

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

5:30 P.M.

MINUTES

Tuesday, November 3, 2015

REGULAR MEETING

Members	Officers	Visitors Signing in
Richard Anderson – Mayor	John Dougherty, City Manager	See attached list
Vacant – 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	Robert DeVries, 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 Pete Ernst of Manzanita Baptist Church 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 minutes of October 20, 2015**

Councilmember Young made a MOTION to APPROVE the Regular Meeting minutes of October 20, 2015. Councilmember Carver SECONDED and it was APPROVED by a vote of 6-0.

**2. NEW BUSINESS
a. Amendment to agreement with Kingman Airport Authority**

Councilmember Abram requested discussion and possible action regarding amending the current agreement between the City of Kingman (City) and Kingman Airport Authority (KAA) to incorporate a set of Performance Measures. Such Performance Measures will be negotiated between the City and KAA Board of Directors and will be used to measure forward progress within the Kingman Industrial Park on an annual basis. Staff concurs with the recommendation.

This item was originally item “7a” on the posted agenda and was moved to the front of the meeting at the request of Mayor Anderson.

Councilmember Abram stated he asked City Manager John Dougherty to pull item “7a” yesterday and place it on a future agenda. Councilmember Abram stated the public needed to learn the role and responsibilities of the KAA and how they were currently performing before the item was discussed. Councilmember Abram stated KAA needed an opportunity to address criticisms and make any necessary corrections. Councilmember Abram stated performance measures were important, but he did not want it to be a one-sided conversation.

Councilmember Carver stated there were people present who wanted to voice their opinions.

Mayor Anderson stated the KAA needed an opportunity to give a presentation on their operations and item “7a” was not able to be removed from the agenda within the legal time limits. Mayor Anderson stated people could address the topic in the Call to the Public.

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.

Kingman resident Donna Moore stated she moved to Kingman from an area that had regulations that managed the appearance of buildings and signage in historic areas. Ms. Moore stated the new building was an eyesore and the City needed to have guidelines to address exterior paint colors and sign fonts. Ms. Moore stated historic downtown should present a uniform look for tourists.

Mayor Anderson directed Mr. Dougherty to follow up with Ms. Moore.

Kingman resident Travis Lingenfelter stated he was glad Councilmember Abram supported implementing performance measures for the KAA. Mr. Lingenfelter stated there was a law requiring a vote to remove an item from the agenda during a meeting and it was outlined in an attorney general opinion.

Councilmember Abram made a MOTION to TABLE item “7a.” Councilmember Carver SECONDED.

Councilmember Yocum asked how many people intended to speak on item “7a.”

Mayor Anderson stated three people were signed up to speak on item “7a.”

Councilmember Miles stated she would abstain from voting as she was unfamiliar with the law.

Assistant City Attorney Lee Hocking stated attorney general opinions were not laws but guidance and interpretations of laws. Mr. Hocking stated an item could be removed by the requestor.

Mayor Anderson asked for a roll call vote.

The MOTION was APPROVED by a VOTE of 4-0 with Mayor Anderson, Councilmember Abram, Councilmember Carver, and Councilmember Young voting AYE and Councilmember Miles and Councilmember Yocum ABSTAINING.

4. **APPOINTMENTS**

a. Reappointment of a commissioner to KART Transit Advisory Commission (TAC)

During the quarterly meeting of the TAC held on October 21, 2015, the Commission voted unanimously to recommend reappointing Margaret Daw. Ms. Daw's term would be for a period of three years, expiring in October, 2018. Reappointment requires a "Super Majority of Council." **Staff recommends reappointing Margaret Daw to the TAC.**

Councilmember Miles made a MOTION to REAPPOINT Margaret Daw to the Transit Advisory Commission. Councilmember Young SECONDED and it was APPROVED by a vote of 6-0.

5. **AWARDS/RECOGNITION**

a. National Runaway Prevention Month Proclamation

Arizona Youth Partnership has requested a proclamation recognizing November as National Runaway Prevention Month.

Mayor Anderson read the proclamation.

b. Presentation to the Lee Williams High School Student Council

Each year the City of Kingman Youth Advisory Commission and Lee Williams High School Student Council organize and plan the Badges of Courage Charity Basketball Game. The event is a fundraiser to assist both groups with projects throughout the year. The 2015 Badges of Courage Game was a great success! Mayor Anderson, Councilmember Abram and Councilmember Young will present a check to members of the LWHS Student Council for their portion of the proceeds from the event.

