

**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,
AUGUST 20, 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 Magistrate	David Orzell
Town Fire Chief	Kenneth Piggott

VISITORS PRESENT

David Wade	Ron Buckley
Roger Stern	Carol Lewis

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

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 Stephenson, **second** by Councilmember Hinojos to approve minutes from the Regular Meeting – July 16, 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

No persons addressed the Council.

**DISCUSSION AND POSSIBLE AUTHORIZATION TO APPLY FOR ARIZONA
DIAMONDBACKS GRANT TO RENOVATE THE TOWN'S SOFTBALL FIELD**

Town Manager Anna Flores explained that an application for the D-backs Give Back – Youth Baseball Fund is attached. Each year one organization will be chosen as a recipient of building or renovation of a

signature field with matching funds from APS and a contribution from a D-backs player. The grant will be awarded prior to December 1 of the same year. It is recommended Council approve the authorization to apply for an Arizona Diamondbacks Grant to renovate the Town's softball field. Councilmember Bradford asked if there are any matching fund requirements. Town Manager Anna Flores stated there is in-kind matching fund by the public works department helping with labor and maintenance of the field.

Motion by Councilmember Bradford, **second** by Councilmember Flores to approve the application for the Arizona Diamondbacks Grant to renovate the Town's softball field. **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 stated Police Chief Kenney has received a donation from the military surplus program to include the following equipment: 6 night vision goggles; 6 GPS units; 60 M4 magazines for AR15 rifles; 5 Dell laptops with separate monitors that will be issued when Windows is re-installed; a refrigerator for evidence of cold storage; Honda ATV 4x4; Humvee; and a camp trailer. She recommends the acceptance of the equipment as the police department is in need of the items, and they come to the department free of charge. Councilmember Flores asked how many AR15 rifles we have. Town Manager Anna Flores stated we do not have any at this time. Councilmember Bradford asked if the vehicles, the Honda and the Humvee, are operational. Town Manager Anna Flores answered yes. Councilmember Stephenson stated we really don't need the magazines if we don't have any AR15 rifles, and we are better off taking the other things. Mayor Sommers stated since the Chief is not here to answer then Town Manager Flores can contact him later. Vice Mayor Radcliffe also said it all may be listed as an entire package. Mayor Sommers directed Town Manager Anna Flores to ask the Chief these questions.

Motion by Councilmember Bradford, **second** by Councilmember Stephenson to approve the acceptance of the donation from the military surplus program for the police department. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPOINTMENT OF THE TOWN FIRE CHIEF

Town Manager Anna Flores stated the Chief of the Fire Department shall be appointed by the Council with the advice of the Town Manager and shall serve at the pleasure of the Council. Kenneth Piggott is willing to accept the Council's appointment to serve another two years. Town Clerk Cathy Woolery administered the oath of office to Town Fire Chief Kenneth Piggott.

Motion by Councilmember Hinojos, **second** by Councilmember Bradford to appoint Kenneth Piggott as Town Fire Chief. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPOINTMENT OF TOWN MAGISTRATE

Town Manager Anna Flores explained Section 5-2-1 of the Town Code states: The presiding officer of the municipal court shall be the Town Magistrate, who shall be appointed by the Council for a term of two years, commencing on July 1 and ending on June 30 of every even numbered year, unless

malfeasance or non-feasance of office. David Orzell was first appointed as Town Magistrate in June 2008 following two years as a Deputy Magistrate. Judge Orzell is willing to accept the Council's appointment to serve another two years. Also, the Council should consider the appointment of Dale Collier, Dave Alexander and Cody Weageant as deputy magistrates. Town Clerk Cathy Woolery administered the oath of office to Town Magistrate David Orzell.

Motion by Councilmember Hinojos, **second** by Councilmember Bradford to appoint Dave Orzell as the Town Magistrate. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

Motion by Councilmember Bradford, **second** by Councilmember Flores to appoint Dale Collier, Dave Alexander and Cody Weageant as Deputy magistrates. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

DISCUSSION AND POSSIBLE APPROVAL OF COMPUTER AIDED DISPATCH (CAD) SYSTEM FOR THE KEARNY POLICE DEPARTMENT IN THE AMOUNT OF \$12,300

Town Manager Anna Flores presented a quote for the ARMS (Automated Records Management System) CAD/RMS (Records Management System) Mobile Software as a service option which allows ARMS to host the system on a Microsoft Government Cloud Server (Azure) so the police department does not need server hardware. The cost for the system is \$7,500 per year which also provides a site license for the department, so additional licenses do not need to be purchased for new users. This CAD system is needed at the police department to help dispatch with reporting, crime analysis, messaging, mass notification, and more. The quote includes two days of onsite training and implementation services. Councilmember Stephenson asked if currently Kearny has their own server without the Microsoft Government Cloud Server. Town Manager Anna Flores stated yes. Councilmember Bradford asked if there is money in the budget for this. Anna said yes. Councilmember Misita asked if they moved is this something that can be moved. Town Manager Anna Flores stated she does not know but can find out. Councilmember Stephenson said it seems to be just a software.

