

**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
MONDAY, JUNE 29, 2020, AT 6:00 P.M.**

COUNCILMEMBERS PRESENT

Mayor	Debra Sommers
Vice Mayor	Daniel Radcliffe
Councilmember	Rose Bradford
Councilmember	Nancy Hinojos (Telephonically)
Councilmember	Rudy Flores
Councilmember	Samantha Misita (arrived at 6:03 pm)
Councilmember	Sheila Stephenson

TOWN STAFF PRESENT

Town Manager	Jeff McCormick
Town Clerk	Martina Burnam
Ambulance Supervisor	Lora Snow
Police Chief	Wallace Kenney
Accounts Payable Clerk	Amanda Kenney

VISITORS PRESENT

Pat Walker Consulting LLC.	Pat Walker
Nancy Kock	R.C. Armenta
Patrick Smith	Jeanne Smith
Riley Breneman	Darren Hatch

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Sommers called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL

Mayor Debra Sommers requested Town Clerk, Martina Burnam, to call the roll. Quorum was present.

APPROVAL OF MINUTES FOR:

Special Meeting May 11, 2020
Work Session May 20, 2020
Special Meeting June 8, 2020

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve the Minutes for Special Meeting May 11, 2020, Work Session May 20, 2020, Special Meeting June 8, 2020. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Samantha Misita, Rudy Flores, Rose Bradford, Nancy Hinojos and Sheila Stephenson all voted in favor of the motion. **MOTION PASSED.**

NEW BUSINESS

CONSIDERATION AND POSSIBLE APPROVAL OF THE FINAL TOWN BUDGET FOR FISCAL YEAR 2020-2021, APPROVAL OF AN ALTERNATIVE EXPENDITURE LIMITATION, AND SCHEDULING A PUBLIC HEARING DATE FOR THE PROPERTY TAX LEVY.

The final budget for fiscal year 2020/2021 sets the maximum amount that can be spent by the Town. The final budget becomes the Town's Alternative Expenditure Limitation, approved by voters in 2018.

Pat Walker presented an overview of the proposed budget and covered the details of the budget. The presentation concluded with a request for the Council to adopt the final budget. The Council then scheduled the Public Hearing for approval of the property tax levy, tentatively scheduled for Monday, July 13, 2020.

Councilmember Hinojos asked Consultant Walker what the biggest expense issue with the Ambulance is. Consultant Walker responded with Ambulance Salaries. Councilmember Bradford asked about the Ambulance billing and collections, if the Town can return to doing their own at a costs savings? The billing and collections are done by separate agencies and have their own percentages they charge. This would be something we would have to compare with salary and benefits to an employee taking over this job. Councilmember Bradford asked if the other Towns of Hayden and Winkelman were asked to help with the ambulance services? Accounts Payables Clerk Amanda Kenney responded with we do send to the Town of Hayden and Winkelman a percentage of calls/write-offs charges quarterly, along with Pinal County, ASARCO, Apache Sky Casino and Gila County. So far, we have received funds from ASARCO, a one-time assistance from Pinal County, Apache Sky/Gold Casinos and Resolution Copper, however, Hayden and Winkelman have not sent any payment assistance.

Councilmember Misita suggested we consider possibly starting a fire district, so that we can take advantage of funds more available to a fire district than a town's ambulance service. Councilmembers Misita and Bradford offered information for Town Staff to help follow-up on.

Councilmember Hinojos offered to help with trying to establish a fire district.

Councilmember Misita asked if we thought about raising our water rates? Mayor said that could be a possibility and we can look at that in August.

The Council held the advertised public hearing, setting the alternative expenditure limitation, presenting the primary tax levy and adopted resolution 20-04 in the amount of \$11,121,729, a .89% decrease from the previous work session, and gave final approval to the 2020-2021 Fiscal Year Budget.

