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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, DECEMBER 8, 2015, AT 7:00 P.M.

<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 Lew Currier, Vice Mayor Doug Freund, and Councilmembers Alex Barber, Abe Stewart and Frank Vander Horst.</i></p> <p><i>Other staff present were Al Sengstock, Zoning Administrator and Joni Savage, Deputy Clerk.</i></p>
<p><b>ITEM #2:</b> <b>7:00</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>ITEM #3:</b> <b>7:01</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>Mayor Currier introduced to Council our new Deputy Public Works Director, Edward Ave, and his wife Lou.</i></p> <p><i>Vice Mayor Freund mentioned the recent fundraising event conducted to benefit the Jerome Kids Art Workshop and asked how much money was raised. Staff did not have that information available.</i></p> <p><i>Councilmember Vander Horst acknowledged Peggy Tovrea's ten years of service with the Town. He asked if all Department Heads attend the monthly staff meeting. Ms. Gallagher responded that they normally do if they are able to.</i></p> <p><i>Councilmember Vander Horst asked for an update regarding the meeting held the day before regarding the leaning wall. Ms. Gallagher stated that the meeting was attended by the contractor (Coby Cook of Elite Performance Concrete), the structural engineer (with Core Structure Group), Town Engineer Richard Aldridge, Deputy Public Works Director Ed Ave, Building Inspector Barry Wolstencroft, Mayor Currier, Councilmember Stewart and herself. "We broached the subject about some of the mistakes made," she said, "and asked if all of us could move forward in an economical fashion." The engineers are not willing to alter their position, and were not particularly cooperative during the meeting.</i></p> <p><i>The final outcome, she said, is that Council will have three options. The first would be finishing the wall according to the engineer's specifications, which could cost almost \$20,000. However, the engineers informed us at that meeting, she said, that they would not be "signing off" on the project even if the additional work was done. They explained that they don't "sign off." They simply inspect and acknowledge that the work was completed as specified. The second option is to remove the top half of the wall, and the third option is to leave the wall as is and construct a fence around the fall zone.</i></p> <p><i>Kevin Savage, a Jerome resident, asked how much we have spent on this wall. Mayor Currier responded it is somewhere around \$50,000. Ms. Gallagher offered that part of that \$50,000 was grant funding.</i></p> <p><i>Mayor Currier noted that this topic is not a part of the agenda and Council moved on.</i></p> <p><i>Councilmember Vander Horst asked if any action was being planned for the subsidence by the sliding jail. Mayor Currier said that there is a tentative plan to install chain link fencing</i></p>

