

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

5:30 PM

**MINUTES
REGULAR MEETING**

Tuesday, May 3, 2016

CALL TO ORDER AND ROLL CALL

Members	Officers	Visitors Signing in
Richard Anderson – Mayor	John A. Dougherty, City Manager	See attached list
Carole Young – Vice Mayor	Carl Cooper, City Attorney	
Mark Abram	Jake Rhoades, Fire Chief	
Larry Carver	Greg Henry, City Engineer	
Kenneth Dean	Jackie Walker, Human Resource Director	
Jen Miles	Robert J. DeVries, Chief of Police	
Stuart Yocum	Mike Meersman, Parks and Recreation Director	
	Gary Jeppson, Development Services Director	
	Rob Owen, Public Works Director	
	Joe Clos, Information Services Director	
	Sydney Muhle, City Clerk and Recording Secretary	

Mayor Anderson called the meeting to order at 5:30 P.M. and roll call was taken. All Councilmembers were present. The Pledge of Allegiance was said in unison.

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.**

Councilmember Miles made a MOTION to APPROVE the Special and Executive Session Meeting minutes of March 14, 2016. Vice Mayor Young SECONDED and it was APPROVED by a vote of 7-0.

b. The Work Session Meeting minutes of March 14, 2016

Vice Mayor Young made a MOTION to APPROVE the Work Session Meeting minutes of March 14, 2016. Councilmember Dean SECONDED and it was APPROVED by a vote of 7-0.

c. The Regular Meeting and Executive Session minutes of April 5, 2016

Vice Mayor Young made a MOTION to APPROVE the Regular and Executive Session Meeting minutes of April 5, 2016. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

d. The Regular Meeting minutes of April 19, 2016.

Vice Mayor Young made a MOTION to APPROVE the Regular Meeting minutes of April 19, 2016. Councilmember Miles SECONDED and it was APPROVED 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.**

Neither Terry Shores or Mike Chambers were present.

Vice Mayor Young made a MOTION to APPOINT Terry Shores and Mike Chambers to the Board of Adjustment. Councilmember Miles SECONDED and it was APPROVED 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.

Kingman Fire Department Chief Jake Rhoades addressed the Council and said it is often an honor for public safety personnel to be recognized for their service. He said that it is rare for them to have the opportunity to recognize service in others. He said that a member of the community has done performed extraordinary service and it is an honor to get to recognize them.

Kingman Fire Department personnel Tom Flanagan and Brian Gnarr gave a synopsis of Miss Motes accomplishments. They stated that she raised \$550.00 in a single day and presented Miss Mote with the Kingman Fire Department Service Award. Mr. Flanagan also presented a donation check from the Kingman Fire Fighter's Association in the

amount of \$300.00 to Miss Mote to be used toward her fundraising efforts.

Mayor Anderson said that Miss Mote is well in advance of her years and commended Miss Mote's parents for the way they have raised her. He then read the Letter of Commendation for the record before presenting it to Miss Mote.

b. Kingman Day of Prayer proclamation

Mayor Anderson read and presented the proclamation to the members of the Kingman Pastor's Association who were present.

Member Reverend Grif Vautier thanked the Council for their continued dedication to prayer.

c. Goodwill Industries Week proclamation

Mayor Anderson read and presented the proclamation to the representatives of Goodwill Industries who were present.

d. Mental Health Month Proclamation

Mayor Anderson read the proclamation which he said was previously presented.

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.

Mayor Anderson announced that there would be a town hall meeting the next evening at Hualapai Elementary School.

Resident Greg Call addressed the Council and said that he brought pictures as visual aids. He said that if someone hands you lemons you make lemonade. He said that he was there to address the issue of storage containers and what he felt was a great compromise to satisfy everyone. He said that this could benefit the City from tourism dollars and allow people to do business. He said that the businesses could do something to make containers visually attractive and gave examples from different cities. He said that the City should not try to hide them and trade one eye sore for another. He suggested that the City play them up and allow people to own them but make owners make them what Kingman is looking for. He suggested that the City could make a rule that visible containers have a Route 66 theme. He also discussed geocaching and said that people could explore the City and increase sales.

Mayor Anderson asked that City Manager John A. Dougherty look into this.