Public Hearing Opened at 6:34 PM:

Public Ronnie when it comes to the ambulance of the services, what percentage of calls do not end in transportation and what percentage are covered by Medicare? Is it incumbent for the Town Council to inform the public of the process, where if you aren't transported and you called the ambulance, you can be charged? Lora Snow Ambulance Supervisor explained we have put in the paper a couple times and updated our forms to enlarge that statement and inquiring to the patient if they understand what they are signing.

Consultant Pat Walker, explained the levy the primary property tax for operations for the Town of Kearny for fiscal year 2020-2021 to \$125,976.00 does not require Truth in Taxation Notice. The current Tax Levy

Special Meeting

Page 3

June 29, 2020

\$2.2929 per \$100.00 of value will be decreased to \$ 2.1772 per \$100.00 of value due to the increase value of property and an increase in tax property bill.

Public Hearing is closed: 6:41 PM.

Motion by Councilmember Stephenson, **second** by Councilmember Flores by holding the advertised public hearing, setting the alternative expenditure limitation, presented the primary tax levy and adopted resolution 20-04 in the amount of \$11,121,729 approving the 2020-2021 Fiscal Year Budget. Setting a Public Hearing for Approval of the Property Tax Levy on Monday, July 13, 2020. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Sheila Stephenson, Rudy Flores, Rose Bradford, Nancy Hinojos and Samantha Misita all voted in favor of the motion. **MOTION PASSED.**

CONSIDERATION AND POSSIBLE APPROVAL OF A CONTRACT WITH PACE ENGINEERING TO EVALUATE THE WATER FILTRATION PLANT, GATHER DATA AND CONDUCT SYSTEM ANALYSIS OF THE PLANT, IN THE AMOUNT OF \$52,960, WHICH SHALL BE EXTRACTED FROM CDBG GRANT FUNDS THE TOWN RECEIVED.

A combination of CDBG and WIFA Grant Funds is expected to cover the expense of rehabilitating the Town's Water Filtration Plant. A portion of the \$278,268 in CDBG Funds the Town previously received will be used to cover the costs of the System Evaluation and Analysis.

The Town has not yet received a final estimate for the remaining work necessary to fully rehabilitate the Water Filtration Plant; however, PACE has committed to help the Town complete a WIFA Grant Request for the remainder of the Project's Expense.

Councilmember Bradford asked if there was a problem or a normal evaluation of the system? Town Manager McCormick responded it's a normal periodic maintenance and analysis. Councilmember Misita asked if the Reimbursable/Expenses are on top of the \$52, 960 or is that the exact amount and will they show their exact numbers? According to the Pace Scope and Compensation agreement, Task 00-Reimbursable/Expenses (T&E) To include all blueprinting, shipping, travel reproduction, and other miscellaneous direct project expenses. Reimbursables are invoiced separately at cost plus 10%.

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to approve the contract with PACE Engineering to Evaluate the Water Filtration Plant, Gather Data and Conduct System Analysis in the amount of \$52,960, which shall be Extracted from CDBG Grant Funds the Town Received. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Rudy Flores, Rose Bradford, Nancy Hinojos, Samantha Misita and Sheila Stephenson all voted in favor of the motion. **MOTION PASSED**

CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 20-05 AN APPLICATION FOR GRANT FUNDS TO THE AK-CHIN INDIAN COMMUNITY TO PURCHASE A MILO RANGE FIREARMS TRAINING SIMULATOR FOR THE KEARNY POLICE DEPARTMENT, IN THE AMOUNT OF \$15,190.

Police Chief Kenney is finalizing an application to request grant funding for a firearms simulation program used for firearms training and to improve law enforcement officers' efficiency of control with firearms while reacting to interactive simulations of scenarios commonly encountered by law enforcement officers.

Special Meeting

Page 4

June 29, 2020

The product vendor is MILO Range in Ann Arbor, MI.

Chief Kenney explained this is a system/tool that the Town of Kearny Police Department usually travels to other districts to do the simulation firearms training. It can also benefit the Town by providing a tool we can charge to other agencies who would like to use it for training.

