

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

5:30 P.M.

MINUTES

Tuesday, October 6, 2015

REGULAR MEETING

Members	Officers	Visitors Signing in
Richard Anderson – Mayor	John Dougherty, City Manager	See attached list
Mark Wimpee, Sr. – Vice-Mayor	Jackie Walker, Human Resources Director	
Mark Abram	Lee Hocking, Assistant City Attorney	
Larry Carver	Jake Rhoades, Fire Chief	
Jen Miles	Greg Henry, City Engineer	
Stuart Yocum	Rusty Cooper, Deputy Chief of Police	
Carole Young	Mike Meersman, Parks and Recreation Director	
	Tina Moline, Finance Director	
	Gary Jeppson, Development Services Director	
	Rob Owen, Public Works Director	
	Joe Clos, Information Services Director	
	Sydney Muhle, City Clerk	
	Erin Roper, Deputy City Clerk and Recording Secretary	

CALL TO ORDER & ROLL CALL

Mayor Anderson called the meeting to order at 5:30 P.M. All councilmembers were present. The invocation was given by City Manager John Dougherty after which the Pledge of Allegiance was said in unison.

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 and Executive Session minutes of September 15, 2015

Vice-Mayor Wimpee, Sr. and Councilmember Young recused themselves as they were excused from the meeting.

Councilmember Miles made a MOTION to APPROVE the Regular Meeting and Executive Session

minutes of September 15, 2015. Councilmember Abram SECONDED and it was APPROVED by a vote of 5-0 with Vice-Mayor Wimpee, Sr. and Councilmember Young ABSTAINING.

2. AWARDS/RECOGNITION

a. Citizen recognition

On August 17, 2015 the Kingman Police Department responded to a check welfare call in the 2100 block of Seneca Street. Officers met with William Ponusky, a concerned neighbor, who reported that his neighbor's lights had been on for three days without any activity around the home. Upon looking through the windows of the home, officers observed a lone male occupant lying on the floor. Officers summoned the Kingman Fire Department and made entry into the home. The occupant had suffered a severe medical episode and it was believed he was down a couple of days. Without the keen observation and caring attitude of Mr. Ponusky, it is highly likely the individual would have died. The Kingman Police and Fire Department jointly recognize and applaud Mr. Ponusky for his life saving action on August 17, 2015. He is the epitome of a "Good Neighbor." **Staff recommends recognizing William Ponusky and providing him a Life Saving Award.**

Chief of Police Robert DeVries and Fire Chief Jake Rhoades presented William Ponusky with a Life Saving Award.

b. 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 Service	Name	Title	Department
30	Bland, Phillip	Equipment Operator A	Streets
30	Pethers, Dean	Water Technician A	Water Operating
25	Abraham, Bradley	Fire Engineer	Fire
20	Bonfield, William	Equipment Mechanic	Building/Fleet Maintenance
20	Cornett, Terry	I T Coordinator	Information Technology
20	Lash, David	Sr. Building Inspector	Building Inspection
15	Clemens, James	Crew Leader	Building/Fleet Maintenance
15	Henry, Greg	City Engineer	Engineering
15	King, Donna	Administrative Assistant	Building/Fleet Maintenance
15	Rogers, Kiley	Equipment Operator B	Water Operating
15	Zach, Paul	Equipment Operator B	Sanitation
10	DeHerrera, Casey	Administrative Secretary	Police
10	Dill, Dan	Crew Leader	Parks
10	Duszynski, John	Equipment Mechanic	Building/Fleet Maintenance
10	Gifford, Jeffrey	Equipment Operator B	Streets
10	Furr, Robert	Equipment Operator B	Sanitation
10	Hardy, Joel	Code Enforcement Officer	Police
10	Johnson, Paul	Crew Leader	Fire
10	O'Haver, Maria	Court Clerk	Magistrate Court
10	Reed, Tiffany	Administrative Assistant	Police
5	Brown, Gabriel	Police Officer	

Mayor and Council would like to congratulate the following retirees on their retirement:

David Patriquin who retired for the Fire Department on July 31, 2015 with 30 years of outstanding service.

Mayor Anderson presented certificates to the employees who were present.

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.

Brent Rutherford of Rutherford's Family Diner stated Vice-Mayor Wimpee, Sr. should not be in his position due to a pattern of behavior in his business operations. Mr. Rutherford stated he believed the citizens of Kingman should know Vice-Mayor Wimpee, Sr. took money and did not finish contracting jobs he was hired for and did not complete projects according to the conditions of City permits.

Kingman resident Harley Petit stated items "4f" and "4g" on the Consent Agenda should be revised to include a payment schedule with mandatory payments. Mr. Petit stated the tax money must be reimbursed.

Tammy Rutherford of Rutherford's Diner stated Vice-Mayor Wimpee, Sr. should be removed from his position due to incomplete jobs in his construction company. Ms. Rutherford stated she received many calls from other people in similar situations and she believed the company was scamming people. Ms. Rutherford stated Vice-Mayor Wimpee, Sr. should not represent the City as vice-mayor.

Chris Branco stated he supported Rutherford Family Diner and also had problems working with Vice-Mayor Wimpee, Sr., Mark Wimpee, Jr., and 1st Generation Builders. Mr. Branco provided documents outlining complaints with 1st Generation Builders to City Clerk Sydney Muhle for distribution to the Council.

Kathy Hopper stated Vice-Mayor Wimpee, Sr. had two orders of protection against him, one in 2003 and another in 2014. Ms. Hopper stated two orders of protections was a reason for concern.

Becky Jordan stated Vice-Mayor Wimpee, Sr. was trying to resolve the problems with incomplete jobs and his company and political career should be judged separately. Ms. Jordan stated she saw many online threats and attacks directed at Vice-Mayor Wimpee, Sr. and it needed to stop as it was not an appropriate way to address the problem. Ms. Jordan stated she was sorry Vice-Mayor Wimpee, Sr.'s company had folded, but he was trying to fix the issues.

