

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

ACTION

5:30 PM

AGENDA

Tuesday, December 1, 2015

REGULAR MEETING

CALL TO ORDER AND ROLL CALL **ALL COUNCILMEMBERS WERE PRESENT EXCEPT FOR COUNCILMEMBER YOUNG, WHO WAS EXCUSED**
INVOCATION

The invocation will be given by Pete Ernst of Manzanita Baptist 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

- a. The Regular Meeting and Executive Session minutes of November 17, 2015**
MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0

2. APPOINTMENTS

- a. Administer oath of office to newly appointed councilmember**

Judge Jeffrey Singer will administer the oath of office for new Councilmember Kenneth Dean.

- b. Consideration of appointing and/or reappointing Planning & Zoning commissioners**

The terms of Commissioners Kirkham and Kress end on December 31, 2015. Commissioner Mark Wimpee Jr. has more than four unexcused absences. Commissioner Wimpee's term ends December 31, 2016. The City has received two applications for the Planning and Zoning Commission, one of which is from an individual who resides outside City limits. **If the residency requirement stands, Staff recommends reappointing Commissioner Kress and appointing Jed Noble. If the residency requirement does not stand, Staff recommends following the Planning and Zoning Commission's recommendation to reappoint Commissioners Kirkham and Kress and appoint Randy Gorder.**

MOTION TO REAPPOINT COMMISSIONER KRESS WAS PASSED BY A VOTE OF 6-0

- c. Consideration of appointments/reappointments to the Clean City Commission (CCC)**

The terms of commission members William Ressegue and Margie Hicks end on December 31, 2015. The commission voted unanimously to recommend Council appoint William Ressegue to a three-year term on the CCC ending on December 31, 2018. Commissioner Hicks asked the commission to postpone her reappointment for one month for personal reasons. **Staff recommends appointing William Ressegue to serve on the CCC for a term ending on December 31, 2018.**

MOTION TO APPOINT WILLIAM RESSEQUE WAS PASSED BY A VOTE OF 6-0

- d. Parks & Recreation Commission appointments**

At the November 18, 2015 meeting of the Parks & Recreation Commission the commission voted to recommend appointing Corralyn Dunshie to her first full three year term. The commission also voted to recommend David Wayt and Edward Pyrzynski for the two upcoming vacant positions of two outgoing members for a three year term on the commission. **Staff recommends approval.**

MOTION TO APPOINT CORRALYN DUNSHIE, EDWARD PYRZYNSKI AND DAVID WAYT WAS PASSED BY A VOTE OF 6-0

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. **Vehicle purchase for the Engineering Department**

The Public Works Fleet Maintenance Division requests Council approve the purchase of one 2015 3/4 ton truck, four wheel drive, gas engine, single rear wheels, long wheel base, crew cab service truck for the Engineering Department. **Staff recommends Council award the bid and purchase the vehicle from Courtesy Chevrolet.**

MOTION TO RE-BID THE VEHICLE DIED FOR LACK OF SECOND MOTION TO AWARD THE LOW BID WAS PASSED BY A VOTE OF 5-1

b. **Liquor license application**

Applicant Robert E. Wheaton of J.B.'s Restaurant #373 has applied for a new Series 12 Liquor License for a restaurant located at 2940 E. Andy Devine Avenue. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

c. **Consideration of extending the preliminary plat of the Vista Bella Ranchitas Subdivision - Tract 6029**

On November 3, 2015, the Council granted Doug Angle an exemption to Subsection 2.2(8)b.(iv) of the Subdivision Ordinance (which terminates a preliminary plat if it is not extended within 24 months of Council approval) on the Vista Bella Ranchitas Tract 6029 Preliminary Plat. Mr. Angle is seeking an approval of an extension of the Vista Bella Ranchitas Preliminary Plat. **Staff recommends approval of the Vista Bella Ranchitas Tract 6029 Preliminary Plat with the condition that the developer comply with the drainage requirements specified by the Engineering Department. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

d. **Consideration of Resolution 4983 to expand the boundaries of the Entertainment District**

Councilmember Carver requested the Council consider expanding the boundaries of the Entertainment District to include the area south of Andy Devine Avenue to Park Street. This expansion is still within the one square mile limitation of the Arizona Revised Statutes (ARS). Staff has drawn a new boundary map and it is attached to Resolution 4983. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

e. **Consideration of a professional services agreement with Sunrise Engineering, Inc. for a Water Master Plan Update**

It has been ten years since the last Master Plan Update, which is intended to identify

and recommend solutions for the current and future water system. Staff has been negotiating with Sunrise Engineering, Inc. regarding a proposal for the work. The adopted budget includes \$300,000 for an update and Sunrise has submitted a proposal for \$232,000 to complete all tasks associated with the update. **Staff recommends approval.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0

f. Resolution 4984, allowing an exception to Section 1-12 of the Streets and Sidewalks Regulations