Mayor Anderson, Councilmember Abram and Councilmember Young presented the check.

6. **CONSENT AGENDA**

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Emergency Operations Plan revision adoption

The City of Kingman Emergency Operations Plan has not been revised since 2007 and since that time numerous changes in personnel, resources, and operational capabilities have occurred. The proposed revision accounts for current operational capabilities as well as activities before, during, and after an emergency. **Staff recommends adoption of the revised Emergency Operations Plan.**

b. Resolution 4978 approving a two year extension of time of the preliminary plat for Legacy at Walleck Ranch, Tract 1965

The subject property is located along the east side of N. Willow Road, north of Kino Avenue, south of Coronado Avenue, and west of N. Irving Street. Under the Kingman Subdivision Ordinance, the Council may extend the preliminary plat approval for two years if there is no change in conditions within or adjoining the preliminary plat that would warrant a revision in the design of the original preliminary plat. There have been multiple extensions granted over the years and four of five final plat phases have been recorded. The developer is proposing to split the final phase of Walleck Ranch, Tract 1965 into two phases, with 26 lots in Phase 5 and 25 lots in Phase 6. **Staff recommends approving Resolution 4978.**

c. Resolution 4979 declaring the assurance agreement forfeited for Diamondback Ridge, Tract 1974 and prescribing conditions

Diamondback Ridge, Tract 1974 is a ten-lot residential subdivision located along the north side of Canyon Hills Road and along the east side of N. Harvard Street. A cash escrow assurance agreement in the amount of \$14,980.00 offered by First American Title as Trustee under Trust 4948 was accepted by the Council under Resolution 4064 in 2005. The 18 month assurance agreement was for the completion of sidewalk improvements and a berm along N. Harvard Street to direct drainage away from residences; however, not all improvements have been finished. Runoff along N. Harvard Street has impacted at least two homes downstream on Canyon Hills Road. As a result the City completed sidewalk improvements on N. Harvard and constructed an 8-inch high curb at the back of the sidewalk to protect the single curb from scour. The construction cost to the City for the portion of these improvements within the subdivision boundary was \$3,737.16. There is a public interest in the timely completion of the remaining sidewalk improvements within Diamondback Ridge, Tract 1974 as well as in recouping the costs of the above described improvements. The Council is asked to consider declaring the cash assurance agreement forfeited so that it may be used to pay for the completion of the rest of the sidewalks in the subdivision and defray the expenses incurred by the City for the improvements completed within the subdivision along N. Harvard Street. Any remaining funds would then be released back to the beneficiary of Trust 4948. **Staff recommends approving Resolution 4979.**

d. Resolution 4976-Revised requiring the submission of a cash payment for the required off-site improvements, including curbs and sidewalks along Southern Avenue associated with Fripps Ranch, Tract 1964-D and eliminating certain conditions of Resolution 4880-R

Raymond W. Stadler, P.E., applicant and project engineer, on behalf of Fripps Mohave Land, LLC, property owner, requested the elimination of the requirement for rolled curbs and sidewalks along Southern Avenue associated with Fripps Ranch, Tract 1964-D. The request was reviewed by the Council at their meeting on October 20, 2015. A future drainage improvement project is planned for Southern Avenue which may require the removal and replacement of these improvements. The Council voted to accept a cash payment in the amount of \$38,580 for the costs of the curbs, gutters and sidewalks along Southern Avenue. Resolution 4976-R will require the cash payment and final plat approval no later than July 5, 2016 unless an extension is granted by the Council. It will also eliminate the rolled curb and sidewalk requirement of Resolution 4880-R so that standard improvements including vertical curbs can be constructed. **Staff recommends approving Resolution 4976-R.**

e. Authorization for purchase of used 2013 John Deere 210K skip loader

RDO Equipment recently received a used 2013 John Deere 210K skip loader, which they are selling. This unit has two years of the factory warranty remaining. RDO also lowered the original price from \$86,000 plus taxes and delivery to \$84,752.87 including taxes and delivery. Per City of Kingman Municipal Code 2-160G, used equipment can be purchased without competitive bidding. This tractor will be used for grading of shoulders and alleys. **Staff recommends approval.**

f. Vehicle purchases for Public Works Department, City Complex and I.T. Department

The Public Works Department's Fleet Maintenance Division requests that Council approve the purchase of seven vehicles: one service truck for the Water Department; one service truck for the Wastewater Department; one service truck for the Street Department; two service trucks for the Sanitation Department; one SUV for the City Complex Staff; and one SUV for the I.T. Department. **Staff recommends awarding the purchase of the seven vehicles.**

These items were under "5. CONSENT AGENDA" on the posted agenda and were referenced as "5" by the Council during discussion.

