

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

**WHEN:** TUESDAY, SEPTEMBER 3, 2019

**WHERE:** CAREFREE TOWN COUNCIL CENTER  
33 EASY STREET, CAREFREE, AZ 85377

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

**Town Council Attending:**

Mayor Les Peterson  
Vice Mayor John Crane  
Vince D'Aliesio  
Stephen Hatcher  
Michael Krahe  
Cheryl Kroyer  
Gene Orrico

**Town Council Absent:**

None

**Staff Present:**

Gary Neiss, Town Administrator; Michael Wright, Town Attorney; Kandace French, Town Clerk/Treasurer.

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

The Pledge of Allegiance was led by Ralph Ferro

**CONSENT AGENDA**

**ITEM #1** Approval of the August 6, 2019 Regular Town Council Meeting Minutes.

**ITEM #2** Acceptance into the public record of the August, 2019 paid bills.

**ITEM #3** Acceptance of the cash receipts and disbursements report for July, 2019.

**ITEM #4** Approval of the partial street closure of Cave Creek Road from SkyRanch to Mule Train for parking for a funeral and Celebration of Life to be held at SkyRanch on November 23, 2019 from 10:30 a.m. to 5:00 p.m. as set forth in the attached application and map.

**ITEM #5** Review, discussion and possible action to approve the amended street closure for the Enchanted Pumpkin Garden event from October 18<sup>th</sup> through the 27<sup>th</sup> from 10:00 a.m. to 9:00 p.m.

Mayor Peterson announced the consent agenda and asked if there were any questions.

There being no questions, Mayor Peterson asked for a motion to approve items 1 through 5.

Vice Mayor Crane made a **motion** to approve the Consent Agenda items #1 through #5 as stated. There was a **second** by Council Member Kroyer. The motion was **carried** unanimously.

**REGULAR AGENDA:**

**ITEM #6**      **Call to the Public.**

Lou Matusiak, of Carefree, appeared and spoke regarding his thoughts on the action with the Town of Cave Creek regarding the acquisition of the water service area and his support for the acquisition. He questioned the need for more aggressive countermeasures.

**ITEM #7**      **Current Events.**

Mayor Peterson read the agenda item and announced that there would be a September 17, 2019 Special Meeting of the Council at 5:00 p.m. He also provided an update on the exploration and discussion surrounding the traffic and noise in the Town of Carefree during Bike Week.

Vice Mayor Crane announced a 911 presentation by Bob Jenkins on September 11, 2019 at 6:00 p.m. in the Council Center.

**ITEM #8**      **Review, discussion and possible action to approve Resolution 2019-11 naming the Town Clerk as the CFO pursuant to Arizona Revised Statutes §41-1279.07(E) requiring the town to annually provide to the State Auditor General the name of the CFO designated to submit the current year's annual expenditure limitation report (AELR).**

Mayor Peterson announced the agenda item and introduced Town Administrator, Gary Neiss and Town Clerk, Kandace French Contreras.

Mr. Neiss explained that the matter was a housekeeping issue resulting from new legislation that required the Council to be aware and approve of the name submitted to the State Auditor General. He reiterated why the Town Clerk was the appropriate staff to be appointed.

There were questions by the Council.

Ms. French Contreras responded and explained that due to her knowledge of the forms submitted, and her required signatures on the pertinent information, that she was historically the staff member required to be the CFO. She also reiterated why the Council was now required to approve the appointment.

Council Member Krahe made a **motion** to approve the Agenda Item #8 as presented. There was a **second** by Council Member Orrico. The motion was **carried** unanimously.

**ITEM #9** Review, discussion and possible action to approve the amendment of the Town of Carefree, Arizona, Ordinance Number 2007-03, the Town's existing floodplain management regulations. This text amendment addresses minor updates in line with current regulations in a continued effort to reduce risk to life and property from future flooding hazards in the Town of Carefree. Public comments will be taken. *(Second Reading)*.

Mayor Peterson announced the agenda item and asked for any public comment. No public comment was offered.

