

**CITY OF KINGMAN
THE CLEAN CITY COMMISSION
City Council Chambers
310 N. 4th Street
Kingman, Arizona**

5:00 p.m.

Regular Minutes

Thursday, February 19, 2015

Members:	Officers:	Visitors Signing In:
R. Bowman, Chairperson	S. Yocum, Council Liaison	See Attached List
D. Wolf, Vice-Chair	J. Dougherty, City Manager	
J. Carpenter	S. Muhle, City Clerk	
R. Giesbrecht	R. Ruggles, Staff Liaison	
M. Hicks	S. Shaffer, Planner	
C. Russell	S. Sixkiller-Wing, Recording Secretary	
M. Van Hasselt	E. Tapia, Sanitation Superintendent	

CCC PURPOSE STATEMENT

The Clean City Commission was created for the purpose of assisting the common council in establishing a city-wide policy for decreasing the amount of loose refuse in the city.

REGULAR MEETING MINUTES

CALL TO ORDER & ROLL CALL: Chairman Bowman called the meeting to order at 5:00:56 P.M. Seven members were present and none were absent. A quorum of members was achieved.

WELCOME BACK TO COMMISSION MEMBER MARGIE HICKS: The Clean City Commission welcomed Margie Hicks back to the commission as she was reappointed by the City Council.

1. **APPROVAL OF MINUTES:** The Clean City Commission reviewed the January 15, 2015 regular meeting minutes. Commissioner Carpenter made a motion to APPROVE the January 15, 2015 meeting minutes as written. Commissioner Russell SECONDED and the MOTION CARRIED UNANIMOUSLY with a vote of 7-0.
2. **OPEN MEETING LAW PRESENTATION:** City Clerk Sydney Muhle gave the annual open meeting law presentation. She advised the Clean City Commission (CCC) that they are obligated to follow all state laws to inform the public of matters being discussed or decided. Public meetings are open to the public to attend and listen to deliberations and proceedings. Open meeting laws ensure the citizens of the community are informed. Ms. Muhle defined what constitutes a meeting including but not limited to technological devices such as email, tweets, blogs, Facebook and telephone discussions. She advised the commission to be careful when commenting on articles in the Kingman Daily Miner. If several of the members comment on one article, members could possibly create a quorum.

Ms. Muhle also defined what “Splintering the Quorum” means. This occurs when members discuss city business at other meetings and one or more members later discusses the matter with another member of the public body. Even though the members were not together, members still created a quorum and a chain of discussion that would be a violation of the open meeting laws. She advised the commission

that to minimize subsequent litigation they should defer any discussion until they are at the Clean City Commission meetings. Ms. Muhle advised the CCC that all agendas, meeting and social gatherings must be posted 24-hours prior to a public meeting. She indicated they must include date, time, and items for discussion. Only matters listed on the agenda can be discussed in detail. If an item is not on the agenda it cannot be discussed. If a matter is brought up that is not on the agenda the best practice is to defer the item until it can be properly listed on the agenda. Any action that is taken on item not on the agenda is a violation of open meeting law.

Ms. Muhle advised the commission that the call to the public is to allow members of the public to address the Clean City Commission. Members are not permitted to open any dialog with any call to the public items. After all the comments are made and the close of the call has been made to the public, members can direct staff to add items to future agendas, ask staff to review the item, and respond to criticism, but the commission is not obligated to respond. The Clean City Commission can be fined to up to \$500.00 per violation item if they break the open meeting laws and members can also be removed from office. She also advised members it is against the law to fail to declare a conflict of interest or personal gain under Arizona law. Members cannot participate or be involved in discussion on issues or contracts where such a conflict exists. Ms. Muhle advised the commission that it is illegal to fail to declare a conflict of interest under Arizona law.

