

**MINUTES OF THE REGULAR MEETING
OF THE CAREFREE TOWN COUNCIL**

WHEN: TUESDAY, FEBRUARY 2, 2021
WHERE: ZOOM WEB <https://us02web.zoom.us/j/3229729660>
MEETING ID: 322 972 9660
TIME: 5:00 P.M.

Town Council Attending:

Mayor Les Peterson
Vice Mayor John Crane
Vince D'Aliesio – *(Left at 5:15)*
Tony Geiger
Stephen Hatcher
Cheryl Kroyer

Town Council Absent:

Michael Krahe

Staff Present:

Gary Neiss, Town Administrator; Michael Wright, Town Attorney; Stacey Bridge Denzak, Director of Planning and Zoning; Stephen Prokopek, Economic Development Director; Kandace French, Town Clerk/Treasurer.

Mayor Peterson called the meeting to order at 5:00 p.m.

Stacey Bridge - Denzak led the Council in the Pledge of Allegiance.

CONSENT AGENDA

- ITEM #1** **Approval of the January 5, 2021 Town Council Regular Meeting Minutes.**
- ITEM #2** **Acceptance of the cash receipts and disbursements report for November, 2020.**
- ITEM #3** **Accept and consent to the formation of the Rio Verde Foothills Domestic Water Improvement District.**

Mayor Peterson announced consent agenda and explained that he would ask Greg Crossman, General Manager of the Carefree Water Company, to explain Agenda Item #3 in further detail. He announced the Consent Agenda and pulled Item #3 for further discussion. He explained that Agenda Item #3 did not affect the Town of Carefree, but was required by Statute to obtain Carefree's approval.

General Manager of the Carefree Water Company, Greg Crossman provided a map showing the boundaries of the Rio Verde Foothills Domestic Water Improvement District, or DWID. As

shown, it is 5 miles from the closest boundary to Carefree but is required by Statute to obtain municipality approval if it is less than 6 miles from another municipality boundary. The Rio Verde DWID is therefore required to get approval from Carefree, Fountain Hills and Scottsdale. Mr. Crossman gave the history and explained that this area relied on hauled water, usually obtained from the City of Scottsdale. However if a Tier 1 shortage occurs at the Colorado River, the ability to obtain water from Scottsdale would be terminated unless the group formed a DWID. The formation of the DWID allows them to get a transport agreement and obtain its own water supply, using the treat and transport agreement with the City of Scottsdale. He explained that the water basin serving the Rio Verde DWID does not affect the Town of Carefree and are not within the Carefree Basin.

There were questions by the Council.

Mr. Crossman responded.

Jennifer Simpson with the Rio Verde DWID appeared and addressed the Council regarding the 100 homes that rely on hauled water and would be part of the DWID. It is not only the Tier 1 situation that concerns the Rio Verde residents, but that the City of Scottsdale has expressed that they cannot rely on Scottsdale to supply their hauled water without a DWID and a treat and transport agreement. She gave more information regarding the community.

Mayor Peterson commented that, if it doesn't hurt us and it helps our neighbor, it is something we should be doing. He stated there was no harm to the Town of Carefree in granting approval of the DWID.

There were additional questions by the Council.

Jennifer Simpson responded.

Mayor Peterson asked for a motion for the Consent Agenda.

Council Member Kroyer **moved** to approve Agenda Items #1 through #3. There was a **second** by Vice Mayor Crane. The motion **carried** unanimously.

CALL TO THE PUBLIC

ITEM #4 Call to the Public

Mayor Peterson announced the agenda item.

Town Clerk Kandace French stated that no public comments were submitted for the Council.

REGULAR AGENDA:

ITEM #5 Current Events.

Mayor Peterson announced the agenda item and described recent fires in the area, including the Wedding Cake House fire. He explained the contract between Rural Metro Fire Service and the Town of Carefree since 1969 and the Rural Metro Fire contract expires in 2022. Mayor Peterson stated that in forward thinking, it is important to look at future service, automatic aid and mutual aid, in addition to other public services. Therefore, a Fire Service Review Committee will be solicited and appointed to review fire service for the Town of Carefree.

Mayor Peterson said that Agenda Item #9 would recap the success of the Thunderbird Artists show in the Town Center in January.

ITEM #6 Discussion to amend the *Carefree Town Code*, to protect the health, safety, and welfare by prohibiting the use, possession, sale, and smoking of marijuana on publically owned or controlled property and only allow recreational marijuana sales within a medical marijuana facility holding a dual license. Public comments will be taken. (*First Reading*).

Mayor Peterson announced the agenda item and introduced the Director of Planning and Zoning, Stacey Bridge-Denzak. He stated this was the first of two required readings.

Ms. Bridge-Denzak explained the recent passing of Proposition 207, the "Smart and Safe Act", which legalized recreational marijuana. In the Town of Carefree, the Proposition was almost evenly split. She gave the allowances and limitations as imposed by the passing of the proposition and explained that it gave municipalities' broad discretion in what would be allowed within its boundaries. She felt that the proposed amendment was fair and reasonable for the Town of Carefree and would include prohibiting of smoking of marijuana in public places and Smoke Free areas, authorized only licensed medical marijuana dispensaries to operate as a dual licensee and that, to date, the Town of Carefree had no medical marijuana locations within its borders.

