

**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 8, 2020, AT 6:00 P.M.**

COUNCILMEMBERS PRESENT

Mayor	Debra Sommers
Vice Mayor	Daniel Radcliffe
Councilmember	Rose Bradford
Councilmember	Nancy Hinojos (arrived at 6:20 pm)
Councilmember	Rudy Flores
Councilmember	Samantha Misita (Telephonically)
Councilmember	Sheila Stephenson

TOWN STAFF PRESENT

Town Manager	Jeff McCormick
Town Clerk	Martina Burnam
Public Works Director	Ray Camacho

VISITORS PRESENT

Doug Riggins	Gary Schooler
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CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Sommers called the meeting to order at 6:02 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.

NEW BUSINESS

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

On June 8, 2020 the Council was presented the tentative budget for fiscal year 2020-2021. The tentative budget sets the maximum amount that can be spent by the Town, which can be decreased before the final budget adoption, but not increased. The Total budget becomes the Town's Alternative Expenditure Limitation that was approved by the voters in 2018.

Pat Walker presented an overview of the proposed budget and she went into the details of the budget. On conclusion request for the Council to adopt the tentative budget and schedule the Public Hearing on the final budget for Monday June 29, 2020. Approval of the property tax levy must occur after the adoption of the budget and will be scheduled for Monday, July 13, 2020.

Motion by Councilmember Bradford, **second** by Councilmember Stephenson to approve the Tentative Town Budget for Fiscal Year 2020-2021 in the amount of \$11,332,783, Approve the Alternative Expenditure Limitation and schedule the Public Hearing Date for June 29, 2020 at 6:00 PM at the Town Hall in Kearny,

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AZ. Also, approve the Approval of Property Tax Levy on Monday, July 13, 2020 at 6:00 PM at the Town Hall in Kearny, AZ. **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 FIBER OPTICS CABLE FRANCHISE AGREEMENT WITH ZAYO GROUP, LLC, TO UTILIZE RIGHTS OF WAY WITHIN THE TOWN OF KEARNY FOR THE INSTALLATION AND CONNECTION OF FIBER OPTICS CABLE.

Zayo Group, LLC, is a telecommunications enterprise in Boulder, Colorado. Zayo was awarded funding to install infrastructure connecting broadband networks to schools in Pinal County.

Other communities in Pinal County have entered into an agreement with Zayo Group.

A Zayo Representative presented a draft of a franchise/right of way use agreement, and a map of the proposed fiber optic route. The newly built fiber route would end at the Kearny Library. A payment structure is also indicated in the agreement.

Councilmember Bradford asked where the funding is from? Zayo representative said it comes partially from the Federal government and from Arizona State matching program.

Councilmember Bradford asked if there is already an agreement with Ray Schools? Zayo representative said yes, they are just waiting for the approval from the Town.

Councilmember Hinojos asked where the closest hub will be to Kearny? Zayo representative said it would be located in Florence, however, there are 3 or 4 in Phoenix as well. The main station is in Phoenix.

Councilmember Misita asked if the school already has broadband? Zayo representative said they do have one, and it's a shared one with telephone and cable. The Zayo fiber optic is not shared so thinly. They work with large businesses or entities, not small business or residential. Zayo speed and capacity amount is higher quality. No slowing down on use because there is minimal sharing.

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to approve the Fiber Optics Agreement with Zayo Group, LLC to Utilize Rights of Way within the Town of Kearny for the Installation and Connection of Fiber Optics Cable. **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 AN AMENDED VERSION OF RESOLUTION NO. 2020-02, A RESOLUTION OF THE COUNCIL OF THE TOWN OF KEARNY, ARIZONA, DESIGNATING AN APPLICATION AGENT AND AN ALTERNATE POINT OF CONTACT FOR THE HAZARD MITIGATION PROGRAM WITH RESPECT TO THE CORONAVIRUS (COVID-19) PANDEMIC

The Arizona Department of Emergency Management (DEMA) requested the Town Manager be designated as the Town's Application Agent and Primary Point of Contact for the DEMA Hazard Mitigation Program. A Previous Version of the Resolution designated Pat Walker as the Application Agent. An Amended Version of the Resolution is offered for approval.

