

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

6:00 P.M.

Minutes

Monday, January 5, 2009

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 – Excused	D. Francis, City Clerk	
R. Gordon	A. Cox, Recording Secretary	
R. Lyons	G. Jeppson, Development Services Director	
K. Walker	C. Loyd, Finance Director	
C. Young	R. Owen, Public Works Director	
	G. Henry, Engineer	
	T. Duranceau, P&Z Administrator	
	D. Fruhwirth, Parks and Rec. Director	

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 except Councilmember Deering who was excused. The Invocation was given by Pastor Kent Simmons of the Canyon Community Church, 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 Regular Meeting minutes of December 15, 2008. Mayor Salem noted a correction on Item 5c Page 7 paragraph 3, change Monica Bush to Monica Gates.

Vice Mayor Watson made a MOTION to APPROVE the December 15, 2008 Regular Meeting minutes with the correction. Councilmember Gordon SECONDED and the MOTION CARRIED by a 6-0 vote.

2. APPOINTMENTS

a. Municipal Utility Commission

The terms of Municipal Utility Commissioners Macrae Glass and Craig Schritter expired at the end of December 2008. Both commissioners are eligible to serve a second three year term. At their December 18, 2008, meeting the Utility Commission reviewed talent bank applications from Mike Blair and Allen Mossberg.

The Commission voted 6-0 to recommend the reappointment of Macrae Glass and Craig Schritter to serve second terms. **The Municipal Utilities Commission recommends the reappointment of Macrae Glass and Craig Schritter to second three year terms.**

Councilmember Walker made a MOTION to REAPPOINT Macrae Glass and Craig Schritter to the Municipal Utility Commission for additional three-year terms. Councilmember Gordon SECONDED and the MOTION CARRIED by a 6-0 vote.

b. Historical Preservation Commission

The Historical Preservation Commission, at its regular meeting in the month of November, reviewed its membership and applicants for re-appointment to the Historical Preservation Commission. After discussion, it was agreed by consensus to recommend the reappointment of member CC Swenson to an additional three year term. **The Commission recommends the reappointment of CC Swenson.**

Councilmember Gordon made a MOTION to REAPPOINT CC Swenson to the Historical Preservation Commission for an additional three-year term Councilmember Young SECONDED.

Vice Mayor Watson asked if this would be her 2nd term. Councilmember Gordon confirmed that was correct.

With no further discussion the MOTION CARRIED by a 6-0 vote.

c. Industrial Development Board

Mr. Gary Watson has resigned his position on the Industrial Development Board leaving Ms. Tomma Schritter as the only member. During the process to replace him it was discovered that, according to Arizona Revised Statutes 35-702, the Board is required to have not less than three members. Ms. Schritter indicated a desire to continue to serve. The City of Kingman received three Boards and Commissions applications to service on the Industrial Development Board. They are Ms. Debra Sixta, Mr. Brooke Fix, and Mr. Vance Miller. Ms. Sixta and Mr. Fix have indicated a desire to serve. Mr. Miller could not be reached by telephone. The terms are six years and are staggered every two years. **Staff recommends the appointment of Ms. Debra Sixta and Mr. Brooke Fix to the Industrial Development Board.**

Mayor Salem stated he would entertain a motion to appoint all three to the Board: Debra Sixta, Brooke Fix, and Vance Miller.

Councilmember Gordon asked if Council voted on this, as presented, the board would then have four members. Mayor Salem said no they would only vote in these three applicants tonight. Vice Mayor Watson explained that if the Council votes to appoint all three applicants then there would be an even number of members on the board, therefore there would be a possibility of a split vote. Councilmember Gordon pointed out that Tomma Schritter would continue to serve on the Board and appointing three more members tonight would make a total of four. Mayor Salem pointed out that this Board is required to have a minimum of three members and that Council could appoint someone else at a later time, to make a total of five. Deborah Francis, City Clerk, clarified that the State Statute allows for no less than three and no more than six members on this particular board.

Councilmember Walker made a MOTION to appoint all three applicants (Debra Sixta, Brooke Fix, and Vance Miller) to the Industrial Development Board and then review Boards and Commissions applications for additional members.

Mayor Salem pointed out that with the planned interchange the Industrial Board will become active and members need to be in place just in case the City needs them.

With no further discussion Councilmember Young SECONDED the MOTION to appoint Debra Sixta, Brooke Fix, and Vance Miller to the Industrial Development Board.

