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# TOWN OF JEROME

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## MINUTES

REGULAR MEETING OF THE JEROME TOWN COUNCIL  
JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS  
TUESDAY, NOVEMBER 10, 2015 AT 7:00 P.M.

### ELEVENTH REGULAR MEETING OF 2015

<p><b>ITEM #1:</b></p>	<p><b>CALL TO ORDER/ROLL CALL</b></p> <p>Mayor/Chairperson to call meeting to order. Town Clerk to call and record the roll.</p> <p><i>Mayor Currier called the meeting to order at 7:00 p.m.</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Currier, Vice Mayor Freund, Councilmember Stewart, Councilmember Barber and Councilmember Vander Horst.</i></p> <p><i>Other staff present at roll call were Al Sengstock, Zoning Administrator and Joni Savage, Deputy Clerk. Rebecca Cretti, Finance Director, arrived just following roll call.</i></p>
<p><b>ITEM #2:</b> <b>7:01</b></p>	<p><b>PLEDGE OF ALLEGIANCE</b></p> <p>Mayor/Chairperson to lead the Pledge.</p> <p><i>Mayor Currier led the pledge of Allegiance.</i></p>
<p><b>Change in order of agenda items</b></p>	<p><i>At this time, Mayor Currier requested that Item #8A be moved ahead of Item #3 and addressed at this time.</i></p> <p><b>Motion:</b> <i>Vice Mayor Freund moved to move item #8A in front of Item #3. It was seconded by Councilmember Stewart. The motion carried, 5-0.</i></p> <p><i>Item #8A was addressed at this time, but is reflected in the minutes in the originally agendized order.</i></p>
<p><b>ITEM #3:</b> <b>7:06</b></p>	<p><b>STAFF REPORTS</b></p> <p>Written staff reports by the Town Manager/Clerk, Deputy Town Clerk, Utilities Representative, Public Works Department, Building Inspector, Library, Municipal Court, Police Chief, and Fire Chief.</p> <p><i>Referencing the Town Manager's report, Vice Mayor Freund asked for an update regarding the meeting held with Yavapai County and ADOT to discuss drainage issues. Ms. Gallagher replied that we had asked the County and ADOT to work with us on certain drainage issues that were identified as priorities in our Area Drainage Master Plan – those that touch 89A and Douglas Road. They have agreed to consider that, however we're still in discussion with them. Mayor Currier commented that ADOT was reluctant to commit themselves to anything. They have many pressing problems and we are very small. Ms. Gallagher noted that Yavapai County Supervisor Chip Davis attended and was very helpful. Mr. Freund asked if there will be additional meetings, and Ms. Gallagher replied that nothing has been scheduled, and the County and ADOT are first working to determine where their responsibilities actually lie.</i></p> <p><i>The Mayor noted that we have \$30,000 allocated to us this year by Yavapai County for drainage improvements, and staff should make recommendations to Council in this regard. Ms. Gallagher noted that, at the meeting held, there was discussion regarding leveraging those funds toward the projects discussed.</i></p> <p><i>Mayor Currier asked about a list of books that was included in the Library's report, and Vice Mayor Freund said that he believes those are recent acquisitions.</i></p> <p><i>Referencing the Police Chief's report, Vice Mayor Freund noted that Chief Muma mentions being an EMT and that he would like to get his officers EMT-certified. The Vice Mayor questioned how this would be a benefit, when we already have EMTs in our Fire Department, and how it would impact the volunteer force over time. He said that he believes there is a shift</i></p>

