



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, MARCH 11, 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 (0:26) 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 council members Dr. Jack Dillenberg, Sonia Sheffield and Issam "Izzy" Sharif.

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

7:00PM 2. PROCLAMATIONS

7:00PM (0:37) A. APS Fire Mitigation Presentation

Representatives from APS will be on hand and provide a presentation for mitigating fire risk.

Presentation given by Northern Division Director, Frank Sanderson from APS. His presentation was regarding the various fire mitigation tools APS is using to protect both their equipment and fixtures as well as the communities they serve. He recounted the different tools used year round to keep the communities safe such as vegetation management, including defensible spaces around poles; grid hardening investments, including mesh pole wrapping and the use of steel poles where applicable; asset inspection including drone deployment and infra-red scans; monitoring and awareness, including the use of cameras, weather stations and input from meteorological teams; and operational mitigations including use of a non-reclosing strategy, public outreach and public safety power shutoffs. He also stressed updating contact information with APS and letting them know of any other extenuating circumstances at home such as medical monitoring or other life support devices.

Mr. Sharif asked if APS had any additional service such as generators for customers in medical situations, or other assistance for community members who may not have the financial means to prepare for a major outage.

Mr. Sanderson answered no there are currently no services that provide generators, but he encouraged customers to come to one of the tabletop meetings in Yavapai County, where they review and plan for a variety of power outage scenarios. He shared that they are also working with the County and with Red Cross to get other locations Red Cross certified.

Dr. Dillenberg inquired if there was any APS effort to educate our young people such as high school and college students.

Mr. Sanderson appreciated the suggestion, he said at this point they haven't done that, and thinks it's a fantastic idea.

7:26PM (26:07) B. Introduction of Deputy Police Chief Michael Odle

Chief San Felice will introduce new Deputy Police Chief Michael Odle and provide a brief biographical overview.

Ms. Barber introduced the item and invited Chief San Felice to introduce the new Deputy Chief, Michael Odle.

Chief San Felice introduced Mr. Odle and gave a brief background on his 43 years of experience with Los Angeles Police Department, including Patrol Commander and SWAT Operator. He then shared a couple of stories regarding Mr. Odle's marksmanship and fitness testing and then invited Mr. Odle to introduce himself to the Council.

Mr. Odle introduced himself, recounting his 40+ years of experience, from patrol level to command, with the Los Angeles Police Department. He shared a story about visiting town with some friends, and that he'd poked his head into the Police Department to buy a hat, that was how he found out about the open position. He shared that he retired from LAPD but missed public service, recounting a quote from his first chief "There is no greater calling than that of a public servant." He said there is a great team here and he's excited for the opportunity.

Council members welcomed him to Jerome and to his new role.

After introductions Mayor Barber moved to item 9B.

7:35PM (35:55) 3. FINANCIAL REPORTS

Discussion/Possible Action

A. Financial Report and Detail Invoice Register Report for February, 2025

Council will consider and may approve the financial reports for month ending February 2025.

Ms. Barber introduced the Financial Reports. She asked if everyone had a chance to review. There was some commotion in Council Chambers and additional side discussion regarding the upcoming events, as audience members vacated the building.
 Ms. Moore said she had a question about the financial reports. She said it looked like there were a lot of computer or software issues in some departments.
 Mr. Klein shared that it's really more about timing of when invoices were received.
 Ms. Moore asked if that was why it looked like it was over budget.
 Mr. Klein answered yes, but we won't be when hardware and software are factored in at the end of the budget year.
 Ms. Barber reconfirmed that he has faith that it will even out, and we will stay in budget.
 Mr. Klein answered yes.
 Ms. Barber moved to accept the financial reports.
 Ms. Sheffield seconded the motion.
 Ms. Barber called the meeting, and the financial reports were approved.

Motion to approve Financial Reports.

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

7:37M (37:49) 4. 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.