Chairman Bowman asked about participation of the Clean City Commission members at the Sand Box meetings in Kingman. He asked Ms. Muhle if four members of the Commission participated in the Sand Box meetings how would the laws apply to the members of the Clean City Commission. Ms. Muhle advised the CCC members because the sand box committee discusses the same type of matters that come before the CCC she discouraged participation in those committee meetings. Only three or less members should attend these meetings. She recommended posting a standing agenda item at each meeting so the members who attended could update the rest of the CCC as to what the Sand Box members are planning. If four members of the commission are planning on attending an event the commission must post a social gathering or an agenda for such gatherings. If an agenda is posted, meeting minutes must be taken and reported to the permanent record of the commission. City Manager Dougherty asked Ms. Muhle if they posted the Sand Box agenda for CCC members to attend if that would be sufficient. Ms. Muhle advised Mr. Dougherty that minutes would have to be taken and reported on behalf of the Clean City Commission. Mr. Dougherty indicated that under those circumstances he would not recommend the participation of the commission in the Sandbox meetings.

3. **OLD BUSINESS:**

a. Discussion of Reusable Bags to Promote Recycling in Kingman.

Staff Liaison Rich Ruggles updated the Clean City Commission (CCC) on the completion of the letters that the commission requested at the last meeting. Mr. Ruggles indicated he included information regarding the 2015 reusable bags promotion, the request for matching bag donations and permission to distribute the reusable bags at the store sites. Mr. Ruggles advised the CCC that he had included the letters in the packet for review and approval by the commission. Mr. Ruggles introduced fellow planner Sylvia Shaffer. Ms. Shaffer has been assisting Mr. Ruggles with investigation and the store participation information for the CCC to review. The list includes who offers reusable bags, plastic bag collection, and any discounts the store offers to the customers who use reusable bags. The Clean City Commission reviewed this document.

Commissioner Giesbrecht advised the commission he spoke with store manager Abdul at Smith's and has an appointment on Monday, February 23, 2015 to find out if the store would be participating in the 2015 Recycled Bag Promotion. Commissioner Hicks advised the commission that store manager Jimmy Van at the north Safeway store indicated they would also donate recyclable bags to the CCC for the 2015 recyclable bag promotion. She indicated he was very interested in participating and assisting the Clean City Commission. The store has not requested the commission match a donation at their location.

Chairman Bowman asked the commission if they would like to approve the letters for Smith's and Safeway. Vice Chairman Wolf made a motion to APPROVE the recyclable bags request letters as written. Commissioner Carpenter SECONDED and the MOTION CARRIED UNANIMOUSLY with a vote of 7-0.

b. Review of Information on Single-Use Plastic Bag Bans.

Sylvia Shaffer presented the research and memos for Flagstaff, Arizona which is also working to ban plastic bags. Ms. Shaffer indicated that Flagstaff started this process in May 2012. Tucson, Arizona is also working on a plastic bag ordinance. They have begun recycling the bags in their community. The Clean City Commission discussed the information and the ban that was implemented in Tucson. City Manager John Dougherty congratulated the Clean City Commission on their work on this plastic bag ban. He advised the commission that they had the attention of the Arizona Food Marketing Alliance (AFMA). He received a call from AFMA regarding a copy of the ordinance they believe had been passed in Kingman. He advised the commission to continue to move forward with this project.

Commissioner Giesbrecht said the CCC should review the proposed Flagstaff ordinance to see if it would fit the needs of the Kingman ban on plastic bags. He said the members should consider using one that had already been created and approved. Chairman Bowman asked Ms. Shaffer if she knew what the demographics were for those surveyed in the Flagstaff area regarding a possible ban on plastic bags. He would also like to know how many people participated in the survey. Ms. Shaffer will investigate this information. Chairman Bowman also asked staff if they could find out the demographic makeup of the Flagstaff area and would like to know if the population is younger than the Kingman area. Commissioner Hicks said she is aware that people have the reusable bags but use them for other uses. She would like the commission to move forward with plastic bag ban. The commission discussed having additional signage in parking lots to remind customers to use the recyclable bags they are leaving in their cars.