Councilmember Bradford asked if the public can use it as well? Chief Kenney said it is something the public could possibly pay to use, under the instruction of the Kearny Police Department. The funds could possibly be used for maintenance of the equipment.

Councilmember Bradford thanked Chief Kenney for researching for grants to fund the Town's Police Department's equipment and systems every little bit helps.

Motion by Councilmember Misita, **second** by Vice Mayor Radcliffe to approve Resolution 20-05 and the Submission of and Application for Grant Funds to the Ak-Chin Indian Community to Purchase a MILO Range Firearms Training Simulator for the Kearny Police Department, in the amount of \$15,190. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Rudy Flores, Rose Bradford, Nancy Hinojos, Samantha Misita and Sheila Stephenson all voted in favor of the motion. **MOTION PASSED**

CONSIDERATION AND POSSIBLE APPROVAL OF A RESPONSE TO THE GOVERNOR'S JUNE 17, 2020 EXECUTIVE ORDER 2020-40 REGARDING WEARING FACE MASKS.

Mayor Sommers will facilitate a discussion and exchange of productive ideas about the Governor's Executive Order and the Statement Drafted by the Town to inform residents of Kearny's perspective on whether to require people to wear face masks or not.

Another response, in addition to the Statement published in the Copper Area News, is possible, though not necessary, the Council can give Staff direction on how they wish to proceed.

Mayor Sommers said we published a response in the Copper Basin News. The Town of Kearny believes the Town's residents should be encouraged to take any and all reasonable precautions, as they decide for themselves to make those decisions as individuals, parents and families.

The Town encourages everyone to continue with the CDC Guidelines of keeping a safe 6 feet distance, wash your hands, use hand sanitizer, avoid large crowds, stay home as much as possible.

We do have 11 cases of COVID 19 in the 85137 Zip code, which cover from Riverside/Kelvin to Stephens Trailer Park. There are only 8 active COVID19 cases in the 85137 Zip Code, 3 within the Town.

Councilmember Misita would like daily up to date numbers. Chief Kenney explained he has access to the Pinal County information and can get more accurate local numbers.

Lora Snow Ambulance Supervisor, the numbers are not accurate due to other agencies not joining in the Memorandum of Understanding with the county, to share accurate actual numbers.

Chief Kenney explained we do have a disinfecting fogger for the ambulance and office.

Special Meeting

Page 5

June 29, 2020

Public: Patrick Smith asked to define accurate. Are they sick? Are they a symptomatic? Are they alive? Are they dead?

Lora Snow explained if you test positive, you could be A-symptomatic, however, you are considered "Active". And should quarantine for 2 weeks. However, a person can still show signs of the COVID19 after the 2 weeks of being active with COVID19.

Public Response:

Patrick Smith asked if we have any statistical evidence that wearing masks stop the transmission of the COVID19? Because wearing mask is a political decision these days.

Councilmember Bradford said she wears a mask to protect the town and to protect her because she is going through treatments.

Patrick Smith says he is glad that Governor Ducey is not mandating that Town's require their residents to wear masks. One size does not fit all!

Councilmember Bradford said that is why we have it on the agenda this time to decide if we should mandate or not. So far, Mayor and Council have left it up to the residents to make their own informed decisions.

Nancy Koch says she disagrees with that. If we don't try at this point to put a stop to this now, we will be still be dealing with this next year. It is getting worse in Arizona. If you think a mask is uncomfortable, try a ventilator. You are doing this as much for yourself as for others.

Patrick Smith stated he is tired of being scared by media and doesn't think we should have to be told to wear a mask. We've been through so many other flus.

Councilmember Stephenson believes everyone in Kearny is responsible on their own to make decisions. IF they can't, then they need to stay home.

Town Manager McCormick said he spoke with Emergency Manager at Pinal County and he said the Health Dept and Governors decided to collate the data by Zip Codes because it's the smallest census unit that they could derive the data down to. He made the point to them that the numbers could be misleading because there are such large areas outside the municipality that shares the zip code.

