



Friends of Carefree, there were two *Special* meetings of the Town Council on June 16th. The first was to enter Executive Session (private) to discuss contracts. The second was for discussion & action on 3 agenda items. This may be long but we believe it is worth your time.

Special Town Council Meeting #1, June 16, 2015, 4:00PM

Vice Mayor Crane was in Mexico.

The Council entered Executive Session.

Special Town Council Meeting #2, June 16, 2015, 5:00PM

Vice Mayor Crane was in Mexico, but joined by telephone at 6PM.

Prior to addressing the Agenda Mayor Peterson commented that there were a number of slips submitted requesting to speak. He said everyone wants what is best for the town and asked that people speaking be allowed to finish. At a prior meeting he said that he was willing to read comments submitted by anyone unable to attend, or who felt uncomfortable speaking in public. He went on to say that under advisement from the Town Clerk, who consulted with the Attorney, neither he nor anyone on the Council was permitted to read comments from anyone **not physically present at the meeting**.

Although not listed on the Agenda, a Call to the Public was permitted and a number of people spoke. Not surprisingly the Splash Pad item was the focus of comments.

Jim Van Allen – spoke on the general subject of Economic Development and mentioned that his regular observations within the core showed that very few businesses remain open or keep regular hours. There were 3 open Sunday and only 4 open both Mon and Tuesday. Jim took exception to the continual focus on the Town core while ignoring our 3 biggest tax producers, the Carefree Resort & Conference Center, Lowes, and Bashas' Center. Jim began to read a portion of Mayor Schwan's 2013 email response to a resident when the current mayor reminded him of the 3 minute limit. He was asked to get to the essential point(s). That email stated that the Splash Pad and Amphitheater renovation would be funded by donations and grants or not at all.

We spent \$250K in the amphitheater which is used 10% of the time [*it was funded by a 10 year donation*] ignoring the need to create a better atmosphere for the shops and sidewalks which are used 100% of the time. In reference to the Splash Pad he said that according to the Republic [5/21/15], there were already 45 Splash Pads in

the general area and he doubted that adding one more in Carefree would help businesses at all. It certainly does not make us "unique". 80% or more of businesses and residents were not in favor of a splash pad. He added that if we need a fireplace, did we need two?

John Traynor – I expressed my disappointment that the group of comments sent to CFM by residents would not be read during the meeting. The Mayor added that he had also received 8 email but he did not disclose the sentiment expressed. CFM received 13 emails, 12 (92.3%) strongly opposed to the Splash Pad and 1 (7.3%) conditionally in favor. *[You may note that the use of percentages can give a distorted view of results; I did so here for effect]*. Since the comments were not to be read I did not provide any names. I had one other email which addressed the lack of transparency in Carefree meetings but that too went unread, and the sender unnamed. More later...

Jerry Wetta – mentioned there has been a list of projects the town is considering under the umbrella of Economic Development. He strongly urged the council to prioritize that list and take a look at higher priority items before spending any money on such things.

The formal Agenda:

Item 1, Install a Splash Pad and Water Feature: The Mayor introduced this item with a lengthy opening statement which essentially set the tone for the remainder of the presentation, the council discussion, and the ultimate outcome. He mentioned various activities the town had and would pursue in their effort to spark economic development, the goal of which is to enhance the experience of downtown for residents. He stated we will notice a dramatically strengthened schedule of concerts, fairs and festivals, some of which are capable of becoming annual events. He mentioned the success of other venues with Splash pads, like Kierland, Desert Ridge, Mesa, Chandler, and Tempe.

The Town Administrator then took over and went on to say the Mayor had framed the issues very well. He continued with a presentation supporting 'concepts' alluded to in the Master Plan resulting from the Baker Group Study. We were once again reminded of all the services provided by the town, including 'free' fire protection – all without a Property Tax.

