



TOWN OF JEROME

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MINUTES

REGULAR COUNCIL MEETING OF THE TOWN OF JEROME COUNCIL CHAMBERS, JEROME TOWN HALL 600 CLARK STREET, JEROME, ARIZONA

TUESDAY, JANUARY 14, 2025, AT 7:00 PM

Due to the length of this meeting, Council may recess and reconvene at the time and date announced.

7:00PM (0:28) 1. CALL TO ORDER/ROLL CALL

Mayor/Chairperson to call meeting to order
Town Clerk to call and record the roll.

Present were Mayor Alex Barber, Vice Mayor Jane Moore, and Councilmembers Dr. Jack Dillenberg, Issam "izzy" Sharif and Sonia Sheffield.

Staff present included Town Manager Brett Klein, Zoning Administrator Will Blodgett, Deputy Clerk Kristen Muenz and Accounting Clerk Michele Sharif.

Items 9G and 9B were addressed before returning to the Financial Reports.

7:17PM (17:46) 2. FINANCIAL REPORTS

Discussion/Possible Action

A. Financial Report and Detail Invoice Register Report for December, 2024

Council will consider and may approve the financial reports for month ending December 2024.

Ms. Barber introduced the item for consideration. She asked if there were any questions. There were none.

Dr. Dillenberg made the motion to accept the financial reports for December 2024.

Mr. Sharif seconded the motion.

Ms. Barber called the question and the Financial Reports for December 2024 were approved.

Motion to approve the Financial Reports for December 2024

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG	X		X			
MOORE			X			
SHARIF		X	X			
SHEFFIELD			X			

7:18PM (18:27) 3. STAFF AND COUNCIL REPORTS

Discussion/Possible Action

A. Reports by the Town Manager / Clerk, Deputy Clerk, Utilities Clerk, Accounting Clerk, Public Works Director, Building Inspector, Library Director, Municipal Magistrate, Police Chief, Fire Chief and Council Members, Which in the Case of Council Member's Reports will be Limited to a Summary of Current Events and will Involve no Action

Council will consider and may approve the staff reports.

Mayor Barber introduced Item 3 and deferred to Mr. Klein for further introduction.

Mr. Klein shared that he also had a typo in his report that Vice Mayor Moore had pointed out. He shared that when Ms. Barber reads the anniversary reports that William Lionberger is with the Police Department not the Library. He said he's still working for Town but very infrequently. He said next meeting there will be an update on the attempt to acquire easements through Verde Exploration. He said it's going about as well as can be expected, which is not very well. The other items he wanted to point out were that the \$1.4 million grant we received is a 100% grant with no match and will be for Mescal and School St. regulators. He continued that we are also up for a \$1.5 million grant for Verde Central and Deception Gulch. He said he feels good about it, but we may have to have a small local match in order to get it, which should be something we can handle through the budget process.

Ms. Barber pointed out that according to his report the WWTP meeting minutes were included in the packet, but she didn't see any in this packet or last month's packet.

Mr. Klein answered that they were design minutes, and now that they're at 90%-100% design phase there wasn't a meeting to include the minutes for, so it was there as a placeholder. He said he could have removed it but there will be more coming up with construction, adding hopefully they'll be seeing the bidding and planning for that very soon.

Ms. Barber asked if William Lionberger was still working for the Town.

Mr. Klein confirmed yes, he is.

Ms. Barber then issued her congratulations to Kerry Lee with the Police Department for 11 years of service as of January 6th, to Judge Angela Napper, for 3 years also effective January 6th, and to William Lionberger for 14 years of service with the Police Department effective January 26th. She thanks Mr. Klein for his grant work and everyone else both paid and volunteer for all that they do for Town. She then moved to approve the staff and council reports.

Dr. Dillenberg seconded her motion.

Ms. Barber called the question, and the staff and council reports were approved.

Motion to approve the Staff and Council reports.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG		X	X			
MOORE			X			
SHARIF			X			
SHEFFIELD			X			

After the vote Ms. Barber pointed out that the Fire Department report was very thorough this month.

Ms. Moore said she did have a question regarding the 2 hit-and-runs in the police report.

Ms. Barber asked if one was the animal.

Ms. Moore said she didn't think so.

Ms. Barber asked if she had contact information to ask them direction.

Mr. Klein said that he would follow up and pass along the information.

7:22PM (22:54) 4. ZONING ADMINISTRATOR'S REPORT/PLANNING & ZONING AND DESIGN REVIEW BOARD MINUTES

Information/Council Review

A. Report Provided by the Zoning Administrator. Minutes are Provided for Information Only and do Not Require any Action

Mayor Barber introduced item 4, reiterating that the item does not require any action.

Mr. Blodgett said at the time he wrote his report he was anticipating a slowdown but over the past week that has not been the case, he's been extremely busy. He said the survey work for the parking study is complete and he's reviewing and analyzing that data now. One of the things he ran into was that some of the businesses had missing data on the decision making so he's now working on tracking down the chain of decision making. He shared we have a lot of P&Z and DRB reviews for proposed construction and repair work. He said there has been an administrative approval for some brick work on the Blosser building. He hopes that if it works then he'd like to explore it's use on other buildings in town. He said next month's report will be much more in depth than this one.

Ms. Barber asked if anyone had any questions for him. There were none.

7:24PM (24:25) 5. APPROVAL OF MINUTES

Discussion/Possible Action

A. Consider Approval of the December 10, 2024, Regular Council Meeting Minutes

Council will consider and may approve the December 10th Regular Council Meeting Minutes.

Ms. Barber introduced the meeting minutes for approval. She asked if there were any questions, comments or typos that needed to be fixed. There was nothing from the rest of the councilmembers.