	<p>of services going on here that Council hasn't discussed.</p> <p>Mayor Currier said that his impression is that Chief Blair is in full support of getting the police officers certified as EMT's. Chief Muma mentioned in his report that the police often arrive on scene first. The chain of command, he said, once there is a medical emergency, falls to the EMT's from Chief Blair down, rather than from Chief Muma down. "Maybe we should talk with Rusty and Allen," the Mayor said, "but I think they have it under control." Vice Mayor Freund said that he feels we should find out what other cities do, and it could perhaps be an agenda item for a future meeting.</p>
<p><b>ITEM #4:</b> <b>7:15</b></p>	<p><b>FINANCIAL REPORTS</b></p> <p>Issued checks and financial reports for the month of October 2015. Figures included therein are presumed accurate as of the report's preparation date, but are subject to adjustment as further information is gained.</p> <p><i>Councilmember Vander Horst thanked staff for providing a balance sheet, and noted that, at July 1, cash balances were significantly higher than they are right now. He asked if that is something Council should be troubled about. Ms. Cretti replied "it's something you should definitely look at." Mr. Vander Horst asked if we have we made any changes in our procurement policy. Ms. Gallagher stated that she has placed a spending freeze on all but critical purchases. She added that we are expecting to receive about \$78,000 in January which will ease the situation.</i></p> <p><i>Councilmember Vander Horst asked if we had concerns about meeting our obligations. Ms. Cretti said that she has concerns about payroll, but she is managing it. She added that Council should "definitely keep an eye on it." Mr. Vander Horst asked how they could do that, and she replied, "Check the balances every month. Think about policies and how you would like to see things go."</i></p> <p><i>Councilmember Vander Horst stated that revenues are above budget and expenditures below budget, and he asked how we have a cash flow issue. Ms. Gallagher explained that there has been a delay in receiving wildlands monies, and expenses were paid from those funds.</i></p> <p><i>There was a brief discussion regarding the bank balances versus the book balances per the balance sheet. Councilmember Vander Horst asked that bank balances be included in future packets.</i></p> <p><i>Mayor Currier asked what "LGIP" stands for. Ms. Cretti responded that it stands for Local Government Investment Pool. She does not know where the initial deposit came from – it has been at around \$1,500 since she has been here. According to the auditors, she said, we can use the funds to invest elsewhere.</i></p> <p><i>Mayor Currier asked about a negative balance in accounts payable. "That means we've overpaid something," he said. Ms. Cretti said that the balance fluctuates, and she is not surprised that this has occurred. Mayor Currier mentioned that the workers compensation account also has a negative balance. Ms. Cretti informed the Council that a workers compensation journal entry hadn't been made at the time the report was printed. It is now at zero, she said.</i></p> <p><i>Councilmember Vander Horst commented that the balance sheet information will become clearer after Council sees it each month.</i></p> <p><b>Motion:</b> Vice Mayor Freund made a motion <b>to accept the financial report.</b> It was seconded by Mayor Currier. The <b>motion carried, 5-0.</b></p>
<p><b>ITEM #5:</b> <b>7:20</b></p>	<p><b>PLANNING AND ZONING AND DESIGN REVIEW MINUTES/ RECOMMENDATIONS/ZONING ADMINISTRATOR'S REPORT</b></p> <p>Minutes are provided for the information of Council and do not require action.</p> <p><i>Mr. Sengstock mentioned that he is creating a set of guidelines for use when reviewing things prior to going to the Design Review Board. The DRB will be giving him recommendations. He also stated that the newest member of the Design Review Board, Mark Venker, did a great job at the prior night's meeting.</i></p> <p><i>Councilmember Vander Horst reminded Mr. Sengstock that, in June, he had committed to provide solar panel guidelines at the December meeting. Mr. Sengstock said that he had just</i></p>

