

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

5:30 P.M.

ACTION AGENDA

Tuesday, June 7, 2016

REGULAR MEETING

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

INVOCATION

The invocation will be given by Doug Bryant of Kingman First Assembly of God.

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

2. APPOINTMENTS

a. Appointment to the Historical Preservation Commission (HPC)

There is one vacancy on the HPC. At their regular meeting on Tuesday, May 24, 2016, the commission reviewed the application of Shawn Walsh. Mr. Walsh was present at the meeting and voiced his interest in serving on the commission. **The commission members voted 6-0 to recommend Council appoint Shawn Walsh to the Historical Preservation Commission. MOTION TO APPOINT SHAWN WALSH TO THE HISTORIC PRESERVATION COMMISSION WAS PASSED BY A VOTE OF 7-0.**

b. Consideration of Appointment to the Economic Development and Marketing Commission

At the May 11, 2016, Regular Meeting the Economic Development and Marketing Commission (EDMC) voted to accept the resignation of Commissioner Yvonne Woytovich. The commission also reviewed the applications of Tim Woods and Brian Turney to fill Ms. Woytovich's unexpired term. The commission voted unanimously to forward both applications to Council to determine who is to fill this vacancy. **Council discretion. MOTION TO APPOINT BRIAN TURNEY TO THE ECONOMIC DEVELOPMENT AND MARKETING COMMISSION.**

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. Special Event Liquor License Application

Applicant Cynthia LeVesque of Cornerstone Mission has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, July 30, 2016 from 4 PM to 11:59 PM at Beale Celebrations, 201 N. 4th St. in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Consideration of Granting Ignite Brand Marketing/ Kingman Circle \$45,000 to Market Kingman

Kingman Circle is a strategic plan and execution strategy that enhances the Kingman brand, promotes community life, local organizations and Kingman's strategic location in the Heart of Route 66. Kingman Circle is comprised of a few different deliverables which include: 1. a website; 2. a facebook page; 3. an app; 4. a billboard; 5. brochures and signage; and 6. a digital advertising campaign. The TDC grant monies will be used to market Kingman as a whole and will be used in conjunction with \$59,700 already contributed by Kingman Circle members. The original application was for \$49,500. The Tourism Development Commission is recommending that the City Council fund \$45,000 (not the proposed \$4,500 management fee). **On April 13, 2016, the Tourism Development Commission recommended awarded \$45,000 to the Kingman Circle group. MOTION TO RETURN THIS ITEM TO THE FIRST MEETING IN JULY WITH A PROFESSIONAL SERVICES CONTRACT WAS PASSED BY A VOTE OF 7-0.**

c. Resolution No. 5014, approving the final plat and improvement plans for Walleck Ranch, Tract 1961-I

A request from Pioneer Title Agency, Inc., Trustee under Trust No. 4765, property owner, and Mohave Engineering Associates, Inc., project engineer, for the approval of a final subdivision plat and grading and improvement plans for Walleck Ranch, Tract 1961-I. The subject property is zoned R-1-6: Residential, Single Family, 6,000 square foot lot minimum and is located south of Gordon Drive and west of Walleck Ranch Drive. The subdivision is 8.38 acres and is proposed to have 36 residential lots which will be accessed from five streets. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Temporary Liquor License Extension of Premises App

Applicant A. W. Floyd of Floyd and Company Real Pit BBQ has applied for a temporary extension of premises/patio permit for an event to take place July 1 and July 2 at 420 E. Beale Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Report on Hilltop Aerator Emergency Repair

There was a critical failure of the aerator on Oxidation Ditch #1 at the Hilltop Wastewater Treatment Plant. The shaft sheared off, leading to a lack of proper aeration and process treatment. Wastewater staff switched inflow over to Oxidation Ditch #2, and drained Ditch #1. While the components were out of warranty, staff contacted Ovivo, the manufacturer. They agreed to provide replacement parts at no cost, saving approximately \$20,000. Due to the lack of any backup for wastewater treatment, and vulnerability of plant upset, staff requested an emergency purchase order for installation of the replacement components. Felix Construction and Wastewater staff completed the repair on May 13, 2016. A representative of the manufacturer was also on-site to inspect the repair. This report is being filed in accordance with Section 2-160(b) of the City of Kingman Procurement Code. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Resolution No. 5017 and Resolution No. 5018 - Authorization to Request that the Mayor Sign Loan Amendments to WIFA Loan Agreements No. 910114-09 and No. 910149-11

