

**TOWN OF KEARNY  
REGULAR MEETING MINUTES**

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEARNY,  
ARIZONA, AT THE KEARNY TOWN HALL LOCATED AT 912-C TILBURY DRIVE  
ON MONDAY, FEBRUARY 15, 2016, AT 7:30 P.M.**

**COUNCILMEMBERS PRESENT**

Mayor	Sam Hosler
Vice Mayor	Daniel Radcliffe Sr.
Councilmember	Lana Dalton -Telephonically
Councilmember	David Herrera
Councilmember	Nancy Hinojos
Councilmember	Sheila Stephenson

**TOWN STAFF PRESENT**

Town Manager	Anna Flores
Town Clerk	Cathy Woolery
Town Attorney	Steve Cooper -Telephonically
Interim Chief of Police	Dave Blue

**VISITORS PRESENT**

Rosalind Padilla	Joe Weller
Gwen Dinwiddie	Mike Dinwiddie
Carol Lewis	Nina Yardley
Mary King	Tino Flores
Debra Sommers	

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Hosler called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

**INVOCATION**

Pastor Nina Yardley of the Church of the Good Shepherd delivered the invocation.

**ROLL CALL**

Mayor Hosler requested Town Clerk, Cathy Woolery, to call the roll. Quorum was present.

**APPROVAL OF MINUTES**

**Motion** by Councilmember Stephenson, **second** by Councilmember Herrera to approve minutes from January 18, 2016 Regular Meeting. **Vote** - All members voted in favor. **MOTION PASSED.**

**CALL TO THE PUBLIC**

Gwen Dinwiddie asked about the options of the Town taking on the Pinal County Building and the status of a third option as two options were proposed before. Mayor Hosler explained the third option was presented to Pinal County, but we have not received a final decision yet from Pinal County on the building. Mike Dinwiddie requested a strengthening of an ordinance

regarding barking dogs as he continually hears a barking dog which is located on Essex. He hears complaints all over town about barking dogs. A citation can be issued but what happens after the citation is issued is not correcting the barking dog issue. Councilmember Herrera expressed that barking collars have been suggested as an option to residents in the Valley area. Mike Dinwiddie stated barking collars basically will not solve the problem as the owner may not want a barking collar on their dogs. Neighbors also have complained and are irritated with the situation. The problem is with dogs all over the town not just the one dog. Mayor Hosler requested Town Manager Anna Flores follow up with Interim Chief Blue to work out the process after the citation is issued.

**REQUEST OF COPPER BASIN CHAMBER OF COMMERCE TO USE PIONEER PARK FOR PIONEER DAYS AND ROAD CLOSURES FOR THE PIONEER DAYS PARADE**

Town Manager Anna Flores provided background information. Rosalind Padilla stated she does not know if the permit has been approved from ADOT but the two routes have been requested in case the permit is not approved. There are requesting either of the two routes. Mayor Hosler asked what the difference is between the two road closures. Rosalind Padilla explained with one route the parade starts up and goes down, and the other route the parade starts down and goes up.

**Motion** by Councilmember Stephenson, **second** by Councilmember Herrera to approve the use of Pioneer Park for Pioneer Days and/or depending on the permit the road closure for the parade. **Vote** – All members voted in favor. **MOTION PASSED.**

**REQUEST OF RAY UNIFIED SCHOOL DISTRICT TO USE PIONEER PARK AND BALL FIELDS**

Town Manager Anna Flores provided background information for this item.

**Motion** by Councilmember Herrera, **second** by Vice Mayor Radcliffe to accept the request of Ray Unified School District to use Pioneer Park and ball fields. **Vote** – All members voted in favor. **MOTION PASSED.**

**ORDINANCE NO. 16-199 – ORDINANCE PET WASTE, THE PENALTY THEREFROM AND DECLARING AN EMERGENCY**

Town Manager Anna Flores provided background information for this item. Councilmember Herrera commented that he does not believe the Town has the jurisdiction to create a law in reference to cats because of their status as feral animals. Town Attorney Steve Cooper explained this is an ordinance is for the owners who are walking their dogs and exercising them, asking them to clean them up, and if not they face a penalty. You cannot cite if you do not have ownership. Mayor Hosler stated we could amend the ordinance and remove cats. Councilmember Herrera expressed that he would just want more clarification. Mayor Hosler called for the vote on the ordinance without amendment.

**Motion** by Councilmember Stephenson, **second** by Councilmember Hinojos to adopt the ordinance pet waste to add code section 6-1-3-E. **Vote** – Vice Mayor Radcliffe, Councilmember Dalton, Councilmember Hinojos, Councilmember Stephenson voted in favor. Councilmember Herrera voted not in favor. **MOTION PASSED.**

**COMMUNITY DEVELOPMENT BLOCK GRANT SERVICES CONTRACT**

Town Manager Anna Flores provided background information for this item. She explained this is the basic contract for the beginning of the grant that we have to adhere to which is the administrative work. Mayor Hosler commented the organization is a good organization to have a contract with.