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. Authorizing the purchase of real property on Golden Gate Avenue for drainage purposes, ENG15-018

The property is described as the easterly 75 feet of tax parcel 311-14-319g, is zoned commercial C2, and includes three 25 x 100 foot vacant lots which pond with drainage from Gates Avenue and often flood the City's alley. The property would outlet drainage to Golden Gate Avenue. The property owner will accept a minimum of \$42,500 for the property. **Staff recommends proceeding with the Golden Gate property acquisition.**

b. Award of bid for one refuse side-load truck

The Public Works Sanitation Department received three bids on September 1, 2015 for one refuse side-load truck for the Fiscal Year 2015/2016 budget. **Staff recommends accepting the primary bid from Rush Truck Center and Scorpion Body for a Peterbilt Chassis and Scorpion Body for \$250,033.00 plus tax.**

c. Fiscal Year 2015 bulletproof vest partnership grant award

The Kingman Police Department was awarded a Bureau of Justice assistance grant award in the amount of \$4,784.42 under the FY 2015 bulletproof vest partnership solicitation. The grant will be used to purchase new ballistic vests for police officers. **Staff recommends approval.**

d. Request from Turf Paradise to renew its off-track pari-mutuel wagering license/permit for Cerbat Hills Sports Bar & Grill

David Johnson, Vice President of Turf Paradise, is requesting approval to renew the Turf Paradise off-track pari-mutuel wagering license/permit for Cerbat Hills Sports Bar & Grill, located at 3631 Stockton Hill Road. Turf Paradise is currently in the process of renewing its permit to operate additional wagering facilities with the Arizona Department of Racing. The term of the permit applied for is from June 1, 2015 through May 31, 2018. **Staff recommends approval.**

e. Liquor license sampling privileges application

Applicant Clare Hollie Abel of Wal-Mart Supercenter #2051 has applied for Sampling Privileges for an existing Series 9 Liquor License at 3396 Stockton Hill Road. **Staff recommends approval.**

f. Consideration of Resolution 4973 for a City owned sewer payback

The City installed a sewer line with 3 manholes and service stub outs on Lovin Avenue from approximately 37 feet west of Washington Street to Eastern Street under project ENG14-090. The proposed payback agreement in Resolution 4973 is based on actual costs expended by the City for both design and construction. The costs are proportioned along Lovin Avenue based on the frontage of adjacent properties. The payback will be collected as adjacent properties connect to the sewer. **Staff recommends approval of Resolution 4973.**

g. Consideration of Resolution 4974 for a City owned sewer payback

The City installed a sewer line with 4 manholes and service stub outs on Colorado Avenue from approximately 350 feet west of Washington Street to Eastern Street under project ENG14-091. The proposed payback agreement in Resolution 4974 is based on actual costs expended by the City for both design and construction. The costs are proportioned along Lovin Avenue based on the frontage of adjacent properties. The payback will be collected as adjacent properties connect to the sewer. **Staff recommends approval of Resolution 4974.**

h. Resolution 4975 - Consideration of Intergovernmental Agreement between the City of

Kingman and the Mohave County Flood Control District for mapping and hydrology studies with FEMA CTP grant funding

City staff has identified and prioritized mapping needs and hydrology/hydraulic studies that would best help mitigate flood hazards and improve the management of flood prone areas within the City. The proposed work using Cooperating Technical Partners (CTP) grant funding will map the entire City Water Service Boundary (61 square miles) at 1 foot contour giving a higher level of detail and the remainder of the new mapping will be east of and outside of the Water Service Boundary at 2 foot contours. The mapping and hydrological studies will assist City staff and end users in planning for and evaluating drainage hazards and will provide the necessary data for the update to the City Master Drainage Plan. The total cost of the mapping and studies will be \$220,000 of which \$20,000 is mapping work requested by and will be paid for by the Mohave County Flood Control District. The remaining project cost of \$200,000 are for mapping and studies requested by the City. The required 25% percent City matching for \$200,000 is \$50,000. The remaining 75% of the cost (\$150,000) will be paid by the FEMA CTP grant. Mohave County Flood Control District agreed to administer the project and CTP grant with a 5% fee (\$10,000) of the project cost to cover its expenses. Mohave County Flood Control District has prepared an Intergovernmental Agreement between the City of Kingman and the Mohave County Flood Control District to allow the Mohave County Flood Control District to administer and manage the CTP grant on the City's behalf and in compliance with FEMA's request. **Staff recommends approval.**

i. Approval of Title VI Plan for Kingman Area Regional Transit (KART)

The FTA requires all grantees have a comprehensive Title VI Plan approved by their governing board. KART has developed the necessary plan and presented it to the Transit Advisory Commission (TAC) for review and approval at the quarterly meeting held on July 15, 2015. The TAC voted unanimously (5-0) to approve the Title VI Plan and forward to Council for ratification. **Staff recommends approving the Title VI Pan as written.**

j. Annual review of bylaws for the Transit Advisory Commission (TAC) for KART

The TAC bylaws require annual review. This review was accomplished during TAC's quarterly meeting held on July 15, 2015. The commission voted unanimously (5-0) to amend the bylaws to state that a quorum is based on a majority of members rather than a specific number and forward to Council for ratification. **Staff recommends approving the bylaws as revised.**

Councilmember Carver requested to remove items "4f," "4g," and "4j" for further discussion.

Vice-Mayor Wimpee, Sr. made a MOTION to APPROVE the Consent Agenda with the exception of items "4f," "4g," and "4j." Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

Councilmember Carver stated the terms outlined in payback items "4f" and "4g" appeared to come from Arizona Revised Statutes (ARS).

City Engineer Greg Henry stated that was correct and the standard payback was 20 years per City ordinance.

Councilmember Carver made a MOTION to APPROVE items "4f" and "4g" as presented. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

Councilmember Carver stated section 302 of item "4j" stated the Transit Advisory Commission (TAC) was removing a set quorum and replacing it with a majority. Councilmember Carver stated that could lead to voices not being heard if members were absent.

Public Works Director Rob Owen stated TAC was having trouble filling positions and making a quorum now that the size of commission was reduced from seven to five members.

