

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

5:30 P.M.

MINUTES

Tuesday, January 20, 2015

REGULAR MEETING

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

CALL TO ORDER & ROLL CALL

Mayor Anderson called the meeting to order at 5:30 P.M. and roll call was taken. All councilmembers were present. The invocation was given by Jerry Dunn of Oak Street Baptist Church after which the Pledge of Allegiance was said in unison.

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

The Regular Meeting minutes of January 6, 2015.

Vice Mayor Wimpee, Sr. made a MOTION to APPROVE the Regular Meeting minutes of January 6, 2015. Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

2. 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.

There were no comments from the public.

3. 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. Special Event Liquor License Application

Applicant Lisa Bruno of the Venture Club of Kingman, Inc. has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, April 18, 2015, from 6:00 P.M. to 12:00 A.M., at 112 N. 4th St in Kingman. **Staff recommends approving the special event liquor license application.**

b. Acceptance of Stockton Hill Road right of way dedication from Wadsworth Development Group, ENG13-034

Wadsworth Development Group recently completed a deceleration lane on Stockton Hill Road adjacent to the Tractor Supply center. The improvement plans required a small right of way dedication for the deceleration lane and associated ADA ramps. Wadsworth has signed the forms which will dedicate the right of way to the City. Staff has reviewed the documents and recommends that Council accept the Deed of Dedication. **Staff recommends that Council approve the Deed of Dedication and authorize the Mayor to sign on behalf of the City.**

c. Consideration of Agreement with Freiday Construction, Inc. for Construction Manager at Risk preconstruction services related to the installation of 11 water related projects, 10 sewer projects and the Castle Rock Tanks rehabilitation project (Contract No. ENG14-084)

Staff has completed the process for selecting a Construction Manager at Risk (CMAR) for multiple water and sewer projects. The selection process is governed by A.R.S. 34-602 and requires that a committee review proposals and select the contractor on the basis of demonstrated competence and qualifications. The selection committee, comprised of City staff and a licensed local contractor, has ranked Freiday Construction, Inc. as the most qualified contractor. A brief description of these projects, their anticipated budget and their locations are shown on the attached Request for Qualifications. These improvements are necessary to replace existing aging water and sewer mains, expand and close gaps in service areas and rehabilitate two steel water tanks. A.R.S. 34-605 requires that the City hire the CMAR for both preconstruction and construction services. The attached Contract will cover the preconstruction services. It is expected that a separate agreement for construction services will be forthcoming in the next 30 to 60 days. Staff has requested a fee proposal from Freiday Construction, Inc. to cover the preconstruction/design phase of the project. The contract will include services associated with project meeting attendance, plan reviews, input on the design, recommendations on design alternatives, constructability reviews, underground investigations, structural engineering and water tank designs, construction phasing proposals, project scheduling and cost model preparation. Freiday Construction, Inc. has prepared a proposal to complete the design phase assistance for a not to exceed price of \$56,100. Staff

recommends that the agreement with Freiday Construction, Inc. be approved. **Staff recommends that the Council approve the agreement and that the Mayor be authorized to sign the agreement on behalf of the City.**

d. Ordinance 1793 – Housekeeping Text Amendment to Correct and Simplify Section 8A-445(h) of the Kingman Tax Code

Ordinance 1793 provides a housekeeping text amendment to correct and simplify the Kingman Tax Code Section 8A-445(h) for rental, leasing, and licensing for use of real property. The Arizona Department of Revenue collects for Kingman the city tax applied to renting, leasing and licensing of real property; however, paragraph (h) of Section 8A-445 as historically drafted is incongruent with this intent and needs to be corrected by replacing the text of section 8A-445(h) with the word “reserved.” **Staff recommends Council adopt Ordinance No. 1793 which corrects and simplifies Kingman Tax Code Section 8a-445(h).**

e. Renewal of LaPaz County IGA for Housing Inmates

The three (3) year agreement with LaPaz County will expire on January 30, 2015. LaPaz County would like to continue for an additional three (3) years with no changes to the IGA. This agreement has resulted in savings to the City between \$10,000- \$12,000 each year. **Staff recommends the Council approve the IGA and Resolution.**

