**NOTICE AND AGENDA**

**REGULAR TOWN COUNCIL MEETING**

**TOWN OF CAVE CREEK, ARIZONA**

**MONDAY, DECEMBER 4, 2017**

*PLEASE NOTE: AN AUDIO RECORDING OF THE TOWN COUNCIL MEETING WILL BE AVAILABLE ONLINE WITHIN THREE BUSINESS DAYS OF THE MEETING.*

The Town Council may recess the public meeting and convene in Executive Session for the purpose of discussion or consultation for legal advice with the Town Attorney regarding any item listed on this agenda pursuant to A.R.S. § 38-431.03 (A)(3) and (4).

The Chair reserves the right, with the consent of Council, to take items on the agenda out of order.

**CALL TO ORDER 7:00 P.M.** Ernie Bunch, Mayor, 37622 N. Cave Creek Road, Cave Creek, AZ.

**ROLL CALL** Mayor Ernie Bunch, Vice-Mayor Ron Sova, Council Members Susan Clancy, Mary Elrod, Thomas McGuire, David Smith and Eileen Wright. (one or more members may attend by technological means)
Minutes.

**Council Action Needed:** Motion to approve the Consent Agenda.

**B. GENERAL AGENDA ITEMS**

25 - 34

1. **COUNCIL DISCUSSION AND APPOINTMENT OF FOUR CITIZENS TO FILL THE VACANCIES ON THE WATER ADVISORY COMMITTEE.**

Placed on the agenda by the Town Manager, Town of Cave Creek.

Public Comment.

Council Action Needed: Motion to appoint four Citizens to fill the vacancies on the Water Advisory Committee with terms expiring December 31, 2019.

35 - 50

2. **COUNCIL DISCUSSION AND APPOINTMENT OF THREE CITIZENS TO FILL THE VACANCIES ON THE PLANNING COMMISSION.**

Placed on the agenda by the Town Manager, Town of Cave Creek.

Public Comment.

Council Action Needed: Motion to appoint three Citizens to fill the vacancies on the Planning Commission with terms expiring December 31, 2020.

51 - 54

3. **COUNCIL DISCUSSION AND APPOINTMENT OF CITIZENS TO FILL THE VACANCIES ON THE BOARD OF ADJUSTMENT.**

Placed on the agenda by the Town Manager, Town of Cave Creek.

Public Comment.

Council Action Needed: Motion to appoint Citizens to fill the vacancies on the Board of Adjustment with terms

COUNCIL DISCUSSION AND APPROVAL OF THE TOWN OF CAVE CREEK WATER POLICY

Placed on the agenda by Mayor and Council, Town of Cave Creek.

Public Comment.

Council Action Needed: Motion to Approve the Town of Cave Creek Water Policy.

COUNCIL DISCUSSION AND DIRECT TO TOWN MANAGER REGARDING SUPPORT OF THE CREEKER CHRISTMAS EVENT ON DECEMBER 9, 2017 NOT TO EXCEED $5,000.

Placed on the Agenda by Councilwoman Wright.

Public Comment.

Council Action Needed: Direct Town Manager to expend funds in support of the Creeker Christmas Event on December 9, 2017 not to exceed $5,000.

COUNCIL DISCUSSION AND REVIEW OF THE RESULTS OF THE SEPTEMBER 2017 TOWN COUNCIL RETREAT.

Placed on the Agenda by Councilwoman Clancy.

Council Action Needed: Possible direction to the Town Manager.

COUNCIL DISCUSSION AND DIRECTION TO THE TOWN MANAGER REGARDING A COMPREHENSIVE, ALL INCLUSIVE, DEFINITIVE LIST OF EVERYTHING REQUIRING A PERMIT.

Placed on the Agenda by Councilwoman Wright.

Council Action Needed: Direction to Town Manager to place on the website within 90 days a comprehensive, all inclusive, definitive list of everything requiring a permit.

ADJOURNMENT
PLEASE NOTE: AN AUDIO RECORDING OF THE TOWN COUNCIL MEETING WILL BE AVAILABLE ONLINE WITHIN THREE BUSINESS DAYS OF THE MEETING.

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Mayor Ernie Bunch convened at 6:00 pm at Cave Creek Town Hall Council Chambers, 37622 N. Cave Creek Road, Cave Creek, Arizona.

ROLL CALL: Town Clerk Carrie Dyrek

Council Present: Mayor Ernie Bunch, Vice Mayor Ron Sova, Council Members Susan Clancy, Mary Elrod, Thomas McGuire, David Smith and Eileen Wright (one or more members may attend by technological means)

Council Absent: NONE

Staff Present: Town Manager/Town Clerk Carrie Dyrek
Director of Planning Ian Cordwell
Town Attorney Bill Sims

EXECUTIVE SESSION

An Executive Session will be held during the Special Council Session for personnel matters pursuant to A.R.S. Section 38-431.03(A)(3) and (4) as follows:

EXECUTIVE SESSION AGENDA

1. Discussion, consultation, direction and legal advice with the Town Attorney regarding an Employment Agreement between the Town and the Town Manager A.R.S. 38-431.03(A)(1), (3) and (4).

2. Discussion, consultation, direction and legal advice with the Town Attorney regarding a Town of Cave Creek Water Policy. A.R.S 38-431.03(A)(3) and (4).

Motion to convene into Executive Session at 6:01 p.m.
The Public Session began at 7:09 PM

Ernie Bunch asked Sandy Webster to lead in the pledge to allegiance.

PLEDGE OF ALLEGIANCE

PUBLIC ANNOUNCEMENTS

PROCLAMATIONS:

1. Proclaiming September 27-30, 2017 as “LORA WEBSTER DAYS” in the Town of Cave Creek.

Bunch announced that tonight they are going to honor Sandy Webster’s daughter Lora proclaiming September 27-30, 2017 as “Lora Webster Days” in the Town of Cave Creek. Bunch presented the Proclamation to Sandy Webster in absence of her daughter Lora Webster.

CALL TO THE PUBLIC - None

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS - None

TOWN MANAGER REPORT

Carrie Dyrek reported it is essential that the public knows it is important that the Rodeo Grounds need to be in good working order. The RFP has been issued for new bleachers and they expect proposals will be coming in and to be awarded as they come before Council at the first meeting in November.

Taste of Cave Creek…they are requesting that volunteers who are interested in working for the Taste of Cave Creek contact Pat at Sonoran News. She is our volunteer who is coordinating for the event so her contact information is on the screen. Give her a call or email her and she has slots open that we are hoping to fill quickly so Pat can get the training under way.

Dyrek announced that the former Deputy Clerk, Anita Hammerman, who was with the Town of Cave Creek for ten years, passed away last week.

ACTION ITEMS:

A. CONSENT AGENDA

1. Approval of the August 28, 2017 Regular Council Meeting Minutes
2. Approval of the September 5, 2017 Regular Council Meeting Minutes

Ron Sova pointed out that the August 28, 2017 minutes under Public Announcements, Page 2, he did not give Bunch the plague, but had presented him with a plaque.

Motion/Clancy Second/McGuire to approve the Consent Agenda as presented. M/C by voice vote.

B. GENERAL AGENDA ITEMS
1. COUNCIL APPROVAL OF RESOLUTION NO. R2017-14, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA, ADOPTING A GENERAL PLAN - LAND USE MAP AMENDMENT FOR ASSESSOR PARCEL NUMBER 211-06-003A FROM AN EXISTING LAND USE OF MEDIUM DENSITY RESIDENTIAL TO A DESERT RURAL LAND USE.

Placed on the agenda by the Planning Department, Town of Cave Creek

CASE NO.: AGP-17-01 General Plan Amendment – Koken
APPLICANT: Sheree and Tasso Koken
LOCATION: Located west of Spur Cross Road and north of Gunsight Road
ADDRESS: 38824 n. 58TH Place
MARICOPA COUNTY PARCEL NO.: 211-06-003A

Cordwell reported that Sheree and Tasso Koken have requested an amendment to the General Plan, strictly a request to change the land use of the underlying property from medium density residential to desert rural. This is not a rezoning; a change of land use would have to precede any changes in zoning. The property is about 5.83 acres at the end of Gunsight east of Rancho Manana Golf Course and the narrative prepared by the applicants reflects the applicants were not initially aware of Land Use Restrictions on the property and began making improvements to the parcels to keep ranch animals. A complaint was filed to the Town Marshal regarding the keeping of ranch animals, specifically chickens. Town Marshal responded to the complaint and upon meeting the property owners directed them to meet with the Zoning Administrator and Town Manager, former Town Manager Peter Jankowski to discuss what their options were in order restore compliance with the Zoning Ordinance.

Upon meeting with Town Staff, the property owners decided to prepare an application to amend the General Plan – that’s why we are here tonight. The complaint is still an open case with the Town Marshal. Should the application and the future application to amend the Zoning Map be successful, the complaint case will be closed.

At the Planning Commission Public Hearing held Thursday, August 3, 2017, the motion to recommend approval of Case AGP-17-01 failed by a vote of 2-3. Therefore the Planning Commission’s Recommendation to the Town Council is for Denial of Case AGP-17-01 – Koken (Exhibit D).

Bunch announced they would bring Councilwoman Elrod in to the meeting telephonically.

Let the record reflect that Councilwoman has joined the meeting telephonically at 7:18 p.m.

Bunch clarified to Elrod that Cordwell had already given the presentation that is in the packet.

COUNCIL QUESTIONS

Wright asked either Mr. or Mrs. Koken some questions. She is curious about the time line in the history. Did you move into your home about December 15th, 2015?
Koken -Yes.
Wright - Did you bring all your animals with you at the time when you moved into your home?
Koken - All we had at the time...yes.
Wright - And did you speak to the Town regarding the ranch animals if they are allowed on your property?
Koken - Yes.
Wright - And did you get a positive response on that?
Koken - Yes.
Wright - Did your realtor also go to the Town and asked the same question and did he get a positive response?
Koken - Yes.
Wright - On or about Christmas holiday about 2016 the Marshal came and knocked at your door with a complaint filed against you. Is that correct? Would that be the right date?
Koken - The Honorable Marshal Stein...Yes.
Wright - And did he show you a copy of the complaint?
Koken - I wasn’t there.
Wright - OK. Did your wife have a copy to show you?
Koken - No.
Wright - Do you believe that you and your wife have done your due diligence and relied on information from the Town on this matter?
Koken - Absolutely.
Wright - On the more personal note: How many ranch animals do you have that are large? Cows?
Koken - 4 and one is pregnant = 4 ½
Wright - Medium? Turkeys
Koken - 5 turkeys
Wright - Small...chickens, ducks...?
Koken - Thinks they have 50 chickens and 7 or 8 ducks.
Wright - And this is about the average number of ranch animals you would have on your property on a regular basis?
Koken - God willing...they are very expensive to feed.
Wright - And would you have purchased this property if you had known there would be any problem with your ranch animals?
Koken - No.
Clancy had questions. Who did you speak with at the Town of Cave Creek?
Koken – Bambi
Clancy - Who was your realtor?
Koken – Chris Pike – He is here tonight.
Clancy - Did Mr. Pike do his due diligence?
Koken – We believe so.
Clancy - And was the zoning written when you sold him the property? Based on what Clancy read on the planning that Kokens spent two years looking for the right piece of property while doing your due diligence, is that correct?
Koken – Correct.
Bunch – Any other questions from the Council?
Sova stated he had a question for the Kokens and one for the realtor. Question is: Did you ask for a copy or someone to make a copy of the existing zoning for the R35 so that one could see what is
allowed and not allowed? And the same question for the Desert Rural. Or was it all in verbal representations?

**Koken** – Everything was verbal, except what they read on the Website. This listing copy doesn’t have what the lady claims it has. This is the exact one they got when they first saw the property.

**Sova** - And unfortunately the ordinances in the Town of Cave Creek are the law as opposed to a realtor’s listing. When you spoke with Bambi did you give the number of acres that you had or did you say “this is our R-35 property?”

**Mrs. Koken** – We didn’t know what exactly this was zoned and that is why Koken called Bambi. And she didn’t know. Mrs. Koken told her they were buying the property on 58th Place, has over five acres and are we allowed to have animals?

**Sova** – So she did not know the specific designation that the property had?

**Mrs. Koken** stated there is not another property on 58th place that has over five acres; she did not have the exact number for this property listing. She was just checking because all her listing from the realtor was that it was residential. It didn’t designate any zoning on it. So that is why she originally called. We were in residential zoning in Scottsdale at the time R-35 and we had their animals there and they were allowed.

**McGuire** wanted clarification as to when the Koken’s talked to the person in the Planning Department. In that exchange was it clearly indicated that the property you were asking about was in residential zoning.

**Koken** – We said R-35; so yes, she knew. We also told her we had over five acres and we wanted to bring animals.

**McGuire** – OK. So you did specify that this was residential zoning?

**Koken** – Yes.

**Bunch** asked Elrod if she any questions?

**Elrod** – No

**Koken** commented that he stands corrected; his wife did not say R-35.

**Mrs. Koken** stated she didn’t know what it was zoned at the time because it just said “residential”; she just asked if they were allowed to have animals on the 58th Place. We were told by the previous owner and our realtor that we were allowed and she called to be sure.

