

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

6:00 P.M.

Minutes

Monday, December 15, 2008

Members:	Officers:	Visitors Signing In:
J. Salem, Mayor	C. Cooper, City Attorney	See attached list
J. Watson, Vice Mayor	J. Kramer, City Manager	
K. Deering	D. Francis, City Clerk	
R. Gordon	D. King, Deputy City Clerk	
R. Lyons	G. Jeppson, Development Services Director	
K. Walker	C. Loyd, Finance Director	
C. Young	R. Owen, Public Works Director	
	G. Henry, Engineer	
	K. McCoy, City Magistrate	
	C. Osterman, Fire Chief	
	J. Clos, Information Services Director	
	R. Ruggles, Principal Planner	

CALL TO ORDER & ROLL CALL

Mayor Salem called the meeting to order at 6:00 pm and roll call was taken. All Council Members were present. The Invocation was given by Pastor Steve McCall of the Desert Church of Christ, 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 Work Session Minutes of November 24, 2008 and the Regular Meeting minutes of December 1, 2008.

Mayor Salem noted a correction to the Regular Meeting minutes of December 1, 2008, item 2, APPOINTMENTS, sub-item A, Planning and Zoning Commission, the motion to reappoint Dave Adams. The vote FAILED by a vote of 5 – 2.

CITY CLERK NOTATION: After reviewing the tape recording of the December 1, 2008 meeting the roll call vote was 4 – 3, with the correction being Councilmember Walker voted NAY, not Councilmember Young.

Vice Mayor Watson noted a correction to item number 7, DEPARTMENT REPORTS, Sales Tax Report. The paragraph pertaining to Alternative #2 should state that it is an additional .40%.

No other corrections were noted. Councilmember Deering made a MOTION to APPROVE the December 1, 2008 Regular Meeting minutes with corrections and the Work Session Minutes of November 24, 2008 as is. Vice Mayor Watson SECONDED and the MOTION CARRIED by a 7-0 vote.

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.

Councilmember Gordon asked City Attorney Carl Cooper if he could review the rules of residency for this commission. Mr. Cooper stated that he believes that commission members must be residents; however, there may be some exceptions to this requirement. Vice Mayor Watson stated that Rich Ruggles, the Staff Liaison to this commission, who was in attendance, could explain the residency requirements in the bylaws. Mr. Ruggles stated that his understanding, unless the bylaws have changed, is that three members can live outside of the City limits as long as they are within the water service area or within the 86401 or 86409 zip code. Mayor Salem asked if the proposed candidates met these conditions. Mr. Ruggles answered yes. Councilmember Gordon stated that Joan Ruth Cates-Jacks lives in Valle Vista which is not in the City's water service area. Mr. Ruggles replied that Ms. Cates-Jacks meets the zip code requirement.

Councilmember Deering made a MOTION to REAPPOINT Bill Daughtrey and APPOINT Joan Ruth Cates-Jacks to the Clean City Commission. Councilmember Walker SECONDED. Vice Mayor Watson asked Councilmember Gordon if she had concerns regarding this appointment. Councilmember Gordon stated that she was concerned about the rules of appointment and was not comfortable moving forward with these appointments without clarification of the rules. Councilmember Lyons stated that in the past, exceptions have been made in which residents of the Butler area have been appointed to City commissions, however he could not recall an appointment being made in which someone lived so far outside the City limits. Vice Mayor Watson asked the Council Liaison to this commission, Councilmember Walker, if he knew Ms. Cates-Jacks and if she attended the last meeting. Councilmember Walker stated that he does not know Ms. Cates-Jacks but Mr. Daughtrey always attends the meetings.

Mayor Salem asked Councilmember Deering to withdraw his motion and stated that he would entertain a motion to reappoint Mr. Daughtrey. Councilmember Deering made a MOTION to REAPPOINT Bill Daughtrey to the Clean City Commission. Councilmember Walker SECONDED and the MOTION CARRIED by a 7-0 vote.

Councilmember Deering made a MOTION to APPOINT Joan Ruth Cates-Jacks to the Clean City Commission. Councilmember Deering went on to say that since Ms. Cates-Jacks is willing to serve and there was not a lot of interested volunteers to fill the position she should be appointed. Councilmember Walker SECONDED and the MOTION CARRIED by a 5-2 vote 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.