Ms. Barber introduced staff and council reports.
 Mr. Klein shared in addition to his written report the Deception Ln. water line grant was finally reaching the bid portion, recounting that the first public hearing for it was held in 2023. He said at the same time they will also be going out to bid for the Gulch drainage, which is also a grant funded project. He shared that some agencies are working on a faster grant cycle than others such as WIFA, where they received funding for the Mescal Canyon and School St. regulators. He informed Council that he has a meeting with Verde Valley Community Development Organization regarding the home on Holly, and the potential of setting up a community land trust. Lastly, he informed Council that we will be getting Town clothing. He added that because of meetings and conferences they attend, Council members will also have access to polos or sweaters of their choice. He said clothing will be built into the budget for next fiscal year, starting in July, and that council and board members will be able to give a shirt color, embroidery color and clothing size to Kristen to order.
 Ms. Barber asked for an exception to order a hoodie, because she's not a polo girl.
 Mr. Klein shared yes, she can, and they'll each have \$50 budgeted for a couple of polos or a sweater/sweatshirt.
 Ms. Barber said she wanted to follow up on some items Mr. Klein talked about. She sought confirmation that the Deception water line project, from CDBG funding, is to run a water line down for hydrants and not water for homes.
 Mr. Klein confirmed yes, that is correct.
 Ms. Barber continued that this is a high priority item for the Fire Department. She shared that the pumper truck goes quickly when it's needed, and having no hydrants down in that area means this is something we really, really need. She then asked regarding the gulch drainage, if he was referring to fixing the sides of the road and culverts for when it rains.
 Mr. Klein confirmed that is also correct.
 Ms. Barber informed that she has a neighbor that has talked about some stuff going on in her area. She said she had asked her to take photos and send them to Mr. Klein, inquiring if he'd received any photos or emails from resident Hanna Flagg about a big piece of concrete, that she's worried if there is too much water something might happen to it?
 Mr. Klein said no he had not received any correspondence yet.

Ms. Barber congratulated Terri Card, Utility Clerk, for 3 years of service as of March 14th. She asked if anyone else on Council had a report about what they've done over the last month. Starting with herself, Ms. Barber shared there was a Mayor's forum at Embry Riddle, put together by their new Mayor, there were 7 mayors and 1 manager present. The forum was regarding the detrimental impacts of vacation rentals. She shared that she found out it was on the news from her sister, and that you can view the whole forum conversation on Yavapai Speaks; it starts with the Mayor of Sedona. She shared that there was a map of the vacation rental impact and thanked Mr. Klein for sharing bullet points with her so that she sounded professional and concise. She said the event took place last month (February 20th), and hopes that it will generate something, for example maybe a limit to the number vacation rentals, she added she will continue to fight to keep people in Jerome. She restated what she said at the forum "when she grew up there were 500 people in Town, now we're about 460 according to the Census Bureau and according to the emergency housing resolution there are 363 people living here and less than 15 kids living here. She said we have few and far between families and children because all of our houses are being sucked up by investment opportunities.

Dr. Dillenberg remarked when the school bus stops, only 1 kids gets off.

Mr. Sharif shared that he was happy to step up for Town and attend the NACOG meetings. He said he heard a lot of interesting things and had shared with Mr. Klein that there was still a little more NACOG money available but wasn't sure if we might be eligible for it. He thanked Mayor Barber and the Town Manager for the opportunity to serve the Town in another capacity. He said he hopes to continue to bring back as much good information that can help us. He further agreed with Mayor Barber that we need people, he said he knows we don't want to grow too much, but we need people to be here for grant funding as well as tax dollars.

Ms. Barber thanked him for stepping up into that role. She shared the previous representative was Mandy Worth. She continued to clarify that NACOG is the organization that awards CDBG funds every 4 years as well as the SSP funds every 2 years.

Mr. Klein confirmed she was correct.

Ms. Barber reiterated to keep getting our projects on the lists and get as much funding as we can. With no other commentary she moved to accept the staff and council reports.

Dr. Dillenberg seconded the motion.

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

Motion to approve Staff & Council Reports.

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

7:46PM (46:54) 5. 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

Ms. Barber introduced the Zoning Administrator report. She stated that the minutes are provided for information only and do not require action, however there can be discussion or direction given. She then asked Mr. Blodgett if he had anyone ready to step up and fill the vacancy from the Design Review Board.