Sanitation Supervisor Ed Tapia indicated he was in Phoenix last week to attend the quarterly recycling coalition meeting. He said there was quite a buzz at the meeting regarding Flagstaff and Kingman talking about banning plastic bags in their communities. In 2008 the City of Kingman worked with the AFMA to put the current bag central station program that is currently in place. Mr. Tapia advised the commission that he is currently collecting 70-80 pounds of recycled plastic bags per day. The City of Kingman has found it difficult recently to recycle the bags because the local collector of goods, Bulldog Disposal, is no longer accepting the recycled plastic bags. Mr. Tapia had been stock piling the plastic bags at the city yard to hopefully recycle them in the future. At the coalition meeting, Mr. Tapia was able to do some networking and met a Ms. Lane from Bashas' who has agreed to take the 8-9 bales of plastic bags that currently stored at the city yard. He indicated that it is approximately a ton or ton-and-a-half per bale of plastic bags waiting to be recycled. Ms. Lane advised Mr. Tapia that she would make sure the bags are recycled. He believes the city may run into problems in the future with recycling the bags in our community. He also indicated a representative from AFMA will attend a future meeting to talk about the plastic bag ban in Kingman.

Commissioner Hicks stated that Wal-Mart goes through a pallet of bags a week in the Kingman store. Commission members asked her to find out how many bags are in a pallet. Members discussed recycling the bags and multiple uses of the plastic bags. Commissioner Giesbrecht said he used his reusable bag at Smith's because they offer five gas points for every reusable bag used. Commissioner Hicks would like to contact the Safeway Store to see if they could also offer that benefit to customers. Vice Chairman Wolf said the CCC should keep this item on the agenda to continue discussion. Commissioner Giesbrecht said four years ago when shopping in California the Wal-Mart did not offer bags to the customers if they didn't have reusable bags with them they just put their purchases bag in the cart. Vice Chairman Wolf and The Clean City Commission thanked Ms. Shaffer for her work and investigation on this item.

c. Update on Publicity Campaign to Promote Weed Control.

Staff Liaison Rich Ruggles updated the Clean City Commission on the clean and weed free publication. He indicated it has been posted to the city web site, the city cable channel, the City of Kingman News and Notes electronic newsletter that is received by over 600 participants, and on the City of Kingman Facebook page. He also advised the CCC that the water bill is outsourced and automated. Due to cost restraints, putting a notification in the bill would not be an option. Mr. Ruggles also advised the CCC that the newspapers and local radio station have been given the PSA to get the word in the papers and broadcasted on local radio stations but has not seen or heard it yet and hopes to see the PSAs soon.

Chairman Bowman would like to create a poster to promote the clean and weed promotion along with the 2015 reusable bag promotion. The commission discussed a banner, poster and handout. The CCC agreed they did not want to do a handout because they do not want to add to the litter in the community. Commissioner Giesbrecht requested the commissioners keep an eye out for weedy locations to report them to Code Enforcement team. Chairman Bowman asked the City Manager about the current ordinance in place. Mr. Dougherty said the enforcement section in the code is not clear so he is working closely with the City Attorney to correct, cleanup, and enforce the weed control code in the city. The CCC agreed the city needs to address this issue. Commissioner Russell said he would like to see something done with tumbleweeds. He says he thought it would be fun to have a tumbleweed party, festival or something to address the problem in the city. Commissioner Hicks said the community came out with over 400 volunteers to clean up the city before the festival and believes the community would come together again if we got the word out.

4. **NEW BUSINESS:**

a. Preliminary Discussion of CCC Budget for FY 2016.

Staff Liaison Rich Ruggles put the current 2014/2015 budget in the packet for the Clean City Commission (CCC) to review. The commission discussed making changes to the current budget and changes to the amount allotted for the specific items in order to come up with an amount to request for the next fiscal year. Commissioner Giesbrecht proposed they put more money in the reusable bag fund so the CCC could match the donations they receive to make a greater impact in the community. The Commissioners asked Mr. Ruggles to investigate how many bags they could purchase for \$1,100.00. The commissioners suggested removed the mural line item in the budget that has not been used since it was added. They also discussed the American Recycles Day fund participation and attendance each year for these beautification projects. The commission discussed the Chuck Gibson Community Challenge Awards and participation in this beautification projects around the city. The CCC awarded six participants for the 2014 Community Challenge, and have already approved four projects for this year. They discussed the 2014 budget and activities still pending on the schedule. Commission members

discussed the 2016 budget. Commission Geisbrect made a MOTION to recommend to the City Council a \$12,000.00 CCC budget for FY 2016. Vice Chairman Wolf SECONDED the MOTION and it CARRIED UNANIMOUSLY with a vote of 7-0.

b. Finalization of Plans for Community Clean-up.