On January 4, 2016, City staff submitted to the Water Infrastructure Financing Authority ("WIFA") a request to refinance the Hilltop Wastewater Treatment Plant loan at a current market rate and extend the term by two years. WIFA staff conducted a review of the request and denied it, however upon meeting with the City Manager and Financial Services Director in early February, WIFA staff provided an alternative to the original request. At the February 16, 2016 City Council meeting, City staff presented this alternative to Council, and Council gave direction to move forward with it. On March 9, 2016, City staff revised its original request to align with WIFA's alternative request which would lift the debt service reserve restriction placed on both the Hilltop and Downtown Wastewater Treatment Plant loans and allow the City to prepay a portion of the HTWWTP loan with these reserves. The WIFA Board met on April 20, 2016 and not only unanimously approved the City of Kingman's revised request but also approved WIFA staff's recommendation to lift the repair and replacement reserve restrictions placed on both loans. By lifting this restriction, the repair and replacement reserves of \$1,070,254 can now be used for general purposes rather than being restricted for strictly repair and replacement. Additionally, the annual funding of the reserves are no longer required. **Staff recommends Council approve Resolution No. 5017 and Resolution No. 5018 authorizing the Mayor to sign Loan Amendments to Loan Agreement No. 910114-09 and Loan Agreement No. 910149-11, which lift the debt service reserve and repair and replacement reserve restrictions on the aforementioned loans. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

5. **OLDBUSINESS**

6. **NEWBUSINESS**

a. **Public Hearing and consideration of Resolution 5006: adopting a dog licensing fee schedule and reassigning licensing operations to the City**

In March, 2016 Staff decided to end the agreement with Mohave County for managing dog licensing for City residents in order to avoid loss of funds. The City Clerk's Office will take on the associated responsibilities. The proposed fee schedule, which is identical to the fee schedule currently used in Mohave County, was displayed on the City's homepage for 60 days to allow for public comment. Resolution 5006 will adopt the fee schedule and transfer the licensing responsibilities to the City. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. **Consideration of Ordinance 1812: amending Chapter 3, Article II of the Kingman Code of Ordinances**

Ordinance 1812 will change the dog licensing portions of the municipal code to align with the Arizona Revised Statutes, specifically the requirements for granting a fee waiver for a service dog or search and rescue dog. It will also remove the municipal code language that requires the license expiration date to be printed on the tag. This will allow tags to be reused from year to year, which will save money. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. **Public hearing and consideration of Ordinance No. 1815, amending Sections 4.000, 14.000, 15.000, 16.000, 18.000, 22.000, 26.000, and 35.000 of the Zoning Ordinance of City of Kingman**

Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman*, was revised under Ordinance No. 1796-R on August 4, 2015. Other sections of the Zoning Ordinance reference the landscape standards and requirements contained with Section 10.000, as well as standards concerning fences and walls. Proposed changes include removing the recommended plant list from Sections 14.00 and 35.000 as it is not consistent with the revised plant list in Section 10.000. Subsection 26.500 is proposed to

be removed and some of the text relocated and clarified under Section 26.400 which regulates standards for fences and walls. Some additional modifications to Section 26.400 are suggested to bring this section into conformance with other parts of the Zoning Ordinance that deal with the placement of fences and walls. The Planning and Zoning Commission initiated the text amendment on April 12, 2016, and held a public hearing on May 10, 2016 to consider the proposed text amendment. **The commission voted 7-0 to recommend approval of the proposed text amendment as shown in Exhibit "A" of the attached Ordinance No. 1815. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. Consideration of Granting a Waiver to Section 2.000, Subsection 2.2(8)(iv) of the Subdivision Ordinance of the City of Kingman to allow the City Council to Consider An Extension of the Kingman Crossing Tract 1993 Preliminary Plat

