SUMMARY MINUTES
REGULAR TOWN COUNCIL MEETING
TOWN OF CAVE CREEK, ARIZONA
MONDAY NOVEMBER 5, 2018

CALL TO ORDER 6:00 P.M. Ernie Bunch, Mayor, 37622 N. Cave Creek Road, Cave Creek, AZ.

Roll Call: Jane Fuller, Deputy Town Clerk

Council Present: Mayor Ernie Bunch, Vice-Minor Ron Sova, Council Members Susan Clancy, Thomas McGuire, David Smith, and Eileen Wright.

Council Absent: Mary Elrod

MOTION TO CONVENE INTO EXECUTIVE SESSION AT: 6:00 PM

Mr. McGuire: Motion to convene into executive session at 6:00 p.m.
Ms. Clancy: Second
The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

ADJOURNED EXECUTIVE SESSION: 6:57PM

CALL TO ORDER REGULAR SESSION: 7:00 PM

Staff Present: Town Manager Carrie Dyrek
Town Attorney Bill Sims
Town Marshal Adam Stein
Deputy Town Clerk Jane Fuller
Utility Director Jim Kaylor
Distribution Supervisor Dennis Charles
Town Building Official Mike Baxley
Director of Planning Ian Cordwell
Finance Director Robert Weddigen

Mayor Bunch: Welcomed everyone to the Regular Town Council Meeting, Town of Cave Creek, Arizona, Monday, November 5th, 2018. Pledge of Allegiance, Sue, would you like to lead us in the Pledge?

PLEDGE OF ALLEGIANCE

Sue Marshall led all those in attendance in the Pledge of Allegiance.

PUBLIC ANNOUNCEMENTS

Bunch: reminded everyone that tomorrow is Election Day.

CALL TO THE PUBLIC
Mayor Bunch announced call to the public.

Councilwoman Wright: What can one say to sum up 2 years in 3 minutes? Not easy. It has been an honor to serve the people of Cave Creek; one of the highlights of my life. Just to be able to play a part in how we deal with water issues and making sure we preserve our rural lifestyle are just some of the issues I was honored to work on. Cave Creek is America’s last frontier. You, the residents, have dedicated your time and expertise to preserve our rural lifestyle. You never give up - look around the room you see a world renowned economist, PhD in hydrology, one of the leaders that preserved Spur Cross, and neighborhood leaders. You all stood for what was right, and fought for moral reason. You put the greater good above your own self-interest. Thank you for all that you have done and continue to do to protect Cave Creeks most rugged and beautiful Sonoran Desert. Without you it might have been lost in a sea of high density development. I love this little Town and don’t have any plans to ride off into the sunset. I will continue to be a voice of intelligence, leadership, and integrity; will never abandon you, the residents, when you ask for help; and will always stand by your side and fight to protect our quality of life. Again, thank you very much for the honor of serving as your Councilwoman in the greatest little town on Earth. Because of you, this land will continue to be America’s last frontier for generations to come. In closing, someone once said: ‘She who returns from a journey is not the same as she who left.’ Happy trails to all of you until we meet again.

Terry Smith: N 26th St, Cave Creek, AZ: Spoke about a problem that he came here less than a year ago to bring up and nothing has been done. Location is 32nd Street and Rockaway Hills. They plan to block off easements and access to property. There is a concrete barrier blocking access now; there is no access into those properties. Cahava Springs Development – he spoke to re-notify the Town.

Shelly Mulligan: 38410 N Basin Road, #4, Cave Creek, AZ. Spoke today to let Council know they are doing Creeker Christmas on December 8, 2018. It was very successful last year. Asked to go on agenda for next meeting. Handed out flyers to Council and public.

TOWN MANAGER REPORT

Ms. Dyrek: Addressed Mayor, Members of Council with a summary of Taste of Cave Creek event. She thanked all the restaurants and sponsors. Attendance estimated at 7,000 for both days. Net fees were up 10% compared to last year. Over 33 local restaurants participated, 20 sponsors, 28 craft brewers. Special thanks to Platinum Sponsors. Special thanks to volunteers and staff, especially Patty Pollnow, Robert Weddigen and his staff and Marshal Stein. Dyrek then asked Marshal Stein to speak.

