

**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,
SEPTEMBER 17, 2018, AT 7:30 P.M.**

COUNCILMEMBERS PRESENT

Mayor	Debra Sommers
Vice Mayor	Daniel Radcliffe
Councilmember	Rose Bradford
Councilmember	Rudy Flores
Councilmember	Nancy Hinojos
Councilmember	Samantha Misita
Councilmember	Sheila Stephenson

TOWN STAFF PRESENT

Town Manager	Anna Flores
Town Clerk	Cathy Woolery
Town Attorney	Steve Cooper
Town Police Chief	Wallace Kenney
Town Police Officer	Thomas Rozzi

VISITORS PRESENT

Ron Buckley	Wade Brannon
Amanda Kenney	Jenny Coleman
Brian Coleman	Joanne Delgado
Amanda Munoz	Vanessa Camacho

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

INVOCATION

Bishop Brian Coleman of the Church of Jesus Christ of Latter-Day Saints delivered the invocation.

ROLL CALL

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

APPROVAL OF MINUTES

Motion by Councilmember Bradford, **second** by Councilmember Stephenson to approve minutes from the Regular Meeting – August 20, 2018. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

CALL TO THE PUBLIC

Mayor Sommers asked if anyone would like to address the Council on non-agenda item. Joanne Delgado expressed her concerns about vehicles driving by with loud music and cleaning up of yards. She asked if the Town had ordinances for this. Mayor Sommers explained the Town is working on that, but it is quite a process. It is not just because we have an ordinance that we can go and knock on someone's door. There is a process to go through. Mayor Sommers advised her if she has concerns to call the police department

and the same with the noise ordinance. We do have a noise ordinance. Joanne Delgado stated sometimes they are already gone by the time she can call the police department, and that maybe she can get the license plate next time. Also, Joanne said last month the paper had something about the trees trimmed and inquired about how much to cut off her trees if someone could come by and look at it. Councilmember Bradford stated her yard looks very nice and also Councilmember Stephenson agreed.

CANVASS OF 2018 TOWN OF KEARNY PRIMARY ELECTION AUGUST 28, 2018

Town Manager Anna Flores explained the Arizona Revised Statutes require the Town Council to approve the canvass of the 2018 Primary Election for the Town. Total votes cast for the election and total votes cast for each candidate are attached. The results were Debra Sommers elected as Mayor for two-year term, and Rudy Flores, Nancy Hinojos, and Daniel Radcliffe were elected as Councilmembers for a four-year term. It is recommended that the Council adopt the canvass of the 2018 Primary Election for the Town of Kearny.

Motion by Councilmember Stephenson, **second** by Councilmember Hinojos to adopt the canvass of the 2018 Primary Election for the Town of Kearny. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

LIQUOR LICENSE APPLICATION FOR THE SNAK SHAK

Town Manager Anna Flores presented the attached, redacted liquor license application for a new liquor license for The Snak Shak for consideration. The applicant is The Snak Shak, owner/agent Vanessa Pearl Camacho. Information provided includes ownership type, previous owner and license, property location, and premises diagram. This application was posted with Council consideration for public notice at the premises. The Town Council can recommend approval or denial of the liquor license application to the Department who will make the final determination of issuing the license or not. Councilmember Bradford asked Vanessa Pearl Camacho if she had ever had a liquor license before. Vanessa replied no. Councilmember Bradford said good luck. Councilmember Misita commented it is not that bad.