Staff has received a request for an exception to Section 1-12 of the Streets and Sidewalks Rules and Regulations for 3150 and 3152 Stockton Hill Road (Parcels 320-13-007 & 320-13-044). Section 1-12 of the Streets and Sidewalks Development Rules and Regulations allows one commercial driveway for properties with frontage of less than 300 feet. When combined, the subject properties will have approximately 200 feet of frontage. Rex Ruge has submitted a site plan requesting two driveways for the subject properties. The site plan was reviewed at the November 19, 2015 Traffic Safety Committee and the committee generally agrees with the exception allowing two driveways for the subject properties. **Staff recommends approval.**

MOTION TO APPROVE FAILED BY A VOTE OF 3-3

g. Inmate work contract

GEO is the new private administrator of the Arizona State Prison Complex - Kingman. The Arizona Department of Corrections has prepared an amendment to the City's inmate work contract naming the new administrator as GEO. There are no other substantive changes to the contract. In order to avoid an interruption of service and continue receiving our inmate work crews, Staff signed the amendment naming GEO as the new administrator. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

h. Award of bid for emergency equipment for police vehicles

The Kingman Police Department solicited bids for emergency equipment for four (4) Ford Police Interceptors. Three (3) separate bids were submitted and opened on November 20, 2015. Bids submitted included; \$54,031.60 from MHQ of Arizona in Tempe, \$54,143.60 from Arizona Emergency Products in Phoenix and \$68,481.91 from Creative Communications Sales and Rentals Inc. of Phoenix. **Staff recommends accepting and awarding the bid to MHQ of Arizona who submitted the low bid.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0

5. OLD BUSINESS

a. Ban handheld electronic device driving ordinance

Staff has reviewed several ordinances from other Arizona cities and modeled the proposed ordinance from one recently enacted by the City of Tempe. The ordinance bans the use of electronic devices by a driver of a vehicle while on the public right of way, though it does allow for some exceptions. This ordinance may be adopted tonight or Council may make revisions for later adoption. Unless directed otherwise, the ordinance will take effect 30 days after passage. On November 3, 2015 the Council failed to pass a motion to direct Staff to revise and broaden the ordinance and did not take any additional action on this item. Councilmember Carver has requested that the Council revisit Ordinance 1807 as written. **Council discretion. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-1**

MOTION TO PROCEED WITH A 90 DAY EDUCATIONAL PERIOD IN WHICH ONLY WARNINGS ARE ISSUED ONCE THE ORDINANCE IS IN EFFECT WAS PASSED BY A VOTE OF 6-0

b. Discussion and consideration of initiating a landscape maintenance district

At its November 17, 2015 meeting, the Council requested information and examples of landscape maintenance districts in Arizona. **Staff recommends forming a landscape maintenance district for the Kingman Crossing Area.**

MOTION TO SCHEDULE A WORK SESSION TO DISCUSS BOUNDARIES AND ASSESSMENT METHODOLOGY WAS PASSED BY A VOTE OF 4-2

c. Golf Course Management Agreement

On November 17, 2015, the Golf Course Manager Agreement was proposed by Staff and reviewed with Council. **Staff recommends approval with no changes to**

the agreement that was proposed at the meeting and reviewed and discussed in Executive Session. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

6. **NEW BUSINESS**

a. **Transportation for Veteran's Court clients**

Judge Singer is asking for municipal support for veterans who have been admitted to the program but do not have transportation by providing a free pass on KART buses to veterans with Court ordered appointments. **Staff recommends approval.**

MOTION TO PURCHASE KART PASSES FROM A FUNDING SOURCE TO BE DETERMINED DIED FOR LACK OF SECOND

MOTION TO USE VETERAN'S COURT MONIES TO PURCHASE KART PASSES WAS PASSED BY A VOTE OF 6-0

b. **Public Hearing and consideration of Ordinance 1808 approving the rezoning of certain property from R-2-PDD: Residential, Multiple Family, Low Density, Planned Development District to R-1-6: Residential, Single Family, 6,000 square foot lot minimum**