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve the ARMS CAD/RMS (Records Management System Mobile Software for Kearny Police Department for the total cost of \$12,300. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

ADOPTION OF ORDINANCE 18-208 OF THE TOWN OF KEARNY MUNICIPAL CODE ADDING SECTION 10-1-25, OF CHAPTER 10 OFFENSES TO IMPOSE COMMUNITY-BASED SAFETY REQUIREMENTS ON THE OPERATION OF MODEL AIRCRAFT AND TO IMPOSE RESTRICTIONS CONSISTENT WITH CERTAIN AVIATION RULES ON THE OPERATION OF BOTH MODEL AIRCRAFT AND CIVIL UNMANNED AIRCRAFT SYSTEMS (UAS), COMMONLY KNOW AS DRONES

Town Manager Anna Flores explained Ordinance No. 18-28 that establishes the guidelines of flying a drone within the Town's limits. The Town of Kearny is within the five-mile radius that prohibits drones to be flown without prior authorization of the FAA within the Town's limits because the Town is within a

five-mile radius of the airport and the helipad. The Town would like to have the ordinance in place for safety of residents and pilots that fly into town. Vice Mayor Radcliffe asked if the ordinance is tailored after ordinances from different towns. Town Manager Anna Flores stated yes. Councilmember Misita thinks this is a good thing because she has seen people on Facebook flying their drones in Kearny. Councilmember Bradford asked Roger Sterns if he has seen any around the airport. Roger stated not yet. David Orzell stated he has seen some when playing golf. Mayor Sommers said she has seen them and also at night, and you never know with the medivac and the military plane that comes in. She thinks this is a good thing. Attorney Steve Cooper said the state has had wildfires where they have had to call off the bombers because there are drones in the area. Councilmember Misita stated if this is passed then it really needs to be advertised so people are aware of it. Mayor Sommers said they are planning on doing that.

Motion by Councilmember Stephenson, **second** by Councilmember Flores to approve Ordinance No. 18-208. **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 NO. 18-18 REGARDING THE TOWN COUNCIL OF THE TOWN OF KEARNY, ARIZONA TO PARTICIPATE IN THE CENSUS 2020 COMPLETE COUNT COMMITTEE AND TO ENCOURAGE EVERY PERSON TO BE COUNTED

Town Manager Anna Flores summarized Resolution No. 18-18 regarding the requirement of a Census of the population of our nation every (10) years used to determine the number of representatives the State of Arizona has in the US House of Representatives and also districts in State legislature and local government bodies. Census records are confidential for 72 years and protected under Title 13 of the United States Code and will not be shared with immigration or law enforcement agencies. The Census is important in determining Federal and State aids, grants, economic development, housing assistance, transportation improvements, and many other uses. It needs to be accurate, complete, supported with local involvement, and ensure that undercounted populations such as young children, young adults, the elderly, immigrants, migrants, non-English speakers, and the homeless are included. Complete Count Committees are a core strategic element of the Census Bureau to promote the Census. It is recommended the Town of Kearny establish the Town's participation in the regional Kearny Complete Count Committee. Town Manager Anna Flores announced that David Herrera and Carol Lewis will be appointed to the Town's committee and will do an excellent job.

Motion by Councilmember Bradford, **second** by Councilmember Stephenson to approve Resolution No. 18-18 regarding the Town Council of the Town of Kearny, Arizona to participate in the Census 2020 Complete Count Committee and to encourage people to be counted. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

RAY HIGH SCHOOL STUDENT COUNCIL REQUEST FOR HOMECOMING PARADE STREET CLOSURE ON FRIDAY, SEPTEMBER 14, 2018 AND REQUEST APPROVAL FOR BONFIRE TO BE HELD ON SEPTEMBER 20, 2018 AT PIONEER DAY PARK

Town Manager Anna Flores stated Ray High School Student Council requests permission for a street closure for the Homecoming Parade, Friday, September 14, 2018 scheduled to start at 4:00 p.m. Route is starting at the Kearny Library and ending at General Kearny Inn as shown on attached map. Also, they

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request permission to hold a bonfire at Pioneer Day park for rivalry football game against Hayden on Thursday, September 20, 2018. Certificate of insurance is attached for both activities.