Ms. Barber then moved to approve the meeting minutes from December 10th.

Mr. Sharif seconded the motion.

Ms. Barber called the question and the meeting minutes from the December 10th regular Council meeting were approved.

Motion to approve Regular Council Meeting Minutes from December 10, 2024

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
MOORE			X			
SHARIF		X	X			
SHEFFIELD			X			

7:25 (25:05) 6. PETITIONS FROM THE PUBLIC

There were none.

7:25 (25:09) 7. ORDINANCES AND RESOLUTIONS

Discussion/Possible Action

A. Consideration of Resolution No. 676; A Resolution of the Town Council of the Town of Jerome, Arizona, Declaring A Housing Emergency for the Town of Jerome, Prioritizing Affordable Housing Within Town Operations to Create Safe, Decent, and Affordable Housing Opportunities for All Community Members, and Urging the State Legislature of the State of Arizona to Address the Impacts of Short-Term Rentals on the Supply of Housing for Arizona Residents

Council will consider and may approve Resolution No. 676.

Ms. Barber introduced the item for consideration. She commented that the resolution is good in her opinion, and she likes that it was tailored to the Town. She said it was an emergency housing study paid for by the City of Sedona. She said they are trying to get every community having the same issues as they are to jump on board and push legislation to give us more regulation of our own towns. She made the motion to accept the resolution.

Ms. Sheffield seconded the motion.

Mr. Sharif asked if Mr. Klein had received his email.

Mr. Klein answered that he had.

Mr. Sharif then pointed out the Municipal Policy Statement aligns with the resolution and said he hopes that it will be something that will become positive.

Ms. Moore remarked that she didn't realize that Arizona is the only state that preempts local governments from regulating short term rentals.

Ms. Sheffield and Mr. Sharif both agreed they didn't know either.

Ms. Barber thanked the prior Governor Mr. Ducey.

Ms. Moore thought it had been done in other states as well but no.

Ms. Barber said it was supposed to support a shared economy for people to make ends meet by renting out part of their house, but that's not what it turned into. It turned into investors opportunities and hotel chains buying up properties. She pointed out the resolution talked about how it's detrimental to hotels and that 4% of people said they wouldn't go somewhere if they couldn't get an Airbnb, otherwise they'd go vacation anyway and stay in a hotel. She said it's not generating much besides problems in residential neighborhoods by people who don't live there.

Ms. Moore said she wondered if there would be anything that would happen with this resolution.

Ms. Barber asked Mr. Klein for input.

Mr. Klein said there is a committee of cities and towns working with the League of Arizona Cities and Towns and lobbyists to create a draft version for STR (short-term rental) amendments and he hopes it will get support, but he's still a little skeptical. He continued that one version from legislature has very little of what is desired from cities and towns but does give a little bit back to them. He hopes if they keep at it then a change will come through, hopefully sooner rather than later.

Mr. Sharif asked if he knew what other cities and towns were jumping on board with us and Sedona.

Mr. Klein shared that there are a lot of them. He said Ms. Muenz has been attending some meetings, and that there are some larger cities on the committee like Scottsdale, Mesa and Phoenix. He said Sedona is not on that committee but they're working it from their channels. It's basically a statewide joint effort because it's impacting everyone.

Ms. Barber commented that the League usually jumps on board with this. She asked if there is League backing on this.

Mr. Klein answered yes, there is League backing, adding that they look at this resolution as supplementary and not contradictory in any way.

Ms. Barber thanked him for his clarification. She continued, saying the League has always been supportive of any way this can go better. There has been a little bit of reform in the last couple years but other than that there hasn't been any other option for small towns like this to deal with.

Mr. Klein added that zoning will be tough to get through this legislature, but the change he recalled is a reduction of the number of violations from 3 to 2 before any municipality can take action, and removal of the limit on the fine amount, which is a little better but there's still a long way to go.

Ms. Barber called the question, and resolution no. 676 was approved unanimously.

Motion to approve Resolution No. 676

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
MOORE			X			
SHARIF			X			
SHEFFIELD		X	X			

8. UNFINISHED BUSINESS

Discussion/Possible Action

7:31PM (31:35) A. Consider Removing From the Table and a Review of the Jerome Historical Society's Response and Possible Staff Direction Regarding a Potential Property Exchange with the Jerome Historical Society

Council will take the item from the table and consider the response from the Jerome Historical Society regarding a potential property exchange and may provide staff direction.

Ms. Barber introduced the item.

Mr. Klein shared that we'd received their response and there were a few items discussed in a meeting of Mayor, Vice Mayor and himself. He said Jerome Historical society was amendable to everything except for having any deed restriction such as limiting their ability to build at any time in the future.

Ms. Moore clarified building on this property.

Mr. Klein said correct; they do not want any deed restrictions, whether they say they don't want to build in the next 20 years, don't foresee it or see it as too small, they do not want any deed restrictions.

Ms. Moore commented that they would have to retain the parking wouldn't they, and add parking for whatever they build.

Mr. Klein answered that she was correct, adding most of their conversations are about parking.

Mr. Blodgett commented that he didn't see that as problematic. Any new construction would have to be taken into account providing or finding some kind of parking, there's no way of getting around that.

Ms. Moore asked if there were 3 parking places on the property.

Mr. Klein answered it should be 5, adding whether it could be configured that way.

Ms. Moore said she was referring to actual parking, continuing that they would have access to that property from below so they could have parking underneath a building theoretically.

Ms. Sheffield said she didn't understand what was being asked for with the parking spaces. She read, "want to retain the right to 5 parking spaces within the C-1 zone, 3 of which are already designated for the New State Building, and then the 5 parking spots in C-1 zoning will be separate from any parking gained by the accepting the parcel.