Councilmember Carver made a MOTION to REMOVE item "5c" from the Consent Agenda. Councilmember Abram SECONDED.

Councilmember Carver stated he spoke with the beneficiary of the assurance trust and he wanted to complete the improvements. Councilmember Carver stated he spoke with City Engineer Greg Henry and Development Services Director Gary Jeppson and they agreed the best course of action was to provide additional time for the improvements to be completed.

Mayor Anderson called for a VOTE and it was APPROVED by a vote of 6-0.

Councilmember Miles made a MOTION to ADOPT the Consent Agenda with the exception of item "5c." Councilmember Yocum SECONDED and it was APPROVED by a vote of 6-0.

7. **OLD BUSINESS**

a. Public Hearing and consideration of Ordinance 1806 to create the Kingman Crossing Planned Development District (PDD) and to amend this zoning district to the 151 acres owned by the City of Kingman in the Kingman Crossing Area to the official zoning map to apply this zoning district. Case No. CI15-001

A public hearing and consideration of Ordinance 1806 that, if adopted, will create the Kingman Crossing Planned Development District (PDD) as Section 18.000 of the Zoning Ordinance of the City of Kingman and to apply this zoning district to the approximately 151 acres located on the south portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona. The area is located south of Interstate-40 on 151 acres of the approximately 168 acres owned by the City of Kingman. The Kingman Crossing area is designated on the Projected Land Use Map of the Kingman General Plan Update 2030 as "Regional Commercial." The proposed zoning district is compatible with the General Plan. **The Planning and Zoning Commission, by a 6-0 vote in the affirmative, and City staff recommend the adoption of Ordinance 1608.**

Mr. Jeppson reviewed the slides included in the agenda packet. Slide one was an introductory slide. Slide two showed an overview of the area under consideration and the surrounding land. Mr. Jeppson read slides three and four. On slide five Mr. Jeppson stated the map depicted the City's concept plan for the Kingman crossing area. On slide six Mr. Jeppson stated the map depicted the exact area under

consideration and included designations for Arizona Department of Transportation (ADOT) drainage areas. Mr. Jeppson read slides 7 through 12. On slide 13 Mr. Jeppson stated the Council would need to change the conditions of the district if it wanted to allow taller freestanding signs. On slide 14 Mr. Jeppson stated the request aligned with the City's landscaping ordinance. On slide 15 Mr. Jeppson stated heavy landscaping was required for any commercial area that bordered a residential area. Mr. Jeppson read slide 16. On slide 17 Mr. Jeppson stated the proposed conditions mimicked those on the north side of Interstate 40 (I-40). Mr. Jeppson read slides 18 and 19.

Councilmember Abram stated a citizen at a Planning & Zoning Commission public hearing wanted all auto service bays to face away from residential areas. Councilmember Abram asked why auto malls were included in the permitted businesses but truck sales were not as they seemed to be similar types of businesses.

Mr. Jeppson stated the proposed ordinance did not include any requirements that service bays face away from residential areas. Mr. Jeppson stated car sales were seen as more desirable than truck sales.

Councilmember Abram stated there was concern that a five foot sign would not be attractive to potential commercial tenants.

Mr. Jeppson stated the five foot limitation only applied to freestanding signs and signage would be permitted on the buildings. Mr. Jeppson stated Council could change the ordinance to allow freestanding signs and billboards that were 50 feet above the grade of the freeway.

Councilmember Miles asked if the City's lighting standards addressed people's concerns.

Mr. Jeppson stated the proposed ordinance did not change the existing City standards and if more restrictive requirements were desired an amendment could be made in the future.

Councilmember Miles asked if barriers separating the commercial areas from residential neighborhoods would offset noise.

Mr. Jeppson stated the City currently required an eight foot high fence for all borders between commercial and residential areas. Mr. Jeppson stated the ordinance would need to be revised if the Council wanted more restrictive requirements.

Mayor Anderson opened the public hearing at 6:12 P.M.

