

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

5:30 P.M.

ACTION AGENDA

Tuesday, July 7, 2015

REGULAR MEETING

CALL TO ORDER & ROLL CALL --- ALL COUNCILMEMBERS WERE PRESENT EXCEPT COUNCILMEMBER ABRAM WHO WAS EXCUSED.

INVOCATION will be given by John Pool of Praise Chapel
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 Regular Meeting and Executive Session minutes of June 16, 2015. MOTION TO APPROVED WAS PASSED BY A VOTE OF 6-0.**
- b. The Special Subcommittee Meeting and Executive Session minutes of June 9, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 3-0 BY THE SUBCOMMITTEE CONSISTING OF MAYOR ANDERSON, VICE MAYOR WIMPEE SR., AND COUNCILMEMBER YOUNG.**
- c. The Special Meeting and Executive Session minutes of June 24, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0 WITH COUNCILMEMBER ABSTAINING FROM THE VOTE AS HE WAS NOT PRESENT FOR THE JUNE 24, 2015 MEETING.**

2. APPOINTMENTS

a. Appointments to Clean City Commission

Currently there are two vacancies on the Clean City Commission that were created by the recent resignations of Ron Giesbrecht and David Wolf. At their regular meeting on June 18, 2015 the Clean City Commission reviewed the current Boards and Commissions applications for applicants interested in serving. Two applicants, William Ressegue and Joseph Longoria, were present at the meeting. Mr. Ressegue lives outside of the city limits and Mr. Longoria lives within the city. There are no County residents currently serving on the CCC at this time. In accordance with KMC §2-157(f)(1)c a maximum of two commission members may be non-city residents living within the greater Kingman area. **The commission members voted unanimously, 6-0, to recommend that the City Council appoint William Ressegue and Joseph Longoria to serve on the Clean City Commission. MOTION TO APPOINT WILLIAM RESSEGUE TO THE CLEAN CITY COMMISSION WAS PASSED BY A VOTE OF 6-0.**

b. Transit Advisory Commission (TAC) Recommendations for Commission Appointments

KART TAC has one vacant position with a membership term that will expire October 2016. At a special meeting held June 22, 2015, TAC members reviewed the following applicants: Bill Laity, a previous member whose second term expired and reappointment would require a supermajority vote of Council; Fred D. Gilbert, Jr.; and Gary Seieroe. Mr. Gilbert and Mr. Seieroe were both present at the meeting. Mr. Laity did not attend. After hearing from both applicants who were present, TAC members voted 4-1 to recommend Council appoint Mr. Gilbert to fill the vacant position. Commission member Hupp was the nay vote. The selection of Mr. Gilbert was based largely on his current position as Dean at Mohave Community College (MCC) Neal Campus and the relation that education and MCC in particular have to KART. **Staff agrees with the Transit Advisory Commission’s recommendation to appoint Mr. Gilbert to his first term which will expire in October 2016. MOTION TO APPOINT FRED D. GILBERT TO THE TRANSIT ADVISORY COMMISSION WAS PASSED BY A VOTE OF 6-0.**

3. RECOGNITION

In appreciation for their hard work, dedication, and loyalty the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

Yrs of Service	Name	Title	Department
25	Lemelin, Phillip	Equipment Operator B	Sanitation
15	Freed, Joel	Police Sergeant	Police
15	Van Arsdale, Julia	Associate City Magistrate	Court
10	Muhle, Sydney	City Clerk	City Clerk
10	Wolff, Wilfred	Building Maintenance Worker	Building/Fleet Maintenance
5	Allred, Phillip	Assistant City Engineer	Engineering
5	Brice, Sandra	Court Clerk	Court
5	Marbury, Frank	Assistant City Engineer	Engineering
5	Matthews, Elizabeth	Recreation Coordinator	Parks & Recreation

Mayor and Council would like to congratulate the following retirees on their retirement:

- Lyman Watson who retired from the Police Department on June 5, 2015 with 25 years of outstanding service.
- Ramona Auld who retired from the Police Department on June 5, 2015 with over 21 years of outstanding service.
- Joseph Dorner who retired from the Fire Department on May 22, 2015 with nearly 20 years of outstanding service.
- Linda Semm who retired from the Human Resources Department on April 2, 2015 with over 9 years of outstanding service.

4. **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.