Marshal Stein: Addressed Mayor, Members of Council regarding a tragic event that occurred to the Brother of Indigo Crow chef Carlos Marquez; Alex Marquez. Alex Marquez was injured here in our community and suffered extensive burns over 80% of his body on October 12, 2018. After a brief hospitalization, Alex succumbed to his injuries and passed away on October 25, 2018. On November 17 at Stagecoach Village there will be an Event to benefit his wife and 18 month old daughter; Mari and Mila. The event is from 4-8 pm with Dinner from 5-7 pm. The event will include live music, a raffle and an auction. The tickets are $25. Raffle and auction. There was discussion on the medevac bill which was $35,000 and not covered by insurance. He announced that there will be a Go Fund Me link on Town website.

ACTION ITEMS:

A. CONSENT AGENDA
Approval of the October 1, 2018 Regular Council Meeting Minutes.

Approval of the October 15, 2018 Regular Council Meeting Minutes.

Mayor Bunch: Requested a motion to approve consent.

Ms. Clancy: So moved.

Mr. McGuire: Second.

Mayor Bunch: All those in favor, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Aye's clearly have it, six to nothing.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

B. GENERAL AGENDA ITEMS

1. COUNCIL DISCUSSION AND POSSIBLE APPROVAL TO SUPPORT THE 2018 WILD WEST DAYS EVENT NOT TO EXCEED $2,500.

Mayor Bunch: Placed on the agenda at the request of Ms. Ellie Alsever.

Ms. Alsever addressed Mayor and Members of Council, and she passed out paperwork to the Council.

She explained that she shared previous Wild West Days with her girls how it has changed since 2003 when it began. This year it is her turn and she turned to community to help her and together they got it done. This year they will honor vets with events spanning three days. We will not have a parade, instead we will have a 100-horse ride and share the road with the Cactus Bike Race. There will be cowboy games, crafts, photo opportunities on tractors and fire trucks. 501C3 McKenna Youth Foundation is backing the event. There will also be mounted shooting at Outlaws, Mutton Busting at the Chip, the Tourism Bureau will have a booth, Harold’s pig races begin at 1pm and 3pm, TC is doing bull riding and there will be live music all through Town.

Council Comments:

Ms. Clancy: Recognized Ms. Ellie commenting that she doesn’t know how she did it.

Ms. Alsever: Explained the request for support, that the Town would be paying the McKenna Youth Foundation. She summarized expenses including insurance cost of $877.20; and asking the Town to cover fees for the special use permits, a traffic study and an escort through Town. They are not closing roads down, mostly just addressing safety issues. They have gotten some sponsors but need support for the Kids Zone.

Ms. Dyrek added to that, the Town will provide pop up tents and barricades. Town should pay traffic control contractor directly and permits are $100 each. The organization will have to get a special event permit and a permit to close Jack Cartwright Pass, we just received Traffic Control Plan today.

Public Comment:

Johnny Ringo, 40222 Spur Cross Road thanked Eileen Wright for her service to this community. Wild West Days is a special event; he was the visionary back in 2003. He thanked Ms. Ellie and her stable of volunteers to make this event happen and explained that the Town cannot have a lapse from year to year. Cave Creek was settled in 1870 and has not lost its zest for life. We need to appreciate every person. Cave Creek is a destination and everything he does in his life is to make Cave Creek a destination. He
mentioned something that he is thinking about for 2020 for the 150 year anniversary in which he is
going to form a committee to work on.

Bob Morris, 6020 E Cielo Run South spoke in favor, in support of this; he will be riding, his wife will be
in the mounted shooting. He recognized that Ms. Ellie did a tremendous job bringing this together.

Ms. Ellie: Continued explaining we will have TV Media at the Chip on Thursday 7:30AM.

Ms. Clancy: Motion to approve support of the 2018 Wild West Days Event, not to exceed $2,500.
Mr. McGuire: Second.
Ms. Clancy: Indicated that she thinks it is amazing what Ms. Ellie has done.
The motion passed 6 to 0, by Roll Call Vote, with Councilwoman Elrod absent.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes,
Councilman McGuire, yes, Councilwoman Wright, yes.