	<p>finished the draft that he will be submitting at the next Council meeting. It is now called "Alternative Energy Guidelines," he said, to include wind generating systems. He has had a number of people review it for him, he said.</p>
<p><b>ITEM #6:</b> <b>7:23</b></p>	<p><b>COUNCIL MEETING MINUTES</b></p> <p>June 25 budget meeting; July 28 special meeting; August 13 special meeting; October 13 regular meeting</p> <p>Regarding the minutes of June 25, 2015, Vice Mayor Freund commented regarding a spreadsheet that was included in the minutes, which had been presented at that meeting, regarding longevity pay which was being considered at the time. Mr. Freund said that, although the amounts are correct, he feels that the spreadsheet is misleading. These would have been salary increases and not bonuses, he said, and the cumulative impact on our budget by the year 2019 would be over \$88,000. Ms. Gallagher noted that the minutes of that meeting reflect his comments to that effect.</p> <p><b>Motion:</b> Vice Mayor Freund made a motion <b>to accept the minutes of June 25, 2015.</b> Councilmember Vander Horst seconded it. <b>The motion carried, 5-0.</b></p> <p>Referencing the minutes of July 28, 2015, Mayor Currier requested a minor clarification to his comments regarding the lower wall. Ms. Gallagher will make that change.</p> <p><b>Motion:</b> Mayor Currier made a motion <b>to accept the minutes of July 28, 2015 with the amendment,</b> it was seconded by Vice Mayor Freund. <b>The motion carried, 5-0.</b></p> <p><b>Motion:</b> Mayor Currier made a motion <b>to accept the minutes of August 13, 2015,</b> it was seconded by Vice Mayor Freund. <b>The motion carried, 5-0.</b></p> <p><b>Motion:</b> Mayor Currier made a motion <b>to accept the minutes of October 13, 2015,</b> it was seconded by Vice Mayor Freund. <b>The motion carried, 5-0.</b></p>
<p><b>ITEM #7:</b> <b>7:28</b></p>	<p><b>PETITIONS FROM THE PUBLIC</b></p> <p>Pursuant to A.R.S. § 38-431.01(H), public comment is permitted on matters not listed on the agenda but the subject matter must be within the jurisdiction of the Council. All comments are subject to reasonable time, place and manner restrictions. All petitioners must fill out a request form with their name and subject matter. When recognized by the chair, please step to the microphone, state your name and please observe the three (3) minute time limit. No petitioners will be recognized without a request. The Council's response to public comments is limited to asking staff to review a matter commented upon, asking that a matter be put on a future agenda, or responding to criticism.</p> <p><i>Rebekah Kennedy, a Jerome citizen and business owner, stated that the company offering the sewer line warranty has sent her multiple letters and she had called them on several occasions to ask that they remove her from their mailing list. She said that she did not ask to be put on this list and she has gone to the Better Business Bureau and filed a complaint against them.</i></p> <p><i>Ms. Kennedy also said that she has noticed a huge problem with out of state vehicles parking on School Street.</i></p> <p><i>Lastly, Ms. Kennedy noted that the upcoming fundraising event for the Jerome Kids Art Workshop is being advertised as an opportunity for artists to sell their work. She asked if Council was aware of this, and noted that sales tax should be procured on goods sold.</i></p>
<p><b>ITEM #8</b> <b>7:02</b></p>	<p><b>PRESENTATION</b></p> <p><b>ITEM #8A: NATIONAL GEOGRAPHIC GEOTOURISM PROJECT</b></p> <p>James Dion, Director of Tourism Programs for the National Geographic Society, will speak regarding the National Geographic Geotourism Project, and Council may approve the Mayor's signature on a proclamation regarding that initiative</p> <p><i>Mr. Dion thanked the Council for allowing him the opportunity to explain their Geotourism project. It is based on their concept of sustainable tourism, he said, which is defined as tourism that sustains or enhances the distinctive geographical character of a place, its environment, heritage, and culture. Poorly managed tourism can destroy a place, he said. They wish to not only promote tourism, but "also to help people understand your sense of place, and perhaps influence visitors to go out and visit those lesser known, lesser appreciated attractions and</i></p>