Mr. Klein answered that they've worked through that, and they are understanding. There are 5, in the like for like parcel exchange, and they will still abide by that. He shared Will discovered something in the file anyway, but they are all squared away on that. They are also squared away on what they call liabilities that Town would be cooperative with, it came down to they don't want to have deed restrictions.

Dr. Dillenberg asked if there was an option to work toward, maybe over time, to gain their interest.

Mr. Blodgett said the deed restriction may be redundant. Any new construction would have to abide by the parking ordinance. That will simply limit the amount of development possible unless there is an absolute radical change to the ordinance down the road. Current ordinance would be sufficient to make them provide parking should they decide to develop that property.

Ms. Moore asked while doing the parking inventory if Mr. Blodgett came across any documents pertaining to where the parking for the new state building and the Boyd parking is located.

Mr. Blodgett said the Boyd is the easiest to answer, he said the parcel file does not exist in his records. He said there was data missing so he has more digging to do, most likely reviewing minutes to reestablish the chain of decision making so he's not 100% sure just yet. He said he needs to continue to research uses, changes, dates and times to re-create a timeline and still has unanswered questions. Regarding the New State Building he said he believes that a predecessor may have incorrectly called it a change of use as opposed to an intensification of its preexisting nonconforming status. He referred to Zoning Code section 501 regarding nonconforming use, reading the section out loud, adding based on this he believes an additional parking requirement was not necessary.

Ms. Muenz said she could add a little more information. She said in her research for the New State Building; while looking for minutes regarding the purchase of property now being considered for possible trade, she found meeting minutes regarding remodeling of the Boyd Hotel. In those minutes it said they needed to provide 2 parking spaces if they were going to remodel and have an additional unit. She continued that in the minutes the Historical Society said those spaces were provided at the offices on Clark St, so the additional Boyd parking should be detached. She said they need to look further and do more digging to see if we can find dates or for other information.

Ms. Moore said that was also her recollection.

Ms. Barber said there are signs on those spaces that say they are for the Historical Society Office, they are not open spaces, like she thought they should be if they're for the Boyd.

Mr. Blodgett said based on his information he does have, that building does need to have it's parking to stay in conformity. He said it likely did hit that threshold to require parking for that use.

Vice Mayor Moore interjected clarifying that he was speaking about The Boyd.

Mr. Blodgett confirmed and continued saying he may change his mind if he finds other information but based on what he does know he believes the requirements for the Boyd are valid and should stand. He said if he found anything additional that would change his mind then he would notify Council immediately.

Ms. Barber asked if there was anything found about other parking and not just the 2 spaces. She recalled that there were 3 and she thought the other was between the Turquoise Spider and what was Arizona Discovery's. She said it was half owned by the Historical Society and the Turquoise Spider.

Mr. Blodgett said he had heard that, but he needed to clarify it.

Ms. Muenz said the minutes did say there was an existing parking space, and they called it a different shop than what it is now, but a space was there on Main St.

Mr. Blodgett said he would get back to them with more information.

Ms. Barber said at this point if there is question on the parking spaces, she didn't know how they could decide without figuring that out. She asked the rest of the Council how they felt about it.

Ms. Moore said if the trade is like for like then she didn't see why they couldn't keep moving forward with it.

Ms. Barber said if you read into the letter, referring to the Jerome Historical Society letter, this is not really like for like.

Ms. Moore commented she didn't understand that paragraph at all.

Ms. Sheffield commented that was what her question was to begin with.

Mr. Klein said we needed to get to the starting line first, which is, is there going to be an exchange. Then there are about 4 procedural statutory steps that must be completed. Then it would come back to Council in the form of an ordinance.

Ms. Barber sought clarification that it could be halted by either party anywhere along the line.

Mr. Klein answered yes, correct. He said it can be because there is an agreement and an ordinance and several documents that still need to happen.

Ms. Barber said she was ready to make a motion to provide staff direction regarding the potential property exchange with the Historical Society.

Mr. Sharif seconded the motion.

Ms. Moore asked if a motion was necessary.

Mr. Klein confirmed no you don't but to make it clear which two parcels.

Ms. Barber moved to direct staff to continue with the potential property exchange with Jerome Historical Society for their parcel 401-06-086A for the Town of Jerome owned property 401-06-126. She asked if Mr. Sharif would second that as well.

Mr. Sharif seconded the motion again.

Ms. Moore asked if they needed to add the caveat that we are going to work this paragraph out.

Ms. Barber said so moved. She called the question. 4 council members declared aye and Ms. Sheffield recused herself from the vote.

Motion to direct staff to continue with the potential property exchange with Jerome Historical Society for their parcel 401-06-086A for the Town of Jerome owned property 401-06-126

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
MOORE			X			
SHARIF		X	X			
SHEFFIELD						X

After the vote, due to the necessity to contact a company representative via phone, the meeting continued with the remaining items left in New Business before returning to item 8B.

8:20 (1:20:12) B. Consider Removing from the Table and Consideration of a Tour Company Business License Application for US Ghost Adventures LLC

Council will take the item from the table and then consider and may approve the Tour Company Business License.

Ms. Barber introduced the item to remove from the table. She said this is the company that was advertising themselves on the internet as the #1 Tour company in Jerome, even though they didn't even have a tour license yet. She said there were some legal questions asking the council members if those questions had been answered.

They answered no.

Ms. Barber said they'd like to wait until they get those answers or would they like to get this person on the phone.

Ms. Muenz shared that a representative for the company named Samantha said she would be available by phone.

Ms. Moore asked if they should call.

Ms. Barber asked what are the reservations.

Ms. Moore asked if they should be here in person if they're that interested in doing the tour.

