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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, JUNE 13, 2017, AT 7:00 P.M.

<p>ITEM #1:</p>	<p>CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE</p> <p>Mayor/Chairperson to call meeting to order. Town Clerk to call and record the roll.</p> <p><i>Mayor Vander Horst called the meeting to order at 7:03 p.m.</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Vander Horst, Vice Mayor Kinsella, Councilmember Bachrach, Councilmember Barber and Councilmember Currier.</i></p> <p><i>Other staff present were Kyle Dabney, Zoning Administrator, and Joni Savage, Deputy Clerk.</i></p> <p>Mayor or Mayor's designee to lead the Pledge of Allegiance. <i>Yavapai County Supervisor Randy Garrison led the pledge.</i></p> <p><i>Mayor Vander Horst announced that Council would take public comments on Items 6, 8A, 8B and 9A. He also stated that Item 9B will be pulled and addressed at a future meeting.</i></p>
<p>ITEM #2: 7:04</p>	<p>STAFF AND COUNCIL REPORTS</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, and verbal reports from Council members regarding their activities.</p> <p><i>Mayor Vander Horst asked Ms. Gallagher if she had any highlights for the Council.</i></p> <p><i>Ms. Gallagher reviewed her staff report:</i></p> <ul style="list-style-type: none"> • <i>She has been working on the budget and the CDBG grant, as well as in the finance office. She engaged Brandi Suda, a professional who has assisted in the finance office in the past, to provide assistance in the same capacity as Megan Trout had previously, and will be meeting with her on the coming Saturday.</i> • <i>She worked with the auditor toward the completion of the audit and she has submitted our financial statements to the Auditor General.</i> • <i>The two spaces available for rent have been publicly posted, and the deadline to apply is June 19.</i> • <i>Rosa Cays has been hired to replace Peggy Tovrea, Charlotte Page has been hired as an assistant in Planning and Zoning, and Mica Monet was hired to assist with the Kids Art Workshop.</i> • <i>She and Mayor Vander Horst met with County Supervisor Randy Garrison and DeShannon Young (of his office) regarding several items of mutual interest.</i> • <i>She provided an update on the springs, and flows are still good.</i> • <i>Sales taxes are, so far, coming in at \$57,000 above budget. The one percent added bed tax has brought in \$8,200 over five months.</i> <p><i>Councilmember Currier noted, with respect to the Deputy Clerk's report, that the bank accounts are now all reconciled. (This was met with a round of applause.)</i></p> <p>Motion: Vice Mayor Kinsella made a motion to accept the staff reports. It was seconded by Councilmember Barber. The motion passed, 5-0.</p>
	<p><i>At this time:</i></p> <p>Motion: Vice Mayor Kinsella made a motion to move Item# 7A forward and it was seconded by Councilmember Currier. The motion passed, 5-0.</p> <p><i>Item #7A was addressed at this point, but is reflected in these minutes in the order originally agendized.</i></p>