opportunities that people can have when visiting your place." Mr. Dion said that they have been working for 18 months with communities within the region to create an interactive map guide. It is online now, and they will be rolling it out officially at the Blazing M Ranch on the coming Thursday evening. One can find it, he said, by searching for Sedona Verde Valley Geotourism. It is a guide to places you can go and things you can do that reflect the authenticity of a place. The key is to promote small and medium businesses that provide an authentic experience for visitors, with a focus on what makes a place special and differentiates it from other places. "We believe the best travel advice comes from people that live in these places," he said, "so all of the content we are offering and points of interest have been provided to us by local small and medium businesses and other people that manage activities, attractions and events within the entire region. ... Travel and tourism is an interesting industry – we invite people into our communities, and the quality of that experience is predicated on the type of visitor that comes here. If they understand who people are and the places, people are more respectful than of those places, and it's a good win-win for everyone." Mr. Dion encouraged all to visit the website, and invited them to the Blazing M Ranch on Thursday. He said that he appreciated the opportunity to work with everyone and especially thanked Chamber President Donna Chesler for her assistance.

Mayor Currier thanked Mr. Dion for his presentation, and noted that the Chamber has asked Council to approve a Proclamation<sup>1</sup> regarding geotourism. He read the proclamation aloud.

**Motion:** Motion was made by Councilmember Vander Horst **to approve the proclamation** and it was seconded by Councilmember Barber. **The motion carried, 5-0.**

**ITEM #9**

**UNFINISHED BUSINESS**

7:33

**ITEM #9A: USE PERMIT – HUNTER BACHRACH AND CHARLOTTE PAGE**

Council will review and may approve an application by Hunter Bachrach and Charlotte Page, 38 Rich Street, for a Use Permit to allow a duplex in the C-1 Zoning District. The permit was approved by the Planning and Zoning Commission on October 7, 2015.

*Al Sengstock presented, and noted that Council had received in their packet, the history of this building. His written review stated:*

On October 7, 2015, the Planning and Zoning Commission unanimously recommended approval of this Use Permit. The applicants ask for approval for a Use Permit to allow a Duplex within in a C-1 Zoning District.

Through a series of errors and oversights by the original Owner/Builder in 1995, as well as a lack of continuity between the Building Inspector and Zoning Administrator of that time, the Duplex in question, was actually approved by the Commission as a single family home in 1995. However, and based on the construction plans found in the parcel file, the home was actually submitted, inspected and "finaled" as a Duplex. Although the P&Z Commission "required" the original owner to provide on-site parking, I believe that due to the terrain and the cost of engineering and construction involved in providing, what in effect would be a "parking deck," that the necessary parking was never provided. However, the duplex was granted Final approval by the Town anyway. As an effort by the current owners to correct and legitimize this duplex, parking will be provided off-site. The TOJ Zoning Ordinance requires, that any off-site parking be located within the C-1 Use District. Per the TOJ Zoning Ordinance, "510 C.2. a.," which states, "Required off-street parking shall be located within the C-1 Zone" subject to recordation on their deed. It should be noted that there are three residential properties within this same neighborhood who have been permitted to accommodate their parking needs in the same way. To that end the Bachrach's have negotiated a long-term transferable lease with UVX Mine Management for the lease of three parking spaces on mine property, along the west side of their Parcel, which borders Rich Street, and is also located in the C-1 Use District. These spaces will be subject to a survey, which will be recorded on their Deed with the Yavapai County Recorder.

I recommend approval, subject to recording the surveyed parking spaces and long-term lease on the property's deed, with the Yavapai County Recorder's Office. The Zoning Administrator will review the verbiage of the recordation, prior to its submittal to the County Recorder.