Councilmember Miles stated the bylaws dictated it was a majority of members, not a majority of members who were present. Councilmember Miles stated it would take three votes to approve an item.

Councilmember Carver made a MOTION to APPROVE item "4j." Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

5. **OLD BUSINESS**

a. Public Hearing and adoption of Ordinance 1799 amending the Kingman Tax Code by removing the sunset date of June 30, 2016 on the 0.50% increased taxation rate and keeping the Transaction Privilege Tax rate at 2.50%

On May 7, 2013, Council adopted Ordinance 1751R which increased the taxation rate on most categories by 0.50% effective July 1, 2013 through June 30, 2016. The purpose of the temporary TPT increase was to supplement funding for necessary public safety equipment and fleet replacement, public safety facilities, street improvements and maintaining a general fund balance of 25% of its operating expenditures. Some of these items are ongoing and need funding to complete, and other items such as general fund expenditures have become a priority. At the June 16, 2015 City Council meeting, staff was given direction to move forward with the public hearing process to remove the sunset date of June 30, 2016 on the increased taxation rate. **Staff recommends adopting Ordinance 1799.**

Finance Director Tina Moline presented the following slides:

<p style="text-align: center;">PUBLIC HEARING Sunset Date Removal of TPT 0.50% Increase</p> <p style="text-align: right;">October 6, 2015</p>	<p style="text-align: center;">HISTORY BEHIND THE 0.50% TPT INCREASE IMPLEMENTATION</p> <p>Revenue Reductions</p> <ul style="list-style-type: none">• Sales tax revenues declined• State shared revenues decreased significantly• Reduction in HJRF funds• Reduction in general fund impact fees and building permit fees• Lottery and Powerball funds were swept by the State• Interest earnings declined• Budget FY15 g/f revenues were expected to be almost 55,000,000 less than FY07 actual revenues <p>Budget Cuts</p> <ul style="list-style-type: none">• Staff was reduced by 46 positions• Salary increases were frozen indefinitely• Employees bore the cost of increased health expenses -- over 5600,000• Some street maintenance and repair projects were put on hold• Street improvement projects were removed from the pipeline• Vehicle replacement program was eliminated --including public safety vehicles• Technology enhancements and building maintenance and repairs were put on the back burner
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On slide one Ms. Moline read the agenda summary. On slide two Ms. Moline stated Fiscal Year (FY) 2007 was a high point in Kingman's economy and the City's revenues, at which point the sales revenues, state shared revenues, and other sources plummeted.

ADDITIONAL REVENUE SOURCES																								
<ul style="list-style-type: none"> Property Tax Revenue <ul style="list-style-type: none"> Requires voter approval If passed in the May 2016 election, revenue would be received in November 2017 (FY18) Sales Tax Revenue <ul style="list-style-type: none"> Does not require voter approval 																								
<table border="1"> <thead> <tr> <th>PROPERTY TAX LEVY</th> <th>\$ 1,000,000</th> <th>\$ 2,000,000</th> <th>\$ 3,000,000</th> </tr> </thead> <tbody> <tr> <td>Property Owner Rate/\$100 Assessed Value</td> <td>\$ 0.5657</td> <td>\$ 1.1314</td> <td>\$ 1.6970</td> </tr> <tr> <td>Yearly Cost to Property Owner with \$100,000 Assessed Value</td> <td>\$ 56.57</td> <td>\$ 113.14</td> <td>\$ 169.70</td> </tr> </tbody> </table>					PROPERTY TAX LEVY	\$ 1,000,000	\$ 2,000,000	\$ 3,000,000	Property Owner Rate/\$100 Assessed Value	\$ 0.5657	\$ 1.1314	\$ 1.6970	Yearly Cost to Property Owner with \$100,000 Assessed Value	\$ 56.57	\$ 113.14	\$ 169.70								
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GENERAL FUND IMPACT	
REMOVAL OF SUNSET DATE	
<ul style="list-style-type: none"> Help absorb the annual PSRS and ASRS retirement contribution increases - more than \$1 million since FY13 Fund public safety vehicle replacement programs Allow for technology enhancements to be implemented Parks, recreation and golf course equipment can continue to be purchased Meet the fund balance policy of 25-50% of operating expenditures Provide funding required for future capital improvement projects such as a new and/or remodeled fire station, fire truck, and building projects Fund the abatement program, Veteran's Court, and other general fund expenditures 	
KEEP SUNSET DATE IN PLACE	
<ul style="list-style-type: none"> Loss of \$2.8 million in revenue Loss of funding the items above Budget cuts within the General Fund would be necessary <ul style="list-style-type: none"> Public safety (including the dispatch center) comprises 56% of the general fund expenditures Parks & recreation comprise 14% of the general fund expenditures General fund staffing levels are 28 positions below FY07 staffing levels 	

On slide seven Ms. Moline stated one of the major reasons the sunset was implemented was to allow time to locate a more permanent revenue source, such as a property tax. Ms. Moline stated a property tax required voter approval and if approved on a May, 2016 ballot the City would not receive the money until 2018. On slide eight Ms. Moline stated population had increased by 2,000 people since 2007, yet the City was expected to provide the same services at reduced staffing levels. Ms. Moline stated Staff recommended removing the sunset date.

Councilmember Young stated the Council could wait until the end of 2017 to implement a permanent replacement for the 0.5% TPT due to the high General Fund balance, which would offset the loss of 0.5% TPT revenue for 2017. Councilmember Young stated the City would be able to break even in 2017 and maintain its 25% General Fund balance requirement.

Mayor Anderson opened the public hearing at 6:18 P.M.

Kingman resident Herberta Schroeder stated the City needed to retain the 0.5% due to the fact that costs for services were rising and revenue was not. Ms. Schroeder stated many places had higher sales tax rates, such as Winslow, Arizona, and were able to run a well-funded city due to purchases made by tourists. Ms. Schroeder stated the City could implement a tiered tax scale and offer reduced tax rates on high dollar purchases. Ms. Schroeder stated increasing the bed tax rate and restaurant and bar tax rate would make Kingman non-competitive. Ms. Schroeder stated she did not believe a property tax would be approved by the voters and the City needed improved services in order to draw industries and residents.

