MINUTES
REGULAR TOWN COUNCIL MEETING
TOWN OF CAVE CREEK, ARIZONA
MONDAY NOVEMBER 19, 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-Mayor Ron Sova, Council Members Susan Clancy, Thomas McGuire, David Smith, Mary Elrod and Eileen Wright.

Council Absent: None

MOTION TO CONVENE INTO EXECUTIVE SESSION AT: 6:01 PM

Mr. Sova: Motion to convene into executive session at 6:01 p.m.
Ms. Clancy: Second
The motion passed 7 to 0, by voice vote.

ADJOURNED EXECUTIVE SESSION: 7:02PM
CALL TO ORDER REGULAR SESSION: 7:05 PM

Staff Present: Town Manager Carrie Dyrek
Town Attorney Bill Sims
Town Marshal Adam Stein
Deputy Town Clerk Jane Fuller
Town Building Official Mike Baxley
Director of Planning Ian Cordwell
Finance Director Robert Weddigen
Town Engineer/Public Works Director Hal Marron

Mayor Bunch: Welcomed everyone to the Regular Town Council Meeting, Town of Cave Creek, Arizona, Monday, November 19th, 2018. Mr. Grunden was asked to lead the Pledge.

PLEDGE OF ALLEGIANCE
Wes Grunden led all those in attendance in the Pledge of Allegiance.

PUBLIC ANNOUNCEMENTS
Mayor Bunch: Wished everyone a nice, safe Thanksgiving. He mentioned items coming up before our next scheduled meeting that the Town Manager will tell everyone about, including dates. This is the last regular meeting for three of the members sitting up here and he thanked them for their service.

Vice Mayor Sova: Requested to make a statement.
Mayor Bunch: Vice Mayor, well go right ahead I think we owe that to you after two years of service.

Vice Mayor Sova: I’d just like to say it has been a real privilege to serve on our Town Council for the past two years. It’s been interesting, rewarding, and at times challenging. I’d like to reach out and personally the following staff people Carrie Dyrek, Ian Cordwell, Mike Baxley, Jim Taylor, Hal Marron, Robert Weddigen, Adam Stein, Bill Sims and all of our Town Staff for the help and cooperation that they’ve given me in getting to understand the issues that come before this Council, in order for me to make better more informed decisions. I’d also like to congratulate Mayor Bunch, Susan Clancy, Tom McGuire, and David Smith on their reelection, congratulations people. I’d also like to reach out and congratulate our three new members to the Council; Kathryn Royer, Bob Morris, and Paul Diefenderfer. With the makeup of the new Council and our current Town management team and its staff, I believe our Town is well positioned to move forward to address the issues of water, sewer, while also preserving our western way of life and the open space while addressing the need for a prosperous commercial base and core. Lastly, but certainly most importantly, I would like to thank all of those who supported me with their vote. So, to you, the 790, my sincerest thank you.

Councilmember Elrod: I personally would like to thank all of the citizens of Cave Creek, because you are what we do this for. We volunteer our time. We give 100 percent that we possibly can, for you. Each time I see people sitting in the seats and when I see a full room and people are standing, it truly warms my heart that people care about our Town. So, I volunteered my two years for you.

Councilmember Wright: and I did mine last time, yep.

Mayor Bunch: Oh, you did, that’s right, that’s right. And it was very nice.

CALL TO THE PUBLIC

Mayor Bunch: Announced call to the public.

Ms. Alsever: Mayor, Council I am Ellie Alsever, 5995 E Cielo Run North, up at the top of the hill. First thing I would like to say is to thank you so much Councilmembers leaving that are leaving you guys have been so awesome and it has been a true joy being around you, were friends and I hope you go on to great stuff in the future. I’m here to talk about Wild West Days success. I’m here to thank everybody publicly for supporting me and my volunteers to get this done. From what I’ve heard we had a great time and everybody was very busy; which was the whole point of the event. We didn’t have anybody fall off; none of the bike riders go hurt. We gave away a hundred pool noodle ponies. The Buffalo Chip on Friday night was wall to wall people. The pig races were so awesome. We are going to have to get more pigs for next year. We really had a great time, just a great time. The hitch rails were full and everyone as far as I know from all the feedback had a real good time. It was a success. I’m looking forward to helping next year. I know that Carrie is going to laugh at me because I said that. But I’ve also talked to a couple people and I will have more help next year. We should have an organization to run it through. I can’t thank our 501c3 enough for helping us. They were just awesome. Kenna Youth Foundation, Michael Damiani, I don’t know if any of you have heard of him, is just a fantastic guy. So that worked out really well. If anyone has any constructive criticism for next year besides the fact that yes, I know, we need a parade. I’ve got it and we will work on that. I have already talked to Bambi about changing the date for Veteran’s Day. That day would be a shoe in for Wild West Days. I have had so many suggestions about awesome stuff we can do with the Veterans. Which I just think is great. The Legion was packed. They were all there to see the horses for the hunter horse ride. We had fifty-three horses this year which for the short amount of time that we had to rally the troops was
awesome. Everyone behaved themselves and the rangers were fantastic. And Adam’s help was great. I have a picture that I am very proud of. This is fifty-three horses on the top of Brunner’s Hill. I think that this picture tells you how important, not only the horses are in Town, but how important Brunner’s Hill is to the Town and the fact that we can ride on the conservation area that we have up there. Right in the middle of Town, this picture is awesome. We have a video coming which Bill Waters did and he is more than happy to share on the Town website.

Mayor Bunch: If we would have rode faster, you would have had 58.

Ms. Alsever: Oh, that’s right we were missing a couple. I just think it’s a great place to have this ride. I know that were going to have more than 100 horses next year. There are already so many people that were sad that they couldn’t be there. So, that’s pretty much it.

Vice Mayor Sova: Ms. Ellie as a Veteran and I know I speak for all fellow veterans, I’d like to thank you. Next year I would like to ride in your parade, I no longer have a horse, but I do have a saddle. So, give me a call.

Ms. Alsever: No problem Mr. Sova, I’d be happy.

Ms. Elrod: As a mother of five that are serving our country right now, we truly appreciate that.

Ms. Alsever: I want you to know that the people on that ride were so dedicated to the purpose of that ride. It was humbling, and I am trying to decide if we should do it on Sunday. We have tried to do that before with the hundred group and I think we are going to kick it around. I thought it was so successful this year and very popular. We will have to see. Give me feedback and I will make a decision on that, but I thank you guys for the support and I really appreciate it.

Everyone: Thank you

Ms. Royer: Kathryn Royer 6635 E Highland Road in Cave Creek. Council person elect wanted to say thank you to the people that are no longer going to be on this Council. You have done a good job representing our community we appreciate your time and your service very much. We have big shoes to fill and will do our best to make our community proud as you have. I can assure you of that I will do my best. The reason that I am standing up here tonight is because already I had a constituent asked me to ask you what we are doing about the left over signage from campaigns from the General Election that are still up and supposed to be down after seven days. I’m not sure if we can have our street people take them down because the individuals responsible have not. They are an eyesore on our Town, roadways, and corners. If we have someone on staff that can just take the few down that are still up that would be appreciated, thank you.

Ms. Clancy: I guess that there isn’t anything stopping anybody I guess here, to go pick one up.

