

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

**5:30 P.M.**

**ACTION AGENDA**

**Tuesday, May 3, 2016**

**REGULAR MEETING**

**CALL TO ORDER AND ROLL CALL --- ALL COUNCILMEMBERS WERE PRESENT.**

**INVOCATION**

The invocation will be given by Pete Ernst of Family Bible 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 Special and Executive Session Meeting minutes of March 14, 2016. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**
- b. **The Work Session Meeting minutes of March 14, 2016. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**
- c. **The Regular Meeting and Executive Session minutes of April 5, 2016. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**
- d. **The Regular Meeting minutes of April 19, 2016. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**2. APPOINTMENTS**

- a. **Consideration of appointing Terry Shores and Mike Chambers to the Board of Adjustment**

The Board of Adjustment is a seven member, quasi-judicial board that has two vacancies and may have an upcoming case. The talent bank has two applications, Terry Shores and Mike Chambers. The terms of the two vacant positions ended December 31, 2015, therefore those appointed at this time will be appointed to terms ending December 31, 2018. **Staff recommends approval. MOTION TO APPOINT TERRY SHORES AND MIKE CHAMBERS TO THE BOARD OF ADJUSTMENT WAS PASSED BY A VOTE OF 7-0.**

**3. AWARDS/RECOGNITION**

- a. **Special presentation: Taylee Mote**  
Mayor Anderson will provide a special presentation to Taylee Mote on behalf of the City of Kingman along with Chief Jake Rhoades of the Kingman Fire Department.
- b. **Kingman Day of Prayer proclamation**
- c. **Goodwill Industries Week proclamation**
- d. **Mental Health Month Proclamation**

**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. CONSENTAGENDA

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. **High Intensity Drug Trafficking Area (H.I.D.T.A.) grant award**

The Mohave Area General Narcotics Enforcement Team (M.A.G.N.E.T.) has been awarded a grant in the amount of \$63,541.00 for the time period of January 1, 2016 through December 31, 2017. The funds are for operational expenses related to the M.A.G.N.E.T. task force facility. The City serves as the fiduciary for M.A.G.N.E.T. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

### b. **High Intensity Drug Trafficking Area (H.I.D.T.A.) grant award**

The Mohave Area General Narcotics Enforcement Team (M.A.G.N.E.T.) has been awarded a grant in the amount of \$24,572.00 for the time period of January 1, 2016 through December 31, 2017. The funds are for services related to the M.A.G.N.E.T. task force facility. The City serves as the fiduciary for M.A.G.N.E.T. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

### c. **Engineering Department building improvements**

Staff has completed the process for selecting a Construction Manager at Risk (CMAR) for the Engineering Building improvements. The selection committee, comprised of City staff and a licensed local contractor, ranked T.R. Orr, Inc. as the most qualified contractor. On March 15, 2016 the City hired T.R. Orr for Design Phase services, which included defining the scope and providing prices for the Construction Phase. The contract will include services associated with replacement of the roof, installation of air conditioning units, installation of security cameras, installation of ramp and ADA access improvements and drainage improvements, and other improvements. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

### d. **Acceptance of grant of a 603 square foot right-of-way being offered in conjunction with the recording of a parcel plat for property located at 3220 Stockton Hill Road**

A 603 square foot right-of-way dedication adjacent to the Taco Bell restaurant located at 3220 Stockton Hill Road is being offered to the City. The dedication will increase the right-of-way width for Stockton Hill Road by 8.20 feet south of the shopping center right-turn lane adjacent to the property. The dedication is being done in conjunction with the recording of a parcel plat which will split the Taco Bell property into two parcels. The dedication is a requirement of Ordinance 1804 which modified the original zoning conditions in order to allow the Taco Bell parcel to be split into two parcels. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

### e. **Resolution 5011: approval of intergovernmental agreement (IGA) with the Mohave County Flood Control District for the identification and administration of building permits within Federal Emergency Management Agency (FEMA) designated special flood hazard zones (ENG15-0077)**

Mohave County Flood Control District (District) administers FEMA Regulations under the National Flood Insurance Program (NFIP) including all FEMA designated special flood hazard zones within the boundaries of the City. City and District staff established procedures to identify and process building permits within the special flood hazard zones to ensure compliance with NFIP requirements. The IGA serves to document the procedural steps and formalized them. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**f. Special event liquor license application**

Applicant Ann Gardner of Hannah's Hill Vineyard has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**g. Special event liquor license application**

Applicant Mitchell D. Levy of Burning Tree Cellars, LLC has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**h. Special event liquor license application**

Applicant Stetson Winery, LLC of Stetson Winery has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**i. Special event liquor license application**

Applicant John W. Patt of Desert Diamond Distillery Inc. has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**j. Special event liquor license application**