Councilmember Deering made a MOTION to REAPPOINT Cary Swenson and Judy Abraham to the ETDC. Councilmember Young SECONDED and the MOTION CARRIED by a 7-0 vote.

Councilmember Deering stated that he spoke to a number of people who agreed that expanding the ETDC from 7 to 9 members would be beneficial. Because the ETDC deals with tax dollars generated by hotels and motels, it would be beneficial to have 2 or 3 people from this industry on the commission. Councilmember Gordon is the Council liaison to this commission. Councilmember Gordon stated that the commission has had extensive discussion in regards to expanding the number of members from 7 to 9 and feels it is a good opportunity for people newer to the commission structure to become involved. Councilmember Gordon also stated that if the Council decides to expand this commission she would like the newspapers to be contacted and either a story or advertising be done to spark the public's interest and entice new citizens to apply. Mayor Salem asked if interested parties would have to apply to the talent bank. Mr. Kramer answered yes.

Councilmember Deering made a MOTION to direct staff to draft an ordinance expanding the ETDC from 7 to 9 members. Councilmember Gordon SECONDED and the MOTION CARRIED by a 7-0 vote.

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.

Harley Pettit, resident of Kingman and President of RAID, spoke in regards to the Town Hall Meetings. There was not a Town Hall meeting held in November due to the holidays; there will not be a meeting in December either, again due to the holidays. Mr. Pettit further stated that the next Town Hall meeting will be held in January 2009 and the topic will also be announced in January.

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.
- 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.

- 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.
- 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.

Mayor Salem requested that items 4b and 4d be removed for further discussion.

Councilmember Deering made a MOTION to APPROVE the balance of the Consent Agenda. Councilmember Walker SECONDED and the Motion CARRIED by a 7-0 vote.

4b. Resolution No. 4571 – Release of Assurances

Councilmember Walker wanted to verify if there was a punch list. Greg Henry, City Engineer, confirmed that there was not a punch list and that the required improvements were completed and have been for at least a couple of years. Vice Mayor Watson asked why this was on tonight’s Agenda if the improvements were completed a couple of years ago. Mr. Henry replied that cash bond assurances are not returned until they are requested by the developer. Mr. Henry went on to say that the request was made to Development Services Director Gary Jeppson a couple of weeks ago and tonight’s Council meeting was the first available for the release of assurances.

Councilmember Walker made a MOTION to APPROVE Resolution No. 4571. Councilmember Deering SECONDED and the MOTION CARRIED by a 7-0 vote.

(Resolution No. 4571)

4d. Route 66 Wings and Wheels

Mayor Salem stated that it had come to his attention that this request is an administrative action with the Chief of Police having the final say in approving the parade permit. Mr. Cooper stated that was correct, this request would go through the Police Chief and if the parade permit was denied then it could go before the Council as an appellate body. Vice Mayor Watson stated that this item has come before Council in previous years and that it is curious that the Council no longer has the power to approve this function. Vice Mayor Watson further stated that she has concerns about this event in regards to the confusion in the downtown area during the event last year and bringing this to the Council before those issues were taken care of is premature, that all of these issues should be explored and perhaps residents of the area should be given the opportunity to voice their concerns before approval is given for this event.

Councilmember Deering asked about Route 66 Wings and Wheels’ plans for a permanent race track as was stated by the club in their original request for approval of this event.

Craig Schritter, resident of Kingman and volunteer with the Youth Football League spoke on behalf of Route 66 Wings and Wheels. Mr. Schritter said that the group has been very cooperative and even allowed the Youth Football League to have a concession stand at the drag races.

President of Route 66 Wings and Wheels, Inc., Brian Devincenzi addressed the Council. Mr. Devincenzi addressed Vice Mayor Watson's concern regarding the ETDC report stating that the report was complete and outlined expenditures and receipts. Mr. Devincenzi went on to address the scheduling conflicts and said that his group checked the schedule in advance and was not aware that a football game was scheduled. Mr. Devincenzi stated that he spoke with school officials after the fact and was told that the football game was well attended due to the racers being in town for the drag races who attended the game. Mr. Devincenzi stated that his group is having a difficult time obtaining suitable property to construct a race track. Mr. Devincenzi went on to request the City's help in locating property that is located in an area that would be most beneficial to the City.

Mr. Devincenzi said that the Route 66 Wings and Wheels Street Drags have enhanced Kingman's national reputation and received national television coverage in 2008 and comparable coverage is planned for the 2009 event.