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve the Amended Resolution No. 20-02 designating Town Manager Jeff McCormick as the Town's Application Agent and Primary Point of Contact for the DEMA Hazard Mitigation Program. **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 GROUND LEASE AGREEMENT FOR A SHADE COVER FOR THE STORAGE OF AIRPLANES AT THE KEARNY MUNICIPAL AIRPORT; DESIGNATING THE LESSEES AS DOUG RIGGINS AND GARY SCHOOLER.

Doug Riggins built a hangar at the Town Airport and uses the hangar as the headquarters and aircraft maintenance facility for Riggins Aviation. Mr. Riggins and his business partner, Gary Schooler, are looking to construct a shade cover West of the existing Riggins Aviation hangar, to store two additional airplanes at the Kearny Airport.

A concrete foundation and a shade cover with open sides are planned. The foundation is expected to cover about 3,350 square feet. The shade cover is expected to be 9 or 10 feet high at the structure's highest point.

The ground lease is valid for 5 years. The council should consider the monthly rental cost.

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve the Ground Lease Agreement for a Shade Cover for the Storage of Airplanes at the Kearny Municipal Airport: Designating the Lessees as Doug Riggins and Gary Schooler. Rent for Doug Riggins and Gary Schooler will be \$600/month. **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 GROUND LEASE RENEWAL AGREEMENT FOR A HANGAR FOR THE STORAGE OF AIRPLANES AT THE KEARNY MUNICIPAL AIRPORT; DESIGNATING THE LESSEE AS GARY RIGGINS.

Doug Riggins built a hangar at the Town Airport and uses the hangar as the headquarters and aircraft maintenance facility for Riggins Aviation. Mr. Riggins is looking to renew an existing ground lease for the Riggins Aviation hangar at the Kearny Airport.

The ground lease is valid for 5 years. The council should consider the monthly rental cost.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Bradford to approve the Ground Lease Agreement for another 5 years to Doug Riggins will be \$800/month. **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**

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CONSIDERATION AND POSSIBLE APPROVAL OF A RENTAL LEASE AGREEMENT FOR THE HOUSE AT 336 HARTFORD ROAD; DESIGNATING THE LESSEE AS JEFF MCCORMICK.

Due to the shortage of available rental homes in Kearny, the Town Manager is living at a house owned by the Town. The house is in need of minor repairs and maintenance, which the Town Manager is doing during the weekends.

It is recommended for the council to consider a monthly rental cost and agreement.

Councilmember Hinojos asked if this would possibly fall under the Landlord-Tenant Act? Town Attorney Cooper replied it does not fall under the Act.

Councilmember Bradford suggested the rental amount of \$500 per month including utilities, with a \$300 ceiling on the utilities.

Town Attorney Cooper suggested that Town Manager, Jeff McCormick, provide photo proof (before and after) of his minor repairs and maintenance. He also suggested we revisit in 6 months, so that he can report on the rental lease agreement and so that council can determine if the agreement is working for everyone.

Motion by Councilmember Bradford, **second** by Councilmember Hinojos to approve the Rental Agreement between the Town of Kearny and Town Manager Jeff McCormick for the house on 336 Hartford Road, Kearny, AZ for \$500 per month including utilities, with a \$300 ceiling on utilities. After 6 months, Council will review the Town Manager's report on the minor repairs and maintenance he has completed. **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**

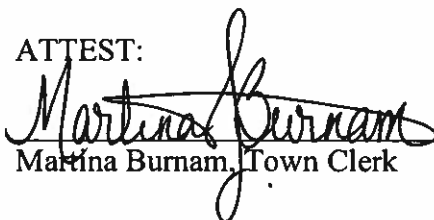
ADJOURNMENT

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

Meeting was adjourned at 7:36 p.m.


Debra Sommers, Mayor

ATTEST:


Martina Burnam, Town Clerk


Jeff McCormick, Town Manager