*Vice Mayor Freund asked if anyone parked in those spaces currently, and if the spaces would be marked. Mr. Sengstock said that he has never seen anyone park there. Most communities try to avoid using bumpers, he said, and the general plan is to not mark the spaces unless they really need them. He noted that the spaces would remain with the property if it was sold.*

*Mayor Currier said that, under the Code, this parking would go with the owner, not the*

<sup>1</sup> The proclamation is included at the end of these minutes.

property, and, if the duplex changes hands, the Use Permit is gone. "In this case, no," Mr. Sengstock said, and explained that, when you're dealing with a primary structure, and you grant a use permit, it goes with the building. "That is basic land use law," Mr. Sengstock said, and added that he could talk to the Town Attorney about it. He explained further, and Mayor Currier said, "I see what you're saying and I admire your logic, but I don't find it in the code." "I'm quite sure that's true," Mr. Sengstock replied, "but I can provide the legal support." Vice Mayor Freund recalled that the previous Council passed an ordinance which provided that a CUP did not run with the land. "If it doesn't go with the land, what does it go with?" the Mayor asked. Mr. Freund did not know.

There was brief discussion, aided by visuals provided by Mr. Sengstock, regarding Rich Street, the public easement and right-of-way.

Mayor Currier expressed concern that, with the additional parking, a fire truck may not be able to get through. Mr. Sengstock said that he didn't believe that would be an issue. He added that, even on the busiest days, people don't park down there.

Mayor Currier asked, "Why don't we do a variance on this?" Mr. Sengstock said that, with a variance, we would be asking the Board of Adjustment to waive a requirement, and they are not legally authorized to vacate a law. "This way," he said, "we're using the guidelines of the law as it exists to allow it based on the requirements of the use."

Councilmember Stewart asked, since it was approved by the Commission as a single family home, but finalized as a duplex, could it be two separate apartments within a single-family home, such as a mother-in-law apartment? Mr. Sengstock explained that a duplex consists of two separate units with kitchens.

Councilmember Stewart asked if there is a distance requirement regarding off-site parking. Mr. Sengstock said that there was a distance rule at one time, but it has been dropped because it didn't work. It used to be 300 feet, and these parking spaces do meet that standard. He added that this is not a unique or unusual situation, and the Town has allowed it in the past.

"They can meet the minimum parking standard," Mr. Sengstock said, explaining that the lease of the parking spaces would be recorded on the deed of their home. Mayor Currier asked if this alters the mine's property in any way. "No," Mr. Sengstock replied. "They are reasonable, as long as it doesn't affect mineral rights."

Mike Parry, a Jerome citizen, said, "I just hope we're not missing the point here. That building is about 20 years old and this issue has been overlooked for years, and now we're asking them to spend more money. I would like us to do the right thing and not make this an extra expense to them. This is a travesty of justice. I just wanted to bring this to your attention, and it is kind of a 'black eye.'"

Councilmember Vander Horst said that he and Mr. Sengstock have had several discussions about this and he doesn't agree with Mr. Sengstock's interpretation of the Code; however, he said, "I don't think that comes into play. This house was designed and built as a duplex – there is no question about that. On July 5<sup>th</sup> of 1995, a former Mayor gave the people who were going to build this building written permission to use his property next door as parking to suffice the P & Z ordinance. That same day, P & Z met and approved it. Five days later, DRB met and approved it, and in November of that year, a permit was issued. Prior to the purchase of this building, the current owners went to the then Town Manager and asked if there were any issues. They were told the only issue was an air conditioning duct that was never approved. They purchased the home in March of 2004. In June of 2004, they were threatened with criminal action by the Town because they had a duplex. They then went to the then Mayor who said she would take care of it, and they never heard from her again. The Town obviously knew it was a duplex – we threatened them with criminal action because it was." He added that the Town taxed them based on a duplex, and said, "I would like to apologize to Hunter and Charlotte for how we have treated them. In 1995, I believe a de facto CUP was issued for the property." Mr. Vander Horst concluded that he does not feel the Town should require them to lease property, do a survey and spend more money. "I believe," he said, "that we should issue them a retroactive CUP from 1995."

**Motion:** Councilmember Vander Horst moved to **approve a CUP retroactive to 1995, and that they will not need to get the three parking spaces.** It was seconded by Mayor Currier.