Ms. Wright: That’s against the law, we can’t touch them.

Ms. Clancy: I know it is; I know it is that’s why I’m bringing it up.

Ms. Royer: I also don’t think it’s safe. I don’t really want to stop and pick one up, so I was hoping maybe a Cave Creek truck could do that; if that’s feasible.

Ms. Elrod: I agree with you, but I do believe that we have someone appointed to take care of signage and that’s Adam Stein.

Ms. Royer: I didn’t know who, but I’m just hoping that somebody could because it’s past the seven day period and it doesn’t look like some the people are coming back to get them down. Thank you.

Ms. Elrod: I agree

Vice Mayor Sova: Madam Manager is there a statute that would allow us to take them down or at least send out notices and a put a fine per day that they’re up past the seven days or is that something the state does.
Ms. Dyrek: Mayor, Vice Mayor there is a state statute that we follow that limits are ability to remove signs. The signs are left; a phone call or email based on what is on the back of the sign is what we have taken care of at this point. Obviously they are not rushing out here to pick up their signs. That’s what we’ve done at this point is contacted whatever information is on the sign to let them know that they are still here and to come get them.

Ms. Elrod: I think we also have to remember that there are many signs that are put up during elections that we put off unless we actually mark them down. Sometimes we can miss one or two. So that’s why I think that the person who needs to take care of this who is appointed is Adam Stein.

Ms. Royer: Well and I can appreciate that we are doing the right thing and calling them. You know it’s time to be a little more aggressive, I believe. When my sign was on the corner that happened to be Carefree, they took them down there was no two ways about it. It is time we take them down one way or another. The phone calls are not working apparently.

Ms. Elrod: Have you met the Marshall in Carefree? Well then, you would understand.

Ms. Royer: Well it worked and the nice thing is they kept them and they called me and I could go get them and put them back up in Cave Creek. The point is, it’s just time to clear our property and have it back to the desert like we like.

Ms. Elrod: Thank you.

**TOWN MANAGER REPORT**

Mayor Bunch: Town Manager report.

Ms. Dyrek: First of all, I would like to thank this community for the fund raiser that was held on Saturday that the Town participated in to support Chef Carlos’s family. Chef Carlos was with Indigo Crow and lost his brother to a tragic industrial accident prior to Taste of Cave Creek. There were many, many donations that came in either directly buying tickets or through their GoFundMe. They are appreciative and were appreciative that this community comes together when one of our own is in need. Thank you to everyone who participated.

Ms. Elrod: You’re welcome.

Ms. Dyrek: There is a Christmas Pageant coming, the 66th annual Christmas Pageant, on the Phoenix mine site property Saturday, December first and Sunday, December second at seven pm. We would like to get the word out and remind folks that it’s coming up. Here we have the pageant information on the screen. If you need any interested, want information, or want to volunteer give them a call. It is a big event in the Town and it is the sixty-sixth anniversary event. To Councilmember Elrod, Councilmember Wright and Vice Mayor Sova, I’m grateful for the opportunity to work with each of you over the past two-year term on this Council. Each and every day, over those two years you dedicated your time and attention to this Town for the betterment of your community. You worked with me and with members of the Town Staff on many complex issues. You have had to make some difficult decisions. And occasionally you have a very rewarding decision you have made. Your service is commendable, and on the behalf of Cave Creek employees I’d like to thank you for your service.

**ACTION ITEMS:**

A. **GENERAL AGENDA ITEMS**

1. **PRESENTATION TO COUNCIL FOLLOWED BY DISCUSSION ON THE FINDINGS AND RECOMMENDATIONS FOR THE TOWN OF CAVE CREEK SUPERVISORY, CONTROL AND DATA ACQUISITION (SCADA) SYSTEM EVALUATION, UPGRADING AND IMPLEMENTATION.**
Ms. Dyrek: Introduced Bill Mattingly who has been contracted with the Town overseeing the SCADA Project he will begin and introduce the contractors. He will give a presentation on this Phase of the SCADA project.

Mr. Mattingly: Thanked Ms. Dyrek and greeted Mayor and Council. We are here to present the findings of the preliminary design for the Town of Cave Creek water department supervisory control and data acquisitions system which we call SCADA. On May 21 Council approved a contract with a consulting service company known as Quantum Engineering. And these are some of the gentlemen to my right for Phase One of assessment preliminary design we are going to present that tonight. We have two gentlemen to my right and a couple of their colleagues sitting behind us. To my far right I have Mark Reski; he is a professional engineer and a licensed professional electrical engineer. His experience includes designing and maintaining large complex SCADA systems and PLC systems. He has over ten years of water and waste water experience as a specialty. The gentlemen to my immediate right is Skyler Brown, he is also a professional engineer. He is licensed as a professional control system engineer, which is really kind of a specialty in this area. He is experienced in design or SCADA systems including automated reporting system, which is key to this whole project. He has been with Quantum Engineering for six years. With that I’m going to turn it over these gentlemen for the presentation.

Mr. Reski: Good evening Councilmembers and thank you for your time. As Bill said my name is Mark, my background is electric engineering. Most of my work has been water and waste water, but I have been in other fields. Tonight, we wanted to give you a background on what we have done, scope of our services, tell you a little about what we found out from assessments. We also did a proposed design plan, high level overview of where we could possibly go to improve the Town’s system. We also generated a list of the sites that we visited and assessed. Beginning the PowerPoint presentation. In a high level overview, a SCADA system takes a whole bunch of sensors take from the upper left down and they go through some controllers in the middle, where this information is evaluated and assessed. We have start and stop valves, open and close valves, start and stop pumps, and then operational staff that work for the Town monitor it; they may get an alarm from their phones. They can react to things and make sure they are delivering clean water to the Town. Right now, we’ve assessed the Town as three different SCADA systems; Desert Hills, the water plant within Cave Creek, and one waste water treatment plant. Unfortunately, they are all independent systems. They all function the same though they are manufactured by different vendors. We have three SCADA systems that are all different but perform the same function. The first task we did a generic assessment of what is out there. We went around and took photos, gathered information, model and part numbers. Next step we went through and assessed where these devices are at within their life cycle. From there we started task two. That’s where we developed the system alternatives; we evaluated various manufactures, some of which are listed on the screen above, underneath task two. After, we scored some of these manufactures and came down with a specific manufacture for water, and a specific manufacture for waste water, we developed a preliminary design. This design was just high level, as I said earlier, to guide us, to create a path for the design phase, which is the next phase. Right here we have the water system for Cave Creek and Desert Hills. As you can see, they are different in nature; we have a windows XP machine, a Windows 2003. The software at Desert Hills uses genesis 32 and Cave Creek uses a product called InTouch. If we go to the waste water system that one is also slightly different is using windows 2003 and uses a different manufacture called Factory Talk SE. As you can see, they are slightly different in nature but they all perform the same rolls and tasks. During our assessment we found equipment that is running on its last legs here. One of these was Desert Hills. This is one of the computers they had to leave the

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computer chassis wide open otherwise the system was overheating. And there is really no direct replacement that was cost effective for maintenance to upgrade to. It was going to take a lot of steps to roll in a new computer. This is what we found, these computers run twenty-four-seven, nonstop. They have not turned off or rebooted, maybe once a year. Think about it, it’s running a long time. There are several outdated radio systems out there. Lots of them were designed for old serial communications; we now use Ethernet high speed, speeds that do 4g right. A little bit diff than 56K modem that some of us grew up with. When we came down to this site, we assessed all the equipment at each various location, we made a matrix and tried to break them out in simple terms with obsolete, mature, active. We have a little extra carry here with radio networks. It was not really in the assessment it was just something we noticed was a weakness in the system because it is older. And then we found 17 sites that have no control and aren’t being monitored at all; that requires staff to go around various sites and inspect and make sure everything is functional. Along with some of these legacy systems, there are concerns about cyber security and risks. And then we also have some network limitations, several here. They are just using older technology and slower requiring operations to get slow response times. They could click a button on a screen and take five minutes to get a response. Sometimes they would just abandon it and drive out there and turn stuff on by hand. That was rare but becomes difficult when managing a plant and a whole bunch of sites. With that I will turn it over to Skyler.

