

**TOWN OF KEARNY  
SPECIAL MEETING MINUTES**

**A SPECIAL MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEARNY, ARIZONA, AT  
THE KEARNY TOWN HALL LOCATED AT 912-C TILBURY DRIVE ON  
TUESDAY, FEBRUARY 16, 2021, AT 7:00 P.M.**

**COUNCILMEMBERS PRESENT**

Mayor	Jamie Ramsey
Vice Mayor	Daniel Radcliffe
Councilmember	David Herrera
Councilmember	Nancy Hinojos
Councilmember	Rudy Flores

**TOWN STAFF ABSENT**

Councilmember	Samantha Misita (Telephonically)
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**TOWN STAFF PRESENT**

Interim Town Manager/Town Clerk	Martina Burnam
Town Attorney	Stephen Cooper
Police Chief	Wallace Kenney
Payables Clerk	Amanda Kenney
Fire Chief	Kenney Piggott
Public Works Director	Ray Camacho

**VISITORS PRESENT**

Susan Middaugh	John Bartlett
Bishop Brian Coleman	James Ruiz
Jenney Coleman	Corey Bonser
Stephen Brideau	Unknown Person

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Jamie Ramsey called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

**INVOCATION**

Bishop Brian Coleman from Church of Latter-Day Saints

**ROLL CALL**

Mayor Jamie Ramsey requested Interim Town Manager/Town Clerk, Martina Burnam, to call the roll. Quorum was present.

**APPROVAL OF MINUTES**

Regular Meeting January 18, 2021  
Special Meeting January 29, 2021  
Special Meeting February 4, 2021

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos Approve the Regular Meeting January 18, 2021; Special Meeting January 29, 2021; and Special Meeting February 4, 2021 minutes. **Vote** –Mayor

Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED**

**CALL TO THE PUBLIC**

Susan Middaugh thanked the Town for keeping the ambulance in town.

Cory Bonser asked if the town can have another internet provider in town to give the town's another option. How will they go about that with the town? Get your licenses and solicitor's license. They are wanting to place cable through town and they will need to bring a license agreement to Town Council for approval.

John Bartlett thanked the Town Council for taking action regarding his last complaint. He asked that the agendas be placed on the window of the Town Hall because he and others didn't realize the meeting was cancelled due to the Holiday. It was explained that the agenda is posted inside the office, library and post office at least 24 hours prior to the meeting. However, we will begin taping up the window with the agenda.

**NEW BUSINESS**

**DISCUSSION AND POSSIBLE APPROVAL OF PROCESS TO FILL THE COUNCIL SEAT OF RECENTLY DECEASED COUNCIL MEMBER ROSE BRADFORD**

The Town of Kearny will advertise for letters of interest to fill the unexpired term of Rose Bradford pursuant to Kearny Town Code 2-1-4. The Town Council will advertise for a period of time and fill the position at the next regular council meeting.

**Kearny Town Code: Section 2-1-4 Vacancies in Council<sup>1</sup>**

The council shall fill by appointment for the unexpired term any vacancy that may occur for whatever reason.

**Arizona State Revised Statute: 9-235 Vacancies in council**

A. The council shall fill a vacancy that may occur by appointment until the next regularly scheduled council election if the vacancy occurs more than thirty days before the nomination petition deadline, otherwise the appointment is for the unexpired term. This subsection does not apply to a charter city.

B. The member appointed shall meet the qualifications established in section 9-232.

The council seat will fill the term until next elections. The Town of Kearny will then hold a special election where the position will be set for re-election for a 2-year term.

It is recommended to approve the advertising for letters of interest to fill the unexpired term of Rose Bradford pursuant to Kearny Town Code 2-1-4 for a period of 3 weeks with a due date of March 9<sup>th</sup>, 2021 at 5 pm.