	<p>there, but we first need more input.</p> <p>Councilmember Vander Horst observed that sales tax revenue through October is 11.5% greater than what was budgeted, which would indicate a strong economy in Jerome.</p> <p>Mr. Vander Horst asked why bad debt is still included on Ms. Tovrea's report. Ms. Gallagher explained that, although it has been written off on the books, it remains on the individual accounts which are included in the report. Ms. Gallagher was asked to have the bad debt item removed from Ms. Tovrea's report.</p> <p>Vice Mayor Freund asked Mr. Ave about the status of the garbage truck. Mr. Ave said that the truck dumped at Gray Wolf landfill and was then taken to Pete's Diesel for repair. We are hoping to have it back before Friday, but he has ordered a roll off container in case there is a delay.</p> <p>Councilmember Vander Horst noted that Jerome police assisted the Clarkdale police 13 times last month, and said that he is wondering if that is equitable. He also questioned whether the number "nine" shown for Hampshire speed enforcement refers to traffic stops or tickets issued. Mayor Currier asked Ms. Gallagher obtain answers to both questions from Chief Muma.</p> <p>It was noted that a typo in the Public Works report referred twice to "vale," where it should have read "valve."</p> <p>Mayor Currier asked about the status of the regulator work on School Street. Mr. Ave said that he is waiting for some additional parts. He noted that the system is running at over 230 psi and the valves we have will not withstand that pressure. He expects to have the parts within the next week.</p> <p><b>Motion:</b> Vice Mayor Freund made a motion <b>to accept the staff reports</b>. It was seconded by Councilmember Stewart. The <b>motion passed, 5-0</b>.</p>
<p><b>ITEM #4:</b> <b>7:14</b></p>	<p><b>FINANCIAL REPORTS</b></p> <p>Issued checks and financial reports for the month of November 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>Councilmember Vander Horst asked about a lease payment shown for a compact front loader. Ms. Gallagher responded that it is for the skid steer, which is a lease-purchase.</p> <p>Councilmember Vander Horst said that, based on the balance sheet, it looks as though our cash reserves have decreased \$8,000 since last month. He asked if we are still able to meet our commitments. Ms. Gallagher stated that we have been able to so far, and Ms. Cretti has not given her any indication that we are facing a crisis.</p> <p>Mayor Currier commented regarding the balance sheets now being provided (at Council's request) in the meeting packets. He said that he had asked Ms. Cretti about some of the assets listed, and she explained that some things are posted only once a year, and the numbers shown represent the posting from June of last year. As such, he said, he finds the balance sheets "absolutely worthless" as far as providing information goes. Ms. Gallagher asked if Council wished to continue receiving the balance sheets. After brief discussion, it was agreed that they would remain in the packets.</p> <p>Councilmember Vander Horst presented and reviewed a one-page summary of the financial reports. Our revenue for the year to date is \$51,000 under budget, he said, but our expenses are \$72,000.00 under budget, so we have a net positive impact of \$21,000. He noted that this does not include wildlands revenue yet, which he believes will be around \$70,000. He also noted that he included grants below the bottom line. He asked if the one-page summary could be generated by staff for future packets. Ms. Gallagher agreed that this could be taken care of. Councilmember Stewart commented that he liked that report.</p> <p>Mayor Currier noted that we are generating less utility revenue than we had predicted. We haven't lost any customers, he said, and there does not appear to be a lot of receivables. He said that Ms. Gallagher would be looking into this.</p> <p>Vice Mayor Freund asked about the per call pay paid out during November, which goes back to November 2014. Ms. Gallagher and Councilmember Stewart explained that the per call pay is paid annually during November. Mr. Freund asked how this is handled with</p>

	<p>respect to prior year taxes. Councilmembers Stewart and Vander Horst stated that the small portion covering 2014 is not significant.</p> <p><b>Motion:</b> Councilmember Vander Horst made a motion <b>to accept the financial reports.</b> It was seconded by Vice Mayor Freund. The <b>motion passed, 5-0.</b></p>
<p><b>ITEM #5:</b> <b>7:23</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>Councilmember Vander Horst asked about the status of the Clubhouse. Mr. Sengstock replied that he hadn't heard from them in a month, and at that time they were still working on negotiations.</p>
<p><b>ITEM #6:</b> <b>7:24</b></p>	<p><b>COUNCIL MEETING MINUTES</b></p> <p>August 26 special meeting; September 22 special meeting; November 10 regular meeting</p> <p><b>August 26, 2015:</b> Mayor Currier said that he had spoken with Ms. Gallagher, and there has been some movement on creating a Financial Operations Manual, but not enough. He would like to see that document. He also commented that the major equipment inventory should be done as soon as possible. He would like to know how many fire trucks we have.</p> <p><b>Motion:</b> Councilmember Vander Horst made a motion <b>to accept the minutes of August 26, 2015.</b> Vice Mayor Freund seconded it. The <b>motion passed, 5-0.</b></p> <p><b>September 22, 2015:</b> Mayor Currier asked if adopted Resolutions could be posted on the Town's website. Ms. Gallagher said that she would do this.</p> <p>Mayor Currier also commented, regarding a discussion on page three of the minutes, that he has verified that a bed and breakfast can have no more than three rooms.</p> <p><b>Motion:</b> Vice Mayor Freund made a motion <b>to accept the minutes of September 22, 2015.</b> Councilmember Stewart seconded it. The <b>motion passed, 5-0.</b></p> <p><b>November 10, 2015:</b> Because not all members of the Council had had the opportunity to review these minutes, it was agreed to table their approval to the next meeting.</p> <p><b>Motion:</b> Vice Mayor Freund made a motion <b>to TABLE the minutes of November 10, 2015.</b> Councilmember Barber seconded it. The <b>motion passed, 5-0.</b></p>
<p><b>ITEM #7:</b> <b>7:30</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>There were no petitions from the public.</i></p> <p><i>Mayor Currier called a Holiday Break. The meeting reconvened at 7:40 p.m.</i></p>
<p><b>ITEM #8</b> <b>7:40</b></p>	<p><b>UNFINISHED BUSINESS</b></p> <p><b>ITEM #8A: ALTERNATIVE ENERGY GUIDELINES</b></p> <p>Council will review Alternative Energy Guidelines drafted by the Zoning Administrator and his recommendations regarding same.</p> <p><i>Mr. Sengstock stated that he believes, given the way our Codes exist right now, along with very specific guidelines from the Design Review Board portion, that we have all of the leverage and authority to control any of the things that we are concerned about. One of the issues discussed, he said, was the location of the panels, but the guidelines state that they should be as least visible as possible. Also, color can be considered so that it blends and matches with the surrounding neighborhoods.</i></p> <p><i>Mr. Sengstock added that he has drafted Zoning Administrator guidelines for Design Review that he plans to present to the Boards for their review. What that would do, he said, is hold the Zoning Administrator accountable to be much more specific regarding both what he</i></p>