Ms. Francis explained that one person needs to be appointed to a two-year term, one needs to be appointed to a four-year term, and one needs to be appointed to a six-year term because the terms are required to be staggered.

Mayor Salem asked Councilmember Walker if he would revise his motion.

Vice Mayor Watson asked if any of the applicants are present tonight. Mayor Salem stated that Vance Miller is not present. Vice Mayor Watson expressed concern that each one of them may have a preference as to how many years they would like to serve.

Ms. Francis explained that she has spoken with each applicant and they are all willing to serve six years.

Councilmember Walker revised his MOTION to APPOINT Debra Sixta to a two-year term, Brooke Fix to a four-year term, and Vance Miller to a six-year term to the Industrial Development Board. Councilmember Young SECONDED and the MOTION CARRIED by a 6-0 vote.

Councilmember Lyons made a MOTION to REAPPOINT Tomma Schritter to an additional six-year term to the Industrial Development Board. Councilmember Walker SECONDED and the MOTION CARRIED by a 6-0 vote.

3. **AWARDS/RECOGNITION**

a. **Employee Service Awards**

In appreciation for their hard work, dedication, and loyalty, the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

<u>Years of service</u>	<u>Name</u>	<u>Title/Department</u>
5	Mike Prior	Assistant City Engineering/Engineering
5	Jennifer Sochocki	Admin Assistant/Police Department
5	Don Anderson	Sr. Building Inspector/Development Services
10	Kelly Johnson	Fire Engineer/Fire Department
20	Russ Brooks	Equipment Mechanic/Fleet
20	George Sedich	Water Superintendent/Water Operating
20	Scott Wright	Police Captain/Police Department

Mayor Salem read aloud the names of those that were not present.

Mayor Salem then presented George Sedich with his Service Award.

b. Outstanding Customer Service Awards

The City of Kingman and the Kingman Area Chamber of Commerce would like to recognize the following individuals for their outstanding customer service in our community:

Lynne Steiger, Program Representative for the Mohave County Community and Economic Development Department.

Christina Sheehan, Lead Teller at Mohave State Bank, Hualapai Branch.

Josh Noble, Kingman Area Chamber of Commerce Tourism Director, stated that the Chamber would like to recognize good customer service because it builds on hospitality in Kingman.

Mayor Salem presented Ms. Steiger and Ms. Sheehan with their outstanding customer service awards.

4. 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, announced that the next Town Hall meeting will be January 28, 2009, at the Mohave County Library at 7:00 p.m. The topic will be the Rattlesnake Wash Traffic Interchange. Furthermore, he stated they would like to hand out index cards to those in attendance so they can write down topics they would like to have discussed at future Town Hall meetings.

Tony Kuc, resident of Kingman, asked Council to consider amending Ordinance No. 1628 to add the allowable height of the Wind Turbines to it so that those wishing to build a Wind Turbine on their property can avoid having to apply for a Conditional Use Permit (CUP); additionally CUPs for green energy can only be charged at what they cost the City, according to State Statute.

Harley Pettit, resident of Kingman, corrected the date of the Town Hall Meeting to January 27, 2009.

5. 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. Intergovernmental Agreement (IGA) with the Department of Public Safety for the Gang Intelligence and Team Enforcement Mission (G.I.T.E.M.)

On September 6, 2005, the City of Kingman entered into an IGA with the Department of Public Safety to fund two officers in the Gang Intelligence & Team Enforcement Mission (G.I.T.E.M.). The funding formula at that time was for 75% DPS and 25% City of Kingman. In 2007 enforcement of immigration was added to

the mission changing the name of the concept to G.I.I.T.E.M. and the funding formula to 85% DPS and 15% City of Kingman. On February 13, 2007, we signed the amended IGA reflecting those changes. Recently we discovered that the amended IGA, signed on February 13, 2007, omitted the second officer position. The revised IGA will correct the mistake and will serve as the IGA between DPS and the City of Kingman. **Staff recommends approval of the corrected IGA.**

b. Special Event Liquor License Application

Agent and Applicant Thomas L. Spear of the Historic Route 66 Association of Arizona, has applied for a Fundraiser to be held on May 2, 2009, from 5:30 p.m. to 9:30 p.m., located at 120 W. Andy Devine Avenue, Kingman, Arizona. **Staff recommends approval of the Special Event Liquor License application for the Historic Route 66 Association of Arizona fundraiser.**

c. Special Event Liquor License Application

Agent and Applicant Beverly Liles of the Kingman Area Chamber of Commerce, has applied for a Wine and Cheese Fundraiser to be held on February 7, 2009, from 6:00 p.m. to 11:00 p.m., located at 120 W. Andy Devine Avenue, Kingman, Arizona. **Staff recommends approval of the Special Event Liquor License application for the Kingman Area Chamber of Commerce Wine and Cheese Fundraiser.**

d. Resolution No. 4572 -- Water service to a new subdivision known as Kingman Unified School District No. 20, Tract 6041