	<p>Discussion continued.</p> <p>Mr. Sengstock noted that the decision Council makes here will be legal and binding, and clarified that he was not suggesting that it is a mistake.</p> <p>Rebecca Kennedy interjected, "And did you not just say, Al, that you cannot waive the parking requirements?" Mr. Sengstock clarified that it is the Board of Adjustment that does not have that authority.</p> <p>Mayor Currier said that he believes there is nothing illegal about the motion on the floor.</p> <p>Vice Mayor Freund asked why Council would not pursue the course originally anticipated, regarding the applicants obtaining a lease for the parking spaces. Mr. Sengstock explained the costs involved.</p> <p>Councilmember Vander Horst clarified that his motion was that it would be approved without that requirement. Mr. Sengstock said that he believes this recommendation is a good one.</p> <p>Mayor Currier said, "It is our policy to encourage infill, and that is an area that might have infill. If there were, parking would become significant." Mr. Sengstock said, "No, I don't believe so."</p> <p>Councilmember Stewart commented that the Historical Society could build there, and would have to have their own parking. He added that, if the applicants obtained a lease for the parking spaces, they wouldn't have to worry about parking. Councilmember Vander Horst added "at their option" to his motion.</p> <p>Charlotte Page, a Jerome resident and owner of the property, said that her concern is that they live in a home that they can't draw a permit on. If anything happened to their home, they would not be able to rebuild it, and would be required to have parking, which is not possible. Mayor Currier said that, if Council passes the motion on the floor, that won't be a worry for them.</p> <p>Mr. Sengstock stated that Councilmember Vander Horst's review of this is correct, and is the right thing to do.</p> <p style="text-align: center;"><b>The motion carried, 5-0.</b></p>
<p><b>ITEM #10</b></p> <p><b>8:01</b></p>	<p><b>NEW BUSINESS</b></p> <p><b>ITEM #10A: DEBT COLLECTION POLICY</b></p> <p>Council will review and may approve a policy for debt collection.</p> <p>Council had received a draft policy for debt collection in their packets, and a slightly revised version at this meeting.</p> <p>Ms. Gallagher stated that this draft was a joint effort between Ms. Cretti and herself. The revision added a section regarding settlement arrangements. This policy, she said, includes criteria for writing off bad debt and the procedure to do it. The attorney has reviewed and approved this.</p> <p>Councilmember Vander Horst noted that there is no reference, under collection efforts, to turning off utilities. Ms. Gallagher explained that utility accounts are not specifically mentioned, because the Town Code addresses the procedure for their collection. Mayor Currier pointed out there is no reference in the policy to the Code. Ms. Gallagher replied Ms. Cretti recommended that we not include that reference because she feels that the Code needs revision. Mayor Currier agreed that the Code needs to be revised, but, he said, "the purpose tonight is to produce a collection policy, and if we don't refer to the Code, I think we have an inadequate policy in front of us." He said that he would like to add that reference, in whatever manner is acceptable to the Town Attorney. Ms. Gallagher suggested that a new subsection c be added to Paragraph D referencing that utility accounts would be handled in accordance with the Town Code. Existing subsection c would then be renumbered as subsection d.</p> <p>Mayor Currier called for a motion to accept this policy statement, with that adjustment.</p> <p style="text-align: center;"><b>Motion:</b> Councilmember Vander Horst made a motion <b>to accept the policy statement as adjusted<sup>2</sup>, with more discussion.</b> It was seconded by Vice Mayor Freund.</p> <p>Councilmember Vander Horst asked about subsection C (a), which talks about "originating departments." He asked if we have control over fire department billings. Ms. Gallagher said</p>

<sup>2</sup> The adjusted policy statement is included at the end of these minutes.

that is handled by an outside agency, and Ms. Cretti said that this was noted as an internal control matter in our audit. Ms. Gallagher clarified that there is not a problem with the way that they are handling it, but the way that it is set up.