The preliminary plat for Kingman Crossing, Tract 1993 was originally approved in August, 2004 under Resolution No. 4009. This subdivision is on 280.13 acres with 1,154 single family lots located south of Airway Avenue between Castle Rock Road and Prospector Street. Two of 13 phases have been recorded while the remaining 11 phases are not yet recorded. Four one-year extensions of time were granted for this subdivision with a two-year extension of time granted on September 7, 2010. In 2010, a design concept report (DCR) was developed for the Kingman Crossing interchange. The DCR requires Kingman Crossing Boulevard, which goes through this subdivision, to be realigned to accommodate a 45 mph design speed and widened to accommodate drainage. These changes will require a redesign of a portion of the preliminary plat for Kingman Crossing. As a result, the 2012 extension approval included a development agreement negotiated at the direction of Council that extended a preliminary plat that cannot be developed. Resolution 4817 extended the subdivision and the development agreement until November 6, 2014. That agreement and the preliminary plats have expired. On November 3, 2015, the City Council granted a waiver of the requirements of Section 2.000, Subsection 2.2((8)(iv) to Angle Homes for the Vista Bella Ranchitas, Tract 6029 and Mr. Angle subsequently application to extend this preliminary plat on December 1, 2015, City Council extended the Vista Bella Ranchitas Preliminary Plat, Tract 6029. Bill Nugent is seeking an identical waiver and subsequent extension of the preliminary plat and development agreement. The difference between the two preliminary plats is that the Vista Bella Ranchitas, Tract 6029 did not need to be redesigned and the Kingman Crossing, Tract 1993 must be redesigned to accommodate a 45-mile per hour (mph) design speed for Kingman Crossing Boulevard. Mr. Nugent is now asking for a waiver of the Section 2.000, Subsection 2.2((8)(iv), and subsequently approval of the preliminary plat that does not have the Kingman Crossing Boulevard corridor with a design speed of 45-mph, with the previous development agreement. **Staff recommends not granting the waiver and require the revised preliminary plat for Kingman Crossing Tract 1993 which addresses the City's comments to be completed with the landowner desires to plat the property. THIS ITEM WAS PULLED BY THE APPLICANT AND WAS NOT DISCUSSED.**

e. Presentation on the Kingman Crossing Chronology

Mayor Anderson asked for a presentation on the chronology of the Kingman Crossing city land project. Staff has prepared the attached PowerPoint presentation on the project. **Council direction. DIRECTION WAS PROVIDED TO BRING AN ITEM BACK AT THE NEXT MEETING FOR SENDING THIS MATTER TO THE BALLOT.**

f. Briefing on Race to the Wall

Mayor Anderson and Vice Mayor Young requested an agenda item regarding issues surrounding the recent "Run for the Wall" event that took place on May 18, 2016. Staff will provide a report to the Council regarding concerns raised by citizens and issues that arose during the attempted planning of this event.

g. CDBG Project Selection, FY 2016-17 Application

On Friday, April 22, 2016 the City held the first of two public hearings required by State Community Development Block Grant (CDBG) guidelines to solicit and identify potential projects for our 2016 CDBG Regional Account application. The table included in the attached project report includes all eligible projects identified at the public hearing. We received no possible projects from the public during the hearing on April 22, but identified 3 possible projects from the City Engineering Department. Each project is listed in the left column with the requested project amount listed in the second column. Subsequent columns list possible funding options in prioritized order of eligibility with A as the highest priority. Council may select one of the options listed A, B or C of the fundable projects identified. The projects included here are listed according to the impact each project may have on the community, Option A with the highest. The option selected will be provided an opportunity for the public to comment on in tonight's CDBG Public Hearing and may then be selected as the project which will be included in the City's FY 2016 CDBG application.

Staff recommends selection of Option A. DIRECTION WAS PROVIDED TO PROCEED WITH OPTION A.

h. Public Hearing: Community Development Block Grant Second Public Hearing

On Friday, April 22, 2016 the City held the first of two public hearings required by State Community Development Block Grant (CDBG) guidelines to solicit and identify potential projects for our 2016 CDBG Regional Account application. Tonight is the 2nd public hearing as required to allow the public the opportunity to comment on the City's selected projects which will be included in the City's FY 2016 Regional Account application. The eligible projects identified in the previous Action Item have been selected and will be included in the City's CDBG FY 2016 Regional Account application. **Staff recommends adoption of Resolution #5019 authorizing the submission and implementation of the City's FY 2016 CDBG RA Application and authorizing the Mayor to sign all associated grant documents. MOTION TO APPROVE RESOLUTION NO. 5019 INCLUDING OPTION A AS LISTED IN ITEM "6H" WAS PASSED BY A VOTE OF 7-0.**

7. REPORTS

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 7-0.