On December 18, 2008, the Municipal Utility Commission reviewed a request from KUSD for water services to a new subdivision known as Kingman Unified School District No. 20, Tract 6041. This subdivision consists of two lots for development of a 46.88 acre school site and a 1.85 acre commercial site. The Commission voted 6-0 to recommend approval of water service with the following conditions: (1) That water and sewer lines be extended in accordance with the Utility regulations, (2) That fire hydrants be located and installed as required by the Fire Department, (3) That the private lift station for the school site be designed in accordance with City and ADEQ regulations, and that such lift station be owned and operated by the School District, and (4) That the School shall connect to a gravity sewer main when it becomes available. **Staff recommends approval of Resolution No. 4572.**

e. Resolution No. 4573 --Water service to an Unsubdivided Parcel for Kingman Unified School District #20 Central Services Kitchen

On December 18, 2008, the Municipal Utility Commission reviewed a request from Kingman Unified School District (KUSD) No. 20 for water service to an unsubdivided parcel. This water service request is for development of a Central Services Kitchen on the 33.50 acre property. This site is located north of Detroit Avenue between Rutherford Drive and MacDonald Avenue and is presently developed with Manzanita Elementary School and the main district offices. The Commission voted 6-0 to recommend approval of water service with the following conditions: (1) That fire hydrants be installed at locations approved by the Fire Department, (2) That private lift stations serving the property be designed in accordance with City and ADEQ Standards, and that such lift stations be owned and operated by the School District, and (3) That when a gravity sewer main becomes available to the parcel, the School District shall submit extension plans and connect to the gravity sewer main within 180 days of such main becoming available. **Staff recommends approval of Resolution No. 4573.**

f. Grant of Utility Easement for UNS Electric, Inc., at the City of Kingman Police Department station located at the intersection of Andy Devine Avenue and Airfield Avenue

The City of Kingman is the owner of a 2.41 acre parcel (Parcel 311-12-407B) which is the location of the Police Department Station. This parcel is located at the southeast corner of the intersection of Andy Devine Avenue and Airfield Avenue. This easement will allow Unisource Electric, Inc. to relocate existing overhead power lines serving this area to a new alignment that is more protected from contact with equipment. In addition, this easement will accommodate a future underground service connection to the Police Station backup power supply. The location of the overhead power line will not be in conflict with any current or future improvements or site functions. **Staff recommends that the utility easement for Unisource Electric, Inc. be granted.**

g. Ordinance No. 1642--Amending City Code Section 2-34

Upon review of the City Code the City Attorney noticed a discrepancy between the Code and current policy regarding reimbursement for mileage. The current City policy is to reimburse mileage according to the mileage rate published by the Internal Revenue Service. The City Code states .30 cents a mile. This modification will bring the City code into line with current City policy and IRS standards. **Staff recommends approval of Ordinance No. 1642.**

h. Acceptance of Deed of Dedication for Right-Of-Way on Rutherford Drive from the Kingman Unified School District (KUSD) #20

The proposed site construction of the Central Kitchen Facility for KUSD #20 at 3174 Rutherford Drive, east side of Rutherford Drive between Detroit Avenue and I-40 requires the construction of curbs, sidewalks, and pavement widening along the section of Rutherford Drive fronting the site. The KUSD #20 has offered to dedicate the right-of-way along this section of Rutherford Drive for these street improvements. **Staff recommends that the Mayor be authorized to sign the Acceptance Statement for the Deed of Dedication.**

i. Resolution No. 4580—Acknowledging the need for and authorizing staff to request a Technical Assistance Grant from the Water Infrastructure Finance Authority (WIFA)

Staff has applied for a Technical Assistance Grant from WIFA. Prior to receiving a Technical Assistance Grant, WIFA requires that the Council acknowledge the need for and authorize the request for such grant. Staff has received notice from WIFA that the Downtown Plant has been selected for a grant award not to exceed \$17,500.00. Resolution No. 4580 has been prepared to authorize staff to proceed with obtaining the grant. **Staff recommends approval of Resolution No. 4580.**

Councilmember Walker made a MOTION to APPROVE the Consent Agenda
Councilmember Lyons SECONDED and the MOTION CARRIED by a 6-0 vote.