2. PRESENTATION TO COUNCIL BY BILL MATTINGLY AND PRIMATECH ENGINEERS
& CONSULTANTS ON THE CAP PIPELINE PUMP STATIONS EVALUATION, UPGRADE
AND IMPLEMENTATION PROJECT FOLLOWED BY DISCUSSION.
Mayor Bunch explained that this was placed on the agenda by the Utility Director.
Ms. Dyrek Introduced Bill Mattingly and Primatech.
Mr. Mattingly: First gave a brief background on Primatech explaining that their clients include City of
Phoenix, City of Scottsdale and the State of Arizona. He introduced Shi-En Shiau, Principal and
Founder of Primatech and King Lai, Senior Engineer with Primatech.
Mr. Shiau: Presented that this project includes three phases with the summary of Phase One being given
to Council today. It includes Assessment and Preliminary Design. He talked about the system that the
Town has today; it includes CAP Raw Waterline and Booster Pump Stations. One CAP Intake Station
and three Booster Pump Stations. He explained that in order to maintain the quality of the lifestyle the
citizens deserve we are talking 21 Century equipment. The Booster Pump Station sites have restricted
roadside access adjacent to pavement and staff has to access through a manhole. This is hazardous to
traffic, facility and maintenance staff and subject to vandalism and has limited easement. The Key
Deficiencies are a confined space and insufficient work space within the vault. Example – typical
bathroom is 14-15 feet; the pump station we have was 5x14; one third of a typical bathroom, it includes
a feeding line, a pump, and a discharge line which when added up, the total is 60 inches. The vault itself
is 60 inches. That is the environment for the staff when they go in. There is no backup power for assured
operation and in the summer, the operation almost runs 24 hours. The pump has no redundancy, all three
pumps have to run at same time. If one fails it results in a reduced water supply. The water system has
no protection against water hammer. Pump is 270 horse power and he explained how water hammer
occurs. The SCADA is obsolete and staff has to turn on/off the pump and has to monitor to turn back on.
The pump is at its end of life (30 years); it is a very important and valuable asset in terms of the water
line. In order to reconstruct the water line it would be in the range of $20 million. We do see the
improvement of the pump station to be able to preserve the pipeline which could last another 15 years.

Mr. Mattingly: explained OSHA Confined Space – concurrent with this project the Town hired a
consultant; Workplace Safety Specialist and Southwest Risk; the Town’s insurance provider. They
confirmed that a permit is required to enter a confined space. They also defined the CAP pump stations
as a confined space with restricted entry or exit and that fall hazards exist. There exists tight internal
space; that the entrant could become entrapped and difficult evacuation. It is a hazardous atmosphere with potential water engulfment, electrical hazards and potential heat stress. A very narrow vault in which a person has to crawl under a manifold to access equipment.

Mr. Shiau: explained that we take this job very seriously and we will deliver a quality product to the Town. He assured Council that Primatech has a first-hand understanding. Mr. Lai was in the vault and it was definitely hot. At the CAP Intake Pump Station: Central Arizona Project is requiring improvement at Union Hills and Cave Creek Road. They are requiring improvement including the flow meter, the Vault, SCADA, intake structure – a new design that follows Central Arizona Project standards. Facility Deficiencies include no backup power and no filters for Quagga Mussels. He then explained the Purpose of Pump Station Upgrade and how the Scope of Work includes three alternatives. Primatech presents eight scenarios that do not include “do nothing” or minimum patch and repair. He discussed the Improvement Alternatives and Rating Score slide. Two alternatives include to work on, and expand the existing vault. Two alternatives are preferred: you could save money, $1.4 million, but it puts the pressure of the pipe at its 30 year design. Two pump scenarios were discarded. He reviewed the Preferred Alternatives; one is underground/one is above ground. The above ground requires purchase of land. Property around the vicinity is around $100,000; the basic difference between alternatives #3 and #4 is about $300,000. The Selected Design Alternative is 4A. Three above ground booster stations at 2,000 gpm firm capacity, expandable for future demand, with a stand-by generator. Capital Expenditure is required. He explained future Phase II: Final Design and Phase III: Construction. The Project Costs: Estimate cost for Alternative 4A is a total cost of $4.9 almost $5 million.

Mr. Mattingly: Commented that the next step is to move forward with the final design. He ask Council if they had any questions.

Mr. Smith: The bottom line is a little higher than original estimate by a factor of 300 percent. In order to do this we would have to come up with $4 million over the next three years. The thing is we have to make a decision now on is what would happen over the next few years. When will we get the report?

Mr. Mattingly: Two weeks, he is just proofing the report however, the price won’t change. This phase of the project is getting the real costs.

Vice Mayor Sova: Asked if the final report will have a more definitive rhetoric as to above or enlarging below ground.

