

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
Mohave County Administration Building 700 W. Beale St. Kingman, AZ 86401**

5:30 PM

AGENDA

Tuesday, November 7, 2017

****A member of the Common Council may be attending the meeting telephonically****

REGULAR MEETING

CALL TO ORDER AND ROLL CALL --- ALL COUNCILMEMBERS WERE PRESENT.

**INVOCATION --- A MOMENT OF SILENCE WAS OBSERVED IN PLACE OF THE
INVOCATION.**

Invocation will be given by Jessica Cooper of Kingman First Assembly

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. APPROVALOFMINUTES

- a. **Special Meeting Minutes of October 3, 2017. MOTION TO APPROVE WITH NOTED CORRECTIONS WAS PASSED BY A VOTE OF 7-0.**
- b. **Special Meeting Minutes of October 13, 2017. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**
- c. **Regular Meeting Minutes of October 17, 2017. MOTION TO APPROVE WITH NOTED CORRECTION WAS PASSED BY A VOTE OF 7-0.**

2. AWARDS/RECOGNITION

- a. **Proclamation in Honor of Small Business Saturday. MAYOR GATE PRESENTED THE PROCLAMATION WAS PRESENTED TO MEMBERS OF THE KINGMAN AREA CHAMBER OF COMMERCE WHO WERE PRESENT.**
- b. **Recognition of Jennifer Sochocki for receiving a Community Achievement Award. MAYOR GATES PRESENTED THE AWARD TO MS. SOCHOCKI.**

3. CALLTOTHEPUBLIC-COMMENTSFROMTHEPUBLIC

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 from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

4. CONSENTAGENDA

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 Amendment- Acquisition of Control Change

Applicant Jodi L. Vurnovas has applied for a Acquisition of Control change for the Good 2

Go Stores, LLC liquor license located at 915 W. Beale St. Kingman, AZ. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Resolution No. 5112, Opposing the acquisition of Water Rights by the Central Arizona Water Conservation District

The attached Resolution No. 5112 is similar to resolutions passed by Lake Havasu City, Bullhead City and Mohave County opposing the acquisition of land and transfer of water rights in the Mohave Valley Irrigation and Drainage District (MVIDD). The County has asked that the City adopt this resolution which will be sent to Federal and State legislators in an effort to show the City's concern for water conservation in the area. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. One Refuse Truck

On 10/10/17 the sanitation department went out for bid for one side load refuse truck. Three bids were submitted. **Staff recommends to take the low bid from Rush Truck Center for a Peterbilt 520-Scorpion Body for \$280,225.15. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Resolution No. 5110, approving the final plat and improvement plans for Legacy at Walleck Ranch, Tract 1965-F

A request from Pioneer Title Agency, Inc., Trustee, under Trust No. 4836, property owner, and Mohave Engineering Associates, Inc., project engineer, for the approval of a final plat and improvement plans for Legacy at Walleck Ranch, Tract 1965-F. Once all of the improvements are completed and accepted by the Council, the final plat will be recorded. Subdivision improvements will need to be completed within 24-months unless extended by Council resolution. **Staff recommends approval of Resolution No. 5110. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Proposed Resolution No. 5111 changing the street name of "Rutherford Drive" to "Rutherford Street."

Rutherford Drive is a public street located between Detroit Avenue and Interstate-40. Section 4-1(b) of the City of Kingman Streets and Sidewalks Development Rules and Regulations states that street names shall be consistent with the natural alignment and extensions of existing streets. Section 4-1(c) of the Street Policy also states that north-south streets, such as Rutherford, shall use the designation of "Street." In order to remain consistent with the requirements of the Street Policy and reduce any potential confusion in the 9-1-1 system regarding the correct street name, staff is proposing to change the name of "Rutherford Drive" to "Rutherford Street." **Staff recommends approval of Resolution No. 5111. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Fiscal Year 2017 Bulletproof Vest Partnership Grant Award

The Kingman Police Department has been awarded a Bureau of Justice Assistance (BJA) grant award. The grant award is for \$8,217.18 under the Fiscal Year (FY) 2017 Bulletproof Vest Partnership (BVP) solicitation. The grant allows for the purchase of new and replacement ballistic vests for police officers. **Staff recommends accepting the grant award and authorizing the Kingman Police Department to expend the funds for ballistic vests. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

g. Selection of Professional Services Firm to Conduct FY2018 Water Rate Study

The FY2018 City of Kingman Adopted Budget includes a \$50,000 budget for a Water Rate Study to be conducted. The City received five proposals.