**Clancy** questioned staff if they had knowledge of any of this? Does Bambi normally respond?

**Cordwell** stated he has no written record of the decision by the Zoning Administrator telling the Kokens that the property allowed ranch animals.

**Bunch** asked Elrod if he had something to which he responded – No.

**Clancy** asked to be clear that as people get up to talk if we have questions can we get clarity?

**Sims** – nod yes.

**Bunch** stated we have a three minute limit and would like people to talk fast.

**McGuire** asked speakers to identify whether they are not tax payers in Cave Creek. We received quite a few letters and some of them were people who are residents of Cave Creek and there were others who had the Cave Creek postal address but when he looked at their residents they were people...
who live in Phoenix. Indeed, he believes most of the people in the Cave Creek postal zone live in Phoenix so wherever you pay your taxes, that’s the municipality…it’s not your postal address. So please clarify if you are a resident within the municipality of Cave Creek, not just an address.

PUBLIC HEARING 7:30PM

Cynthia Link, 38965 N 58th Street, a Cave Creek resident about 75 yards from the subject property. She opposed the proposed change to the Town’s General Plan Land Use Map. The owner claims to have done his due diligence but was provided incorrect information by the authorities. To date we have seen no proof of this in the form of written statements or letterhead verifications from the Town. Mr. Koken bought a property that didn’t really meet his needs; now a proposed remedy he wants the neighborhood properties to make them whole by accepting a change to the existing residential zoning, which would negatively impact property values and quality of life. He’s asking neighbors to bear the brunt of his faulty due diligence and this is a burden we find both unfair and we are unwilling to accept. Let us not forget the Kokens are two citizens with the sympathy of a handful of neighbors to their east and south while Cynthia’s neighborhood to their west includes close to 200 citizens.

It may be that Mr. Koken is an honorable man with honorable intentions but zoning runs with the land, not the property owner. Changing this parcel from the residential zoning that has long been in place to desert rural with its livestock application will deteriorate the values and quiet enjoyment benefits that have long characterized their neighborhood. But even more importantly, the door would then be open to future owners in ways that would be wholly unacceptable to the neighborhood. We might not object to someone raising a few chickens to feed his family but few would welcome an ostrich farm or a sheep ranch or some other wholesale animal production undertaking. But that could easily happen if the next property owner wants to pursue it but the zoning designation would be in place and that would attract future buyers with animal production requirements while repelling buyers with conventional/residential needs. We want to prohibit that unacceptable possibility. Our neighborhood has a long standing appeal to those seeking a beautiful stable environment for their homes and family. That appeal, like zoning, runs with the land. We need to cherish and protect “appeal” and demand that our neighborhood not be threatened by the changes rezoning would facilitate.

Carolyn DeSzendeffy, Attorney stated her office is here in town and she is representing Mr. & Mrs. Marshal. Their street address for the record is 38840 N Spur Cross Road and you already have correspondence from them. Mr. Marshal is in Massachusetts recovering from surgery and cannot yet travel. The real issue when we look at this situation is: Is this an appropriate change to a General Plan? There is much time and effort and work by the town, by staff, by Council that goes into a General Plan; it’s about the community as a whole; it’s not about an individual parcel. It is unfortunate that the Kokens had a difficult situation or were given inaccurate information or didn’t do the kind of due diligence they should have done to learn about their property that they wanted to buy. But we don’t fix the mistakes on a particular individual or an individual’s property by a change to the General Plan for the whole community; that’s not the purpose of a General Plan.

We’re here to talk about a General Plan however as a practical matter, if the plan is changed we all know the next step will be the rezoning request. It would have to be because the Kokens are facing a potential prosecution for a zoning violation enforcement so we need to look at the whole picture. We need to look down the road and say “It’s not just a General Plan Amendment to fix a problem on
an individual’s property.” That in fact for whatever their personal circumstances are they created…their neighbors didn’t create it and their neighbors shouldn’t have to bear the burden of the solution. The Marshal’s did do their due-diligence. Mrs. Marshal, though clearly does have a severe health issue, extreme asthma. She cannot live near a large flock of chickens. The Marshals have done quite a bit of research, actually shared some of that with Carolyn regarding health issues that develop in areas near chicken farms. The Marshal’s property sits right above the Koken property. Carolyn visited the property last Friday so that she is fully informed…you can see the chickens, the animals; any wind that comes toward the Marshal’s property brings those scents, brings the bacteria from the chickens…it has a negative impact on Mrs. Marshal’s health and the Marshal’s wanted Carolyn to be certain to mention that specifically. It’s important that everybody do their own due diligence. Carolyn appreciates the town taking the opportunity to hear her client’s concerns and asks Council to oppose this application.

**Chris Pike, B 15544 Scottdale, AZ 85267…16600 N Thompson Peak Pkwy #1038, Scottsdale, AZ 85260, is a Real Estate agent representing the Kokens.** Pike brought information with him and passed it out before he made his introduction. Appreciates the opportunity to speak but unfortunately he was unable to attend the last meeting as he had flooding issues at his own home as many of the issues that were brought up are arguments against why the Kokens should not be allowed to proceed with the Zoning Amendment have caused them major concerns. First he vouched for the Kokens character; they are very reasonable people; and have never been short of amazing since he has known them. They are always easy to work with and they have never been the type of people to be fightful or try to do things intentionally to harm the people they interact with. He helped the Kokens purchase the subject property in 2015; they immediately moved into the property along with their animals, including chickens. They did not receive the complaint for over one year until December 2016.

The argument that the Kokens did not perform their due diligence is completely inaccurate. The Kokens and Pike were as diligent as possible during their inspection period while they were under contract on this home. The Kokens made multiple phone calls to the Town to verify they were allowed to have animals; every time they were told yes. He personally visited the Town of Cave Creek office and gave them the specific street address and was told they were allowed to have animals. He inquired about uses of the property including the ability to have a guest house, keep an RV on the property, and the ability to have animals. Issues were brought up with a number of our deeds and the fact that the guest house has to be attached but never once did anyone bring concerns to him of whether or not they could have animals at the property. We were told by the sellers that the neighbors have animals and so could the subject property. We trusted the Town of Cave Creek when the same information was given to multiple parties involved in the transaction that animals are allowed at the property as it is over five acres without an HOA.

Next he addressed the vicinity of the subject property within the Rancho Manana HOA. It was stated that at least 40 homes are within 200 feet of the subject property. As you can see in the first page that he gave to Council he utilized the measurements from Maricopa County Assessor’s Website to discover just how close the subject property is to the surrounding properties. You will notice that Rancho Manana is over 440 feet from Kokens chicken coop and over 520 feet from where they board their cows. This is almost two whole football fields. To say there are 40 properties within 200 feet of this property is also very inaccurate. He also pointed out there are multiple other DR zoned properties that are much closer to the homes in Rancho Manana.
Contiguous to DR properties on the second page Chris provided are only approximately 185 feet from the homes in Rancho Manana.

Next the claim that changing the zoning of the subject property would decrease values of surrounding properties is also invalid. He pulled up recent activity in the Rancho Manana neighborhood which you will see on the next page and it proves the exact opposite. Values of properties near the DR zoned properties in Rancho Manana actually sold higher than the average home price within Rancho Manana. You will notice the properties in Rancho Manana that are less than 185 feet over less than ½ the distance of the Kokens’ properties…I just mentioned they are selling between 67 and 140,000. He made other valid points but there are quite a few bold things that remain and he feels are wildly inaccurate.

Sova – Is it customary when the listing realtor lists property to identify the zoning category that it’s in?

Pike - Yes, it is common. He wanted to bring up that while he was over there this property was not active on the market or the MLS when they purchased this property. He actually reached out to surrounding brokers in the area, it was what brokers call pocket listing to say this party is interested in buying the property, the only information we got in the form of a listing was actually provided to Chris with what Sherree had when we first visited the property.

Sova – If what you are saying then, if I had a copy of that listing in 2015 that line would be blank?

Pike – No. The zoning is stated Residential.

Sova – It just stated Residential…not DR?

Pike – Yes. There was no listing on line, they gave us a piece of paper from a previous listing.

Sova – When you went to the town you had the address but you did not give anybody in the town the tax ID number?

Pike – No I did not. I just provided an address.

Sova – You did not ask for the town’s zoning ordinance as it is applicable to the residential Desert Rural? It’s three pages in length and clarifies everything we are talking about.

Pike – I was told that it is available on line and we actually looked up DR 35 on there and it does not clarify whether or not animals are allowed. There is nothing about animals under DR 35. There is under DR but look under DR 35 and it does not mention animals on line.

Sova – Wouldn’t that tend to cause the reader to believe it’s not allowed then?

Pike – Yes. I understand where you guys are coming from.

Sova - You answered my questions.

Pike – Thank you, appreciate it again and thank you for your time to listen.

Bruce Windom at 38634 N 60th Street, Cave Creek. He is opposed to this zoning change as he is concerned about if this gets passed it will open the flood gates for other people to possibly change zoning on their parcels. He has a parcel behind him that has never been developed and he doesn’t want cows behind his house; he doesn’t want flies; I don’t want horses; I don’t want chickens. He did his due diligence and found out what the zoning was, not to mention multiple times he has been to town hall applying for permits and brought up the topic of what my R-35 zoning was and I was told every time what I could and could not have. So it is pretty clear to him and finds it interesting how a realtor didn’t do that. Maybe he has never sold a home in Cave Creek before. Bruce is opposed to this.

McGuire – Are you a tax payer?

Bruch Windon – Yes. He lives here and it is his permanent residence.
Faith King, Rancho Manana at 38956 N 57th Place in Cave Creek; has lived here for 7 years and she is a Cave Creek taxpayer. Changing this General Plan Amendment and changing the Zoning to DR would create an island in the middle of all this density residential zoning, or the north end of the Koken property is across Galloway Wash and is adjacent to DR zoning. The owners operated in violation Zoning Code until such time as the complaint was filed against them for too many chickens. She worked as an environmental health specialist in Land Use Specials in Sacramento California for 28 years and finds it very hard to believe that someone spends two years looking for land to put a chicken ranch and a farm on would not know what they were buying when they bought six acres and aware of the zoning and uses allowed on the property. We all have to do our due diligence when we buy property and should know exactly what we are in for.

The residents of Rancho Manana and the golfers using Rancho Manana golf course are all aware of the noise from the animals on the property. The chickens, roosters, plucking machine, dust, the smell of manure, which you can smell quite a way into the Rancho Manana subdivision and all the way out to Spur Cross Road. Multiply the noise, flies, odors, dust, manure, and waste from slaughtering by an even greater number of animals that they could potentially have on this property if this change were allowed, and it would simply be unacceptable and would have a significant impact on our property values. Another concern regarding the manure and the potential run-off from the manure and processing waste into the Galloway Wash, potentially into Cave Creek itself. This is not in the best interest of our subdivision or any of the surrounding residences; we shouldn’t all have to pay the price for one person’s mistakes. It is unfair and unreasonable to ask that we do this. Please vote against this general plan amendment.

Paige Coniglio is on the Board of Rancho Manana and has lived in Cave Creek for four years. Their information differed but anybody can go on line and pull up the records. Paige had met the owners prior to the Kokens and they were having a difficult time selling the property because of the zoning. It’s a beautiful home on a lot of acreage. The listing agent…if you did go and Google it…it shows that it says “no” for horses, let me check then on the tax numbers. If you look up the tax records it shows single family as well and is zoned R 35. The Kokens tract is R 35, single family dwelling. Luke and Ian have done a great job…as soon as you walk into Cave Creek office there is a big map; you can find your street; white water; you can go on-line. If you go to the Website…if you want a farm it has to be Rural. It’s all there in black and white.

Paige feels bad for them but maybe their broker or agent should have advised them but everything is on line for just ordinary folks to find. The other thing that Paige feels is odd is that she understands…we don’t want them to move…why not stay in Cave Creek…but when we bought in Rancho Manana we had a choice…did we want to buy into residential or did we want to buy into rural? Everybody in Rancho is retired and we decided we wanted to move into residential and if the town approves that this should be all residential, then that’s where we wanted to live. If we wanted to live next to a farm we would have bought in Spur Cross or someplace else. All the board members can validate what I said. Mrs. Koken called us all the other day and expressed their concerns, but a concern also was made that if we did not vote in favor for them that they were suing the town, and they were going to have to move all their animals and it was the town’s fault. As tax payers we have to pay for them not doing their due diligence or their agent not doing his job. This is not fair as a tax payer either. She (Paige) doesn’t like to fight with anyone, she has nothing personally against the Koken’s but she definitely doesn’t want their law suit to come against Cave Creek.....
Koken stated his wife never said that we would sue the town.

Mike Stefani 38915 N 54th Street in Cave Creek, lived here ten years. He is also a licensed realtor for ten years and you dropped the ball. What he sees here is that we have this giant bucket of water that’s full of holes and Koken and their real estate agent are trying to put their thumb in this hole. He did not do his due diligence and at the Planning Committee meeting Mr. Koken admitted that he knew the property was residential zoned. He also admitted that he would purchase another piece of property to satisfy his needs. So Mike says “purchase it” and we can handle this whole thing tonight. Go purchase your farm land and have your farm animals moved and it will all be cleared up tonight. He disagrees with what Ian said…he believes Ian said he did not know that the land was residential in the opening statement and Mr. Koken did admit he knew the land was zoned residential.