Mr. Mattingly: Yes, there are really just two primary alternatives; above or below. Below, blow the walls out and make it bigger. It is risky because you are flying the plane while you are building it. Building a new vault next to it includes land acquisition.

Vice Mayor Sova: Asked about the difference between above or below.

Mattingly: Explained $300,000.

Vice Mayor Sova: Asked about the cost of acquiring land at $100,000.

Mr. Mattingly: The cost estimate is for a full acre at $100,000 per location.

Vice Mayor Sova: Asked if the above ground location is at risk of being crashed into.

Mr. Mattingly: Explained that if you look at the schematics; they include a land buffer which reduces the hazard, that it would be further away, surrounded by a block wall.

Vice Mayor Sova: Asked with the larger vault would we abandon the old vault.

Mr. Mattingly: Yes.

Vice Mayor Sova: Asked about the length, width, and height of the new vault.

Mr. Shiau: 39 feet, 12-14 feet wide and higher than 8 feet; it would be accessed by stairs instead of a ladder and would all comply with OSHA except that we cannot eliminate if a pipe would break.
Vice Mayor Sova: Asked do they all need to be put in at one time or do over several years.
Mr. Shiau: We have to look at the pumps, capacity and curve. It depends on how we do the procurement; we can make it a staged improvement but that is a different cost. If we schedule construction one at a time VFD for each pump is $25,000 to 30,000 extra. That would be able to meet the delivery requirement while we replace each pump.
Vice Mayor Sova: Asked what would be the best way to go, would it be above.
Mr. Shiau: Confirmed yes, above ground.
Mr. McGuire: Asked about the condition of the pipeline.
Mr. Shiau: Explained that we didn’t do an inspection of the pipeline. In general this is one of the best quality pipelines for water if you operate within its parameters.
Mr. Mattingly: Staff has indicated that had a pipeline break because a contractor hit it; that they took out a piece of the pipeline out. You need to operate less than 150 pounds per square inch.
Mayor Bunch: Asked about the above ground option how it would be setting off a ways; would that require two nineties coming in and going out and what would be the material of the pipe.
Mr. Mattingly: Explained that the existing configuration moves water at 45 degrees. If you can make the bends softer; use Duct Liner pipe.
Ms. Clancy: Asked Robert Weddigen what does the Town have allocated for funds for this year.
Mr. Kaylor: Responded about $1.1 million.
Ms. Clancy: Asked if we do the project in phases and does this qualify for WIFA Loans.
Mr. Weddigen: It would probably qualify for WIFA loans and as well as other financing options.

Public comment: NONE.

Presentation and discussion only, no action taken.

3. COUNCIL DISCUSSION AND POSSIBLE APPROVAL OF SECOND READING OF ORDINANCE NO. O2018-02 AMENDING THE TOWN OF CAVE CREEK SUBDIVISION CODE, CHAPTER 2 PLANNING STANDARDS AND PROCEDURES, SECTION 2.3 ENTITLED "PRELIMINARY PLAT" AND SECTION 2.4 ENTITLED “FINAL PLAT.”
Mayor Bunch: Placed on the agenda by the Town Attorney.
Attorney Sims: Number 3, 4 and 5 are all related. Staff made some suggestions so we made some changes. No substantive changes. All three can be passed together.
Mayor Bunch: Questions from Council? None. There is public comment on this agenda item. We have none; we're back to Council for a motion.
Public Comment: None
Vice Mayor Sova: Motion to give second reading to Ordinance No. O2018-02. An Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, amending the Town of Cave Creek Subdivision Code, Chapter 2, Planning Standards and Procedures, Section 2.3 Entitled "Preliminary Plat" and Section 2.4 Entitled “Final Plat.”
Mayor Bunch: Second.
Mayor Bunch: Asked for Council comment: None.
Mayor Bunch: All those in favor of the motion, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.


Mayor Bunch: Placed on the agenda by the Town Attorney.

Mr. Sims: No comment.

Mayor Bunch: Questions from Council: None

Public Comment: None.

Mayor Bunch: Back to Council for a motion.

Ms. Clancy: Motion to give second reading to Ordinance No. O2018-03, An Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, amending the Town of Cave Creek Zoning Code, Chapter 12 – Site Plans, Section 12.3 entitled "Applications - General Provisions" and Section 12.5 entitled "Review Criteria" and Appendix A – Glossary Terms and Definitions, Section B entitled “Definitions.”