Kingman resident Doug Dickmeyer stated tall billboards would not be appropriate for a residential area. Mr. Dickmeyer stated the proposed ordinance looked very good. Mr. Dickmeyer stated some additions should be made including low glare lighting, shields on lighting to prevent the light from shining south, lighting to dim at close of business or 10 P.M., all storefronts and service doors and bays pointing north and inwards east and west when necessary, and parking lots restricted to areas between store fronts and the freeway. Mr. Dickmeyer stated a landscaping maintenance district should also be formed in order to ensure the area was clean and well maintained.

Kingman resident George Cook asked if there were developers willing to handle all costs associated with constructing the interchange.

Mayor Anderson stated the City could not have contractual conversations with developers until the land was for sale. Mayor Anderson stated the developers that inquired about the property knew what was required. Mayor Anderson stated the Council did not intend to spend a lot of public money on the Kingman Crossing or Rattlesnake Wash interchanges.

Mr. Cook asked if it was possible to put the proposed re-zoning on the same ballot as the proposed primary property tax in May, 2016 to allow people to vote on it.

Mayor Anderson stated a vote was not required until property was for sale and the appraised value exceeded an amount set by state statute. Mayor Anderson stated the Council was elected to represent and make decisions for the people for matters not requiring a vote by state statute.

Councilmember Young stated an incentive strategy could be proposed to developers to encourage them to take on the costs of building the interchange, but there were many options before to examine before the Council made a decision.

Kingman resident Tom Duranceau stated there were 421.6 acres of commercially zoned property in Kingman with no development plans and blanket zoning with conditions would not automatically bring economic development. Mr. Duranceau stated there were many retail trends and changes occurring at the national level which would present challenges to development, especially when coupled with challenging local demographics.

Mr. Jeppson stated a landscape maintenance district required property owners in the district to pay fees to the City for maintenance of public areas and would need to be approved by Council. Mr. Jeppson stated Staff could present different options to the Council regarding outdoor lighting restrictions. Mr. Jeppson stated Proposition 207 required the City to compensate a property owner if rezoning the property reduced its value. Mr. Jeppson stated Proposition 207 needed to be considered if the City decided to rezone commercial property to rural residential.

Mayor Anderson closed the public hearing at 6:33 P.M.

Mr. Jeppson stated any drastic changes to the proposed ordinance would need to go back through the public hearing process, including adjustments to the lighting requirements. Mr. Jeppson stated a landscape maintenance district would be addressed separately.

Councilmember Carver made a MOTION to RETURN Ordinance 1806 to Staff for revisions to the lighting and building requirements. Councilmember Young SECONDED and it was APPROVED by a vote of 6-0.

Councilmember Miles requested an item for the November 17, 2015 Council meeting addressing the landscape maintenance district.

b. 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. **Council discretion.**

Councilmember Yocum asked if there was a distracted driving ordinance.

Chief DeVries stated there was not a City ordinance for distracted driving. Chief DeVries stated there was a vague state law that was a secondary offense and not very useful.

Kingman resident Ted Stinson asked for the proposed ordinance to be read aloud. Mr. Stinson stated the City needed to consider what kind of signage would be displayed to people travelling through the City.

Kingman resident Herberta Schroeder stated the City needed a distracted driving law and it should not be related to banning certain devices. Ms. Schroeder stated hands-free devices did not solve the entire problem as some people were just as distracted when using Bluetooth devices.

Stanley Hicks stated a ban did not stop people from utilizing handheld devices while driving and the City should not take away people's rights. Mr. Hicks stated he supported a distracted driving ordinance that did not single out a particular behavior.

Teresa Evans stated many people believed banning the use of handheld devices while driving was a violation of their rights, but there were many laws against harmful behavior. Ms. Evans stated some people needed fines in order to stop certain behaviors as common sense did not automatically rule a person's decision making. Ms. Evans stated people had the right to walk across the street without being hit by a car.

Mr. Dickmeyer stated the law would be difficult to enforce at the City boundaries and would not solve the problem. Mr. Dickmeyer stated a ban would only result in people trying to hide texting and driving by putting phones in their laps and looking down instead of up and towards the road. Mr. Dickmeyer stated the law should be passed at the state level.

Kingman resident Dick Penwarden stated common sense did not rule people. Mr. Warden stated the proposed ordinance was similar to others in the state which meant it would be consistent for travelers.

Councilmember Young asked Chief DeVries if a primary offense distracted driving law would be as effective as a handheld device ban.