Cordwell – I did not say that.

Mike addressed Council. If we knew that a zoning ordinance was violated and we turned a blind eye to this, we sent the Marshal out there and allowed this Ordinance to be violated. And just wait 6 or 8 months down the road to decide what we are going to do so that means my wife and I, if we like pork, can bring a couple hogs to my back yard and start feeding them and you are not going to do anything about that…what kind of precedence are you setting right now with this? We have a lot of people who come into our community and violate our zoning ordinances and we are going to do nothing for almost two years.

Bunch responded this is a complaint-driven system and as we are all talking about doing due diligence there is also a thing called due process which is what we are actually doing right now.

Mike – So I can bring a hog into my back yard?

Bunch – You can bring a pot-bellied pig but you can’t bring in a hog.

Mike responded to McGuire that he is a Cave Creek tax payer.

Fred Tuengel – This is the reason I moved out of Cave Creek, it’s what is happening here at this meeting. He went and visited the farm and he saw their gardens, their chicken shed, and their cows out in the pasture. Fred lives in Glendale but he used to have five acres here in Cave Creek where he lived for many years. He bought it in 1989; his next door neighbor in Glendale has five chickens and it’s probably 8 feet from his patio, there is no smell, no problems, you wake up in the morning with a little clucking, but you get eggs. But out on this property the way they run it, they take all of their garbage stuff to compost for their gardens; probably one of the best organic farms he has seen around here. He was born and raised in Washington on a 40-acre farm; all 11 of the kids had horses, cows, never had any problems with what they are saying about flies…it’s unbelievable up here tonight. You have the wind blowing from a piece of property but what about all the other properties around that have horses…he guessed the wind doesn’t blow from those. The only thing he can say is that they have a beautiful spot, they are doing organic, and if something happens in this area these people who are speaking against this are going out there asking for food, vegetables and anything organic. When these people all go to the store he bets the first thing they do is head for the organic counters.

Robert Lang lives at 38835 N 58th Place, Cave Creek. They bought their property over 32 years ago and when they moved here they liked the area because there weren’t many lights and we love nature. Since then the town has grown quite a bit and things have changed but his property is the
closest of any property to the Koken’s property. When he walks across his driveway he gets a very
good view of their property and it is a nice view and since becoming owners, the Kokens have
transformed their property from a jungle of bushes and brush into a very, very nice place. The
sounds and the sights of the animals are really a delight. As far as the smells and the problem of
flies...if there were any he would be getting the brunt of it and believe me, those complaints that
people are objecting to about those issues are simply not true and he would like to invite anybody to
talk about the Marshals, they bought this property about
two years ago or so and they are not even there and they have these light that flash every few
seconds and they flash into his kitchen and living room and that is driving him crazy and they are out
of town. These lights...one of the reasons we bought this property was because we didn’t want to
have a lot of lights around us, things have really changed and these people are allowed to get away
with this.

Bunch stated to Robert Lang to file a complaint with the Marshal.

Douglas Dunn, 38924 N 36th Circle stated that he got the impression when we first started out, there
was a little bit of smoking mirrors going on here and everybody started talking about this lady that
works for the city of Cave Creek. He was confused...was saying this person said “thanks” and
works for the city of Cave Creek and he doesn’t know if she has been contacted. Why can’t we
contact this woman that works for Cave Creek and determine whether those items that she said are
true or false.

McGuire – Are you a tax payer?

Dunn – I am.

Medelice Wirtz, 5705 E. Saguaro Road, is a tax payer at Cave Creek. Her story with the Kokens
start last fall. When she and Mr. Wirtz take their dog on the Saguaro/Ocotillo loop and if you look
just the right time you can see down in the wash where their cows are. They always thought “isn’t
this neat that this exists here.” And then through mutual friends several months ago Medelice met
Sheree and her husband. She went to their home and here is a slice of heaven in Cave Creek! It is
the most amazing piece of property...it is making me very sorry that there is any misunderstanding
on the zoning here but it had to have been a terrible misunderstanding because these are honest
people. These are not people who lie and make things up...they are not. At their house they have
these beautiful gardens, this wonderful chicken coop; we have chickens just two streets over. There
is no slaughtering going on there...there is only love at this place; every animal, every living thing
on their property is beautifully taken care of. The cows are down in the wash and she was worried if
we ever have one of our floods what is going to happen to the cows? They are out of sight of
everyone and she didn’t know that it was over 400 feet but she is not surprised. They are just not a
problem. There was no smell; there were no flies when she was there; she was surrounded with was
this wonderful island, home with love, and animals and it sits in Creek and when she found out that
this was going on she was very saddened. She believes they deserve every consideration of
changing whatever rules you have to let them continue this because they had to have believed what
they were buying was what they thought they were buying.

Tasso Koken stated his name, lives at 38854 N 58th Place, he is a tax payer. He thanked Council
members for putting them through all this again and apologized the first time but don’t mistake me
for the former President. He thanked the article in the Newspaper but made two corrections.
1) Galloway Wash does not run on the edge of Rancho Manana, it runs right through it and
2) He did not say Chris Pike was responsible for this, this last meeting.
He would love to answer all the questions. They did go and talk with Bambi and she didn’t recall the conversation and she is a nice lady, he wished he didn’t have to say her name tonight. The way he sees it they have three options here.

1) Buy an adjacent property that is a little bit larger and that lets us go from 25 to 34 cows and from 100 chickens to 150 chickens with no (wish the Marshals were here) issued regarding roosters. He killed 20 roosters for the Marshals because they complained within 24 hours after hearing the complaint. He wishes they would just have knocked on his door and this would never have happened because our friends over at Rancho Manana actually didn’t know that we weren’t allowed to have animals so we had to post a notice within ½ mile of their property. So he can buy this property next to him and he will open his gates and the gates to that property and he can have his animals’ right there. But it is going to cost half a million more dollars but he will do that if he has to.

Tasso stated he had to set the record straight on his wife in what she allegedly said. It was actually one of the lady’s she spoke to and he is going to be nice not to mention the name that suggested we sue the town…not my wife.

2) Second option is to move and they are considering that and will move if we can’t come to a reasonable settlement here.

3) Third option is to sue the town but he has never sued anybody in his life and all due respect to any the attorneys in this room, the last thing he is going to do is make one of them rich or richer. I am a Christian and Christian’s don’t sue Christians and he considers them all to be Christians whether they are or not. So what do we have here? He thinks based on the process that he has heard is that if you vote yes it goes to the people for a referendum, and he is urging the Council to vote yes and let the people decide. And whatever they decide we’ll go along with. Net of that he is willing to make a deal with the Town to give us the time to get out of here. Period. End of story.

Clancy asked for clarity on his saying he was getting out of here.

Koken is saying that one of the three options is to move. And if they can’t have their animals and their gardens and if they can’t co-exist nicely they are going to move but can’t be pressured to do something that they feel they did the right thing despite the disagreement in the time frame, that quite frankly we may not be able to do it in. Despite all the money they have spent he hopes he has a lot of years in front of him and his wife as well so if they have to go they go. But he wants it to be reasonable on both sides.

Mary Paige – 5020 E New River Road, pays taxes in Cave Creek and lives in Bunch’s neighborhood. She is surrounded by horses and this year they didn’t have any flies. So last year we had flies and the year before. She thinks it’s a seasonal or a cyclical thing.

Gary Schmitt, PO Box 5006 Carefree. He is not a resident of Cave Creek but he spent 3½ years of his life leading an effort to preserve Spur Cross Ranch. It really sounds like a battle of neighbors which he doesn’t like to hear. He had a little understanding with Luke this afternoon from the Planning Department and thinks he indicated to Gary, and he is looking to see if there is a structural answer to this, that contiguous properties are rural zoned. So under the General Plan if they are contiguous it was his understanding that those have a little more latitude than a D 35 property that is remote and off away from any other kind of ranch zoning. That is one question he had. There are some comments here about chickens and horses and he certainly understands the distinction between residential zoning and ranch zoning but he has been around here since 1994…it is Cave Creek.
He is not detecting that your ultimate responsibility to discern the validity of people who are giving testimony but he doesn’t discern any ill will but his suggestion is: Is there any structural way around this or the gentleman suggesting let it go to referendum might be a very interesting option. But for people who move to Cave Creek, even in Rancho Manana where it’s golf, it’s king, and he gets that and that is all wonderful and to say there shouldn’t be flies is for him in high 20’s some odd years is kind of preposterous. Once in a while there are; there are animals here and so he knows they have a technical job to do and he appreciates all the service to the community and nice seeing all of you again; some of you are new. But is there a structural option here based upon adjacent zoning?

Darryl Reiner, 5722 Sugar Loaf which is in Cave Creek and he is a tax payer and has lived here for 11 years. He commented that Mr. Lane does live exactly next door to the Kokens. He happened to go behind his house this morning and he has a corral, although he did not see any animals, but what struck him funny was that behind his fence and the wash was a huge pile of manure; probably 4 inches deep, maybe 15 inches wide and close to 100 feet long. So someone, if he has been there for 30 some years and whether he put it there or someone else, but somebody dumped a lot of manure and that is what concerns some of our home owners.

Roger Kohrs, 38900 N 56th Street, live downstream a couple hundred yards from subject property. They hike up and down the wash quite often and he doesn’t have any proof of anything but he does know that where the property was cleared or bladed there are several trees and branches and things that are on the slope of the wash and in the wash. His concern is that this stuff is going to be washed down stream and create damming affects that will create erosion at his property. As these damming affects occur that the manure in question will also be washed down stream to his property and for these reasons he is opposed to this.

Edwin Link, 38965 N 58th Street and is a tax payer in Cave Creek. He just couldn’t help but see how this whole discussion has digressed into what this is really not about. It’s not about flies; it’s not about brush or manure fires which we already have had. We’re talking about the rule of law and the Ordinance speaks for itself. As far as we people at Rancho Manana, not having any interest in this until the announcement came out for the first public hearing at the Zoning Commission; that is not true. We, probably for a year or year and half prior, live right across from the Kokens and we’ve been very unhappy with just the idea if nothing else, of listening to these animals and yes, we have smelled manure. But we were concerned about it and when he opened an envelope from the city and he understands unfortunately a lot of people got this notification in their water bill and probably threw right it in the trash. He read it and dismissed it as one of these political things in the town and he turned it over to see the map and he said that’s the property that we have been dealing with and so uncomfortable with, we have to find out more about this. So he went on line and he found out everything he needed to know doing his due diligence that had other people done their due diligence could have known what he knew about how many animals per acre, large, medium, small, there were designations; this was all on line. It was just easy, look up the Town of Cave Creek Zoning Ordinance; there is also Maricopa Ordinances and it was all there. So the business of not doing due diligence...how could Link find this out when the person who was purchasing for almost a million dollars on the property couldn’t find out.

Bunch stated he would make the motion.

M/BUNCH, S/WRIGHT TO APPROVE RESOLUTION NO. R2017-04. BUNCH READ THE TITLE FOR THE RECORD.

RESOLUTION NO. R2017-04
A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA, ADOPTING A GENERAL PLAN - LAND USE MAP AMENDMENT FOR ASSESSOR PARCEL NUMBER 211-06-003A FROM AN EXISTING LAND USE OF MEDIUM DENSITY RESIDENTIAL TO A DESERT RURAL LAND USE.

Bunch explained why he made the motion stating he has been involved with the Council for about 12 years and every now and then there is something that comes along and depending on which side you are on, it may be black and white but it may also be rather emotional. And one of those things where people generally have made mistakes, unintentionally and there has to be some way to remedy them. Bunch stated he is going to support this motion and the reason for that is because as soon as he words it that will actually buy some time because somebody in here will file a referendum and bring it to him; he will sign it. The reason he is doing this is because it’s going to take a while for that to happen. Bunch doesn’t believe the chances are with this property but what that will allow them to do is to stay until they can actually make a logical move from where they are, either next door or out of state or whatever. This will allow them the time they need to do this. Bunch stated that if his council goes along with this bring the referendum and he will sign it. This will actually buy them the time to make a move that makes sense without having to move all this stuff right away.

Wright – Yes. Wright had a wonderful experience on the Koken’s property; they walked it out for about an hour and there was not a single fly, there was no odor, it was clean. We went into the chicken coup – it was incredible almost like a tiny house it was so well done and it matched the whole interior of everything you saw. But when you go in you see coming in the other door all the chickens coming in and the turkeys. They came in because they care about this person because he has taken care of them. We went to see the cows and all the chickens down there they call the working girls. They are the ones that eat all the bugs and everything down there and they came running up to the owner because all of these animals love this home. They are well taken care of so there is nothing unpleasant about it. Wright went at 6:00 a.m. walking up the wash. It smelled like whatever you feed your cows; it was clean and it smelled natural, like Cave Creek to her. Something we always have to do up here…people are always asking us to rezone to increase the density, this is to make everything tighter, more houses and more and more congestion. This is the first time we would ever be, if it gets to that point, where we have a choice piece of property that is being left; put in the desert. That is one of her priorities is to preserve our desert and that is what would happen on this particular property if it has the opportunity. She felt we should have a General Plan Amendment for this property.