Mayor Bunch: Second.

Mayor Bunch: Asked for Council Comment: None.

Mayor Bunch: All those in favor signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it, six to nothing.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

5. COUNCIL DISCUSSION AND POSSIBLE APPROVAL OF FIRST READING OF ORDINANCE NO. O2018-10, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA, ADOPTING AN AMENDMENT TO SECTION 52.204 OF THE TOWN CODE “ACTIVATION FOR NEW SERVICE” CONNECTIONS GENERALLY; INFORMATION REQUIRED.

Mayor Bunch: Placed on the agenda by the Town Attorney.

Mr. Sims: No Comment.

Mayor Bunch: Asked for Council questions: None.
Public Comment: None

Mayor Bunch: Requested a motion.

Ms. Clancy: Motion to give a First Reading to Ordinance No. O2018-10, an Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, adopting an amendment to Section 52.204 of the Town Code “Application for New Service” connections generally; information required.

Mayor Bunch: Second.

Mayor Bunch: Asked for Council Comment: None. All those in favor, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

Mayor Bunch: Alright, moving on to agenda item number six.


Mayor Bunch: Placed on the agenda by the Planning Department.

Ian Cordwell: Mayor, Members of Council, this is a second reading of the Ordinance. There will be a 30 days effective date.

Mayor Bunch: Requested Council questions. None.

Mayor Bunch: Announced Public Comment. None.

Public Hearing: Opened 8:29 PM, Closed at 8:29 PM.

Mayor Bunch: Asked Council for a motion.

Ms. Clancy: Motion to give Second Reading to Ordinance O2018-07, an Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, amending the official Town of Cave Creek Zoning Map by changing the underlying zoning of parcels 211-46-035A, 211-46-036, 211-46-022A and 211-46-006 described in Exhibit 1 and depicted in Exhibit 2, from a Desert Rural (DR) Zone to a General Commercial (GC) Zone.

Mayor Bunch: Second.

Mayor Bunch: Asked for Council Comment.

Ms. Clancy: Commented good usage.

Mayor Bunch: All those in favor, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it.
The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

Mayor Bunch: Move on to item number seven.

7. COUNCIL TOWN CASE NO. Z-18-02 - SPITTLER - ZONE CHANGE REQUEST TO AMEND THE TOWN OF CAVE CREEK ZONING MAP AND SECOND READING OF ORDINANCE O2018-06 AMENDING THE OFFICIAL TOWN OF CAVE CREEK ZONING MAP BY CHANGING THE UNDERLYING ZONING OF A PORTION OF PARCELS 216-06-172, 216-06-173, 216-06-174 AND 216-06-175 DESCRIBED IN EXHIBIT 1 AND DEPICTED IN EXHIBIT 2, FROM A SINGLE FAMILY RESIDENTIAL (R-35) ZONE TO A TOWN CORE COMMERCIAL (TCC) ZONE.

Mayor Bunch: Placed on the agenda by the Planning Department, Town of Cave Creek.

Mr. Cordwell: Explained to Mayor, Members of Council this is same situation and a second reading.

Mayor Bunch asked for questions from Council. None.

Public Comment: None.

Public Hearing: Opened 8:35 pm, Closed at 8:35 pm.

Mayor Bunch: Motion to give Second Reading to Ordinance 2018-06 an Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, amending the official Town of Cave Creek Zoning Map by changing the underlying zoning of a portion of parcels 216-06-172, 216-06-173, 216-06-174 and 216-06-175 described in Exhibit 1 and depicted in Exhibit 2, from a Single Family Residential (R-35) Zone to a Town Core Commercial (TCC) Zone.

Ms. Clancy: Second.

Mayor Bunch: Asked for Council Comment: None.

Mayor Bunch: All those in favor of the motion, signify by saying, aye.
Council in Unison: Aye.

Mayor Bunch: Opposed? Motion passed, six to nothing.
The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

Mayor Bunch: Moving on to agenda item number eight.

Mayor Bunch: Placed on the agenda by the Chief Building and Fire Official.

Mr. Baxley: Explained that what we are doing here right now is declaring the books as public record.

The vast majority of amendments is in the beginning of the books and is administrative. It is a consensus code. One of the reasons we try to keep update is that the Town is community rated; the Rating Company talks to the Fire department and inquires how we enforce our codes and the biggest piece is what version of Code we are using. Previous actions resulted in the Town being downgraded from a 3 to a 9. In a 1-10 score; 1 is best, 3 is outstanding for a small town. Insurance companies use this to set homeowners rates.