Motion by Councilmember Bradford, **second** by Councilmember Misita to approve the liquor license application for The Snak Shak in the name of Vanessa Pearl Camacho. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

EMERGENCY REPAIR OF THE FILTRATION PLANT IN THE AMOUNT OF \$18,951

Town Manager Anna Flores stated the attached quote from Filtronics in the amount of \$18,951 is for parts needed to repair the filtration plant which was hit with a power surge during a monsoon storm. The parts are for the panel, the power supply rack mount, and the modular slot chassis for total of \$18,951. Ray Camacho, Public Works Director, will install new parts and complete repairs. The quote has been sent to APS and the Town has received a claim form from them to complete once Ray has completed repairs. The total amount of repairs and parts used will be sent to APS. Councilmember Bradford asked if APS said they will pay for this repair. Town Manager Anna Flores said they will send her a claim form. The form will be submitted once Ray does all repairs to see if any additional repairs or parts are needed before sending the form to APS. Councilmember Bradford asked if there is a guarantee that APS will pay us. Town Manager Anna Flores stated no guarantee. Councilmember Bradford asked if it was lightning strike. Town Manager Anna Flores said yes. Vice Mayor Radcliffe asked if any of our insurance may

cover that. Town Manager Anna Flores said she will look into that. Councilmember Misita asked if a surge protector can be put on for protection and has this happened before. Town Manager Anna Flores said yes two other times in the past. Councilmember Misita stated surge protectors help. Vice Mayor Radcliffe asked if the plant is down now. Town Manager Anna Flores stated yes and has been down for about two months. Vice Mayor said we need to get back online before we start getting complaints. Councilmember Misita asked why this was not done last month. Town Manager Anna Flores explained they did not know how much the quote was going to be and the parts just came in. Councilmember Bradford said everything is a process. Councilmember Misita said it would have been good to know that though since it has been two months. Mayor Sommers stated it could not have been in the meeting until we knew what it was and how much it would cost. Councilmember Bradford also explained we knew it had a problem but not how much it would be to repair. Councilmember Misita stated that the parts seem a little high and wants to know if we should get another bid. Town Manager Anna Flores said they had built the plant and the parts are not available sometimes in Arizona. Mayor Sommers asked if the company is from California. Town Manager Anna Flores said yes. Councilmember Misita said she is familiar with the parts and can be purchased from Tucson. Town Manager Anna Flores said she would research it. Councilmember Bradford stated this is something can think about next time as this is already in process. Mayor Sommers stated we can go ahead and do this as an emergency. It is important to get the filtration plant back online, and then Town Manager Anna Flores can ask Ray about the parts. Councilmember Misita asked if we could pass it at this cost or less, and then if find a cheaper distributor then we can go with them. Mayor Sommers stated that was what she was saying, and yes because we are approving it as an emergency. Town Manager Anna Flores stated she is sure Ray has an explanation, but she will get the information back to them.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to approve the emergency repair of the filtration plant in the amount of \$18,951. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPROVAL OF ACCEPTANCE OF A DONATION FROM THE MILITARY SURPLUS PROGRAM

Town Manager Anna Flores explained Police Chief Kenney has received a donation of the following equipment from the military surplus program: Chevy crew cab truck, golf cart, and Polaris side-by-side. It is recommended we accept the equipment since the police department needs these items and they come free of charge. Councilmember Bradford thanked Chief Kenney for getting these things for us along with the other things he recently got, and he is doing a good job.

Motion by Councilmember Stephenson, **second** by Vice Mayor Radcliffe to accept the equipment of one Chevy crew cab truck, one golf cart, and one Polaris side-by-side. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPROVAL OF RESOLUTION 18-19 REGARDING THE ADOPTION OF THE 2018 PINAL COUNTY COMMUNITY WILDFIRE PROTECTION PLAN

Town Manager Anna Flores stated Wade Brannon, Emergency Planner for the Pinal County Office of Emergency Management, will be presenting a brief overview regarding the CWPP. The Working Group for the Pinal County Community Wildfire Protection Plan (CWPP) is acting under the authorities granted