Mr. Brown: Before we even got to finish our evaluation, we had to do some initial upgrades as Mark said. There was a lack of control from SCADA system to your main cap canal pipeline which is where your main incoming waters coming in. When we evaluated the system, we realized your radio communications were very outdated. One of the solutions we brought up was 4GLT. So, we installed that and it worked much better with much better response times. The guys didn’t have to drive out any more. So that’s an example of one of the problems you guys are experiencing. There’s a lot more out there right now that need to be addressed that make it harder for operator to control the system. For the proposed design, we plan on using the water treatment plant as the hub or central point where other sites talk back either radio or as we talked about, cellular communication. We plan to add reporting and mobile access so operators out in field can use laptop or possibly their phone to see what’s going on in their system, at any given time to address problems. The other part was the Desert Hills water system so that’s a separate spoke within itself that’s separated with some rough geography with mountains. The sites there will talk back similarly to that and then that site will be a known of the initial water treatment plant. The ways it will be designed will allow it to sever. There has been discussion of selling the Desert Hills water system. So, it will be designed with that in mind, so in case if it is ever sold it will be easily separated from the main water treatment plant to facilitate that process. And the last thing we examined the waste water system which uses a lot of different hardware would have similar architecture of a main known at the waste water treatment plant with the rest of the system coming back to it as a hub but is independent of the water system. So, it’s kind of a big top down architectural overview of what is going on. A lot of the major benefits of increasing and upgrading the system is cyber security, as mark just mentioned, reliability and redundancy in your system. If your hard work goes down, it’s so old you can’t find manufactures to replace it you have to go on eBay or find some other means to do that which makes it very difficult. On top of that by putting in new and modern software will be easier to replace by going to your distributor to find it. Mobile services will offer faster response times for operators to get to problems quicker and deal with the issues at hand. By fixing a lot of that physical layer you can then reduce operator time fixing things now that they have faster response time. Reduce expensive costs of having someone to come out and fix hardware that might break on the weekend or during the holiday. It will give operators less time for accumulating overtime operating the system it will be automated in a
way they will not have to be there and babysit the system to manually push buttons and turn things on and off. They can set it and let it run and leave it be and go care of other business. With the extra time they can work on preventative maintenance ahead of time, that way you can fix it on your schedule instead of when it breaks on the weekend. Another asset, over all liability, and ease of future expandability so while you bring in a new system it will be easier to implement with existing system you have. Proposed design was to cover the eight sites for upgrading. We went to 19 different locations with booster sites and radios and we felt these eight were the biggest sites that were the most important to upgrade and bring up to speed with new control systems and automation. Desert Hills same thing there are five sites we want to bring up to date with newer radios and control systems. Lastly, with water system, you have the main water treatment plant and three separate lift stations. With that the water treatment plant needs upgrading on computers, improvements on their remote dialing system to communicate back to their central hub. Cost of all of this, as you can see up there. It’s a little bit much. Cave Creek water side is where a majority of the cost comes from. Requires automating all the filter systems and the whole plant itself which is pretty much running manual at this point. Next is Desert Hills water system is a little less or much less which includes those five sites listed before. Finally, the network allowance for IT communications between the two systems along with some contingency in case of any unexpected problems and additional costs for the next few phases of construction which I will go over in a bit phase two and phase three. Here is the cost for the waste water system, which isn’t a part of the initial scope but because we evaluated it, we wanted to give you the rough estimate for that system so when you guys want to move forward and upgrade you have a rough estimate to proceed forward. The next steps from here go to phase two in depth of all the systems and sites that need to be upgraded, documentation, engineering and drawing, utilities, permitting that needs to take place. We are hoping to get started early next year. From there move to construction and have that finished ideally before the end of 2020. Any questions?

Mayor Bunch: These numbers are kind of shocking, but then again not so much knowing some of this. I am assuming we are talking about the communications equipment systems between each site. In addition to some kind of remote controllers that can be shut down or restarted or whatever. PLCs in each location. Is it accurate?

Mr. Mattingly: Mayor Bunch, what we’re looking at here, he put the slide back up. For the Cave Creek Water System, the number is $528,000 about half of that, in fact a little more than half of that, is at the water treatment plant itself, as Skyler was eluding to, to get it back to optimum automation of the plant. When they constructed the plant, the original plant was three filters 1 million gallons per day each capacity 3 million gallons total when they expanded right after the Town bought the system; they added another filter train in there which is 2 million capacity a day total capacity 5 million gallons they did not fully integrate the new Package system with the original package system which defeated some of the automation there. Overtime there has been some manual work around, so there is money that’s going to take to get that back in fully automated capability additionally because this is the place is going to be the hub the center point of the SCADA system. That’s where your servers are going to reside; all the programming has to happen. The major point of investment will be there. As you go down the other sites on the list the Neary Reservoir booster station site there is a lower order of magnitude cost for each of those sites, but it is important for all of those to communicate back to the hub. They will have standardization PLC Programmer Logic Controller, will standardized on a new PLC for the water system, because the waste water system is relatively newer system it doesn’t need to replace all those devices, but again as they eluded to, some of the hardware there needs to be updated. There are some
things there that can be done that is just more like routine maintenance than they are completing replacing that system, but ultimately, they do give their price to bring in more remote sites. For example, the lift station so they can better communicate with the waste water treatment plant.

Mayor Bunch: Which equipment and brands are you looking at in your estimates?

Mr. Reski: For water primarily, we found at that it’s listed as Modicon back in the day in the 90’s which is been acquired by Snyder electric. They also own Wonderware which is used at the water treatment plant. So, when we assessed everything, we scored out the various manufactures and platforms of PLC’s SCADA software packages. It was determined the best assessed packages was a Snyder package for the entire water system that includes desert hills and Cave Creek system that would be Snyder electric PLC and Wonderware as the head end for SCADA. In regard to the waste water system that was Rockwell Automation and the reason that was selected, because everything there is Rockwell Automation.

Unfortunately, the two don’t play very well they speak slightly different languages. There are ways to tie them together, if that was ever where the Town wanted to go. But the waste water system was in pretty good shape overall. There were just a few things that could be upgraded, most of the computers.

Vice Mayor Sova: Basically, three questions. If this were in full force in effect today, what would be the life expectancy of the system approximately? The second part of the question is, is there a cost for yearly maintenance and upkeep of the system? Last part of the question, I believe someone mentioned this would produce an annual saving of x number of dollars since personnel wouldn’t get in their truck and so on and so forth. What is the annual savings?

