

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

ACTION

5:30 PM

AGENDA

Tuesday, December 15, 2015

REGULAR MEETING

CALL TO ORDER AND ROLL CALL ALL COUNCILMEMBERS WERE PRESENT

INVOCATION CITY ATTORNEY CARL COOPER PROVIDED THE INVOCATION

The invocation will be given by Steve McCall of Desert Church of Christ.

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 minutes of December 1, 2015**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH ONE ABSTENTION

2. APPOINTMENTS

- a. Reappointment of commissioners to the Municipal Utility Commission (MUC)**

The terms for Commissioners Pat Yarish, Toby Orr and Marvin Yarbrough will expire on December 31, 2015. No new talent bank applications have been received. At their November 23, 2015 meeting, the MUC voted 4-0 to recommend reappointment of commissioners Pat Yarish, Toby Orr and Marvin Yarbrough.

MOTION TO REAPPOINT PAT YARISH, TOBY ORR AND MARVIN YARBROUGH WAS PASSED BY A VOTE OF 7-0

- b. Consideration of appointing two candidates to the Planning and Zoning Commission**

The Planning and Zoning Commission considered eight candidate applications on December 8, 2015 to fill one term expiring in December, 2015 and one term expiring in December, 2016. **The Planning and Zoning Commission recommends that the Council appoint two commissioners from the following candidates: Mark Bailey, ~~Laurie DeVries~~, Gary Fredrickson, Jed Noble, and Thomas Schulte.**

MOTION TO APPOINT GARY FREDRICKSON AND MARK BAILEY WAS PASSED BY A VOTE OF 7-0

- c. Discussion and possible action regarding appointment of a vice-mayor**

Mark Wimpee, Sr. resigned from the position of vice-mayor and the Council in October, 2015. The Council will discuss selecting a new vice-mayor and possibly appoint a member to that position.

MOTION TO APPOINT COUNCILMEMBER YOUNG WAS PASSED BY A VOTE OF 5-2

3. AWARDS/RECOGNITION

- a. Citizen recognition**

On October 30th at approximately 10:30 A.M. officers responded to a collision between a motorcycle and SUV at the intersection of Main and Wickieup. The rider of the motorcycle received life threatening injuries as a result of the collision. Off-duty Arizona Department of Public Safety (DPS) Trooper Leo Becenti Jr. and citizen Ellen

Baca heard the collision and immediately went to the aid of the rider. According to family members, the surgeons were able to save the rider's life and leg due to the prompt actions of Trooper Becenti and Ms. Baca. Both individuals are to be commended for their quick and selfless response to an individual in distress.

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. Professional Services Agreement at Railroad Museum

According to the agreement, the Whistle Stop Railroad Club (WSRRC) will utilize the "Hertz space" in addition to the original space they occupied in the Kingman Train Depot. WSRRC will be required to have the museum open five days a week. They will also be responsible for routine maintenance of the museum portion of the Depot including, but not limited to, cleaning, dusting, routine repairs, and stocking the restrooms. The City will be responsible for major repairs and the utilities. The agreement renewal will be for one year and will begin on January 1, 2016. **Staff recommends approval.**

b. Award of bid for a new office building

The Mohave Area General Narcotics Enforcement Team (M.A.G.N.E.T.) Board of Directors sought bids for the construction of a new office building at their current location on Flightline Drive. One bid was submitted and opened on November 25, 2015 with the bidder being T.R. Orr Inc. with a construction cost of \$132,000.00. The bid was reviewed and approved by the M.A.G.N.E.T. Board of Directors on December 4, 2015. **Staff recommends approval.**

c. Consideration of an exception to Section 9-5(c)(1) to permit overhead power to a detached garage at 3724 N. Moore Street

The residents at 3724 N. Moore Street are constructing a detached garage on the rear portion of their property. There is a powerline along the rear of the lot that serves the properties on the east of Moore Street and the west side of Bond Street. Unisource Energy will not charge them for an overhead line drop from this power line. Subsection 9-5(c)(1) of the City Code requires underground power. An underground power line will cost the residents \$2,000 and require them to run the line across the Hackberry right-of-way. **Staff recommends approval of the exception.**

d. Authorization for the purchase of a Computer Aided Dispatching (CAD) paging interface

The Kingman 9-1-1 Center currently utilizes a manual process of email, phone, and text messaging to notify Command Staff of major incidents or to call out additional personnel. The CAD paging interface will automate this process. The Kingman 9-1-1 Center and Kingman Police Department have a contract with New World Systems to provide CAD Software and the paging interface would be an add-on to the existing system. **Staff recommends approval.**

MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED WAS PASSED BY A VOTE OF 7-0

6. OLD BUSINESS

a. Consideration of grant of easement to Unisource (UNS) Electric at Kingman Crossing property (ENG15-069)

The proposed easement is along the west boundary of the Kingman Crossing property (Parcel 322-06-010) and is intended to cover existing power poles, electric lines and guy anchors that were installed many years ago when the property was under ADOT ownership. This easement request was reviewed and tabled at the October 20, 2015 Council meeting. On November 16, 2015, Staff met with members of Unisource Electric but were unable to reach any additional agreements on the easement language. **Staff recommends including the standard franchise language in the easement document, which requires the electric company to bear the costs of any future relocation of their facilities. Staff further recommends authorizing the mayor to sign the agreement on behalf of the City.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-1

b. Battalion Chief - Operations reclassification

The position of Battalion Chief – Operations for the Fire Department is currently an “exempt” status position due to their supervisory status and responsibilities within the department based on their assignment as “Shift Commanders.” The individuals within these positions serve in a mixture of exempt and non-exempt status; however, they lose many of the benefits associated with each classification. The work schedule and the requirements of this position bring the conclusion that these individuals would be better served and better serve the City of Kingman in a non-exempt classification. **Staff recommends the approval of the reclassification of the position of Battalion Chief - Operations as non-exempt status within the adopted pay plan for the city of Kingman. MOTION TO APPROVE WAS PASSED BY A VOTE OF 4-3**

c. Public Hearing and consideration of proposed Ordinance 1805: amending permit fees in relation to Manufactured Housing & Factory Built Buildings

