

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

5:30 P.M.

AGENDA

Tuesday, May 19, 2015

REGULAR MEETING

CALL TO ORDER & ROLL CALL --- ALL COUNCILMEMBERS WERE PRESENT.

INVOCATION will be given by Phillip Shaw of Trinity Episcopal
PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting and Executive Session minutes of May 5, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.

2. APPOINTMENTS

a. Appointment or reappointment of Board of Appeals members

Three of the seven members of the Building Board of Appeals have expired terms of service, namely Tom Franks, Mike Van Zandt and Ronald Durgin. All three men have offered themselves for continued service. Three board members are needed. **Staff recommends reappointing Tom Franks for one additional term of two years and appointing Paul Selberg and Crandall Aaron to sever on the Board of Appeals for one term of two years. MOTION TO APPOINT TOM FRANKS, PAUL SLEBERG, AND CRANDALL TO THE BUILDING BOARD OF APPEALS WAS PASSED BY A VOTE OF 7-0.**

b. Appointment of Commissioners to Transit Advisory Commission for KART

Commission member Michele Walker is relocating outside of Arizona and therefore has resigned from the Transit Advisory Commission. Ms. Walker's resignation leaves the commission with just two active members, which is insufficient for a quorum. There are now two active commission members and three vacant positions. Ms. Walker's term was due to expire in October 2016. The other two vacancies are for terms that will expire in October 2017. KART has received applications from the following three interested members of the Kingman community. They include Jed Noble and Charles E. Hupp both of whom reside within Kingman city limits, and Fred D. Gilbert, Jr., who resides in an unincorporated area of Kingman. In addition, former commission member Bill Laity, a resident of the unincorporated area of Kingman, whose 2nd term expired in October, 2014 has requested that he be reappointed to a third term. Mr. Laity's appointment will require a Super Majority vote from Council. **Staff recommends Council appoint up to three members to fill vacant positions; one (1) to expire in 2016 and two (2) to expire in 2017. MOTION TO APPOINT JED NOBLE AND CHARLES HUPP TO THE TERMS EXPIRING IN 2017 WERE APPROVED BY A VOTE OF 7-0.**

3. **CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC**

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

4. **CONSENT AGENDA**

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Liquor License Application

Applicant Joseph C. Fellers of Black Bridge Brewery has submitted a temporary Application for Extension of Premises/Patio Permit for an event on June 13, 2015. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Liquor License Application

Applicant Paul A Allen Sr. of El Potrillo has applied for a Series 12 Liquor License for a restaurant at 2535 Hualapai Mtn. Rd. #A. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. City of Kingman Letter of Support of Mohave County TIGER grants Application

On April 27, 2015 the City of Kingman Public Works staff received a correspondence from Mr. Steve Latoski, Director of Mohave County Public Works, requesting a "letter of support" from the City of Kingman for a TIGER Grant application to resurface and provide Shoulder Betterments to 36 miles of Stockton Hill Road. The proposed project would include the resurfacing as well as installing concrete-capped gabion basket aprons to reduce shoulder erosion and road damage from the Kingman City limits on North Stockton Hill Road to Pierce Ferry Road. Mohave County staff has written the letter and addressed it to Mr. Anthony R. Foxx, Secretary of the US Department of Transportation. **Staff recommends authorizing the Mayor to sign the Letter of Support. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Special Event Liquor License Application

Applicant Cynthia J. Levesque of Cornerstone Mission has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, July 11, 2015 from 6:00 P.M. to 11:00 P.M., at 201 N Fourth Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Dispatch Intergovernmental Agreement - Resolution 4952

The Intergovernmental Agreement between the City Of Kingman and Northern Arizona Consolidated Fire District, Golden Valley Fire District, Pinon Pines Fire District, Pine Lakes Fire District, Lake Mohave Ranchos Fire District for dispatch services has been revised after review with the current user group. This revision accounts for all costs to be shared for the services rendered. The original Intergovernmental Agreement was entered into in 2012 and is set to expire June 30, 2015. Resolution 4952 has been completed in order to allow the city to enter into this agreement. Operating costs will be allocated to each entity based on the estimated budget and prorated to each entity based on the percentage of 2014 call volumes

associated with each entity. The City Attorney and Finance Director have reviewed this agreement for compliance with current city policy. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Consideration of Amendment No. 1 to Engineering Contract ENG14-084 to include Phase Two projects

On March 17, 2015, Council approved construction contract ENG14-084 with Freiday Construction, Inc. for Phase One projects which included five water and sewer projects and one water tank rehabilitation project. Staff has previously recommended that the CMAR project be broken into separate construction phases. This amendment to the contract will add Phase Two projects to the construction contract. The second phase will include the following projects: ENG14-097: Water Line Replacement in Evans Street and Melody Street; 05-S-0030: Sewer Line Realignment in Maple Street and Walnut Street; ENG12-021: Sewer Line Extension in Southern Avenue, Jackson to Monroe; ENG14-088: Sewer Line Extension in Southern Avenue, Monroe to Adams; ENG14-098: Sewer Line Extension in Jerome Street; ENG14-099: Sewer Line Extension in Prescott Street. Staff has requested a Guaranteed Maximum Price (GMP) for the second phase of this project from Freiday Construction, Inc. The negotiated GMP for phase two is \$620,414.17. Phase Two will add an additional 180 calendar days to the original construction contract time, extending it to March 31, 2016. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

g. Resolution #4953 – Revise Exhibit A, B and C – Classification and Compensation Schedule