Councilmember Vander Horst asked, "What is our policy today in terms of billing by the Fire Department? Do we not bill citizens?" Ms. Cretti replied that the policy is confusing. People who are not residents can be billed, however we don't define what a resident is in the Town Code. There were issues with the auditor, she said, because it is a financial issue. She went on to say that there are ways to handle it, but it is very confusing. She added that Chief Blair is the only person who makes a decision about who gets billed.

Mayor Currier called the question.

The **motion carried with 5 ayes, 0 nays and 0 abstentions.**

8:10

**ITEM #10B: BAD DEBT**

Council will review and may approve writing off several delinquent accounts classified as "bad debt."

Council reviewed a listing of bad debt recommended for write off. It was noted that one page included in the information Ms. Cretti had compiled for Council had not been provided to them, and a brief recess was called while she retrieved that.

Council returned into session at 8:14 p.m.

Mayor Currier reviewed the journal entries outlined by Ms. Cretti. The first, he said, goes back many years ago, to when we had a problem in the bookkeeping department. We would be writing off \$26,304.16 in restitution owed by Ms. Ross.

Councilmember Stewart asked, "Isn't restitution a court ordered thing that we can't stop?" "We are not stopping it," Ms. Cretti replied. "She hasn't paid it in full, and it's past the time that we could go to collections. She did pay back quite a bit of it." Mayor Currier explained that we had a bookkeeper (Ms. Ross) who absconded with some funds 15 years ago.

The Mayor went on to explain that we would be writing off rental bad debt totaling \$347.36, water debt totaling \$8,679.81, sewer debt totaling \$2,660.76 and trash debt totaling \$2,497.35, and these accounts are all over a year old. Ms. Cretti confirmed this and noted that the figures include late fees as well.

Councilmember Stewart asked, if the late fees were waived, would it be possible to get some of these accounts up to date? Someone present apparently responded with a non-verbal "no," as Mr. Stewart then said "No." He then asked if writing off the debt gives these individuals a "clean slate." Ms. Cretti replied that it does not, and said that their accounts will continue to reflect the debt. Mr. Stewart asked, "If they took care of this, do you think we could waive the late fee portion of it?" Ms. Cretti said that her understanding is that, because the late fees have been placed there by the Council, even the Council can't go against their own law.

Mayor Currier said that he believes the policy they just adopted would allow the Manager to do that. Ms. Gallagher disagreed, and said that she can't make existing late fees go away.

Ms. Cretti explained that the entries outlined will leave \$6,000 in our allowance for doubtful accounts, which is generous and is not likely to be used. In future years, there will be \$6,000 that can be used to write off bad debt. She added that the Town used to have \$3,000 a year in bad debt, but this year it seems to be quite a bit less. People are getting better, she said, at paying their accounts.

Mayor Currier called for a motion.

**Motion:** Councilmember Vander Horst made a motion **to write off several delinquent accounts as outlined by Ms. Cretti**<sup>3</sup>. It was seconded by Mayor Currier. **Motion carried, 5-0.**

8:23

**ITEM #10C: NATIONAL LEAGUE OF CITIES (NLC) SERVICE LINE WARRANTY PROGRAM**

Council will discuss the Town's participation in the NLC's Service Line Warranty program, and may determine whether or not to continue that participation.

<sup>3</sup> The journal entries recommended by Ms. Cretti and a redacted list of bad debt accounts are included at the end of these minutes.

