

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Mohave County Administration
Board of Supervisors Auditorium
700 W. Beale St.
Kingman, AZ 86401**

5:30 P.M.

ACTION AGENDA

Tuesday, May 5, 2015

REGULAR MEETING

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

INVOCATION will be given by John Pool of Praise Chapel

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

a. The Regular and Executive Session Meeting minutes of April 7, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.

b. The Work Session minutes of April 13, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH COUNCILMEMBER ABRAM ABSTAINING AS HE WAS NOT PRESENT FOR THE MEETING.

c. The Regular Meeting minutes of April 21, 2015. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.

2. PROCLAMATION

a. VFW Buddy Poppy Days

b. Goodwill Industries Week

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 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. 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. Renewal of Indigent Defense Contract

The current agreement between the City and Whitney and Whitney PLLC will expire on 6-30-2015. The Court would ask the Council to approve renewal of the contract for a one year period. The parties have agreed there will be no increase in payment for services. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Expenditure from Local Court Enhancement Fund

The Court needs to replace eight (8) staff chairs due to age and wear and tear. These chairs are 8-10 years old. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. Award of Bid for Shipping Lane Site Cleanup to McCormick Construction - \$188,932

The City of Kingman and Kingman Airport Authority, Inc. (KAA) accepted a grant offer from the Arizona Commerce Authority (ACA), Resolution No. 4925, in the amount of \$216,000 plus \$24,000 local match (KAA) for a 30 acre site cleanup located along Shipping Lane. A mandatory pre-bid meeting was held on March 31st with four contractors in attendance: Combs Construction, Lewis Equipment Service, McCormick Construction and T.R. Orr Construction. Of these four companies only two submitted formal bids on April 7th. Lewis Equipment Services bid \$189,900 and McCormick Construction bid \$188,932. C&S Engineers prepared the comparison between the two bids and is recommending the award go to McCormick Construction as the apparent low and most responsive bidder in the amount of \$188,932. At their meeting on April 23rd the Board of Directors of KAA approved the award and authorized the President to execute the contract documents. They further acted to recommend the City approve the award to McCormick Construction in the amount of \$188,932 and authorize the mayor to execute the contract document pursuant to Resolution No. 4925. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Special Event Liquor License Application

Applicant Billy Ward of Boys and Girls Club of Kingman has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, June 27, from 5:00 P.M. to 11:59 P.M., at 301 N First Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. IGA with ADOT Data Access Agreement

City of Kingman Human Resources has a due diligence to perform a Motor Vehicle Record check as a condition of employment and periodically thereafter. Currently the process is manual and takes weeks to receive the results of the records check. Electronic access to ADOT's motor vehicle records request system (MVRRS) will provide immediate results. Electronic access will also reduce staff time to complete paperwork and seek notary services, reduce costs by eliminating postage to mail the paper request to the Phoenix office, and reduces liability by providing immediate results rather than waiting weeks to receive the results. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Water Department – one Portable Power Generating System for Fiscal Year 2014/2015

The Public Works Water Department received a bid on 04/27/2015 for one Portable Power Generating System for the fiscal year 2014/2015 budget from Empire Power Systems for \$59,500 plus tax. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

5. **OLD BUSINESS**

a. **Public Hearing and Consideration of Resolution #4949 Concerning a Major General Plan Amendment to Amend the Projected Land Use Map of the City of Kingman General Plan Update 2030 to designate 151.32 acres of the 168.42 acres located in the south portion of Section 9, Township 21 North, Range 16 West, Gila and Salt River Meridian from “Parks/Open Space” to “Regional Commercial.” The location of this property is located south of Interstate 40, north of the Airfield Avenue alignment, between the Sage Street and Cherokee Street alignments. Case No. GPA15-001**