Vice Mayor Watson asked for a document clarifying the dates of the event, including Friday for setting up the event and possibly a social event, as well as Monday to clean up after the event.

With no further discussion, Mayor Salem directed staff to meet with Route 66 Wings and Wheels, Inc., representatives to work out scheduling issues, Friday night activities, possibly get some public input, and examine the EDTC report from the last event. Mr. Kramer stated that the report has been completed and he will make sure that the Mayor and Council members receive it for review. Mr. Kramer further stated that the item was put on the Agenda to address any scheduling conflicts before the parade permit goes to the Kingman Police Chief for review and approval.

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.

Councilmember Walker asked if the people who are interested in purchasing this property paid for the appraisal. Development Services Director Gary Jeppson stated that the potential purchaser paid for the appraisal and the surveying.

With no further discussion, Councilmember Walker made a MOTION to APPROVE the sale of the property. Councilmember Lyons SECONDED and the MOTION CARRIED by a 7-0 vote.

- 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.

Councilmember Walker made a MOTION to APPROVE the sale of the property. Councilmember Gordon SECONDED and the MOTION CARRIED by a 7-0 vote.

- 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.

Financial Services Director Coral Loyd stated that a Notice of Intent was done in November 2008, and a workshop for interested parties was conducted. Ms. Loyd went on to say that there were a couple of newspaper articles printed which gave good notice to interested parties who wished to attend this Public Hearing.

Vice Mayor Watson asked staff for a review for the public regarding why the rate increases are necessary. Mr. Kramer stated that the North Wastewater Treatment Plant is out of compliance. The City has secured a loan with WIFA (Water Infrastructure Financing Authority) for \$35 million dollars to upgrade the plant, bring it into compliance, and increase capacity from 2 million gallons a day to 5.1 million gallons per day with an option of 1 million gallons per day for reuse. Without this upgrade ADEQ (Arizona Department of Environmental Quality) could impose fines of up to \$25,000 per day and moratoriums on building. Mr. Kramer went on to say that the proposed rate increase includes capital funds to replace the Downtown Wastewater Treatment Plant.

Councilmember Gordon asked about staffing requirements for the new plants. Mr. Kramer stated that the new North Wastewater Treatment Plant would require two shifts and an additional four employees, and that the new Downtown Wastewater Treatment plant may require an additional two employees, however, that number is uncertain because the design is not yet complete. Mr. Kramer stated that the new plants will be more labor intensive.

Mayor Salem stated that the cost of electricity to get water out of the ground has increased significantly. Ms. Loyd stated that several years ago the cost of electricity was around \$500,000 per year and is now up to between \$1.5 million dollars and \$2 million dollars per year associated with water.

Vice Mayor Watson stated that she appreciated the explanation. Raising rates is not something that the Mayor and Council want to do, particularly in these economic times,

however, when there are compliance and other issues there is no choice. The rate increase will also help pay for maintenance issues, capacity issues, distribution, water lines, and other infrastructure.

Councilmember Lyons and Councilmember Young were concerned that adding either \$1 or \$2 to the base rate will put the cost of new growth on existing water and wastewater customers. Ms. Loyd and Mr. Kramer stated that the rates must show that the WIFA loan can be repaid. Investment fees alone cannot guarantee that money will be available to pay the loan because if there is no or low growth there will be no or a small amount of fees collected. Ms. Loyd stated that increases in investment fees will be considered at the January 20, 2009 Council meeting and at that time, hopefully a balance can be struck in which investment fees will be increased at an amount still conducive to growth.

Councilmember Young asked Ms. Loyd how many water customers currently have difficulty paying their bills. Ms. Loyd replied that at the current time write offs are approximately \$45,000 per year, however, that will most likely increase to around \$60,000 next year.

Councilmember Deering stated that he had been told by residents that during Monica Gates' term water bills had doubled. Ms. Loyd replied that was not the case; base rates went down but volume rates went up dramatically. Ms. Loyd went on to say that rates went up according to volume of water used. The rate structure change was at the direction of the Governor to implement conservation rates. Councilmember Deering asked if an increase or decrease of revenue was noticed. Ms. Loyd stated that revenues went up initially but went down as customers adjusted to the conservation rates. Councilmember Young asked for the number of current water customers. Ms. Loyd stated that there are 18,000 customers at this time.

