

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

5:30 P.M.

ACTION AGENDA

Tuesday, January 6, 2015

REGULAR MEETING

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

INVOCATION will be given by Grif Vautier of Kingman Presbyterian Church.

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of December 16, 2015. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

2. PROCLAMATION

General Aviation Appreciation Month

3. APPOINTMENTS

a. Appointments to the Clean City Commission

On December 18, 2014, the Clean City Commission reviewed one current Boards and Commissions application from John R. Carpenter. MR. Carpenter was in attendance at the meeting and voiced his interest in serving on the commission. Mr. Carpenter lives within the city limits and is a registered voter. David Wolf is completing his first term on the CCC and expressed interest in being reappointed. Another commission member, Raymond Tapia, asked not to be reappointment which leaves a second vacancy on the commission. The commission members voted unanimously, 4-0, to recommend that the City Council appoint John R. Carpenter and reappoint David Wolf to the Clean City Commission. **Appoint John R. Carpenter to his first three-year term ending December 31, 2017. Reappoint David Wolf to his second three-year term ending December 31, 2017. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Discussion and possible action concerning adding a council liaison to veteran's groups. MOTION TO TABLE WAS PASSED BY A VOTE OF 7-0.

c. Appointments to the Board of Adjustment

The terms for commission members Robert Tinnell and Steven Francis expired on December 31, 2014. Board members Deborah Francis and Thomas Wilkinson resigned. The terms for Deborah Francis and Thomas Wilkinson end on December 31, 2015. The Board of Adjustment hears variance requests and appeals of the zoning administrator's decisions. There are no pending applications for a variance or appeal of a zoning administrator's decisions. Both Robert Tinnell and Steven Francis are willing to serve another term. Mr. Tinnell has served two terms and can be reappointed by a super-majority of the City Council. Mr. Francis has served one partial term and

can be appointed by a simple majority. **Staff recommends reappointing Robert Tinnell and Steve Francis to another term on the Board of Adjustment ending December 31, 2017. MOTION TO REAPPOINT STEVEN FRANCIS WAS PASSED BY A VOTE OF 7-0. MOTION TO REAPPOINT ROBERT TINNELL WAS PASSED BY A VOTE OF 7-0.**

4. AWARDS

Employee Recognition

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:

Yrs of

<u>Service</u>	<u>Name</u>	<u>Title</u>	<u>Department</u>
15	Gilbert, Dennis	Police Officer	Police
15	Cossio, Yvonne	Recreation Superintendent	Recreation
15	Ackerman, Chris	Wastewater Plant Operator III	Wastewater Department
10	Bredenkamp, Bryan	Police Officer	Police
10	Cowin, Joshua	Fire Captain	Fire
10	Ravenberg, David	Fire Engineer	Fire
10	Rucker, Andrew	Fire Engineer	Fire
10	Mein, Joseph	Fire Engineer	Fire
10	Miller, Tanner	Fire Engineer	Fire
10	Medlin, Brandon	Fire Fighter	Fire
10	Barnes, Michael	Fire Fighter	Fire
10	Miller, Dennis	Police Officer	Police
5	Hopper, Evan	Police Officer	Police
5	McFadyen, Robert	Equip Operator A	Water Operating
5	Pichardo-Lopez, Mauricio	Groundskeeper	Golf Course
5	Perea, Orlando	Equip Operator B	Sanitation
5	Walker, Crystal	Public Transit Driver	Transit
5	Hudgens, Philip	Police Officer	Police
5	Schmitz, Jason	Police Officer	Police
5	Simonsen, Adam	Police Officer	Police

Mayor and Council would like to congratulate the following retirees on their retirement: Chuck Osterman who retired from the Fire Department on December 30, 2014 with over 38 years of outstanding service. Fred Warring who retired from the Fire Department on November 28, 2014 with over 30 years of outstanding service.

Badge Pinning Ceremony - Fire Department will recognize the following individuals on their achievements:

- Joesph Kyzer - Fire Fighter hired on November 30, 2014
- Marc Johnston – Promoted to Fire Engineer on November 30, 2014
- Michael Stapleton – Promoted to Fire Captain on November 30, 2014
- Jake Rhoades – Fire Chief hired on December 1, 2014

5. **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.

