

**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, MAY
21, 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 (Telephonically)
Councilmember	Sheila Stephenson

TOWN STAFF PRESENT

Town Manager	Anna Flores
Town Clerk	Cathy Woolery
Town Attorney	Steve Cooper
Town Public Works Director	Ramon Camacho

VISITORS PRESENT

Diana Herrick	Carol Lewis
Gwen Dinwiddie	David Wade
Marie Galbreath	Doug Riggins
Sam Hosler	Roger Stern
Alan Urban	

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

INVOCATION

Pastor David Wade of the Lighthouse Assembly of God Church 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 Special Meeting, April 10, 2018, Special Meeting April 16, 2018, and Regular Meeting April 16, 2018. **Vote** - All members voted in favor. **MOTION PASSED.**

CALL TO THE PUBLIC

Roger Sterns thanked the Council for the pavement work that was completed at the airport. Doug Riggins also expressed his appreciation and says it looks great.

POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF A WATER USAGE AGREEMENT BETWEEN THE COPPER BASIN RAILWAY, INC. AND THE TOWN OF KEARNY

Town Manager Anna Flores explained the attached agreement between the Copper Basin Railway, Inc. and the Town of Kearny to allow them the right to fill/replenish rail cars and other vessels with water from the Town at no charge by using the hydrants located at Railroad Mileposts 995.99 and/or 993 when the certified operator is away at trainings or on vacations. The water will be used for emergency purposes such as wildfires and controlled burns within the Town limits. The railroad may also use it for dust abatement issues along the railroad right of way. She also stated she had a conversation with the railroad regarding using water from the lake; however, they do not have equipment compatible for transfer of the water from the lake to the railroad. Councilmember Hinojos asked about a procedure when they need water and communication. Town Manager Anna Flores stated yes, they will, and it will just be for the stated specified needs. Councilmember Stephenson asked if the dust abatement is for when they are working on tracks. Anna explained yes within Town limits if there is a need, especially because it is so dry now and could cause a fire from the tracks. Vice Mayor Radcliffe commented since they helped with the last fire it is nice to have them available with the tankers.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Bradford to approve Council Letter No. 1629 for Copper Basin Railway and Town of Kearny Water Usage Agreement. **Vote** - All members voted in favor. **MOTION PASSED.**

APPROVAL OF LIST OF ITEMS FOR THE PUBLIC SALE

Town Manager Anna Flores stated attached is a list of items for the public sale on Wednesday, June 6, 2018 at the Town Yard. The sale is from 8:00 a.m. to 1:00 p.m. The sale includes a variety of vehicles and miscellaneous items which are sold as is with no guarantees or implied warranties. Sealed bids are to be delivered to the Town Hall with cash, check, or money orders only. Successful bidders will be notified by Thursday, June 7, 2018. Items will need to be paid for and removed from the area no later than Thursday, June 14, 2018 at 1:00 p.m. Vice Mayor Radcliffe said the list can be put on the Town website. Councilmember Bradford asked about an old fire truck, dump truck, and a burnt car in the Town Yard that are not on the list. Public Works Director Ramon Camacho stated the Town uses the dump truck. Councilmember Bradford said the burnt car and the old fire truck just needs to be out of there. Town Manager Anna Flores explained she also received this list from the Fire Chief and she will ask him about that.

Motion by Councilmember Stephenson, **second** by Councilmember Flores to approve the list of items for the public sale. **Vote** - All members voted in favor. **MOTION PASSED.**

CONSIDERATION AND POSSIBLE APPROVAL OF THE KEARNY POLICE DEPARTMENT POLICY AND PROCEDURES MANUAL, ORDINANCE, AND RESOLUTION

Town Manager Anna Flores stated attached is an ordinance and resolution for the Kearny Police Department Policy and Procedures Manual which Police Chief Wallace Kenney has created and completed. The Chief is here to answer any questions. It is recommended the Council approve the Kearny Police Department Policy and Procedures Manual. Councilmember Bradford stated she had read the whole manual. Councilmember Stephenson, Mayor Sommers, and Councilmember Bradford said the Chief did a great job on the manual.

Motion by Councilmember Bradford, **second** by Councilmember Hinojos to adopt Council Letter No. 1631 and approval of the Kearny Police Department Policy and Procedures Manual. **Vote** - All members voted in favor. **MOTION PASSED.**

REQUEST FROM THE KEARNY POLICE DEPARTMENT TO APPLY FOR A TRIBAL GAMING GRANT TO PURCHASE TASERS IN THE AMOUNT OF \$14,612.49

Town Manager Anna Flores summarized the request for authorization from the Kearny Police Department to apply for a tribal gaming grant from the Ak-Chin Indian Community to purchase tasers in the amount of \$14,621.49. The tasers they have are becoming obsolete and are in desperate need. It is recommended for approval to submit the request for Kearny Police Department to apply for the grant to purchase tasers in the amount of \$14,621.49. Councilmember Bradford confirmed with the Chief Kenney it is for 12 tasers. Councilmember Stephenson said this is a necessary item as the tasers are really old. Mayor Sommers stated they are obsolete. Chief Kenney explained they cannot be serviced any longer, and at the end of the year they will not be able to buy batteries for them.