f. Self-Contained Breathing Apparatus (SCBA) Purchase

The replacement of Self-Contained Breathing Apparatus (SCBA) is scheduled in the 2016 capital improvements plan for up to \$410,000. The department applied for and was awarded Assistance to Firefighters Grant (AFG) through the Federal Emergency Management Agency for \$264,000. The bid for the required SCBA, facepieces, and cylinders was \$243,236.16 plus tax. The grant covered the required quantities and pricing of items within the request; the city is required to fund a 10% match and optional items which are necessary for implementation and operation of these units. In anticipation of the grant application process, the city budgeted in 2015 matching funds for the grant and options of \$90,967. The Kingman Fire Department SCBA Committee, comprised of operations personnel, conducted extensive testing as well as product review to ensure that the department met its specifications and met the requirements of National Fire Protection Association (NFPA) 1852. The committee overwhelmingly selected MSA brand SCBA. The City Attorney and Finance Director reviewed the grant proposal and award for compliance with the city's purchasing policy. The Kingman Fire Department recommends the purchase of MSA required quantities and pricing through United Fire for \$262,938.29 including sales tax. In addition, the department recommends the purchase of the optional items listed within the bid proposal in the amount of \$58,894.08 for a combined bid award of \$321,832.37. United Fire was the sole bid received for the department's Request For Bids on SCBA. **Staff recommends awarding the bid for Self-Contained Breathing Apparatus to United Fire Equipment Company in the amount of \$321,832.37.**

Councilmember Carver made a MOTION to APPROVE the Consent Agenda. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

4. OLD BUSINESS

None.

5. NEW BUSINESS

Consideration of the City of Kingman Initiating an Application to Amend the Project Land Use Map of the City of Kingman General Plan Update 2030 to designate 159.8-acres of the 168-acres located in the south portion of Section 9, Township 21 North, Range 16 West, Gila and Salt River Meridian from "Open Space/Parks" to "Regional Commercial". The location of this property is located south of Interstate-40, north of the Airfield Avenue alignment, between the Sage Street and Cherokee Street alignments.

The Kingman General Plan designates the 168.42-acres located south of 1-40, north of the Airfield Avenue alignment, and between the Sage Street and Cherokee Street alignments as "Open Space/Parks". Attached is an application for the City Council to consider for a major plan amendment to change the designation from "Open Space/Parks" to "Regional Commercial". The current Projected Land Use Map was adopted on March 4, 2014 with the adoption of the City of Kingman General Plan Update 2030. The citizens ratified the General Plan Update on November 4, 2014, 3249 (55.43%) in the affirmative to 2612 (44.57%) in the negative. An element of the General Plan Update is the Transportation Element. This element adopts the Kingman Area Transportation Study Update (KATS), which was adopted May 3, 2011. The KATS Study identified two new traffic interchanges on 1-40. One interchange is the Kingman Crossing Interchange and the other is the Rancho Santa Fe Parkway Interchange. Neither interchange has been funded. The City owns approximately 168-acres south of the proposed Kingman Crossing Interchange. On May 7, 2007, the City Council adopted Resolution #4425 which amended the General Plan to designate the City's land "Regional Commercial". The citizens repealed Resolution #4425 by referendum on November 6, 2007 by a vote of 1498 "for" and 2309 "against." The Design Concept Report for the Kingman Crossing Traffic Interchange was subsequently amended to have no access south of the interchange across the City's property. Since that time, there has been concern with adequate access from the southeastern quadrant of the City to the remainder of the City. A closure on Hualapai Mountain Road at the railroad crossing bridge spurred interest in providing better access than what Eastern Street provides. Staff was asked to place this item on the agenda for the City Council to consider initiating an application for a major plan amendment to change this designation. A major plan amendment can only be considered once a year and that time, by ordinance, is the month of May. At least 60-days prior to the Planning and Zoning Commission public hearings (it must have at least two hearings in different locations), notification must be provided to Mohave County Development Services Department., WACOG, the Arizona Commerce Authority, and the Arizona Department of Water Resources. The first public hearing for the Planning and Zoning Commission is April 14th. **Council direction.**

