

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

6:00 P.M.

AGENDA

Monday, December 15, 2008

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by Pastor Steve McCall of the Desert Church of Christ

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

The Work Session Minutes of November 24, 2008 and the Regular Meeting minutes of December 1, 2008. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0 AFTER CORRECTIONS NOTED.**

2. APPOINTMENTS

a. Clean City Commission

The terms of Bill Daughtrey and Janie Daughtrey are expiring at the end of 2008. Janie Daughtrey indicated she did not wish to be reappointed. Bill Daughtrey would like to be reappointed. Joan Ruth Cates-Jacks submitted an application for appointment. **The Clean City Commission recommends that Bill Daughtrey be appointed to a second term and that Joan Ruth Cates-Jacks be appointed to a first term. MOTION TO APPOINT BILL DAUGHTREY WAS PASSED BY A VOTE OF 7-0. MOTION TO APPOINT JOAN RUTH CATES-JACKS WAS PASSED BY A VOTE OF 5-2 WITH COUNCILMEMBER GORDON AND VICE MAYOR WATSON VOTING NAY.**

b. Economic Tourism Development Commission (ETDC)

The terms of Cary Swenson and Judy Abraham are expiring at the end of 2008. They both would like to continue to serve however they have served 2 terms so they would have to be appointed by a supermajority vote of the Council. **ETDC recommends their reappointment. ETDC also recommends the Council consider expanding ETDC membership from 7 members to 9 members. MOTION TO APPOINT CARY SWENSON AND JUDY ABRAHAM WAS PASSED BY A VOTE OF 7-0. MOTION TO EXPAND ETDC TO 9 MEMBERS WAS PASSED BY A VOTE OF 7-0.**

3. 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 should be limited to no longer than 3 minutes.

4. 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. Liquor License Application for an Agent Change & Acquisition of Control

Agent and Applicant Brandon Loos of R.C. Restaurant, LLC, has applied for an Agent Change and Acquisition of Control for Calico's Restaurant located at 418 W. Beale Street, Kingman, AZ. Staff recommends the approval of the request. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

b. Resolution No. 4571—Release of Assurances

Rhodes Homes Arizona LLC, developer of The Villas Tract 1946C&D Subdivision has requested the approval of the release of the \$50,000 cash bond assurance from Bond Safeguard Insurance Company held as surety of the completion of the remaining subdivision improvements. The subdivision is located north of Airway Avenue and west of Prospector Street. The City Engineer has reviewed the improvements and there is no punch list. Staff recommends approval of Resolution No. 4571. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

c. Recommendation from the Economic Tourism Development Commission (ETDC) for funding of "Shop Local" bumper stickers

At the December 4, 2008 ETDC meeting, a funding request was submitted for expenses associated with the "Shop Local" campaign efforts in Kingman and the Tri-City area. These funds are targeted for the purchase of "Shop Local" bumper stickers. ETDC recommends Council approve up to \$500 from ETDC contingency funds for the "Shop Local" campaign. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

d. Route 66 Wings and Wheels

Route 66 Wings and Wheels Inc. would like to request the consent of the Kingman City Council to hold the "Kingman Street Drags VI" on September 18th, 19th, and 20th of 2009. **NO ACTION TAKEN AS THIS IS ADMINISTRATIVE.**

5. OLD BUSINESS

a. Consideration of the City Proceeding with the Abandonment of Surplus Land Located North of Airway Avenue at Yuma Street.

On July 7, 2008, the City Council directed staff to have the surplus land located in the area north of Airway Avenue at Yuma Street surveyed and appraised for disposal. Specifically, the City owns Lots 27 through 31, Block 83, Greater Kingman Addition, Unit #2 (Parcel A); Lots 1 and 7 through 12, Block 82, Greater Kingman Addition, Unit #2,(Parcel B); and the Yuma Street right-of-way (Parcel C). Parcel "A" is appraised to be worth \$1,800; Parcel "B" is appraised at \$8,000 and Parcel "C" is appraised at \$5,700. The cumulative total is \$15,500 for these three parcels. There are no utilities in these parcels. **Staff recommends the disposal of Parcels "A" and "B" for the appraised prices. Staff also recommends inviting the adjoining property owner to proceed with the abandonment procedure to abandon Parcel "C" and then sell parcel "C" for the appraised price. MOTION TO APPROVE THE SALE OF THE PROPERTY WAS PASSED BY A VOTE OF 7-0**

b. Consideration of the City Proceeding with the Disposal of Surplus Land Located South of Kino Avenue and West of Bank Street.