Staff Liaison Rich Ruggles advised the commission that all confirmations have been made for the Saturday, March 14, 2015 clean up. The commission discussed Ultimate Shred and their participation in the event. Commission members agreed that this would be a big clean up as it is later in the year. Mr. Ruggles will call to schedule a meeting with the Mohave County Fairgrounds to go over any issues before the clean-up. Commission members confirmed attendance of the clean-up. Mr. Ruggles will send out an e-mail reminder a few days before the clean-up to remind commissioners to attend and will post a notice that there may be a quorum of members attending in keeping with the open meeting laws.

c. Approval of Letter Regarding Clean-up Schedule for Airway Avenue.

Chairman Bowman and the Clean City Commission reviewed the proposed letters to Wal-Mart and Smith's to propose a schedule to clean the Airway Ave problem area. Members discussed other business in the area. The CCC discussed the letters and the proposal schedule they are recommending. Commission Russell made a MOTION to APPROVE the letters as written. Commissioner Carpenter SECONDED the MOTION and it CARRIED UNANIMOUSLY with a vote of 7-0.

d. Approval of Letter to Editor Regarding Cleaning-up Kingman.

Chairman Bowman read a letter that Staff Liaison Ruggles put together to publish in the Kingman Daily Miner recognizing eight-year-old Chris Buck for his letter asking citizens of the community to help keep our community clean. Commission Russell made a MOTION to APPROVE the letter as written. Commissioner Van Hasselt SECONDED and the MOTION CARRIED UNANIMOUSLY with a vote of 7-0. The commission discussed a certificate and recognition for Chris Buck. Staff will try to find Master Chris Buck to recognize him.

5. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

John Winder came to the commission to discuss curbside recycling. Mr. Winder said that 139 million Americans have access to curbside recycling. The Solid Waste Association of America did a survey in California and the average cost there was \$2.40 per household per month to provide this service. Mr. Winder would like this idea explored in Kingman especially since he recycles 100% of his waste but is still obligated to pay for sanitation service in the city. A curbside program would be something more people would participate in. Chairman Bowman said that the CCC could put something on a future agenda to discuss this idea.

Nan Russell asked about who was responsible for maintaining the public utility easements behind properties in Kingman. Commissioner Giesbrecht replied that the adjoining property owners are responsible for maintaining the easements. Chairman Bowman said this can be part of the next discussion regarding weed issues in Kingman.

Eddie Tapia announced that there would be an e-waste clean-up at Kingman Public Works on Saturday, March 7, 2015.

6. ANNOUNCEMENTS BY COMMISSION MEMBERS Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

Commissioner Giesbrecht announced that the first Chillin' on Beale Street will be on April 18th. Chairman Bowman announced there will be a group from Joliet, Illinois that will be coming through Kingman on June 26th. There will be about 120 cars stopping at the Powerhouse for about 2.5 hours starting around 11:30 a.m. They will be coming in staggered groups. They are heading toward the Santa Monica pier in California.

ADJOURNMENT: Commissioner Carpenter made a MOTION to ADJOURN the meeting. Commissioner Russell SECONDED the MOTION and it CARRIED UNANIMOUSLY with a vote of 7-0. Meeting Adjourned at 6:28:21 P.M.

APPROVED:

Ralph Bowman
Clean City Commission Chairperson

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

CERTIFICATE OF CLEAN CITY COMMISSION MINUTES

I, Sherie Sixkilller, 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 Special Meeting of the Clean City Commission held on February 19, 2015.

Dated this 19th day of March, 2015

Sherie Sixkiller-Wing, Recording Secretary