Sova stated he too had visited the site; he believes the owners to be good and honorable people. The real problem is the zoning. It’s not the flies, dust, animals, its zoning and unfortunately in this case the zoning runs with the property in perpetuity. It does not expend itself to the ownership of that property. And the zoning reflects the allowable uses of that land. He believes Koken stated about small, medium, and large animals and he has about 65. If you were to take the 5.2 acres and go in the desert rural section of our code and also the appendix which covers the definitions, a subsequent owner could have exactly three times that amount and therein lies the problem. He is looking at this not at what the Kokens are doing because it is a beautiful place and he believes they will maintain it the way it is as long as they own that property. But his problem is subsequent ownership; the zoning would be there to have approximately 200 hundred animals, small, medium, or large. Whoever the subsequent owner is may not be into organic husbandry, farming, plant life, and they might not be as clean and careful as to how they treat the animals and what they do with that parcel and not have the same respect for the land and their animals that the current ownership does. He was going to vote no
on this. He can support what the Mayor is saying because he doesn’t think it’s fair to see the Kokens have to go out and do something over night. He would hope the residents in that area would be kind enough to support that also.

**McGuire** thanked the Kokens for allowing him to go over; he lives close to the property. McGuire had to agree they are doing an excellent job. His issue is that once the zoning is changed other people will own the property. There are some unfortunate issues here that he feels very badly about that if they were given this information. However McGuire will not support re-designation; he will not support the General Plan and the problem is that if the zoning were to be changed, he felt the Vice Mayor has expressed very well, zoning unfortunately goes with the property.

**Clancy** has to vote no. If we go down this road today we will be going down this road many times and it’s the wrong thing to do. Her vote is no.

**Smith** stated he had a fair amount of compassion for the Kokens but he signs contracts mistakenly, made a mistake; cost him money; that happens. He doesn’t think you make land use zoning decisions based on compassion; you have to base them on history – how was the land used originally? The due diligence thing is a very important issue to him. He thinks that the agent and the Kokens could have done a substantially better job on that. Smith will vote to deny this.

**Elrod** – I have nothing to add.

**Wright** added if we did have a General Plan Amendment and this property came to be re-zoned her plan was to see if the Kokens would be willing to have conditional zoning so they would only have x number of animals on the land and then that would run with the land and they would never be allowed to have any more animals than they agree to. So this is not something where you could have hundreds of animals. That is why she asked them how many animals they have now so is that enough right now? Then maybe if we get to that point this would be something to consider.

**Bunch** stated that looking at the map and seeing the size of that property he thinks it was mistakenly zoned R 35 from the very beginning. It should have been desert rural, however struggling with this decision, looking for the residents he was hoping they could come up with something here that we could get a motion that works for everybody.

**Sims** responded to **Bunch** that what he has witnessed for the last 1 ½ hours is probably the most fundamental aspect of our constitution and democracy; the protection of property rights. And you said it well Mayor at the off-set, you talked about the due process clause. That clause emanated from the Magna Carta 1000 years ago when property owners went to the King and said you have to protect my rights. In this case you are the King; in this case you have to balance the rights of competing property owners. It is the most difficult job you have as an elected official. That’s why there has been so much emotion tonight. You have the right to make whatever decision you wish to make; he thinks whichever way you go there likely could be litigation.

Sims works with the Risk Pool; you are one of the most litigation-prone jurisdictions in the State. Because of you, we have cases in Arizona where you have a property owner induced to change his property to build a home based on wrong information from staff and went all the way to the Supreme Court and you lost. Since then there has been a different case in the city of Phoenix where our Courts held a mistake by a staff person cannot be relied upon and there the staff person wrongly told
the applicant that the height for wheelchair bound tables were a certain height and the case was not going to bind you to what a staff person could make so you have the right to make a decision. Whichever decision you make he suspects could end up in litigations. Having watched litigations here he has seen a land use case that has lasted over two years. And so this property will stay operating as it is operating while it is litigated.

Sims told the Mayor, he doesn’t know, right now the way the Statutes work for the General Plan, there is a statutory mechanism for requiring a voter approval. He believes the referendum would occur upon the rezoning so there is going to be another set of hearings at the Planning and Zoning Commission tonight. His thought is, having watched you agonize about this; it’s not easy; the Magna Carta requires you to make this decision.

- One option would be to make a decision; you are in litigation for upwards to two years. He heard the applicant say they would be willing to leave.
- One option would be to enter into an agreement with the applicant to figure out ways to mitigate the consequences of the use now in lieu of them bringing law suits. That’s why he didn’t say anything. He thinks we could overcome mistaken statements by staff person but it won’t be cheap and it won’t be quick.
- One option would be to invite him and table this to see if we can have an agreement where he would agree to leave, agree to take measures now to begin mitigating some of the impact on the neighbors. But you are the elected; you have the right to have this vote; if you approve the Plan Amendment and he doesn’t know if it is referable, what will be referable after we have many more hearings on the zoning. That would be referable. So you have to make a decision.
- Sims doesn’t how you will vote but one option will be if you turn it down, the applicant said he would sue the town; we’d then sit down and try to figure out a way to mitigate it and invite him to leave. This is not an easy one, this is what you were elected for; you are protecting property rights and each group in this room is expecting you to protect their rights and it isn’t easy but that’s what the due process clause is about. The due process clause allows them to speak; requires you to listen; and you have to make a decision.

Bunch - If we did make an agreement, mitigate, and they decide to list their property it would be a good favor on their part. The folks here in opposition to their uses of the property could still bring suit against us if we allowed them to keep the stuff there if they would not leave.

Sims – If that’s the case then you ought to just approve it and litigate for the next two years and he will keep operating it the way it is right now.

Bunch – He would hope they would have enough compassion if this passes to not sue and let us get it out of here.

M/F 4-3 WITH MCGUIRE, SOVA, CLANCY, AND SMITH VOTING NO BY ROLL CALL VOTE.

PUBLIC HEARING ENDING 8:22PM
FIVE MINUTE RECESS
RECONVENED AT 8:46 PM

2. COUNCIL APPROVAL OF RESOLUTION NO. R2017-15, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA, ADOPTING A GENERAL PLAN -TOWN CORE PLAN LAND USE MAP AMENDMENT FOR A PORTION OF ASSESSOR
PARCEL NUMBERS 216-06-171, 216-06-172, 216-06-173, 216-06-174 AND 216-06-175 TOTALING 1.5 ACRES FROM AN EXISTING LAND USE OF MEDIUM DENSITY RESIDENTIAL TO A COMMERCIAL LAND USE.

Placed on the agenda by the Planning Department, Town of Cave Creek

Cordwell reported the requested General Plan Amendment would have the effect of amending the Land Use Map as contained in the 2012 Town Core Plan adopted by reference in the Town of Cave Creek General Plan. If approved, the proposed amendment would change the Land Use designation of the subject 1.5 acre area from Medium Density Residential (a maximum of 1 dwelling unit per 18,000 square foot lot area) to Commercial (allowing a diverse, mixed use commercial area to service neighborhood residential and tourist trade).

The subject property has an area of 65,340 square feet (1.5 acres) and is located at the base of Brenner Hill along Viola Lane west to Hidden Rock Road.

The requested Commercial Land Use designation would allow the property to be considered for a change in zoning district to either a Commercial Buffer (CB) or Town Core Commercial (TCC) zoning district in the future. The applicant has chosen to wait to file an application to rezone the property to a commercial zone until the process to amend the General Plan has concluded.

The applicant has provided a compliance statement narrative and responses to the General Plan Amendment Considerations.

Cordwell stated he will answer any questions and announced that Mr. Spittler was present to present.

Cordwell responded to Bunch that the width is 70 feet.

Bunch – How long will the building actually be in order to be a commercial viable enterprise?

Cordwell responded the intent for the property is for parking and to provide drainage solutions for that general area which extends all the way from Harold’s on over to Hidden Rock. He doesn’t think it was intended to have any building on that particular parcel that he is asking for the General Plan Land Use Designation.

COUNCIL QUESTIONS

Clancy – Given this change that was made for a parking lot would that pertain then to the back of the hill which is residential?

Cordwell – It would not impact that property at all and it pertains to that property alone.

Clancy – And he wants to turn it into a parking lot?

Cordwell responded he believes that is the case.

Clancy wants to know that Cordwell’s Department is on the hook for this from the standpoint from the last one that you signed off on this and you fully understand?

Cordwell stated they have discussed it with the applicant; we brought it to Council for consideration.

Wright – Has the deed restriction that the home owners have been released from this property?
Cordwell stated he didn’t believe Mr. Spittler had addressed that yet. What was discussed at the Planning Commission is that this went forward to Council and when it is approved that he would address that with the neighbors before coming to the Planning Commission with a request to rezone, which would change the actual land use as well as the zoning.

Peter Spittler stated there isn’t much more detail; it’s about as simple as that. The use that they would be looking for is parking and he realizes that was attempted before back in 2003 at which time they came in for the General Plan Amendment; they came in for rezoning; they wanted to do everything at the same time. We opted to take a more slow approach. He realizes he has to address the association there and he has talked with several of them. Please keep in mind that their intention on the balance of that hill is to put that into a conservation easement and in the document he put together a narrative relative to the transfer Development Rights Ordinance that was passed last year that we are pursuing along with several interested parties in the town which he has to come back and presented to the Council as well. He knows this is probably the slow way to do it but he thought it was the most prudent way to get support from the Planning Commission as well as the Council; their interest in the General Plan Amendment. And then Spittler would go to the Home Owners Association to get their support and then come back and make an application for the rezoning.

Bunch – And you would expect us at the time that you do that to go ahead and put the restrictions on that as parking and draining.

Peter Spittler – Yes, absolutely.

Wright – So if the residents did not relinquish the Deed Restriction you could not do this, is that correct?

Spittler – Yes

Wright – So you must have that before you could do anything so why did we not get that done first and then come here?

Spittler responded that if the Planning Commission didn’t make a recommendation to support it and this body doesn’t make the recommendation to support it then there wasn’t any use in even having that conversation. He was looking at it as more of a methodical approach.

McGuire – If we grant your request to change the designation of the property and you do build on this property, will you in fact give a conservation easement to the north side?

Spittler – Absolutely…that’s our full intention on Brenner Hill.

PUBLIC COMMENT – None

COUNCIL COMMENTS


RESOLUTION NO. R2017-15

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA, ADOPTING A GENERAL PLAN - TOWN CORE PLAN LAND USE MAP AMENDMENT FOR A PORTION OF ASSESSOR PARCEL NUMBERS 216-06-171, 216-06-172, 216-06-173, 216-06-174 AND 216-06-175 TOTALING 1.5 ACRES FROM AN EXISTING LAND USE OF MEDIUM DENSITY RESIDENTIAL TO A COMMERCIAL LAND USE.
Bunch corrected a number that McGuire read, adding the correct number to be 216-06-171. Wright added that it is 1.5 acres instead of 1/5 acres...that is incorrect; it’s a typo error.

McGuire accepted the corrections to his reading.

McGuire commented that this is something that benefits the town, unlike the last issue we talked about. We take zoning changes very seriously but if it is something that benefits in particular if there does not seem to be opposition from the neighbors it seems like this is a slam dunk.

Wright said she actually looks at it a little differently. She feels it is a waste of time to have a General Plan Amendment for something that we don’t know if the neighbors will approve to start with so to her the first step would be getting the Deed Restriction issue taken care of and then quickly come back and do the rest of the process.

Clancy – I am for it. We all know we need parking area.

Smith commented that the prospect of additional parking aligns with the conservation easement over Brennan Hill is what we’ve been looking for quite a long time. He will certainly support it.

Sova concurs with the Councilmembers with the exception of Councilwoman Wright. He doesn’t think it’s putting the cart before the horse and he thinks it makes sense to proceed as it is written so he would support it.

Elrod supports it telephonically.

M/McGuire, S/Wright to approve Resolution No. R2017-15 by roll call vote.
M/C 5-2 with Wright and Elrod voting no.

3. COUNCIL DISCUSSION AND APPROVAL FOR THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF CAVE CREEK AND CARRIE DYREK.

Sims stated there were some suggestions you had asked to be made to the Agreement.

1 - Strike the reference to the prior twenty-year term.

2 – Make it clear the same paragraph that the Town Clerk is an admirable employee pursuant to the Town Code.

Those were the two suggested changes and he talked to the Clerk and she is perfectly fine with both decisions.

COUNCIL QUESTIONS

Clancy – Will that be a completely inclusive contract that we had prior with the other Town Manager which is...has all of the detailing with regards to Ordinances, and Rules and Regulations in safe instead of this very small.....

Sims responded they had talked about that; the problem with that is if we put it in then you are contractually bound to what you put in. That’s what Peter had in his. If you say “Pursuant to the Code” then it changes with the Code and that is why he recommended going that route.
Clancy – I understand but the problem is that if we change the Code then we should put it in the contract and I don’t think anything has changed since that one was put in place. Also if another Council comes in what you are asking them to do is to go through all those rules and regulations or have someone do it at the time and people won’t do that. So there is nothing in there that actually itemizes those issues so why not put it in there?