Attached Resolution #4953 amends the Classification and Compensation Plan for FY 2015-2016 via Exhibits A, B and C. Adopting the attached resolution will modify the classification and compensation schedule by: 1. Attached Exhibit A reflects an increase of 3% to the FTE salary scale and sets the total authorized budgeted full time positions for Fiscal Year 2015/2016 at 334 FTE and 40.5 FTE as authorized but unfunded. This is a net increase of 2 FTE and a decrease of 1 unfunded FTE over the prior year; 2. Attached Exhibits B and C reflect the following changes: a. Fire Department – re-fund 1 unfunded Battalion Chief position resulting in a decrease in the unfunded count and an increase to the funded Battalion Chief count. Also, reclassify 1 Assistant Fire Chief position to Battalion Chief and change the Salary Grade from 224 to a lower Salary Grade of 221. The result of this change decreases the Assistant Fire Chief count by 1 and increases the Battalion Chief count by 1, to a lower level classification; b. Police Department – reclassify 1 Administrative Secretary position to Administrative Assistant and change the Salary Grade from 204 to a higher Salary Grade of 206. The result of this change decreases the Administrative Secretary count by 1 and increases the Administrative Assistant count by 1, to a higher level classification; c. Public Works-Building Maintenance – add and fund 1 new Building Maintenance Technician position at Salary Grade 209. The result of this addition increases the Building Maintenance Technician count by 1. 3. Exhibit D, Certification Pay, will remain unchanged in Fiscal Year 2015/2016. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER MILES VOTING NAY.**

5. OLD BUSINESS

a. Smoking in Vehicle Ordinance 1797

Following direction from City Council, staff has prepared an ordinance to address smoking in motor vehicles with a minor. The ordinance is a secondary violation and offers a diversionary program on smoking education for first time offenders. **Staff recommends approval.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 4-3 WITH MAYOR ANDERSON, COUNCILMEMBER CARVER, AND COUNCILMEMBER YOUNG VOTING NAY.

b. Consideration of Resolution No. 4947 approving a preliminary plat for Airway Plaza, Tract 1984, a subdivision of airspace

A request from Mohave Engineering Associates, Inc., applicant and project engineer, and Airway Plaza Association, LLC, property owner, for the approval of preliminary plat for Airway Plaza, Tract 1984. The subject property is located at the southeast corner of Airway Avenue and N. Burbank Street and is 3.62 acres. This will be a subdivision of airspace otherwise known as a condominium. The intent is to subdivide eight suites in an existing commercial building into eight separate condominium units. Each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors and ceilings of the unit. The area of each unit is 56 to 64 feet wide and 130 feet long. A property owner's association will be established to maintain areas held in common including the exterior parking lot and landscaping, utilities not within the units, bearing walls, and other walls and ceilings not contained within the units. The building was inspected by the Fire and Building Departments as required and no significant problems were identified that would need to be corrected before the approval of the final plat. The City Engineer, however, indicated that three existing driveways and sidewalk ramps at Burbank and Airway do not appear to meet current ADA standards. These areas should be revised. The project engineer indicated that the property owner did not want to make those revisions. There are several additional conditions that were recommended by staff as a result of department and agency comments. **The Planning & Zoning Commission voted 6-1 on April 14, 2015 to recommended approval of the preliminary plat with the recommended conditions in the commission report. Commission Kirkham voted no. Staff recommends approval. THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF THE APPLICANT. NO DISCUSSION OR ACTION WAS TAKEN.**

c. Consideration of Resolution No. 4945 authorizing the Mayor to sign any and all documents to submit applications for funding of the Kingman Crossing Traffic Interchange and Rancho Santa Fe Parkway Traffic Interchange projects through the FY2015 TIGER Discretionary Grant Program.

Upon direction of Council, Staff has prepared the application packages for this year's round of TIGER grants. If the City desires to submit applications for funding of the Kingman Crossing Traffic Interchange and Rancho Santa Fe Parkway Traffic Interchange projects through the FY 2015 TIGER Discretionary Grant program, Council will need to authorize the Mayor to sign any and all documents and certifications necessary to submit these applications, including the Federal Wage Certification stating that the City of Kingman will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code (Federal wage rate requirements), as required by the FY 2015 Consolidated and Further Continuing Appropriations Act. Applications are to be submitted by 5:00 p.m. EDT on June 5th, 2015. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Update, discussion and possible action concerning City funded events to celebrate the 4th of July.

The Council will discuss options for a City sponsored 4th of July celebration and may take action and/or provide direction to staff accordingly. **Council discretion. DIRECTION WAS**

GIVEN TO STAFF TO WORK ON A PROPOSAL, SET A SPECIAL TOURISM DEVELOPMENT COMMISSION MEETING TO DISCUSS FUNDING FOR A POSSIBLE FIREWORKS SHOW, AND BRING BACK TO THE JUNE 2ND REGULAR COUNCIL MEETING.

6. **NEW BUSINESS**

7. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

8. **ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

If needed.

9. **EXECUTIVE SESSION**

THE COUNCIL MAY GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH A.R.S.38-431.03(A)(1) TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

Follow up – City Magistrate Recruitment

The Council will review the City Magistrate finalist selection and discuss the next phase of the recruitment process.

MOTION TO GO INTO EXECUTIVE SESSION WAS PASSED BY A VOTE OF 7-0.

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 7-0.

Posted _____ by _____