On July 7, 2008, the City Council expressed interest in disposing of the surplus portions of two of the lots the City owns (Lots 25 and 26, Block 4, of the Banks Airport Addition) located south of Kino Avenue and west of Bank Street. The property is zoned "C-2" and is contained in the Bank Street Design Overlay District. The appraised price for the surplus portions of the two lots is \$12,500. **Staff recommends selling the property for the appraised price. MOTION TO APPROVE THE SALE OF THE PROPERTY WAS PASSED BY A VOTE OF 7-0.**

c. Public Hearing—Ordinance No. 1641—Adjusting Water and Wastewater Monthly Rates and Fees

On November 3, 2008, Council adopted a Notice of Intent to modify the rates and fees as provided in the "Water and Wastewater Rate and Investment Fee Study" dated October 2008. A workshop was held on November 24, 2008, to further discuss the proposed changes. From that discussion, Ordinance 1641 has been drafted with Options A, B, and C for consideration. Each option includes a different proposed WATER BASE RATE; all other components of the Ordinance are identical. Option A includes a water base rate that is \$2.00 higher than initially proposed; Option B includes a water base rate that is \$1.00 higher; and Option C includes the water base rate that was initially proposed. **Staff recommends Council hold a public hearing on the proposed rates and fees and adopt Ordinance 1641 Option A, B, or C. MOTION TO APPROVE ORDINANCE 1641 OPTION A WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER LYONS VOTING NAY**

6. NEW BUSINESS

a. Clean City Commission report to Council recommending posting of "No Littering" signs in Kingman

The Clean City Commission, at their regular meeting on November 20, 2008, considered the idea of posting "No Littering" signs in the Kingman area. The purpose

of the signs would be to increase public awareness of the problem of littering and the consequences of such action. The Commission was interested in seeing the maximum civil and criminal penalties posted on the signs for the act of littering. **The Commission recommends the approval of the placement of up to 12 “No Littering” signs, with applicable penalties and statutes listed as required, near area schools, primary entrances to the city, and locations with significant litter problems, as may be determined by the Clean City Commission in cooperation with the Street and Police Departments. MOTION TO DIRECT STAFF TO PLACE UP TO 12 SIGNS IN THE KINGMAN AREA WAS PASSED BY A VOTE OF 7-0.**

b. Renewal of Indigent Defense Contract

The current contract with Bryan Whitney will expire December 31, 2008. Mr. Whitney will be asking Council to renew the contract and has prepared a power point presentation in support of his proposal. The contract contains an increase of \$15,000 from the amount budgeted in professional services for this fiscal year. **Judge McCoy recommends adoption of the proposal of Bryan Whitney and renew his contract with the contained changes. MOTION TO APPROVE A 6 MONTH CONTRACT FOR \$50,000 WAS PASSED BY A VOTE OF 7-0**

c. Discussions and/or recommendation for the creation of a Commission for the purpose of marketing the Tri-City area.

The Tri-City Council has appointed three members to form a committee for the marketing of the Tri-City area. The City of Kingman representative is Councilmember Young. She would like to discuss the forming of a Commission for the purpose of marketing the Tri-City area. Under Kingman Municipal Codes Section 2-155: In addition to boards, committees, and commissions required by the Arizona Revised Statutes, the commission council may create such advisory boards, committees, and commissions as it deems appropriate. **Staff requests direction from Council. COUNCIL GAVE STAFF DIRECTION TO BRING BACK A RESOLUTION FOR THE CREATION OF A MARKETING THE KINGMAN AREA COMMISSION.**

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

If needed

ADJOURNMENT

Posted _____ by _____