Sims – I will be happy to do that, it just needs 1A and pulled in the provisions from the Town Code. I can do that if you wish.

Clancy responded it’s listed on there, just like you have it listed on the original one where you have it listed already in the contract.

Sims – I do, but I don’t have the actual language from the Code pasted in.

Clancy – Right. And we don’t need to because his wasn’t posted in either; it just refers to it on the front page. There seems there is a lot more missing with the first contract that we had originally.

Sims – I have it here and when you look at the duties they are taken right out of the Town Code.

Clancy – I don’t think they have changed, so why not put them in there?

Sims – Whatever you want I will do.

Bunch – But if we do change the Town Code then we have to go back and modify the contract.

Clancy – Right. And it would be a stay or our own decision to make those changes. It wouldn’t null and void the contract; it would just keep it up to date.

Sova stated that the contract as he understand the conversation would be up to date in that when it changes, it’s by reference automatically included and he would rather have that than have people go through with paper and hard-lining and adding and deleting. It changes pursuant to the current Ordinances that are passed by this Council and all subsequent Councils. I’m happy with that.

Sims – Tell me what you want and I can do it.

Bunch is happy with the way it is.

McGuire commented he is pleased with this and if the applicant is pleased that is important.

Bunch – Are we ready for a motion?

M/McGuire, S/Wright to authorize the Mayor to execute an Employment Agreement between the Town of Cave Creek and Carrie Dyrek.

Sova – A point of order with the changes as noted pursuant to our conversation.

McGuire – Carrie has been with us for over 20 years; she has served admirably under a number of other Town Managers. The job that he has seen her do over the years has played an essential role in having the town function well. We’ve had a variety of Town Managers with a variety of styles and he thinks Carrie has for twenty years filled an extremely important need so if Carrie can keep us going for the last twenty years now that she is making the decisions he thinks she can keep us going for a number of other years. Her performance has been stellar.

Wright – Our new Town Manager’s work ethic has been beyond anything that Wright would have ever visualize could happen in such a short period of time and she looks forward to this being an awesome time for Town with Carrie as the Town Manager.
Smith – I’m very happy Carrie accepted the job. It’s a bigger job than he thought it would be and he has seen how she has performed over the past several weeks and I have no issue whatsoever with doing anything other than approving this.

Clancy – I agree.

Sova thinks the residents of this community should be very honored and pleased to have somebody such as Carrie in this position and it’s too bad that people can’t stay here to acknowledge that for what Carrie has done for the last 20 years. I’m sure if you do something wrong we will be hearing about it. He very happily supports this contract.

Elrod – I support her and her contract and she is very pleased with everything that Carrie has done. She continues to prove herself and she supports her contract.

Bunch commented that the beauty of Carrie serving a dual role; first of all we’re getting a lot of activity and a lot of performance from staff under her tutelage and her leadership that is very good for the Town. Another benefit here is that she will be, and was going to anyway, hiring a trainee for Town Clerk because at some point down the line in several years she is planning on retiring. By having a trainee and Carrie serving as Town Clerk and Manager/Clerk we’re cutting out an entire salary from a very highly paid individual and we’re saving money with better performance and better leadership. Bunch just couldn’t be happier.

M/McGuire, S/Wright to authorize the Mayor to execute an Employment Agreement between the Town of Cave Creek and Carrie Dyrek. M/C 7-0 by roll call vote.

Bunch thanked Carrie for accepting the challenge and he is looking forward to the future.

ADJOURNMENT AT 9:08 PM

SUBMITTED BY:                  APPROVED BY:

_________________________________________  __________________________________________
Carrie A. Dyrek                    Ernie Bunch
Town Clerk                         Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the Minutes of the Regular Session of the Town Council of Cave Creek held on the *** day of September, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this __________ day of __________________ 2017.

_______________________________________________
Carrie A. Dyrek, Town Clerk
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: Thomas Davenport, Jr

Address: 3738 East El Sendero Road, Cave Creek, AZ 85331

Phone/Email: (480) 486-6717 / TomDport@msa.com

Last Committee(s) You Are Applying for:
Planning Commission or Water Advisory Committee

Experience:
Special Interests and skills:
Industry experience in resource planning and project management.

Education: BA degree, San Jose State College (Now University) 1967...

Reasons for volunteering:
I have lived in Cave Creek for almost 10 years. I have worked with
the Town government on issues affecting my neighborhood. I believe it is appropriate that
I now contribute my time and energy toward the future development of the Town and preservation.

Signature: [Signature]
Date: 11/24/17

Appointed/Reappointed:
Expiration of Term: ________________

Approved by Town Council: Date: ________________

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office: ________________
Resume

Tom Davenport
3738 East El sender Road
Cave Creek, AZ  85331
(480) 488-9717

Objective: To apply my experience to serve my community.

Experience: Technical Recruiter. Successfully recruited for a wide variety of technical disciplines focusing on Hardware, Software and Process Engineering for startup companies as well as industry leaders. Expert in developing and refining the hiring process for optimum results. Prior to recruiting was an experienced, successful line manager and project manager for semiconductor and other high tech companies.

Contract assignments included:

2004-2008 - Carl Zeiss Meditec, Dublin, CA. Responsible for sourcing and recruiting for all scientific, engineering and managerial positions for Ophthalmic Instrument Research and Development, Marketing, Sales and support organizations.


Tom Davenport – Resume P 2
Resume - Tom Davenport - p. 2


1993 - 1994 Philips Semiconductor, Sunnyvale, CA. Staffed hardware, software and firmware engineers for a VLIW processor development team. After one year, hired and trained new recruiters while recruiting in my own area and remaining top biller for the franchise.

High Tech Manufacturing and Project Management:

1987 - 1988 Seagate Technology, Inc. - Scotts Valley, CA. Distribution Manager. Managed inventory and physical distribution functions for Scotts Valley operation. In addition to managing an organization of 56 warehousemen, material handlers, data entry personnel and supervisors, I managed the project to build, fit up and commission of a new raw materials and finished goods warehouse. Brought in project on time and over $400,000 under budget.

1985 - 1987 Computer Aided Systems, Inc. - Point Richmond, CA. Project Director. Managed $12 Million project to develop and install an automated material handling system: included design of machinery and software engineering of the control systems.


Military: Retired Major, USAFR. Consistently demonstrated highest skill levels. Awarded Air Force Commendation with two oak leaf clusters, Joint Service Commendation Medal, Combat Readiness Medal. Held Top Secret Clearance with EBI.

Education: BA History, San Jose State University
Municipal Board, Committee and Commission Application

Name: RALPH FERRO
Address: PO BOX 2089 CARRONCE AZ 85377
Phone/Email: 480-874-5680 (TERIFERRO@COX.NET)

List Committee(s) You Are Applying for:
WATER ADVISORY COMMITTEE

Experience:

Special Interests and skills:
I HAVE WATER EXP. & KNOWLEDGE

Education:
BA HISTORY

Reasons for volunteering:
RENEWAL OF MY PRESENT POSITION ON WAC

Signature: RALPH FERRO  Date: NOV 6, 2017

Appointed/Reappointed:
Expiration of Term: ________________________

Approved by Town Council: Date: ________________________

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office: ________________________
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: Evelyn Johnson
Address: 6024 E Leisure Lane, Carefree, AZ
Phone/Email: evelyn@cavecreekmuseum.com

List Committee(s) You Are Applying for:
Water Advisory

Experience:

Special Interests and skills:

I served on the water advisory committee when it was first established and continued to serve as an alternate until this last appointment. I have a clear understanding of the challenges as well as the accomplishments. I also have experience as an executive director of

Education: Associate Degree in education and Museum Studies

Reasons for volunteering: I have been a lifelong volunteer in the communities that I have lived in and feel it is the best way to give back to the community that is meaningful and purposeful to happiness and lead by example.
I have been involved in many aspects of the Cave Creek and Carefree communities in the 20 years of residency and honestly feel great pride when I have the privilege of telling about the town and their history and accomplishments.

Signature: Evelyn Johnson
Date: Nov 22, 2017

*****************************************************************************************************************************************
Appointed/Reappointed: 
Expiration of Term: 

Approved by Town Council: Date: 

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office: 
Evelyn Johnson
6024 E. Leisure Lane
Carefree, AZ
480-332-3551

Dear Mayor, Vice Mayor and Council Members,

Please accept my apologies for not being present for the appointment of members to the Water Advisory Committee. We are not returning home from vacation until December 5th.

I have the privilege of serving as a volunteer in many capacities in both towns and appreciate the differences they both offer. We all celebrate each town’s unique characteristics. Where else can you sip a glass of wine in the streets, legally, and walk to the neighboring business and watch or participate in bull riding. Sit outside on the patio of a business and admire the horse tied at the hitching post or those in the corral and look across the street to see an impressive array of Hoggs that are likely more expensive than the brand new car you are driving.

Humor aside I have a love of our community and will work to make sure that the lifeline of any community, its ability to provide water, is secure for the future of Cave Creek Water Company and the communities it serves.

Today we think of barbed wire as a means to keep animals in a designated area but I would challenge you that it was to protect water rights for survival in this remote desert in the 1870’s. I appreciate your consideration for the opportunity to serve on the Water Advisory Committee.

Respectfully,

Evelyn Johnson
Municipal Board, Committee and Commission Application

Name: Wendy Kerychuk
Address: 40577 N. 26th Street Cave Creek, AZ 85331
Phone/Email: H:623-465-9093 C:480-215-3610 email: westccwater@gmail.com

List Committee(s) You Are Applying for:
Water Advisory Council

Experience:

Special Interests and skills:

Please see attached document

Education:

Reasons for volunteering:
As a resident of West Cave Creek and Desert Hills for over 40 years, I am keenly aware of the Town's water related issues. I believe that my skills in organizing and event planning, connecting and listening to community concerns and extensive experience as an administrative volunteer will serve the Town Council and community well in this position.

Please note that my mailing address is:
515 E. Carefree Hwy #537
Phoenix, AZ 85085

Signature: [Signature]
Date: 11-20-17

Appointed/Reappointed:
Expiration of Term:

Approved by Town Council: Date:
Dear Hiring Manager,

An effective Water Advisory Board Member will have expertise in driving growth through the creation of strategic plans, finding ways to improve efficiency, monitoring activities, planning and taking part in events, creating and implementing policies, and reporting to the board. These are just some of the strengths I have used successfully throughout my career. As a resident of Cave Creek and Desert Hills for over 40 years, I am keenly aware of the town's water related issues. I believe that my skills in organizing and event planning, connecting and listening to community concerns, and extensive experience as an administrative volunteer will serve the board and community well in this position.

My expertise lies in successfully planning and executing a variety of varied and different events, conferences, festivals and programs locally and nationally. While I have experience creating and implementing policies and procedures, my biggest strength is bringing people together to discuss and rally around a common goal. My additional success in managing and mentoring teams positions me to make a significant contribution to the Town of Cave Creek's Water Advisory Committee. My ability to develop and maintain relations with vendors and multiple stakeholders across private and public sector, have played a part in my successes since the start of my career. The motivation skill that I possess has been able to motivate people to work diligently in order to accomplish organizational goals. My complete abilities and skills can be seen from my resume that I enclose along with this letter.

I am confident my additional strengths will readily translate to your environment. In addition to my gained experience, I have the ability to influence the behaviors of others to achieve goals and get things done. I believe my ability to collaborate with other members of the committee and town residents will be an asset in making well balanced recommendations to the Town Council.

I would like to meet with you to discuss adding my value the Cave Creek's Water Advisory Committee, or to answer questions. I can be reached in confidence at the above telephone number. I thank you in advance for your time and consideration for this great opportunity.

Sincerely,

Wendy Kerychuk
Summary

Accomplished and result-driven Professional with more than 30 years of operational and leadership experience working in fast pace environments where professional organizational skills are required to handle staff, customers, vendors, contractors, budgeting and financial aspects of special events. Possess a special talent for searching out opportunities for improvement, managing operations, teams, and processes to realize enhanced success and productivity. Able to identify and analyse area of strength and weakness and implement policies, standards, changes in operation, and systems that optimize productivity and bottom line. Highly effective team player with great planning skills, contagious enthusiasm and deep rooted passion for excellence. Established reputation of uniquely blending creative and administrative abilities to achieve the desired results.