Mr. Mattingly: When I spoke at the beginning of this and we awarded the contract you asked a question on return on investment I quoted a number there, but frankly I do not recall exactly. I recall it was about a three year on return of investment. I think we were talking total dollars at that point of about in round numbers about $200,000 so this cost today is obviously is substantially higher of what we were talking about and what was in the budget. So, there will be a return on investment. It’s going to be a longer period my recollection was that number was somewhere around $75,000 a year in terms of savings with staff time and saved. With respect of the other two questions I am going to refer those to Mark.

Mr. Reski: I believe one of the questions was reoccurring costs. Reoccurring costs typically on SCADA PLC hardware there are typically no reoccurring cost, unless you guys decide to purchase the software package to program them. At this time the Town does not own any of that. I do not see any need for the Town to own any of that. You have a good group of integrators and programmers within the valley that can assist you at any given time. With regards to the SCADA software package the head end, which is what the operators see the graphics on. Typically, there is a SCADA support services contract and that is anywhere from around 10 to 18% of software costs, the base package cost. For Wonderware I believe its 15, don’t quote me on that. I think Rockwell Automation for the waste water treatment plant I think is about 12, it fluctuates.

Mayor: This is percent per year?

Mr. Reski: Yes, so if your base software package is $50,000 it is 10% of that. I can’t recall, did I answer both your questions.

Vice Mayor Sova: How long will the system last?

Mr. Reski: That’s a good question. Once again you have to break them up. PLC hardware and SCADA Software, PLC hardware is expected to last ten years at least minimum. Currently I’m assessing Central Arizona projects PLC and they’ve been running about 20 to 30 years, but they have been obsolete for about 10 years so they are a bit of a risk, but we are working through it. Software wise unfortunately, you need a SCADA side you need to upgrade that with operating systems so about every three years and
that is usually when computers start to fail now. They become a commodity and need to be changed out over time. You are looking at a couple thousand per computer and then to pay someone to take the software from the old computer to the new computer and recommission it.

Vice Mayor Sova: Your comment of 10-15% per annum for its maintenance and upkeep is that all-inclusive; labor, parts, adjustments.

Mr. Reski: I would like to say yes, but it doesn’t. What that really gets the Town is technical support if they need to call the manufacturer directly. For example, if it was the water treatment plant if it was Wonderware you guys had an issue you could call Wonderware West, who’s the distributor for the product. They will pick up the phone and help you out. What it does give you is say there is an issue with software package or vulnerability that comes up IDHS for water systems and you need to take care of that. If you are current on support, you can rev up to the latest version of the software. You don’t have to keep purchasing new software. You don’t have to do $50,000 and then want to upgrade $50,000 it will be within your ten percent or whatever it turns out to be.

Vice Mayor Sova: Mr. Mattingly back to you. In light of the additional costs, and the life of the system, and the initial outlay of cash, I don’t think you can answer the question today but perhaps at a subsequent meeting what would the cost of system be inclusive of upkeep, maintenance on an annual basis?

Mr. Mattingly: Vice Mayor as you indicated I do not have those numbers in front of me but I’d be pleased to pull those together and make them available to the Town Manager so she can give those to the council.

Mr. Smith: I’d like to ask the Town Manager a question. Do we have funds in this year’s budget to take care of the design phase of this project? Since it would initiate in January and completed in the following fiscal year. I assume the following part of it would have to be in two sub sequential fiscal years since it would run over into the one succeeding the next fiscal year.

Ms. Dyrek: We budgeted what our estimate was at the beginning of the fiscal year is what we have budgeted what we thought the whole project would be and we put that amount of money in the budget of course it’s much less than this. We would be able to use that if it is going towards phase 1 and any additional costs, we can use up to the fiscal year end. This goes through 2019 and 2020 so we would have budget over two more fiscal years.

Mr. Smith: But there is money in this budget. That would take care of the design because we anticipated there would be more stuff done.

Ms. Dyrek: Yes. What was the exact number of just the remainder of the design? Is that still on there?

Mr. Smith: Excuse me Ms. Dyrek this is the schedule. The schedule anticipated that the design would be January 2019 through October and construction would begin December of 2019, so that would be your fiscal year 2020.

Ms. Dyrek: That would be part of fiscal year 2019. Robert doesn’t remember the remainder off the top of his head. We will have to look at the budget to see what the remainder is and what the other projects are and see what we cover for this fiscal year and then the remainder.

Mr. Smith: I am pretty sure there was a reasonable amount of money that was put in this fiscal year.

Ms. Dyrek: There was but that was supposed to go for much of the project than we are going to get.

Ms. Clancy: My question would have been with the software upgrades and based on what you had said earlier. What would be the learning curve with the software upgrades and what it would be like now and
in the future for the folks that we have; from one software program to another software program with updates.

Mr. Reski: In my opinion, I don’t see that being an issue with your staff. They are very intelligent and catch on really quick. The intent is not to overhaul everything and change how it works. It’s to bring it up to date and make it easier to maintain and operate for staff. That is the main goal and objective.

Ms. Clancy: It pretty much manages the system as well. I remember when I visited the plant three years ago it was running on a schedule. You could go check them and see everything visually. That’s why the question.

Mr. Mattingly: Councilmember Clancy if I can add, what we are migrating to is an older version of the software to the latest version and there’s quite a bit of difference in years so there is going to be bit of a learning curve. That was one of the reasons we decided to stick with that it has been a very standard software in the industry. That are a lot of people in the valley using it and that would help minimize the learning curve.

Ms. Clancy: And that’s what I heard you say is that we would have plenty of people there for support. Sounds good.

Mayor Bunch: One more question.

Mr. Smith: I noticed that the existing equipment is runs on software not supported/updated by Microsoft. What is the kind of software that is being utilized now for the type of equipment that might be proposed for this? Is it up to date? Is it something else?

Mr. Reski: Yes. For the most part everything is Windows based platform. There is a few that are agnostic, but it is very far and few between. But most of them are Windows. Wonderware operates on Windows and so would the Rockwell automation software. So, it will be Window software packages.

Mayor Bunch: Announced public comment.