There was some discussion among the council but really no actual debate. Councilman Farrar had visited a number of locales and provided photos of other Splash Pads in the area noting that Desert Ridge, Kierland, and Scottsdale Quarter had no vertical water features and questioned the vertical water feature (Scorpion) proposed in Carefree, citing the potential for injury. Councilman Miller said he had

reviewed the experience of Fountain Hills. In the 5 years since installing their Splash Pad they had no injuries reported. He said no additional insurance was required and that he had vetted the two bidders on the project. The low bidder this time around was \$131,000 (in May of 2013, the low estimate was \$233,000). The only other bid submitted was for \$331,000 (remarkably close to the high estimate in 2013 of \$322,000, which I may have inadvertently stated as 332,000 in a prior email). Before putting the item to a vote, the Mayor allowed speakers who had submitted request slips.

Lana Hinchey – a mom from the area who said she represented a mom’s group [at one time with 140 moms] from the general area and was speaking in support of the Splash Pad, adding there are families with children in the area, they are everywhere. There are no bakeries or cafes here [Carefree] so her group can’t eat out. They go to Anthem, Fountain Hills [I think say also said Desert Ridge, but I missed part of that comment] She said that water is a big part of our culture here in Arizona and her group and their children have visited other Splash Pads, but hoped one would be installed in Carefree because it was closer.

Victoria Orrico – spouse of Councilman Orrico and partner with Michele Miller opening a new business across the street from the proposed Splash Pad. She mentioned that their business would be compatible with kids as well as adults and would offer art classes. She was in favor of the project and said she loved the Scorpion feature idea.

Al Swanson – a principal in Venues Restaurant, said he was very much in favor of Economic Development and appreciates all the effort the council is making.

Lyn Hitchon – stated that she and her husband have always supported the idea of a Splash Pad in Carefree. When proposed by Councilwoman Price in 2013, she and Herb did a video in Fountain Hills to help raise donations. *[As of this writing we are not aware of any donations having been received, so far.]*

Lyn then stated that Mr. Traynor had recently sent out a very incendiary and very one sided email asking people to oppose the Splash Pad, yet had received only 12 email in reply. *[You received the email and therefore are a in a far better position to judge than Ms. Hitchon.]*

John Traynor – when called by the Mayor I said I didn’t know if I could get up because I had just been wounded. *[Everyone seemed to get a chuckle from my attempt to lighten the mood.]* I have never been in favor of a Splash Pad in Carefree. My comments began with a thanks to Gary (Town Administrator) for his presentation especially for mentioning a Property Tax once again, as well as ‘free’ fire protection. Since Gary had cited dollar figures that residents would have to spend in Carefree to

make up the equivalent of their payment to Rural Metro in collected sales tax, I thought I should mention that it would take \$6,550,000 in additional gross spending in Carefree for the town to recover its investment of \$131,000 on the Splash Pad. No known contributions or donations had been received, as of Tuesday evening.

Councilman Miller did not seem to agree with my comment that Rural Metro was now receiving twice as much income than prior to the town contract, so he interrupted me *[he must have missed the Mayor's request to allow people to speak]* and said that 75% of residents paid. *[There is that percentage thing again.]* In point of fact, the % was probably 70-73% but Rural Metro received about \$730K in **annual revenue** then versus about \$1.4M now. *[Facts never stand in the way of interruptions when a resident is speaking.]*

I stated that I was impressed with the manner in which the Baker Group study and presentations were conducted. However, their Master Plan for Carefree never specified a Splash Pad, although they did mention fireplaces and gateways. Their Survey of our 'market area' *[449 respondents, 283 of which were Carefree residents]* identified the top five things both residents and outsiders wanted in Carefree. Each group identified the same five items *[though in slightly different order]*: Restaurants, Specialty Food Stores, Movie Theater, Bakery, and Live Theater.

Since it was abundantly clear the council was going to approve the expenditure for a Splash Pad, I mentioned that the two bids were not exactly an apples-to-apples comparison, especially considering the huge difference in cost. I acknowledged that Councilman Miller works very hard on behalf of the town and I applaud his efforts. The fact is that there will be 1,000 sf of 'wet' concrete and another 580 sf of 'dry' concrete (as a border around the Splash pad) for a total of approximately 1,600 sf of new concrete within the Gardens. The low bid calls for a 4" depth of concrete, the higher bid 6". There were other differences like the number and size of pumps, the 1,200 gallon holding tank versus a 3,000 gallon tank, etc. One would expect all bids to adhere to the bid specifications provided by the municipality. Bids (and bidders) that don't meet the specifications are typically thrown out.