Questions:

Vice Mayor Sova: Asked if approved, when it will go into effect.

Mr. Baxley: It would go into effect January 1, 2019; for updated plans the date would be June 30, 2019.

He mentioned a few typos: Section 2 intended to adopt appendices P and Q. Section 4, should say 106.6.1. Section 6 should say 105.3.1.

Public Comment: Bill Basore 2415 Rockaway Hills Road spoke indicating that he thinks that moving to this new building code is a good idea. This is where the rubber meets the road for new residents. When people talk about the Town and they are angry it is often about this stuff. What is average snowfall in Cave Creek? We probably don’t need to have anything that deals with snow loads. Slope on garage has to do with snow. Hurricanes, take a look at this. Would you at least take some time to find out what the differences are? Electrical outlets not in compliance with this code. Sprinkler system more aggressive here than in other places in Arizona and we don’t have the water that can support the sprinkler system. Do rainwater collection instead. It is abhorrent to make people buy sprinkler systems that won’t work.

Vice Mayor Sova: Disagreed with Mr. Basore and explained that the slope of garage is for if your car is leaking fluids you don’t want the fluids to run towards your house (i.e. gas).

Mr. Basore: Asked how many people have been killed by being crushed by a car. Benefits are slight.

Mr. Baxley: Snow load – Cave Creek has a zero snow load. Garage floor for an attached building, has to do with a chemical spill. Sprinkler; The Town has eliminated because we go to the Ordinance for Sprinklers. Sprinklers for residential are intended to slow the fire down to allow you to get out of a building. Commercial is different.

Mr. Basore: Explained that his Consultant gave him the requirements and he would have to refer back to the professional.

Mr. Baxley: Explained that pretty much United States as a whole requires sprinklers. Arizona has a state law that precludes sprinklers. The Town already had ours in effect, as well as Scottsdale and Phoenix, in place since 2004.

Ms. Clancy: Asked what had prompted you to do that.

Mr. Baxley: Explained that it was done before he was employed by the Town.

Mr. John Kraetz Fire Chief with Rural Metro: Explained that the City of Scottsdale was forerunner of sprinkler Ordinance and then it moved its way through the valley including Cave Creek and Carefree. Residential sprinklers are at 30 gallons per head; Mr. Basore’s 500 gallon tank, his tank is going to last a long time. It all is about public safety, not saving the house.

Mayor Bunch: Asked Council for a motion.

Mr. McGuire: Second.

Mayor Bunch: Comments from Council.

McGuire: Commended Mr. Baxley for his work.

Mayor Bunch: Alright, all those in favor of the motion, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it, six to zero.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilwoman Clancy, yes, Councilman Smith, yes, Councilman McGuire, yes, Councilwoman Wright, yes.

Mayor Bunch: Moving on to agenda item number nine.


Mr. Baxley: Mayor, Members of Council, this follows the Resolution that we just passed.

Mayor Bunch: Comments from Council.

Ms. Clancy: Thank you Mr. Baxley for doing this, it is good to see it is being updated.

Public Comment: None.

Mayor Bunch: Asked Council for a motion.

Vice Mayor Sova: Second

Mayor Bunch: We have a motion. All those in favor of the motion, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed?

Mayor Bunch: Motion carries.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.


10. PRESENTATION AND COUNCIL DISCUSSION OF THE QUARTERLY UTILITY BRIEFING TO COUNCIL INCLUDING MATTERS LISTED IN THE TOWN OF CAVE CREEK WATER POLICY, BEST MANAGEMENT PRACTICES AND PROJECT UPDATES.

Mayor Bunch: Placed on the agenda by the Utility Director.