Public Comment:
Bob Morris, 6020 E Cielo Run South. To start with having been with this project for 6 years now the CIP has been there a long time. This is way expanded over anything we had envisioned by then. Not that it is bad, but I think that more information is needed. First of all, this is the third time through the water treatment plant. The controls were deactivated, cannibalized, messed up, bubble gum, bailing wires, repairs made on its years ago we got it fixed up one time four years ago. It happened again so this is the third time through that. I don’t think we found the root cause on why the equipment in Cave Creek doesn’t work after a few years. There is a real cost to have to replace everything way before its time. The next issues here, great questions Mr. Sova. I had to mark them off my list about maintenance and what it costs we got to put more money in the budget. It may save money, but it is going to cost money. It is going cost expertise and what not to touch. We need to call the experts in and stop messing with equipment that we do not understand. Insure that there is a clear standard to maintain all of our equipment and it design capability throughout its life style. We have a lot of that in the system and believe me if we didn’t have it the Town would be in real trouble, because employees that were doing it because they didn’t have the resources to get the job done. So, they deserve a lot of credit and not criticism. They were forced to do it with a lack of budget, training, management expertise. I think the Council needs to send a clear message that those days are gone. We are going to get the right people with the right training. We are going to support this system with the right amount of money and do preventative maintenance that this Town needs to survive. A couple of issues may or may not have been
addressed. I didn’t see the scope, so I am operating without much knowledge. Has the drought been
considered, emergency operations been considered where we lose equipment? Specifically, there is a lot
of unmeasured water in the system that we do not know what the water loses are. We do not measure
what they are. For example; going to the golf course. That needs to be put in there another great
question by Councilmember Smith Windows 2003 hasn’t been supported for eight years and as I
understand it is a standalone system without connectivity to the internet now if you are going to put in a
system with connectivity. Well guess what? The Russians have cell phones too. Whatever goes in
there, it doesn’t obsolete in just a couple years and we are back here five year from now saying we need
a new SCADA system. We need to make sure if we are using the latest version of Windows, we have a
life span, upgrade path, which ever vendor is chosen they are going to be in business in five years to
make it safe to operate that no one hacks are system and it stays safe to operate.

Vice Mayor Sova: Question for Mr. Mattingly; could you address the water plant being maintained with
bubble gum, baling wire, and duct tape? Or have any idea or financial constraints or parts or whatever.
Mr. Mattingly: I am not equipped to answer that question. I don’t have the knowledge of that, other than
what I eluded to earlier and that was an understanding, anecdotal information that we didn’t fully enable
at the commissioning of the new filters. So, I think that was one of the problems. Some of the other
issues there it just appears to me anecdotal that staff has been doing work around’s and I know they
use professional help and they use Quantum for some of the work they have done and eluded to. They
did work in the mist of this project. Quantum helped staff to get communication to those CAP pump
systems which was completely lacking previously. The radios were completely inadequate. They went
to cellular Verizon phone technology and it’s very reliable now. To what has gone on to respect of
maintenance, I can’t address that.

Mr. Mattingly: Follow up question to the gentleman to your right are there better systems out there,
hardware software reporting etc. and if so, are they proven and if they are, I’m assuming they are
costlier how much more.
Mr. Reski: Yes, Wonderware and Rockwell are two flagship systems that have been around for a long
time. They are not going anywhere anytime soon. Is there better stuff out here that meets your budget;
no. There are some larger DCS systems that are meant for oil refineries gives you lots of redundancy
but that’s way beyond what the Town needs. In my professional opinion both these manufactures would
be great fits for you.

Vice Mayor Sova: What they are proposing would be more than adequate for what we currently need
and what we will need going into the future.
Mr. Reski: Yes, PLC hardware wise that’s true SCADA software yes that’s true unfortunately we can’t
predict the Microsoft turnover. Unfortunately, that’s the nature of the business in that area.

Ms. Elrod: I believe also he said in our budget capacity.
Mr. Reski: Yes, our goal is not to build a system that you can’t afford. We got to make sure we are
doing our part. That it’s manage, cost effective, and easy to maintain. And also have lots of local
support that you can bid. Both Wonderware and Rockwell are well supported and trusted throughout
the valley.

Ms. Clancy: You have the existing system assessment and we’ve had computers operating 24/7 for
nearly 9 years that says a lot the system based on what we are working and as old as this is I challenge
how many people in this room still have the same flip phone or some of the things we see and constantly
getting upgrades to our system you choose them and you don’t choose them that’s why I asked the
question about the upgrades office automation all the sudden I upgraded the computer and I have all this
stuff at the top and I’m like I don’t need any of this why can’t I just type it in like I use to. I think
you’ve done an excellent job on showing the damages and how hard our folks have worked with an
obsolete system. This is something we seriously need to look for.

Ms. Elrod: But not knowing all of the information, such as Mr. Morris had said, we do not know where
all our water is going is a great concern. We are trying to fix a problem, but you don’t know what the
problem really is and that is a concern to me. You’re asking for close to a million dollars to do that. I
have a concern there.

Mr. Mattingly: Councilmember Elrod the system is designed to give you information that we are not
gathering because these systems are old. You can improve that with this. Some of the other issues Mr.
Morris brought forward are important, but they aren’t directly related to what we are talking about right
here. This project is one piece of a big project. He as talking about ongoing maintenance, training, for
staff to do the job they need to do, budgeting properly to maintain. Those are all very important. This is
a very important project within itself.

Ms. Elrod: How do we know we are getting accurate data unless we know what we’re losing already? If
we don’t have data to begin with, how do we know we are getting accurate data from it?

Mr. Mattingly: Part of the project is to monitor the remote sites, read meters which are there, and the
meters are the source for a lot of that data. There are pieces of data which are; pressure, temperature that
is part of it as well. There are other at the water treatment plant which allow them to provide regulatory
compliance information with respect to water loss that is a metering issue. You need the meters to begin
with and then you can remotely monitor them with this system. With respect to water loss that is a meter
issue.

Mayor Bunch: Basically, we have an outdated unmonitored system. We are trying to find a real fix to
make the system like it ought to be.

Mr. Mattingly: Currently you are dealing with critical issues and not the full advantage that a system like
this could do for you.

2. COUNCIL DISCUSSION AND DIRECTION TO TOWN MANAGER REGARDING
SUPPORT OF THE CREEKER CHRISTMAS EVENT ON DECEMBER 8, 2018 NOT TO
EXCEED $5,000.

Mayor Bunch introduced the item.

Shelly Mulligan: 38410 North Basin Road Cave Creek
Sue Marshal: Creeker Boutique 6812 East Cave Creek Road. It’s that time of year again. Creeker
Christmas we had a blast last year we need a little more help this year. I’m going to show you pictures
from last year. Last year we had 20 tons of snow and did it in three weeks’ time. We had over 120 kids
attended. We ran out of gifts, we ran out of snow, we ran out of sledding stuff. We want to make it
bigger and a lot more fun. We need your help again. Because we are part of the Town. What do you
think?

Vice Mayor Sova: Asked about the location.

Ms. Mulligan: We are going to either have it at the Horny Toad in the parking lot we are dealing with
the vendors of bouncy houses and snow or at the Roadhouse parking lot on the concrete.
Vice Mayor Sova: Now last year it was held behind…

Ms. Marshall: Behind the barber shop next to Big Earls. Matt was awesome he came and graded the whole thing and put down the pea gravel.

Vice Mayor Sova: Asked for an estimate on the attendance last year and what you think it will be this year?

Ms. Mulligan: Last year we bought about 100 gifts for just the children. We ran out of large stuffed animals. They loved those. That was because the gifts we were going to get in the first place were smaller and they were going to be too late. We ended up getting more gifts, so every kid could get a gift. About 100 guests with children.

Vice Mayor Sova: Last year as I recollect, I think you made a presentation and the Town I believe based on our Manager’s suggestion paid for the ice which was approximately $2,500.

Ms. Mulligan: It was $2,500 last year we ordered 190 per ton this year I’m working with a different vendor which is why I want more ice so it will last longer and more kids enjoy it. I’m getting more hay for bigger mounds. This year the cost decreased so we want to increase the snow tonnage.

Vice Mayor Sova: Is the reason your request is approximately twice as much as last year because a bigger snow hill, more ice, and more presents?