Mr. Blodgett clarified that he now has 3 vacancies, 1 on each board, sharing that since his report he had another person advise they would be resigning and possibly moving. He said he has some applications, however, is still looking for more if anyone is interested. He said none of the processes are in danger, as they all still have a quorum, but would like to keep the boards as full as possible. He said in addition to his written report he wanted to add that he's received new code supplies and, working with the police department, will be taking more of a proactive approach to code enforcement. Additionally he is working on some historic preservation language to beef up protections and historic preservation for the ordinance. He shared that his new Design Review Guidelines were back on the Design Review Board's agenda. He said that he'd gone to search for additional information and didn't find what he was hoping for, so he hopes to have a recommendation for Council review at the next meeting.

Ms. Barber asked regarding the vacancy on each board, if one other person doesn't make it, there is still a quorum.

Mr. Blodgett confirmed she is correct.

Ms. Barber shared that the Board of Adjustment doesn't meet regularly, however the Design Review and Planning and Zoning Boards do, if there is something to meet about. She said it would be really nice to have the boards full, because now if there are any absences we can run into an issue not having a quorum.

Mr. Sharif made a statement asking if there was nothing on the agenda for the boards, could that time be used to look into revising, updating and adding new ordinance where needed.

Ms. Barber shared that there are code updates being worked on currently.

Mr. Blodgett shared that they are working on it, never as fast as we want it to, but it is in process.

Ms. Moore inquired about something she saw in Mr. Blodgett's report and asked if he could share anything about the zoning on School Street.

Mr. Blodgett shared that he could talk about it without going into particulars pertaining to the specific homeowner. He said the issue is that historically School St. is a residential street. Many of the homes were built, used, and continue to be used as residential homes. However, somewhere in history, School St. was rezoned as commercial in its entirety, and as a result we have homes zoned C-1. That means that homes that were historically residential are now zoned commercial and have to have a conditional use permit (CUP) in order to be used as a residence, and every time it changes ownership another CUP is needed. He continued that this creates the potential for a legal or ethical problem down the road, sharing a couple of examples of legal and ethical issues that could arise. He shared a fix for it is to dual zone it, and for this house in particular it would be zoned C1/R2. He shared that this could help resolve issues of other properties, where we have triplexes or quadplexes that our own zoning ordinance doesn't even recognize, because we stop at R2 and have no multi-family designation. He continued, for this property the issue was by-right use, dual zoning it adds the R2 use and locks it in as a duplex, adding it historically is, and allows the use by right.

Ms. Moore thanked him for his explanation. She then remarked she was sorry to see the house near the State Park road has metal siding on it.

Mr. Blodgett shared nothing can be done by ordinance language or planning reasons to say no. He added technically as a historic building material it's perfectly appropriate, pointing out that there are 4 other structures on the same street that also use metal siding or roofing material, however in those cases they are painted surfaces.

Ms. Moore said there is something in the ordinance regarding compatibility sharing that the structures surrounding this home have stucco on them.

Mr. Blodgett shared compatibility is a loose term open for interpretation.

Ms. Moore said she is familiar it was just too bad that the owner chose that option.

Ms. Barber remarked that she hadn't seen it yet. She asked if anyone had anything else, there was nothing.

7:54PM (54:21) 6. APPROVAL OF MINUTES

Discussion/Possible Action

A. Consider Approval of the February 11, 2025, Regular and Special Council Meeting Minutes

Council will consider and may approve the February 11th Regular and Special Council Meeting minutes.

Ms. Barber introduced the meeting minutes and asked if there was any reason to split them or vote on them together. The consensus from councilmembers was to vote on them together.

Ms. Barber asked if anyone had any input or changes to be made.

Dr. Dillenberg moved to approve the minutes.

Ms. Barber confirmed his motion and seconded the motion. She called the question, and the meeting minutes from the Regular and Special Council meetings of February 11, 2025, were approved.

Motion to approve both Regular and Special Council meeting minutes from February 11, 2025.

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

7. PETITIONS FROM THE PUBLIC

There were none.

7:55PM 8. UNFINISHED BUSINESS

Discussion/Possible Action

7:55PM (55:20) A. Discussion and Possible Staff Direction Regarding the Sale or Lease of Town-Owned Property (655 Holley)

Council will discuss and may provide staff direction.

Ms. Barber introduced this item.