<p>ITEM #3: 7:15</p>	<p>PLANNING AND ZONING AND DESIGN REVIEW MINUTES/ RECOMMENDATIONS/ZONING ADMINISTRATOR'S REPORT</p> <p>Minutes are provided for the information of Council and do not require action.</p> <p>Mr. Dabney read from his report and addressed several topics:</p> <ul style="list-style-type: none"> • Someone has purchased the Cuban Queen property. They have provided a preliminary plan, and they want to rebuild it. He spoke with SHPO, who told him that, because the original structure is gone, they can do whatever they want there. It is zoned commercial, he added. • Mr. Dabney talked about his two interns and the projects they are working on. Councilmember Bachrach asked about their fields of study. Mr. Dabney responded that one is in community planning and the other is in urban planning. • They are starting to clear out the flood house. He noted that "all it took were some additional phone calls." • Councilmember Currier asked about the house with all the timber in the front yard. "I believe it is a fire hazard," he said. Mr. Dabney said that he is working on that, but the owner is difficult to reach. Vice Mayor Kinsella said tht he believes that, at some point, the fire department will be contacting that owner to remove the debris. He added that he "would not step on someone's private property without their permission," and that there is a fire hydrant half a block away. • Progress is being made at the Mohawk. "These people are doing what they're supposed to," Mr. Dabney said. • He made contact with the owners of the Tamale Ladies house, and will be going over plans for what they have in mind to get that area cleaned up. • The draft General Plan is on the Town's website. He needs to get it out to the public, and the interns are designing something. The Steering Committee will help with that as well, he said. He may send out flyers with the monthly utility bills. <p>It was discussed and generally agreed that Mr. Dabney's report regarding saving historic structures would be tabled until the next meeting.</p>
<p>ITEM #4:</p>	<p>FINANCIAL REPORTS</p> <p>Financial reports will not be available for this meeting due to the unavailability of our CPA, Megan Trout.</p>
<p>ITEM #5: 7:27</p>	<p>COUNCIL MEETING MINUTES</p> <p>Open session minutes: May 9, 2017 regular meeting; April 29, 2017 special meeting; February 7, 2017 special meeting</p> <p>Motion: Vice Mayor Kinsella made a motion to approve the minutes of April 29, 2017 and it was seconded by Councilmember Barber. The motion was approved, 5-0.</p> <p>Vice Mayor Kinsella commended staff on the quality of the minutes, and Councilmember Barber agreed.</p> <p>Councilmember Currier asked, "Where do we stand on the Finance Director position?" Mayor Vander Horst stated that this is still being evaluated by the Town Manager. Ms. Gallagher said that she will have something for Council at the June 29 budget meeting.</p> <p>Motion: Vice Mayor Kinsella made a motion to approve the minutes of February 7, 2017 and it was seconded by Councilmember Currier. The motion was approved, 5-0.</p> <p>Councilmember Currier said that he had just received the May 9, 2017 minutes, and Mayor Vander Horst asked that they be tabled.</p> <p>Motion: Councilmember Currier made a motion to table the minutes of May 9, 2017. It was seconded by Councilmember Barber. The motion passed, 5-0.</p> <p>Closed session minutes: February 7, 2017</p> <p>Ms. Gallagher stated that the closed session minutes were not yet available.</p>

<p>ITEM #6:</p>	<p>PETITIONS FROM THE PUBLIC</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>ITEM #7</p> <p>7:11</p>	<p>PRESENTATIONS</p> <p>ITEM #7A: PRESENTATION OF VEHICLE</p> <p>Yavapai County Supervisor Randy Garrison will present the Town with keys to a pickup truck donated to Jerome by Yavapai County.</p> <p><i>Supervisor Randy Garrison, who was accompanied by his assistant, DeShannon Young, said, "I am proud to be here tonight to present the Town with a new truck." He spoke about the cycle of getting rid of older vehicles at the County. This is vehicle is specialized, he said, and is in good shape. It is being sold to the Town of Jerome for \$1.00. He handed the keys to Marty Boland, and commented that he will try to find a newer vehicle for the Town next year.</i></p> <p><i>There was brief discussion regarding payment of the one dollar, and Mr. Garrison pulled a dollar bill from his wallet and said, "The Board will provide the dollar."</i></p> <p><i>Council thanked Mr. Garrison.</i></p> <p><i>Mayor Vander Horst commented that Supervisor Garrison did not have an easy sell to all of the other Supervisors with respect to the donation of this vehicle. He added that Supervisor Garrison has also presented the Town with a 1926 map of all the mining claims in Jerome. He commented he had never seen that before, and thanked them very much.</i></p> <p><i>"If we find more things in our archives," Mr. Garrison said, "we'll get them to you."</i></p>
<p>ITEM #8</p> <p>7:32</p> <p>7:34</p>	<p>ORDINANCES</p> <p>ITEM #8A: FIRST READING - ORDINANCE NO. 430, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING SECTION 7-7, "PROPERTY MAINTENANCE CODE," OF THE JEROME TOWN CODE</p> <p>Council will review, and may conduct the first reading of, Ordinance 430, amending the Town's adopted Property Maintenance Code to specify a period for compliance.</p> <p><i>Mayor Vander Horst read the ordinance by title and provided a brief explanation of the change, which would provide that an owner would have up to 90 days to comply.</i></p> <p>ITEM #8B: FIRST READING – ORDINANCE NO. 431, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING SECTION 3-1-1, "OFFICERS," OF THE JEROME TOWN CODE REGARDING THE RESIDENCY OF THE PUBLIC WORKS DIRECTOR</p> <p>Council will review, and may conduct the first reading of Ordinance 431, amending the Town Code to remove the requirement that the Public Works Director reside within the Town of Jerome, and to require instead that he or she reside within 15 miles of Jerome.</p> <p><i>Jane Moore, a Jerome resident, asked if there was another way to accomplish our objectives without actually changing the Code.</i></p> <p><i>Mayor Vander Horst replied that, currently, we have a Public Works Director that has not been given the title. He noted that this ordinance would provide that the Public Works Director would not need to live in Jerome, but would need to live within 15 miles of Jerome.</i></p> <p><i>"That is a permanent change," Ms. Moore said.</i></p> <p><i>Councilmember Bachrach asked her what kind of problems she foresees.</i></p> <p><i>She replied that some incidents require a quick response.</i></p> <p><i>Mayor Vander Horst commented, "There was a situation a couple of weeks ago when someone who lived in town and the head of Public Works were both called at the same time, and the head of Public Works got here before the person living in town did."</i></p> <p><i>Ms. Moore said again that she didn't like the permanence of this change.</i></p>