Mr. Sharif said he would like to ask for that. He remarked it's another Ghost Adventure, but they don't reside here, so how much do they really know about the town.

Ms. Muenz shared that it is a national chain, and she believes that once they're established here, they'll hire someone local who will be their point of contact. She said their offices aren't located here and doesn't believe they'll have a physical presence in town.

Ms. Sheffield commented that she wasn't sure how businesses that don't have a physical address in Jerome remit any type of sales tax to the Town, recalling Mr. Sharif mentioned it with the earlier tour company.

Mr. Klein shared they would list the Town on their TPT license application. He said one was amenable to add us, because you can have multiple jurisdictions on it. He said the physical address is the guarantee that we get the sales tax, but with all the transient merchants its tough to determine how much we do get from them.

Mr. Blodgett shared that he'd done some digging and contacted the "Kristen" in the City of Tombstone, because this company also advertises tours there. He said the company does not have an AZ TPT and it has created issues in Tombstone with other businesses. He said unfortunately if you do a little research, you find that there have been a lot of legal issues with this company in other communities and historic towns across the nation.

Ms. Muenz added she talked to the Arizona Department of Revenue (ADOR) who said when a business applies for a TPT license they can apply for one or multiple types of businesses, and they can also list multiple cities. They said the onus is on the owner of that business to apply for the TPT correctly, so that any sales taxes collected and sent to the state are reflected properly to the community they made the sales in. She said we do not have a TPT in this packet at this time.

Mr. Klein said we've tabled it many times now and would suggest that it be denied for the lack of TPT, because they are required to have one per our code for a business license. He continued when we contact them regarding the denial we will tell them the reason. He said other municipalities are having trouble with that. He said we will also tell them that Council would like a physical presence should they decide to apply again.

Dr. Dillenberg said so moved.

Mr. Barber confirmed that this motion was to deny based on lack of TPT. She asked if they could also include the statement about having done research and have seen that their track record has not been great for other towns.

Ms. Moore commented there was no presence at the meeting to ask questions.

Ms. Sheffield seconded the motion.

Ms. Barber confirmed the motion to deny based on no TPT, bad track record and no physical presence at the meeting. She called the question, and the Tour Company Business License for US Ghost Adventures was denied.

Motion to Deny Tour Company Business License due to lack of AZ TPT license.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG	X		X			
MOORE			X			
SHARIF			X			
SHEFFIELD		X	X			

After the vote the meeting returned to item 10, To and From the Council.

9. NEW BUSINESS

Discussion/Possible Action

7:44PM (44:12) A. Consider Proposal and Agreement from Southwestern Environmental Consultants (SEC) for Engineering Drainage Mitigation Plans for Gulch Road

Council will consider and may approve the proposal and agreement from SEC.

Mayor Barber introduced the item for consideration. She said when she was reading the wording there was reference to a flume that was called Gulch Rd and 89A. She asked who was present for the site visit.

Mr. Klein shared that Marty (Boland) was on site with them. He said it's for the overall drainage in that area using grant funding from Yavapai County.

Ms. Barber said there is a master drainage plan and there is quite a bit of things to do. She said the list was pre-covid so everything on the list is going to be 3-4 times more expensive than what the ballpark on that list was. She said we have completed a few things on list, but engineers are expensive.

Ms. Moore remarked Attorneys and Engineers.

Ms. Barber asked Mr. Klein how staff felt about this project.

Mr. Klein shared that it's a good project. It's continuing the work from the Main/Hull drainage improvements that will be wrapping up in the next few weeks. This is another one we can get with almost 100 county grant funding and he's working with them to get it all included in the construction or they may have to phase it over 2 years.

Ms. Moore said ADOT has refused to stop the water from going down the Gulch Rd from the upper end of 89A. She said there had been talks about having a lip there, so it continued down the road and they'd never agreed to it, adding that is the cause of it.

Mr. Klein said it was the same issue with the Main/Hull, but they've allowed the Town to fix it. He said they wouldn't stop it from going into Hotel Jerome.

Ms. Moore said they were going to have to deal with the drainage on 89A. She said she thought one of the reasons they didn't want to do that was because the curve would ice over at times.

Ms. Barber said she had underlined on page 120 an estimation of \$24,000 but when you go into the additions on page 124, she didn't even see \$24,000 there. She said she did see \$53,000.

Mr. Klein clarified that engineering is not to exceed \$24,000 and construction will be \$53,000 for a total of \$77,000. He said we have \$55,000 from Yavapai County and he's trying to get the other \$20,000 and if not, they'll do engineering completed this year and set it aside to start immediately July 1.

Ms. Barber thanked him for his clarification.

Ms. Moore noted there is also an unknown utility location. She said she knows there are water lines going down there that they don't know what they are.

Dr. Dillenberg motioned to approve the proposal from SEC.

Mr. Sharif seconded.

Ms. Barber called the question, and the motion carried.

Motion to approve Agreement from SEC for Engineering Drainage Mitigation Plans for Gulch Rd.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG	X		X			
MOORE			X			
SHARIF		X	X			
SHEFFIELD			X			

After the vote Mayor Barber clarified how much of the project was going to be grant funded versus out of pocket Mr. Klein answered it will be all grant funded. It would just be a matter if it needed to be done over two years or not.

7:13 (13:24) B. Consider Approval of the Purchase of a New Flatbed for Public Works from the Previously Received Wildland Fire Truck, in the Amount of, \$5,090.10 From Imperial Trailer Sales and Livestock Supply

Council will consider and may approve the purchase.

Ms. Barber introduced the item. She asked if everyone had a chance to review it, commenting it seems to be a deal that's been in the works.

