

**CITY OF KINGMAN
MEETING OF THE CITY COUNCIL
Council Chambers
310 N. Fourth Street Kingman, AZ 86401**

5:00 PM

ACTION AGENDA

Tuesday, March 17, 2020

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

REGULAR MEETING

CALL TO ORDER AND ROLL CALL- ALL COUNCILMEMBERS WERE PRESENT WITH VICE MAYOR LINGENFELTER, COUNCILMEMBER NELSON, COUNCILMEMBER SCOTT STEHLY AND COUNCILEMBER WAYT ATTENDING TELEPHONICALLY.

INVOCATION

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. AWARDS/RECOGNITION

- a. City of Kingman Emergency Proclamation- Declaration of Local Emergency**

2. 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 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.

- a. There Will Not Be a Call to the Public for this Meeting**

Due to the increase in public health concerns and trying to limit the amount of attendees in a public meeting setting, we will not be allowing for a call to the public or public comment.

3. 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. Regular Meeting Minutes of March 3, 2020 **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.****
- b. Liquor License Application - Woody's**
Applicant James Baker of Woody's has applied for a Series 10- beer and wine store liquor license for a business located at 3260 E. Highway 66. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**
- c. Request for Off-Track Pari-Mutuel Wagering License/Permit**

Applicant David Johnson of Turf Paradise is requesting Council approval of an off-track pari-mutuel wagering license/permit for The Sundowner Saloon, located at 4400 Stockton Hill Rd. valid through May 31, 2021. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Approval of Purchase Agreement and Warranty Deed for Parcel 322-08-043, ENG17-0035

Matrix Design Group has been working on right of way acquisition for the Rancho Santa Fe Interchange project. The project requires right of way from parcel 322-08-043 for a future frontage road for the traffic interchange. The parcel is owned by Dan Reed and Tom Short who requested an appraisal and payment for the necessary right of way. The appraisal was prepared by J. Douglas Estes and valued the 0.41 acre right of way at \$7,820. The owners have indicated their willingness to sell the right of way at the appraised value. The total cost, including title insurance and other escrow fees, will be \$9,198. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Ordinance No. 1899- Authorizing the Exchange of City-Owned Real Property with Certain Property Owned by William L. Nugent, Trustee

On June 4, 2019 Council voted 7-0 to initiate the process to exchange portions of Parcel D, Walleck Ranch, Tract 1961-B for a certain property owned by William L. Nugent. A 10-inch sewer line is active in the parcel; however, a sewer force main and the lift station located in the parcel are no longer in service. The proposal would be to exchange a 1,745 square foot and 2,228 square foot sections of Parcel D for a 9,797 square foot parcel (APN 320-03-224) which is part of a vacated right-of-way for Coronado Avenue owned by Mr. Nugent. The City will retain the portions of Parcel D which contain the sewer line and lift station. ARS § 9-407 allows the city by ordinance to exchange real property for any other parcel of real property if they are determined to be of substantially equal value. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Resolution No. 5262-Proposing a Permanent Base Adjustment to the 1979-80 Base Expenditure Limitation of the City of Kingman

Resolution No. 5262 was brought before the City Council for approval on March 3, 2020. Although the resolution passed unanimously with a 4-0 vote, Permanent Base Adjustment, unlike Home Rule, requires an affirmative vote of 2/3 majority of the Council members not just a 2/3 majority vote. Resolution No. 5262 is being brought back for consideration by the City Council and must be approved by 2/3 majority of the Council members in order to move forward with taking Permanent Base Adjustment to Kingman's voters at the August 4, 2020 primary election. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

g. Resolution No. 5263- Approving a Sewer Payback for Devlin Avenue, ENG17-0038

The City installed a sewer line with 16 manholes and service stub outs on Devlin Avenue and Marshall Drive from the intersection of Devlin Avenue and Bank Street to the existing sewer main trunk line at Thompson Avenue east of the Mohave Channel. The City Utility Regulations allow paybacks for water and sewer lines constructed by the City. The proposed payback agreement in Resolution No. 5236 is based on actual costs expended by the City for design, permits and construction. The term of the payback will be twenty years from the date of project acceptance, February 4, 2020. The payback will be collected as adjacent properties connect to the sewer line. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

h. Resolution No. 5265- Modifying the Required Street Improvements for a Portion on E. Maple Street Adjacent to 1612 E. Maple St.

On October 1, 2019 the City Council passed Resolution No. 5245 which partially deferred and partially modified the street improvement requirements for a portion of E. Maple Street associated with a building permit application to construct a new veterinarian facility on two parcels located at 1612 E. Maple Street. In consultation with the project engineer, the City Engineering Department has determined that some additional modifications and clarifications to the required improvements are necessary, and those modifications should be stated in a new Council resolution. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

i. Approval of the Remodel of Fire Station 2

In the FY 19-20 budget, the remodel of fire station 2 was approved. The department utilized the sealed bid process and proposals were submitted for consideration in which T.R. Orr, Inc. was selected based on being the lowest bid. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

j. Indigent Defense Contract Name Change

The law firm of Whitney and Whitney provides the Kingman Municipal Court indigent defense services. They recently changed their name to Whitney Whitney Baldridge Atkinson. This amendment to the contract reflects the name change. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

k. Approval of ADOT Airport Grant & Engineering Agreement Design Taxiway B

The City of Kingman applied to the Arizona Department of Transportation (ADOT) for grant assistance to design Taxiway Bravo at the airport. The total estimated project cost is \$200,000.00. It is anticipated that ADOT will provide 90% (\$180,000.00) of the project cost through a grant provided under the ADOT Aeronautics program. The remaining portion of the project cost will be with the City contributing 10% (\$20,000.00). **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

l. Cecil Davis Park Playground Upgrade

This is for the upgrade and addition to the Cecil Davis Playground. With the addition of the splash pad this has become one of our heaviest used playgrounds in the city. The Parks Department will be installing Kompan playground equipment similar to what was installed last year at Firefighters Park. Kompan playgrounds make play not only fun, but also educational and enriching. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

m. Historic Preservation Commission Appointment

There are currently two vacancies on the city's Historic Preservation Commission. The commission is asking Council to review the attached application and consider appointing Ms. Turley to the historic preservation commission for the remaining 24 months of a 36 month term. **Staff recommends appointment. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

n. Cancellation of Upcoming Council Meetings

In light of recent events surrounding the growing public health concern with COVID-19, we will be following recommended guidelines from the Arizona Department of Health Services and CDC and limiting our public gatherings. **Staff is recommending cancellation of the April 7, 2020 and April 21, 2020 City Council Meetings. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

4. OLD BUSINESS

5. NEW BUSINESS

6. DEPARTMENT REPORTS

a. Emergency Management Presentation

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

Limited to announcements, board and commission liaison reports, availability/attendance at conferences and seminars.

8. COUNCIL REQUESTS FOR FUTURE REPORTS AND UPDATES

9. EXECUTIVE SESSION

a. Executive Session to Discuss Rancho Santa Fe Development Agreement

The City Attorney requests the City Council to go into executive session pursuant to ARS 38-431.03(A)(4) to discuss and receive guidance regarding the development agreement for the Rancho Santa Fe area. **MOTION TO ENTER INTO EXECUTIVE SESSION WAS PASSED BY A VOTE OF 7-0.**

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