(Resolution No. 4572)
(Resolution No. 4573)
(Ordinance No. 1642)
(Resolution No. 4580)

6. OLD BUSINESS

Property value of 150 Spruce Street (former KAAP shelter)

On November 17, 2008, Council directed staff to have the City owned property at 150 Spruce Street appraised by a licensed real estate appraiser to determine fair market value for the purpose of possible sale. At the same meeting, Council considered proposals from local, qualified agencies to enter into a possible use agreement with the City to lease this property. Council decided at that time to review the value and possibly sell this property. The fair market value of this property has been determined to be \$150,000.00. Options include: (1) establish a minimum bid and direct staff to solicit bids to sell the property at 150 Spruce Street, (2) Re-visit the possibility of entering into a use agreement with one of the two qualified agencies to lease the property for their program, or (3) take no action at this time. **Staff makes no recommendation at this time.**

Councilmember Walker stated he has talked to a few of the neighbors and they would rather have the house used for something other than a shelter. Councilmember Lyons stated that he would rather sell the property. Councilmember Gordon disagrees; putting the property on the market at this time would be a mistake because the property values are so low. She further stated that it would be best to hold the property and take no action. Mayor Salem stated the City could list the property for a short period of time and establish a minimum bid requirement, and if there are no offers at the time the listing expires the City could either re-list the property or hang on to it. Vice Mayor Watson stated that what Councilmember Gordon was saying is that the appraisal came back lower than it would have three years ago, therefore the City can not set the bid higher than the appraised value. Council needs to consider if the City is willing to part with the property at a time when it is under market value. On another note, Vice Mayor Watson asked what the City would do with the funds from the sale of the property. Jack Kramer, City Manager, stated the money would go back into the General Fund. Mayor Salem asked what the proposed expenditure is to chip seal the streets. Mr. Kramer stated that the project is budgeted for just under \$800,000.00 this year. Mayor Salem said that the money from the sale of the property could go to worthwhile projects like chip sealing. Mr. Kramer said that Council could put the money into whatever fund they deem appropriate. Councilmember Gordon asked Mr. Kramer if it is up to Council to decide what to spend that money on. Mr. Kramer said yes, because is it not a budgeted amount. Councilmember Walker asked if the City could just accept sealed bids with a minimum bid of \$150,000.00. Councilmember Walker further stated that leaving the house unoccupied leaves it susceptible to vandalism and other problems associated with a vacant house. Mayor Salem stated that is it better to lease the house to someone if the City is going to keep the property. Councilmember Young expressed concern that the property is undervalued and Council should consider not taking any action at this time and see if the market goes up. Vice Mayor Watson stated Council should consider revisiting this issue in three months. Mr. Kramer stated the City should consider a lease and use a property management agency. If the market comes back then the Council can consider selling at a later date. Councilmember Gordon stated that she thinks that Mr. Kramer has a good idea. Vice Mayor Watson and Councilmember Walker agreed that the City should look into that option as well.

Council directed Staff to present them with 3 different property management agencies for them to choose from.

7. NEW BUSINESS

- a. **Public Hearing -- Resolution No. 4574 – Consideration of a minor general plan amendment of the Celebrate Master plan area.** This amendment would modify the Projected Land Use Map by changing the existing land use designation on approximately 53-acres from *Medium Density Residential 3-8 dwelling units per acre to Public/Quasi-Public* and to eliminate the west loop road currently shown on the master plan. The area under consideration is located northeast of the Airway Avenue and Prospector Street alignments. The commercial area currently shown on the northeast corner of Airway Avenue and Prospector Street will remain designated as *Neighborhood Commercial*. **Staff recommends adoption of Resolution No. 4574.**