Mayor Peterson reminded the Council and public that this was the second reading of the ordinance to amend the Town's existing floodplain management regulations and that the first reading and details were provided at the council meeting on August 6<sup>th</sup>. He asked if there were any questions. No questions were posed to the Council.

Council Member Orrico made a **motion** to approve the Agenda Item #9 as presented. There was a **second** by Vice Mayor Crane. The motion was **carried** unanimously.

Mayor Peterson provided a statement regarding the water acquisition matter with Cave Creek. He explained that things were moving forward that could not be disclosed at this time, but he assured the public that the Town was pursuing the matter with a good team of attorneys. The matter is being taken seriously and the council takes it seriously. He invited the public to come into the office with questions.

**ITEM #10** Discussion and possible action to go into Executive Session in accordance with A.R.S. §§ 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the attorney of the public body and to discuss its position regarding contracts that are subject of negotiations, pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation.

Mayor Peterson announced the agenda item and asked for a Motion.

Council Member Orrico made a **motion** to go into Executive Session. There was a **second** by Vice Mayor Crane. The motion **carried** unanimously.

**Entered Executive Session: 5:14 p.m.**  
**Returned from Executive Session: 5:37 p.m.**

**ITEM #12** **Adjournment**

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

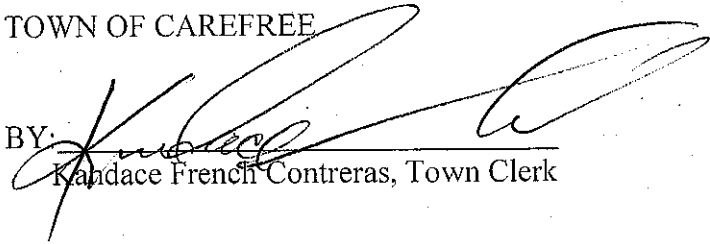
Council Member Krahe **moved** to adjourn. There was a **second** by Council Member Kroyer. The motion **carried** unanimously.

Meeting ended at 5:38 p.m.

DATED this 4<sup>th</sup> of September, 2019.

TOWN OF CAREFREE

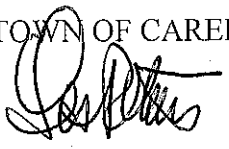
BY:



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Randace French Contreras, Town Clerk

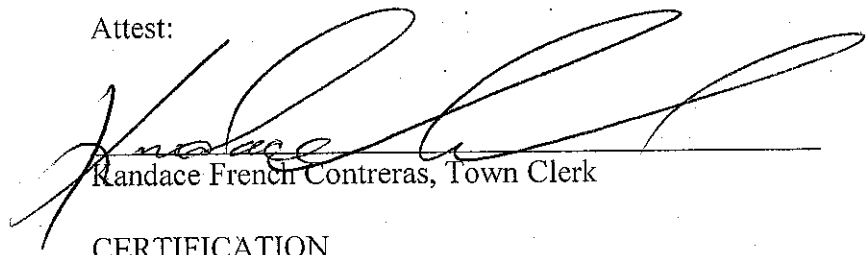
TOWN OF CAREFREE



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Les Peterson, Mayor

Attest:

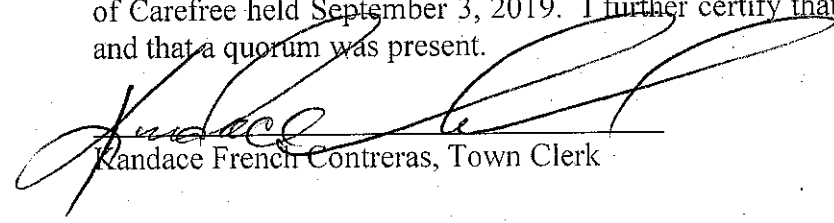


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Randace French Contreras, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the meeting of the Town of Carefree held September 3, 2019. I further certify that the meeting was duly called and held and that a quorum was present.



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Randace French Contreras, Town Clerk