I thanked the council and returned to my seat, but Councilman Miller once again took issue with my remarks, which he referred to as criticism. Condescending tone aside, he felt compelled to tell me I was not part of the process and that I didn't know anything about bids, at best a clueless assumption. When admonished by another councilman for shouting while addressing a resident, Councilman Miller went on to tell all within earshot that I was a CAVE person *[a derogatory term used by the elected minority to describe residents who disagree with their spending plans.]*

[As an aside to the meeting summary I should add that Councilman Miller, in fact the only councilman to exhibit such behavior, has an unfortunate and unpleasant habit over the past years of interrupting any speaker he chooses and attempts to belittle

many of them in a most rude manner. I often wonder about whatever happened to the oft repeated mantra in council meetings of the past, "agree to disagree without being disagreeable." I suppose the term disagreeable is a subjective presumption.]

Lou Matucciak (sorry for the spelling, one hearing aid was in for repair) – Since I could not hear much of his comment, I'll just say that he loved spending time and walking with his grandchildren who might not always enjoy it as much as he did. A Splash Pad will make a big difference, since they like to run through water and get wet. He took a survey of his grandchildren and they were 100% in favor! *[As they should be]*

Irmagard Hayward – *[sound was a big issue, as it was in the recording]* she did not seem to be in favor of the Splash pad, but I could be mistaken. She did say she knows most residents don't care for the Splash Pad. She regretted having to drive 8 miles outside of Carefree for lunch and wished she could get lunch here.

Lyn Hitchon, again - wanted to add that she eats lunch out every day, mostly in Carefree and that there were many great restaurants in Carefree.

Gary Hayward – Like Jerry Wetta who spoke earlier, he is a member of the Long Range Financial Planning Committee, as he was in 2012. He said he hoped the Splash pad works, but he doesn't believe it will. He added, "I'm from Missouri" *[implying, show me]*. He complimented the council and town staff for their work in general but with limited time and money, the town should focus on more important items. He went on to point out that a Splash Pad was the lowest priority of the items noted in the Survey *[the survey in which 10 of 50 people favored a Splash Pad.]* Gary then summarized his observations on how amenities in Carefree have been utilized. He stated it is a waste of money to spend for things they aren't used, so he opposed it.

There were no other speakers.

The Mayor asked if there were any other questions or comments from the council. Councilman Farrar asked why the proposed Splash Pad was shaded, adding that would be like shading a pool. Gary's response is essentially inaudible on the recording and I was burned out taking notes on the subject.

BTW, congrats to Councilman Farrar who recently became a grandfather.

When all was said and done, the vote was 7 – 0 to approve the Splash Pad.

Councilman Farrar explained his vote by saying he did not consider the Splash Pad as Economic Development but it might be an indirect benefit to businesses. Although he had reservations regarding the Scorpion and the shading, he was voting in favor.

Item 2, Install Two Gas Fireplaces: Gary made a presentation, once again referencing the Baker Group study and displayed both the design and placement of two fireplaces, one on the south side of the Gardens (#1), at Lucky Lane near the Tea Room and one off to the far east side (#2), across from the Sun Dial. Councilman Farrar inquired why that specific east side location was selected, instead of a location a little more west and closer to the Sun Dial. *[It does seem to be an odd location]* As discussion continued the mayor assured everyone that various people from the council and staff had walked the entire area and had selected the most appropriate locations. Other questions related to which side of the fireplaces would be open and whether the fireplace should be open on both front and back.

After further discussion, and photos of similar arrangements in other jurisdictions provided by Councilman Farrar, the plan was approved 6 – 1. Councilman Farrar explained his no vote by saying he supported the concept of installing fireplaces, but could not agree with the location of #2, on the far east side, outside the Gardens.

Item 3, IGA with AZ Dept. of Revenue to Collect Privilege (Sales) Tax: This was a fairly long, legal agreement which essentially gave the Arizona Department of Revenue the authority to collect our Local Sales tax. Not much discussion and no one spoke. Approved 7 – 0.

Item 4, Adjournment: The meeting was adjourned at approximately 6:42PM.

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Respectfully submitted by Jim Van Allen and John Traynor

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