Mr. Klein shared it's a win-win for both the Fire Department and Public Works. After getting the quotes he recommended the low quote, adding they were all similar in pricing and product quality.

Ms. Barber said there noted there was a typo on Marty's name. She said she noticed it because on that page it outlines that Marty and Carl were going to do some of the work and save money.

Carl answered the business wanted \$1,000 or more to install the flatbed on the truck, but he and Marty can do it in house for cheaper. He said the point was that the truck has been sitting at the town yard for over a year unused, and they want to get it useable because the Town Crew needs it, remarking that the old flatbed is "on its last wheels". He said the truck had been sitting there and it just needed to get done.

Ms. Barber moved to approve the purchase of the new flatbed, also proposing the correction to Marty's name.

Ms. Sheffield seconded the motion.

Ms. Barber asked if there was any further discussion, there was none. She thanked the Fire Department and Public Works for working together so well. She called the question and the purchase of a new flatbed for public works was approved.

Motion to approve the purchase of a New Flatbed for Public Works.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER	X		X			
DILLENBERG			X			
MOORE			X			
SHARIF			X			
SHEFFIELD		X	X			

After the vote Council returned to the item 2. Financial reports

7:50PM (50:36) C. Discussion and Possible Staff Direction Regarding Playground Material Suitability in the Jerome Park(s)

Council will hold a discussion and may provide staff direction regarding material utilized around the playground equipment.

Ms. Barber introduced the item for discussion. She said when she was a kid there was sand on the playground. She said Ms. Moore sent her some information.

Ms. Moore said there were a bunch of articles about it.

Ms. Barber said it was about reused tires. She said it's an admirable thing to reuse tires, but to put them on the ground where kids play, adding kids put things in their mouth. She said from rain leeching it into ground water and kids putting it in their mouth we need to get rid of it. She then said some dumps won't even take tires, but we are putting them under our kids to play in. She asked when it changed because she recalled it being wood chips.

Mr. Klein said he wasn't aware of when it changed, but staff would do whatever the Council directed.

Ms. Barber asked if we could get some other options and deferred to Mr. Sharif for a question.

Mr. Sharif asked if something had happened in Town or where this item was coming from.

Ms. Moore said it was just from her doing some research, and it had been talked about in the past, if tire waste was a good thing to have in the park.

Mr. Sharif said a lot of times it's not actual tire waste because the radial has been ground out, adding rubber still isn't the greatest option. He said to Ms. Barber's point, he recalled when his older children were around 10-12 years old was when they switched from wood chips to rubber. You had kids falling getting scratched and stabbed by the wood chips, and what chemicals are on the wood chips so the switch to tires happened. Then it was a 50/50 split whether it was good for you or bad for you.

Ms. Moore asked if he wanted to read the articles.

Mr. Sharif said no he didn't need to, adding he's not for or against it, he was just trying to understand. He questioned, if there weren't any injuries, then were we doing it to be nice to the kids that are playing? If so, then drop some sand for them and we're good to go. If we're worried about the rubber, then let it go.

Ms. Muenz shared from the Public Works Department's perspective; mulch gets kicked from the kids swinging and then it gets run over with the mower, this can damage the equipment. Also, wood mulch attracts pests and is a favorite hiding spot for scorpions. So, one of the reasons they went to tires was the wood mulch attracts pests, but both tend to be kicked into the grass and that's not great for the blades.

Ms. Barber said the wood mulch get kicked and the tires get thrown and it ends up all the way down by the road. She read a little of what Ms. Moore sent her. She reads, "In the United States alone 14 mil discarded tires are ground up and spread over children's playgrounds each year. Double that if you include sports services like athletic fields and tracks. It is estimated that 4mil children in this country run skip and tumble on toxic tire waste that many states won't even allow in their landfills." She expressed since finding out what it's made out of, replacing it, sharing she has grandkids, and they definitely touch it. She said the article said it becomes airborne when it dries out, it's toxic to run on and when the rain hits it, it leeches into ground water. She said what we want to know is what's a better way.

Mr., Klein shared Nike started the use of recycled gym shoes is commonly used now in places that don't want the tire waste. He said or peat gravel or sand.

Ms. Moore said sand is a more natural product and doesn't know if there are any downsides. She just wanted it to be talked about.

Ms. Muenz shared the one downside in her neighborhood is stray cats.

Dr. Dillenberg said the bottom line is what is the safest thing we can do.

Mr. Sharif said right now there is nothing that is safe, because there's a major negative to anything we want to do. He asked what was there now.

Ms. Barber said no, chips are there right now. She said the Town Crew cleans it all up after the kids throw it. She said it's big chunks of rubber, when they were kids, it was sand, then it was mulch. She said maybe we can talk to Public Works and see what they think about it. She said anything we can do to be more environmental and not have toxic stuff is better. She added the article talked about mosquitoes with tires as well.

Mr. Klein and Mr. Sharif answered it's about the water retention.

Ms. Barber asked if we could reach out and find a better way, see if there is something else that can be done. More environmentally sound and better for residents and visitors.

Mr. Klein confirmed that staff can do research.

Ms. Barber confirmed that as staff direction and asked if everyone was ready to move onto the next item.

7:57PM (57:02) D. Consideration of the Request from Judy Jaaskelainen, Co-owner of the Jerome Artists Cooperative Gallery, for Two (2) Parking Passes to be Issued to Members / Co-owners

Council will consider and may approve the request as made, deny the request, or approve the request with modifications.

Ms. Barber introduced the item for consideration. She asked for Council input.

Ms. Moore said she understands that they don't want to pay for parking, and they're not being paid to go to work. She continued, the people who get there early get to park in the free spots, but to grant all the people who work there parking passes, and even then, it doesn't guarantee you'll even find a parking space when you get to work.