Resident Gary Rucker passed out a letter to the Council. He said that the Kingman Airport Users Association is making good progress and thanked Mr. Dougherty and City Attorney Carl Cooper for making contact with the association. He said that the association will set up a meeting with the City once their attorney completes a review of the lease and contract for the airport. He also thanked Council member Carver for directing Mr. Cooper to give a

presentation regarding the airport. He said that it makes sense that the City should be looking at this and it will make the airport work better for the City. He said that this will turn the airport into a profit for the city. He said that for the first time in 20 years they are excited to reclaim this asset. He said that he really appreciates the Council listening and being kind. He said that the association looks forward to working with the City on this.

Councilmember Miles asked that staff advise Council of any findings concerning the contract prior to discussing them with the users group. She said that she would like this matter brought before Council for consideration.

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. 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.**

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.**

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.**

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.

- 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.**

- 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.**

- 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.**

- 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.**

- 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.**

- 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.**

- 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.**

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.**

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.**

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.**

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.**

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.**

Councilmember Abram made a MOTION to APPROVE the Consent Agenda as presented. Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

6. OLD BUSINESS

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.**

Councilmember Carver asked applicant Stacy Thomson for clarification regarding the purpose for the extension of premise during construction and if the construction invaded into the existing House of Hops property.

Ms. Thomson said that it does and when construction is completed it will all be one building. She said that this is an outdoor seating area.

Councilmember Carver asked for clarification that construction is to begin mid- to late-

July.

Ms. Thomson said that the building is on order and the outdoor seating is temporary. She said that once the construction materials are delivered the building will extend the current House of Hops.

Councilmember Carver said that this is where he is getting confused as there is no existing construction.

Ms. Thomson said that they took the old building down and the architectural process was happening.

Councilmember Carver clarified that this is not in the existing building.

Ms. Thomson said that they are requesting an outdoor seating area which has been fenced in per the liquor license requirements.

Councilmember Carver said that this was being requested due to the construction.

Ms. Thomson said that this permit has to be done month to month. She said that there is also a request for a permanent extension of premises after the building is put up.

Councilmember Carver clarified that the temporary request is due to the building of the new building.

Ms. Thomson said that this was currently a seating area until the new building was built.

Councilmember Carver said that he wanted to clarify that this is not invading into the existing House of Hops structure.

Councilmember Dean asked how long the pallet fence would be in place.

Ms. Thomson said that it will be there until the new building goes up. She said that they are hoping for July or August. She said that the fence is concrete posts and the pallets are screwed into them.

Councilmember Dean said that the pallets are an eyesore to him and the alternative is orange vinyl fencing. He said that he appreciates extending the building. He said that House of Hops has been an improvement for downtown.

Ms. Thomson said that the fence will be there a couple of months and was currently shut down for May. She said that patrons like the area and they tried to make it a fun area but did not want to put a lot of money into it. She said that they thought this would be a nice thing they could do to fence it in and have their patrons enjoy.

Councilmember Miles asked if there will still be outdoor seating with the new building.

Ms. Thomson said that there will be two with nicer fencing at the front and rear. She said that this will be with wrought iron and everything is temporary.

Councilmember Dean asked about shipping containers on the property.

Ms. Thomson said that those will be gone and are temporary to hold equipment.

Councilmember Abram said that he appreciates the efforts to improve the area such as the outdoor seating.

Ms. Thomson said that this issue has made her disappointed in the City of Kingman and she was questioning her decision and investment at this time. She said that the goal is to improve downtown.

Councilmember Carver asked Development Services Director Gary Jeppson if the pallets comply with the permit requirements.

Mr. Jeppson said that no permit was required for this. He said that his department is working with the applicant on building permits. He said that pallets are not his choice of fencing but that is what the applicant has chosen.

Councilmember Yocum made a MOTION to APPROVE the application for temporary liquor license extension of premises/patio permit.

Mr. Cooper said that the application says that area is not located within 300 feet of a church. He said that a church is going in and the Engineering Department has said that it is within 300 feet.

City Clerk Sydney Muhle said that the applicant has already changed this on the applications.

Councilmember Abram SECONDED the MOTION.