She stated the amendment to the Carefree Town Code would also prohibit delivery of marijuana to consumers within the Town except by a dual licensee or non-profit medical marijuana dispensary and prohibit anyone without a proper license from facilitating the delivery or use, soliciting or accepting orders, or operating a platform that solicits or accepts orders for marijuana or marijuana products.

There were questions by the Council. They asked for legal advice of the Town Attorney, Michael Wright.

Mr. Wright responded regarding the licensing of dispensaries and he stated the prospect of obtaining a recreational marijuana distribution license within the Town of Carefree was pretty slim.

The matter was the first reading and a presentation only. No action was taken.

Major Peterson encouraged the public to submit public comment if they had a position.

Vice Mayor Crane stated that Stacey did an excellent job of drafting a fair code change that took everyone into consideration.

ITEM #7 Review, discussion and possible action to approve Resolution 2021-01 accepting a grant from the Firehouse Subs Public Safety Foundation to the Carefree Fire Department.

Mayor Peterson read the agenda item and introduced Captain Ryan Travis and Chief John Kraetz of the Rural Metro Fire Department.

Chief Kraetz explained that Captain Travis was not available as he had been fighting the Wedding Cake House fire all night.

Mayor Peterson explained that Firehouse Subs has been an active and dedicated contributor to the surrounding fire houses.

Town Administrator, Gary Neiss, stated that Captain Travis has gone above and beyond in his searches for grants to assist the fire house. He said this was the third or fourth grant that he has secured for the Town of Carefree. The last one secured approximately \$90,000 for air packs for the firefighters. The current grant is approximately \$27,000. He is owed a debt of gratitude for the paperwork and dedication to Captain Travis. Mr. Neiss also explained that the Resolution, a press release and stickers on the equipment is part of accepting the grant from Firehouse Subs.

Vice Mayor Crane **moved** to approve Resolution 2021-01 as presented. There was a **second** by Council Member Kroyer. The motion **carried** unanimously.

Mayor Peterson expressed the appreciation of the Council and community for the efforts of the firefighters of the Carefree Fire Station, Captain Travis and Chief Kraetz.

ITEM #8 Presentation by Robin Cochran, new Executive Director of the Foothills Caring Corps, regarding the past, present and future services to the Foothills communities.

Mayor Peterson announced the agenda item.

Due to technical difficulties by the presenters, this matter was deferred until the meeting of the Carefree Town Council on March 2, 2021.

ITEM #9 Update regarding the January 15-17, 2021 Thunderbird Artists' 28th Annual Winter Carefree Fine Art & Wine Festival and the March 12 – 14, 2021 26th Annual Spring Carefree Fine Arts Festival.

Mayor Peterson announced the agenda item and introduced the Director of Economic Development, Steve, Prokopek.

Mr. Prokopek provided a recap of the January event and he reminded everyone that the Town of Carefree takes a cautious stand as it relates to events due to the Governor's order, the Town's own mandates for COVID and the safety of its citizens as it relates to events. He stated that he had monthly discussions regarding the event and that the Thunderbird Art Show has been a part of Carefree for 28 years. They worked together to create a COVID Mitigation Plan that was submitted to the Department of Health that complied with CDC guidelines and went even further.

He stated that the plan included the absence of alcohol at the event, no live entertainment in the pavilion; a 100% mask requirement for all the vendors and above and beyond, the Thunderbirds had all the vendors sign contracts to that effect. Additionally, he got a call from a concerned citizen that questioned what practices the Thunderbirds would have at their show in Surprise week before. As a result, the Thunderbirds required all their vendors that planned to be in Carefree the following week also practice the COVID Mitigation Plan at the Surprise show. Steve was happy to report that he did random stops in at the Surprise Show and was impressed by 100% compliance.

Mr. Prokopek reported that he was extremely pleased with the compliance he observed at the Carefree show and the diligence of Denise and Hailey was outstanding and taken seriously. He explained how Thunderbirds enforced the mandate and it created a safer and friendlier environment. He saw nothing that concerned him. He felt it was done the right way and he thanked the Thunderbird Artist and their vendors for their hard work and compliance.

As a result of the cooperation at the January show, Mr. Prokopek felt comfortable recommending that the March show go on as scheduled and felt it would be safe and as successful as the January show. He said that the November show would be reviewed as time progressed.

Mayor Peterson reminded the Council that the events had already been approved and that it was up to staff to determine if the show would continue.

There were positive comments and observations by the Council.

The matter was for presentation only and no action was needed.

ITEM #10 Adjournment.

Mayor Peterson announced the agenda item and asked for a motion to adjourn.

Council Member Krahe **moved** to adjourn. There was a **second** by Vice Mayor Crane. The motion **carried** unanimously.

The meeting ended at 5:49 p.m.


DATED this 3rd day of February, 2021.

TOWN OF CAREFREE

BY:


Kandace French Contreras, Town Clerk

TOWN OF CAREFREE


Les Peterson, Mayor

Attest:


Kandace French Contreras, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Meeting of the Town of Carefree held February 2, 2021. I further certify that the meeting was duly called and held and that a quorum was present.


Kandace French Contreras, Town Clerk