

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

**WHEN:** TUESDAY, DECEMBER 07, 2021

**WHERE:** ZOOM WEB

**TIME:** 5:00 P.M.

**Town Council Attending:**

Mayor Les Peterson  
Vice Mayor John Crane  
Vince D'Aliesio  
Tony Geiger  
Stephen Hatcher  
Cheryl Kroyer

**Town Council Absent:**

Michael Johnson

**Staff Present:**

Gary Neiss, Town Administrator; Stacey Bridge-Denzak, Planning and Zoning Director; Steve Prokopek, Economic Development Director; Town Engineer, Mark Milstone; Kandace French, Town Clerk/Treasurer.

Mayor Peterson called the meeting to order at 5:10 p.m.

Mayor Peterson led the Council in the Pledge of Allegiance.

**CONSENT AGENDA**

All items listed hereunder are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member so requests, in which event the item will be removed from the consent agenda and will be discussed separately:

**ITEM #1**      **Approval of the October 05, 2021, Town Council Regular Meeting Minutes.**

This item has been deferred.

**ITEM #2**      **Acceptance into the public record of the November 2021 paid bills.**

**ITEM #3**      **Acceptance of the cash receipts and disbursements report for September 2021.**

Vice Mayor Crane **MOVED TO APPROVE** items 2 and 3 of the consent agenda. **SECONDED** by Councilperson Kroyer. **CARRIED**, 6-0, with 1 absent.

## CALL TO THE PUBLIC

### ITEM #4      **Call to the Public.**

There was no submission for Call to the Public.

## REGULAR AGENDA

### ITEM #5      **Current Events.**

Councilperson D'Aliesio announced the Hannukah lighting was well attended, and it received a lot of positive feedback from the community and attendees.

### ITEM #6      **Presentation by Les Hardy regarding the Wheels and Wings event in April 2022.**

Mayor Peterson advised that the street closure of the event will be addressed at the December 14, 2021, Special Town Council meeting. Organizer, Les Hardy appeared and provided details of the Wheels and Wings event to be held April 2, 2022, at SkyRanch Airport. Mr. Hardy thanked Town Council for their continual support with this event.

### ITEM #7      **Review, discussion, and possible action to Approve Resolution 2021-12 updating the multi-Jurisdictional Hazard Mitigation Plan.**

Town of Carefree Code Enforcement Officer, Dennis Randolph, provided a summary of the updates to the Multi-Jurisdictional Hazard Mitigation Plan. Town Administrator Neiss further clarified, collectively, every 5 years, 27 municipalities and Indian tribes within Maricopa County go through this Hazard Mitigation Plan update process. Concluding that the Town of Carefree had no significant changes to the Plan.

Vice Mayor Crane inquired, if this resolution is approved, will the Town incur any costs? Mr. Neiss responded, there is an annual fee associated with the Plan based off per capita, but no direct fees beyond that. Adding, this plan deals with natural disasters or manmade events. This is a regional planning approach to evacuate and deal with those respective emergencies.

Councilperson Geiger **MOVED TO APPROVE** resolution 2021-12 updating the multi-Jurisdictional Hazard Mitigation Plan. **SECONDED** by Vice Mayor Crane. **CARRIED**, 6-0, with 1 absent.

### ITEM #8      **Review, discussion, and possible action to consider approval of Resolution 2021-17 for a major General Plan Amendment of approximately 21 acres from Very Low Density Residential (VLDR) to Special planning Area (SPA) to allow for a future hospitality use with possible ancillary retail. The property is generally located at and adjacent to the Northwest Corner of Carefree Highway and Tom Darlington Drive.**

Planning and Zoning Director, Stacey Bridge-Denzak, provided via PowerPoint, a summary of the Major General Plan Amendment, demonstrating how the application fits with the Planning and Zoning and General Plan Amendment criteria and how the amendment goes through the Planning and Zoning process. She explained how the subject parcels relate to properties generally located at the Northwest corner of Carefree Highway and Tom Darlington Road.

Director Bridge-Denzak presented the General Plan Goals that the proposed amendment meets. She explained that these goals are in place for a check and balance measure as to whether the proposed change is appropriate.

In summary, the Major General Plan Amendment constitutes an overall improvement to the Town's General Plan and benefits the community with no intended adverse impacts.

Town Administrator Gary Neiss reviewed at a high level the Town's Economic Development goal to help diversify and sustain the Town's sales taxes to ensure a solvent financial future for the Town. Administrator Neiss emphasized that the dye has already been cast on the fabric of Carefree, stating Carefree is mainly a residential community. However, there remain only a few properties located at high traffic intersections and adjacent to nonresidential uses in neighboring communities that create an opportunity to complement the nearby existing land uses while providing an opportunity to diversify the town's sales tax base. Administrator Neiss estimated that with every million dollars in sales tax revenue it could offset a property tax of \$300 to \$400 per residence.