or she looks at and the disciplines applied to the review, getting specifically into architectural design and specific issues such as mass, size, roof pitches, vertical and horizontal lines, and how it fits into the community. He added that, where the Zoning Administrator makes a recommendation that ferrets out specific desired requirements, those should be made an actual part of the motion, and should not be just a matter of conversational dialogue that could be lost in the minutes. There is a need for the Zoning Administrator to be more specific, he said. For example, in the past, something was approved using the verbiage "similar materials" and said nothing about color. The alternative energy guidelines will cover specific areas as well as basic zoning codes. Whatever the board decides, he said, the Zoning Administrator can't allow things to be general. There needs to be clarity in the motions and decisions that are made.

Regarding wind power, Mr. Sengstock said that Jerome is not set up for wind generation, nor does it carry the wind loads that would make it financially feasible. He said that he created the first Creative Energy Fair in Prescott Valley, and became educated in these disciplines. Wind generators have become very small, he said, and some of them are not very loud and do not have a visual impact. There are some ways this could fit in visually, he said, but it would have to be looked at very specifically. "You will never see them on towers and poles in our downtown area," he said.

Councilmember Vander Horst asked Mr. Sengstock to compare and contrast the difference between a guideline and an ordinance, and the enforceability of each. Mr. Sengstock said that a guideline holds the Administrator involved in reviewing and processing the application, making the presentation, and making sure that what comes out of the hearing accommodates the Code as it is intended to be.

Councilmember Vander Horst said that he concerned about when Mr. Sengstock is not here, and the difference between a guideline and an ordinance. Mr. Sengstock concluded that this could be evolved into policy and procedures rather than just guidelines for the Zoning Administrator. "We could adopt a policy and procedure manual in relationship to this particular use," he said.

Mayor Currier asked Mr. Sengstock why would that be any different than the guidelines that he is proposing. "Because it would be officially adopted by the Council," Mr. Sengstock replied. He is using these guidelines, he said, but a policy and procedure manual would be approved by the Council.

Mayor Currier referred to a statement in the guidelines that read, "least visible high performance location where performance decreases by no more than 15%," and asked how the 15% figure was derived. Mr. Sengstock said that this was taken from the Federal Historical Preservation Guidelines, and the Design Review Board modified it more specifically to the Town's needs and uses. That particular standard, he said, is template-based and is recommended at the Federal level and passed down to SHPO.