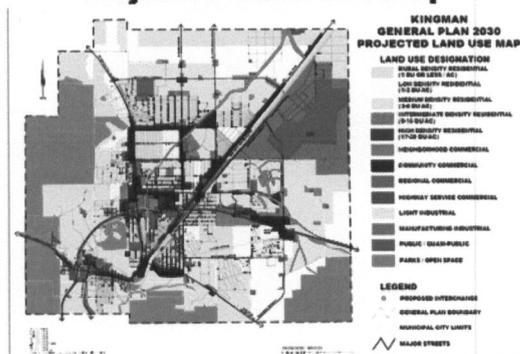
Development Services Director Gary Jeppson presented the following slides:

Kingman Crossing



General Plan Major Amendment Process

Kingman General Plan 2030 Projected Land Use Map



Slide one was a title slide. Slide two displayed the projected land use map from Kingman's General

Plan. Mr. Jeppson stated the map was the same as the one approved in the 2020 General Plan.

Kingman Crossing Area

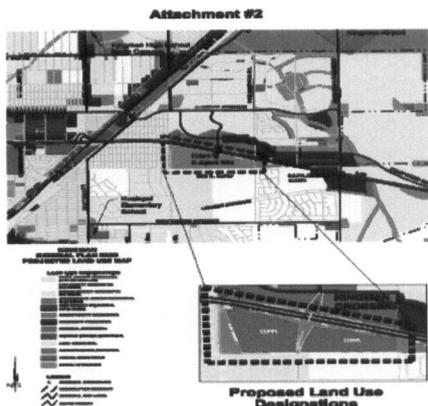


PROPOSAL

- 148-acres on the north side of I-40 is designated on the General Plan as being "Regional Commercial".
- The City of Kingman owns 168-acres and the State of Arizona owns 8.9 acres located south of I-40 and north of the State Trust Land Section (Section 16).
- The land is currently designated on the General Plan as being entirely all "Open Space/Parks".
- The General Plan can be amended in the following ways:
(1) Keep the west 17 acres as "Open Space/Parks"; and (2) have the remainder designated as "Regional Commercial".

Mr. Jeppson pointed to the top left quadrant of the map on slide three and stated it was the Kingman Crossing area and the City-owned property was blocked out in green. On slide four, Mr. Jeppson stated the proposed amendment to the General Plan would designate 151 acres as Regional Commercial, which would match the zoning on the property to the north.

Major General Plan Amendments



- Major general plan amendments can be considered by the City Council only once a year.
- The City Council set the month of May as the month it would consider major general plan amendments.
- The Planning and Zoning Commission must hold two public hearings in two different locations on a major general plan amendment before the City Council can consider such an amendment.
- An application for a major general plan amendment must be submitted at least 60-days prior to the April Planning and Zoning Commission meeting.
- A major General Plan Amendment must be submitted by February 12, 2015, to be considered by the City Council in May 2015.

On slide five, Mr. Jeppson stated the land is currently designated as Open Space/Parks. On slide six, Mr. Jeppson stated a major plan amendment can only take place once a year in May. Mr. Jeppson stated the Planning & Zoning Commission must hold two public hearings in two separate places with a 60 day notice to various agencies such as the Arizona Department of Water Resources, Mohave County and the Western Arizona Council of Governments. Mr. Jeppson stated the application for the amendment would need to be submitted by February 12th, 2015 in order to complete each of the previously mentioned steps. Mr. Jeppson stated the draft application and proposal was included in the agenda packet and contained the same information that was submitted for the 2007 amendment. Mr. Jeppson stated the proposed amendment was overturned in referendum in 2007.

Councilmember Miles asked if Regional Commercial was C-3 zoning.