- Insightful and eloquent communication skills both verbally and written, able to effectively communicate with people from all walks of life in an attentive, friendly, courteous and service oriented manner.
- Capable of advising and making recommendations in matters relating to the development, use and management of water resources
- Conduct research to identify new opportunities for bringing about innovation in events
- Focused ability to consistently accomplish objectives through organizational talents, keen attention to detail and meticulous follow through
- Success track record in expertly handling multiple demands consecutively, determining priorities, and making sound decisions in a fast paced environment
- Excellent in delivering presentations, briefing and promoting organizational goals and directives
- Flexible and adaptable to different cultures, companies, personalities and budgets
- Honed skills in estimating resources required to achieve concise business targets

Highlights

- Relationship Management
- Diplomacy and Tact
- Need Assessment
- Community Outreach Initiatives
- Staff Train and Development
- Timeline Development
- Event Promotion
- Team Building and Leadership
- Resources Management
- Project management
- Event Planning and Management
- Vendor Coordination
- Strategic Planning
- Budgeting and Cost Control
- Time Management

Professional Experience

VICE PRESIDENT

Athlete International Ministries

Athletes International Ministries aka AIM, is a non-profit 501 (C) 3 organization whose vision is to use the extensive platform that professional and collegiate athletes are given to influence their community

- Involve in all aspects of running the organization which include producing the AIM Annual Athletes Awards Banquet where chosen celebrity athletes, coaches, and administrators are honored for their professional achievements, as well as their action taken to positively reach their community and the world with the profession of their faith
- Responsible for financial stability and development of growth strategies for multiple revenue streams and event planning
- Create video hi-lite footage of each honoree, scripting, acknowledge sponsors, develop banquet programs, organize volunteer help, organize raffle prizes, live and silent auctions, negotiate venue contracts, personal contact with celebrity athletes, VIP travel arrangements, security arrangement, etc.
- Administrative duties consist of creating and maintaining multiple data bases, logistics, letter composition, creation of registration forms
- Communicate with NCAA Compliance administrators. Demonstrate knowledge of NCAA bylaws to maintain collegiate athlete’s eligibility requirements. Also communication with Professional Sports Teams (NFL, NBA, MLB, NHL, PBR, PRCA etc.) for copyright compliance and use of film approval
- Educate, train, and motivate staff and volunteers to ensure consistent vision and optimal performance across the
Wendy Kerychuk
board
SECRETARY / TREASURER
Arizona Cowboy Mounted Shooting Association
2010 - 2015
Cowboy Mounted Shooting Association is the Fastest Growing Equestrian Sport in the Nation. Mounted contestants compete in this fast action timed event using two .45 caliber single action revolvers each loaded with five rounds of specially prepared blank ammunition. The Cowboy Mounted Shooting Association "C.M.S.A." has a variety of levels of competition for everyone, ranging from novice levels to the seasoned professional.

- Organized and produced competition matches and clinics, created advertising brochures/flyers for matches, filed annual reports, recorded meeting minutes and maintained membership records
- Communicated officially to other board members and general membership
- Registered contestants at all matches, received membership and match entry fees, deposited money, maintained check book, created P & L statements, managed tax preparation and filing, and created budgets
- Encouraged team oriented environment among coworkers and stakeholders
- Used expert knowledge of administrative processes with extensive work experience to make sound decisions that produce quality results

LOCAL EXECUTIVE DIRECTOR
2009 - 2015
Miss Arizona Scholarship Org. - A division of the Miss America Organization
The Miss America Organization, a 501(c) 4 non-profit organization, is the nation’s leading advocate for women’s education and the largest provider of scholarship assistance to young women in the United States, awarding millions of dollars annually in cash awards and in-kind tuition waivers. MAO is comprised of 52 licensed organizations, including all 50 states, Washington, D.C., and Puerto Rico.

- Organized and produced a local pageant for the titles of Miss Phoenix, Miss Maricopa County and Miss Cave Creek with the goal of helping young women achieve their academic and career goals through scholarships, and through the personal growth they achieve by competing in five different areas - private interview, on-stage question, physical fitness in swimsuit, evening wear and talent
- Demonstrated expert knowledge of MAO policy and the ability to communicate it to new contestants
- Procured opportunities to volunteer, staged production, and prepared contestants in one or more areas of competition
- Utilized social media marketing for contestant recruitment and pageant PR, designed program book
- Created and managed budget and much more
- Determined, recommended and implemented need assessments

Education
High School Diploma
Greenway High School, Phoenix, Arizona

Other Leadership Experience
DIRECTOR OF COSTUME – MAKE-UP
1985 - 2013
Phoenix First Assembly of God (now Dream City Church)
- As a senior member of the production team was responsible for perfecting the visual concept of the 300+ volunteer cast members for the annual Christmas, Easter, 4th of July productions and all other illustrated sermons
- Dealt with all age groups, provided up close and personal contact with all walks of people through costumes and make up
- Worked closely with Senior Pastor Tommy Barnett to make his vision come to life on the stage
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: Thomas Davenport, Jr
Address: 3736 East El Sendero Road, Cave Creek, AZ 85331
Phone/Email: (480) 483-6717 / TomDport@me.com

List Committee(s) You Are Applying for:
Planning Commission OR Water Advisory Committee

Experience:

Special Interests and skills:
Industry experience in resource planning and project management.

Education: BA degree, San Jose State College (Now University) 1987...

Reasons for volunteering: I have lived in Cave Creek for almost 10 years. I have worked with the Town government on issues affecting my neighborhood. I believe it is appropriate that I now contribute my time and energy toward the future development of the Town and preservation of our lifestyle.

Signature: Date:

Appointed/Reappointed:
Expiration of Term:

Approved by Town Council: Date:

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office:
Resume

Tom Davenport
3738 East El sender Road
Cave Creek, AZ. 85331
(480) 488-9717

Objective: To apply my experience to serve my community.

Experience: Technical Recruiter. Successfully recruited for a wide variety of technical disciplines focusing on Hardware, Software and Process Engineering for startup companies as well as industry leaders. Expert in developing and refining the hiring process for optimum results. Prior to recruiting was an experienced, successful line manager and project manager for semiconductor and other high tech companies.

Contract assignments included:

2004-2008 - Carl Zeiss Meditec, Dublin, CA. Responsible for sourcing and recruiting for all scientific, engineering and managerial positions for Ophthalmic Instrument Research and Development, Marketing, Sales and support organizations.


Tom Davenport - Resume P 2

1993 - 1994 Philips Semiconductor, Sunnyvale, CA. Staffed hardware, software and firmware engineers for a VLIW processor development team. After one year, hired and trained new recruiters while recruiting in my own area and remaining top biller for the franchise.

High Tech Manufacturing and Project Management:

1987 - 1988 Seagate Technology, Inc. - Scotts Valley, CA. Distribution Manager. Managed inventory and physical distribution functions for Scotts Valley operation. In addition to managing an organization of 56 warehousemen, material handlers, data entry personnel and supervisors, I managed the project to build, fit up and commission of a new raw materials and finished goods warehouse. Brought in project on time and over $400,000 under budget.

1985 - 1987 Computer Aided Systems, Inc. - Point Richmond, CA. Project Director. Managed $12 Million project to develop and install an automated material handling system: included design of machinery and software engineering of the control systems.


Military: Retired Major, USAFR. Consistently demonstrated highest skill levels. Awarded Air Force Commendation with two oak leaf clusters, Joint Service Commendation Metal, Combat Readiness Medal. Held Top Secret Clearance with EBI.

Education: BA History, San Jose State University
October 29, 2017

Carrie Dyrek, Town Manager
37622 N. Cave Creek Road,
Cave Creek, AZ 85331

RE: Planning Commission Reappointment

Dear Ms. Dyrek:

Herewith is my application and resume for reappointment to the Town’s Planning Commission. My present term expires on December 31, 2017. I believe my attached resume and two years as a Planning commissioner show I am uniquely qualified to serve on the Planning Commission to contribute to the continual preservation and betterment of Cave Creek’s environs.

I believe in sensitive and harmonious land development including preservation, open spaces, with attention to the flora fauna of the beautiful Sonoran Desert. I believe in property rights, zoning, development regulations, and the public’s right to participate in the processes associated with land use.

I appreciate the opportunity to make this application and am available to answer any questions you may have.

Respectfully,

[Signature]

R.T. “Dick” Frye

cc: Chairman Bob Voris
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: Richard "Dick" Frye

Address: 39780 N. 50th St. CC 85331

Phone/Email: 480-213-8458 Dick@RTF ENTERPRISES.net

List Committee(s) You Are Applying for:

Planning Commission

Experience:

Special Interests and skills: Land development, project management, zoning & platting cases - 2 years on CC Planning Commission.

Education: H. S. Grad, Studied at Purdue University.

Reasons for volunteering: My continued interest in how Cave Creek evolves & grows - my way of giving back to the Community where I have lived & enjoyed the Town since circa 1989.

Signature: ____________________________ Date: 10/26/17

Appointed/Reappointed: ____________________________

Expiration of Term: ____________________________

Approved by Town Council: Date: ____________________________

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office: ____________________________
Curriculum Vitae for Dick Frye

Introduction

Dick Frye is a 35-year Arizona resident, with project related residence of three years in New Mexico, nine years in Hawaii, and two years in California. He comes from an extensive background of project management for resort-residential master planned land development, 10,000 to 50,000 square foot commercial buildings, golf courses and construction management. His skills range from due diligence to concept to completion managing teams of professionals, contractors, suppliers, and others.

Dick’s well-rounded background in civil engineering includes education at Purdue University; design of municipal and private sewer and water systems; a private engineering and surveying practice for land development, boundary surveys; land use entitlements; community and government relations; and, construction and project management. Dick holds professional registrations in Indiana and Arizona.

History

Dick recently completed a ground-up medical and educational facility for Liberty Wildlife, Inc., an Arizona non-profit. The $8 million project is capable of processing at least 10,000 animal rescues annually (last year was nearly 7,000). The facility includes a medical wing with triage, x-ray, surgery, intensive care, orphan and mammal care, together with 100 animal enclosures used during rehabilitation and for education animals. Another wing is for administration personnel, education classrooms, and interactive areas. The project has been certified a LEED Platinum. The environmental attributes include use of reclaimed land (formerly a gravel pit), special & reclaimed building materials, waste management, special lighting systems, a net-zero solar system, smart building controls, an education wetland pond, and various environmentally friendly operational policies and procedures.

In 2005, Dick founded Rtf Enterprises, LLC, a project management company. He assembles a team of local and national consultants, attorneys, contractors, construction management companies, and others as needed for any particular project anywhere in the U.S. He negotiates contracts between the project owners and the consultants, contractors and others, and then manages them to completion providing interaction with the owner at the appropriate times to help be sure the owner’s vision is being carried out. The process includes working with the architects, engineers, government and
contractors to help reduce costs as well as meet project schedules. An integral part of his service includes monthly progress reports that address costs tracking, schedules, project issues, safety programs, and other matters requested by the Owner.

Dick's company was awarded the project coordination function between a private sector developer and the City of Casa Grande, Arizona, as the land owner for the construction of the Casa Grande Sports Institute in Casa Grande. The 2-year project included development of fifty acres with 10 world class lighted soccer/football fields, a 50,000 square foot sports fitness center with sports injuries rehabilitation capabilities, and classrooms for promising young high school athletes attending on a semester basis. Notable was the negotiation of a 40-year lease for the completed facility between the City as lessor and the developer as lessee.

Dick served twenty seven years as Vice President and Director of Development for the Lyle Anderson companies having primary responsibility for planning, entitlements, design, and construction management for the internationally acclaimed resort-residential communities of Desert Highlands and Desert Mountain (Scottsdale, Arizona); Las Campanas (Santa Fe, New Mexico); Hokulī’ā (Kailua-Kona, Hawaii); and the entitlements, planning, platting and infrastructure improvement plans approvals for Sierra Reserve (Scottsdale, Arizona).

Early in his career Dick was a twelve-year associate of Stoeppelwerth & Associates, a prominent Indiana engineering firm specializing in sewer and water treatment systems, and area-wide distribution and collection systems for towns and cities. After being appointed General Manager, and while continuing the sewer & water system practice, Dick directed the firm into the private sector adding full land development services including planning, entitlements, design, permitting, construction inspection and construction management.

Dick then established his own engineering and surveying practice providing full land development services for developers and land owners. As such, Dick became extensively involved in community and governmental relations bringing harmony to land development. His methods resulted in approval of every entitlement application made throughout his career. During his seven-year practice in Indiana, he also served as City Engineer for the City of Greenfield, Indiana and was awarded a key to the City, by then mayor Keith McClannon, upon his leaving to move to Arizona.

**Experience & Key Competencies**

**Project Management Skills** • Are applied to projects ranging from a few million dollars to upwards of $100 million • Understands and documents project requirements and dependencies • Has excellent documentation & report writing skills • Exhibits
strong attention to detail and focus on task completion. • Key strengths include project
loyalty, negotiating contract language that clearly limits the owner's exposure to
additional construction costs and schedule delays • Identifies problems, determines
responsibility, and finds equitable alternative solutions to keep the project moving
makes him a valuable leader • Administrative functions include cost tracking, pay
requests, lien waivers, requests for information, architects supplemental information
documents, schedule monitoring and updates, and progress reports.

Personal attributes • Team leader with the ability of motivating staff • Ability to
get along with all levels of people and possesses strong relationship building skills •
Knowledge of project management methods • Able to continuously meet targets and
surpass expectations. • Is articulate and well-presented • Has the necessary drive and
enthusiasm required for complex projects in difficult regulatory environments.

Cave Creek Planning Commission - Dick has served the past two years on the
Town of Cave Creek Planning Commission hearing a variety of cases and participation
in the ten-year review and draft of the General Plan.