Gary Jeppson, Development Services Director, said this minor amendment is at the request of the property owner, Richard Campana, and owner of ZBella Investments, LLC. Councilmember Gordon asked where the school is in relation to this site. Mr. Jeppson replied that the school is on this site, it would be for public use, which is why the Council is considering the amendment. The planned western loop road that would have gone through the property would be eliminated. Currently there is an approved preliminary sub-division plat that shows a western loop road coming into the north edge of the property. Because the western loop road would have cut through the school district property, the applicant is looking to eliminate the road requirement so they can utilize the remaining sites; consequently those sites will then be accessed through a different road. Vice Mayor Watson inquired about the future plans for the proposed sub-division; would there be a requirement to add a cul-de-sac now so property owners would not have to go through the school property? Mr. Jeppson replied yes and that the preliminary plat shows a cul-de-sac already. The General Plan 2020 states that Council may make amendments to the plan if the amendment is consistent with the policies and objectives of the rest of The General Plan 2020. The Staff and the Planning and Zoning Commission believe the amendment does further the public health, safety, and general welfare of the citizens of Kingman and it is compatible with the uses of surrounding property. Having a school site in this heavily residential area is very compatible. There are great opportunities for open space usage. There is also the ability for the school district to build an elementary school in the future on the north portion of this site. Mr. Jeppson further stated that Staff believes that it is consistent with goals and objectives of The General Plan 2020 and this would reduce the dependence upon automobiles by having a neighborhood school. The designation of this area would reduce the number of houses by 159 to 425 and therefore reduce traffic because there will be less housing in the area. There will be a net reduction in overall traffic based on traffic projections and analysis done by Staff.

Vice Mayor Watson asked Mr. Jeppson to refresh her memory as to the difference between a minor and major amendment and what is it about this request that makes it a minor one. Mr. Jeppson said that it is a minor amendment because of the impact to the area. The designation between a minor and major amendment takes into account changes to public infrastructure, the size of the area, and trip generation. This particular request reduces the impact to the area, therefore making it a minor amendment. Vice Mayor Watson asked if Staff considered the additional traffic that will be generated because of special activities such as sporting events and school activities; were those things factored into the estimate in the traffic analysis. Mr. Jeppson stated there was not an estimate done on traffic for after-school activities. Mr. Jeppson believes that even with the extra activities that will happen in this area the over-all traffic will still be reduced. Vice Mayor Watson asked if this traffic estimate was by someone's guess or speculation. Mr. Jeppson stated that this estimate was done by the Institute of Transportation Engineers who have studied trip counters on a number of properties across the nation. Vice Mayor Watson asked Mr. Jeppson if all

the school activities were taken into account when producing the trip generators. Mr. Jeppson said yes all the activities involving direct school activities have been taken into account. The non-school activities involving the use of that property have not been taken into consideration. Vice Mayor Watson asked if there is a different tax rate there or if this zoning is so they do not have to get a CUP to build the school. Mr. Jeppson stated this is public property so there are no taxes. The CUP is a zoning issue not a General Plan 2020 issue and the school district is exempt from our Zoning Ordinances. Vice Mayor Watson asked if the City has the agreement in writing from the Celebrate Master Plan people stating that they have no objections to the change. Mr. Jeppson said yes the City has a letter from the Celebrate 300 owners stating they do not object.

The Public Hearing was opened. Citizen comments included –

Mike Bihuniak, resident of Kingman, asked about the property Mr. Campana owns and noted on the Council Agenda that his property is being referred to as Neighborhood Commercial and that is also known as C-2 zoning. Vice Mayor Watson stated that Neighborhood Commercial is C-1 zoning. Mr. Jeppson stated that that property is currently zoned C-2. Vice Mayor Watson asked if that property should be called Neighborhood Commercial. Mr. Jeppson stated that in The General Plan 2020 it states Neighborhood Commercial is generally C-1 but can be zoned as C-2. The proposed amendment is not changing this property; it is maintaining the same designation that it currently has. Vice Mayor Watson stated that the City's zoning states Neighborhood Commercial (C-2). Mr. Jeppson stated that it is currently designated in The General Plan 2020 as Neighborhood Commercial and it is zoned as C-2, which is not in conflict with The General Plan 2020 because it says that Neighborhood Commercial can be zoned as C-2.

After no further comments the Public Hearing was closed

Councilmember Walker made a MOTION to APPROVE Resolution No. 4574 Councilmember Lyons SECONDED and the MOTION CARRIED by a 6-0 vote.