Mr. Sharif expressed his agreement. He asked if it's someone who pulls up early in the spots in front of the co-op and it's not someone who works there? He said he gets up early but doesn't go into town, continuing it's kind of a catch 22, if you work late in the afternoon and people have already been here.

Ms. Moore said it's true, even with the restaurants, if you have a later shift in the afternoon, you won't have much luck finding parking. She shared what they do at the shop she works at, saying if they work half days then the person that comes in later in the day, they switch places, one pulling out to let the next one come in. She said they can park in the Hotel Jerome parking down the steps, and didn't know if some just didn't want to walk up the steps, adding that she wished the person who suggested this was present.

Ms. Barber clarified it's a Town owned lot down below and she thought that people who worked there knew and would park there. She said there are usually a couple of cars parked there, that she assumed were people who worked at the Artist Co-op. She said according to the letter they are asking for 2 passes to be picked up at the gallery with the artist

coming in and not giving them to everyone.

Mr. Sharif said he frequently sees locals who own businesses put cones out. He asked if they could do that?

Ms. Muenz clarified that if the parking is on private property, then yes, they can do that. If they own the parking spaces then they can put cones in them.

Mr. Sharif said throwing it out there, if we're trying to help the co-op is it give them a cone to reserve one spot but also having a communication about the parking spots that go with that building down below.

Ms. Barber said it is an unpaid lot, but the road is in terrible condition.

Mr. Blodgett said if he could recommend anything it would be to utilize the parking that they already have for the building. He said adding a pass system that doesn't currently exist creates a new set of complications to an already complicated parking system. He said he would encourage them to not use that route but believed there is a suitable way to resolve this.

Ms. Barber said it is a can of worms. If we give it to one, then we have to give it to everyone.

Ms. Muenz said it would set a precedent.

Ms. Barber said we only have so many paid parking places and that is to generate revenue. She said she would do staff direction to have Will talk to them about parking down below.

Ms. Sheffield suggested seeing which cars are regularly parked below the co-op. She said it used to be her neighborhood at one point and a lot of cars ended up parked there without moving for quite some time. She said it's a full lot but doesn't think some people are even driving some of the cars.

Ms. Barber said for clarification it's a Town owned lot, historically it was used for overflow parking for people who live on Rich St. She said it's not their parking, but no one's really said Hey you can't park there, adding we really aren't using the parking lot right now, which would be something that would be utilized if we were using the building to its full potential. To clear off some broken-down vehicles and trailers in that lot might not be a bad thing.

Ms. Sheffield said at one point the Town asked people to move vehicles because there were some that were inoperable and had been for years.

Ms. Barber asked how they wanted to go about this, have Will talk to them? Council members expressed their agreement.

Ms. Barber said right now to set a precedent, and give out parking passes, is something we have not done. She goes on record to say we have more free parking than we have paid parking in the Town of Jerome. Sometimes you have to go down a crappy dirt road and find a parking space you don't have to pay for.

Ms. Moore said if people get there early and someone comes in to work, maybe they can swap spaces.

8:04PM (1:04:02) E. Discussion and Staff Direction for Lease Terms for the Newly Acquired 621 Main Street, Upper, Middle and Lower Units

Council will consider staff recommended lease terms for 621 Main Street.

Ms. Barber introduced the item and asked how Council felt about the staff recommendation.

Mr. Sharif said it seemed reasonable to him based on what the other costs of rent are out there.

Ms. Barber expressed her agreement.

Mr. Sharif asked, regarding the purchase being for workforce housing, if there was a long-term decision on the individual in the middle unit, since they are not a Town employee. He asked if there were any issues with that.

Ms. Barber answered that the lease was until May. She read that staff would like to work with her to keep her terms then prepare it for a town employee. She said housing is really hard right now and doesn't want to kick anyone out, but they would be aware that when the lease is up that we would not be renewing it.

Mr. Klein confirmed she was correct.

Ms. Sheffield said she was curious was the price per square foot was compared to what the market rate is.

Mr. Klein said he's been in the units but doesn't have the layout now. He said they are like 655 Holly, maybe a little smaller. He said the units aren't big and the basement is tiny; to call it anything but a studio is a disservice. He said the middle unit has been refurbished and he can't imagine it being more than 1,000 square feet for the middle and the top units. He said the middle unit is paying \$1200 right now and suggested keeping it there. He said the upper unit might have the added advantage of a currently unfinished attic; they'll work on finishing it. He said between the units bringing in \$2,800 is appropriate for the purpose of the purchase. He gave a comparison of a family renting a home in the same condition for roughly the same amount of rent which he felt was fair.

Ms. Barber thanked him for clarifying the rent for the middle unit because she didn't recall seeing that information in the packet. She stated that this item is staff direction, and asked Mr. Klein if a motion was needed, or if direction was good.

Mr. Klein said they could motion or accept the proposal, either way it will come back to them in the form of a lease for approval.

Ms. Barber confirmed everyone was ready to move on to the next item.

8:09PM (1:09:02) F. Review of Proposals, Discussion and Staff Direction Regarding the Process for Considering the Proposals Submitted in Response to the Town's Request for Proposals for Legal Services

Council may review the proposals, discuss and provide staff direction on the same.

Ms. Barber introduced the item for discussion. Before starting the discussion, she asked for clarification regarding our current legal counsel. She sought confirmation that we don't pay a retainer to them; we paid by the hour.

Mr. Klein confirmed she was correct. He said this form is commonly used by municipalities and provides the ability to state what the retainer is; however, we would not engage in a retainer and would pay on an hourly basis.

