

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

5:30 PM

Regular Meeting AGENDA

Tuesday, January 3, 2017

****A member of the Common Council may be attending the meeting telephonically****

REGULAR MEETING

CALL TO ORDER AND ROLL CALL--- ALL COUNCIL MEMBERS WERE PRESENT.

INVOCATION--- INVOCATION WAS GIVEN BY JESSICA COOPER OF KINGMAN FIRST ASSEMBLY.

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. Regular Meeting Minutes of December 20, 2016--- MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

2. APPOINTMENTS

a. Consideration of Appointing Two Citizens to the Planning and Zoning Commission

The terms of Planning and Zoning Commissioners Mike Blair and Mark Bailey ended on December 31, 2016. The City has eight applications for the Planning and Zoning Commission. The candidates are Mike Blair, Mike Chambers, Brenda Dehaan, Laurie DeVries, Ryan N. Dooley, Terry Hunsicker, Harley Pettit and Terry Shores. Brenda Dehaan is serving on another board and does not want to be considered for the Planning and Zoning Commission at this time. Ryan Dooley did not attend the December 13th Planning and Zoning Commission meeting. On a 3-1 vote the Planning and Zoning Commission recommends that the City Council appoint two commissioners from the six candidates: Mike Blair, Mike Chambers, Laurie DeVries, Terry Hunsicker, Harley Pettit and Terry Shores. **Council discretion. MOTION TO APPOINT TERRY HUSICKER AND LAURIE DEVRIES WAS PASSED BY A VOTE OF 7-0.**

b. Consideration of Appointments to the Municipal Utility Commission

The terms for Commissioners Aline Parker and Allen (Tony) Burgett expired on December 31, 2016. Both Commissioners have completed two three year terms. No new talent bank applications have been received. On December 22, 2016 the Municipal Utility Commission voted 4-0 to recommend that Commissioner Parker and Commissioner Burgett be reappointed to serve a third three year term. Both reappointment's will require a Super Majority vote by Council. **Staff recommends approval. MOTION TO POSTPONE UNTIL FIRST COUNCIL MEETING AFTER NEXT MUNICIPAL UTILITY COMMISSION MEETING WAS PASSED BY A VOTE OF 7-0.**

3. AWARDS/RECOGNITION

a. Promotion Badge Pinning/ Employee Introduction

The fire department and the dispatch division has recently hired and/or promoted numerous positions. The fire department would like to conduct badge pinning for the following ranks:

Lane Nielson	Firefighter	10/23/2016
Morgan Rosencrans	Firefighter	8/21/2016
Cody Wood	Firefighter	10/19/2015 (Missed last Badge Ceremony)
Donnie Gilbert	Engineer	9/25/2016
Genaro Herrera	Engineer	10/16/2016
David Ravenberg	Captain	8/21/2016

b. Employee Service 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
30	Morrison, Terri	Groundskeeper	Parks & Recreation
25	Cooper, Dwayne "Rusty"	Deputy Police Chief	Police
15	Clos, Joseph	Information Technology Director	Information Technology
10	Mosby, Heath	Police Officer	Police
10	Timm, Melissa	Legal Secretary	City Attorney
5	Kennedy, Amy	911 Crew Leader	Fire
5	Mills, Stanley	Building Maintenance Technician	Public Works

Mayor and Council would like to congratulate the following employees on their retirement. These employees have vested a significant portion of their careers to the City of Kingman:
Daniel Barkhurst – retired from the Fire Department on October 1, 2016 with over 40 years of outstanding service.
Mark Olivas - retired from the Fire Department on October 13, 2016 with over 29 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. **Intergovernmental Agreement with Lake Havasu City and Bullhead City**

The Kingman Police Department is an active member of the Western Arizona Law Enforcement Association (WALEA) which was formed in 2005 and represents all law enforcement agencies in Mohave, LaPaz and Yuma County. The association manages a law enforcement training consortium and the Western Arizona Law Enforcement Training Academy (WALETA) in Lake Havasu City. The original IGA created is outdated based upon expanded activities and operations of both WALEA and WALETA. The attached IGA clarifies the responsibilities for the three primary agencies that provide oversight for WALETA. **Staff recommends approval and authorizing the Mayor to sign the Intergovernmental Agreement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