(Resolution No. 4574)

- b. Public Hearing -- Resolution No. 4575 --Consideration of approval of the preliminary plat for KUSD #20 plat for the Kingman Middle School.** 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. It is associated with a minor general plan amendment request to accommodate the Middle School project. The Planning and Zoning Commission reviewed this request on December 9, 2008. The Commission recommended approval of the preliminary plat for KUSD #20 plat for the Kingman Middle School, Tract 6041 with the conditions A through F in Option 1 as stated in the staff report. The vote was 5-0 to recommend approval. **Staff recommends adoption of Resolution No. 4575**

Mr. Jeppson stated that the property in question is northeast of Prospector and Airway Avenue. Currently, there are three parcels of property that are being sub-divided. Lot 1 is owned by the school district and lot 2 is the commercial portion of the property and is located immediately northeast of the intersection. Parcel B is not owned by the school district but is part of the existing parcel plat. Parcel C is the area below Airway Avenue. It was agreed when the master plan was developed, that Airway would take the northern loop and come back down to a parcel of property south of Airway Avenue. Actual details of infrastructure design are being developed with the improvement plans

and Council will review them at a later date with the final plat. The Planning and Zoning Commission recommended approval with several conditions; 1) Water service needs to be reviewed by the Municipal Utility Commission and approved by Council, 2) Full street improvements need to be done on Prospector, 3) It was proposed that the City would own and maintain the drainage parcel, and the owner of the property would maintain the crossings and culverts, 4) There would need to be a connecting street between the existing portion of Airway Avenue and the new portion of Airway, 5) All utilities and drainages located on Prospector need to be completed before final occupancy of any building in the sub-division. Councilmember Young asked if there is a design for what is going to be on Parcel A. Mr. Jeppson said no. Additionally, she is concerned about the improvements on Airway and Prospector and who will be responsible for installing sidewalks and curbs. The paperwork states that the property owner is responsible and she asked if that meant the developer. Mr. Jeppson stated yes. Vice Mayor Watson asked if those improvements would go in on Airway. Mr. Jeppson stated no, not on Airway. What is proposed is that only Prospector Street would be developed and Airway would be developed at a future time. Vice Mayor Watson expressed concern that the only entrance will be off of Prospector and everything else will be fenced in, especially later when there will be a large number of students attending the school. Mr. Jeppson stated a fencing requirement has not been addressed with the school district. The only access that the school district is showing at this time is off of Prospector. Mr. Jeppson assured Vice Mayor Watson that it is standard to have access at two locations. The school will have future access to the north at the elementary school. Councilmember Young asked Mr. Jeppson about who will maintain the drainage where Airway and Prospector intersect. Mr. Jeppson replied that the developer will be responsible to create proper drainage and the City will be responsible for maintaining the drainage. Councilmember Gordon asked if there would be a traffic light at Airway and Prospector. Mr. Jeppson stated that there is not one planned at this time, perhaps there will be one sometime in the future. Councilmember Walker asked if the developer can put the conduits in at this time. Mr. Jeppson stated it will be up to the City Engineer as to what he will require on the improvement plans. Mayor Salem asked if it is a requirement in the preliminary plat. Mr. Jeppson stated no. Greg Henry, City Engineer, stated that the City is still reviewing the improvement plans and conduits are not shown in the plans at this time. Councilmember Walker asked if that is something Council can ask for. Mr. Henry stated that it looks like the developers are only doing the north side of the intersection of Prospector at this time. Vice Mayor Watson asked about the channel and if it would be open and how deep it would be. Mr. Henry stated the proposal is for the channel to be six feet deep with the water level being only a couple of feet deep. Vice Mayor Watson asked if there was pouring rain if the water level would rise. Mr. Henry stated no, that is only in the event of a 100-year storm event. Vice Mayor Watson also wanted to know if the channel is going to be secured. Mr. Henry stated that the developer actually built a bigger channel than necessary because they needed the dirt for the school site and the actual depth of water is only a couple of feet deep and that he does not recall any plans for fencing along the channel. Vice Mayor Watson again expressed concern over safety of the children when they are around the channel. Councilmember Gordon asked if Council can make any recommendations about fencing in the channel. Mayor Salem asked Mr. Jeppson when the proper time is to voice Council's concerns. Mr. Jeppson stated that Council should voice their concerns now to Staff and the Developer so they can address them at the time of the final plat stage. Vice Mayor Watson expressed concern over the limited amount of parking and where it is located. It looks like one of the parking lots is right up against the channel and someone could accidentally drive into it especially when it is dark. Vice Mayor Watson asked if there are requirements as to how many parking spaces are allotted for a school site. Mr. Jeppson stated that the school district is separating the buses from the perimeter drop off and the site plan review shows enough parking. Mr. Jeppson stated that the school district is not required to follow the City Ordinances because they