Councilmember Miles asked if this was for both items.

Mayor Anderson said that each item would be considered separately.

Mayor Anderson called for the vote.

The MOTION was APPROVED 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.**

Ms. Thomson said that this item is to extend their license on to the street due to a class reunion taking place. She said that the group already has the permits for the event and they are just asking to serve beer.

Councilmember Abram made a MOTION to APPROVE the application for temporary liquor license extension of premises/patio permit. Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

7. NEW BUSINESS

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.**

Ms. Muhle explained that the next three items were related to the items addressed under new business.

Councilmember Abram made a MOTION to APPROVE the application for temporary liquor license extension of premises/patio permit. Councilmember Miles SECONDED and it was APPROVED 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.**

Councilmember Carver said that the permanent extension of premises is supposed to start right after this and there will be overlap with construction beginning in July. He said that he would like to see where the construction will take place. He said that given that the permanent extension of premises is supposed to start at the same time he cannot vote to approve this item.

Councilmember Abram made a MOTION to APPROVE the application for temporary extension of premises/patio permit. Councilmember Yocum SECONDED and it was APPROVED 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.**

Councilmember Abram made a MOTION to APPROVE the application for permanent liquor license extension of premises. Mayor Anderson SECONDED and it was APPROVED 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.**

Mr. Dougherty thanked Public Works Director Rob Owen and Street Superintendent Jack Plaunty for working on this with Burlington Norther Santa Fe Railroad (BNSF). He said that the staff recommendation is to not go into this contract due to the liability and environmental studies required. He said that the City would be liable to clean up the area. He said that BNSF negotiates their own way. He said that his recommendation is to deny this proposal. He said that more parking is needed but not on this property.

Mr. Plaunty addressed the Council and said that this came up as a way of blocking access to BNSF property and the City tried to set up an agreement with them for improvements and safety. He said that they hoped this would be at no cost and there are some very worrying items. He said that the price quote includes the necessary environmental study. He said that the second issue is that there is no guaranteed time frame to vacate the property. He then presented the Council with the three options included in the agenda packet for this meeting. He said that the first option will not work with the Powerhouse. He said that they talked about a cable barrier fence and noted that the City owns a portion of this property. He said that with the second option there was no need for driveways if BNSF has access. He said that the third option is to lease the property for \$1,800 per year plus four-percent. He said that this would cost about \$100,000 just for the lease and does not include maintenance costs. He said that all costs are accounted for in the estimates provided. He said that the costs range in type of fencing and listed several fencing options and their pricing. He said that the railroad dictates this. He then went over the area maps included in the presentation. He said that the yellow line indicates BNSF right-of-way. He said that the maps also showed the proposed parking spaces. He then discussed the work involved for the improvements. He said that the street improvements are already planned.

Councilmember Miles thanked Mr. Plaunty for a nice presentation. She said that she was concerned about the liability and clarified that if there is an accident the City would carry the liability.

Mr. Plaunty said that this was correct and there were additional insurance requirements.

Human Resources and Risk Management Director Jackie Walker said that this would be an additional approximately \$1,000 flat fee.

Councilmember Miles said that she was concerned that the railroad can take back the property any time and she cannot support these concerning conditions.

Mr. Plaunty said that staff was looking for if the Council wants to terminate this proposal. He said that if the proposed move to Palo Christi were to happen the parking at the current City Complex would be freed up. He noted that the current proposal would have significant liability.

Mayor Anderson said that if Mohave County ever demolishes Arnold Plaza this would add parking. He said that it would be nice to have rail parking but he has the same concerns. He said that this will require management and oversight and noted that legal issues take more legal time. He said that this would take additional staff time that would be better served elsewhere.

Mr. Plaunty said that there may be other properties that the City could acquire.

Councilmember Abram said that as bad as parking is needed the return on investment is not wise.

Mr. Plaunty said that the initial quote was \$3,500 for a no cost lease. He said that he did not know if the \$1,800 was because the City was making the improvements. He said that the biggest concern is the environmental liability.

Mayor Anderson thanked Mr. Plaunty for his presentation. He said that there may be

something better.

Mr. Plaunty said that he would let the railroad know that the City was terminating this negotiation.