b. **Emergency Purchase Order Report**

In September, pumps failed at both City Well #4, and City Well #2. These wells contribute a significant amount to our groundwater supply, requiring a timely repair. Per Section 2-160 of the Kingman Procurement Code, staff requested the Mayor authorize emergency purchase orders for the repair of these wells. The repairs have been completed and both wells are back on-line. This report is being prepared in accordance with the Kingman Procurement Code. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

c. **Special Event Liquor License Application- Kingman Powerhouse Kiwanis**

Marcia Anne Beecham of the Kingman Powerhouse Kiwanis has submitted a Special Event Liquor License application for an event to take place Saturday, January 14, 2017 from 5:30 to 10:00 p.m. at Beale Celebrations, located at 201 N. 4th Street, in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

d. **Special Event Liquor License Application- Mohave Livestock Association**

Ruby Duey of the Mohave Livestock Association has submitted a Special Event Liquor License application for an event to take place Saturday, February 11, 2017 from 5 to 12:59 p.m. at 201 N. 4th Street, in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

e. **Special Event Liquor License Application- Kingman Area Chamber of Commerce**

Gregg Martin of the Kingman Area Chamber of Commerce has submitted a Special Event Liquor License application for an event to take place Saturday, February 25, 2017 from 6:00 to 9:00 p.m. at 201 N. 4th Street, in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

- f. Transfer ownership of a 2013 Nissan Altima from the Kingman Police Department/MAGNET solely to the Kingman Police Department**
On October 19, 2016 a 2013 Nissan Altima was forfeited to the State of Arizona, Kingman Police Department. The vehicle was seized as a result of a criminal investigation conducted by MAGNET officers. The Kingman Police Department and City of Kingman serve as the fiduciary for MAGNET and was therefore awarded the forfeiture on behalf of the task force. On December 14, 2016 the MAGNET Board of Directors unanimously voted to approve a request to transfer ownership of the Nissan from the Kingman Police Department/MAGNET solely to the Kingman Police Department. **Staff recommends approval to transfer ownership of the above listed vehicle from the Kingman Police Department/MAGNET to the Kingman Police Department.**
MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0
- g. Consideration of Betty Lane Development Agreement, ENG16-0049**
Southwest Behavioral Health Services, Inc. is remodeling the existing commercial building at 1301 West Beale Street which includes about 200 feet of property frontage along Betty Lane. Southwest is planning to construct curb and sidewalk improvements in Betty Lane along their frontage. The Arizona Department of Transportation (ADOT), who controls access to Beale Street, has indicated that Southwest will only be able to access Beale Street in emergency situations. The majority of traffic will be using Betty Lane to access Southwest's new facility. The current pavement condition for Betty Lane is poor due to the steep grade at the intersection of Beale Street. In addition, when the property previously developed in 2007 the City collected \$5,295.72 (under Resolution No. 4491) as payment in lieu of street improvements for curb and sidewalk along Betty Lane. Since Southwest is willing to construct the curb and sidewalk now, staff proposes refunding the money upon acceptance of the new curb and sidewalk improvements. **Staff recommends entering the Development Agreement with Southwest Behavioral Health Services, Inc., authorizing the use of up to \$15,000 of Flood Control Funds and authorizing the use of \$5,295.72 of General Fund Contingencies.**
MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0
- h. Resolution 5055 - Consideration of a Memorandum of Understanding with River Medical, Inc.**
The purpose of the Memorandum of Understanding between the City of Kingman Fire Department and River Medical, Inc. is for the City of Kingman to provide backup emergency dispatch operations in the event of a communications or equipment failure with River Medical, Inc. as both parties provide emergency services to the City of Kingman and surrounding area, including the dispatch of emergency units. Both parties agree that in the event of a catastrophic failure of communications equipment, dispatch of emergency responders would be impacted, causing potential delays in response. **Staff recommends the approval of this Memorandum of Understanding between the City of Kingman and River Medical, Inc. as stated within the City of Kingman Resolution 5055.** **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**
- i. Authorization to purchase property on Hunt Avenue for drainage purposes, ENG15-018**
On March 17, 2015 Council approved Resolution No. 4936, which authorized staff to proceed with acquiring vacant property for drainage purposes at various locations, including Hunt Avenue. The property is about 5,293 square feet in area and is a natural low point which receives substantial drainage that crosses Eastern Street at Broudy Drive. The owner has indicated that she is willing to sell the property for \$8,000. This price is comparable to other properties that the City has acquired in the Golden Gate Addition subdivision. Previous appraisals for City acquired properties have shown a value range of \$5,500 to \$12,000 for vacant 5,000 square foot properties. This acquisition will be necessary for the proposed improvements to Eastern Street, but will also allow the City to grade the lot for better facilitation of drainage in the meantime. **Staff recommends approval of the property purchase for \$8,000 plus escrow fees and authorizing the Mayor to sign all property deeds and acceptance statements associated with this acquisition.** **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