Vice Mayor Radcliffe is his personal opinion, that we stay on the course we are on now. That we stay diligent and updated with the news and revisit this if we feel it becomes a necessary mandate in the future.

Councilmember Bradford thanked the Ambulance and Police Department for their hard work at keeping the community safe and informed. We are pretty safe here; we are elderly and we need to keep each other safe.

RC Armenta said he works in Globe, and he thinks it has to be a personal preference. We are going to have to do something to social distance and give schools time to prepare.

Special Meeting

Page 6

June 29, 2020

Darren Hatch asked how are you going to be controlling this if it is mandated?

Councilmember Misita said she has residents saying they need guidance on what to do? This is not going to go away until we do something. I choose to protect myself and my family, because it doesn't hurt to take that extra precaution.

Nancy Koch, what are the numbers that will make you decide to mandate this? Is it going to be death numbers because you are going to be responsible for that? The people that scare me are the ones on social media that say they don't care and will not use any precautions.

Councilmember Bradford said she doesn't think we would be responsible because we can't always be around to make them wear their masks, social distance or take other precautions.

Lora Snow Ambulance Supervisor said the problems with masks are people don't always wear their masks correctly. Also, hygiene is a top defense in helping to keep you safe. Washing hands, showering, washing clothes and masks.

Motion by Councilmember Misita **second** by Vice Mayor Radcliffe to take no action at this time Council believes the Town can make their own informed decisions to protect themselves and the Town. The Town Staff and Council will stay on top of news and information and shall revisit this at the next meeting, or should a need arise for an emergency meeting. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Rudy Flores, Rose Bradford, Nancy Hinojos, Samantha Misita and Sheila Stephenson all voted in favor of the motion.

MOTION PASSED

INFORMATIONAL ITEMS

Department Head Staff meeting was held with a successful feedback to help with communication.

Town Manager McCormick attended a webinar held by WRRRC Water Research Resources Center.

An Award Notification Letter from AZCARES FUND in the amount of \$248,901 was received.

A Statement from the Town of Kearny on Wearing Face Masks was sent to the Copper Basin News.

Copper Basin Railway will begin digging along the railroad tracks to minimize grass and weeds along their property.

A request to the public to refrain from using Fireworks for the Fourth of July was requested.

The Town Pool has grossed over \$12,600 in revenue since we opened June 1st, ASARCO donated \$4,000 to the pool. We applied to APS for \$5,000 and Resolution Copper for \$10,000.

Surfaces at the pool are disinfected every 30 minutes.

A Census 2020 request to the residents to fill out their Census 2020 Forms to help the Town with Federal Funds.

AZ League Virtual Conference to be held August 31-September 3, if Town Council is interested in attending.

Special Meeting

Page 7

June 29, 2020

ADJOURNMENT

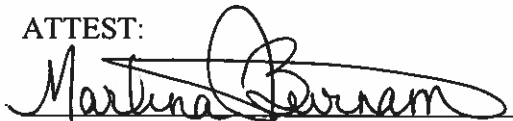
Motion by Councilmember Bradford **second** by Vice Mayor Radcliffe to adjourn the Special Meeting. **Vote** – Mayor Debra Sommers, Vice Mayor Daniel Radcliffe, Councilmembers Rudy Flores, Rose Bradford, Nancy Hinojos, Samantha Misita and Sheila Stephenson all voted in favor of the motion.

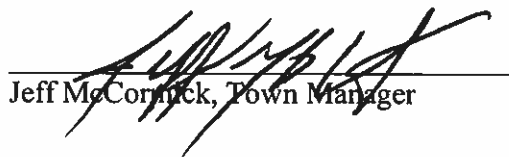
MOTION PASSED.

Meeting was adjourned at 7:35 p.m.


Debra Sommers, Mayor

ATTEST:


Martina Burnam, Town Clerk


Jeff McCormick, Town Manager