**Motion** by Councilmember Herrera, **second** by Councilmember Flores to Approve the advertising for letters of interest to fill the unexpired term of Rose Bradford pursuant to Kearny Town Code 2-1-4 for a period of 3 weeks with a due date of March 9<sup>th</sup>, 2021 at 5 pm. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe,

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<sup>1</sup> A.R.S. § 9-235.

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Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

### **DISCUSSION AND APPROVAL OF THE SELECTION OF WHICH STREETS TO BE REPAIRED AND THE QUOTES PROVIDED BY IMPACT ASPHALT**

Updated quotes from Impact Asphalt for repairing the streets of the Town of Kearny. These quotes were gathered originally in 2019 for the Pinal County Regional Transportation Authority 5 Phase Streets Repair Plan for the Town of Kearny. These quotes are ballpark figures and may not include manhole access and other costs.

With about \$600k in County Excise Tax Fund and about \$250K in Highway User Revenue Fund, the Town of Kearny can begin working on the streets.

Public Works Director Ray Camacho and Impact Asphalt owner Ed Becerra are here for recommendations and questions.

Mayor Ramsey asked what would we be starting first? Public Works Director Camacho stated I think we still have the original plan in the file, but that needs to change as our street repair needs have changed. The streets right now needing repairs are on Alden from the crosswalk by the old bank of the west to Tilbury, Tilbury from the Highway to the section that was repaired last year, Veterans Way to the Sherriff's Posse corrals, Emery St completely and the 300 block of Hartford. Then include the manhole and other costs that need repair.

Vice Mayor Radcliffe asked about the two different options previous sent, is that an option as well. Impact Asphalt Owner Ed Becerra stated the new quoted streets are probably needed first. Vice Mayor Radcliffe was clarifying the streets again. Both Public Works Director Camacho and Asphalt Impact Owner Becerra confirmed it. The only changes in the quotes would be for the manholes and little adjustments.

**Motion** by Vice Mayor Radcliffe, **second** by Mayor Jamie Ramsey to Approve the quote from Impact Asphalt to repair the streets quoted Tilbury (Highway to previous repair), Alden (Tilbury to crosswalk), 300 Block of Hartford, Veterans Way (Elks Lodge to Sherriff's Posse corrals entrance), Emery Dr (Veterans Way to Yard) for the Town of Kearny. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

### **DISCUSSION AND POSSIBLE APPROVAL OF A UNIFORM VIDEO SERVICE LICENSE AGREEMENT BETWEEN THE TOWN OF KEARNY AND CABLEONE, INC. DBA. SPARKLIGHT TO PROVIDE ACCESS TO RIGHTS OF WAY TO CONSTRUCT THEIR FACILITIES**

Stephen Brideau, of CableOne Inc. dba. Sparklight, was present to answer any questions Town Council had regarding a service license agreement between the Town of Kearny and CableOne Inc. dba. Sparklight.

Mr. Brideau General Manager for CableOne Inc. stated they received work from Gila County, who received a grant for broadband installation. They saw it was more advantageous if they came through Kearny to Hayden/Winkelman, where they can provide services for the Town of Kearny as well. Regulated by FCC

they must follow the knew state law to have Service License agreements with the towns they will be placing any equipment and selling (or providing) broadband. They have licenses through Pinal County and Superior. They need the Town of Kearny's permission to pass through. It's a combination of underground and poles. Whatever the shortest route would probably be straight down the highway.

James Ruiz Owner of CNSI asked to comment on this. He suggested, as a provider in the area, he has worked with CableOne before. He would strongly recommend approving this. CableOne works with other providers and allow their own service more robust. They deliver wholesale prices to other providers.

Brideau says they pride themselves in helping other internet providers. Cable television and been in Arizona for over 60 years.

Town Attorney Cooper stated the form provided was created by the attorneys from AZ League of Cities and Towns. What you need to be made aware of, this is for a 10-year term. If they do not have any customers within 24 months, the license will automatically terminate. The Town would get 5% fee for the use of the Public Right of Way, within the Town limits. Having more options in the neighborhood will help with Economic Development and give local students the same types of opportunities of those in a metropolitan area.