are a public agency; therefore they have chosen not to follow them. However, the City has been working very closely with them to make things as close to City requirements as possible. Vice Mayor Watson stated she would like to add a stipulation stating no parking on the street. Mr. Jeppson stated that an Ordinance is separate from a plat. Mayor Salem stated that Mr. Jeppson is making a list of Council concerns for the future and the concerns are: 1) lighting 2) the channel 3) safety, and 4) parking. Mr. Jeppson explained again, for clarification, that a no parking Ordinance is separate from a plat approval.

The Public Hearing was opened and after no comments was closed.

Councilmember Lyons made a MOTION to APPROVE Resolution No. 4575 with conditions a-f in option 1. Councilmember Walker SECONDED and the MOTION CARRIED by a 6-0 vote.

(Resolution No. 4575)

8. DEPARTMENT REPORTS

Fiscal Year 2009-10 Preliminary Budget Calendar – Coral Loyd, Financial Services Director

Coral Loyd, Finance Director, asked Council to choose future Capital Improvement Plans and Budget workshop dates. The first workshop, Capital Improvement Plans, is proposed to be on January 28th from 9-12, the second workshop, FY 09-10 operating budget, is proposed to be on April 9th from 9-3. Council approved these dates.

9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

Mr. Kramer reminded Council of the workshop scheduled for January 14, 2009 from 11-1 to review the Banner and Sign Ordinance.

Councilmember Walker stated he received a letter from David Hollingsworth concerning City property and he thinks Council should invite him to give a presentation on his vision of what the City should do with the property.

Councilmember Gordon made an announcement that on January 7th Palo Christi is celebrating its 80th birthday and everyone that can should go and support the school in its celebration.

Councilmember Lyons stated that the shop local campaign is not working because gas prices have shot up since the kick off. The higher gas prices give citizens yet another reason to go out of town and shop because they can now fill up their vehicle for less while they are out shopping. Councilmember Young mentioned the survey in the Kingman Daily Miner concerning the Shop Local Campaign.

Carl Cooper, City Attorney, reminded Council they are not allowed to have discussion on the announcements.

Councilmember Lyons wanted to know how to get things out to the public that are not right and are of concern to the Council.

Mr. Cooper stated that Council is allowed to make announcements; however, there can be

no discussion because announcements are not agendaized and may end up being something Council wants to provide direction on, which would then be in violation of the open meeting law.

Councilmember Gordon asked if Councilmember Lyon's concern can be added to the next Council's agenda.

Mr. Cooper stated yes, Councilmember Lyons can request that this item be added to a future Council Meeting Agenda.

Mayor Salem requested that this item be added to the next meeting's agenda.

Councilmember Young stated the new Parks and Recreation book is out with all kinds of new classes.

Mr. Kramer asked for clarification on what Council would like agendaized.

Vice Mayor Watson stated that it should be an update on the Shop Local Campaign.

Vice Mayor Watson encouraged everyone that is able to come out and celebrate on Wednesday with Palo Christi. She also received a letter from David Hollingsworth and she thinks it might be better for him to meet with Staff and if Staff agrees that he should meet with Council then it can be agendaized.

Councilmember Lyons wants Council to take into account that what is best for Mr. Hollingsworth is not necessarily best for the City.

Mayor Salem stated that he went to the County swearing in ceremony for all the newly elected officials today. He would like to publicly congratulate them and on behalf of the City wish them the best of luck.

Vice Mayor Watson stated that there have been concerns from the public in regards to a possible conflict of interest between herself as Vice Mayor and District Supervisor Gary Watson (her husband) and she wanted to assure everyone that there will not be any. They have received legal counsel and the only way there could be a conflict of interest is if there is financial gain for either of them based on a decision they may make in their official capacities.

Councilmember Lyons made a MOTION to ADJOURN. Vice Mayor Watson SECONDED and the MOTION CARRIED by a 6-0 vote.

ADJOURNMENT: 7:05 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, Adell Cox, 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 Regular Meeting of the Common Council of the City of Kingman held on January 5, 2009

Dated this 9th Day of January 2009

Adell Cox, Recording Secretary