Vice Mayor Watson stated that Kingman has the lowest water and wastewater rates in Mohave County. Ms. Loyd stated that was correct with the exception of Lake Havasu's water rates which are subsidized by their property taxes, and that Kingman is among the lowest throughout the state. Ms. Loyd went on to say that when the increase is implemented Kingman's rates will be in the mid-range in the state.

The Public Hearing was opened. Citizen comments included --

Dave Depuy, resident of Kingman, asked what non-residential referred to and was told it was commercial. Mr. Depuy stated that he spoke to the water department today and was told that residential and commercial rates were the same. Ms. Loyd stated that the base charge and capital renewal fee is the same but volume rates are different.

Mr. Depuy asked if the golf course pays for their water. Ms. Loyd stated that the amount of water used is recorded, however, by ordinance; the City does not pay for its water. Mr. Depuy asked if all water customers are subsidizing the golf course. Vice Mayor Watson stated that if that were the case the same could be said of all the public parks. Mr. Depuy stated that parks are different and not everyone plays golf, fees are paid by players, and if the golf course is not making money the fees should be raised.

Mr. Depuy asked if investment fees would be used to develop sewers. Mayor Salem replied yes for new growth.

Baron Yankowitz, resident of Kingman, stated that wind mills could be used to lessen electrical costs in the future. Mr. Kramer stated that the technology is not yet advanced enough to run the type of machinery used to supply the City's water.

With no further discussion, the Public Hearing was closed.

Councilmember Walker made a MOTION to APPROVE Ordinance No. 1641 Option A. Councilmember Gordon SECONDED and the MOTION CARRIED by a 6-1 vote with Councilmember Lyons voting NAY.

(Ordinance No. 1641)

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.

Rich Ruggles, Principal Planner, stated that the signs will cost approximately \$120 each, including pole and hardware, according to Public Works estimate and will be absorbed by the Public Works Department.

Councilmember Gordon asked if the Clean City Commission has done any studies to see how effective the signs may be. Mr. Ruggles stated that it would be a good idea to take pictures of these areas before the signs are installed and take pictures again after the signs have been up for six months to see how effective they are.

Mayor Salem asked if this was actually an administrative action due to the small cost of the signs. Mr. Ruggles stated that the issue did not have to come before the Council; however, the Clean City Commission does not have the authority to direct staff.

Vice Mayor Watson made a MOTION to direct staff to proceed with the installation of the 12 signs. Councilmember Walker SECONDED and the MOTION CARRIED by a 7-0 vote.

- 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.

Bryan Whitney, current Indigent Defense counsel for the City of Kingman, addressed the Council. Mr. Whitney stated that within the year that he has had the contract the caseload has markedly increased with no change in compensation. Mr. Whitney is estimating the 2009 caseload to be between 400 and 500 cases, with a minimum of 3 hours per case. Mr. Whitney also stated that he has spread his increase request over a 3 year period to lessen the immediate fiscal impact, resulting in compensation of \$100,000 the first year, \$125,000 the second year, and \$150,000 the third year. The

alternatives to this contract include contracting on a case to case basis or implementing a City of Kingman Public Defenders office, both of which will incur a larger cost to the City.

Councilmember Lyons and Councilmember Young stated that they were concerned about granting this large increase when regular city employees did not get pay raises last year.

Mr. Whitney said that the City could be faced with numerous indigent clients appealing their cases because the attorney provided to them is not paid commiserate with the caseload. Mr. Whitney went on to say that there is case law that supports this and that he feels there is a very real possibility of appeals such as these being made.

Mayor Salem stated that he would be willing to grant the increase requested for the first year but hesitates to commit to years two and three. Mr. Whitney replied that the amount shown in the third year of the contract is what is due now, however, by spreading the increases over a three year period it would be easier for the City to absorb. Mayor Salem said that he does not feel that it is in the best interests of the City to commit to the three year contract.

Councilmember Walker asked what the previous attorney that held this contract was paid and how many cases he handled. Mr. Whitney replied that Mr. Sipe was receiving \$70,000 per year and was handling 300 cases per year. Mr. Whitney went on to state that at the current time he has handled 380 cases and expects to handle just under 400 by the end of the calendar year. Carl Cooper, City Attorney, stated that he has had discussions with Mr. Sipe regarding the contract and that Mr. Sipe stated that he was at the point in his career that he was in a position to “give back” to the community so he did not request commiserate increases.