Applicant Brian Predmore of Alcantara LLC has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**k. Special event liquor license application**

Applicant Rodney Young of Arizona Stronghold Vineyards, LLC has applied for a Fair/Festival Liquor License for an event to take place at Firefighters Park (2001 Detroit Avenue) on Saturday, May 14, 2016 from 11:00 A.M. to 6:00 P.M. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**l. Special event liquor license application**

Applicant Richard Skladzien of Del Rio Springs Vineyard has applied for a Series 16W Wine Festival/Wine Fair Liquor License for an event to take place Saturday, May 14, 2016, from 11 a.m. to 6 p.m. at Firefighter's Park, 2001 Detroit Ave., in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**m. Special event liquor license application**

Applicant Eric Olomski of Page Springs Cellars and Vineyards has applied for a series 16W Wine Festival/Wine Fair Liquor License for an event to take place Saturday, May 14, 2016 from 11 AM to 6 PM at Firefighter's Park, 2001 Detroit Ave., Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**n. Special event liquor license application**

Applicant Lori Marie Reynolds of Sonoita Vineyards has applied for a Series 16W Wine Festival/Wine Fair Liquor License for an event to take place Saturday, May 14, 2016 from 11 AM to 6 PM at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**o. Special Event Liquor License Application**

Applicant Carlos Cella of Cella Winery LLC has applied for a Series 16W Wine Festival/Wine Fair Liquor License for an event to take place Saturday, May 14, 2016 from 11 AM to 6 PM at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**p. Special Event Liquor License Application**

Applicant Sam Pillsbury of Pillsbury Wine Company has applied for a Series 16W Wine Festival/Wine Fair Liquor License for an event to take place Saturday, May 14, 2016 from 11 AM to 6 PM at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**6. OLDBUSINESS**

**a. Application for temporary liquor license extension of premises/patio permit**

Applicant Stacy Lynn Thomson of House of Hops has submitted an application for a temporary extension of premises/patio permit for May 5, 2016 through May 31, 2016 at 312 E. Beale Street in Kingman, Arizona. This item was tabled at the April 19, 2016, Regular meeting. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**b. Application for temporary liquor license extension of premises/patio permit**

Applicant Stacy Lynn Thomson of House of Hops has submitted an application for a temporary extension of premises/patio permit for July 2, 2016 through July 3, 2016 at 312 E. Beale Street in Kingman, Arizona. This item was tabled from the April 19, 2016, Regular Meeting. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**7. NEWBUSINESS**

**a. Application for temporary liquor license extension of premises/patio permit**

Applicant Stacy L Thomson of House of Hops has submitted a temporary Application for Extension of Premises/Patio Permit at 312 E. Beale Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**b. Application for temporary liquor license extension of premises/patio permit**

Applicant Stacy Thomson of House of Hops has submitted a temporary Application for Extension of Premises/Patio Permit at 312 E. Beale Street, in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER CARVER VOTING NAY.**

**c. Application for permanent liquor license extension of premises**

Applicant Stacy Thomson of House of Hops has submitted a permanent Application for Extension of Premises/Patio Permit at 312 E. Beale Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

**d. Proposed railroad lease agreement**

The proposed lease with BNSF would impact property between the railroad and Andy Devine Avenue from the right of way line east of the Powerhouse to Fourth Street. BNSF wants to keep certain portions of right of way closed; there are proposed options to accomplish this. The City wants to utilize some of the property, which would come at a cost. **Staff has concerns in regards to the proposed contract. Staff is seeking Council's direction as to proceed with the lease or choose another alternative. MOTION TO DENY WAS PASSED BY A VOTE OF 7-0.**

e. **Discussion and direction regarding the potential of selling City owned property**

Mayor Anderson has requested information regarding the potential of selling City owned property at the November 8, 2016, General Election. The City Clerk will provide the Council with information regarding the time frame for a ballot measure to take place. Staff request direction from the Council regarding whether or not to proceed with the process to send a ballot measure to the voters in November to sell City owned property. **Council discretion. DIRECTION WAS PROVIDED FOR STAFF THE BRING THIS ITEM BACK WITH INFORMATION REGARDING WHICH CITY-OWNED PROPERTIES ARE ELIGIBLE TO BE SOLD AND PROPOSED BALLOT LANGUAGE.**

8. **REPORTS**

a. **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.*

10. **EXECUTIVE SESSION**

a. **Heinfeld & Meech-Former City Auditors**

The City Attorney requests Council enter Executive Session pursuant to ARS38-431.03(A)(4) to discuss legal action against Heinfeld & Meech, the former City auditors, for their failure to detect the activities of former Budget Analyst Diane Richards.

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

**DIRECTION WAS PROVIDED TO STAFF TO PROCEED WITH RECOVERY EFFORTS.**

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