Mr. Klein shared that he had hoped to have more information, however a meeting on it was scheduled for tomorrow, March 12th, the day after the Council meeting. He said his staff report mentioned this item, continuing coincidentally as we had a need they were looking to provide the first community land trust in Yavapai County. He said this could be a win-win that we get some money out of the investment the Town made, but also some say in terms of leaving it as an employee and workforce housing option in perpetuity. He said he'll have more information at the next meeting.

Ms. Barber asked if Council could table this to the April meeting, then.

Mr. Klein confirmed yes, they can.

Ms. Barber made the motion to table this item until the April Meeting.

Mr. Sharif seconded the motion.

Ms. Barber asked if there was any further discussion, there was none. She called the question and item 8A was tabled to the April meeting.

Motion to table until April Council Meeting.

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

7:56PM (56:35) B. Consider Taking the Item from the Table and Discussion and Update / Possible Direction Regarding the Proposed Community Garden and the Community Garden Shed Along with Discussion on Fruit Trees for the Community Garden

Council will be provided an update regarding the proposed community garden and shed, and may provide staff direction, along with discussing fruit tree additions to the community garden.

Ms. Barber introduced the item to consider taking from the table. She said the advocate for the community garden walked around the garden yesterday, Monday March 10th. She shared that there is a \$500, non-expiring, gift certificate from APS for Verde River Growers, for trees. She said she thought at this point the advocate does not think they need a garden shed; however she believed there was still some funds leftover from the Yavapai Apache for it. She said not to get rid of the plans because maybe down the line they may want a garden shed. She thought it best to put in a drip system or sprinkler system, not inside the fenced area, but on the outside of the fence in flat areas where there is room. She said she would move to use some of the Yavapai Apache funding and put in a drip system. She continued, that way whoever is responsible for the garden doesn't have to worry about the trees; they can water them or not, but if something falls through the cracks then the trees have the support they need. She pointed out some areas on the layout where she would suggest planting some trees. She said she would meet on site with Marty Boland, to talk about putting in the sprinkler system and would take the gift certificate to buy a couple of trees. She shared that Mr. Klein received an email from Verde River Growers regarding a sale, however she was unsure how long the sale was. She said she believed they wanted to start with 2 apple trees and a plum tree.

Mr. Klein confirmed that he thought that was correct.

She said starting out with 3 trees seems like a good idea to start out and see how it goes. She said the placement is a flat area, so you won't have to climb a hill to pick fruit off the trees.

Dr. Dillenberg said he thought it was a good idea.

Ms. Moore clarified that Wendy Mills drew up the plans. She then pointed out where she had included some rainwater harvesting in the design drawings.

Mr. Sharif said he was going to suggest something like that. He said he knows we don't get much rain, but could we put a downspout coming from the restrooms to capture in rain barrels or other natural water feature. His other statement was based on the age of the trees when they are purchase, they are going to need some level of maintenance, so is the person in the garden going to take care of them while they take root. He shared based on growing his own fruit trees sometimes you need the manure and mulch plus the watering; he'd hate to see us plant a bunch of trees and then they just die and now we've wasted time and money. He said he had yet to see and advocate present in front of council.

Ms. Barber followed up that she told the advocate, Cole Vasquez, that he didn't have to come tonight because she had enough information. She continued that there has been talk about rain barrels and rain harvesting for a while, resharing some of their previous ideas regarding water storage, drainage and earthwork. She shared that they are currently trying to catch and direct the water in that area, adding that she has faith in garden people and what they can accomplish. She also shared that they've planted a fig tree and believes that there is an established tree that might be a black walnut. She said she had spoken with the town manager previously about the possibility of bringing in an arborist to look at their trees as it appears that some are dying, for reasons unknown possibly bark beetles. She reiterated they should start small, remarking a lot of work has been done already. She continued by sharing that the garden was originally started for those in the community who didn't have enough room on their own property to garden, that originally, they had considered charging a fee for it, but ultimately, opted for no fee and the garden provided space for those who had none at home. She said further discussions with the advocate included turning the current garden beds into the hügelkultur style beds if the current wooden garden beds fail.

Ms. Muenz confirmed that the prior Zoning Administrator that helped start the garden had started them out as hügelkultur beds. She said he'd asked for branches and other leaf litter to put underneath the dirt. So if the wood being used for the garden beds isn't treated and continues to break down it could continue to contribute to the hügelkultur bed.