After an evaluation panel consisting of the Financial Services Director, Public Works Director and City Engineer reviewed and scored the proposals, references of the top two proposers (Willdan Financial Services and Black & Veatch) were contacted. References for both proposers were very positive. Willdan Financial Services' total project cost is \$46,895, and Black & Veatch's total project cost is \$49,740. With Willdan Financial Services being the highest scored proposer, receiving a combined score of 269 out of 300, staff requests entering into a professional services agreement with Willdan Financial Services. **Staff recommends Council award a professional services contract to Willdan Financial**

Services to conduct a water rate study. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.

h. Establish a Payroll Zero-Balance Bank Account

In FY2017, the City of Kingman entered into an agreement with Tyler Technologies to migrate the City's 1) financial reporting, general ledger, purchasing, cash receipting, bank reconciliation and budgeting, 2) payroll and human resources, and 3) utility billing on to a web-based, integrated solution. With Phase I (financial reporting, etc.) nearing completion, Phase II (payroll and human resources) has just launched and is expected to go-live in July 2018. In order to segregate all payroll activity, a bank account dedicated to payroll transactions will need to be established. Bank account signers will be the City Manager and Financial Services Director. All City of Kingman bank accounts and activity are monitored daily by the Finance Administrator-Finance and reconciled by the Budget Analyst monthly. **Staff recommends Council authorize a Payroll ZBA bank account be established. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

i. Approval of Professional Services Agreement with Sunrise Engineering for the Stockton Hill Road Waterline Replacement Project, ENG14-108

The Stockton Hill Road waterline replacement project will replace 2 - 8" water mains that were installed in the 1980s with 2 - 12" water mains as outlined in the Water Master Plan. This project will reduce maintenance on old lines that have had multiple leaks over time and will improve fire flows in this commercial area. The project will begin at the intersection of Stockton Hill Road and Airway Avenue and will end at the intersection of Stockton Hill Road and Gordon Drive. Staff has negotiated with Sunrise Engineering to complete the design and prepare construction plans and specifications for this project. Their proposal is attached. The work is proposed to be completed for a fee not to exceed \$149,800. **Staff recommends that the City Council approve the agreement and authorize the mayor to sign the agreement on the City's behalf. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

5. OLDBUSINESS

a. Review, discussion and direction on RFQ for Program Manager, ENG17-0035

At the 1:15PM Special Council meeting on October 3, staff was directed to prepare a Request for Qualifications (RFQ) for a Program Manager (PM) for the I-11 East Kingman Connection project. A draft Notice and RFQ are presented to the Council for further review, discussion and direction to staff. It is envisioned that the PM will work closely with staff, property owners, ADOT and other stakeholders for the project. The PM will develop the RFQ for the Design-Build services and be actively involved throughout the design and construction of the project. The draft RFQ calls for Statements of Qualifications (SOQ's) to be submitted by December 15. A committee of up to seven members will review the SOQ's and create a ranked list based on selection criteria provided in the RFQ. Staff recommends that up to two members of the Council sit on the review committee. **Council direction.**

MOTION TO CALL FOR THE QUESTION WAS WITHDRAWN.

MOTION TO APPROVE WITH ALL REFERENCES OF "DESIGN-BUILD" CHANGED TO "ALTERNATIVE PROJECT DELIVERY METHOD" WAS PASSED BY A VOTE OF 5-2 WITH MAYOR GATES AND COUNCILMEMBER KRESS VOTING NAY.

b. Palo Christi Update

Information is being provided on Palo Christi for the Mayor and City Council regarding the financial and feasibility impacts of acquiring the facility for future use by the city. Based on previous information provided to the council on October 3, 2017, Kingman Unified School District has received the Asbestos report and provided for review and analysis. The report was completed by StanTech and is dated October 1988. This report does not contain cost estimates which have been requested from abatement specialists. This information includes both financial rough estimates and physical needs of the city in order to occupy the facility. **Staff is requesting that Council**

discuss the issues regarding Palo Christi and make a decision regarding the Council's ultimate goals. **MOTION TO CREATE A PALO CHRISTI SUBCOMMITTEE COMPRISED OF MAYOR GATES, COUNCILMEMBER SCOTT STEHLY AND COUNCILMEMBER YOCUM TO MEET WITH THE SCHOOL BOARD WAS PASSED BY A VOTE OF 7-0.**