Mr. Kaylor: This is the Utilities Quarterly Report, November 5, 2018. He reviewed the Water Ranch Monthly Influent totals for Summer-2018: Waste Water Treatment Plant (WWTP) has a capacity of 750 thousand gallons. In the winter the average daily use is 300,000; less than half of capacity. It drops significantly in the summer. A 30% swing from summer to winter. Biology process that WWTP operators have to go through and they should receive appreciation for what they do. He presented the Water Treatment Plant (WTP) 2017 Production Totals: February is low month, July is typically peak month. The WTP 2018 Production totals are very similar. He presented the Water Distribution Water Leak History for September to October 2018. Average cost to repair a leak is $3-4,000; also results in a non-productive time to put in maintenance. Options include to hire a contractor to focus on leaks and look are areas that have consistent occurrence of leaks. Maintenance Projects that we completed at WTP in past 90 days; many were deferred maintenance. The Plant is currently running at 16 hours per day which frees up a person to do some maintenance. Will go back to 24 hour coverage in summer. A Utilities Technical Assistant Position was created to focus on complying with regulatory requirements; this person is dedicated to tracking on a weekly basis and has contact with ADEQ. Cave Creek Chlorine Residuals; we pulled 30 Samples in October 2018. Desert Hills Chlorine Residuals, we pull 32 Samples Monthly. Major Project Updates: Primatech, and the SCADA project is 95% complete and coming to Council on November 19.

Ms. Wright: asked Mr. Kaylor about the Grease Traps.

Mr. Kaylor: We have 22 grease traps being monitored and in compliance.

Ms. Clancy: It is nice to see quantitative data. Thank you Mr. Kaylor.
11. PRESENTATION AND COUNCIL DISCUSSION OF THE QUARTERLY FINANCIAL REPORT BY THE TOWN FINANCE DIRECTOR.

Mayor Bunch: Placed on the agenda by the Finance Director.

Mr. Weddigen: Explained this is a short presentation for the first three months of FY2019.

He presented Preliminary Financial Results, Operations – All Funds, Governmental Fund Revenues with sales tax revenue right on target at 25%, Governmental Expenditures: Well within the range for first quarter, Enterprise Revenues and Expenses; pretty much on target with some expenditures over due to aggressive attention on projects. Individual Funds in Enterprise funds: Fees are a little off; Cave Creek Water System revenues is a little over, expenditures over also, due to aggressively maintaining the system. Desert Hills Water System revenues are on target, expenses a little low. Upcoming Debt Service Payments are Certificates of Participation (COP) on Town Hall and Utility is the WIFA Loans.

Last Page shows the cash we have: $9,471,535 available for expenditure.

Questions: None

Public Comment: None

12. COUNCIL DISCUSSION AND POSSIBLE APPROVAL OF AGREEMENT WITH LAW OFFICE OF DANIEL LAUBER FOR CONSULTING SERVICES AND OTHER ASSISTANCE RELATED TO DEVELOPING THE TOWN OF CAVE CREEK'S ZONING REGULATIONS FOR COMMUNITY RESIDENCES FOR PEOPLE WITH DISABILITIES AND RECOVERY COMMUNITIES.

Mr. Sims: Presented that this grew out of the Sober Living issues we had with SUP. He called the City of Prescott and asked who they used. He recommends Council hire this gentleman but advised it is going to be a challenge.

Mayor Bunch: Commented that other communities have done this.

Ms. Wright: Asked why we have to go to Illinois to get him.

Mr. Sims: He is the expert and this is tough stuff. This guy knows it well and Prescott recommended him. He is a nationwide authority.

Ms. Clancy: At $350 per hour he is not out of the range.

Mr. Sova: Asked is he a sole practitioner.

Mr. Sims: Based on his title I believe he is a sole practitioner.

Mayor Bunch: Financial Implications.

Ms. Dyrek: Funds available, by the time he begins his work we anticipate the cost would be over two fiscal years.

Mr. Sims: He expects to start in March 2019 due to health issues.

Public Comment: None

Mayor Bunch: Comments from Council.

Ms. Clancy: Based on what we went through, it is important that we do something.
Mr. Smith: Motion to approve the Agreement with the Law Office of Daniel Lauber for an amount not to exceed $44,000 to perform consulting services and other assistance related to developing the Town of Cave Creek's Zoning Regulations for Community Residences for People with Disabilities and Recovery Communities.

Vice Mayor Sova: Second.

Mr. Smith: Based on the process we went through, we need this.

Mayor Bunch: We have a motion. All those in favor of the motion, signify by saying, aye.

Council in Unison: Aye.

Mayor Bunch: Opposed?

Mayor Bunch: Motion carries.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.


Mayor Bunch: Asked for a motion to adjourn.

Ms. Clancy: So moved.

Mr. McGuire: Second.

The motion passed 6 to 0, by voice vote, with Councilwoman Elrod absent.


ADJOURNMENT 9:30PM