Councilmember Yocum made a MOTION to DENY the proposed railroad lease agreement. Mayor Anderson SECONDED and it was APPROVED 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.**

Mayor Anderson said that he requested this item to provide the Council with information regarding timelines due to an earlier discussion regarding the opportunity to sell public land.

City Clerk Sydney Muhle addressed the Council and said that staff submitted this item to the Council to see if the Council wanted to sell any City owned property. She said that if the Council was interested staff would bring this item back with information on the election process and a resolution to call the elected once the property to sell is identified. She said that this decision would need to be made no later than the first meeting in July to allow time for the public to submit arguments for and against the measure to be included in the publicity pamphlet for the election. She said that these arguments would need to be submitted by early August. She said that this matter would be place on the ballot for the November 8, 2016, General Election which the City is already paying for due to candidate elections. She said that the Council could call a special election to do this at any time but the cost would be higher.

Resident Doug Dickmeyer addressed the Council and said that he was 99-percent certain that the Council would vote to move forward with this. He said that the Council has an obligation to inform the public on conditions of the sale. He said that these parameters would be in place before asking for a vote. He said that if there are no obligations then the City can do whatever they want to. He said that he assumed that property would be sold at auction. He asked if there would be an appraisal done by an out of town appraiser.

Mr. Cooper said that the City has to sell property at auction and there would be an appraisal done prior to this. He said that the appraisal has to be done by a licensed appraiser and does not have to be done by someone from out of town.

Ms. Muhle said that it would need to be a state licensed appraiser.

Mr. Dickmeyer asked if there is a minimum bid amount required and if there are any restrictions to participate in funding the traffic interchange. He asked if the intent is to build a non-retail complex and if the buyer would be allowed to build without the interchange being put in. He asked if this would prohibit the City from splitting the property at a later date and if money from this development would be allocated to certain departments. He said that he would like to hear the City's policies before voting

yes or no and this needs to be addressed before putting this on the ballot. He suggested that the Council hold a town hall meeting to receive input. He said that he could not see how this can be put on the ballot without restrictions.

Mayor Anderson said that the Council would try to get what is best for the City and the measure would go out for a request for proposal (RFP).

Mr. Cooper said that the authorization to sell is just that. He said that this is a ballot measure and does not address restrictions. He said that those are addressed with the buyer in a development agreement. He said that this is done over many discussions.

Mr. Dickmeyer said that by then the citizens are out of the process.

Councilmember Dean said that the Council represents the citizens and would address those concerns during negotiations. He said that the public can offer their input then.

Mr. Dickmeyer asked if a developer can build at this location without the interchange.

Mayor Anderson said that the Council has denied this for the opposite side of the interchange as is the requirement on the south side.

Councilmember Carver said that he believed this was a condition of the zoning.

Councilmember Miles asked if this is put on the ballot with the planned development district (PDD) in place could the ballot contain assurance that any sale would honor the PDD.

Mr. Cooper said that the Council is the legislative body that creates this. He said that future councils could change this and the language for the ballot questions is just whether or not to sell the property. He said that this just grants the City the authority to sell the property and this is similar to the sale of property at the airport. He said that the authorizations go into perpetuity as it is developed out.

Councilmember Miles asked for clarification that if the City were to sell the property it would honor the PDD.

Mr. Cooper said the zoning at the time of sale is whatever is in place unless it is changed.

Mr. Dickmeyer suggested the option of a senior citizens facility. He said that if the Council is asking people to vote tell the people what will happen if they say yes or no.

Councilmember Abram said that as it stands today those rules will remain. He said that if the City does not sell in a few years and wants to change they have to go back through the process to get public input. He said that as it stands now nothing can be built without the traffic interchange.

Mayor Anderson said that this does not apply to other properties where a traffic interchange could be built.

Mr. Dickmeyer said that he needs assurances. He said that nothing can be built if the interchange is not in place.

Mr. Jeppson said that the PDD, building, and zoning are dependent on construction of the traffic interchange beginning. He said that without construction of the traffic interchange if the City sold the property the property could be built as single family homes on one acre lots. He said that this is a far fetched scenario.

Vice Mayor Young said that the property reverts back. She said that multi-family housing would need rezoning.