6. OLD BUSINESS

- a. Discussion and Direction on the Proposed Downtown Development District**
On August 9, 2016, the City Council directed staff to meet with Mr. Matt Wanner of the Downtown Merchants Association to formulate a Downtown Development District following the John Cook Plan and then report back to the City Council on September 20, 2016. The proposed Downtown Development District does not contain any architectural controls or building color restrictions. On September 20, 2016, the City Council considered the proposed Downtown Development District text

and proposed zoning boundary map for the Downtown Development District. The City Council tabled action on this matter until October 4, 2016, so the then mayor and city manager could meet with three owners of downtown properties. On October 4, 2016, the City Council initiated this proposed text amendment and zoning map amendment. The Planning and Zoning Commission held a public hearing on the proposed Downtown Development District on November 8, 2016 and received input from the downtown property owners and business owners. On December 6, 2016, one city Councilmember stated that he would like to see the development of a downtown plan. The Planning and Zoning Commission and staff are seeking direction on whether the City Council desires to have the Planning and Zoning Commission continue with the development of a Downtown Development District or suspend the direction given by the previous Council and work to develop a Downtown Plan. **Council direction. MOTION TO MOVE FORWARD WITH SETTING A TOWN HALL MEETING WAS PASSED BY A VOTE OF 7-0**

b. Consideration of Approval of Modified Design Contract for Kingman Crossing Boulevard, ENG16-0026

On December 6, 2016, staff presented an agreement for Engineering Services for design of Kingman Crossing Boulevard from Southern Avenue to Airway Avenue. The general consensus of Council was to hold off on the roadway design North of Interstate 40 (I-40) in order to pursue a potential Public-Private Partnership (P3). Staff has asked AECOM Technical Services, Inc. to revise their cost proposal. This design will include roadway alignments necessary to submit to the Arizona State Land Department in order to secure right of way across Section 16. The work will also include updating the Change of Access Report for the full build Traffic interchange. Staff believes that securing right of way across State Land and updating the Change of Access are key objectives that must be accomplished, sooner than later. **Staff recommends that the December 22, 2016 proposal from AECOM be approved and that the Mayor be authorized to sign the agreement. MOTION TO APPROVE MODIFIED DESIGN CONTRACT WAS PASSED BY A VOTE OF 7-0**

7. NEW BUSINESS

a. Public hearing and consideration of Resolution No. 5054 for the approval of a one-year renewal of a conditional use permit (CUP) to expand a mini-storage complex at 3442 Hualapai Mountain Road

Robert E. & Judith Bennett, applicants and property owners, have requested approval of a one-year renewal of a conditional use permit. The applicant sought and received two previous one year extensions of time in 2014 and 2015. The Planning and Zoning Commission held a public hearing on this request on December 13, 2016. The Commission heard several members of the public who were opposed to the extension request. P&Z Commission voted 5-0 to recommend denial of the one-year extension of time for the CUP. **Council discretion. MOTION TO DENY THE CONDITIONAL USE PERMIT WAS PASSED BY A VOTE OF 7-0**

b. Consideration of Resolution No. 5053, approving a cash payment street deferral request from St. Charles Tower for a portion of Sunrise Avenue

St. Charles Tower recently had a Conditional Use Permit (CUP16-003) approved by Council for a 150 ft. cell tower to be constructed on property near Sunrise Ave. Because the proposed construction is considered new commercial, the Streets and Sidewalks Development Rules and Regulations require that the adjacent street improvements be developed to City Standards on Sunrise Avenue. The Traffic Safety Committee (TSC) reviewed the deferral request on November 17, 2016. The TSC recommended that the applicant either complete the required improvements or make a payment in lieu of completing the improvements to the city rather than granting a non-payment deferral. **Staff recommends adoption of Resolution No. 5053 if Council wishes to accept a cash payment for the required street improvements on Sunrise Avenue. MOTION TO ADOPT RESOLUTION NO. 5053 AND ACCEPT CASH PAYMENT STREET DEFERRAL WAS PASSED BY A VOTE OF 7-0**

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.

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