Mr. Petit stated he would support increasing the sales tax as it resulted in a very small impact to the individual but a large benefit to the City. Mr. Petit stated he also supported a tiered tax scale for high end sales such as vehicles.

Mr. Dougherty stated every department asked for additional personnel this year, but few requests were granted. Mr. Dougherty stated the Fire Department would be requesting a new engine next year and were also planning a new fire station to improve response times on the east bench. Mr. Dougherty stated the City would need to decide how to pay for these projects and would have a difficult time securing a bank loan if the sunset was not repealed due to loss of revenue.

Mayor Anderson closed the public hearing at 6:32 P.M.

Councilmember Carver stated the 0.5% was intended to be a temporary revenue source while the

Council secured public support for a primary property tax. Councilmember Carver stated Kingman residents used many services that the average tourist did not, however both groups were paying the same taxes. Councilmember Carver stated there were many absentee property owners that were profiting from rent and not paying anything for City services. Councilmember Carver stated the Council needed to educate the residents so they would be willing to approve a primary property tax.

Councilmember Miles stated Kingman needed to remain competitive with other cities and the tiered tax approach had some merit. Councilmember Miles stated the City needed diverse revenue streams and it appeared that in order to gross over the current 0.5% TPT a \$100,000 property would only pay \$170 a year in taxes, which was about \$15 per month. Councilmember Miles stated it was a small amount in order to fund public safety. Councilmember Miles stated the City needed more secure revenue streams than sales tax, which was unreliable.

Councilmember Young stated the City had \$1 million in contingency funds and an excellent General Fund balance, which would allow a year to educate Kingman residents and pass a primary property tax without extending the 0.5% TPT.

Mayor Anderson stated the City would not be able to collect the property tax immediately if it was approved, which meant the sunset needed to be extended to 2017 to cover City expenses.

Councilmember Carver stated he did not agree with a tiered tax scale as that gave breaks to those with more money. Councilmember Carver stated the property tax would be calculated using the assessed value, which was different and generally less than the price at which the property could be sold.

Councilmember Miles asked if the property tax election would cost the City money.

Ms. Muhle stated it would cost approximately \$120,000 as it could not be held during a consolidated election.

Councilmember Carver made a MOTION to extend the sunset date on the 0.5% TPT increase to December 31, 2017. Mayor Anderson SECONDED and it was APPROVED by a vote of 6-1 with Councilmember Young voting NAY.

Mayor Anderson directed Mr. Dougherty to identify a timeline for placing a primary property tax on the May, 2016 ballot.

6. **NEW BUSINESS**

a. Authorization for General Fund Contingency transfer to fund abatements

Four nearly completed abatement projects will cost the City \$34,361. Seven other projects will cost approximately \$42,500. In addition, there are still a number of properties that will begin the abatement process in the upcoming months. The FY2015-16 budget for abatements is \$61,900. In order to fund all of the existing projects as well as any upcoming projects, staff requests a general fund contingency transfer of \$50,000. **Staff recommends Council authorize a general fund contingency transfer of \$50,000 to fund future abatements during FY 2015-16.**

Ms. Moline stated the Development Services Department had 16 abatement projects, 5 of which were resolved without cost to the City as the property owners hired their own demolition services. Ms.

Moline stated the requested funds would be used to complete the remaining seven projects with additional funds left over for future projects. Ms. Moline stated there would be no impact to the General Fund as the Development Services Department's budget was contained within the General Fund.

Mayor Anderson asked if a lien would be placed on the properties.

Ms. Moline stated a lien would be placed on the properties.

Councilmember Abram made a MOTION to AUTHORIZE a General Fund contingency transfer of \$50,000 to fund future abatements during FY 2015-16. Vice-Mayor Wimpee, Sr. SECONDED and it was APPROVED by a vote of 7-0.

b. Proposed change to Ordinance 1681, Section 3-22, related to the number of pets allowed per residence

Resident Amber Novak sent a letter to Vice-Mayor Wimpee, Sr. requesting the City Council make changes to City of Kingman Ordinance 1681, Section 3--22, related to the number of pets allowed per residence to allow the livestock allowances on properly zoned property to be interchangeable. **Staff is seeking direction from Council on whether to draft an ordinance allowing the number of livestock pets allowed to be interchangeable in properly zoned areas.**

Amber Novak stated the current ordinance for a 40,000 square foot lot allowed two horses and one other hooved animal excluding pot belly pigs. Ms. Novak stated she was requesting to allow each one horse to be interchangeable with two goats or sheep. Ms. Novak stated she had dairy goats for medical purposes and wanted to purchase land in the City, but was unable to due to the restriction. Ms. Novak stated a dairy goat had to be bred periodically in order to keep producing milk and the number of kids the goat had would violate the current City ordinance.

Councilmember Carver asked if Ms. Novak sold the kids.

Ms. Novak stated she sold the kids after two months. Ms. Novak stated a maximum of four animals would be reasonable for the City and people raising dairy goats.

Councilmember Miles asked if the maximum number of animals was per 40,000 square feet or per residence as Ms. Novak's proposed ordinance did not specify.

Ms. Novak stated per residence would be a more appropriate way to word the ordinance.