by the Healthy Forests Restoration Act. They are presenting the resolution of support for areas within Pinal County and a living document with the plan which includes strategies for the yearly monitoring and evaluation of hazardous fuels reduction projects. Wade Brannon explained this is a local plan put together by fire departments with assistance from State and Federal agencies. It identifies high and moderate risk areas then it prioritizes those areas with plans to mitigate fuels and the risk to persons and property. It encourages community involvement and promotes economic development. The benefits to the Town of Kearny are that it establishes locally determined wildland urban interface boundaries. Also, it gives priority for federal mitigation grant funding to communities that have adopted a plan. There is an estimated \$450 million for fuel mitigation for Pinal County. Councilmember Misita asked about fuel mitigation and applying for grants for the mitigation. Wade stated it is for wiping out non-native species such as buffalo grass and salt cedars. Councilmember Bradford asked if we would apply through Pinal County. Wade explained this identifies projects with the working group which has local official participation, Arizona State Foresters, and National Forests. These consultants identified areas of high risk and those were categorized. As grants become available or Federal agencies have projects then they pull from these areas. As far as fuel mitigation grants for individual communities if it is identified in the list then it does help, but it is not required. Councilmember Bradford explained the salt cedar are all coming back along all the way down the road as you go along. Wade said they are extremely hard to get rid of and along the Gila River almost all the areas have been considered high risk. Also, all along the Copper Corridor projects have been identified. Councilmember Bradford stated that Kearny has had two very bad fires. Wade also stated the plan does not obligate the Town to any policy, project, or expenditures. It does inform the state and federal level what Kearny would like to have done as far as projects.

Motion by Councilmember Misita, **second** by Councilmember Bradford to approve Resolution 18-19 regarding the adoption of the 2018 Pinal County Community Wildfire Protection Plan. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

**APPROVAL OF RESOLUTION 18-20 OF THE COUNCIL OF THE TOWN OF KEARNY
DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENTS FILED WITH THE TOWN
CLERK AND ENTITLED "THE PINAL COUNTY COMMUNITY WILDFIRE PROTECTION
PLAN"**

Town Manager Anna Flores explained Resolution 18-20 is being presented in regards to the document "The Pinal County Community Wildfire Protection Plan" which is declared a public record. Three copies shall remain on file in the office of the Town Clerk of the Town of Kearny for examination by the public.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Stephenson to approve Resolution No. 18-20. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

INFORMATIONAL ITEMS

Town Manager Anna Flores announced the ASARCO Family Fun Day which is scheduled on September 29th from 11:00 to 6:00 at Hubbard Park. The park will be closed on Friday, September 28th so they can set up. Mayor and Council are invited to attend and will be receiving bracelets to wear on that day.

Regular Meeting

Page 5

September 17, 2018

REPORTS

Mayor Sommers asked if there was any discussion on the reports. No discussion.

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to accept the reports as submitted. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

EXECUTIVE SESSION PURSUANT TO A.R.S. 38-431.03 (A)(1),(3) AND (4), EVALUATION OF TOWN CHIEF OF POLICE.

Mayor Sommers stated discussion will include but are not limited to job performance, contract for employment, salary and possible legal advice. Mayor Sommers requested a motion at 7:58 p.m. to enter into Executive Session for approximately one hour to include the Chief of Police, Town Attorney, and Town Manager.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Stephenson to enter into executive session for approximately an hour. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

REGULAR SESSION

At 8:25 p.m. Mayor Sommers reconvened Regular Session.

APPROVAL OF CONTRACT WITH CHIEF OF POLICE WALLACE KENNEY TO SERVE THE TOWN OF KEARNY

Town Manager Anna Flores asked if there was any more discussion on the approval of the contract for Chief of Police Wallace Kenney. She asked to hear a motion to approve the contract for a three-year term.

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to approve the contract for the Chief of Police Wallace Kenney for the Town of Kearny. This contract is to start on September 17, 2018 and be a three-year contract extended to August 21, 2021. Mayor Sommers asked the Chief if he is willing to accept the contract. Chief Kenney stated he is willing to accept the contract. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

ADJOURNMENT

Motion by Vice Mayor Radcliffe, **second** by Councilmember Stephenson to adjourn. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.** Meeting was adjourned at 8:27 p.m.



Debra Sommers
Debra Sommers, Mayor

Anna Flores
Anna Flores, Town Manager

ATTEST:

Cathy Woolery
Cathy Woolery, Town Clerk