Mayor Currier posed a hypothetical example where a homeowner determines that performance would decrease by 16%, and then will not comply because he/she can't get at least 85% performance out of the system. Mr. Sengstock said that the Design Review Board will look at anything that happens in this town and they are authorized to make those choices. "If this will not protect our historical visual impact," he said, "then your choice is to find a secondary location. If performance drops by 15%, then that is the price you will have to pay." "I know it sounds arbitrary," he said, "but we're dealing with an aesthetic visual mechanism for maintaining our historical visual impact." Mayor Currier said that what it looks like to him is that the applicant can throw out any place that doesn't allow him 85% of his energy.

Mr. Sengstock said that we will be dealing with spatial location and visual impact as the primary consideration and working backwards from there, within the realm of acceptability of the Design Review Board. The owner would have to decide if it would be worth it to them. There could be times, he said, that there is no appropriate place on the property for a particular type of alternative energy.

Mayor Currier clarified that he does like solar power, but the problem he sees in Jerome is that, at this slope, you can see everyone's roof, and with solar panels, "these roofs would look like the 21<sup>st</sup> century."

Mr. Sengstock said that, from a historical design perspective, SHPO and the Feds do not

believe solar equipment affects the historical status of a building because it is not permanent. The panels are attached to the building but don't change the size of the building. They don't look at them in the same way that they would look at an addition.

Mayor Currier said that, if he were on the Design Review Board, he would say that none of these designs are acceptable, and if the majority of the Board took that same position, they could stop that development. "I do not believe that would be statutorily supported," Mr. Sengstock replied. "If it is considered an allowed use, you would have to have just reason not to allow it." The difference here, he said, is when you have a Design Review Board, it could be subjective and arbitrary. "A word they use when they review zoning decisions," he said, "is 'capricious and arbitrary.' If you say yes to one and no to another, you start getting into jurisdictional and judicial due process that can be overturned by a Superior Court as being capricious and arbitrary because they want to make sure you are being consistent in relationship to whatever choices and decisions you are making about land use." He added that, being in Arizona, property rights are also an issue.

Councilmember Vander Horst said that he believes that if Design Review has the right to say no to a house color or whether a front door is appropriate, then they could refuse a solar panel. Mr. Sengstock agreed that, on a case by case basis, that is correct. However, he said, he does not believe that they could make a wide sweeping decision that you can't have them.

Mayor Currier clarified, "I didn't say they couldn't have them, I'm just saying there is nothing on the market that is compatible with our ambiance here in town." Mr. Sengstock said that, in his opinion and history with land use, that kind of wide sweeping prohibition based on opinion would probably be a problem. The Mayor replied, "I understand you're saying that, no matter what, they will get their panels." "No," Mr. Sengstock replied, "I'm not saying that. I'm saying they have the right to be heard. I do not believe there is any way to make any wide sweeping choices ahead of time."

Councilmember Vander Horst commented that he thinks solar panels are great in Clarkdale.

7:59

#### **ITEM #8B: POTENTIAL PROJECTS FOR CDBG FUNDING**

Council will review projects discussed at the CDBG Public Hearing held on November 17, 2015, and may direct staff in this regard.

Ms. Gallagher explained that the Town is eligible this year for \$309,000 in CDBG funds. In the past, we qualified for town-wide projects, but now the State's figures indicate that Jerome as a whole is just 31% low- to moderate-income, which is much lower than the 51% needed to qualify for a town-wide project.

She reviewed the options discussed at the November 17 public hearing, which included housing rehabilitation for which residents would qualify individually. Homes must be owner-occupied, and funding levels could range from about \$15,000 to \$40,000. The homeowners would need to meet low- to moderate-income guidelines of \$27,900 for a one person household and \$31,900 for a two person household. At the lower funding level, the loan is forgiven after five years of residency and at the higher levels it can be up to 15 years. The program would be coordinated and administered by NACOG.

We could also choose a project that would benefit a particular part of town where residents may meet the income requirements. She noted that, although adults 62 and over are considered to automatically meet income guidelines, this is only in regard to a project such as a senior center. Lastly, we could do an ADA project, or a project to abate an urgent life-threatening health issue that we would have to identify.