Vice-Mayor Wimpee, Sr. made a MOTION to DIRECT staff to draft an ordinance allowing the number of livestock pets allowed to be interchangeable in properly zoned areas. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-1 with Councilmember Young voting NAY.

c. Public Hearing and consideration of Ordinance 1804 approving the modification of Ordinance 951-Revised to allow the splitting of a lot located at 3320 Stockton Hill Road

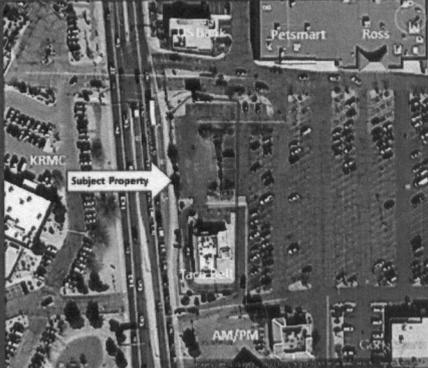
This is a request from Mohave Engineering Associates, Inc., applicant, and SK & M Investments, Inc., property owner, for the modification of certain zoning conditions of Ordinance 951-R. The proposal is to split this parcel into two lots. A future building, a maximum of 1,600 square feet, is

proposed on the future north lot. The existing Taco Bell restaurant will be located on the south lot after the property is split. The Planning and Zoning Commission held a public hearing on September 8, 2015. The Planning and Zoning Commission voted 5-0 to recommend approval of the request with certain conditions. **Staff recommends approving Ordinance 1804.**

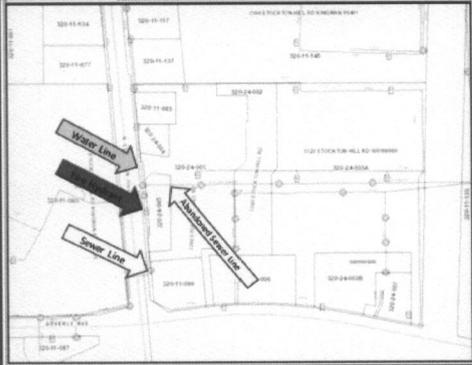
Development Services Director Gary Jeppson presented the following slides:

 <p>Rezoning Case RZ15-003 Modification of Ord. 951-Revised</p> <p>City Council Meeting October 6, 2015</p>	<h3>General Information</h3> <ul style="list-style-type: none">• Applicant: Mohave Engineering Associates, Inc.• Property Owner: SK & M Investments.• Requested Action: Modification of Ord. 951-Revised to allow Pad "B" as shown in attached site plan to be split into two lots with changes to the overall building sf and minimum parking requirements. Pad "B" (aka Lot 5, Wal-Mart/Albertson's Addition, Tr. 1942) is the location of Taco Bell at 3220 Stockton Hill Road.
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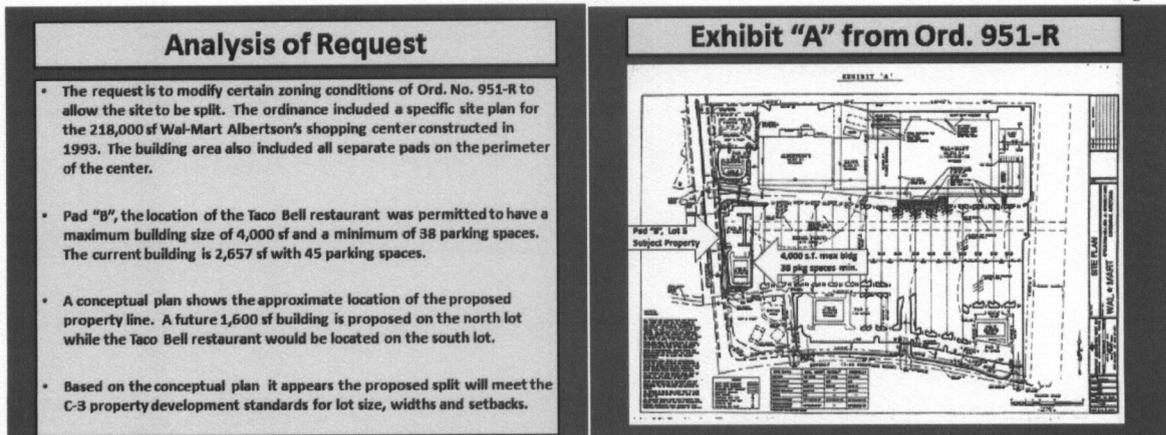
Slide one was an introductory slide. Mr. Jeppson read slide two.

<h3>Aerial View of Site</h3> 	<h3>Zoning and Development History</h3> <ul style="list-style-type: none">• The property was annexed into the City of Kingman in 1971, Ord. 139 with O: Recreational Open Space zoning applied.• Rezoned to C-3 under Ord. No. 808 in 1990. A specific site plan was approved for a 228,000 sf shopping center.• Ord No. 951-Revised passed in December, 1992 which amended Ord. No. 808. Revised site plan approved with a 218,000 sf shopping center including several separate pads and specific parking requirements.• Taco Bell restaurant constructed on subject site in 1993.
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Mr. Jeppson displayed an aerial view of the property on slide three. Mr. Jeppson read slide four.

<h3>Public Utilities and Transportation</h3> <ul style="list-style-type: none">• Existing water and sewer lines serving the site are in Stockton Hill Road.• There is an abandoned sewer line which crosses the northern portion of the subject site.• Stockton Hill Road provides access through two off-site driveways north and south of the site. The street has a 100-ft to 108.20-ft wide right-of-way.• Stockton Hill Road is fully improved with a dedicated right turn lane across most of the property frontage.	<h3>Area Utility Map</h3> 
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Mr. Jeppson read slide five and displayed a map of utilities on slide six.



On slide seven Mr. Jeppson stated public notification was posted and no comments were received. Mr. Jeppson displayed slide eight and stated Staff recommended approval.

Councilmember Young stated the area was very congested and asked what the impact on traffic would be if the lot was split.

Mr. Jeppson stated it would depend on the use of the property. Mr. Jeppson stated there would be a dedication of right away for future expansion of Stockton Hill Road, but the traffic pattern would not change.

Mayor Anderson opened the public hearing at 7:15 P.M.

Jaimini Upadhyaya from Mohave Engineering stated the company did not have any objects to the conditions outlined by the City.

Mayor Anderson closed the public hearing at 7:17 P.M.