Town of Carefree Economic Development Director, Steve Prokopek presented via PowerPoint. Mr. Prokopek provided a timeline of the engagement process and an overview of the outcomes from discussions held at each neighborhood meeting. Conversations addressed building heights, adequate buffers to the adjacent neighborhood, architectural context and quality, view sheds, access nuisances such as light and noise, allowed uses and the magnitude of commercial uses in association with the overall development. From these discussions, Mr. Prokopek explained that he revised the proposed land use to accommodate, to the extent possible, the neighbors' concerns without compromising the Town's goals. He added that it comes down to the idea of execution at this point and making sure that when we go through the zoning process that we follow through on the items discussed.

Mayor Peterson thanked Town Administrator, Neiss, Planning and Zoning Director, Bridge-Denzak and Economic Development Director, Steve Prokopek, for their in-depth presentations and asked for questions and/or comments from Town Council.

Councilperson Hatcher had questions regarding lighting if or when a development moves forth on the subject property. Planning and Zoning Director, Stacey Bridge-Denzak responded and explained that lighting in Carefree is night sky friendly. Furthermore, any development that occurs on this property would need to comply with current zoning requirements.

Council Member Geiger asked staff if the amendment was "tight" so as to protect neighbors and others concerned about the changes in the event new staff were onboard at the time of the

development. Staff assured Council Member Geiger that the amendment was clear and concise and held to standards that could not be interpreted loosely.

***This is a public hearing and public comments will be taken.***

Mayor Peterson opened public hearing.

Town Clerk, Kandace French Contreras, read public comment submitted by Maureen Benedetto, a Carefree resident. Ms. Benedetto wrote of her concerns for the urbanization of Carefree similar to the City of Scottsdale and her desire to keep Carefree relaxed and rural in character. She also asked why "more than \$20,000,000+" was being spent on a water project with extremely vague objectives. She asserted that it was not necessary to provide western Carefree with improved water service. She asserted a conflict of interest between Mayor Peterson and property owner John Lassen and stated that such conflicts should be disclosed. She further stated that the issues deserve to be investigated by the Town Council members before they vote. Ms. Benedetto's letter was entered into the record.

Mr. Prokopek responded to Ms. Benedetto's criticism.

Mayor Peterson responded to the personal criticism and baseless accusations that there is any relationship between himself and Mr. Lassen.

The following individuals spoke regarding the agenda item:

Janet Veves spoke regarding her concerns about the potential size of the resort. She differentiated it from the Hermosa Inn, which had been a comparison. She asked why so much is being "crammed into such a small space".

Mr. Prokopek responded.

Jerry Wetta appeared and asked who would provide the water to the commercial development at Carefree Highway and Tom Darlington eventually.

Mr. Neiss responded, stating water service would be provided by the Carefree Water Company. He clarified it as to size and water allocation for the Town of Carefree as well as the aquifer which has been recharging in partnership with the City of Scottsdale and an additional 378-acre feet from the Town of Cave Creek with the recent acquisition of the Carefree customers on Cave Creek water for a total of over 1600 acre feet.

Mr. Wetta then asked about lots on While Away and asked if, at a future time, those lots could be considered for rezoning based on the Plan Amendment.

Mr. Prokopek responded that those properties were not part of the current amendment.

Sue Hardy appeared and spoke as well as Stephanie Barbour

Bernie Pistillo appeared and spoke against the rezoning as did Abby Renfro. Janet Veves appeared and provided additional comment regarding her concerns and Kim Graves appeared and spoke.

The comments raised by the residents included traffic, water, massing, density and intensity of potential uses, open space, a property tax and public involvement. Economic Development Director, Steve Prokopek responded to these comments.

Mr. Prokopek explained that this is the very first step in outlining a use for the particular site to provide a future vision for the development of this property.

Councilperson Kroyer asked for confirmation that what is being approved is only a plan amendment and not changing the zoning. If and when an applicant comes forth, they will still need to go through all the planning processes, requiring accordance with the Town's development standards. Town Administrator Neiss responded, yes, that is correct.

Councilperson Kroyer **MOVED TO APPROVE** Resolution 2021-17 for a major General Plan Amendment of approximately 21 acres from Very Low Density Residential (VLDR) to Special planning Area (SPA) to allow for a future hospitality use with possible ancillary retail. **SECONDED** by Councilperson D'Aliesio.

Councilpersons Geiger, D'Aliesio and Vice Mayor Crane responded to comments heard during public comment.

**THE MOTION CARRIED**, 6-0, with one absent.

**ITEM #9**      **Review, discussion, and possible action authorizing the Mayor to enter in to contract with Copper State Pavement Inc. and authorization of Capital Improvement Project Funds for the Street Maintenance Project.**

Carefree Town Engineer, Mark Milstone provided information regarding the ongoing pavement management cycle noting the section of Cave Creek Road between Carefree Drive and Pima Road as well as a smaller section of Cave Creek Road just to the east of Desert Mountain to be milled and overlaid as well as a portion of this roadway to be slurry and crack sealed.