Ms. Mulligan: Last year 20 tons was just not enough. It was enough to get us going. We really didn’t know what the turnout was going to be, because it was so soon. Now we know it is going be a bit bigger than last year and that’s why we are asking for more.

Vice Mayor Sova: My last question, how many, if any local merchants are participating in this financially and are with various types of support?

Ms. Mulligan: So far, I have collected $3,000 from local people and merchants.

Vice Mayor Sova: And what was that total last year?

Ms. Mulligan: Last year I collected close to about $6,000.

Vice Mayor Sova: Do you anticipate reaching that number or surpassing it this year?

Ms. Mulligan: I am hoping to surpass it this year. I’m going with different vendors and not just restaurants. I’m going after smaller companies to give out money to charities. Scott foundation is who I chose this year to give our proceeds.

Ms. Elrod: On the very last page of Ms. Mulligan’s handout you can see the amount of snow. I would like to say that the fact that this was geared towards the kids of our Town and we do not have anything geared towards that was wonderful. I was personally out there with my grandkids. It had the old Cave Creek feeling to it. I am in total support of what you are doing.

Ms. Wright: I remember last year, you did an amazing job and the children loved it. I remember one of your plans was to have merchants to put lights up.

Ms. Mulligan: I have been busy, but I am going to go around to ask business to put up Christmas lights, including my own. The other plan is the night before to have a razor ride through Town for adults to light up their razors and just drive through Cave Creek all around through carefree highway all lit up.

Ms. Wright: So, you need more money for the snow? So, $500 more.

Ms. Mulligan: I just got an estimate that the snow will cost $6,600 to get 40 tons of snow this year. I’m asking for the full $5,000 if not I have to go get more money from other people.

Ms. Wright: So be specific, possibly the snow.

Ms. Mulligan: Yes, the snow and participation. I love the volunteers.
Mayor Bunch: My recollection last year we paid the snow vendor directly so it is a clean transaction, is that right.

Ms. Dyrek: Mayor that is correct however we didn’t have another vendor last year. We have to follow procurement requirements, we have to get quotes. Last year we couldn’t find another vendor that could provide snow. It was a sole source at that time at that late date. If there is another vendor, we need to have quotes for that.

Ms. Mulligan: We have two vendors we can get the quotes for you. The problem is, I have to make a decision tomorrow on which vendor I’m going to have to use. I wanted December 8th and they are booked completely now looking at December 15th. Dates moved to December 15 because they cannot make December 8.

Ms. Dyrek: Do you have two quotes for December 15? We would need to go with the lowest rate. We could pay the $5,000 or Council approved dollar amount directly to the vendor; we just need copies of the quotes on file.

Ms. Mulligan: Yes, we have two quotes. Not a problem that is why I did the two.

Ms. Dyrek: Are those the only vendors available are those it?

Ms. Mulligan: Next year I will be asking way ahead of time and booking it way ahead of time.

Vice Mayor Sova: Madam Manager last question we had $12,500 in our budget we have $8,050 if this measure was approved for $5,000 that would leave $3,050 remaining in our budget. Do you anticipate any other requests of this type coming in now or end of the fiscal year?

Ms. Dyrek: I am not aware of any requests for funds at this time. You could identify this in future budgets so we know ahead of time. We have monies budgeted for other events that were identified. You could identify and voted on that way they wouldn’t have to come and ask for a specific amount of money whether or not you choose to fund the event.

Ms. Mulligan: Mayor Vice Mayor I will be asking again next year. So, we can put it in the budget if you would like.

Ms. Clancy: I have a question; did you make any profit last year? It’s all give away.

Ms. Mulligan: No. I spent my own money. This is really about the kids. I have no children. I don’t celebrate Christmas I celebrate the Town.

Ms. Clancy: Do the children all live in the Town.

Ms. Marshal: No, I love all kids.

Ms. Clancy: Kids from all over will get emails that this is happening.

Ms. Mulligan: Mothers that come in my store ask about this and love it. They just can’t wait. I’m busy at times and decided I got to do this. It’s for the kids and it’s for Cave Creek. That’s why we do this and have fun. Volunteers I can use them too.

Mr. McGuire: At this point do you have commitments from businesses to help out and how much.

Ms. Mulligan: Today $3,500 but I haven’t stopped all the way up to the day.

Public comment: None.

Mayor Bunch: Mr. Sims you can tell I am having a problem with this. Tell me the bottom line on this.

Mr. Sims: I was fine until we were asked if we know if they are Town citizens. The larger you get the more complicated it gets, recently Attorney General came down on Sedona on using public funds for Civic Engagement. I encourage you to try to get more help from businesses. Cities and Towns have the
right to provide recreational activities and this is permitted. I think you should find a way to make sure most of them are Town children. You could use Economic Development Funds. When you go over $5,000, you run into trouble. We need to do our best to serve local constituents.

Ms. Mulligan: I will tell you the only place we do our advertising is on our Cave Creek website and city sun times in the zone for Cave Creek. I’m not going out all over to ask them to come.

Mayor Bunch: What date did you put in City Sun Times?

Ms. Mulligan: December 18th.

Mayor Bunch: Back to Council for a motion.

Ms. Wright: Motion to direct Town Manager to expend funds in support of the Creeker Christmas Event on December 8, 2018 not to exceed $5,000 made payable to the snow making vendor at the lowest bid vendor.

Ms. Clancy: Second.

Ms. Wright: I was there all day last year and they were almost all Cave Creek Children. I knew almost all of them.

Ms. Elrod: With many grandchildren, I can honestly tell you that these were Cave Creek kids. I see photos, I know them all. I see it all. That is why I support this, this is finally something for our kids. I am so proud of both of you.

Mayor Bunch: Asked for Council Comment:

Mr. McGuire: I am concerned about this. I would like to see it planned more. Should be funded more by merchants. This is really a merchant event.

Ms. Mulligan: None of the merchants are around that area in the south part of Cave Creek in the back parking lot. None of them got effective besides Big Earl’s.

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

Council in Unison: Aye.

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

The motion passed 6 to 1, by voice vote, with Mr. McGuire voting No.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes, Councilmember McGuire, no, Councilmember Elrod, yes, Councilmember Wright, yes.

Mayor Bunch: Introduced.

Mr. Weddigen explained the overage for legal services and magistrate services. He asked Mayor Council, are there any questions. It is pretty much explanatory. The reason it went over in the Legal Department is because a settlement was paid out of it and the fact is the way the budget is constructed and the way we get charged varies from year to year it wasn’t known because a settlement came out early in the year that we would go over until the end of the year. And the other one was simply we made thirteen periods of payments in the year, can’t take that one back we already paid it if the magistrate contract ever expired, we would only pay eleven periods at the end of the contract.

Public comment: NONE.

Mayor Bunch: Back to Council for a motion.

Ms. Clancy: Motion to approve amending the Fiscal Year 2017-2018 budget by reallocating appropriation authority by the following amounts: From the General Fund Contingency Department - Contingency (01-013100-2949) in the amount of $20,700 to the General Fund Magistrate Department - Professional Services (01-006100-2049) in the amount of $8,000, and to the General Fund Legal Services Department - Professional Services (01-016200-2019) in the amount of $12,700.