5. **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. **Consideration of Resolution No. 4959 to approve the vacation (abandonment) of the subdivision plat for Cheyenne Estates, Tract 6013.**

This is a request from Angle Homes, Inc., applicant, and Robert J. & Eleanor Villandre, property owners, for the vacation (abandonment) of the subdivision plat for Cheyenne Estates, Tract 6013. This undeveloped subdivision consists of three lots and an unimproved public street, Maya Drive, on 4.28 acres located along the south side of Cheyenne Avenue east of Packsaddle Road. The applicant is requesting the abandonment of the subject subdivision because the required improvements for the subdivision are considered cost prohibitive. A significant portion of the property is also encumbered by two large utility easements, a 100-foot wide gas pipeline easement and a 125-foot wide power line easement, which limit the amount of property that can be developed. If the subdivision is vacated, the property will revert to acreage which would allow one single family home to be constructed on the property. The existing utility easements will remain in place. **The Planning and Zoning Commission met on June 9, 2015 to consider this request and unanimously recommended the approval of the request to vacate Cheyenne Estates, Tract 6013. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

b. **Authorization for the Mayor to sign an agreement with Southwest Energy Solutions for water meter reading.**

The city initially contracted with SES to provide water meter reading services ten years ago. Our current contract expires at the end of July, 2015. The proposed new one-year agreement includes a two cent increase per read. Staff is requesting authorization for the Mayor to sign this agreement with SES for water meter reading services. **Staff recommends authorizing the Mayor to sign the agreement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

c. **Authorization for the Purchase of an Opticom Preemption System**

The City of Kingman currently has 25 traffic signals equipped with preemption devices that are utilized during emergency response. During the 2014-2015 fiscal year, issues with performance were ongoing due to dated technology and satellite alignment. The fact finding and search for potential solutions resulted in constant communication with our current vendor Advanced Traffic Products. The replacement of all preemption devices was already proposed; however, since the foundation of technology at intersections and in apparatus would remain, a discount was provided on all remaining equipment due to the inconvenience of the current

satellite configuration. The current equipment could not be updated due to the age of the equipment and the technology requirements associated with this system. These devices reduce response times of emergency apparatus and reduce the number of emergency vehicle crashes. This project will ensure that all traffic signals are equipped and up-to-date with the latest GPS technology to enhance response. The replacement of the preemption system was approved in the 2015-2016 Adopted Budget and Capital Improvement Plan. Advanced Safety Products is the sole source provider for the replacement of the preemption system. In accordance with the City's Procurement Code pertaining to sole source providers, staff is requesting authorization for the purchase of the Opticom Preemption System utilizing the bid from Advanced Safety Products in the amount of \$122,328.10. **Staff recommends Council approves acceptance of the bid from Advanced Safety Products in the amount of \$122,328.10 MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

d. Resolution No. 4958 Traffic Light Preemption Intergovernmental Agreement

The Intergovernmental Agreement between Northern Arizona Consolidated Fire District (NACFD) and Kingman, Arizona for the Utilization of Traffic Light Preemption Devices has been revised after review and updating the current language to reflect current operational practices. The City of Kingman and NACFD have a mutual aid and automatic aid agreement currently in force. The City has installed traffic light preemption devices within the city limits and NACFD desires to contract for the use of the installed traffic light preemption devices within the city limits to enhance response times on both mutual and automatic aid. The original Intergovernmental Agreement was entered into in November, 2009. Resolution 4958 has been completed in order to allow the City to enter into this agreement. **Staff recommends allowing the City of Kingman to enter the Intergovernmental Agreement between the City and NACFD as stated within the city of Kingman Resolution No. 4958. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

e. Resolution No. 4961 - authorizing the Mayor to sign an extension of the Inmate Work Contract with the Arizona Department of Corrections.

MTC serves as the administrator of the Arizona State Prison Complex – Kingman, located in Golden Valley. In 2011 the Council authorized a contract with them to provide inmate work crews for City projects such as recycling, weed abatement, trash pickup, and landscape and street maintenance. Staff purposes proceeding with this contract extension utilizing existing budgeted funds from Parks, Golf Course, Streets, Sanitation, Fleet, and Building Maintenance. For FY 2015, our fifteen inmates have provided approximately 24,000 hours of work at a cost of \$12,000. Staff is requesting authorization for the Mayor to sign this amendment to our Inmate Work Contract with the Arizona Department of Corrections, extending the term of the agreement to July 14, 2016. **Staff recommends adopting Resolution No. 4961. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

~~f. Consideration of an application from Best of the West on Route 66 for the City to grant \$25,000 from the Tourism Development Commission (TDC) to fund promotion of the Best of the West on Route 66 Celebration in September, 2015~~

~~The Best of the West on Route 66 organization in conjunction with the Kingsmen and the City of Kingman are holding the Best of the West on Route 66 festival September 23rd through September 27th, 2015. The organization is seeking \$25,000 from the Room Tax fund to promote the event. The TDC met on July 2, 2015 and unanimously recommended awarding the \$25,000 grant request. Item moved to New Business Item "7d".~~

g. Special Event Liquor License Application

Applicant ~~Mark Wimpee, Sr.~~ Charles (Ray) Cullison of the Kingsmen has applied for a Series 15 Special Event Liquor License for an event to take place Friday, September 25, 2015 from 1800 to 0100, at ~~2600 Fairgrounds Blvd.~~ 112 N. Fourth St. in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

h. Grant of Easement for sewer service at Parcel IV-U-B-F at the Kingman Airport Industrial Park