Mr. Milstone explained that two pedestrian crosswalks on Hum Rd. and Cave Creek Rd. as well as Carefree Drive and Cave Creek Rd, will be upgraded and refitted with enhanced pedestrian safety equipment. Additionally, addressing resident's noise concerns, the decision was made to remove a proposed four-way stop and associated crosswalk at Tranquil Trail and look for a solution at that location in the future. The nearby neighbors have suggested a round-about at this location which would require a higher level of design and capital funding. Mr. Milstone will continue to work with this neighbor to find a more immediate solution for their desire for a new crosswalk at this location.

Mr. Milstone provided an information summary regarding the authorization of the contract and Capital Improvement Project Funds for the street maintenance project and responded to questions and comments from Town Council.

Councilperson Geiger **MOVED TO APPROVE** to award the contract to Copper State with the proviso that the contract still needs to be negotiated to change order number 1 and the 20% contingency. **SECONDED** by Councilperson Kroyer. **CARRIED**, 6-0, with 1 absent.

**ITEM #10**     **Review, discussion, and possible action to approve temporary improvements for the existing crosswalk located at Ridgeview Place/Ho Road.**

Carefree Town Engineer, Mark Milstone presented via PowerPoint, details regarding interim crosswalk improvements at Ridgeway Place/Ho Road and responded to questions and comments from Town Council.

Town Administrator Neiss and Council agreed that in order to present this agenda item to the Town and local residents, it warrants more of an evaluation and better solution. Most importantly, the Town wants the crosswalks safe as well keeping with the aesthetics of the Town.

It was determined that Mr. Milstone would bring the matter back to the Council for review and consideration at a later meeting.

**ITEM #11**     **Approval of street closures for Thunderbird Artists 29th Winter Carefree Fine Art & Wine Festival from 5:00 p.m. Thursday January 13, 2022, through 6:00 p.m. Sunday, January 16, 2022, and the 27th Annual Spring Carefree Fine Art & Wine Festival 5:00 p.m. Thursday, March 17, 2022, through 6:00 p.m. Sunday, March 20, 2021. Road closures include Hum and Ho Hum Road, Easy Street, and Sundial Circle as shown in the attached map. Council approval tentative based upon COVID-19 state guidelines.**

Economic Development Director, Steve Prokopek presented via PowerPoint, details of the proposed Thunderbird Artists Street closures and barrier set up. The 2022 Thunderbird Artist's Fine Art and Wine Festivals are scheduled for January 13, 2022, thru January 16, 2022, and March 17, 2022, through March 20, 2022. Mr. Prokopek responded to questions and comments from Town Council.

Vice Mayor Crane expressed concern regarding the timeframe of the March festival and the opening of the new Hampton Inn and asked that the Town ask Thunderbird Artist's to install signage along Tom Darlington for guests of the Hotel, to help them find their way.

Councilperson Kroyer **MOVED TO APPROVE** street closures for Thunderbird Artists 29th Winter Carefree Fine Art & Wine Festival from 5:00 p.m. Thursday January 13, 2022, through 6:00 p.m. Sunday, January 16, 2022, and the 27th Annual Spring Carefree Fine Art & Wine Festival 5:00 p.m. Thursday, March 17, 2022, through 6:00 p.m. Sunday, March 20, 2021.

**WITH THE ADDED CONDITION**, to ask Thunderbird Artists to install signage along Tom Darlington for guests of the Hampton Inn to find their way to the hotel. **SECONDED** by Vice Mayor Crane. **CARRIED**, 6-0, with 1 absent.

**ITEM #12** Discussion and possible action to go into Executive Session in accordance with A.R.S. 38-431.03 (A)(3) for discussion or consultation for legal advice with the Town Attorney.


This item has been deferred to a later meeting.


**ITEM #13** Adjournment.

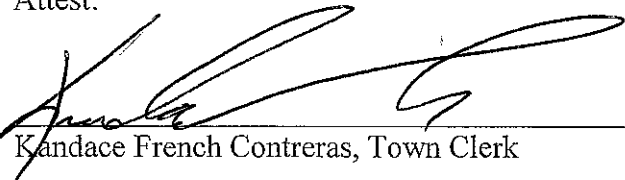
The meeting adjourned by unanimous consent at 8:40 p.m.

DATED this 14th day of December 2021.

TOWN OF CAREFREE

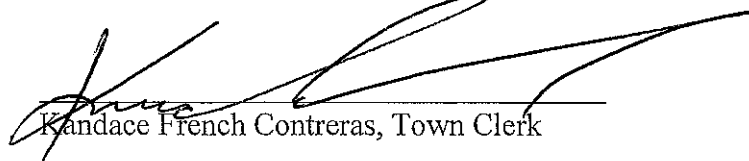
BY:   
Samantha J. Gesell, Planning Clerk

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 December 7, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

  
Kandace French Contreras, Town Clerk