Mayor Bunch: Second.

Mayor Bunch: Asked for Council comment.

Mr. McGuire: It has been an active year with three major developments coming so I think the need for legal services is probably greater than it has in the past. Frankly, I think this is an investment.

Mayor Bunch: Requested a Roll Call Vote.

The motion passed 7 to 0, by roll call vote.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes, Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.

4. COUNCIL DISCUSSION AND POSSIBLE APPROVAL OF SECOND READING OF ORDNANCE 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 “APPLICATION FOR NEW SERVICE CONNECTIONS GENERALLY; INFORMATION REQUIRED" OF THE TOWN CODE SHALL BE AMENDED BY ADDING A NEW SUBSECTION D.

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

Mr. Sims: This is the second read and reviewed recommendation by staff.

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. O2018-10, 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" by adding a new subsection D.

Mr. Smith: 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, seven to nothing.

The motion passed 7 to 0, by voice vote.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes, Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.

Mayor Bunch: Agenda item number five.

5. CASE SPR-18-07 SUN DEVIL AUTO: COUNCIL DISCUSSION AND APPROVAL OF CASE SPR-18-07 SUN DEVIL AUTO SITE PLAN FOR COMMERCIAL BUILDING TOTALING APPROXIMATELY 6,376 SQUARE FEET OF FLOOR AREA WITHIN A GENERAL COMMERCIAL (GC) ZONE.

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

Mr. Cordwell: Planning Commission had some condition and applicant has complied. Property was over parked. Planning Commission asked that they swap some parking out for mature trees and extra landscaping and applicant has agreed with revised plans.

Mayor Bunch: Any Council questions:

Mr. McGuire: I understand that you have been good neighbors. I am concerned with visual aspects and landscaping. Auto Zone and Tractor supply will be good neighbors. The landscaping there is atrocious. Can you be putting in large trees and doing a significant better job landscaping as well as putting in a walkway along Cave Creek Road.

JD Berryman with Looker and Cappello Architects responded: We are putting quite a few trees with native landscaping to screen openings of garage bays. The main doors are not facing Cave Creek we are at an angle to keep the view away from the main road we also have a big 50 foot view port which will provide additional screening as well.

Vice Mayor Sova: site photometric plan?

Mr. Berryman: that is the light level. Based on the lighting on the side it points at certain intervals. Lumens and foot candles to measure on the ground.

Vice Mayor Sova: Obviously Mr. Cordwell and his people have studied that and agreed with that. My last question is there is access to parking lot from Tractor Supply. People traveling from south going north would have to turn at traffic signal? But I’m going to assume people traveling from south going north can’t get to your facility other than the traffic signal. My question is will there be signage to that effect or will people just meander trying to figure their way in?
Mr. Berryman: There will not be directional signage but a spot on the monument sign on the corner. Have signage facing Cave Creek Road. That will need to be determined when you do the signage portion. They are going to have to go through the middle to get through.

Ms. Elrod: How large is the sign that you’re planning to put up there?
Mr. Berryman: That will be up to the sign ordinance. I know that they want it as large as they can get it. They will have to follow the ordinance and I do not know square footage at this time.
Ms. Elrod: What color will it be? We don’t want, this is a western Town.
Mr. Berryman: They like to have their logo on one face. They will be willing to work with the look of the signage.

Ms. Clancy: Having sat through planning commission the planning commission did a good job.

Public Hearing Opened at 8:36 p.m. Closed at 8:36 p.m.

Mayor Bunch: Requested a motion.

Ms. Wright: Motion to approve Town Case SPR-18-07 Sun Devil Auto Site Plan Review for one commercial building totaling approximately 6,376 square feet of floor area within a General Commercial (GC) Zone subject to the Conditions contained in Exhibit C.
Mr. McGuire: Second.

Mayor Bunch: Asked for Council Comment.

Ms. Wright: We in Cave Creek are concerned that some areas of Town will look like Bell Road and because you went along with all these conditions and extra trees you will stop that from happening on that site. I want to thank you for doing that because big trees make a big difference.
Mayor: All those in favor, signify by saying, aye.
Council in Unison: Aye.
Mayor Bunch: Opposed? Ayes clearly have it.
The motion passed 7 to 0, by voice vote.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes, Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.

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

6. TOWN Z-18-03 ARDECO - ZONE CHANGE REQUEST TO AMEND THE TOWN OF CAVE CREEK ZONING MAP AND FIRST READING OF ORDINANCE O2018-09 AMENDING THE OFFICIAL TOWN OF CAVE CREEK ZONING MAP BY CHANGING THE UNDERLYING ZONING OF A ONE ACRE PROPERTY 211-46-009A FROM A DESERT RURAL RESIDENTIAL (DR-43) ZONE TO A GENERAL COMMERCIAL (GC) ZONE.
Mayor Bunch: Placed on the agenda by the Planning Department. We received an email on this to continue to a later date.
Ms. Dyrek: Mayor that is correct.
Mr. Cordwell: Yes, Mayor and I’d recommend December 17. I’ve spoken with the applicant and seller of property and that would give them enough time to alter the application and bring it forth to Council.
Mayor Bunch: We're back to Council for a motion, please.

Mayor: Motion to continue to December 17, 2018.

Mr. Clancy: Second.

Mayor Bunch: Asked for Council Comment.

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

Council in Unison: Aye.

Mayor Bunch: Opposed? Ayes clearly have it.

Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes, Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.

Mayor Bunch: Move on to item number seven.


Mayor Bunch: Read the item.

Mr. Baxley: Mayor, Members of Council this the second reading of the adoption of the 2018 Code.

Mayor Bunch asked for questions from Council. None.

Public Comment: None.

Ms. Clancy: Motion to give second reading to Ordinance No. O2018-08, an Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, adopting and making part of the Cave Creek Town Code that certain document entitled sections 151.07 Sprinkler Code and repealing Sections 151.01 Building Code; 151.02 Residential Code; 151.03 Mechanical Code, 151.04 Plumbing Code, 151.05 Electrical Code, 151.06 Fire Code, 151.08 Fuel Gas Code; 151.09 Existing Building Code and 151.10 Energy Conservation Code of Chapter 151 of Title XV of the Town of Cave Creek Town Code in their entirety and substituting in its place in "Chapter 151: Building Regulations"; Adopting and making a part of the Cave Creek Town Code that certain document titled "2018 International Building
Mayor Bunch: Asked for Council Comment. None.
Mayor Bunch: All those in favor, signify by saying, aye.
Mayor Bunch: Opposed? Ayes clearly have it.
The motion passed 7 to 0, by voice vote.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes,
Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.
Mayor Bunch: Moving on to agenda item number eight.

8. COUNCIL DISCUSSION AND APPROVAL OF RESOLUTION NO. R2018-22 A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CAVE CREEK, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF CAVE CREEK AND THE CITY OF PHOENIX, FOR WATER SERVICE INFRASTRUCTURE.
Mayor Bunch: Introduced and read the Agenda Item.
Mr. Sims: We are submitting a document to City of Phoenix tomorrow and asked to continue to November 28, 2018.
Mayor Bunch: Motion to continue to November 28, 2018.
Ms. Wright: Second.
Mayor Bunch: Comments from Council.
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, seven to zero.
The motion passed 7 to 0, by voice vote.
Mayor Bunch, yes, Vice Mayor Sova, yes, Councilmember Clancy, yes, Councilmember Smith, yes,
Councilmember McGuire, yes, Councilmember Elrod, yes, Councilmember Wright, yes.
Mayor Bunch: Moving on to agenda item number nine.