Ms. Barber encouraged anyone unfamiliar with this style of gardening to look into it. She added it is more prevalent in

Europe and there are pros and cons to how much water use is needed, and if we can divert water from other places then we could really use it.

Dr. Dillenberg asked what they needed to vote on.

Mr. Klein said direction was all that was needed and there has been plenty of that.

Ms. Barber asked if everyone was in agreement with the direction.

The general consensus was that all council members agreed.

9. NEW BUSINESS

Discussion/Possible Action

7:33PM (33:31) A. Consideration of a Request from the Jerome Humane Society for a Council Approved Exception to the Special Event Permit Application in Accordance with Section 10-3-7(D) of the Jerome Town Code to Hold a Fundraiser (St. PETrick's Day) with Proceeds Going to the Jerome Humane Society

Council will consider the request from the Jerome Humane Society and may approve an exception for a special event permit.

Ms. Barber introduced the item for approval. She said she wasn't sure why they had to do this because it's held on private property, other than she saw that it was advertised to the public with donations to the Humane Society.

Dr. Dillenberg moved to approve

Ms. Moore seconded the motion.

Ms. Barber acknowledged an audience member with their hand up.

Candace Gallagher, audience member, asked for permission to approve the exception for both St. PETrick's Day and Woofstock in May.

Ms. Barber said there was nothing mentioned about Woofstock.

Mr. Klein shared that his omission, which was accidental and was supposed to be included in the agenda item. He advised the Council could approve both with their motion.

Ms. Barber asked for confirmation of the dates of both events.

Ms. Gallagher shared St. PETrick's Day is March 16th and Woofstock is May 14th

Ms. Moore asked if both events were at the same place.

Ms. Gallagher confirmed that Woofstock is held at the Spirit Room.

Ms. Barber asked if Dr. Dillenberg would amend his motion to include both events.

Dr. Dillenberg and Ms. Moore both reconfirmed their motions and seconds to include both events.

Ms. Barber called the question and the motion to approve exceptions for St. PETrick's Day and Woofstock are approved unanimously.

Motion to approval special event exceptions for Jerome Humane Society for both St. PETrick's Day & Woofstock

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

After the vote Ms. Barber thanked the Humane Society, adding this is really something the community is thankful for. The meeting then moved back to item 3 and continued in the order in which they appear on the agenda.

7:30PM (30:08) B. Consideration of Bids for the Repair and Necessary Improvements to 621 Main Street (Employee and Workforce Housing)

Council will consider bids and may award a contract for the repair and improvements to 621 Main Street.

Mayor Barber introduced the item for consideration. She asked Mr. Klein to share more information.

Mr. Kelin recounted Council approval to purchase 621 Main Street for workforce housing. He shared that the purchase price had reflected items that needed to be completed, so we knew this was coming and bids had been solicited for several weeks. He said contractors came in to evaluate what they thought needed to be completed from a safety, longevity and durability standpoint. He shared that neither contractor was aware of the bid from the other, and that we had tried to get at least 3 bids. However, after weeks of solicitation these were the only two contractor bids we were able to obtain.

Ms. Barber read the recommendation to award the bid to Tile, Perfected with the exception of the work in the upper unit loft. She read that the fiscal impact is \$31,500 which looks a lot better than \$95,000. She asked if there was dialogue or questions.

Dr. Dillenberg said so moved.

Ms. Barber confirmed his motion was to award the bid to Tile, Perfected.

Dr. Dillenberg confirmed.

Ms. Barber seconded the motion. With no additional question or commentary, she called the question.

Tile, Perfected was awarded the contract for repair and improvements to 621 Main Street by unanimous approval.

Motion to award bid for repairs and improvements of 621 Main St. to Tile, Perfected

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

After the vote the meeting moved to item 9A.

8:06PM (1:06:35) C. Consider Approval of a One-Year Professional Services Agreement with Gust Rosenfeld for the Provision of Town Legal Services

Council will consider and may approve the agreement with Gust Rosenfeld to be designated as the Town Attorney.

Ms. Barber introduced the item for consideration. She said it was a hard choice between the two but between Mr. Sharif, Mr. Klein and herself they came to a decision. She apologized for not having the numbers in front of her, but she recalled one of the candidates having more clientele than the other, which was a difference of us being 96th or 39th as far as representation.