Summary

Dick Frye is a seasoned project management executive with a broad range of
experience in a variety of regulatory locales. He exceeds expectations in assembling
project teams, negotiating contracts, and managing them to completion. A primary focus
is that the project owner's vision is carried out and the owner receives regular reports,
and has direct interaction with the project manager as may be desired.
November 22, 2017

To Whom It May Concern:

I am applying to be appointed to this committee after encouragement from friends and neighbors. I feel my broad knowledge and work experience will provide value.

My experience includes working with the Illinois Municipal League, an insurance pool of 1500 small and medium sized towns and villages. In this capacity, I worked with all areas of municipal services.

Respectfully,

[Signature]

John W. Patton
5903 East Chuckwalla Trail
Cave Creek, AZ 85331-7720
Jpat2244@gmail.com
Cell: 630.567.0559
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: John W. Patton

Address: 5903 East Chuckwalla Trail

Phone/Email: 312-479-2104 jpatton22@ymail.com

List Committee(s) You Are Applying for:

PLANNING COMMISSION

Experience:

Special Interests and Skills:
Risk Management Insurance - 40+ Years
Negotiation & Problem Solving

Education: Bachelor of Science - Northern Michigan University
Certified Mediator - Northwestern University / Multiple Industry Seminars with Continuing Education in Risk

Reasons for volunteering: Management & Insurance

Desire to apply my experience & knowledge to assist in real solutions to problems facing Cave Creek in the future.

Signature: [Signature]

Date: 11/22/2017

**********************************************************************************************************

Appointed/Reappointed:
Expiration of Term: _____________________________

Approved by Town Council: Date: _____________________________

After appointment, please report to the Town Clerk to be sworn in.
Date received oath of office: _____________________________
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: John G. Ford
Address: 37403 N. Kohuana Place, Cave Creek, 85331
Phone/Email: 480-444-9342 jetmanjon@cox.net

List Committee(s) You Are Applying for:
Planning Commission

Experience:

Special Interests and skills:
Past Town Council Member, Past Planning Commission Member, Town resident since 1989, Sat on Planning Commission when new Master Plan was reviewed and updated.

Education: UofA Graduate, High School (PVHS), Cave Creek Elementary

Reasons for volunteering: I belive that it is a requirement of Citizens to be a fix to a problem and not be the reason for the problem. Issues may happen for time to time but by volunteering to be a member of the Planning Commission you assist the Town and Council in direction for Zoning and Planning needs.

11/21/2017

Signature: ___________________________ Date: ___________________________

Appointed/Reappointed: ___________________________
Expiration of Term: ___________________________

Approved by Town Council: Date: ___________________________

After appointment, please report to the Town Clerk to be sworn in. Date received oath of office: ___________________________
John G. Ford

37403 N. Kohuana Place
Cave Creek, AZ 85331
480-444-9344
Personal e-mail jetmanjon@cox.net
Work e-mail John.Ford@mesaaz.gov
Updated – 03/29/2017

Objective

To demonstrate industry knowledge and experience of over 38 years working at all levels in both fire and emergency ambulance transportation system models. Strong understanding of all federal, state and local rules including regulations for Arizona Department of Health Services (CON) Ambulance regulations along with management and fire ground command structure. 30 plus years of customer relations in a supervisory management position. Knowledge and a strong background in contract management in the medical industry with an understanding of federal and state regulations. This knowledge includes the offices of the OIG, CMS, Medicaid/AHCCCS (in Arizona) along with strong professional relations with other government officials to include but not limited to federal, state admirative and legislative, municipal, hospital and all areas served in emergent, non-emergent medical transportation and community medicine programs. Proven knowledge working for both municipal government and private sector providers both ground ambulance and air ambulance over my career.

Education

Paradise Valley High School
Phoenix, Arizona with a certificate of Arizona graduation in 1977. Graduated in the top 5% of my class and was a member of the National Honor Society, State Debate Team and Vice President of Student Council.

University of Arizona 1977-1979 Business Administration (75 credit hours completed before taking fulltime position as a Firefighter at Rural/Metro Fire Department in June 1979. Continuing online classes at University of Arizona working towards completion of a
BA in Business/Public Administration. Continuing this program at time of this written resume.

Arizona and National Licensed EMT-B
Pima Community College Arizona and National Licensed EMT-B May 1979 certified until becoming a Paramedic in 1982

Phoenix Collage 1980 - 86
Associates Degree in Fire Science
Arizona State Fire Fighter I, II and III
Phoenix Collage 1982 - 1986

Associates Degree and Arizona State Certified EMT-P 1982

National Fire Academy, Emmetsburg, Maryland - 2002
Hazardous Materials Training

National Fire Academy, Emmetsburg, Maryland – 2002 Fire Ground Command Certification


Chemical, Biological, Radiological Live Agent Certification I and II level training Certified by Department of Homeland Security.

COBRA Trainer Certification Department of Homeland Security CDC, Anniston, Alabama 2012
Certified as a nationally recognized trainer for the Department of Homeland security as instructor for COBRA I and II Classes at the CDC location in Anniston, Alabama.

Hospital Emergency Preparedness Certified Trainer 2008
FEMA class location at Anniston, Alabama. This class was initially done as a trail with all hospitals in Maricopa County, Maricopa County Attorney’s Office, Maricopa County Medical Examiner’s office and MCSO.

The same year I returned to become a trainer in this FEMA class for which I am still on the active roster of trainers for the United States.

October 16, 2016 – Certified through the National Academy of Ambulance Compliance as a Certified Ambulance Compliance Officer.
Experience

2015 through Present - City of Mesa Fire and Medical Department in position of Compliance Officer for all medical areas and as a Contract Specialist. Responsible for working with our billing vendor Intermedix daily. Responsible for QA of minimum of 1/3 of all EMS charts to include the Community Medicine Units, Fire Rescues and all other EMS runs completed by our frontline Fire Based units.

Assisting Fire and Medical Administration Division with Contracting for National Programs to include but not limited to Medicare, Medicaid (AHCCCS), third party payers and others that would be needed when MFMD is required to transport patients under their Arizona State CON #140. Work closely with Arizona Department of Health Services to assure all areas of CON #140 are complaint to state regulations and all required documentation is up to date regarding station locations, charge master and any other areas of daily contact that must be met to keep our department at the highest level of excellence. Required to work with CMS Officer and have attended 3 meetings in Baltimore and Washington, DC as one of the grant members.

Since August 2015 my assigned tasks have been to assist with introductions of the Mesa Fire and Medical Department Community Medicine Program to all entities that would or could work closely with this program. With this assignment the added duty of introductions and or reconnect of Senior Fire Management Staff with Government Agencies to include Federal, State, County along with Hospital Networks and their ACO/ACN programs, Hospital Administration Leadership at the corporate level and the local facility level, Skilled Nursing Facilities, Assisted Living Centers, Hospice Agencies, Indian Health Service, VA Medical Care, The State of Arizona Medicaid program (AHCCCS) to include the Director Tom Betloch and the Assistant Director Beth Kohler. Associations or non-profit organizations with charters to include The Arizona Healthcare Association, Arizona Hospital Association, Case Management Association of Arizona and all ancillary services that would partner with or contract with the Mesa Fire and Medical Department EMS Division and the Community Medicine Division through the CMS Grant. Worked with both divisions to educate all the mentioned entities of the transportation service models that include but are not limited to Non-Emergent Medical transportation services, Community Medicine Transportation and Emergency Medical Transportation when this position of the CON is required. Have also worked closely with the Skilled nursing facilities to develop a better working arrangement and understanding of the areas the two can work together to develop a better working relationship. This could include but would not be limited to possible EMS/BLS Ambulance Transportation if the City of Mesa Fire and Medical Department were required to begin this service on a full-time basis or when they are required if the current Transportation provider is unable to respond based on the contract required times. This educates the clients that Mesa Fire and Medical will assure proper level of care to meet the patient’s needs. I also am the Compliance Officer for Mesa Fire and Medical Department.

I have also actively attended Arizona Ambulance Association meetings for over 25 years with the last two as one of the representative members of the MFMD. I also was a voting
member of EMS Council until I left with my employment at MFMD. I sit on the Arizona TIM (Transportation Incident Management) Coalition as a member of the State Committee and am also involved closely with Sargent John Paul Cartier on regional basis as needed.

October 2014 through August 2015

Priority Ambulance Maricopa as a Consultant assisting with my knowledge and long standing relationships as Director of Customer Service and Contracts from my prior employer Rural Metro Corporation who I left upon retirement. Priority Ambulance contracted with me as a Consultant and tasked me with introductions and or reconnect the Senior Management Staff with Municipal and District Fire Services, Government Agencies to include Federal and State, Hospital Network and ACO's, Hospital at the facility level, Skilled Nursing Facilities, Assisted Living Centers, Associations such as Arizona Healthcare Association, Arizona Hospital Association, Case Management Association of Arizona and any and all ancillary services that would be in need of transportation services to a proper level of care to meet the patient's needs. This was done as a Consultant during the time of my retirement. I also have assisted in assuring that the company had a proper Base Station location and all required Medical Directors to meet their State CON requirement's. I left that position to accept employment with the City of Mesa Fire and Medical Department.

February 2014 until October 2014

Retired from Rural Metro Corporation after 35 years. This was voluntary decision I made based on changes in the model and direction of the company. I felt the direction no longer fit my future direction of my career path. This was an agreement between both parties and my exit was not asked for but was on a positive note with the ability for rehire at any time if I found a new area of interest.

May 1979 through February 2014

, H
Community Service Boards, Government Boards and Nonprofit Organizations

Town of Cave Creek Council member until January 2017 when my term expired and I decided not to run for reelection.

Arizona EMS Council 2006 through

Dignity Health East Valley Foundation Board of Directors – Overseeing the distribution of dollars that are raised through many different areas. The board is the final decision on all funds received and given within Dignity Health East Valley’s service area and medical centers or emergency centers. Executive Chair for “Laughter is the Best Medicine” Gala 2013 – 15 where we raised over $600,000 two years in a row which is the largest fund raising event each year for the foundation.

Arizona Healthcare Association (AHCA) Foundation Board – Vice President from 2001 through present - This board is responsible for raising funds to provide educational scholarships for staff who work in Skilled and Assisted Living facilities to remain in the industry by advancing with education funding to become RN, Case Managers, Administrative Directors and other areas of advancement that will be of benefit to the student and ultimately the patients in long term care. This board also fund the “Live a Dream” Awards which are given out to residents of the facilities who belong to the Arizona Healthcare Association. These awards are special items that are a once in a lifetime event such as reuniting family from another state to come to Arizona for a visit with the resident or going to an NFL, MLB, NBA, NHL game. The foundation money assure that the client will have no costs associated with the requested Dream.

AHCA Board of Directors 1998 – 2016 termed out

Valley of the Sun United Way – Community Benefits Committee through 2016

Mesa United Way Executive Committee 2008 through 2016 termed out

January 2014 through present Community Benefits Chair 1 of four subcommittees overseeing amounts divided from annual campaign. The decisions reached by the four committees is sent to the full board for approval of funding.

Kiwanis Club of Carefree – Board member 2001 through present serving the communities of Cave Creek, Carefree, Desert Hills, North Scottsdale and North Phoenix.

North Valley Land Preservation Foundation – 2000 – 2014 when I became a Town of Cave Creek Council Member.
October 27, 2017

Carrie Dyrek
Town Manager
37622 N. Cave Creek Road
Cave Creek, AZ  85331

RE:  Re-Appointment to Cave Creek Board of Adjustment

Dear Carrie:

I understand that my term as a member of the Board of Adjustment for the Town of Cave Creek will be expiring. Please accept this letter as my request to be considered for re-appointment to the Board of Adjustment for the upcoming term. It has been a pleasure to be able to contribute to the community and I look forward to continuing in this role in the future.

Please let me know if you have any questions regarding this request.

Sincerely,

Brian Sirower

BS:Imc
Municipal Board, Committee and Commission Application

Name: Brian Sirower

Address: P.O. Box 4263, Cave Creek, AZ 85327

Phone/Email: (602) 920-6861 sirower@msn.com

List Committee(s) You Are Applying for:
Board of Adjustment

Experience:

Special Interests and skills: Member for past 15 years

Education: 1985 - B.A. - William & Mary; 1988 - J.D. - Ohio State University

Reason for volunteering: Lived in community for 20 years; community service

Signature: October 26, 2017

Date:

Appointed/Reappointed:
Expiration of Term: 

Approved by Town Council: Date: 

After appointment, please report to the Town Clerk to be sworn in. 
Date received oath of office: 

Page 52 of 64
November 3, 2017

Ms. Carrie A. Dyrek  
Town Manager  
Town of Cave Creek  
37622 North Cave Creek Road  
Cave Creek, Arizona 85331

Re: Town of Cave Creek Board of Adjustment

Dear Ms. Dyrek:

Please accept this as my formal letter of interest to continue serving the town through a seat on the Town of Cave Creek’s Board of Adjustment. The opportunity to be considered for continued service is sincerely appreciated. If you should have any questions prior to the Town Council’s consideration, please contact me at (602) 525-2829.