Mr. Jeppson stated C-3 zoning was a part of Regional Commercial.

Councilmember Miles asked if the concept drawing included in the agenda packet depicting multi-family dwellings were permissible in C-3 zoning.

Mr. Jeppson stated they were.

Councilmember Miles stated in 2007 there was a large opposition to rezoning the property and asked Mr. Jeppson what changed since 2007.

Mr. Jeppson stated in 2007 there was a 55 percent vote against the rezoning. Mr. Jeppson stated there was now heightened interest for alternatives to Eastern Avenue for access to the area, which can become congested if there is an accident on Hualapai Mountain Road. Mr. Jeppson stated if there was interest in a southern access the City would need to do a change of interest report.

Councilmember Young asked why the rezoning was not included in the recent General Plan approved by voters in November.

Mr. Jeppson stated there was more interest now than there was at the time of the ballot initiative.

City Manager John Dougherty stated he asked Mr. Jeppson to bring the issue to Council. Mr. Dougherty stated two developers asked about the City-owned property on the southern side of the interstate. Mr. Dougherty stated when he told the developers it would take one and a half to two years to get to the point where discussion of development could begin, the developers lost interest. Mr. Dougherty stated there was more interest now due to the recovering economy. Mr. Dougherty stated the City needed to start the long process now so that it could be prepared the next time a developer showed interest in the property.

Councilmember Young asked if the developers would pay for the interchange.

Mr. Dougherty stated payment for the interchange was not discussed, but he mentioned the Arizona Department of Transportation (ADOT) did not currently have the interchange in their plans, which would mean the cost would fall to the developers and City. Mr. Dougherty stated the developers were most concerned with a two to three year wait on rezoning that may not occur if overturned in a referendum.

Councilmember Young asked for the status of the commercial development on the northern side of the interstate.

Mr. Jeppson stated the northern side could not be developed commercially until the interchange was constructed.

Councilmember Miles asked why the financing for the interchange did not proceed in 2007. Councilmember Miles asked if development did not occur due to the overturned resolution in 2007.

Mr. Jeppson stated the economy prevented financing and development.

Councilmember Miles stated in 2007 several developers had plans for the north development and asked if the current developers had similar ideas.

Mr. Dougherty stated he did not discuss specific plans with the developers as they were only interested to learn if the City would be willing to sell the land.

Councilmember Yocum asked if access to the north side of the interstate from the south side depended on rezoning the south side property.

Mr. Jeppson stated the design concept report did not have a freeway connection going south; however, an interchange could be constructed without rezoning the south side property.

Councilmember Miles stated City financing of the interchange could make development difficult. Councilmember Miles stated once the property was rezoned it would be hard to back away if a developer began constructing something the community did not like. Councilmember Miles stated she would like to know what the communities in the area desired before restarting the rezoning process.

Mr. Jeppson stated the zoning needed to be consistent with the General Plan, which would mean the amendment would have to occur before the rezoning.

Mayor Anderson asked if any of the issues required a vote by the public.

Mr. Jeppson stated the resolution could be referred. Mr. Jeppson stated 30 days after the adoption of a resolution by the Council a petition could be signed and, with enough signatures, placed on the next available ballot. Mr. Jeppson stated the same process applied to ordinances adopted by the Council.

City Attorney Carl Cooper stated the only action that could immediately take place was setting dates for hearings and submitting an application. Mr. Cooper stated if the Council continued forward with the amendment after the hearings, the resolution was referable and could go to vote if petitions were successful. Mr. Cooper stated a separate process for rezoning the property would take place after a successful amendment and the rezoning resolution would also be referable.

Councilmember Carver stated the amendment to the General Plan was the first step and it did not change the zoning of the property.

Mr. Jeppson stated that was correct.

Councilmember Miles asked what the deadline was for the Council to decide to submit an amendment application.

Mr. Jeppson stated the deadline was February 12th, 2015.

Councilmember Miles made a MOTION to TABLE the discussion and possible action regarding the submission of an application to amend the General Plan until the next Regular Meeting of the Common Council on February 3rd, 2015. Councilmember Young SECONDED.