Ms. Gallagher said that, in order for Council to choose a project, it has to have been discussed at a public hearing. At the November 17<sup>th</sup> hearing, the following projects were discussed: Deception Lane improvements, which would be road, water system and fire hydrants (suggested by Chief Blair); Hotel Jerome renovation, but we were informed at the hearing that it is too large a project; Center Street improvements; drainage improvements in the Gulch; Fifth Street improvements, and the housing rehab. All projects except housing rehab would require that we do an income survey among those benefitting to assure that they qualify. The general feeling at the hearing was that housing rehab would be the best choice for the Town. If Council would like to consider a project that was not discussed at the first hearing, she said, it would need to be discussed at another public hearing. Council

has until the end of January to make their final decision, she added.

Michael McDonald, a citizen of Jerome, asked what kind of interest Council would need in order to go with the housing rehabilitation program. Mayor Currier said that, if we gave out \$30,000 each, for example, that would be a pool of 10 people. If we had more than 10 people interested, that would be encouraging, he said. He added that people sometimes don't like to take federal money; however, he is in favor of this. Mr. McDonald said that he had just become aware of it, and knows of at least four more people that would be interested.

Mayor Currier mentioned the possibility of publicizing this through a mailing. Ms. Gallagher said that, Council does not need to take action tonight, but if they indicate that this is the direction they would like to go, we could do more outreach.

Councilmember Vander Horst said that he feels that housing rehab is the project Council should choose, but it may impact the fewest number of people. It was discussed that most of the other projects mentioned, such as Deception Lane, could impact fewer people.

Mr. McDonald said that he could be helped with as little as \$7,000 to \$10,000, and would like to see the funds spread further. The Mayor agreed that not everyone would need \$30,000.

Councilmember Vander Horst asked how many years we have in which to spend it. Ms. Gallagher and Vice Mayor Freund said that we have two years to spend it.

Ms. Gallagher interjected that the town she worked for in New Jersey did a housing rehab project with CDBG funds. It took a little while to get people to trust it, she said, but once they did, the people were very happy. The amount was not the same for all, some got more and some got less, depending on what was needed.

Mr. McDonald asked if the work would be done by a specific person. Ms. Gallagher responded by saying that NACOG would handle that, and it may be sent out to bid. Mr. McDonald asked if he could get a bid from his neighbor, and "what is a forgivable loan?"

Ms. Gallagher replied that the work would need to be done by a licensed contractor, and a forgivable loan is one in which, if you leave town or sell your home within a certain amount of time, it would then become a lien on the property. With a \$15,000 loan, she said, that period is five years.

All members of Council indicated that they would like to proceed toward the housing rehab option, and Mayor Currier asked that it be publicized.

Ms. Gallagher said that Council would have to finally approve this in January and adopt a resolution in that regard. She added that Mr. Sengstock has had experience administering these programs.

Mayor Currier said that he believes that no one on Council or Town staff could qualify for the funding, due to the appearance of a conflict of interest. Ms. Gallagher said that this would be a question for Isabel Rollins at NACOG.

There was brief discussion regarding the process of income qualification.

Mr. Sengstock stated that, in addition to this program, NACOG can be contacted by an individual property owner to ask for funds for winterization, up to \$15,000.00. Mayor Currier said that he sits on the NACOG board and his impression is that they have very little money for that program.

ITEM #9

**NEW BUSINESS**

8:14

**ITEM #9A: USE PERMIT – DENI PHINNEY**

Council will review and may approve an application by Deni Phinney for a Use Permit to return the building located at 537 School Street to its original duplex use within the C-1 Zoning District. The permit was approved by the Planning and Zoning Commission on November 4, 2015.

Mr. Sengstock reviewed the history of this property, and added that, what it used to be historically is irrelevant—the only thing that is relevant is that Ms. Phinney is asking for a duplex use permit. The Planning and Zoning Commission has already approved it. Ms. Phinney has to leave the area for employment and would like to rent it out as a duplex. There are enough parking spaces on site. It had previously been approved for a Bed and

Breakfast, and he recommends approval.