When the T. J. Mark, LLC. (dba ISCO Industries) property was developed at the Kingman Airport Industrial Park, the installed sewer service line traversed approximately 38 feet of the adjacent City property. The line was surveyed and the documentation was prepared, but it was never officially approved by the City and recorded. There is now interest in developing the adjoining property by a separate entity and an easement should be granted to allow the improvements to be designated in the plats of record and protect the improvements. The legal description has been prepared by the City Surveyor's Office for accuracy. **Kingman Airport Authority recommends approval of Resolution No. 4960. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

6. OLD BUSINESS

Direction regarding the requested community town hall meeting on Kingman Crossing

At the Regular Meeting of June 16, 2015, Council directed staff to set up a town hall meeting to provide information to the public concerning the proposed "Kingman Crossing." Staff is requesting clarification regarding this town hall, specifically whether the entire Council is planning to participate. **Direction requested. DIRECTION WAS PROVIDED FOR STAFF TO SET UP THE TOWN HALL MEETING WITH THE ENTIRE COUNCIL IN ATTENDANCE AT THE MOHAVE COUNTY BOARD OF SUPERVISORS AUDITORIUM.**

7. NEW BUSINESS

a. Public hearing and consideration of a Substantial Encroachment Application for a block fence within the right of way at 2011 Andy Devine Avenue, ENG15-043

On June 5, staff received a request to install a block fence encroachment within the right of way adjacent to the Rutherford Diner at 2011 Andy Devine Avenue. The request comes from Mark Wimpee of First Generation Builders (applicant) and Brent Rutherford (owner). The proposal is to construct a patio area in front of the restaurant. The applicant initially indicated that the block wall would encroach into the City right of way up to the back of the sidewalk, a distance of approximately eight feet. On June 29, staff received an updated request to place the encroachment three feet into the right of way. The Street Policy requires that the City hold a public hearing and that Council act on the proposed encroachment. Staff has posted and mailed notices to the adjacent property owners, and has published the hearing notification in the Kingman Daily Miner. The City has an existing twelve-inch water main in the right of way

in the vicinity of the proposed encroachment. The applicant has indicated they would stay two feet from the existing water main, which was originally installed in 1975. Unisource Gas has indicated they have a six-inch gas line near the back of the sidewalk. The block wall will limit the ability of the utility(s) to perform future maintenance, especially with mechanical equipment. In addition, there are existing driveways on either side of the proposed encroachment, which pose a concern for sight distance issues. **Staff recommends denial of the proposed encroachment. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0 WITH VICE MAYOR WIMPEE SR. ABSTAINING.**

b. Report by Mayor on Cives \$1,000,000 check and resolution.

The Mayor will provide a report to the Council on actions taken concerning a \$1,000,000 offer to purchase property in the Kingman Airport Industrial Park. There will be no action on this item.

c. Transferring of low level radioactive material in the industrial park from rail to trucks for transportation to Nevada

A property owner in the industrial park would like authorization from Council to unload containers of class 7 radioactive material from rail cars onto trucks for transport to a Nevada test site. The very low radioactive materials have only been exposed to radioactive material, but have not been radioactive. ICE Service group would perform the moving of the cargo off train cars onto trucks for transport to a Nevada site. Kingman Airport Authority has approved this usage. The owner would like to make the Council aware and seek its approval before beginning operations. **Council discretion. DIRECTION WAS PROVIDED TO PROCEED.**

d. Consideration of an application from Best of the West on Route 66 for the City to grant \$25,000 from the Tourism Development Commission (TDC) to fund promotion of the Best of the West on Route 66 Celebration in September, 2015

The Best of the West on Route 66 organization in conjunction with the Kingsmen and the City of Kingman are holding the Best of the West on Route 66 festival September 23rd through September 27th, 2015. The organization is seeking \$25,000 from the Room Tax fund to promote the event. **The TDC met on July 2, 2015 and unanimously recommended awarding the \$25,000 grant request. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

8. REPORTS

Board, Commission and Committee Reports by Council Liaisons

9. 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.

10. 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:

MOTION TO GO INTO EXECUTIVE SESSION WAS PASSED BY A VOTE OF 6-0.

a. ~~Annual Performance Review and~~ Consideration of Contract – City Manager

b. Discussion and/or Action of Item “10a.”

MOTION TO FORM A SUBCOMMITTEE COMPRISED OF MAYOR ANDERSON, COUNCILMEMBER MILES, AND COUNCILMEMBER YOUNG TO NEGOTIATE THE EMPLOYMENT CONTRACT WITH CITY MANAGER JOHN A. DOUGHERTY WAS PASSED BY A VOTE OF 6-0.

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 6-0.

Posted _____ by _____