9. COUNCIL DISCUSSION AND POSSIBLE APPROVAL OF FIRST READING OF ORDINANCE O2018-11 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAVE CREEK, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 156 OF THE CAVE CREEK TOWN CODE “TRANSFER OF DEVELOPMENT RIGHTS” SECTION 156.02 “DEFINITIONS.”
Mayor Bunch: Introduced and read the Agenda Item.
Mr. Cordwell: Thanked Mayor, Members of the Council. In the not too distance past the Town adopted transfer dev rights ordinance writer by Mr. Sims with input by Pete Spitler. Mr. Spitler was the controlling admin of Brenner’s Hill. The idea was to establish an ordinance were ascending property within the Town Core where undisturbed area rights could be purchased by any commercial property to meet the Town ordinance or the requirement from 15 to 20 percent of undisturbed. This would allow for some flexibility as commercial developments came in. If they could acquire undisturbed area off site not landscaping, they might have flexibility for additional parking or coverage. The first case to require this came up with site plan for park ques. The nine area west of Chevron which the Council saw attempted to acquire property. It was brought to my attention Mr. Green’s property was Hidden Canyon lot 880 acre 2 parcels behind Town hall. The transferred development rights states that the land must be within the Town core and there was not a definition of what that meant. To some it means the land user map in the Town core plan. To me I refer to the Town core zoning map which we refer to everyday because it is a zoning core requirement. We felt it was necessary to clarify the definition and bring it to Council to amend the transfer development rights ordinance through the proper procedure and bring it to Council for your decision on what you deem would be the appropriate interpretation with any tool you seem fit. I’ll answer any questions you have.

Vice Mayor Sova: Mr. Cordwell, number one, when was this was enacted, the transfer provision.
Several years ago, a couple years ago?
Mr. Cordwell: A couple, that’s why I didn’t say several; 7-18-2016.

Vice Mayor Sova: Might I ask why a more definitive definition wasn’t done at that time at time, to tie it to the land use map or zoning map or some other document. Why was it left somewhat open? Was there a reason or rational behind that?
Mr. Cordwell: No rational; we were told to use “Town Core.” I did not realize that there were different terms of Town core and so wasn’t until this arose that I realized you have two conflicting definitions.

Mr. Smith: Mr. Cordwell, I always like to look at keys on maps. I noticed that the key to this map has the exact same color for Town Core as General Commercial. Is there purpose for that or just run out of colors?
Mr. Cordwell: Actually, I don’t see the same thing that you do cause the general commercial is a slightly different shad magenta not fire engine red.

Mr. Cordwell: Truth be told the Chevron Station is under Town Core commercial zoning because we never mended the map and that’s red as opposed to the magenta that’s around it.

Vice Mayor Sova: Mr. Cordwell, what are the advantages to be gained by changing this and using the zoning map as opposed to the pit falls to be avoided by using it? Is there…
Mr. Cordwell: Vice Mayor Sova members of Council, the zoning map shows different land masses in the Town core that the Town would benefit from preserving. Such as the Hidden Canyon site, Town Hall, west face of Black Mountain, what’s traditionally called the Pingeton property 5 parcels up on the side of Black Mountain at the end of school house road in addition to Brunner’s Hill and Swaros Hill by Cave Creek Road so that was the thought that their benefit would be that sending property within the Town core would include these land mases and offer some options.
Vice Mayor Sova: So, it did afford greater choice and options to somebody who has a shortage. Same question, if we stay with what we have is more restrictive?

Mr. Cordwell: Correct, the Town core land use map is certainly more restrictive Mr. Sims asked me to describe it and it wasn’t easy to describe by roads or things like that I legally described it and he said I would get in trouble if I presented that to you. But it has been legally described anyway but it is more restrictive and does not include and stops just west probably along Conestoga Trail alignment just west of Town Hall behind us and does not take all of Rancho Manana into that Rancho Manana is part of Town core as terms to zoning and uses and also does not include the Town core land use map land use plan does not include much of Black Mountain.

Vice Mayor Sova: If you had the ability to go back in time would you or others had seen fit to include the zoning map as the definition of Town core.

Mr. Cordwell: Vice Mayor Sova, yes, I would.

Ms. Clancy: Ian do you think this does this follow the Town Core Master Plan.

Mr. Cordwell: Councilmember Clancy the Town core land use plan that reflects is in the Town core plan reflects a number of policies that was changed considerably since the 2000 Town core plan which was more specific had implementation programs for purchasing open space for example. So, it’s more of an amorphous document. The land use plan itself was more restrictive but when I think of the Town core, I look at the zoning map that’s at the front counter of Town Hall describing properties to people and its relativity to Cave Creek Road.

Ms. Clancy: Right, which would be through the core as we know it. That this is core and that benefits the citizens of this Town for a much longer period of time. And parcels and pieces and a zoning map concept that’s off the side over the hill might already have a 10% slope meaning it couldn’t be built on anyway. I thought the whole thing was to benefit the core as a whole to eliminate irritations that some people have when they have event and there are homes up there and area that can’t be built on that are in the core that will enhance the core for a really long time and our Town so it won’t be built on. I just think if we go to a zoning map concept; how much commercial development do you see in the future that’s going to need that much more land to choose from than when we don’t already have presently under this definition.

Mr. Cordwell: Councilmember Clancy I would say it’s at least 50 acres of commercial property that isn’t under entitlement process now that would need some sort of use of undisturbed area off site. The Town core land use map changed from the original map in 2000. It was horizontal and covered 3 quarter sections in 2012 it took the turn to the south and included similar to this map and it really was widened to reflect the use of alternate route for trails and pathways and emergency routes but not particularly for the preservation of open space. An alternate provided in this the Council may determine other methods in describing the Town core, so you do have that option before you.

Ms. Clancy: I would like the Core to be the Core itself. For areas that would be used for developmental rights with any transfer that’s for personally based on what we already have as opposed to widening it or opening it up for areas that could not be built on anyways.

Public Comment: None.

Mayor Bunch: Asked Council for a motion.
Mr. McGuire: Motion to approve First Reading of Ordinance No. O2018-11, an Ordinance of the Mayor and Council of the Town of Cave Creek, Maricopa County, Arizona, amending Chapter 156 of the Cave Creek Town Code "Transfer of Development Rights" Section 156.02 "Definitions."

Ms. Wright: Second.

Mr. McGuire: I think we need some flexibility here. More than what we are seeing in the present in the more restrictive interpretation. We have two interpretations and if someone is planning one interpretation or the other interpretation it can be confusing. I think having the options is desirable.

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

Council in Unison: Aye.

Mayor Bunch: Opposed? Councilmember Clancy voting no.

Mayor Bunch: Motion carries.

The motion passed 6 to 1, by voice vote.


Mayor Bunch: Asked for a motion to adjourn.

Ms. Clancy: So moved.

Mr. McGuire: Second.

The motion passed 7 to 0, by voice vote.


**ADJOURNMENT 8:59PM**