Mayor Currier said, "I believe this is a great idea, but what does the term "C-1" mean?" Mr. Sengstock said that it denotes commercial use. "Then it is permitted in this zone?" the Mayor asked. Mr. Sengstock replied that it has to have a use permit.

**Motion:** Councilmember Vander Horst made a motion **to approve the use permit** and it was seconded by Mayor Currier. **The motion passed, 5-0.**

8:17

**ITEM #9B: APPOINTMENT TO PLANNING & ZONING COMMISSION**

Council will consider the application of Hunter Bachrach to serve on the Planning and Zoning Commission, and may appoint him to fill the remainder of the unexpired term ending February 28, 2018.

Hunter Bachrach introduced himself and said that he considers Jerome a treasure in Arizona. He and his wife consider themselves very fortunate to live here, he said. He first came to Jerome in 1966, has owned his home for 12 years, and has lived here for two years. He feels that it is critical to preserve the nature of this town.

Councilmember Vander Horst asked if Mr. Sengstock supported Mr. Bachrach's application. Mr. Sengstock said that he did, and that Mr. Bachrach has all of the construction experience and background required for this Commission.

**Motion:** A motion was made by Vice Mayor Freund **to appoint Hunter Bachrach to the Planning and Zoning Commission.** It was seconded by Councilmember Barber.

Ms. Gallagher noted for the record that this appointment is for the remainder of the term ending February 28, 2018.

**The motion passed, 5-0.**

8:20

**ITEM #9C: REQUEST FOR RENT REDUCTION**

Council will consider a request by Wynne Walker of the Blue Bee Boutique to reduce the rent charged for the lease of space at 301 Main Street.

Ms. Gallagher introduced Wynne Walker, owner of the Blue Bee Boutique, who has requested that Council reduce her rent.

Ms. Gallagher explained that Ms. Walker was told by Jay Kinsella of the Historical Society that the businesses which aren't located on Main Street rent for \$1.25 to \$1.50 per square foot, and those on Main Street are at \$2.00 per square foot. Her lease is at \$2.05 per square foot, which is \$2,150 per month. That rate was set by Council after the space was vacated by Erica Raspberry. Ms. Raspberry was paying a little less than \$1.94 per square foot and was not unhappy with that rent. The rent was increased in order to satisfy the budget. It was advertised at \$2,150 per month, and there were three applicants. Council interviewed each and determined that Ms. Walker's shop would be best for that space. Ms. Gallagher noted that the Town owns and leases out two other downtown spaces: the Jerome Artist's Co-op, which is at 68 cents a square foot (we subsidize the artists), and the Jerome Ghost Pepper Company, which is at \$1.49 per square foot.

Ms. Gallagher noted that the Town's budget is based on the rent we are receiving right now. If we reduce it to \$1.50 per square foot, revenue would be reduced by \$573.50 per month. If we reduce it to \$1.25, the reduction would be \$836.00 per month.

Ms. Gallagher said that she has discussed this with the Town Attorney, who has advised her that Council may choose to reduce the rent, but if so, the space will need to be advertised again at the lower rate. She added that Council also has the option to change the process adopted by the prior Council, and seek competitive bids for the space, or to leave the current rate in effect for the remainder of the fiscal year and consider this at budget time.

Mayor Currier said that he sat on the Council that opted to rent the space to Ms. Walker, and he personally felt that she had a good business plan. We had no trouble finding people that wanted to pay \$2,150 per month, he said, and noted that retail sales tax receipts are up, so he does not understand why she is requesting a rent reduction.

Ms. Walker stated that she has no problem with the building or the space, but she is having a hard time getting people to go up the 17 steps to her shop. She understands that it can't be handicap accessible, she said, and noted that her sales here are no better than they had been in Colorado. She's at the limit of her allowed signage and can't get people into

her store. She added that she loves and tends the garden there, but all she is able to do at this point is pay her bills.