**Motion** by Councilmember Hinojos, **second** by Vice Mayor Radcliffe to Approve a Uniform Video Service License Agreement between the Town of Kearny and CableOne Inc., dba. Sparklight to provide access to rights of way to construct their facilities. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

**DISCUSSION AND POSSIBLE APPROVAL OF A CHANGE TO THE TOWN OF KEARNY EMPLOYEES PAID HOLIDAYS**

The Town of Kearny holidays paid to the town's employees and the Town of Hayden of the holidays paid to their town's employees was provided for Town Council to review. It was brought to the Town's attention that 2 Holidays are not listed and should be on the list:

Not on the list for the Town of Kearny Paid Holidays are: Martin Luther King Jr. Day and President's Day. Interim Town Manager Martina Burnam was told from prior town manager that the Town exchanged those 2 holidays plus Columbus Day for the day after Thanksgiving, Christmas Eve and New Year's Eve.

This is a list of Federal Holidays:

<b>Holiday Name</b>	<b>Day of Week</b>	<b>2021 Observed Date</b>
New Year's Day	Friday	January 1st, 2021
Birthday of Martin Luther King, Jr.	Monday	January 18th, 2021
Washington's Birthday	Monday	February 15th, 2021
Memorial Day	Monday	May 31st, 2021
Independence Day †	Monday	July 5th, 2021
Labor Day	Monday	September 6th, 2021

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Columbus Day	Monday	October 11th, 2021
Veterans Day	Thursday	November 11th, 2021
Thanksgiving Day	Thursday	November 25th, 2021
Christmas Day †	Friday	December 24th, 2021

† When a holiday falls on Saturday or Sunday, most employees observed the holiday on the previous Friday or following Monday

As an added benefit to employees, it is recommended adding the two Holidays Martin Luther King, Jr. Day (or Birthday of...) and President's Day (or Washington's Birthday) beginning in 2022.

Mayor Ramsey thinks it is important that our employees get similar holidays off that other towns are getting. Town Clerk Burnam advised it will increase the salaries some. Councilmember Hinojos asked the police correct? Town Clerk Burnam stated police and public works departments.

Councilmember Herrera asked if the Town would be going from 10 to 12 holidays? Yes, confirmed Town Clerk Burnam. Councilmember Herrera asked if the Town employees are currently getting the Day before Christmas and Christmas? Yes, confirmed Town Clerk Burnam. Town Clerk Burnam reminded them on the letter it is the Federal list of Holidays they are looking at. The other lists were provided separately.

Councilmember Hinojos stated we don't want to take away their days they already have. It would be nice to give them those 2 federal holidays on top of the ones they observe now. Councilmember Hinojos stated she contacted Winkelman and they observe 14 holidays.

Visitor Susan Middaugh asked Martin Luther King Jr. day and Presidents' Day were you wanting to add?

**Motion** by Councilmember Hinojos, **second** by Mayor Jamie Ramsey to Approve adding the two holidays Martin Luther King Jr. Day and Presidents Day to the employee paid holidays. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

**DISCUSSION AND POSSIBLE APPROVAL OF GILA RIVER MUSIC FESTIVAL REQUEST THE USE OF PIONEER PARK ON MAY 21ST – MAY 22ND 2021 AND COVID19 MITIGATION PLAN DESIGN**

Information from Jamie Ramsey requesting the use of Pioneer Park for May 21<sup>st</sup>- May 22<sup>nd</sup> 2021 for a Gila River Music Festival was provided for to the Council. Also included in the packet were Insurance and AMRRP liquor Liability Special Event Application, Map of the event, CDC guidelines and State Executive order for COVID19.

Jamie Ramsey is recusing herself from this vote. However, she is here to answer any questions.