c. Soccer Field Lighting Project Centennial Park

This is in regard to the agreement between the City of Kingman and the Kingman Youth Soccer League for the Soccer field lighting project at Centennial Park. **Staff recommends approval of the Development Agreement between the City of Kingman and the Kingman Youth Soccer League along with the transfer of \$36,000 from the City's Contingency Fund to be used for the purchase of the lighting equipment. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Discussion with Representative Dr. Regina Cobb concerning I-11 East Kingman Interchange project

At the work session on October 30, 2017 Councilman Lingenfelter requested that State Representative Dr. Regina Cobb to present to discuss the presentation to the Governor in a couple of weeks. **Information only. NO ACTION TAKEN.**

e. Local (User) Fee Discussion and Direction

At the September 19, 2017 Council meeting, Council adopted a notice of intent to hold a public hearing on December 5th to establish new and increase existing user fees. Pursuant to ARS 9-499.15, municipalities are required to provide a supporting report to include justification for any new or increase to an existing fee. Recovering costs, at least partially if not fully, is the City's primary justification. Although calculations were not submitted during the initial building permit fee review, there was consensus within the department that an increase could be easily justified. Once pen was put to paper, justification for an increase to the building permit fees could not be supported. **Staff recommends Council remove building permit fees from being included in the FY18 local (user) fee proposed increase and direct staff to proceed to posting the ARS 9-499.15 supporting report exclusive of building permit fees and hold a public hearing on January 17, 2018. MOTION TO APPROVE REMOVAL OF THE BUILDING PERMIT FEES FROM THE FY18 PROPOSED LOCAL USER FEE INCREASE WAS PASSED BY A VOTE OF 7-0.**

f. Andy Devine Avenue Paving Project

****UPDATED**** Staff will provide an update on the progress of the Andy Devine Avenue mill and overlay project. **Information Only. NO ACTION TAKEN.**

6. NEWBUSINESS

a. Discussion and Possible Adoption of Resolution No. 5107

Discussion and possible adoption of Resolution No. 5107 authorizing the Chief of Police or his designee to review and approve temporary extension of premises and special event/fair/festival liquor license applications. This resolution is designed to help expedite the process for non-profit organizations and business owners that are applying for temporary extension of premises and special event/fair/festival liquor licenses that are normally approved on the consent agenda. By approving this Resolution we can reduce the processing time significantly and therefore provide better customer service. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Public hearing and consideration of Ordinance No. 1839 amending Section 30.000 Nonconforming Buildings, Structures, and Uses of Land of the Zoning Ordinance of City of Kingman

Section 30.000 NONCONFORMING BUILDINGS, STRUCTURES, AND USES OF LAND of the *Zoning Ordinance of the City of Kingman*, provides for the regulation and eventual elimination of uses and structures not in compliance with the

requirements of the zone in which they are located. Subsection 30.410 REPAIRS OF DAMAGE FOR PARTIALLY DESTROYED STRUCTURES states, in part, that if more than 50% of the floor area of a nonconforming structure or structure containing a nonconforming use is damaged by fire or other cause, it shall not be restored or reconstructed. Several property buyers and owners have expressed to the City of Kingman their difficulties in getting financing for a mortgage or to refinance a nonconforming single family residence due partly to the text of Subsection 30.410. In response to these concerns, the City of Kingman Planning and Zoning Commission held several meetings and two public hearings in order to gather input from property owners and other stakeholders on this subject. On October 10, 2017, the City of Kingman Planning and Zoning Commission held a public hearing on the proposed text amendment to Section 30.000 NONCONFORMING BUILDINGS, STRUCTURE AND USES OF LAND of the *Zoning Ordinance of the City of Kingman*; and voted 7-0 to recommend certain text changes as stated in Attachment "A." **Staff recommends approval of Ordinance No. 1839. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. Consideration of Resolution No. 5109 approving the preliminary plat and certain exceptions for Kingman Crossing South, Tract 6050