Mayor Salem stated that this was the first he and the Council had heard about this issue and there was not much time to make a decision or pursue other proposals because the contract expires December 31, 2008. Judge McCoy stated that this issue would have been brought to the Council sooner but she had scheduling conflicts and felt it was important that she be able to attend the Council meeting in which the contract was reviewed. Mayor Salem asked if it would pose a problem if this contract was not renewed until after the first of the year. Judge McCoy replied that cases could not be postponed; however, Mr. Whitney may be willing to extend his contract for 30 to 60 days. Mayor Salem stated that he has only heard positive comments about Mr. Whitney’s performance.

Councilmember Deering stated that there were not a large number of applicants for the City Attorney position and that there was only one candidate for the Indigent Defense contract when Mr. Sipe quit. Councilmember Deering went on to say that he does not feel that the proposed increase is out of line.

Mayor Salem asked Mr. Whitney if he would be willing to accept the first year of the contract only. Vice Mayor Watson asked if Mr. Whitney would be willing to extend his contract or accept a 6 or 18 month contract so that all City contracts could be on the same timeline and due in the spring for budgeting purposes. Mayor Salem asked if Mr. Whitney could gather comparison information from Bullhead City and Lake Havasu City to present to the Council at the first meeting in January. Judge McCoy stated she could have that information by tomorrow and could already tell the Mayor and Council that the other cities are paying more money than Kingman.

Mr. Whitney stated that the current caseload ethically requires more than one attorney. Mr. Whitney also said stated his wife is an attorney and works with him on these cases, which makes it possible for the caseload to be adequately addressed.

Councilmember Gordon asked Judge McCoy when the City should consider implementing a Public Defender's office. Judge McCoy stated that the caseload would support that at this time; however, the cost is prohibitive.

Councilmember Deering asked Mr. Whitney if he proposed a new contract for three years to guarantee longevity. Mr. Whitney replied that he proposed a three year contract on the advice of Judge McCoy because they both felt it would be more palliative to the City if the increase was spread over three years. Mr. Whitney also pointed out that the contract can be terminated by either party with 60 days notice.

With no further discussion, Councilmember Gordon made a MOTION to APPROVE a six month contract for \$50,000, to be re-evaluated in June so that it will be in line with the budget cycle. Councilmember Lyons SECONDED and the MOTION CARRIED by a 7-0 vote.

- 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.

Councilmember Young stated that this marketing commission would be concentrated on Kingman but would work in conjunction with the Tri-City Council on certain projects. Councilmember Young went on to suggest a 9 member commission to work on research and recommend projects to the Council. The major retailers have a yearly conference in Las Vegas that representatives from Kingman could attend to promote the City.

Mayor Salem asked if the commission members would be volunteers. Councilmember Young stated that they would. Mayor Salem asked if these volunteers would have to go through the talent bank process. Mr. Kramer stated that per state statute that a need for the commission would have to be established then staff could be directed to draft an ordinance to present to the Council.

Vice Mayor Watson asked if this commission could be a sub-commission of the ETDC. Councilmember Young replied that the ETDC only deals with tourism and this commission would deal with marketing local business to local people. Mayor Salem stated that this is a good idea, that there will be 9 independent thinkers formulating ideas to market Kingman at no cost to the City.

Mayor Salem and the Council agreed to direct staff to write a resolution and present it to Council for further discussion. When the resolution is approved bylaws and goals will be established and the talent bank will be checked to recruit members.

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER
If needed

Mr. Kramer reminded those present about the City Potluck on December 17th and Road Kill Chili on December 19th at Public Works.

The Mayor and Council wished everyone Happy Holidays.

Mayor Salem stated that there is a groundbreaking ceremony for KUSD Middle School at the intersection of Airway Avenue and Prospector on December 16th.

Councilmember Gordon made a MOTION to ADJOURN. Councilmember Young SECONDED and the MOTION CARRIED by a 7-0 vote.

ADJOURNMENT: 8:12 p.m.

ATTEST:

APPROVED:

Deborah Francis
City Clerk

John Salem
Mayor

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

CERTIFICATE OF COUNCIL MINUTES

I, Donna King, Deputy City Clerk 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 December 15, 2008

Dated this 18th Day of December 2008

Donna King, Deputy City Clerk