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Vice Mayor Radcliffe asked Jamie to present her festival. Jamie state she had time slots for 14 different bands and food vendors, beverage vendors. It will bring people into the community, bring money into our communities and maybe possibly move into town.

Councilmember Herrera asked how many people do you anticipate attending. Jamie responded at least 500 people. Vice Mayor Radcliffe asked are you going to provide a liquor license. Jamie stated she still has to apply for the State license for the event. Vice Mayor Radcliffe asked will you have security? Jamie stated there is a plan in place for controlling the liquor purchases. There will be police as well. It will be fenced around the entire park and closed off. Vice Mayor Radcliffe asked about camping on the ball field. Jamie stated there would be dry camping. Public Works Supervisor Piggott stated there cannot be any driving on the fields, as there are sprinklers that can be damaged. It is 9 am to 11 pm both days.

Town Attorney Cooper stated the Risk Pool Insurance company have a Tulip program where event coordinators can purchase special liability coverage that is sufficient for the activity.

Visitor John Bartlett asked if Jamie took into consideration the number of cases of COVID in our area? Jamie stated yes, we will follow CDC guidelines, blocking off spaces for the family pod near the stage. The Town only has had 5% of their population has been positive, so the town is doing well. We will make sure if anyone is sick, they are not allowed into the event.

Councilmember Hinojos asked Jamie if she was in charge of this event? Jamie stated she was in charge of it. Jamie stated she created a foundation, the Arizona Rural Arts Foundation. So that we can bring cultural events into our community. Councilmember Hinojos asked how many volunteers does she have. Jamie stated she doesn't have any right now. Trying to get it all together before she can go out to the public to ask for assistance. Councilmember Hinojos stated even the garbage is a problem. Jamie said, she knows because she has worked with the chamber with Pioneer Days.

Public Works Director Camacho stated they could get it prepare down there. Chief Kenney stated there would probably be overtime. Town Clerk Burnam stated electric and water use would need to be covered. There is a cost to the Town for the lights as well. We charged for use of ball field lights. Vice Mayor asked Town Staff to research the cost of the electric and water use.

Councilmember Hinojos is a little concerned with this. Jamie stated, if they Town doesn't allow this, then she will go to private property and give them part of the money raised. Instead of the town. Councilmember Hinojos stated she thought it sound good with the plan of distancing. Jamie stated a carnival is more difficult to control than a family sitting down to watch a concert. With everyone getting their vaccines.

Councilmember Herrera we've had mask mandate problems. How would you handle it if someone doesn't want to wear a mask? Jamie stated they would be asked to leave or put a mask on. There will be people patrolling the areas making sure everyone is wearing their masks.

Chief Kenney stated if they don't leave when you ask them, then it could be considered trespassing and then police can intervene.

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Councilmember Hinojos asked if the area could be restricted? Town Attorney Cooper there is going to be restriction where the liquor garden will be, because the license will require that. If it is a special event, that is by invitation, and if they don't abide by the rules and regulations they can be removed from the area. Councilmember Hinojos stated that Jamie Ramsey will be responsible for the entire event.

Visitor Bishop Coleman stated 5 months from now, more people will be vaccinated. This is also just before graduation. So, there will be other gatherings happening as well.

**Motion** by Councilmember Hinojos, **second** by Councilmember Flores to Approve the Gila River Music Festival request for the use of Pioneer Park on May 21<sup>st</sup> through May 22<sup>nd</sup>, 2021 and COVID19 Mitigation Plan during the event. **Vote** –Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

### **DISCUSSION AND POSSIBLE APPROVAL TO BEGIN THE PROCESS FOR DESIGNATING THE TOWN OF KEARNY A COLONIA**

A Colonia designation is identified as a "...community in the U.S.-Mexico border regions of Arizona, California, New Mexico and Texas that is determined to be a Colonia on the basis of objective criteria, including lack of potable water supply, inadequate sewage systems, and a shortage of decent, safe, and sanitary housing. The border regions mean the area within 150 miles of the U.S.-Mexico border excluding Metropolitan Statistical Areas with populations exceeding one million." Once a community is designated as a Colonia, it is eligible for Community Development Block Grants (CDBG) set aside by the State of Arizona specific for Colonias.