Councilmember Stewart asked Ms. Walker if she was willing to risk losing her lease if the space is readvertised. Ms. Walker said that she would have to take that risk. She pointed out that Council, if leasing it to someone else, would be taking the risk of someone coming in and not taking care of everything like she does.

Councilmember Barber said that we have to listen to our attorneys.

Councilmember Stewart said he sympathizes with Ms. Walker and the problem with the stairs; however, we have accounted for that revenue in our budget.

Ms. Walker said that she understood that, and that she is open to additional options for signage. A lot of people walk by and don't see that she's there, she said. She added that, when applying, she was under the assumption that this was the going rate for that location. She didn't realize that stores on "the main drag" had a lower rate.

Mayor Currier said that he believes everyone acted in good faith here.

Ms. Walker said that she has tried for a year and a half, and it's not getting better.

Mayor Currier expressed concern that this would open the door to other tenants seeking a rent reduction. Ms. Walker asked if their rent was within the going rate, and noted that she is only basing her request on the going rate.

Councilmember Vander Horst pointed out that changing the rent is not going to change the number of steps, and that rent had been paid at that level for several years. It was clarified by the Mayor and Manager that Ms. Raspberry had been paying slightly less, \$1.94 per square foot.

Councilmember Vander Horst said that the Historical Society is a different entity than the Town—they can set their rates wherever they want to. He said that he doesn't believe that there are a lot of commercial spaces available. He added that he sympathizes with Ms. Walker, "but who will be the next person asking for a rate reduction?"

Kevin Savage, a Jerome resident, asked about the rates on Main Street. Mayor Currier explained that the Jerome Historical Society charges \$2.00 per square foot and this rent is \$2.05. He asked Ms. Walker who her target customers were. Ms. Walker responded, "you and middle-aged and Midwest tourists." She said that she believes that she knows our tourist base well, and she is in a low- to medium-, rather than high-end bracket.

Vice Mayor Freund asked Ms. Gallagher if she knew the history of the Historical Society's rates. They could be raising their rates, he said. She did not know. Mayor Currier asked Councilmember Vander Horst if the rates were likely to be going up at the Historical Society. He responded there has been no discussion of the rates going up or down.

**Motion:** Councilmember Stewart said that he sympathizes, but our budget is set in place and **we should re-visit this at budget time**, and we can look at rents across the board. He indicated that this was a motion, and Mayor Currier seconded it.

Ms. Walker asked when the budget meetings would take place. Ms. Gallagher said that we would begin budget discussions in the spring.

Mayor Currier recapped that the **motion is to table this until our budget hearings**.

After brief further discussion, the question was called.

The **motion passed, 5-0**.

8:38

#### **ITEM #9D: COUNCIL MEETING SCHEDULE**

Council will discuss whether to regularly schedule a monthly special meeting, in addition to the regular monthly Council meetings.

Councilmember Vander Horst said that, so far this year, Council has had 21 special and budget meetings in addition to the regular Council meetings. He suggested that Council plan ahead for a second meeting every month. He feels this would help staff, and if there was nothing on the agenda, the meeting would not have to be held. Discussion ensued.

Councilmember Stewart said that he doesn't think a set date would work because some of these special meetings can't be avoided, and some of the meetings are during work hours. Councilmember Vander Horst said that he believes that this wouldn't eliminate them, but

would greatly reduce them.

Councilmember Stewart said that he would like to not have to take time out of work.

Councilmember Vander Horst said that he would like to hear from staff.

Ms. Gallagher said that she feels this idea has merit, and agreed that it would be easier for staff; however, she doesn't think it will eliminate the need for other special and budget meetings.

Councilmember Vander Horst suggested that another thing Council may want to do is to move the discussion of the financial reports to the second meeting of the month, which would allow everything to be ready.

Vice Mayor Freund said, "We're talking about scheduling 24 meetings a year. If we have them scheduled, we will have them. This will make it very difficult for some of us to plan our lives." Councilmember Vander Horst stated that it is more difficult for him to plan his life not knowing when meetings are going to be scheduled until a couple of days ahead of time.