A request from Raymond W. Stadler, P.E., applicant, and Mallory Loop Re Trust, property owner, for a rezoning of certain property from R-2-PDD: Residential, Multiple Family, Low Density Planned Development District to R-1-6: Residential, Single Family, 6,000 square foot lot minimum. The R-2-PDD zoning allows for common wall single family homes with reduced setbacks on eight lots on Mallory Loop east of Fripps Ranch Road. The property is described as Lots 9-16, Block 1, Mission Estates, Tract 1982. The intent is to re-subdivide the eight lots into five new lots with five single family homes with typical R-1-6 zoning district setbacks and development standards. There is a concurrent request for the approval of a preliminary plat for Mission Estates II, Tract 6044 for the site. The Planning and Zoning Commission held a public hearing on November 10, 2015. The Planning and Zoning Commission voted 6-0 to recommend approval of the request with the condition that the subject property shall be re-platted as indicated in the preliminary plat for Mission Estates II, Tract 6044 with a maximum of five lots in accordance with R-1-6 zoning development standards. **Staff recommends**

approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0

c. **Consideration of Resolution 4981 approving the preliminary plat for Mission Estates II, Tract 6044**

Raymond W. Stadler, P.E., applicant and project engineer, and Mallory Loop Re Trust, property owner, have requested the approval of a preliminary plat of a residential subdivision known as Mission Estates II, Tract 6044. The proposed subdivision is a re-subdivision of Lots 9-16, inclusive, Block 1, Mission Estates, Tract 1982. The proposal is to replat eight existing lots on Mallory Loop east of Fripps Ranch Road into five lots. There is a concurrent request for the approval of the rezoning of the subject property from R-2-PDD to R-1-6. The replatted lots will range from 6,273 square feet to 10,715 square feet and will be developed with single family homes. The Planning and Zoning Commission held a public hearing on November 10, 2015. The Planning and Zoning Commission voted 6-0 to recommend approval of the request with five conditions. The conditions included requirements for the final plat including adding lot and block numbers on the plat, addressing surveying comments, providing a grading plan, geotechnical report and grading permit, showing the existing and proposed water and sewer services, and a requirement that the developer would be responsible for the costs of moving any existing utilities to serve the new lots. **Staff recommends approval.**

MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0

d. **Public Hearing and consideration of Ordinance 1809 modifying Ordinance 1189 by removing condition "B" of this ordinance as applied to certain property described as Lot 2, Block 4, Southern Vista III, Tract 6002, and prescribing conditions**

A request from KTH Consulting, Inc., applicant, and Pioneer Title Trust No. 9099,

property owner, for the removal of condition “B” of Ordinance 1189 which rezoned property, including the subject site to R-1-20: Residential, Single Family, 20,000 square foot lot minimum in 1998. While the minimum lot size in the R-1-20 district is normally 20,000 square feet, condition “B” of this ordinance required that any future lots abutting Hualapai Foothill Estates to be at least 30,000 square feet in size. The subject property, located at 2406 Steamboat Drive, is 47,322 square feet, and the intent is to split the property into two parcels for two single family homes. Due to rezonings that have occurred on surrounding properties, only the subject site and the lot immediately to the north remain subject to the lot size requirements of condition “B.” A minimum lot size of 20,000 square feet for this property will conform to the Projected Land Use Map of the Kingman General Plan 2030. Any splitting will need to be accomplished with an approved parcel plat. There are some drainage concerns in the area and the City Engineering Department has requested that a drainage report be submitted with the parcel plat that addresses these concerns. The Planning and Zoning Commission held a public hearing on November 10, 2015. There were objections raised to the proposal that were voiced by several property owners in the Hualapai Foothills area to the east. **In response to the objections, the Planning and Zoning Commission voted 5-1 to recommend denial of the request. An ordinance has been prepared with Staff recommended conditions for the Council’s consideration.**

MOTION TO APPROVE FAILED BY A VOTE OF 2-4

MOTION TO RETURN THE ITEM TO THE PLANNING & ZONING COMMISSION IN ORDER TO DEFINE THE LOTS PASSED BY A VOTE OF 5-1

- e. **Public Hearing and Consideration of Resolution 4980 for Conditional Use Permit (CUP) at 4798 North Stockton Hill Road - CUP15-002**
Kingdom of God Church, applicants, and Baltic Enterprises, property owners, have requested approval of a conditional use permit (CUP) to allow for a “Public Assembly Indoor-General” use at 4798 North Stockton Hill Road, Kingman, to operate a church in a C-2 Zoning District. The subject property is zoned C-2: Commercial, Community Business. A parking plan was submitted and reviewed by Staff. The Planning and Zoning Commission met on November 10, 2015 and held a public hearing on this request. The Commission voted 6-0 to recommend approval of the request for the CUP with a condition that the applicant obtain a letter from Mohave County that the existing septic system is sufficient for the proposed use. Comments were received from Mohave County Environmental Quality on 11-17-15 that the existing septic systems are adequate for the proposed use. There was only one objection from a neighboring property owner which was submitted to the City of Kingman by email prior to the meeting. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

f. **FY15 financial audit update**

Staff will provide Council with an update to the City's FY15 financial audit. This is an informational item only.

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.

ADJOURNMENT MOTION TO ADJOURN WAS PASSED BY A VOTE OF 6-0