6. **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. Award of bid for emergency equipment for police vehicles

The Kingman Police Department solicited bids for emergency equipment for two Chevrolet Tahoes and two Ford Police Interceptors. Four separate bids were submitted and opened on December 15, 2014. Two of the bidders, including the low bid, did not meet or follow the specifications listed in the bid documents. The remaining two bidders met and followed the bid documents. The lowest accurate bid submitted was by Arizona Emergency Products of Phoenix, Arizona. **Staff recommends accepting and awarding the bid to Arizona Emergency Products who submitted the low bid meeting the specifications contained in the bid documents. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. High Intensity Drug Trafficking Area (HIDTA) Grant Award

The Mohave Area General Narcotics Enforcement Team (MAGNET) has been awarded a grant in the amount of \$6,000.00 for the period of January 1, 2014 through December 31, 2015. The funds are limited to overtime costs incurred through Domestic Highway Enforcement (DHE) operations. The City of Kingman serves as the fiduciary for MAGNET. The City of Kingman has entered into prior agreements with the City of Tucson who serves as the fiduciary and disburses funds to a variety of HIDTA initiatives throughout the State of Arizona. **Staff recommends acceptance of the grant award and authorize expenditure for Domestic Highway Enforcement (DHE) operations. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. Liquor License Application

Applicant Noble Zubaid of Canyon 66 Restaurant and Lounge has applied for a Series 12 Liquor License for a restaurant at 3100 E Andy Devine Ave. **Staff recommends approving the Liquor License Application. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Special Event Liquor License Application

Applicant Scott Kern of Kingman Regional Medical Center Foundation has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, February 28, 2014, from 5:00 P.M. to 11:59 P.M., at 3801 Santa Rosa Dr in Kingman. **Staff recommends approving the special event liquor license application. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Resolution No. 4928: Authorizing the Mayor to sign a Cooperative Procurement Agreement with Mohave County

The City of Kingman and Mohave County both procure similar products and services including pavement maintenance products, fuel, and construction maintenance services. This proposed

agreement would give us the option of utilizing existing and future Mohave County contracts for products and services. The use of the Cooperative Procurement Agreement would be strictly voluntary on our part and would be evaluated on a case by case basis to ensure conformance with our Procurement Code and achieving the best pricing and timeliest delivery. **Staff recommends approving Resolution No. 4928 authorizing the Mayor to sign a Cooperative Procurement Agreement with Mohave County. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Special Event Liquor License Application

Applicant Yvonne Woytovich of the Kingman Area Chamber of Commerce has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, February 21, 2014 from 6:00 P.M. to 10:00 P.M. at 112 N 4th St in Kingman. **Staff recommends approving the special event liquor license application. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

g. Consideration of a Professional Services Agreement with Sunrise Engineering, Inc for a Sewer Master Plan Update and Inflow - Infiltration Study, ENG14-112

The Adopted Budget includes sewer related projects for a Master Plan Update and an Inflow/Infiltration (I&I) Study. It has been over ten years since the last Master Plan update. The update is intended to identify and recommend solutions for the current and future sewer collection system as well as other key issues directed by staff. Specifically, the Master Plan will address the following: (1) Problem Areas and Capacity Issues within the existing Collection System, (2) Planning Key Interceptor Sewers for Growth and future Expansion Areas, (3) Creation of a Computer Model of the Sewer System and (4) Capital Improvement Needs and Cost Estimates. The I&I Study will identify, primarily within the downtown area, locations of storm water inflow and infiltration into the sewer system. Flows to the downtown sewer plant are known to increase substantially during wet weather. The Study will locate points of entry while modeling and recommending solutions to the issue. Staff has been in negotiations with Sunrise Engineering, Inc. regarding a proposal for the work. Sunrise Engineering is based in Mesa and has prepared numerous master plans for various Cities within Arizona. Sunrise has submitted a proposal for \$220,000 to complete all tasks associated with the Master Plan and the I&I Study. The Adopted Budget includes \$147,500 for the Master Plan Update and the Infiltration Study. The \$72,500 shortfall is expected to be utilized from the Wastewater Budget line item "I-40 Sewer Line Boring". Staff recommends reviewing the need and locations for I-40 Sewer Line bore locations with the new Master Plan update. The Update will confirm and possibly recommend additional boring locations under I-40 as well as other major roads and rail lines. **Staff recommends that Council approve the Professional Services Agreement with Sunrise Engineering and authorize the Mayor to sign the Agreement on behalf of the City. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

h. Report to Council on an Emergency Purchase Order to Repair City Well 2

Production at City Well # 2 dropped significantly in November. Inspection showed that the upper bearings on the column pipe were damaged. The well couldn't be operated without causing further damage. Five hundred feet of column pipe was pulled and replaced and the pump was rebuilt. Per the city procurement code, staff requested the Mayor authorize an emergency purchase order. All work has been completed and the well is back on line. This report is being filed with the Council in accordance with Section 2-160 of the Kingman City Code of Ordinances, governing procurement. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

7. **OLD BUSINESS**

None.