Ms. Barber said she saw most of the proposals talking about retainers, but didn't see too much information regarding hourly. She noted that one proposal said they understand the town may not need that but then goes on to outline their retainer being between \$5,000 and \$9,000 monthly.

Mr. Klein said they were instructed to provide both an hourly rate as well as retainer. He said the one proposal (Dickenson) was too expensive in his opinion and Fitzgibbons was similar but also has an attorney with the firm that represents our Board of Adjustment.

Ms. Moore asked if that person was Tina.

Mr. Klein confirmed. He continued Pierce Coleman and Gust Rosenfeld both have a presence in the Verde Valley being legal counsel for Camp Verde and Cottonwood. His recommendation would be to bring Pierce Coleman and Gust Rosenfeld in. He said they are all qualified, but it comes down to how much they know about the Town of Jerome and how much comfort level you have with them, which you will only get by having them in front of you.

Ms. Barber asked if there was a ballpark of what is spent monthly on Legal services, or an average over the last 12 months.

Mr. Klein said it's in the ballpark of \$4,000-5,000. He said most of them looked at our budget online, and some only looked at the General Fund to build their proposals. He continued, when you talk about the wastewater treatment plant, the general fund, water and sewer, planning and zoning, really all departments use legal. So it's usually in the \$3500-5500 range, adding we are currently down in those expenses compared to years past.

Ms. Barber said when we have something big, we have to lean on legal. She said the proposals all talked about coming to meetings and other things we don't really need our legal counsel to do, we just kind of tag them when we need them. She pointed out that Pierce Coleman does mention because of the firm's size they can work with us to develop a cost structure at either an hourly or a flat fee, but again in their breakdown it talks about their retainer, being the smallest out of everyone, at \$5,000 a month. She noticed there isn't a straight hourly rate, but notices others are around \$250 and \$275 an hour so she agrees with Mr. Klein that they should bring in Pierce Coleman.

There is some discussion between the Mayor and Vice Mayor where the Vice Mayor pointed out a page in the Pierce Coleman proposals that had hourly rates on it.

Mr. Klein said they've all taken the time to prepare the proposal and are all negotiable. He sought to eliminate Dickinson because it was so high. He said they all want to work with the town and keep within the budget and would like our business.

Ms. Moore said she wants someone that understands the Town. She said she hasn't seen any of the attorneys we've had in the past few years. She continued, she'd like someone that even if they don't agree with our politics, is still willing to go to bat for the town with some enthusiasm. She would also like someone who has some Land Use and Historic Preservation background. She said she doesn't want someone that looks at a map and sees a 2 dimensional town.

Mr. Klein recommended they give 5 minutes for a proposal and then 10 minutes for question and answer, and in that time, Council can determine who has the historic preservation knowledge, or who they feel most comfortable with.

Council members expressed their agreement.

Ms. Barber confirmed the two firms for consideration were Pierce Coleman and Gust Rosenfeld.

Mr. Klein agreed and reiterated they both already have a presence in the Verde Valley.

Ms. Barber then noted that Gust said they represented the Town in 2022. She asked what they did for us that she wasn't able to recall, referring to page 206 of the packet. She said she was very interested because she didn't recall seeing that name before.

Mr. Klein said they could have been utilized by our current legal counsel as assisting counsel, but it also could be likely that all of these are stock forms.

Ms. Barber said she didn't see any other proposal mention doing so much for the Town, but that Gust Rosenfeld went all the way back to the 70s. She continued, they had 4 proposals, and believed there was a consensus on which two to bring in. She asked if there was anything else anyone had to add.

Ms. Moore said she mentioned one of the Pierce Coleman attorneys represented someone in Town when they sued the Town, but not when they worked for Pierce Coleman. She said she did read reviews online and they are all over the place; some good and some bad.

Ms. Muenz confirmed the last payment to them was August of 2022 for the wastewater treatment plant.

Ms. Moore said we need somebody.

Ms. Barber said we need to talk to Gust Rosenfeld and asked Council about their second choice.

Ms. Sheffield said she'd go with Mr. Klein's recommendations.

Other council members expressed the same.

Ms. Barber confirmed their choices as Gust Rosenfeld and Pierce Coleman as the same two proposals being recommend by Mr. Klein.

Mr. Klein confirmed adding they are the two firms that did reach out, one provided assistance for the RFQ process, the other drove several hours to hand deliver their proposals.

Ms. Barber confirmed which cities currently utilize these firms as their legal counsel. She confirmed that there was enough direction and moved on to item 8B

7:01PM (1:34) G. Consideration of a Tour Company Business License Application for BFC Tours, DBA, Captain Ron's Magical Mystical Tour

Council may approve the tour company application.

Ms. Barber introduced the item and invited the representative to the podium for introduction. She commented that he seems to have been doing this type of thing for years and knows some of the people around.

Mr. Ronald Yates approached the podium and shared that his mother retired to Sedona in 1989, and he would come visit 5-6 times a year and take his friends on a tour. He said he was working at the Element Hotel where his friend Al does the maps. He said he'd already given over 600 of the guests a tour that went from VOC to Jerome, outlining all of the places to visit and eat. He said a lady, about two months ago, asked him why he doesn't do the tours, so he decided why don't I do a tour. He said it's called Captain Ron's Magical Mystical Tour; they'll be playing Beatles music throughout the tour. He described it as not so much a geological tour but a tour of all of his favorite places; shops, restaurants and galleries. He listed some of his tour stops which will include, the Chapel of Holy Cross, The Pump House, Bearcloud Gallery in the Sedona/VOC area, then they will drive to Old -Town Cottonwood for a few more stops, and then finally onto Jerome where they will stop at the Liberty Theater, Nellie Bly Kaleidoscopes, Tommy Rocks and Gold King Mine.