Given to council was some information on Colonia designation and other examples of when a community became such a designated place.

Town Attorney Cooper has more information. He stated back in 2000 we did have Town Council approve the Colonia designation and it was approved. It was also taken to Pinal County and Pinal County designated the Town of Kearny as a Colonia. This also helps the Town be eligible to participate in the Rural Development agriculture grant program. Mammoth was able to get a \$7.5 million grant because they were designated a Colonia. There is not a better program out there to help repair your infrastructure. We do not need to redo the resolution, but will check if we need to.

Mayor Ramsey is grateful that we are already designated as a Colonia and can now begin looking for grant funding.

*No Action was taken as the Town of Kearny was designated as a Colonia in 2000.*

### **DISCUSSION AND POSSIBLE APPROVAL OF THE APPOINTMENT OF SHARON JAKUBOWSKI WOLZ AS TOWN MANAGER AND SETTING SALARY AS OF MARCH 1<sup>ST</sup> 2021**

Kearny Town Code Section 3-1-1 B states, "There are hereby created the offices of town clerk, town manager, chief of police, town engineer, town attorney, town magistrate and town fire chief, who shall be appointed by the Council, and who shall serve at the pleasure of the Council."

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Sharon Jakubowski Wolz was appointed by the Town Council as the Town Manager, along with setting a salary of \$70,000 annually, starting on March 1<sup>st</sup>, 2021.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Herrera to Approve appointing Sharon Jakubowski Wolz as the new Town Manager and setting her salary at \$70,000.00 annually beginning March 1<sup>st</sup>, 2021. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

### **DISCUSSION AND POSSIBLE APPROVAL ADDING MAYOR JAMIE RAMSEY BEGINNING FEBRUARY 16, 2021 AND TOWN MANAGER SHARON JAKUBOWSKI-WOLZ BEGINNING MARCH 1, 2021 AND AS OF FEBRUARY 16, 2021 REMOVING FORMER TOWN MANAGER JEFF MCCORMICK AND FORMER MAYOR DEBRA SOMMERS AS SIGNERS FOR THE TOWN OF KEARNY'S BANK OF THE WEST ACCOUNTS**

The Town of Kearny banks with Bank of the West. The Town of Kearny needs to get approval through minutes to add Mayor Jamie Ramsey as a signer to the account beginning February 16, 2021 and New Town Manager Sharon Jakubowski Wolz beginning March 1, 2021 and removing former Town Manager Jeff McCormick and former Mayor Debra Sommers to the Bank of the West accounts.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Herrera to Approve adding Mayor Jamie Ramsey beginning February 16, 2021 and Town Manager Sharon Jakubowski Wolz beginning March 1, 2021 and as of February 16, 2021 removing former Town Manager Jeff McCormick and Former Mayor Debra Sommers as signers for the Town of Kearny's Bank of the West Accounts. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Nancy Hinojos and Rudy Flores all voted in favor of the motion. **MOTION PASSED.**

### **INFORMATIONAL ITEMS**

#### **1. Library Advisory Board**

Town Council agreed to contact former board members, advertising and re-establish the library board.

#### **2. Rate Changes to Town Deposits and more**

A list was provided to the council of rates the Town currently charges for miscellaneous items like ramada rentals, pool fees, ballfield rentals, etc. The list will be brought to the next regular meeting for approval of changes and suggested amounts

#### **3. Letter to Ambulance Employees**

A letter informing the ambulance employees of the upcoming contract and resolution to eliminate the positions for the department. This would let employees know approximately when we will have a reduction in the workforce and not subject to appeals.