Councilmember Abram made a MOTION to APPROVE Ordinance 1804. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

d. Consideration of Resolution 4971, approving a cash payment street deferral for Manzanita Baptist Church

The Manzanita Baptist Church owns multiple lots along the north side of Gates Avenue west of Fairgrounds Boulevard. A building permit to remodel a gymnasium on the church property has been issued. Gates Avenue adjacent to the location of the gymnasium is presently improved with some asphalt paving and no curb, gutter or sidewalk. Because the proposed construction will exceed \$20,000.00, the Streets and Sidewalks Development Rules and Regulations require that the adjacent street improvements be completed on Gates Avenue. The scope of the required improvements would be a section, 187.5-feet in length, with curb, gutter, a four-foot wide sidewalk, two driveways, additional paving, and engineering and staking. The City Engineering Department's opinion of probable cost of these improvements is \$15,242.00. Manzanita Baptist Church sent a letter requesting a non-cash payment street improvement deferral. The Traffic Safety Committee (TSC) reviewed the deferral request on August 20, 2015. The TSC recommended that the applicant either complete the required improvements or make a payment in lieu of completing the improvements to the city rather than granting a non-payment deferral. **Staff recommends adopting Resolution 4971 if Council wishes to accept a cash payment for the required street improvements on Gates Avenue.**

Mr. Jeppson presented the following slides:



On slide one Mr. Jeppson read the agenda summary and stated the photo showed Gates Avenue looking west from Fairgrounds Boulevard. Mr. Jeppson stated the church would prefer to not make improvements at this time and staff recommended a cash bond to use for improvements in the future. Slide two was an aerial photo of the property.

Vice-Mayor Wimpee, Sr. asked if there were any sidewalk improvements on Gates Avenue.

Mr. Jeppson stated there were no improvements on the south side of Gates Avenue on that block and the cash bond would eventually be used to address drainage issues.

City Engineer Greg Henry stated the City was not asking the church to complete the improvements now because it would not be logical to have one section of curb in front of the gym, which was the only portion required to be completed at this time.

Ross Reinoso stated the church should not have to give money for something that may or may not happen, which was the development of the rest of the block to trigger the required sidewalk improvements. Mr. Reinoso stated the church was willing to put in the sidewalk when the rest of the block was developed, but it did not want to provide the money in advance.

Terri Olson provided photographs to the Council of the streets to the east and the west. Ms. Olson stated the church had saved for many years to be able to remodel the gym to include a commercial kitchen and ADA accessible bathrooms. Ms. Olson stated the church was a designated fallout shelter and Red Cross shelter, fed the needy in the community, and provided after school care. Ms. Olson stated it did not make sense to install one section of sidewalk in front of the gym.

Councilmember Miles asked if deferrals had ever been granted in the City.

Mr. Jeppson said they had.

Councilmember Miles asked if there was an expectation of infrastructure development on the street in the near future.

Mr. Jeppson stated there was not.

Mr. Henry stated Grace Lutheran Church was two blocks east and they put in sidewalk improvements when they improved their property a few years ago. Mr. Henry stated part of the motivation for sidewalk improvements was ADA compliance and the City was not suggesting improvements be constructed immediately due to the fact that it would be an isolated stretch of sidewalk.

Councilmember Abram stated if numerous deferrals were granted the City would end up with undeveloped streets. Councilmember Abram stated another option was to grant a deferral and place a lien against the property if the church did not provide the money for the improvements at the required time of installation.

Councilmember Miles stated the money may be better used in the community than being held by the City for an unknown amount of time.

Councilmember Miles made a MOTION to DENY APPROVAL of Resolution 4971. Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

e. Second annual Rattlers Mountain Bike Race

The Colorado River Area Trail Association (CRATA) is holding the Second Annual Rattler Mountain Bike Race in the Cerbat Foothills Recreation Area, west of downtown Kingman. The group is seeking \$4,000 to help on this event, which they believe will become self-sufficient after this year's event. This event is growing and is expected to be a great annual tourism event for Kingman. **The Tourism Development Commission recommends approval of this request.**

Brian Zimmerman displayed slides for the Council, which are included at the end of this report. On slides one through eight Mr. Zimmerman stated mountain biking offered a way for people to challenge themselves, fostered a sense of community, allowed faster access to hiking, and was a healthy hobby. Mr. Zimmerman reviewed the information on slide nine. On slides 10 through 14 Mr. Zimmerman stated mountain biking was a popular sport with a wide range of participants that provided sustainable growth for rural communities. Mr. Zimmerman reviewed the information on slide 15. On slide 15 Mr. Zimmerman stated the goal of the CRATA was to create a world class trail system to attract riders in the fall and winter. Mr. Zimmerman reviewed slide 17. On slides 18 and 19 Mr. Zimmerman stated the strategy was to grow the event and improve Kingman visitation during the fall and winter when other popular trail areas were covered in snow. On slide 20 Mr. Zimmerman stated CRATA had a wide range of volunteers. On slides 21 and 22 Mr. Zimmerman stated CRATA wanted to develop the Rattlers Mountain Bike Race into a world class event, which meant improving and expanding the trails and having adequate time to secure sponsors. Mr. Zimmerman reviewed the marketing plan on slides 23 through 25. On slide 26 Mr. Zimmerman stated CRATA was able to use very little money on advertising due to social media campaigns. Mr. Zimmerman stated CRATA was able to secure sponsorships, but was asking the TDC for money in order to cover all expenses for this year. Mr. Zimmerman stated CRATA would not receive the money from the participants' registration fees in time to use it for this year's event.

Councilmember Abram asked how many participants attended last year and how many were registered for this year.

Mr. Zimmerman stated there were 77 adult and 20 child participants last year. Mr. Zimmerman stated 54 adults were currently registered, but many people waited to register in order to check the weather

for the day of the event.

Councilmember Abram asked what needed to be done to the trails in order to facilitate professional tours.

Mr. Zimmerman stated many trails needed to be reworked in order to become environmentally sustainable and connected to Downtown Kingman.

Councilmember Young asked where the trails were located.

Mr. Zimmerman stated most of the trails were on Bureau of Land Management (BLM) land. Mr. Zimmerman stated he was working with City Grant Administrator Bill Shilling to coordinate work with the City and County and everyone was working well together. Mr. Zimmerman stated CRATA would distribute surveys to the participants in order to gather information on what other tourism events would work well with the race, such as this year's Bluegrass Festival. Mr. Zimmerman stated participants traveled with people who did not participate in mountain biking events and these companions would be looking for events to enjoy as well, which was beneficial for Kingman.

