

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

5:30 P.M.

ACTION AGENDA

Tuesday, June 2, 2015

REGULAR MEETING

CALL TO ORDER & ROLL CALL ---- ALL COUNCILMEMBERS WERE PRESENT EXCEPT MAYOR ANDERSON AND COUNCILMEMBER MILES WHO WERE EXCUSED.

INVOCATION will be given by Pete Ernst of Manzanita Baptist Church
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

- a. The Workshop Meeting minutes of April 23, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 4-0 WITH COUNCILMEMBER ABRAM ABSTAINING AS HE WAS NOT PRESENT FOR THE ENTIRE MEETING.**
- b. The Special Meeting minutes of May 19, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**
- c. The Regular Meeting and Executive Session minutes of May 19, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**

2. 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.

3. 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 Andrea Dahlman Lewkowitz of Safeway, Inc. has applied for acquisition of control of a Series 9 Liquor License for a grocery store located at 3970 Stockton Hill Road. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**

b. Liquor License Application

Applicant Andrea Dahlman Lewkowitz of Safeway, Inc. #2017 has applied for acquisition of control of a Series 9 Liquor License for a grocery store located at 3125 Stockton Hill Road. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**

c. Recommendation from the Tourism Development Commission (TDC) for the quarterly payment to Kingman Visitor Center, Inc. for tourism services

The tourism funding agreement between the City of Kingman and the Kingman Visitor Center, Inc. specifies that a quarterly payment be made in the amount of \$51,250 upon submission and acceptance of the tourism quarterly report. The most recent quarterly report was submitted and accepted by TDC at the May 26, 2015 special meeting and is attached for review. **Staff supports the TDC recommendation for Council approval of the quarterly payment to Kingman Visitor Center, Inc. for tourism related services. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**

4. OLD BUSINESS

a. City funded events for the Fourth of July celebration

The City Manager will again voice staff's concerns over the last minute plans to have fireworks and the still lacking proof of insurance naming the City as co-insured, with the limits necessary to protect the City as best as possible. The City Manager has been working with Dora Manley on the block party concept including discussions about the city paying for hot dogs to be given away for free, Coca-Cola setting up a vendor booth to sell soft drinks, and the insurance covered by the Kingman Area Chamber of Commerce. As part of the on-going efforts to promote the City in our competition to win the ABC Competition, staff talked about handing out free sparklers and having participants walk up Fourth Street to City Hall and filming it from above. Ms. Manley has been working on securing a DJ for musical entertainment. This is a back-up plan if the fireworks do not happen, but again it needs to be coordinated and advertised and if the City waits too long it will not be possible. **Staff does not recommend approval of the request for fireworks and has some reservations about sparklers.**

THIS ITEM WAS HEARD AFTER ITEM "4B".

MOTION TO APPROVE THE PROPOSAL FOR A FOURTH OF JULY BLOCK PARTY WITH A CITY OF KINGMAN SPENDING LIMIT OF \$3,000.00 WAS APPROVED BY A VOTE OF 4-1 WITH COUNCILMEMBER CARVER VOTING NAY.

b. Consideration of an application from Shawn Walsh for up to \$35,000 from the Tourism Development Commission to fund fireworks and fire protection for a Fourth of July Celebration.

Shawn Walsh of the Community Improvement Foundation approached the City Council on May 19, 2015 concerning funding for a fireworks celebration at the Sand Drags Tracks located west of Route 66 and north of Grace Neal Parkway on July 4, 2015. Mr. Walsh was invited to submit an application to the Tourism Development Commission (TDC). Mr. Walsh prepared an application to the TDC for \$35,000 (\$25,000 for fireworks and \$10,000 for fire protection from Northern Arizona Consolidated Fire District). Mr. Walsh was not certain the fire protection would cost \$10,000 and stated he would not seek funding beyond the actual

cost. A special meeting of the TDC Commission was held on May 26, 2015. The TDC believed a fireworks celebration for the 4th of July was very appropriate, but did not believe tourism monies should be used to fund fireworks because fireworks do not bring tourists to town (put “heads in beds”). The TDC voted 4 to 0 to recommend the TDC monies not be used to fund the fireworks program this year. The TDC believed the fireworks should be funded from the General Fund of the City. **The Tourism Development Commission unanimously voted (4 to 0) to recommend not funding the \$35,000 application (\$25,000 for fireworks and \$10,000 for fire protection) from Shawn Walsh.**

THIS ITEM WAS HEARD BEFORE ITEM “4A”.

MOTION TO DENY WAS PASSED BY A VOTE OF 4-1 WITH VICE MAYOR WIMPEE SR. VOTING NAY.

5. **NEW BUSINESS**

a. **Discussion and Possible Action on the National League of Cities Service Line Program**

Ashley Shiwarski, Business Development and Inside Sales Manager for Utility Service Partners, will give a presentation on the program including how it will benefit residents and provide some revenue to the City. This program is backed by the National League of Cities and the Arizona League of Cities and Towns. This company would like City backing to send solicitation letters to residents for insurance against utility infrastructure breakage that is the property owner’s responsibility. **Council discretion. DIRECTION WAS PROVIDED TO STAFF TO REVIEW THIS PROGRAM FURTHER AND BRING IT BACK TO THE COUNCIL WITH A PROPOSED CONTRACT.**

b. **Public Hearing and consideration of Ordinance No. 1798 to approve the rezoning of a 2.46 acre parcel located on the east side of N. Fairfax Street between Berk Avenue and Sunrise Avenue**

This is a request from UniSource Energy Services to rezone a 2.46 acre parcel located on the east side of N. Fairfax Street between Berk Avenue and Sunrise Avenue from R-2: Residential, Multi-Family, Low Density to R-R: Rural Residential to allow for the use of property for the construction, operation and maintenance of a 69kv utility substation. The Planning and Zoning Commission held a public hearing and reviewed the Goals and Objectives of the Kingman General Plan 2030, the Standard for Review and the applicant’s request. There were no objections from nearby property owners during the public testimony. The Planning and Zoning Commission voted 4-0 to recommend approval of the rezoning to R-R as requested with certain conditions. Conditions included requirements for a building permit and survey, submittal of a drainage report, landscaping, construction of a block wall around the perimeter of the project site, and extension of water lines and street improvements. **The Planning and Zoning Commission recommends approval of the rezoning request. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0.**

6. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

7. **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.

8. **EXECUTIVE SESSION**

The City Manager requests that the Mayor and Council make a motion to go into executive session pursuant to ARS 38-431.03(A)(3).

MOTION TO GO INTO EXECUTIVE SESSION WAS PASSED BY A VOTE OF 5-0.

- a. Discussion of possible legal action concerning downtown abatement issues including potential demolition issues.
- b. Discussion and possible direction given to staff concerning city owned land on Andy Devine Ave.

MOTION TO MOVE FORWARD WITH AN EVALUATION FOR POSSIBLE LAND SALE OF CITY OF KINGMAN OWNED PROPERTY LOCATED AT THE CORNER OF EAST ANDY DEVINE AVENUE AND FAIRGROUNDS BOULEVARD WAS PASSED BY A VOTE OF 5-0.

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 5-0.

Posted _____ by _____