Mr. Sharif confirmed she was correct; however their decision was flipped. He said ultimately the choice came down to tenure. He said the ladies spoke and presented very well, and that the younger gal had the ADEQ experience that might be beneficial, but ultimately, they decided to give the other candidates, Gust Rosenfeld, a year.

Ms. Barber further clarified that yes, the ladies were great, however the woman who presented the most wasn't going to be the main point of contact for Town it was going to be the younger of the two ladies present, and based on the presentation and years of experience, the gentlemen candidates both had more years of experience behind them.

Mr. Sharif agreed, adding it was a very hard decision.

Mr. Klein shared that they were both phenomenal firms and knows that we will do work with Pierce Coleman anyway with regards to labor law. He shared that all their references were sought out and Cottonwood spoke glowingly of Gust Rosenfeld, adding that they have some presence in the area with an office in Flagstaff. He also pointed out as they mentioned during their presentation that they did work on their rates as they had stated in the previous meeting.

Ms. Barber asked if there was anything else to add.

Dr. Dillenberg moved to approve a 1 year professional agreement.

Mr. Sharif shared that he had also spoken to a councilmember in Cottonwood and received the same feedback regarding Gust Rosenfeld.

Ms. Barber confirmed Dr. Dillenberg's motion.

Mr. Sharif seconded the motion.

Ms. Barber called the question and a 1 year professional service agreement for legal services with Gust Rosenfeld was approved.

Motion to approve 1 year professional services agreement with Gust Rosenfeld.

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

8:10PM (1:10:22) D. Conduct a Hearing to Consider the Appeal of the Town Manager's Decision to Suspend the Business License of Frosty Cauldron (License #1150)

Council will open the hearing, conduct the appeal hearing, close the hearing, and then will affirm or reverse the decision.

Mayor Barber introduced the item and Mr. Klein advised that she open the hearing.

Ms. Barber then opened the hearing at 8:10p.m. to appeal the Town Manager's decision to suspend the business license of Frosty Cauldron.

She asked if they have a current TPT license?

Ms. Muenz confirmed that she had received an image, not the original, and its issuance date was for February 24, 2025

which is why it couldn't previously be provided, however, it is valid through the remainder of the calendar year.

Mr. Blodgett remarked that it still does not reflect Jerome as a business code or jurisdiction.

Ms. Muenz added that she spoke with ADOR (Arizona Department of Revenue) regarding that, and they advised that the onus is on the business owner on how many business/jurisdiction codes they include on the bottom of their TPT. When they submit their taxes to the state, they are supposed to record the type and location of the different type sales tax they are submitting. It's much easier when reporting sales tax if a town is already listed on their TPT, but business owners can report sales tax even when a specific town is not listed on a TPT. She said she asked if we could require Jerome to be listed on a TPT, but ADOR did not give a hard answer, potentially for legal reasons.

Mr. Klein further elaborated on why this business license was suspended.

Ms. Barber then inquired, if the TPT says Cottonwood does that mean that all the sales tax from being in Jerome then goes to Cottonwood.

Ms. Muenz answered that if she or any mobile food or other mobile vendor failed to specify where sales tax was collected then no, none of the sales tax would come to Jerome, it would go to Cottonwood.

Ms. Barber remarked that sounds problematic.

Mr. Sharif agreed with her and said that his first request to legal counsel would be, is there a way to require Jerome be on a TPT. He continued, as we stated before, Town needs funding. He said if you're going to operate a business here because you love this town then you'd want to do what you could to make sure we get the funding properly, because otherwise you're taking business from other businesses in Town and not providing the tax funding.

Dr. Dillenberg agreed and asked what action can be taken.

Mr. Klein answered he's not sure that can be a factor, and wasn't factored into the decision to suspend. He said, based on his conversation with the State, we can't require that a municipality be listed on a TPT.

Ms. Moore asked if the business owner was aware this would be happening tonight.

Ms. Muenz said she did inform the business owner that this would be taking place.

Ms. Barber confirmed if she had used the correct email address for notification.

Ms. Muenz confirmed that she had used the contact information as suggested by the business owner.