The Kingman General Plan designates the 168.42 acres located south of I-40, north of the Airfield Avenue alignment and between the Sage Street and Cherokee Street alignments as “Parks/Open Space.” On February 3, 2015, the City Council initiated an application for a major general plan amendment to change the designation of the eastern 151.32 acres of this property from “Parks/Open Space” to “Regional Commercial.” The current Projected Land Use Map was adopted on March 4, 2014 with the adoption of the City of Kingman General Plan Update 2030. The citizens ratified the General Plan Update on November 4, 2014, 3249 (55.43%) in the affirmative to 2612 (44.57%) in the negative. An element of the General Plan Update is the Transportation Element. This element adopts the Kingman Area Transportation Study Update (KATS), which was adopted May 3, 2011. The KATS Study identified two new traffic interchanges on I-40. One interchange is the Kingman Crossing Interchange and the other is the Rancho Santa Fe Parkway Interchange. Neither interchange has been funded. On May 7, 2007, the City Council adopted Resolution #4425 which amended the General Plan to designate the City’s land “Regional Commercial.” The citizens repealed Resolution #4425 by referendum on November 6, 2007 by a vote of 1498 (39.35%) “for” and 2309 (60.65%) “against.” The Design Concept Report for the Kingman Crossing Traffic Interchange was subsequently amended to have no access south of the interchange across the City’s property. The Planning and Zoning Commission held two public hearings in two different locations on this application. The first public hearing was held on April 14, 2015 in the City Council Chambers, and second public hearing was held on April 28, 2015 in the Mohave County Board of Supervisors Room. Planning and Zoning Commission deadlocked with a three-to-three vote with one abstention, on a motion to recommend approval of the Kingman Crossing Major General Plan Amendment. The City Council is to hold at least one public hearing, which is scheduled for May 5, 2015 and then consider Resolution #4949. In order for this application to be approved, there must be at least a two-thirds majority (a minimum of five votes). Major General Plan Amendments can be considered only in one month a year, which is the month of May. **Staff recommends approval; the Planning & Zoning Commission is deadlocked. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-2.**

b. **Resolution 4948 – Adoption of Fiscal Year 2015-2016 Tentative Budget**

The tentative budget as presented includes changes recommended at the budget work sessions on April 13, 2015 and April 23, 2015. Additional modifications made to the tentative budget will be incorporated into the final budget scheduled for adoption in two weeks, on May 19, 2015. The tentative budget sets a ceiling on appropriations. This essentially means the final budget adopted May 19, 2015 can meet but not exceed the amounts adopted with this

resolution. The tentative budget is within the state expenditure limitation as modified by the home rule option. The package presented will contain a resolution and tentative budget forms as required by the State of Arizona. The final budget book and capital improvements plan will be printed and distributed after adoption of the final budget. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-1.**

6. **NEW BUSINESS**

a. **Consideration of Resolution No. 4947 approving a preliminary plat for Airway Plaza, Tract 1984, a subdivision of airspace**

A request from Mohave Engineering Associates, Inc., applicant and project engineer, and Airway Plaza Association, LLC, property owner, for the approval of preliminary plat for Airway Plaza, Tract 1984. The subject property is located at the southeast corner of Airway Avenue and N. Burbank Street and is 3.62 acres. This will be a subdivision of airspace otherwise known as a condominium. The intent is to subdivide eight suites in an existing commercial building into eight separate condominium units. Each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors and ceilings of the unit. The area of each unit is 56 to 64 feet wide and 130 feet long. A property owner's association will be established to maintain areas held in common including the exterior parking lot and landscaping, utilities not within the units, bearing walls, and other walls and ceilings not contained within the units. The building was inspected by the Fire and Building Departments as required and no significant problems were identified that would need to be corrected before the approval of the final plat. The City Engineer, however, indicated that three existing driveways and sidewalk ramps at Burbank and Airway do not appear to meet current ADA standards. These areas should be revised. The project engineer indicated that the property owner did not want to make those revisions. There are several additional conditions that were recommended by staff as a result of department and agency comments. **The Planning & Zoning Commission voted 6-1 on April 14, 2015 to recommended approval of the preliminary plat with the recommended conditions in the commission report. Commission Kirkham voted no. Staff recommends approval. APPLICANT REQUESTED THAT THIS ITEM BE PULLED FROM THE AGENDA. IT WAS NOT DISCUSSED OR CONSIDERED.**

b. **Discussion and possible action concerning City funded events to celebrate the 4th of July.**

This agenda item has been requested by Council for the purposes of discussing an alternate Fourth of July celebration in lieu of fireworks. The Council will discuss options for this celebration and may take action and/or provide direction to staff accordingly. **Council discretion. DIRECTION WAS PROVIDED TO STAFF.**

7. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

8. **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.

9. **Executive session**

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Follow up – City Magistrate Recruitment

The Council will review the City Magistrate applications and select Semi-Finalists to move on to the next phase of the recruitment process.

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

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