Ms. Barber asked if anyone had any questions for him.

Ms. Sheffield asked if Nellie Bly was aware that their shop was a stop for this tour.

Mr. Yates said he's been in the shop multiple times and spoken to different managers, he said none of them said it would be a problem.

Ms. Sheffield then asked how many people he anticipated having on the tour.

Mr. Yates answered there would be 2 tours a day, a sunrise tour from 8-12 and a sunset tour from 1-5. He says they've got 14 seats in their van so approximately 28 people per day, and roughly 900 a month. He continued by sharing that when working at the hotel everyone asked him where the best places to go are, so he would share where all the locals go. He said Colt Grill has a coupon for his tour, many of the hotels, motels, and Airbnb's will also have the coupon, and that each person will get a promo code. When that promo code is used by a customer on the tour then that person will receive a \$10 tip, and the client receives the \$10 discount. He said the tips are good, using the hotel he worked as an example of losing employees for \$.50 - \$1 an hour, he said by giving out \$10 tips they'll be putting money in the hands of employers and employees so that they don't leave their place of employment over \$1 an hour. He shared a little of his background with newspaper editors, journalists and photographers. That he was an honorary member of the Patchogue Fire Department and President of their Historical Society, highlighting that when founded the town had a population of about 11,000. He shared a history of his career, starting with a paper for 4 years, when the stock market crashed, he moved to L.A. and started doing publishing work. While living in L.A. he said he was elected for 16 years for the LA Central Committee where he did over 350 political campaigns as a consultant and strategist. He said he moved here to retire, joking that he failed his retirement, and was looking for the next thing to do. He said 2 years ago he had a health issue so he was taking jobs just to keep himself moving, which eventually led to him working at the Element Hotel. He said Jerome is the crown of his tour because he loves the Town.

Ms. Sheffield asked how long he thinks people will be in town.

Mr. Yates answered no more than an hour.

Ms. Moore asked if he would be dropping clients off at each one of the places.

Mr. Yates answered no, he will drop everyone off at the bus stop outside Tommy Rocks. The clients will be shown where the Theater is as they drive up, they will then all walk to the Liberty Theater while he goes to park the bus in the 300 level parking lot. He'll walk back and join them at the theater, where he will then walk with them to Nellie Bly, then they'll walk back to Tommy Rocks while he goes back to get the bus to pick them up at Tommy Rocks and drive them out to the Gold King Mine. He said once he's shown them where to go, they'll come back.

Mr. Sharif noted on their TPT that the only city listed is Cornville, he asked if Mr. Yates could consider adding Jerome to the TPT license so that it might help funnel some of the taxes back to Jerome. He further said if they're here for an hour, hopefully they do come back. However if they don't then he and Cornville reap the benefits, so he thought that might be another way to be supportive and helpful to the Town.

Mr. Yates answered to tell him how to do it and he would.

Ms. Barber thanked Mr. Sharif for his question, and he responded that he had nothing further to ask.

Mr. Yates said that he'd be giving a respectful, educated tour, nothing intrusive, sharing that he'd heard about prior issues with other companies having people enter private properties.

Ms. Moore confirmed that he has agreements with all of the people about his tour.

Mr. Yates answered yes, for the most part they're all excited. He commented that he's like a free Chamber of Commerce, that the clients will know the lay of the land when they return for extended visits.

Dr. Dillenberg made the motion to approve the Business License.

Mr. Sharif seconded the motion.

Ms. Barber asked if there was any further discussion.

Ms. Moore said she had one comment. She said this is a little different than the other tour companies they've seen before, because they're bringing people here like a shuttle service, having been picked up somewhere else.

Dr. Dillenberg commented that he thought it was a great option.

Ms. Barber said she wanted to point out in the packet that he spelled out his entire plan the tour in Town limits, so respectful was the first thing she thought of. She thanked Mr. Yates for that and continued that there are a couple of wine tour companies that do something similar with the Van. She then deferred to Ms. Sheffield for further comment.

Ms. Sheffield commented that it's likely that clients will come back. She continued that it's different than other tour companies because with those companies bring people to Town and they have free range to walk around town for a while, where this one is selective of what businesses they are visiting, and doesn't sound like they'll have any other time to explore.

Mr. Yates tried to clarify that he'll be pointing out all of the other stores.

Ms. Sheffield commented that it's just a point that she's making. She continued that it's a lot different than when a tour company drops people off so they can visit all the businesses on Main St. versus just 3 locations. She stressed that she wants all the businesses in Town to do well.

Dr. Dillenberg commented he thinks it's a great opportunity.

Ms. Barber asked if there was anything else, there was not. She called the question and the tour company business license for Captain Ron's Magical Mystery Tour was approved.

Motion to Approve Tour Company Business License for Captain Ron's Magical Mystery Tour.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG	X		X			
MOORE			X			
SHARIF		X	X			
SHEFFIELD			X			

After the vote item 9B was addressed.

8:26PM (1:26:00) 10. TO AND FROM THE COUNCIL

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

Ms. Barber introduced To and From the Council. She went down the line to ask each council member if they had anything to add or update.

No one had anything to add so the meeting moved on to adjournment.

8:26PM (1:26:19) 11. ADJOURNMENT

Dr. Dillenberg made the motion to adjourn the meeting.

Ms. Barber and Mr. Sharif seconded the motion.

Ms. Barber called the question, and the meeting adjourned at 8:26p.m.

Motion to adjourn at 8:26 p.m.

COUNCILMEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
BARBER		X	X			
DILLENBERG	X		X			
MOORE			X			
SHARIF			X			
SHEFFIELD			X			

APPROVE:

ATTEST:

Alex Barber, Mayor

Brett Klein, Town Manager