Councilmember Yocum asked if the land could the land be rezoned in segments.

Mr. Jeppson stated the proposal addressed rezoning 151 acres of the 168 acres. Mr. Jeppson stated 17 acres to the west would remain Open Space.

Mayor Anderson called for a VOTE and the MOTION was APPROVED by a vote of 7-0.

6. REPORTS

Board, Commission and Committee Reports by Council Liaisons

Councilmember Abram stated he attended the Planning & Zoning Commission meeting and was proud there was a committed group of citizens on the commission who had the community's interests in mind.

Councilmember Yocum stated he attended the Clean City Commission meeting and the commissioners were supporting a single-use plastic bag ban. Councilmember Yocum stated the commissioners were worried the community would not support the ban and wanted to work on promoting the positives of the ban. Councilmember Yocum stated the commission was working to keep the fence on Airway Avenue clear of garbage. Councilmember Yocum stated weed control, Arbor Day planning and possible candidates for new commissioners were also discussed. Councilmember Yocum stated March 14th, 2015 would be Community Clean-up Day and it would start at 7:30 A.M.

7. 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.

Mr. Dougherty stated there would be a balloon floating at the Kingman Airport for the next 10 days. Mr. Dougherty stated the balloon would be used for testing and would be very noticeable.

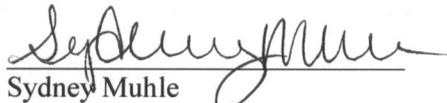
Vice Mayor Wimpee, Sr. stated he attended a Mohave County Board of Supervisors meeting and the Board voted to move forward with refurbishing the existing courthouse.

Mayor Anderson stated there was a Tri-City Council meeting in Lake Havasu City on Wednesday, January 21st, 2015 at the Arizona State University campus. Mayor Anderson stated there would be a Special Meeting of the Common Council on Friday, January 23rd, 2015 at 2:00 P.M. at the Kingman Police Department. Mayor Anderson stated the two agenda items were goal setting for the Council and setting the Fiscal Year 2015/2016 preliminary budget calendar. Mayor Anderson stated any goals and priorities should be forwarded to the City Clerk if a councilmember was unable to attend the meeting.

Councilmember Abram made a MOTION to ADJOURN. Vice Mayor Wimpee, Sr. SECONDED and it was APPROVED by a vote of 7-0.

ADJOURNMENT --- 6:03 P.M.

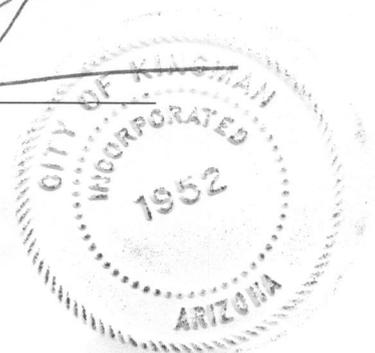
ATTEST:


Sydney Muhle
City Clerk

APPROVED:


Richard Anderson
Mayor

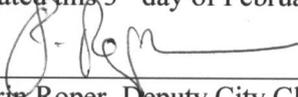
STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)



CERTIFICATE OF COUNCIL MINUTES

I, Erin Roper, Deputy 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 January 20, 2015.

Dated this 3rd day of February, 2015.



Erin Roper, Deputy City Clerk and Recording Secretary

VISITORS IN ATTENDANCE

City of Kingman

Meeting of the Common Council

Council Chambers – 310 N. 4th Street – Kingman, Arizona

Meeting Date: 1/20/15

	NAME - PLEASE PRINT	EMAIL ADDRESS AND PHONE NUMBER
1	HARLEY PETTIT	ON FILE
2	Herberta H Schroeder	
3	MIKE BIHUNIAK	
4	Gene Kubham	P+2
5	Bill DELMAR	
6	BOB Nee	
7	George Cook	
8	CHARLES HUPP	ON FILE
9	Ann Jappert	
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