Councilmember Young stated for-profit businesses should contribute funds to CRATA if the organization promoted their event. Councilmember Young asked if CRATA could make do with \$2,000.

Mr. Zimmerman stated it was possible, but it would put a strain on operations for next year. Mr. Zimmerman stated CRATA wanted to grow the event next year and it needed to keep some funds in reserve in case an event was unsuccessful due to the weather or other factors. Mr. Zimmerman stated CRATA would not return next year to ask for funds if it received the \$4,000.

Citizen William Wales stated he recently visited Southern California for a triathlon and many participants were interested in coming to Kingman for an event.

Vice-Mayor Wimpee, Sr. made a MOTION to APPROVE the Second annual Rattlers Mountain Bike Race application for \$4,000. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-1 with Councilmember Carver voting NAY.

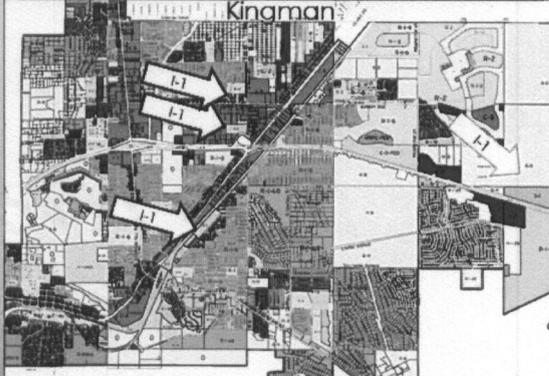
f. Public hearing and consideration of Ordinance 1803 to amend Section 16.000: LIGHT INDUSTRY (I-1) of the Zoning Ordinance of City of Kingman

This amendment is to add air ambulance services with accessory helicopter pads as an allowable use with a conditional use permit to Section 16.000: Light Industry. The light industry zoning district appears to be the most suitable district to allow for an air ambulance service compared to a commercial zoning district. Upon approval of this text amendment, if an air ambulance service is proposed, the applicant will apply for a conditional use permit. Staff and other reviewing agencies will conduct a more detailed review of the conditional use permit (CUP) application. The Planning and Zoning Commission held the public hearing on September 8, 2015 to consider this request. **The Commission voted 5-0 to recommend approval of the proposed text amendment as written. Staff recommends approving Ordinance 1803.**

Mr. Jeppson presented the following slides:

 <p>Text Amendment Case 2015-003 Amend Section 16.000, Light Industry, I-1, to allow for Air Ambulance Services</p> <p>City Council Meeting October 6, 2015</p>		<h3>General Information</h3>
		<ul style="list-style-type: none">○ Applicant: Ross and Marcy Reinoso○ Requested Action: A request to amend Section 16.000: Light Industry (I-1) of the Zoning Ordinance to allow for an air ambulance service as a permitted use upon approval of a Conditional Use Permit.○ The applicant is working with a client who wants to relocate their air ambulance service company within the City of Kingman.○ A public notice was advertised in the Kingman Daily Miner on August 23, 2015 and September 20, 2015.

On slide one Mr. Jeppson stated operating an air ambulance service would require a CUP. Mr. Jeppson reviewed the information on slide two.

<h3>General Information</h3> <ul style="list-style-type: none">○ If this request is approved, a conditional use permit will be required to be submitted by the applicant for the air ambulance service.○ A more detailed review of the air ambulance service will occur at the conditional use permit stage of processing.○ This amendment request is to review whether or not an "air ambulance service" should be added to the uses allowed within Light Industry Zoning (I-1) district upon approval of a Conditional Use Permit.	<h3>I-1 Properties throughout the City of Kingman</h3> 
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Mr. Jeppson reviewed the information on slide three. On slide four Mr. Jeppson stated the map showed the I-1 areas in the City limits.

<h3>Analysis & Recommendation</h3> <ul style="list-style-type: none">○ The Light Industry zoning district appears to be the most suitable district to allow for an air ambulance service company as an allowed use with a conditional use permit.○ The requirement for the applicant to apply for a conditional use permit will allow the reviewing entities and the public to complete a more detailed review of the air ambulance service proposal before it is constructed.○ The staff and Planning and Zoning Commission recommend adoption of Ordinance #1803, which will amend Section 16.000 LIGHT INDUSTRY (I-1) of the City of Kingman Zoning Ordinance to may allow an air ambulance service facility by conditional use permit in the I-1 Zoning District.

Mr. Jeppson reviewed the information on slide five.

Councilmember Young asked if there was an air ambulance service currently in operation.

Mr. Jeppson stated there was an air ambulance service located at the airport.

Councilmember Carver asked where the air ambulance service wanted to operate.

Mr. Jeppson stated the company wanted to operate in the I-1 area along Andy Devine Avenue near the railroad tracks.

Councilmember Carver asked why the company wanted to relocate to City limits.

Mayor Anderson opened the public hearing at 8:12 P.M.

Ross Monroe of Guardian Air stated the company wanted to relocate to City limits for convenience and efficiency. Mr. Monroe stated the area that was being considered was near the closed railroad crossing at Louise Avenue and a fenced area would be erected for the helicopter.

Mayor Anderson closed the public hearing at 8:15 P.M.

Councilmember Abram made a MOTION to APPROVE Ordinance 1803. Vice-Mayor Wimpee, Sr. SECONDED.

Councilmember Carver stated the I-1 areas were surrounded by residential neighborhoods and the City would receive noise complaints. Councilmember Carver stated there did not seem to be a large change in convenience in moving from the airport to the proposed area on Andy Devine Avenue. Councilmember Carver stated the company would need to store jet fuel and drivers were not attentive to the road when a helicopter was nearby.

Mayor Anderson asked for a roll call vote.

The MOTION was DENIED by a VOTE of 3-4 with Vice-Mayor Wimpee, Sr., Councilmember Abram and Councilmember Yocum voting AYE and Mayor Anderson, Councilmember Carver, Councilmember Miles and Councilmember Young voting NAY.

g. Presentation on Kingman's tourism potential

James Hinckley, an author, promoter, and lecturer on Route 66, will provide information on Kingman's tourism potential.