Ms. Moore said she was sorry to see that the owner did not attend tonight to talk to them.

Mr. Blodgett said they'd been working on this for many months and made a good faith effort to help a small business get off the ground. He continued over the last 2 months a lot of staff hours have been eaten up by trying to collect documents, tracking down unexpired health permits, and sometimes receiving documents other than the document that was requested.

Ms. Moore disclosed that this business owner had come into her pottery shop to speak with her. She said she was complaining about the problems she was having. She said she'd see her parked overnight in places that are not parking spots.

Mr. Blodgett shared that she had been told repeatedly that she could not be parked overnight and had also repeatedly abandoned the vehicle and couldn't be found during her hours of operation.

Ms. Moore asked if it was true that she was told she could park where she was parking.

Mr. Blodgett said that it's hard to verify because the party she claims gave her permission has since retired and left the state.

Ms. Muenz further clarified that when she spoke to the business owner that she had backtracked a little on what she said previously, and told Ms. Muenz she was told she couldn't park in the other place, so asked someone if she could park there, but wouldn't specify a name that gave her permission. She continued at the same time the Town Code does clearly specify in mobile food vendor ordinance where and how to legally park.

Mr. Blodgett recited part of the ordinance, that it says no more than 6 hours in any one spot, remarking that she sought permission from just about everyone else besides who she needed it from.

Ms. Barber pointed out that there are 14 pages of back and forth communication starting on 8/20/2024 ending 2/26/2025.

Mr. Blodgett shared that a lot of that doesn't include his own back and forth communication with the business.

Ms. Barber said her second question was whether we have the certificate of insurance showing the Town of Jerome as additional insured on file.

Ms. Muenz said that it was finally provided in February, from Geico. She said it does have the 1 million general liability coverage for the business and does reflect Town of Jerome as additional insured.

Ms. Barber said she also wanted to point out that it's not a food truck, it's a trailer being pulled around.

Ms. Muenz showed Council the copy of the insurance issued on February 14th.

Ms. Barber asked about the health license issued by Yavapai County.

Ms. Muenz said the original permit issued was a 90-day provisional permit that would have expired in November. She said she had started to reach out to the business owner regarding the health license because we hadn't received it, and it took a while to hear back from her. So Mr. Blodgett helped a lot with tracking her down and asking questions. Then we found out that she had to apply and receive a second 90-day provisional health license because she had failed to get her health inspection in time. Then there was a minor issue with an item on the inspection with the second provisional permit, so a follow-up inspection was needed, which was getting close to the expiration of the second provisional permit. She said she called Yavapai County Health Services who said she did receive the final inspection and is on track to get her health license, however she hadn't paid for it yet. She said since then she hadn't heard from her nor received any proof that a health license was paid for; it hasn't been received by Town either.

Mr. Klein advised the Mayor and Council that what they're doing with this hearing is affirming his decision to suspend her license or reversing his decision. He said the decision to suspend was made based on not having the TPT license, not having the certificate of insurance and not having a health license, at the time. There is still 1 remaining outstanding item and once it's delivered, she'll be approved to operate her business. This is an appeal process, and the only action is to affirm or reverse the decision made.

Ms. Barber outlined that at a hearing it does say he or a designee will present the reasons to deny, suspend or revoke the license. She confirmed that the presentation was given and then sought input from the remainder of the Council.

Dr. Dillenberg said he supports the Town Manager's decision.

Mr. Sharif said he seconds.

Mr. Klein advised to close the hearing.

Ms. Barber asked if there was any further discussion about this. There was none.

Mayor Barber closed the hearing was closed at 8:21p.m.

It was confirmed that she does have a business license, and will be granted to operate once she's complied with all of the requirements.

Ms. Barber asked if it would come back in front of council.

Mr. Klein said no it would not.

Ms. Barber reconfirmed Dr. Dillenberg's motion to approve, affirming the Town Manager's decision to suspend the business license and Mr. Sharif's second. She called the question and the motion to uphold the Manager's decision was approved unanimously.

Motion to affirm the Town Manager's decision to suspend business license.

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

After the vote Mayor Barber and council members thanked staff for their hard work collecting the information for this and being so diligent and thorough.