Motion by Councilmember Stephenson, **second** by Councilmember Hinojos to grant the request for Homecoming Parade on September 14, 2018 and bonfire on September 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.**

DISCUSSION AND POSSIBLE APPROVAL OF RECORDER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$18,451.31

Town Manager Anna Flores presented information attached for the recorder the police department needs as the recorder they have is antiquated. If it goes down there are no parts to replace it. The information attached is a digital recorder which is more efficient and is needed at this time. Councilmember Bradford asked how old the existing recorder is. Town Manager Anna Flores said no, but it will go down at any time and no parts to fix it.

Motion by Councilmember Bradford, **second** by Councilmember Hinojos to approve the recorder for the police department in the amount of \$18,451.31. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, and Councilmember Stephenson all voted in favor. Councilmember Misita – absent. (Ceased participation due to telephonic disruption - no vote.) **MOTION PASSED.**

APPROVAL OF IGA WITH THE TOWN OF HAYDEN FOR PUBLIC SAFETY DISPATCHING

Town Manager Anna Flores explained the Town of Kearny and Town of Hayden have an IGA, intergovernmental agreement, in which Kearny provides dispatching services to Hayden for police, fire, and ambulance. The term of the agreement will be 2018-19 fiscal year continuing for the next two fiscal years. Both parties must manifest the intent in writing on or before January 31, 2020 if they have a desire to extend the term of the agreement. Either party or both parties may terminate the agreement with providing six months written notice of termination. Dispatching headquarters are in Kearny and all Kearny dispatching officers or employees will remain employees of the Town. Hayden will pay Kearny \$22,000 per year annually for the dispatching services. Vice Mayor Radcliffe asked if there is any increase from the last agreement. Town Manager Anna Flores said we would look into an increase. Councilmember Bradford asked if Hayden contributes anything to our ambulance and if this only for dispatching. Town Manager Anna Flores said no they don't contribute anything, and it is for dispatching. Councilmember Bradford requested we look into having Hayden contribute since we never make money on the ambulance. Town Manager Anna Flores stated she would look into it.

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve IGA with the Town of Hayden for public safety dispatching services. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, and Councilmember Stephenson all voted in favor. Councilmember Misita – absent. (Ceased participation due to telephonic disruption - no vote.) **MOTION PASSED.**

INFORMATIONAL ITEMS

Town Manager Anna Flores announced the auditors were here last week. The preliminary report appeared to have no findings, and it was recommended to the Town Manager that vacation time needed

to be taken by some employees because only 120 hours can be carried over into the new year per the Town's personnel policy. The department heads were contacted who then contacted the employees who would be affected, and all have agreed to make sure their employees take the vacation time they need to take the liability off of the Town. There are only a handful of employees that this affects. This policy, of course, puts a hardship on some of the departments; however, everyone understands why this policy needs to be enforced. Matt Bingham, of Colby and Powell, will be here to present to the Council the audited financial statements hopefully sometime in December to give a formal presentation. He is waiting on PSPRS information to complete the audit. Also, a huge thank you to the United Food Bank volunteers for braving the summertime heat to provide food supervised by Mike Dinwiddie and crew. Without your help and support this would not be possible. A huge thank you to Kenny and the public works crew for the amazing work they have done at Rail and Copper Park last week and today in the hot temperatures. The park looks beautiful, so thank you.

REPORTS

Mayor Sommers asked if there was any discussion on the reports. Councilmember Bradford asked about the library's broken door counter and how much it would take to replace it. Town Manager Anna Flores stated she will talk with Janet.

Motion by Councilmember Stephenson, **second** by Vice Mayor Radcliffe to accept the reports. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, and Councilmember Stephenson all voted in favor. Councilmember Misita - absent. (Ceased participation due to telephonic disruption - no vote.) **MOTION PASSED.**

ADJOURNMENT

Motion by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to adjourn. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, and Councilmember Stephenson all voted in favor. Councilmember Misita - absent. (Ceased participation due to telephonic disruption - no vote.) **MOTION PASSED.** Meeting was adjourned at 8:02 p.m.



Debra Sommers, Mayor



Anna Flores, Town Manager

ATTEST:


Cathy Woolery, Town Clerk