**Motion** by Councilmember Stephenson, **second** by Vice Mayor Radcliffe to accept the Community Development Block Grant services contract. **Vote** – All members voted in favor.  
**MOTION PASSED.**

**POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF AN IGA BETWEEN THE TOWN OF HAYDEN AND THE TOWNS OF KEARNY, WINKELMAN, AND MAMMOTH**

Town Manager Anna Flores requested Mayor Hosler provide an update on the status of the Police Coalition. Mayor Hosler summarized the Task Force has been working very hard having 3 hour meetings, looking at facts and figures, and various options. There is now a complete inventory for all police departments. Discussion has been initiated with Pinal County regarding the radio tower. Mammoth already had a grant, and a new communication tower is being erected which will result in some cost savings. Mayor Hosler spoke about unifying all the police departments to include details such as holidays, overtime, etc. Focus has been on providing better training for officers, better service, and logical structured command with one police chief, three sergeants, and number of officers to meet affordability. Estimated \$1.8 million for the coalition for all four towns which is not that much more that each town is spending separately with a lower quality of police department. Part of that cost, approximately \$300K, is for new communication system that is outdated and will need to be replaced anyway. Meeting for Coalition is this Wednesday. The intergovernmental agreement before the Council with Hayden is an idea for a chief when Interim Chief Blue has to leave. The group is asking for the IGA between Kearny, Hayden, Winkelman, and Mammoth to provide one chief to serve the four towns as the coalition program is developed for acceptance or rejection. Councilmember Hinojos asked what the salary was for the IGA chief position. Mayor Hosler stated he believes it is around \$60K. Mike Dinwiddie asked if there is someone they have in mind for the position. Mayor Hosler expressed there are applicants that Hayden has and had previously advertised. Kearny also had advertised and can combine the applicants and look at all the candidates. The choice would be made in full consultation with the other towns with each of Hayden, Mammoth, and Kearny paying 1/3 of the cost. Councilmember Stephenson asked if the chief could be from Kearny as the IGA states the chief is from Hayden. Mayor Hosler stated the agreement stated in the IGA would be a chief for all four communities. Vice Mayor Radcliffe stated the way he understands the IGA is that the Town of Hayden will be making the decision on picking the chief. Councilmember Stephenson stated that is the way she also reads the agreement. Mayor Hosler stated yes in terms of legal process, but in terms of working it out there will be consultation between the four towns. Mayor Hosler asked if Sergeant Blue could also address Vice Mayor Radcliffe's question. Sergeant Blue stated Hayden will be the umbrella as far as management. Vice Mayor Radcliffe stressed that the agreement for six months states that "Hayden will provide a commissioned employee from Hayden to serve as the interim chief". He stated that means for the six month period Hayden will be the one that picks the chief that serves the four towns. Sergeant Blue stated again Hayden will be the umbrella. Vice Mayor Radcliffe

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and Councilmember Stephenson explained that is not what the IGA is saying. Mayor Hosler stated that it does state that Hayden agrees to assign a chief on a full-time basis as the chief of police for the Towns, in plural. Sergeant Blue expressed that he sees Vice Mayor Radcliffe's point that maybe the wording needs to be changes for technical and legal interpretation, and state that Kearny, Hayden, Winkelman, Mammoth have input to the selection of the chief, but the chief remains under one town. Vice Mayor Radcliffe asked about the application process. Town Manager Anna Flores said that she understood that Hayden is already in the process, and you will be able to interview the same chief that they are looking at. Vice Mayor Radcliffe asked if we have applicants also then will none of them be looked at. Town Manager Anna Flores explained they are already in the background stages at Hayden with the candidate, but we can look at the applicants we have. Mayor Hosler stated the main reason for choosing Hayden is that they are further along in the process which will result in the chances of us having a positive result sooner and not having a period of time without a chief at all. Councilmember Stephenson explained she thinks it is the way the agreement is worded. Councilmember Hinojos asked if the chief they are hiring knows the salary that is being offered, and also that he will be in charge of all four communities. Mayor Hosler stated yes. Also, Councilmember Hinojos explained if Hayden might increase the salary then each town will be stuck with one third of the salary. Vice Mayor Radcliffe stated the salary needs to be in writing before they sign it. Mayor Hosler said he somewhat regrets the time issue, because he does not want have a period of time without a chief. Vice Mayor Radcliffe said we want to make sure we have the right chief though. Mayor Hosler stated this would be for six months as this is a provisional situation. Vice Mayor Radcliffe said you could get a bad chief for six months. Mayor Hosler stated then you can get rid of them. Councilmember Stephenson mentioned again she feels it is the wording of the whole agreement that it basically is written to say the chief will be selected by Hayden. Mayor Hosler stated they did that deliberately just to speed the process along, and he trusts the task force judgement and the way they have been working together. Councilmember Herrera suggested changing the wording on Section 1 to say "the purpose for the agreement is to financially provide, and Hayden hereby agrees to select a commissioned candidate to serve as the interim chief for all the towns". Mayor Hosler personally feels that the "from Hayden" is confusing the matter as the person will not most likely not be "from Hayden". Councilmember Herrera stated we can vote on it subject to an amendment. Vice Mayor Radcliffe stated that they could just vote on it the way it is as he thinks it needs to be redone. Mayor Hosler stated someone can make a motion, someone can second it, and that will put it in discussion. During the period of discussion we can move to amend and then vote on the amended motion. Vice Mayor Radcliffe made a motion that we deny the intergovernmental agreement between the towns of Kearny, Hayden, Winkelman, and Mammoth. Mayor Hosler asked if that is the motion he truly wants and if he doesn't think haven't a common police chief after interim chief blue leaves is not a good idea. Councilmember Hinojos seconded the motion. She stated the agreement needs more clarification as Hayden does not even have this on their agenda for this month. She questioned why Kearny is the first as Hayden is responsible and they set the expectations and then we agree with them. Councilmember Stephenson said she also thinks we need to be part of the selection process and again the wording is not correct in the agreement. Mayor Hosler reiterated that the motion and the second have been made to not approve the document and asked for any further discussion. Mayor Hosler apologized regarding any misstatement or misinformation regarding the agreement. He expressed there may be a possibility of having time without a chief after Interim Chief Blue has to leave. Councilmember Herrera expressed the document is a document