City of Kingman, property owner, and Mohave Engineering Associates, Inc., on behalf of AECOM, applicant, have requested the approval of a preliminary subdivision plat for Kingman Crossing South, Tract 6050. The intent of the preliminary plat is to design the necessary rights-of-way (ROW) for Kingman Crossing Boulevard from the future Kingman Crossing Traffic Interchange (TI) through the City-owned parcel to Airfield Avenue. The plat will also create three lots. Lot 1 will be retained by the City for open space and drainage purposes, while Lots 2 and 3 will be available for future sale for development purposes. The Planning and Zoning Commission held a meeting on October 10, 2017 and voted 7-0 to recommend approval of the preliminary plat with the exceptions as requested. The Council may grant exceptions if it makes findings as stated in Section 1.14 of the Subdivision Ordinance. These findings are incorporated into Resolution No. 5109. **Staff recommends approval of Resolution No. 5109. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Public Hearing and Consideration of Ordinance No. 1838, a request to rezone property located at 975 Sycamore Avenue from R-R: Rural Residential and R-3: Residential, Multiple Family, Medium Density to C-2: Commercial, Community Business.

A request from H & H Development, Inc., applicant, and Jinavog, LLC, property owner, for the rezoning of certain property located at 975 Sycamore Avenue from R-R: Rural Residential and R-3: Residential, Multiple Family, Medium Density to C-2: Commercial, Community Business. The rezoning is requested to allow the development of a new commercial building on the property. The Planning and Zoning Commission held a public hearing on October 10, 2017. The Commission determined that the proposed zoning district is suitable for the location, compatible with the surrounding area, conforms to the Kingman General Plan 2030. The applicant is required to landscape the property according to Section 10.000: Landscaping, of the City of Kingman Zoning Ordinance. The applicant is required to improve the streets abutting the property improve the street(s) abutting the property being developed to City standards in accordance with the City of Kingman Streets and Sidewalks Regulations. The Commission voted 7-0 to recommend approval of the rezoning request from R-R and R-3 to C-2. **Staff recommends approval of Ordinance No. 1838. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH COUNCILMEMBER SCOTT STEHLY RECUSING HERSELF DUE TO A CONFLICT OF INTEREST.**

e. Art In Public Places Submission Approval Request

The Art in Public Places Program was launched in August and received proposals from two artists. The ad-hock Review Committee, assembled of local artists and business

members, has completed reviewing the submissions and is recommending funding in the sum of \$10,000 for "Arizona Chuckwalla Lizard" by Solomon Bassiff of Faducci LLC, North San Juan, CA. If approved, the City will enter into a contract with Faducci to commission the artwork, a 7'x4'x3' hand sculpted, pigmented concrete chuckwalla with embedded Italian glass mosaic. The artwork will be delivered for installation in two months' time from signing the contract. **Staff recommends approving the funding and moving forward with the project. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER LINGENFELTER VOTING NAY.**

f. Appointment of Committee to meet with Governor

Discussion and action designating Vice Mayor Miles and Councilman Lingenfelter from the former Rancho Santa Fe Parkway subcommittee, and Councilman Wayt from the former Kingman Crossing subcommittee, to serve as City of Kingman official delegation to champion and present the City of Kingman's request for \$20M in construction funding for the I-11 East Kingman Connection Project during presentations with Representative Cobb to Governor Ducey in November and to the ADOT Board in Q1 of 2018. **Council discretion. MOTION TO APPROVE APPOINTING VICE MAYOR MILES, COUNCILMEMBER LINGENFELTER, AND COUNCILMEMBER WAYT TO THE DELEGATION TO MEET WITH THE GOVERNOR REGARDING THE I-11 EAST KINGMAN CONNECTION PROJECT WAS PASSED BY A VOTE OF 5-2 WITH COUNCILMEMBERS KRESS AND YOCUM VOTING NAY.**

7. REPORTS

8. ANNOUNCEMENTS BY MAYOR, COUNCILMEMBERS, CITYMANAGER

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

9. EXECUTIVE SESSION

a. *UPDATED*** KAA Legal Update**

The Council may go into executive session pursuant to ARS 38-431.03(A)(4) to discuss legal issues regarding the KAA lease.

MOTION TO GO INTO EXECUTIVE SESSION WAS PASSED BY A VOTE OF 7-0.

The Council may adopt resolution 5113 declaring that the Kingman Airport Authority is failing to uphold the expectations of the lease agreement and authorizing legal action.

MOTION TO APPROVE RESOLUTION NO. 5113 WAS PASSED BY A VOTE OF 7-0.

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 7-0.