Ms. Gallagher interjected, "It is permanent until the Council changes it again."
 Councilmember Currier asked if the attorney had reviewed this, and asked if this change is legal, because the requirement was originally done by initiative.
 Ms. Gallagher said that she had researched this. There has been an assumption that this had been approved by the voters. In 2006, however, the voters approved the question about having a Town Manager but there was nothing on that ballot about the manager or anyone other department head living in Town. In 2011, she said, the Council adopted an ordinance to include that residency requirement, but that was a Council ordinance, and not a voter initiative. It appears from the minutes that it was done then because that requirement was in the Personnel Policy, but not in the Code. At that time, it was stated that it had been approved by the voters, but she has not been able to find any evidence of that.
 Ms. Moore said that, as far as she knows, there has always been a residency requirement. She added that she believes it went to the voters to not have that requirement, but that was rejected.
 Councilmember Currier said that he believes that the initiative requiring department heads to live in town took place in the 1980's or 1990's, when the Town was a Commissioner form of government.
 Mayor Vander Horst asked how there could be a requirement for a Town Manager to live in town if it was a commissioner form of government. He asked how far back Ms. Gallagher searched.
 Ms. Gallagher replied that, when the Town Code was updated by a prior attorney, that attorney reviewed records going way back, and she would likely have put that in the Code if it had occurred.
 "I suggest we come up with a date," Vice Mayor Kinsella said, "because Yavapai County is mandated to keep all records."
 Councilmember Currier said that he agreed and understood. He said that he would research it and see if he could find something.
 Ms. Moore recalled that Vice Mayor Kinsella had at one time agreed that the Public Works Director should live in Jerome.
 "I would like to see them all living in Jerome," Mr. Kinsella replied, "but I have to look at it realistically." "In this case," he said, "I've been in the trenches with Marty. He's been here on a Saturday. I call him first, and by the time I get to where I need to go, Marty is already there."
 Ms. Moore suggested that we could give them six months to live in Jerome, and then extend that period.
 Councilmember Bachrach said, "I'm done with playing the game. If we can't have someone living here, then we have no choice and we should change the rule." He asked Mr. Boland how long it takes him to get here.
 Mr. Boland responded it is usually 20 to 25 minutes, and he lives 12 miles away.
 "It makes me crazy to call him the 'assistant,'" Mr. Bachrach said, "and I'm not willing to do that anymore."
 Mayor Vander Horst read the ordinance by title only.

ITEM #9

NEW BUSINESS

7:44

ITEM #9A: INTERGOVERNMENTAL AGREEMENT WITH CITY OF COTTONWOOD FOR EMERGENCY DISPATCH SERVICES

Council will review and may approve a renewed agreement with the City of Cottonwood for emergency fire and EMS dispatching services.

Ms. Gallagher stated that our Fire Chief has recommended approval of the renewed agreement with Cottonwood, and our attorney has reviewed it.
 Vice Mayor Kinsella asked, "How many towns are running out of Cottonwood right now?"
 Ms. Gallagher replied that there are five agencies. Our monthly fees are \$461, much less than the five-figure fees charged to the other agencies.
 It was clarified that this is only for fire/EMS dispatch. Our police are dispatched through Camp Verde.
 Councilmember Barber asked how long have we been using this dispatch. "At least two years," Ms. Gallagher replied.