Respectfully,

[Signature]

Adam White
Town of Cave Creek

Municipal Board, Committee and Commission Application

Name: Adam White

Address: 35840 N. 51st St. Cave Creek

Phone/Email: (480) 525-2829

List Committee(s) You Are Applying for:

Board of Adjustment

Experience:

Special Interests and skills:

Finance, Commercial R/E Lending

Education:

Bachelor's in Finance - ASU

Completing Graduate Program in Banking - PCBS

Reasons for volunteering: Resident for 20 yrs.

Signature: [Signature]

Date: 1/3/17

Appointed/Reappointed:

Expiration of Term:

Approved by Town Council: Date:

After appointment, please report to the Town Clerk to be sworn in.

Date received oath of office:
Cave Creek Policies

In order to ensure a safe and reliable water supply for new and existing customers, both within the Town of Cave Creek and within service areas outside the jurisdiction of the Town, the Town will implement the following policies:

1. Going forward, all new Subdivision developments must show evidence of external 100 year water supply that can be delivered through the Town water system. All new subdivision development will secure water rights sufficient to supply their development based upon a Water Master Plan prepared by the developer and approved by the Town.¹

2. All individual residential lot and non-residential lot water requests for a 5/8” or 1” meter for lots located in the Town, or within areas outside the Town where the Town has a contractual or statutory duty to provide water, will be given a Will Serve letter, subject to the Town’s sole determination that water is available, provided there is access to water lines². Additionally, existing, valid Will Serve letters will be honored.

3. All new Will Serve letters issued will include the following restrictions:
   a. The maximum number of units that will be served;
   b. An agreement that the water customer will conform to current Town Water Conservation requirements and recommendations and the use of low water landscaping;
   c. A condition that Will Serve letters are only valid for three years from the date of the Will Serve letter;
   d. A requirement for Subdivision Developments to provide the Town with a Certificate of Assured Water Supply ("CAWS") from Arizona Department of Water Resources and a clearly defined statement that the Town’s water supply will not be used to secure a CAWS;
   e. An acknowledgement that water service will be dependent upon water availability at the time of the Will Serve letter; and
   f. Contain a provision regarding force majeure

4. The Town Staff will be responsible for assessing water infrastructure, Capital Improvement Program, water availability, and water consumption, including monitoring the Desert Hills and Cave Creek water table, on a quarterly basis. Staff will make a presentation to Council on a quarterly basis regarding their findings.

5. The Town Staff will be responsible for evaluating the use of groundwater sources in the Town’s water systems and include this information in the quarterly Council briefings discussed in Item 4 above.

¹ Subdivision is defined in Town of Cave Creek Zoning Ordinance Appendix A. page 21.
² On all requests for individual meters that are larger than 1”, a case by case determination will be made by Staff as to whether a will serve letter will be issued. Staff’s analysis may require a water master plan prepared by the person or entity requesting the will serve letter and whether that person or entity would be required to provide sufficient water to the Town to meet the demand of the proposed new meter.
6. The Town Staff will be responsible for developing agreements and recommend infrastructure to utilize neighboring jurisdiction’s water for emergencies and provide reciprocal services if needed. In addition, Town Staff should explore options for obtaining water from neighboring jurisdictions for non-emergency use. Town Staff will provide updates regarding this information in the quarterly Council briefings discussed in item 4 above.

7. The Town Staff will be responsible for evaluating plans to bank, recharge and recover the unused portion of the Town’s CAP entitlement, the NIA water, if it is available, and any other potential water source for future use.

8. The Town Staff will be responsible for reporting quarterly on the Town’s water loss and developing plans to achieve no more than a 10% loss with a long-term target of 5% loss.

9. The Town Staff will be responsible for preparing a report outlining the Best Management Practices (“BMP”) that are applicable for approval by Council. This report will be prepared within 60 days of approval of these policies.

10. The Town will adopt and implement a Water Conservation Plan within the Town as well as procedures to enforce conservation outside the Town’s jurisdictional boundaries. The Water Conservation Plan will be utilized to comply with ADWR’s requirement to submit a Drought Preparedness Plan.
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Town of Cave Creek: Town Council Retreat

Facilitator’s Notes

Date: Sep 20, 2017 8:00am – 4:00pm
Location: Cave Creek Museum
6140 E Skyline Drive
Cave Creek AZ 85331
Phone: (480) 488-2764

Participants: 6 Council members (Ernie Bunch, Ron Sova, Thomas Mc Guire, Susan Clancy, David Smith, Eileen Wright) and Carrie Dyrek. Barbara Allen, Executive Assistant to Town Manager and Mayor assisted in taking notes.

Agenda

Welcome- Introductions
Our Practical Vision
Strengths, Weaknesses, Opportunities and Threats
Deliverables for the next 15 months
Prioritization of the deliverables
Closing evaluation
<table>
<thead>
<tr>
<th><strong>A. Identified Community Services</strong></th>
<th><strong>B. Updated written policies</strong></th>
<th><strong>C. Comprehensive 5 Year Financial Planning</strong></th>
<th><strong>D. Improved Government Services</strong></th>
<th><strong>E. A Growing Revenue Generating Commercial Sector</strong></th>
<th><strong>F. Plan Utility Management</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Teens have activities to keep them out of trouble Attract younger participation Elderly services and programs</td>
<td>Annual update of visions/goals Update policies and follow Preservation of diverse ecology Follow established policies Maintain open space</td>
<td>Quarterly public financial reporting Financial forecast plan-5 year Strategic long-term (5 year) financial management plan Comprehensive CIP plan Technology upgrades Investigate all weather crossing Improve road connectivity Debt reduction plan Pay off debts</td>
<td>Exhibit unceasing respect for Cave Creek residents Customer service 5 days a week Enforcement of laws and ordinances Operate efficiently as a council Communicate with public social media 4 Year terms Cohesive Council working with consensus Promote local participation in Government</td>
<td>Greater business involvement Attract overnight accommodations Fill commercial vacancies Family inclusive draws and activities - encourage businesses for this</td>
<td>Profitable wastewater facility Safe and reliable water system Proactive water system Performance measurement and preventative maintenance programs</td>
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<tr>
<td>Cave Creek Global Upper Sonoran Desert destination - trails, mountain bike Business economic development plan Seek new commercial</td>
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### Cave Creek Town Council Retreat
Strengths, Weaknesses, Opportunities and Threats

<table>
<thead>
<tr>
<th><strong>STRENGTHS</strong></th>
<th><strong>WEAKNESSES</strong></th>
<th><strong>OPPORTUNITIES</strong></th>
<th><strong>THREATS</strong></th>
</tr>
</thead>
</table>
| - What is Town Council primarily known for among you and other community members  
- What is Town Council so good at that they don’t even recognize because they are too close to it?  
- What are unique strengths you think Town Council has?  
- How are we better positioned this year than last year?  
- How are our programs stronger this year than last year? | - What are things the Town Council might be blind to about itself?  
- What consistent problems do you think Town Council faces?  
- What cautions / red flags do we see in the way we operate together?  
- Where do we risk failing to meet our performance measures? | - Where could the town of Cave Creek take its assets (people, space, skills, connections, etc.) and extend them into the future?  
- What opportunities could the town of Cave Creek take advantage of that they are not at the moment?  
- What shifts are within our field of service that the Town Council should be paying attention to?  
- What can we leverage through existing relationships or new partnerships? New innovations?  
- What new program arenas seem opportune (e.g.: new demands, new strategic priorities, new funding allotments, etc). | - What should the town of Cave Creek be aware of and if they are not they might be in danger of taking a hit?  
- What could derail us this year?  
- What threats do we see in our operating environment? |

**Our responses:**

- Good representation of town residents  
- Moving forward with different views  
- Took critical first step to develop vision/goals  
- New perspective plus leadership  
- Common goals  
- Preservation of rural low-density lifestyle  
- Various qualifications  
- Unwavering commitment to serving town  
- Addressing spot fires

**Our responses:**

- Sunshine law  
- Maintain timely follow up of issues  
- Revenue (other than utilities) is stagnating  
- Performance measurements don’t exist so we can’t fail!  
- Inability to work as a team  
- Not waiting to be recognized by mayor before speaking  
- Wanting our own way  
- Maintain macro, not micro, overview  
- Suspicion  
- Lack of resident involvement  
- Red flags – need decorum for operating procedures  
- Body language during meetings  
- Too much daily involvement

**Our responses:**

- Address sins of the fathers  
- Place all permits on website  
- Multi-talented populace  
- Financial task force  
- Use of staff  
- Build relationships with small towns that may have similar concern  
- Financial weekly report on website  
- Efficiencies – systems – staff productivity – technology

**Our responses:**

- Set clean priorities  
- Lethargy not strategy  
- Realization that we will all have to live with less water  
- Lack of information  
- Ownership of ideas  
- Economic downturn  
- Multiple priorities  
- Poor policies, code and ordinances  
- Determine how Town will/can thrive with less water  
- Incorrect assumptions  
- Too many projects on staff time  
- Global economy  
- Water  
- Goals – set goals that are achievable  
- Unrealistic projections  
- Personal agendas
| • Improvement just beginning | o Lack of data to provide needed reports |
| • Interest in improving exists | o Solving problems (reactive) versus taking actions to be proactive |
| • Intelligent group | o Not drawing to consensus |
| • Willingness to prepare for council meeting | o Not understanding methods |
| • Forgiveness | o Divergent views on what cave creek is and what’s important |
| | o Blindsided by poor procedures |
| | o Respecting mayor |
| | o Taking too much staff time |
| | o Need clear performance measures set in order to achieve goals |
| | • Effective communication between council, staff and residents |
| | • Communicate with residents |
| | • Obtaining grants |
| | • Common goals |
| | • Increase revenues – sales tax – utility rates |
| | • Need to develop actions/programs to draw businesses in |
| | • Be involved with service groups, i.e. chambers, etc. |
| | • Sale of Desert Hills Water system |
| | ➤ Lack of enforcement of laws codes |

**SWOT Implications for our next year**

We appear to be more aware of weaknesses and threats
If we respond correctly to these insights, we will create a coherent strategy
We operate as a unit- as a band of brothers
We need to do less firefighting and become more proactive
Become pro-active on past issues where we were reactive
Continue working well with Carrie
Pay attention to the needs – send to the appropriate staff
We are coming together as a group- accepting shared goals
## Our Deliverables over the next 15 months

<table>
<thead>
<tr>
<th>Priority</th>
<th>Vision Column</th>
<th>Deliverable</th>
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<tbody>
<tr>
<td>*******</td>
<td>F.</td>
<td>Complete water policy/ rate study</td>
</tr>
<tr>
<td>****</td>
<td>F</td>
<td>Accurate water measurement data</td>
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<td>**</td>
<td>D</td>
<td>Enhance online presence with faithfully updated information dispelling rumors and innuendo which ran rampant in our community. Info should include scheduled maintenance, projects, financial information and news</td>
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<tr>
<td>*</td>
<td>F</td>
<td>Identify Utilities System upgrades</td>
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<tr>
<td>A</td>
<td></td>
<td>Appoint a council member to represent the town to work with community organizations and report back to the council twice yearly</td>
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<tr>
<td>B</td>
<td></td>
<td>Town manager shall develop a timeline for council to review written policies within the next 3 months</td>
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<tr>
<td>C</td>
<td></td>
<td>Have staff score 5 previous years CAFRs to assure accuracy in our processes. Prepare a plan rationally evaluating the probability of achieving the stated goals</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>Implement the rationally stated goals of the previous study in a true comprehensive 5 year financial plan.</td>
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<tr>
<td>D</td>
<td></td>
<td>Over the next 5 years- Should continue with the successful program previously described</td>
</tr>
<tr>
<td>E</td>
<td></td>
<td>Identify Commercial properties for sale/lease</td>
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<tr>
<td>E</td>
<td></td>
<td>Quarterly commercial realtor/ council focus groups</td>
</tr>
</tbody>
</table>

**Next Steps:**

Create a commercial property map showing vacancies. Staff do a presentation. Invite realtors to an open house. Susan will be a council representative. The realtors may be invited to a council meeting. Eileen, Susan and Carrie will work on this team.

Create an online presence in cooperation with the Cave Creek Chamber to identify community events.
About Partners in Participation

Marilyn Oyler, who facilitated this planning, is the principal at Partners in Participation.

This participatory planning process is a part of the Technology of Participation (ToP®) which has been developed by and is the registered trademark of the Institute of Cultural Affairs (ICA). In the United States, ToP® programs and methods are used by hundreds of for-profit and not-for-profit organizations, government agencies, professional associations and local communities.

As staff of the Institute of Cultural Affairs (ICA) for 38 years, Marilyn Oyler was part of ICA’s pioneering efforts in developing inclusive collaborative methods which help groups deal with change and move towards effective action. Marilyn has extensive experience in facilitation, training, consulting, planning, curriculum design, and program development with very diverse groups, including 15 years in other countries. Marilyn brings over 25 years of experience facilitating planning retreats and other organizational change efforts in over 100 organizations covering the private, public and non-profit sectors.

“I wish you success as you implement the decisions from this planning event and look forward to hearing of your successes. If I can be of any help, please call.”

Marilyn Oyler
Partners in Participation
4208 North 25th Street
Phoenix, Arizona 85016
602-468-0605 phone
602-460-8843 mobile
marilyn.oyler@gmail.com

www.partnersinparticipation.com