Since entering into an intergovernmental agreement (IGA) with the State of Arizona Office of Manufactured Housing [OMH], OMH has adjusted their fee schedule for FY 2016. Approval of Ordinance 1805 will adjust current City fees to match the OMH Fee Schedule update for 2016, which is required by the IGA. This item was previously approved by Council after being sent to the agenda prematurely. Like all other fee increases, this item has been posted on the City of Kingman website for 60 days and must be ratified now that the statutory timeline has been met. **Staff recommends approving Ordinance 1805. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

d. Resolution 4984: allowing an exception to Section 1-12 of the Streets and Sidewalks Regulations

Staff has received a request for an exception to Section 1-12 of the Streets and Sidewalks Rules and Regulations for 3150 and 3152 Stockton Hill Road (Parcels 320-13-007 & 320-13-044). Section 1-12 of the Streets and Sidewalks Development Rules and Regulations allows one commercial driveway for properties with frontage of less than 300 feet. When combined, the subject properties will have approximately 200 feet of frontage. Rex Ruge has submitted a site plan requesting two driveways for the subject properties. The site plan was reviewed at the November 19, 2015 Traffic Safety Committee and the committee generally agrees with the exception allowing two driveways for the subject properties. Councilmember Yocum has requested that this item be revisited. **Staff recommends approval.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0

e. Discussion and possible action on the splash pad water management system type, park location and the City's level of involvement

Staff is requesting Council decision on the type of splash pad water management system, the park location for the splash pad, and the City's level of involvement in the process. Staff recommends a repurpose to irrigation water management system installed at South Side Park or Cecil Davis. If a recirculation water management system is the Council's decision, Staff recommends installing it at Centennial Park. If repurpose to irrigation water management system is the Council's decision and additional funds are required, Staff recommends the City contribute to the project.

DIRECTION PROVIDED TO PURSUE A RECIRCULATION WATER MANAGEMENT SYSTEM AT CECIL DAVIS PARK

f. Fiscal Year (FY) 2015 financial audit update

Staff will provide Council with an update as to the status of the City's FY 2015 financial audit. At the last Council meeting, staff informed Council that the previous audit firm's services had been disengaged and a request for proposal (RFP) to hire a new audit firm was being drafted.

g. Property tax initiative

Discussion, direction and possible action concerning the proposed property tax being placed on the ballot in May, 2016. Several councilmembers have voiced concerns about asking voters to approve a property tax due to a recent embezzlement investigation involving a former City employee. **Staff is neutral, though Staff is still in favor of a property tax to add stability to the City's revenue.**

DIRECTION PROVIDED TO PURSUE A PROPERTY TAX

7. NEW BUSINESS

a. Presentation of GIS needs assessment

The City has hired Sunrise Engineering to prepare a Geographic Information System (GIS) needs assessment. GIS is used by cities and other entities as a means to store, manage, and share data across departments and with the general public. It has been almost 10 years since the last GIS assessment was prepared for the City. Staff has asked Sunrise Engineering to discuss the assessment and answer any questions there may be on the report. This presentation is for informational purposes only.

b. Public Hearing and consideration of Resolution 4985: Request for a Conditional Use Permit (CUP) to permit a public assembly - general use, specifically a church, at 112 N 4th Street (Case CUP15-001)

A request for a CUP to allow a "Public Assembly – Indoor General" use at 112 North Fourth Street, Kingman, to operate church. This portion of the Central Commercial Building will have 234 seats. The property is zoned C-2 and is in Historic Commercial Overlay District. **The Planning & Zoning Commission and Staff recommend approval of the request based on the findings that the application conform to the standards for review, findings of fact, required findings of a CUP and analysis with the condition that the applicant meet with the Building Department and resolve the building official's concerns about the mezzanine use and comply with all regulations set forth by the Fire Department.**

MOTION TO APPROVE WAS DENIED BY A VOTE OF 5-2

c. Creation of a Court Clerk position for Veterans Court

Based on the anticipated participation rate of the new Veterans Treatment Court program, Staff recommends adding a Veterans Court Clerk position for program support. Currently the Municipal Court has an unfunded .50 FTE (full-time employee) Court Clerk position. Staff recommends funding the .50 position and increasing it by .50 to be 1 FTE. The position will remain at the same salary grade as the current Court Clerk position, but will be re-titled to Veterans Court Clerk and the job description revised to better align the tasks with those related to a veterans treatment court

program. **Staff recommends approval.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0

d. Resolution 4986: compensation and classification plan

Attached Resolution 4986 amends previously adopted Resolution 4953 by amending the classification and compensation plan for FY 2015/2016 to reflect changes in Fire Department personnel classification and Municipal Court personnel. **With Council approval of previous related agenda items, Staff recommends approval of the change to the classification and compensation plan.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0

e. Department presentation - Fire

The City Manager has directed each department head to give a brief presentation to the Council and Public on the purpose and future of the department. The Fire Department will provide a report for informational purposes only.

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.

ADJOURNMENT

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