James Hinckley stated he provided an unofficial report on tourism in the agenda packets and felt it was important to transform Kingman into a place that attracted tourists. Mr. Hinckley stated tourism could help boost interest in developing businesses. Mr. Hinckley stated many other towns along Route 66, such as Pontiac, Illinois, had successfully marketed their cultural heritage travel opportunities. Mr. Hinckley stated the American southwest and Route 66 were attractive to tourists looking to learn about cultural heritage and the International Route 66 Festival was a catalyst for putting Kingman on the map for cultural heritage tourism, especially abroad. Mr. Hinckley stated three tour companies were planning to visit Kingman's walk of fame next year and a 200 historical electric car museum was also in the planning stages.

Mayor Anderson stated Kingman needed to market its features and the City needed to partner with Mr. Hinckley as a way to promote the area and bring people to Kingman.

Mr. Hinckley stated historic property renovations had a higher return on investment than new development. Mr. Hinckley stated the National Park Service was working to develop Route 66 as a

linear community through its Route 66 road ahead initiative. Mr. Hinckley stated Kingman needed to coordinate its efforts to use resources, time and money more efficiently.

h. James Hinckley funding request

James Hinckley, an author, promoter, and lecturer on Route 66, is seeking monies through the Tourism Development fund to promote Kingman. Mr. Hinckley is seeking funding to finance his travels to the Miles of Possibilities Conference in Edwardsville, Illinois, and other Route 66 conventions in Missouri, Los Angeles and Germany. **The Tourism Development Commission (TDC) met on September 17, 2015 and recommended denial of this request and believed that funding for these activities should come from the Kingman Powerhouse Visitor Center budget.**

Mr. Hinckley stated the Kingman Visitors Center Inc. provided \$3,000 for his trip to Edwardsville, Illinois. Mr. Hinckley stated he was looking for travel expenses for the remaining itinerary. Mr. Hinckley stated he recently received more invitations to discuss Route 66 and tourism in western Arizona and was seeking funding for travel expenses for these opportunities.

Mr. Petit stated he was a commissioner on the TDC and while the commission supported Mr. Hinckley's proposal, they did not believe the money should come from the TDC budget as it did not meet the criteria for awarding funds. Mr. Petit stated it was not possible to accurately measure the impact Mr. Hinckley's presentations would have on Kingman tourism revenue. Mr. Petit stated the commission believed the money should come from the Kingman Visitors Center Inc. budget and the bulk of Mr. Hinckley's request would be covered in the FY 2017 budget.

Councilmember Abram stated the City needed to define what it expected in return for its money, which could be considered contracting with Mr. Hinckley.

Assistant City Attorney Lee Hocking stated the City Attorney's Office felt the proposal violated the gift clause and the best practice would be to make Mr. Hinckley an independent contractor.

Councilmember Miles stated she agreed a contract should be signed with Mr. Hinckley that included specific returns.

Councilmember Carver stated the Council needed more legal guidance before agreeing to provide funds.

Mr. Petit stated the commission did not want to jeopardize Mr. Hinckley's income, which was why the proposal was to award Mr. Hinckley the funds. Mr. Petit stated becoming an independent contractor would burden Mr. Hinckley with certain financial obligations due to the funding being considered as income.

Councilmember Abram stated the item needed to be tabled.

i. Discussion and possible action concerning the Kingman City Council Values and Code of Ethics

The original Values and Code of Ethics was completed in 2012 and updated in 2014. Since the election of new members it has never been discussed or signed by the current Council Members. Staff has provided the previous editions of the Values and Code of Ethics for review and comment. **Council discretion.**

Mayor Anderson stated he wanted the Council to review the existing Council Values and Code of Ethics, make changes if necessary, and then approve and sign them if the councilmembers were willing.

Councilmember Abram made a MOTION to APPROVE the existing Council Values and Code of Ethics with the stipulation that the documents are reviewed, approved and signed annually by the councilmembers. Mayor Anderson SECONDED and it was APPROVED by a vote of 7-0.

7. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

There were no 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.

If needed.

Mr. Dougherty stated he attended the International City/County Management Association conference last week and many attendees recognized Kingman and associated it with Route 66.

Councilmember Yocum stated the Walk Away from Drugs would be held Wednesday, October 7, 2015 in Centennial Park.

Councilmember Miles thanked Staff for the hard work during the Best of the West on Route 66 Festival and the Andy Devine Days Parade.

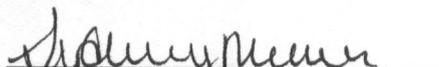
Councilmember Abram stated Route 66 Cruizers Halloween Bash was coming up on October 31, 2015. Councilmember Abram stated he saw many tour buses stopped at the outlet mall in Barstow, California on a recent trip. Councilmember Abram stated there was the same type of potential for Kingman.

Mayor Anderson stated he saw 12 buses in Seligman, Arizona and agreed with Councilmember Abram. Mayor Anderson stated he met with Representative Paul Gosar to discuss the airport and transportation infrastructure. Mayor Anderson stated Representative Gosar was concerned about failing infrastructure. Mayor Anderson stated Mohave County would host the annual Arizona supervisors conference next week.

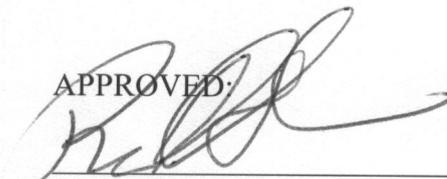
Vice-Mayor Wimpee, Sr. made a MOTION to ADJOURN. Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

ADJOURNMENT – 9:05 P.M.

ATTEST:


Sydney Muhle

APPROVED:


Richard Anderson

City Clerk

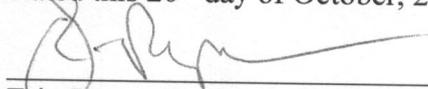
Mayor

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Erin Roper, Deputy City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on October 6, 2015.

Dated this 20th day of October, 2015.



Erin Roper, Deputy City Clerk and Recording Secretary

