

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

6:00 P.M.

AMENDED AGENDA

Tuesday, January 20, 2009

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by Pastor Grif Vautier, Kingman Presbyterian 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

The Regular Meeting minutes of January 5, 2009

2. AWARDS/RECOGNITION

Recognition of the Outgoing Board and Commission members

The City Council would like to recognize and thank the following members for their service to the City of Kingman.

Janie Daughtrey---Clean City Commission (2006-2008)

Kay Field---Clean City Commission (2007-2008)

Lenore Knudtson---Clean City Commission (2005-2008)

Bob Womack---Clean City Commission (2006-2008)

Tim Baumgarten---Parks and Recreation Commission (Jan. 2003 to Dec. 2008)

Dr. Donald Morgan---Golf Course Advisory (Jan. 2006 to Dec. 2008)

Diane Grimes---Golf Course Advisory (Jan. 2006 to Dec. 2008)

Charles Lucero---Golf Course Advisory (Jan. 2008 to Oct. 2008)

Sandi Minkler---Planning and Zoning Commission (Sept. 2006 to Dec. 2008)

David Adams---Planning and Zoning Commission (Aug. 2001 to Dec. 2008)

Gary Watson---Industrial Development Commission (April 1985 to Dec. 2008)

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.

Administrative Policies Update

The City Manager is tasked with creating administrative rules and regulations to operate the City of Kingman. These rules are promulgated according to the policies adopted by the Mayor and Common Council. These text amendments to the City Code further and clarify these duties. In addition, a policy statement is included with these amendments to ensure clarity regarding the changes and provide guidance to the City Manager. **Staff recommends adoption of Resolution No. 4582, Ordinance No. 1644, and Ordinance No. 1645.**

5. OLD BUSINESS

a. Shop Local update

Councilmember Young will be presenting an update on the Shop Local program.

b. Public Hearing – Ordinance No. 1643 – Adjusting Water and Wastewater Development Investment Fees

The City of Kingman has been working with the Arizona Department of Environmental Quality, Brown & Caldwell Engineering, and the Water Infrastructure Finance Authority of Arizona (WIFA) to prepare for necessary upgrades and expansion of the City's water and wastewater utility systems. The final steps prior to commencing construction include securing financing and modifying rates and fees. **Staff recommends Council hold a Public Hearing on the proposed Water and Wastewater Development Investment Fee modifications and the Infrastructure Improvements Plan.**

c. Amendment to Permit Fee Structure to require wind energy Conditional Use Permit application fees to cover the actual cost of processing a Conditional Use Permit

Tony Kuc appeared at the January 5, 2009, City Council meeting and during the Call to the Public portion of the meeting asked that the City Council initiate an amendment to its permit fee structure so the Conditional Use Permit application fees for wind turbine tower heights be the actual cost of processing the Conditional Use Permit. **Staff recommends leaving the current application fee rates the same and reviewing the entire fee structure at budget time.**

d. Amendment to Section 26.1300 SMALL WIND ENERGY SYSTEMS, Section 2, Subsection 2, Tower Height, to allow the maximum tower height to be 43 feet rather than the maximum building height

Tony Kuc appeared at the January 5, 2009, City Council meeting and during the Call to the Public portion of the meeting asked that the City Council initiates an amendment to the maximum tower height restriction for small wind energy turbines. The present regulation limits the maximum tower height to the maximum building height of the zoning district in which the tower is located. By conditional use permit, a tower may be permitted up to 60 feet in height. **Staff recommends not amending the code.**

6. NEW BUSINESS

a. Resolution No. 4581 – Economic Development and Marketing Structure Workgroup

The City Staff was directed to present a resolution to create a "special body" to study the issues of how to structure a Commission to address the needs of economic development and marketing strategies for the City of Kingman. **Staff requests Council direction.**

b. Public Hearing – Resolution No. 4576 – FINAL plat for Kingman Unified School District (KUSD) #20 for the Kingman Middle School, Tract 6041, and approval of the improvements for plans and acceptance of assurances for the final plat

A request from Mohave Engineering Associates, Inc., agent for KUSD #20 and ZBella, LLC property owners, to approve a final subdivision plat and improvement plans for KUSD #20 plat Tract 6041. The proposed plat contains two lots and two parcels on 60 acres. The subject property is located along the east side of Prospector between Airway Avenue and south of the Gordon alignment, south of the Airport boundary. The proposed assurances are development agreements with the owners which will encumber properties to assure completion of improvements associated with the plat, other than those constructed by the School District. **Staff recommends approval of Resolution No. 4576.**

c. Resolution No. 4577 - Authorization for the Mayor to sign a development agreement to assure the completion of off-site improvements (water, sewer, stormwater, and Prospector Street) for the Kingman Unified School District's portion of the KUSD #20 Tract 6041 Final Plat and for the crediting of Transportation Development Investment Fees for the full-width street improvements of Prospector Street along the frontage of Lot #1

KUSD #20 Tract 6041 Plat has three property owners, ZBella Investments, LLC, ZCamp Investments, LLC, and the Kingman Unified School District. To assure the completion of the off-site improvements for the subdivision, the owners have split their responsibilities. KUSD #20 will complete the stormwater channel and the water and sewer infrastructure to its site. ZBella Investments, LLC is responsible for the entire remaining infrastructure, including Airway Avenue. **Staff recommends the adoption of Resolution No. 4577.**

d. Resolution No. 4578 – Authorization of a development agreement to assure the completion of the remaining off-site improvements for the KUSD #20 Tract 6041 final plat with ZBella Investments, LLC

In order to assure completion of the remaining off-site improvements, the staff is proposing a development agreement that does not allow any development in the Celebrate Master Plan area, except for the Celebrate 300 Subdivision and Lot #1 of the KUSD #20 Tract 6041 Plat until all of the off-site improvements are completed and accepted by the City. **Staff recommends the adoption of Resolution No. 4578.**

e. Resolution No. 4579 – Authorization of a development agreement to assure the completion of the remaining off-site improvements for the KUSD #20 Tract 6041 final plat with ZCamp Investments, LLC

In order to assure completion of the remaining off-site improvements, the staff is proposing a development agreement that does not allow any development in the Celebrate Master Plan area, except for the Celebrate 300 Subdivision and Lot #1 of the KUSD #20 Tract 6041 Plat until all of the off-site improvements are completed and accepted by the City. To date, the staff has not received a response from ZCamp, LLC on this matter, however, the ZCamp managing partner and the ZBella, LLC statutory agent is the same person, Donald Zeleznak. **Staff recommends adoption of Resolution No. 4579.**

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

If needed

8. EXECUTIVE SESSION

The City of Kingman is interested in the purchase of some real property that would further the City's needs. The Mayor and Common Council may go into executive session to discuss this issue and provide direction according to ARS 38-431.03 (A) (7) Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for this purchase, sale or lease of real property.

ADJOURNMENT

Posted _____ by _____