Dr. Dillenberg requested that someone keep an eye on her parking in the future. There was general agreement and confirmation from Mr. Blodgett that a lot of people have eyes on this.

8:23PM (1:23:08) E. Consideration of a New Tenant for 500 Main Street and Setting Terms of the Lease Agreement

Council will consider and may select a new tenant, along with setting the lease terms (duration and rent amount) for 500 Main Street unit.

Ms. Barber introduced the item for consideration. She said she didn't see anything more in the packet.

Mr. Klein informed the Council that there was interest in leasing this space, however at this time both applicants had withdrawn. He confirmed that at this time there are no tenants to consider for the space.

Ms. Barber confirmed there was nothing to consider at this point.

Mr. Klein confirmed. No motion was made so the meeting continued to the next item on the agenda.

8:23PM (1:23:42) F. Consider Proposal and Agreement from Southwestern Environmental Consultants (SEC) for Engineering and Design Plans for Mescal Siphon Line and School Street Pressure Regulator (WIFA Grant Funded)

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

Ms. Barber introduced the item and shared that this is a WIFA grant funded project.

Mr. Klein confirmed that it is a 100% funded project through WIFA and is part of a large expensive project that needs to be done.

Ms. Barber said this is a tricky situation. She said to pick Tyler's brain about how this is going to work out.

Ms. Moore confirmed it is very tricky.

Ms. Barber said it is kind of scary. It's nice to have something to move forward but it's kind of scary to know what the impact could be if something were to go wrong. She then entertained a motion.

Mr. Sharif moved to accept.

Ms. Moore commented that she hoped they were aware that when this is done, we need to get plenty of water in from Walnut.

Mr. Klein said yes, Tyler will be working hand in hand with them.

Ms. Barber confirmed the motion.

Mr. Sharif confirmed that he motioned to approve.

Dr. Dillenberg seconded the motion.

Ms. Barber confirmed the motion and the second. She then called the question the motion to approve the proposal and agreement was approved.

Motion to approve proposal & agreement from SEC for Mescal Siphon and School Street Regulator.

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

After the vote Mayor Barber moved to item 11 before item 10.

8:38PM (1:27:22) 10. TO AND FROM THE COUNCIL

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

Mayor Barber introduced item 10 and said for the record that she wanted to know when APS was going to come and finally turn down the lights as promised from their meeting. She said it had been a couple of months since their meeting and felt if they would just come to turn the lights down it would make everyone in town happy.

Mr. Sharif stated for the record that he has faith in Cole and the garden crew and appreciates their hard work and Mayor Barber’s decision to give them the night off.

No other council members had any input at this point of the meeting. The meeting then moved onto item 12. Adjournment.

8:26PM (1:26:04) 11. EXECUTIVE SESSION

A. Discussion and Negotiations for Easements for the Town’s Wastewater Treatment Plant Upgrade

The Council may provide its representatives and legal counsel with instructions regarding negotiations for easements for completing the wastewater treatment plant upgrade.

Mayor Barber introduced the item and made the motion to move into executive session at 8:26p.m.

Ms. Moore seconded the motion.

Executive session started at 8:26p.m.

Motion to enter executive session at 8:26p.m.

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

Executive session ended at 8:38p.m.

8:38PM (1:26:47) B. Consider Action to be Taken from the Executive Session

Council may make a motion to take necessary action as a result of the Executive Session discussions.

Ms. Barber introduced the item. She confirmed the recording was back on for the record.

Ms. Sharif confirmed it was.

Ms. Barber made the motion to authorize the pursuit of mediation if agreed to by the other party.

Ms. Moore seconded the motion.

Ms. Barber asked if there was any additional discussion. There was none. She called the question, and the motion passed.

Motion to authorize the pursuit of mediation if agreed by the other party.

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

After the vote the meeting moved back to Item 10 – To and From the Council, before moving to adjournment.

8:40PM (1:28:28) 12. ADJOURNMENT

Dr. Dillenberg moved to adjourn the meeting.

Mr. Sharif seconded the motion.

Mayor Barber called the question, and the meeting adjourned at 8:40p.m.

Motion to adjourn at 8:40p.m.

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

APPROVE:

ATTEST:

Alex Barber, Mayor

Brett Klein, Town Manager

DRAFT