### **REPORTS**

#### **a. Kearny Police Department**



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**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to approve the reports from the Kearny Police Department. **Vote** –Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers David Herrera, Samantha Misita, Rudy Flores and Nancy Hinojos all voted in favor of the motion.

**MOTION PASSED**

**ADJOURNMENT OF SPECIAL MEETING**

Special meeting was adjourned at 8:09 PM

**Motion** by Vice Mayor Radcliffe **second** by Mayor Jamie Ramsey to adjourn the Special Meeting. **Vote** – Mayor Jamie Ramsey, Vice Mayor Daniel Radcliffe, Councilmembers Nancy Hinojos, Rudy Flores and David Herrera all voted in favor of the motion.

**MOTION PASSED.**

**MEETING OF TOWN OF KEARNY MUNICIPAL PROPERTY CORPORATION**

**1) CALL TO ORDER**

Director Dan Radcliffe called the meeting to order at 8:10 p.m.

**2) ROLL CALL**

Director Dan Radcliffe requested Interim Town Manager/Town Clerk, Martina Burnam, to call the roll. Quorum was present upon appointing President Jamie Ramsey and Director David Herrera.

**3) NEW BUSINESS**

**CONSIDERATION AND POSSIBLE APPROVAL TO APPOINT MAYOR JAMIE RAMSEY AS PRESIDENT OF THE TOWN OF KEARNY MUNICIPAL PROPERTY CORPORATION AND ADDING PRESIDENT JAMIE RAMSEY AS A SIGNER TO THE BANK OF THE WEST ACCOUNT AND REMOVING FORMER PRESIDENT DEBRA SOMMERS**

Mayor Jamie Ramsey must be appointed as President and David Herrera as a Director of the Town of Kearny Municipal Property Corporation (MPC).

The Town of Kearny MPC banks with Bank of the West. We need to get approval through minutes to add President Jamie Ramsey as a signer to the account and removing former Mayor Debra Sommers to the Bank of the West account.

**Motion** by Director Hinojos **second** by Director Flores to appoint Mayor Jamie Ramsey as President and as a Director and David Herrera as a Director for the Town of Kearny Municipal Property Corporation and adding as President and Director Jamie Ramsey as a signer and removing former President Debra Sommers to the Bank of the West accounts. **Vote** –President Jamie Ramsey, Directors Daniel Radcliffe, Nancy Hinojos, Rudy Flores and David Herrera all voted in favor of the motion. **MOTION PASSED.**

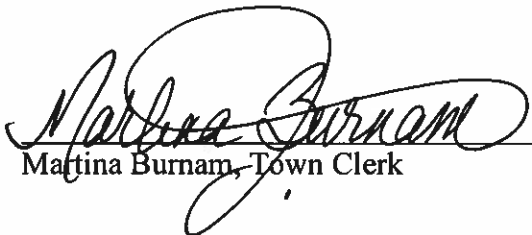
**ADJOURNMENT OF TOWN OF KEARNY MUNICIPAL PROPERTY CORPORATION  
MEETING**

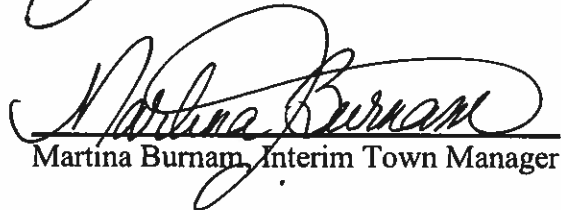
Meeting was adjourned at 8:14 p.m.

**Motion** by Director Hinojos **second** by President Jamie Ramsey to adjourn the Meeting of the Town of Kearny Municipal Property Corporation. **Vote** – President Jamie Ramsey, Directors Daniel Radcliffe, Nancy Hinojos, Rudy Flores and David Herrera all voted in favor of the motion. **MOTION PASSED.**

  
Jamie Ramsey, Mayor

ATTEST:

  
Martina Burnam, Town Clerk

  
Martina Burnam, Interim Town Manager