$381,140, which includes grant administration by NACOG. Funding for construction and engineering totals \$358,640.

On December 7, 2021, we received sealed bids for the project. Two bids were received, and they came in *significantly* higher than our available funding:

<u>Company</u>	<u>Dundee</u>	<u>Deception</u>	<u>Holly</u>	<u>Total</u>
Paul R. Peterson Construction	\$519,355.00	\$470,158.00	\$347,364.00	\$1,336,877.00
Tiffany Construction	\$669,823.00	\$857,237.00	\$784,757.00	\$2,311,817.00

I am preparing this report on January 4 and have a conference call scheduled tomorrow afternoon with NACOG and our Town Engineer to discuss our options. I will prepare and post an addendum to this report following that discussion.

### **ADDENDUM/UPDATE:**

January 6, 2022 - After discussion today with NACOG, our Town Engineer and Marty Boland: As Dundee was the stated priority for this project, it will be re-bid for Dundee only, with bid alternates to include (1) roughly one-half of Dundee, (2) the remainder of Dundee and (3) certain items that had previously been excluded (staking, for example). We are hopeful that with the reduced scope of work, and the recent trend toward lower materials costs, the final bid price will be within our capacity to award.