8. **NEW BUSINESS**

a. Public Hearing and Consideration of Ordinance No. 1971 to Amend Section 25.00 SIGN CODE, Subsection 25.500.1. PROHIBITED SIGNS of the Zoning Ordinance of the City of Kingman to Clarify that vehicles used for signage are prohibited. Case No. CI14-006

The Parking of trucks, automobiles, and trailers on vacant lots for the purpose of advertising distracts from the quality of the community. The City regulates off-premise signs to lessen the unsightliness and signage clutter. The practice of parking vehicles with commercial signage around town conflicts with the purpose and intent of the off-premise sign regulations. In order to continue with the already adopted prohibition of the parking of vehicles to be off-premise signs, the current text needs to be amended as proposed by the City Attorney's office. The City Attorney's Office proposes the specific language contained in Ordinance No. 1791. The Planning and Zoning Commission held a public hearing on the proposed changes on December 9, 2014. There was no public testimony provided. The Planning and Zoning Commission, on a 6 to 1 vote, recommended adoption of the proposed changes. Commissioner Tyler Angle opposed the amendments. **The Planning and Zoning Commission and staff recommend approval of Ordinance No. 1791. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Public Hearing and Adoption of Ordinance 1792 to Create a Wastewater Winter Quarter Average Provision for Commercial and Industrial Cooling Tower Users; Reduce the Monthly Wastewater Base Rate by \$1.00 and Establish a Monthly \$1.00 Wastewater Capital Renewal/Project Fee; "Housekeeping" Move Repealed Water Line Development Fee to Section 6.2.D and Fire Hydrant Fee Section

Below is a list of proposed changes to the Utility Regulations for the following reasons: 1. Housekeeping. The proposed changes would include moving repealed water line development fee language to Section 6.2.D which displays the repeal of water development investment fees; and removing the fire hydrant fee section 6.2.G. 2. Reduce the Monthly Wastewater Base Rate by \$1.00 and Establish a Monthly \$1.00 Wastewater Capital Renewal/Expansion Fee. The proposal is to segregate a capital renewal/project fee from the existing base rate to be used to pay for projects replacing, improving or expanding the wastewater system. The fee would be equal to \$1.00 and taken from each minimum monthly sewer base rate, reducing the monthly sewer base rate to \$26.803. The fiscal impact of this change would reduce revenue available for operations by an estimated \$110,000 annually and would provide about \$110,000 annually for capital renewal and/or system expansion projects. 3. Creating a Definition and Sewer Winter Quarter Average Provision for Commercial and Industrial Cooling Tower Users. A few commercial and industrial sewer customers have requested a rate be established or modified for customers that utilize cooling towers at their facilities. These users are currently billed sewer for all water that passes through the meter, including water used in cooling towers. These customers request a variance because of industrial and manufacturing data that documents a significant amount of water that enters a cooling tower evaporates before entering the sewer system. Municipal Utility Commissioner It is the finance department's intent to develop a method for fair and equitable sewer billing. Staff has drafted a specific definition and policy as it relates to commercial and industrial cooling tower users. Based on the April 2013-March 2014 billing period, the policy, as drafted, could negatively impact the Sewer User Fees revenue and the Wastewater Fund's net income by approximately \$25,000 - \$50,000. While the proposed changes will result in decreases in wastewater fees for a few customers, staff suggests proceeding with the provisions of ARS 9-

511.01 because it provides all users an opportunity to express their opinions on the proposed changes during the public hearing process. At this point, if the City Council chooses to proceed, the next step will be to: 1) hold the noticed public hearing; and 2) consider adoption of Ordinance 1792. **Staff supports the Municipal Utility Commission recommendation for Council to approve Ordinance 1792 noting utility regulation housekeeping text changes, designate a capital renewal/project fee from within the existing base rate, and adopt a cooling tower policy and rate method for the wastewater system. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

9. REPORTS

- a. **Board, Commission and Committee Reports by Council Liaisons**
- b. **Discussion concerning Mayor's airport visit**

10. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

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

If needed.

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

Posted _____ by _____