Motion by Councilmember Stephenson, **second** by Councilmember Flores to submit a tribal game grant with Ak-Chin Indian Community to purchase tasers in the amount of \$14,612.49. **Vote** - All members voted in favor. **MOTION PASSED.**

REQUEST FROM KEARNY POLICE DEPARTMENT TO APPLY FOR A FUNDING REQUEST PROPOSAL FROM THE TOHONO O'ODHAM NATION FOR A PATROL VEHICLE IN THE AMOUNT OF \$59,926.83

Town Manager Anna Flores explained a request from the Kearny Police Department for funding from the Tohono O'Odham for a patrol vehicle. The department has three vehicles in need of repairs at this time and has been unable to purchase any new patrol vehicles due to the Town's budget. It is recommended for approval to submit the request for funding proposal for a patrol vehicle in the amount of \$59,926.83. Chief Kenney is here to answer any questions. Councilmember Bradford asked if this is a 4-wheel drive vehicle. Chief Kenney responded it is a 4-wheel drive and completely outfitted. It will be turn-key. Vice Mayor Radcliffe said emergency equipment and options are \$21,461. Councilmember Bradford asked if we need to provide decal. Chief Kenney said it will include that, and all it would need is a radio. Mayor Sommers stated she believes it was 2008 when the Kearny Police Department got a new vehicle. Chief Kenney stated he believes it may have been 2009 from the governor's office grant. Vice Mayor Radcliffe thinks we should apply any time we get the opportunity for these grants.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Bradford to submit a tribal game grant with Ak-Chin Indian Community to purchase tasers in the amount of \$14,612.49. **Vote** - All members voted in favor. **MOTION PASSED.**

INFORMATIONAL ITEMS

Town Manager Anna Flores announced Tuesday, May 30, 2018 there will be a Pinal county Community Wildfire Protection Plan Committee Public Meeting at 6:00 p.m. to 7:30 p.m. at the Constitution Hall for the public. She urged everyone to attend as it will be very informative. Also, she explained the contract signed by the Council for the inmate program resulted in the award of 10 inmates; however, Sgt. Penner informed her they do not have enough inmates. The Town will have two inmates. Also, due to not

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watering the park and the ball fields we are saving a significant amount of our water apportionment. Public Works is doing an awesome job of trying to keep water usage down. Ramon Camacho gives us updates on a monthly basis. The state is in a 21-year drought.

REPORTS

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

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

POSSIBLE EXECUTIVE SESSION FOR DISCUSSION/CONSULTATION FOR LEGAL ADVICE WITH THE TOWN ATTORNEY AND/OR TOWN STAFF CONCERNING CONTRACTS, POSSIBLE ACQUISITION OF REAL ESTATE PURSUANT TO A.R.S. 38-431.03 (A) (3), (4), AND (7)

Mayor Sommers entertained a motion at 7:50 p.m. to adjourn into Executive Session for approximately 45 minutes.

Motion by Councilmember Bradford, **second** by Councilmember Stephenson to enter into Executive Session for 45 minutes. **Vote** - All members voted in favor. **MOTION PASSED.**

REGULAR SESSION

At 8:10 p.m. Mayor Sommers reconvened regular session.

RESOLUTION NO. 18-14, NO. 18-15 OF THE MAYOR AND COUNCIL OF THE TOWN OF KEARNY, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL ESTATE PURCHASE AGREEMENT WITH J.W. GALBREATH CORPORATION; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH PURCHASE AGREEMENT AND THIS RESOLUTION AND DECLARING AN EMERGENCY

Town Manager Anna Flores stated attached are Resolutions No. 18-14 and No. 18-15 for acquisition authorizing execution and delivery of real estate purchase agreement with J.W. Galbreath Corporation.

Motion by Councilmember Stephenson, **second** by Councilmember Flores with the emergency clause to approve Resolution No. 18-15. Town Attorney Steve Cooper reminded the Mayor and Council in an emergency situation they need a super majority of the Council which is six out of seven affirmative votes to approve as an emergency; if less than that it is effective 30 days later. **Vote** - All members voted in favor – 7 affirmative votes. **MOTION PASSED.**

ADJOURNMENT

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to adjourn. **Vote** – All members voted in favor. **MOTION PASSED.** Meeting was adjourned at 8:12 p.m.

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Debra Sommers, Mayor



Anna Flores, Town Manager

ATTEST:



Cathy Woolery, Town Clerk