Mr. Jeppson said that this was correct.

Councilmember Miles said that the Council has discussed an underpass on Kingman Crossing Boulevard. She asked if that would meet the requirements of the PDD.

Mr. Jeppson said that it does not and requires a traffic interchange.

Mr. Dickmeyer said that the property could be sold and rezoned without the traffic interchange. He said that a town hall meeting is needed on this so that people can voice their concerns. He said that he would not sell anything else without knowing the conditions. He said that nothing can be built without the traffic interchange. He said that a town hall is needed to ask the Council would happen if this does not pass. He asked if the City would try to break up the property and sell it. He said that he thinks the Council should hold a meeting.

Mayor Anderson said that this is a contractual instrument. He said that there may not be a sale and the Council will do what is in the best interest of Kingman. He said that the Council wants this to be retail and Mr. Dickmeyer's scenario is not one that he wants. He said that the property would be contracted for sale or lease.

Councilmember Carver said that the sale is one issue. He said that when there is a developer the council will come back to the next step. He said that this is the procedure according to state statute.

Vice Mayor Young said that this is just to put the question on the ballot and the City cannot do anything without this permission.

Mayor Anderson asked if the Council wanted to proceed.

Councilmember Miles said that she would like more background information including the name of the property to be sold.

Ms. Muhle said that this item was jus to see if the Council wanted to move forward and with what.

Mayor Anderson asked if the property is valued over \$1.5 million and when this new threshold takes effect.

Councilmember Miles said that she would like to know what properties could be on the ballot and what the law is.

Councilmember Yocum said that he would like a list of properties that could be sold.

Vice Mayor Young noted that other properties could be put on the ballot.

Councilmember Miles said that there was time before the deadline for this.

Mayor Anderson directed staff to verify the change in the law and the number of properties that could be sold under the correct scenario.

Ms. Walker said that the governor had signed the bill to change the threshold amount.

Councilmember Miles said that the value would need to be \$1.5 million for anything to be put on the ballot.

Councilmember Abram said that he would still like to see a list.

Mr. Dickmeyer said that after hearing this the Council does not know if this has to go on the ballot until there is an appraisal. He said that the first thing to do is have an appraisal.

8. REPORTS

a. Board, Commission and Committee reports by Council Liaisons

Councilmember Yocum said that the Transit Advisory Commission received a presentation on the results of their survey on service expansion.

9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

Mr. Dougherty informed the Council that the City recently had an OSHA inspection which found a few things. He said that he was contacted and told not to send payment for the fines as they were being reduced by half. He commended Mr. Owen, the Public Works supervisors, and Human Resources and Risk Management Director Jackie Walker and her staff. He said that he was told that for a City this size the inspectors were amazed at how few violations were found.

Mayor Anderson thanked staff for an excellent job to keep the City out of trouble.

Councilmember Carver said that he recently presented a proclamation to KABAM!

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.

Councilmember Yocum made a MOTION to GO INTO Executive Session.
Councilmember Abram SECONDED and it was approved by a vote of 7-0.

Council went into Executive Session at 6:57 P.M.

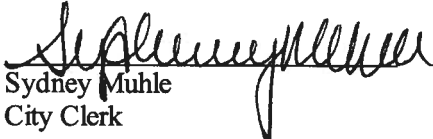
Council returned from Executive Session at 7:12 P.M.

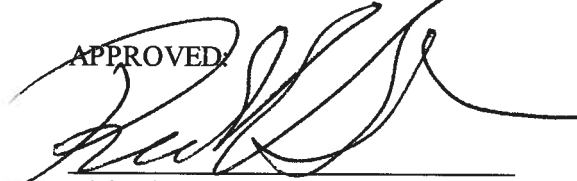
Mayor Anderson said that the Council has directed staff to proceed with recovery efforts.

Councilmember Yocum made a MOTION to ADJOURN. Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

ADJOURNMENT --- 7:13 P.M.

ATTEST:


Sydney Muhle
City Clerk


APPROVED:

Richard Anderson
Mayor

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Sydney Muhle, City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on May 3, 2016

Dated this 5th day of July, 2016.


Sydney Muhle, City Clerk and Recording Secretary