Ms. Gallagher noted that, if the financial reports were scheduled for the second meeting, that would mean we would always have to meet.

Mayor Currier said, "We don't call special meetings for no reason." He said that he likes the flexibility we have now; however he doesn't have regular business hours. "I don't think it will be useful," he said, "but we could try it for six months and see how it works."

Councilmember Vander Horst said that it could be cancelled at any time.

Councilmember Stewart suggested that the extra meeting be scheduled for the fourth Tuesday of every month at 6:00 p.m.

Vice Mayor Freund said that Council should focus on reducing so many special meetings. The last one, he noted, was to approve a liquor license for an event, "and that was because they weren't on top of things in a prompt manner." He said that he is worried that, with a 24 meeting schedule, we might lose the opportunity to have people run for Council.

Mayor Currier noted that this Council has had more special meetings than during the last term. Councilmember Stewart interjected that we've had fewer executive sessions.

Councilmember Vander Horst noted that what he is trying to do is reduce the number of meetings.

Councilmember Stewart said that he has mixed emotions about this. He would prefer that meetings were in the evening instead of during the day, but he signed up for this and he'll do what he has to. Mayor Currier said that he believes evening meetings are more conducive to getting the public involved.

There was discussion regarding what day and time the extra meeting should be scheduled for. Ms. Gallagher noted that the meeting would not be held unless it was necessary.

It was eventually agreed that IF a special meeting is necessary, Ms. Gallagher will attempt to schedule it for the fourth Tuesday of the month at 6:30 p.m. It will not be automatic, however. The "default" will be no meeting, but if a special meeting is needed, it will be scheduled for the fourth Tuesday of the month.

**Motion:** Councilmember Vander Horst made a motion **to schedule all special meetings for the fourth Tuesday of the month at 6:30 p.m. with a 6 month trial period.**

Councilmember Stewart seconded it. **The motion passed, 4-0.**

Ms. Gallagher clarified that, if Council does not hear from her, there will not be a second meeting.

<p><b>ITEM #10</b> <b>8:57</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><i>Vice Mayor Freund said that Paradise Valley has just passed an ordinance to control drones, and he asked that this be on the agenda for an upcoming meeting.</i></p> <p>Councilmember Vander Horst had several items:</p> <ul style="list-style-type: none"> <li>• <i>He said that, at the intersection of Holly and East Avenue is an area where tourists do U-turns "20 times a day." He asked if we should request a "No U-Turn" sign at that location. Mayor Currier said that this would be an ADOT issue and agreed that is a dangerous place. Ms. Gallagher said that this could be put on a future meeting agenda for discussion.</i></li> <li>• <i>He commented that it would be nice if Council had name tags. Staff will look into that.</i></li> <li>• <i>He said that he would like to return his Samsung tablet, because he is having problems with it.</i></li> <li>• <i>He would like a discussion at the next meeting regarding the status of the audit items.</i></li> <li>• <i>He would like for Council to look at additional revenue streams and to consider outsourcing in order to curb expenses. He clarified that he would prefer NOT to outsource anything here in town, but believes we should look at those costs. "You can't make decisions if you don't know the facts," he said. He would like to begin that discussion in January.</i></li> </ul> <p><i>Mayor Currier mentioned that subpoenas are being served for documents relating to vacation rentals, and asked Ms. Gallagher to brief the Council. Ms. Gallagher asked the Council to go through their emails and send her any emails that have to do with vacation rentals or the properties mentioned in the request. We have 30 days to comply, she said, and she is in the process of gathering documents from staff. She added that, if the email includes her, she would already have that and there is no need to provide it, but if it does not, she needs a copy of it.</i></p>
<p><b>ITEM #11</b> <b>9:07</b></p>	<p><b>ADJOURNMENT</b></p> <p><i>Upon <b>motion</b> by Councilmember Vander Horst, seconded by Councilmember Stewart and unanimously approved, the <b>meeting was adjourned at 9:07 p.m.</b></i></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: \_\_\_\_\_