between the towns where misinterpretation may happen; however, he has faith in the process itself that we could have amended the document and fundamentally will work in partnership with the towns. He believes denying the agreement is showing no faith. Mayor Hosler stated this agreement could come back around again. Councilmember Hinojos expressed she also believes in partnerships, but the purpose is to take care of our community in working with realistic numbers for all departments. Each Town is hurting regarding budget and need to support all departments in the Towns, not just the police department. Mayor Hosler stated we may not have anything if we don't have adequate police care, but maybe the agreement will come back. He also stated the motion could have been put on the table adhering to bylaws of meetings, a change could be proposed, and then can vote on it as it has been changed.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to deny the IGA between the Town of Hayden, and the Towns of Kearny, Winkelman, and Mammoth. **Vote** – Vice Mayor Radcliffe, Councilmember Dalton, Councilmember Hinojos, and Councilmember Stephenson voted in favor. Mayor Hosler and Councilmember Herrera voted not in favor. **MOTION PASSED.**

#### **INFORMATIONAL ITEMS**

Town Manager Anna Flores notified the Council of a plaque to be order for Jeff Ramirez which will be placed inside the Council chambers, and the Council will have input on the final choice. The training for the employees for the Inmate Program will be on February 18, 2016 at Constitution Hall. Sgt. Gonzales will attend the March 21, 2106 Council Meeting to explain the program. We will have the ASU group from School of Sustainability here for the Design Workshop February 24, 2016 at the Church of the Good Shepherd, Ray Hall, from 2 – 4:30 pm. They would like the public input for this work session for the Kearny Restoration Project for mitigation and flood control and hopefully to put in a park. Also, the Town has been working with Bill Dunn and the Winkelman Natural Resource Conservation District, Core of Engineers, Arizona State Forestry, ASARCO, and other stakeholders. Pioneer Days are Wednesday through Saturday, March 23rd through March 26, 2016 with the parade on Saturday. Council will be riding on the float and needs to meet at Mayor Hosler's residence Saturday morning at 9:15 a.m. Thank you to Vic Lewis for use of his trailer again. The Easter Egg Hunt will be before the parade on Saturday, March 26, 2016 starting 8:30 a.m. Volunteers are welcome.

#### **REPORTS**

Mayor Hosler asked if there was any discussion on the reports. He commented on the police report. Interim Chief Blue expressed they will be researching grants for the EMS ambulance but not applying at this time. A grant will be opening up in November. The town staff car is also completed at approximately \$1,300. There is also a car with no engine that was parted out and will be considered for salvage. A mechanic wants the car and he will try to get that approved next month. Also, the opening of the casino will play a part of the grant process. Vice Mayor Radcliffe reported on the new hangar at the Kearny Airport which is almost complete.

**Motion** by Councilmember Stephenson, **second** by Vice Mayor Radcliffe to accept the reports. **Vote** – All members voted in favor. **MOTION PASSED.**

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**ADJOURNMENT**

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Stephenson to adjourn. **Vote** – All members voted in favor. **MOTION PASSED.** Meeting was adjourned at 8:39 p.m.

  
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Sam Hosler, Mayor

  
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Anna Flores, Town Manager

ATTEST:

  
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Cathy Woolery, Town Clerk