	<p>Vice Mayor Kinsella spoke very highly of the service. The dispatchers have actually come to Jerome to find out exactly where they are dispatching people, he said.</p> <p>Motion: Councilmember Currier made a motion to approve the agreement and it was seconded by Vice Mayor Kinsella. The motion passed, 5-1.</p>
	<p>ITEM #9B: RESOLUTION NO. 556, AMENDING THE TOWN OF JEROME PERSONNEL POLICIES WITH RESPECT TO PAID LEAVE –Tabled-</p> <p>Council will review and may approve a Resolution revising the Town's personnel policies to comply with Arizona Proposition 206, "The Fair Wages and Healthy Families Act." The revisions will provide paid sick leave for part-time employees as of July 1, 2017, and that Paid Time Off for full-time employees will accrue beginning at inception of employment. A minor typographical error in the policy will be corrected as well.</p> <p><i>The Mayor had earlier noted that this item would be pulled and addressed at a future meeting, so it was not addressed at this time.</i></p>
	<p>Motion: Vice Mayor Kinsella made a motion to move to Item #11 prior to Item #10 and it was seconded by Councilmember Currier. The motion was unanimously approved.</p> <p>Council moved to Item #11 at this time.</p>
<p>ITEM #10 8:00</p>	<p>EXECUTIVE SESSION</p> <p>Council may enter into executive session, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4), to discuss with the Town Attorney a Notice of Claim filed by former employee Roy Shelly.</p> <p>Motion: Vice Mayor Kinsella made a motion to go into executive session and it was seconded by Councilmember Bachrach. It was unanimously approved.</p> <p><i>This item had been moved to after Item #11. Upon reconvening into open session, Council moved directly to Item #12, adjournment.</i></p>
<p>ITEM #11 7:47</p>	<p>TO AND FROM THE COUNCIL</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 Kinsella reported that he has contacted two realtors, and the estimate so far on the value of the Town-owned property in Clarkdale is \$1.499 million.</i></p> <p><i>Councilmember Bachrach said, "I was accosted by John Schroeder downtown when they were jack-hammering on the 'chaseway,' and he said that the Town should be going through the DRB for that work." (Mr. Schroeder is a member of the Design Review Board.)</i></p> <p><i>Mr. Bachrach said that he had responded that he didn't think the Town had to go before the Board, but Mr. Schroeder was quite adamant that we do. "Can anyone clarify that?" he asked.</i></p> <p><i>Ms. Gallagher said that she has always heard that the Town is not required to do that, but we have anyway, on most occasions.</i></p> <p><i>Vice Mayor Kinsella said, "Are we building anything different? No. Are we taking care of something that has to do with public safety? Yes. If we're not changing anything, and we're dealing with public safety, I think the answer is 'no.'"</i></p> <p><i>Councilmember Bachrach said that Mr. Schroeder's point was that, whenever materials are being used, DRB must approve it. We're using concrete on top, he said.</i></p> <p><i>"It was concrete before," the Mayor noted.</i></p> <p><i>"I agree," Councilmember Bachrach said, "however, Mr. Schroeder feels strongly that it has to be approved by DRB."</i></p> <p><i>Councilmember Currier said that he thinks we should have an independent advisor on this matter, and Vice Mayor Kinsella asked if we could get a legal opinion from the Town Attorney.</i></p> <p><i>Ms. Gallagher said that she could check with Mr. Dabney and have him check with SHPO, and then get an opinion from the Attorney.</i></p> <p><i>Mayor Vander Horst reported that he is excited that there is a company that wants to come in and provide high speed, fiberoptic internet service in Jerome. They hope to have it in by the end of the year.</i></p> <p><i>Councilmember Currier asked if this is a utility that we should regulate. This was discussed briefly without resolution.</i></p>

	<p>Councilmember Bachrach reported that he and Ms. Gallagher had been discussing the Hotel Jerome staircase that day. We're hoping to install the stair railings to protect workers, prior to working on the roof. He asked Mr. Boland about the door that had blown off. Mr. Boland said that he measured it and the door frame is two inches too wide for the door he has. He will try to find something to use. "We will figure something out," he said. Councilmember Currier talked about the housing rehab project going on at his residence. They are winding down in his neighborhood, he said. He just went through a final inspection. They found two or three little things to fix, and they're almost done. Ms. Gallagher said that work at her neighbor's house is well underway. Councilmember Currier said that he spoke to one of his neighbors and they are happy. He thinks this was a good project.</p>
<p>ITEM #12</p>	<p>ADJOURNMENT Upon motion by Vice Mayor Kinsella, seconded by Councilmember Barber and unanimously approved, the meeting was adjourned at 8:07 p.m.</p>

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

APPROVE:

ATTEST:

 Frank Vander Horst, Mayor

 Candace B. Gallagher, CMC, Town Manager/Clerk

Date: _____