

CITY OF KINGMAN
MUNICIPAL UTILITY COMMISSION
MEETING
Council Chambers
310 N. 4th Street

5:30 p.m.

Minutes

Monday, January 22, 2015

COMMISSIOENERS:	Staff Present:	Visitors Signing In:
Marvin Yarbrough	Mike Prior, Assistant City Engineer	Joe O'Neill
Mike Van Zandt, Vice Chairman	Frank Marbury, Assistant City Engineer	Rhonda Yarbrough
Allen Burgett, Chairman	Phil Allred, Assistant City Engineer	
Toby Orr	Tina Kennedy, Utility Administrator	
Aline Parker	Melody Stewart, Recording Secretary	
Paul Shuffler-Absent	Sydney Muhule, City Clerk	
Pat Yarush		
Council Liaison Miles-Absent		

REGULAR MEETING

CALL TO ORDER AND ROLL CALL

Commissioner Yarbrough called the meeting to order at 5:30 p.m. with five commissioners present at the time of roll call. Commissioner Orr arrived after roll call was taken and Commissioner Shuffler and Council Liaison Miles were absent.

ELECTION OF THE 2015 CHAIRPERSON AND VICE CHAIRPERSON. Commissioner Parker made a **MOTION** to **NOMINATE** Allen Burgett as the Municipal Utility Commission Chairman. Commissioner Yarush **SECONDED** the **MOTION** and it was **APPROVED** by a vote of **6-0**.

Commissioner Yarbrough made a **MOTION** to **NOMINATE** Vice Chairman Van Zandt to continue as Vice Chairman. Chairman Burgett **SECONDED** the **MOTION** and it was **APPROVED** by a vote of **6-0**.

APPROVAL OF THE MINUTES

Commissioner Yarbrough made a **MOTION** to **APPROVE** the minutes from the November 24, 2014 meeting as written. Commissioner Parker **SECONDED** the **MOTION** and it was **APPROVED** by a vote of **6-0**.

1. **PAST COUNCIL ACTION:**

- a) **Ordinance 1788-Text changes to the Utility Regulations regarding the waiver of the sewer investment fees.** Assistant City Engineer Mike Prior introduced himself in the absence of City Engineer Greg Henry. Assistant Engineer Prior gave an update of the recommendation that went to the City Council on December 16, 2014. He stated Council denied recommendation stating it delayed the process and discouraged people from connecting.

- b) **Ordinance 1789- Text changes to the Utility Regulations regarding the definition of “availability” for existing homes with failed septic systems.** Assistant City Engineer Prior stated that the Council also denied the text change of “availability” .

Chairman Burgett commented that staff and the commission worked hard over several months with several hours of discussion and he was shocked and surprised that City staff’s recommendation was to deny the text changes.

Commissioner Orr stated Council has to realize that Kingman is not a high income town. We are a low income town and it would be nice to impose rules and restrictions; however the income is not here and this is imposing extra burden on people who cannot afford it. He continued these people will just move into the county because people are struggling citywide.

Commissioner Orr stated Kingman will become an island and Mohave County will continue to grow. He stated that Bullhead City and Lake Havasu will grow and Kingman will have restricted growth with less & less appeal.

Commissioner Parker asked how many people have willingly pulled permits and connected to sewer. Commissioner Parker stated it seems that every person that wants to hook to sewer comes in front of the commission and there have been hardships with the general public as far as connecting to sewer.

Commissioner Parker requested that staff look at the number of sewer service connection completed within the last two years and at the number of sewer connection variances that have come before MUC in the same time frame.

Commissioner Yarush stated originally when these issues first came about it was because there were not enough people participating and the Commission wanted to create incentives for the public to want to connect to sewer sooner.

Further discussion determined the Commissioners were shocked that staff did not recommend the changes to the Council and they would have liked to express their concerns to Council Liaison Miles.

Assistant City Engineer Prior advised the Commissioners of the 3 block CDBG sewer line extension project on Beverly Avenue with 44 connections available. There were 12 residents that qualified for CDBG funding and 8 residents who connected that did not qualify. Others will not connect unless forced through septic failure.

2. **OLD BUSINESS:** (for review, comment and/or action)
None
3. **NEW BUSINESS:** (for review, comment and/or action)

- a) **Review & Recommendation of request for variance to use overhead power for electric service at 309 Maple Street (303-06-040), by Joseph A. O'Neill, Owner/Applicant.** Assistant City Engineer Frank Marbury said the City Ordinance reads the utilities should be placed underground and City Council being the only authority to approve for overhead utilities. He continued the homeowner had requested the variance due to rock excavation and in keeping with the character of the neighborhood where many of the adjacent homes have overhead utilities. Engineer Marbury stated staff would recommend Mr. O'Neill's request.

Mr. O'Neill thanked staff for considering his request. He continued the rock makes it very difficult to dig and there are no services on Maple. He said service would have to come off of Chestnut.

After further discussion the Commissioners determined the distance required for the power poles and there was no other opposition known. Commissioner Yarbrough agreed that the surrounding area has overhead utilities.

Commissioner Orr asked about the policy on underground versus overhead and if all new construction had to be underground.

Engineer Marbury quoted City Ordinance 9-5 stating that Council would have to approve the overhead variance. He continued all new construction is required to be underground.

Commissioner Yarbrough made a **MOTION** to **APPROVE** the request for **VARIANCE**.
Commissioner Yarush **SECONDED** the **MOTION** and it was **APPROVED** by a vote of **6-0**.

- b) **Review and Recommendation of the 2015 Municipal Utility Commission Meeting Calendar.** Recording Secretary Melody Stewart provided the Commissioner's with the possible alternate meeting dates in November and December of 2015 that conflict with the 2015 holidays. After a discussion was held the commission voted to change the November 26, 2015 to Monday November 23, 2015 and the December 24, 2015 date will be changed to Monday December 21, 2015 all at 5:30 p.m.

Commissioner Yarbrough made a **MOTION** to change the meeting dates of November and December to the Monday's of those respective weeks to November 23, and December 21 at 5:30.

Commissioner Van Zandt **SECONDED** the **MOTION** and it was **APPROVED** by a vote of **6-0**.

4. **CALL TO THE PUBLIC- COMMENTS FROM THE PUBLIC**

Those wishing to address the Commission need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter of rescheduling the matter for further consideration and decision at a later date, pursuant to A.R.S. 38.431 et al.

There were no comments

5. **COMMISSIONER'S COMMENTS**

Limited to announcements, availability/attendance of conferences and seminars, requests for agenda items for future meetings and requests for reports from staff.

There were no comments

Commissioner Yarush made a **MOTION** to **ADJOURN**. Commissioner Parker **SECONDED** The **MOTION** and it was **APPROVED** by a vote of **6-0**.

ADJOURNMENT: 5:53 p.m.