	<p>Vice Mayor Freund, who sponsored this agenda item, said that his immediate objection to the letter mailed by the sewer line warranty firm was that it appeared to be on the Town's letterhead and signed by the Mayor. The letter said that the program was endorsed by the Jerome Town Council, he said, but it had been endorsed by the <u>prior</u> Council. He proposed that the current Council endorse the program, and said that they have an A+ rating from the Better Business Bureau.</p> <p>Rebekah Kennedy asked how to get her name off their mailing list. Ms. Gallagher said that she had emailed the company to remove certain names from their mailing list, and they confirmed that Ms. Kennedy had been taken off.</p> <p>Vice Mayor Freund said that his problem with these solicitations is that the way that they are formatted "screams scam" to him. We should ask this company to do a different type of promotion, he said, as we are constantly confronted with fraud.</p> <p>Ms. Gallagher explained that the agreement with the firm [Service Line Warranties of America] was approved by Council in March 2013. It renews automatically every July 2<sup>nd</sup>, unless the Town provides a 90-day notice. If we wish to terminate the agreement we need to notify them no later than April 2. Currently, she said, among our homeowners, there are 19 sewer line warranties, 13 water line warranties, and one sewer claim filed and paid. Nine cities in Arizona participate with this company, including Phoenix and Mesa.</p> <p>Vice Mayor Freund stated again that this is a legitimate program, and a nice option to have for our citizens. Mayor Currier noted that Council looked into this originally when a resident had a problem plumbing under their cement stairway.</p> <p>Rebekah Kennedy stated that citizens should have been able to opt in to the program, rather than have to opt out. Mayor Currier said that he agreed, and added that he has never received one letter from the company.</p> <p>Vice Mayor Freund said that Albuquerque and Las Vegas had also questioned this program. Mayor Currier said, "I will not sign any more letters for these guys."</p> <p>Ms. Gallagher suggested that she include this topic on the March meeting agenda, so that Council can decide at that time whether or not to continue with the program.</p> <p>Councilmember Vander Horst asked if the Town received any monetary benefit from the program. Ms. Gallagher replied that it does not. The Town had the option to earn money from it, she said, but instead Council opted to reduce the premium rates for our residents.</p> <p>Councilmember Barber commented that the program is nice for some of our citizens, but we don't want people to be bombarded with it.</p>
<p><b>ITEM #11</b> <b>8:33</b></p>	<p><b>TO AND FROM THE COUNCIL</b></p> <p>Council may direct Staff as to items of pending importance that they would like placed on a future meeting agenda.</p> <p>Councilmember Vander Horst asked that the Public Hearing regarding CDBG funds be added to the meeting calendar on the Town's website. Ms. Gallagher said that it will take place on November 17 at 5:30 p.m., and she will add it to the meeting calendar. She noted that there is already a notice about it on the website's home page.</p> <p>Councilmember Vander Horst went on to say that, year to date, Council has had 19 special meetings. He suggested that, if we went to two Council meetings a month, this might eliminate these extra meetings.</p> <p>Ms. Gallagher said that this may require a Code amendment.</p> <p>Mayor Currier said that this would be true if we were scheduling another regular meeting, but this Council could come to an understanding about an additional meeting that would affect only this Council. "It's a good point," he said, "and it should be put on the agenda."</p> <p>Councilmember Vander Horst said that he feels it would give the Council more transparency, and Councilmember Stewart asked if that would make it easier for staff, so that we wouldn't have so many special meetings.</p> <p>Ms. Gallagher said that she will put this on the next meeting agenda for discussion.</p> <p>Vice Mayor Freund thanked Ms. Gallagher and Henry MacVittie for the recent tour of the sewer plant. He looks forward to similar field trips.</p>



	<p>Mayor Currier asked if there was a chance to get out on another field trip before winter comes. Ms. Gallagher suggested they resume in the spring.</p> <p>The Mayor also mentioned that the Humane Society's semi-annual Flea Market would be taking place on the coming weekend. Rebekah Kennedy said that she wanted to specifically point out that they do <u>not</u> have to collect sales tax because it is all donations.</p>
<p><b>ITEM #12</b> <b>8:38</b></p>	<p><b>ADJOURNMENT</b></p> <p>Upon <b>motion</b> by Councilmember Vander Horst, seconded by Vice Mayor Freund and unanimously approved, the <b>meeting was adjourned at 8:38 p.m.</b></p>

Edited by Town Manager/Clerk Candace Gallagher from minutes taken and transcribed by Deputy Town Clerk Joni Savage.

APPROVE:

ATTEST:

\_\_\_\_\_  
Lew Currier, Mayor

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

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