Chief DeVries stated the handheld device ban was a good start, especially as there was no model ordinance for distracted driving and additional research would need to be done. Chief DeVries stated it did not take commonsense to start a car and the proposed ordinance could prevent tragedies in the community. Chief DeVries stated it was up to individual officers to decide how to handle observed violations, including those that occurred near City boundaries.

Mr. Hocking stated reckless driving was the state catch-all law for distracted driving behaviors.

Mayor Anderson asked Mohave County Supervisor Jean Bishop if Mohave County was discussing the possibility of a distracted driving law or handheld devices ban.

Supervisor Bishop stated there were no official discussions.

Councilmember Miles asked if a defensive driving course could be presented as an option instead of monetary fines.

Mr. Hocking stated it could be arranged through the Arizona Department of Motor Vehicles.

Ms. Evans read an explanation of the state of Nevada's handheld device law, which is included at the end of this report.

Mr. Hocking stated the proposed ordinance was much easier to enforce than Nevada's law as it was easier to prove when a behavior violated the ordinance.

Councilmember Yocum made a MOTION to REVISE Ordinance 1807 to encompass a broader definition of distracted driving. Mayor Anderson SECONDED.

Councilmember Carver stated a broader law would not stop the behavior and there were more places taking enforcement action against handheld devices than broad distracted driving laws. Councilmember Carver stated the ordinance should go forward as written.

Councilmember Miles stated there were portions of Nevada's law that should be considered for inclusion, especially the fine scale. Councilmember Miles stated the fines outlined in the proposed ordinance were too high.

Mayor Anderson called for a roll call vote.

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

c. Climatec agreement

Since receiving and reviewing Climatec's agreement documents, Staff has discovered discrepancies between Climatec's verbal proposal and the written documents. The following items in particular stood out to Staff: agreeing to apply excess energy savings from one year to a previous or future year's savings to offset an energy savings shortfall; applying verified excess project savings from construction and/or utility rebates to the guaranteed project savings; an annual service agreement charge; and a requirement to complete a minimum of 50% of the identified projects or submit payment to reimburse Climatec for the audit. **Staff recommends continuing with the project.**

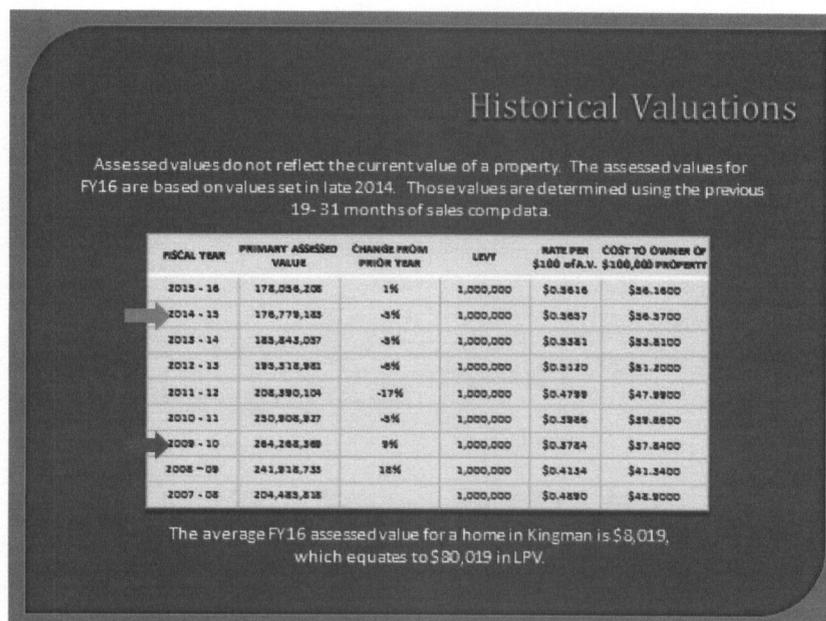
Mr. Dougherty stated he felt deceived by Climatec and informed the company the project was going back to Council for review. Mr. Dougherty stated the representatives from the sales division set up a meeting for Thursday, November 5, 2015 and the representatives did not seem to know the contents of the letter of intent. Mr. Dougherty stated he asked the representatives to define exactly what "50% of the identified projects" entailed. Mr. Dougherty stated he would bring the project before Council again once the language was clarified.

d. Primary Property Tax Discussion

On October 6, 2015, Council adopted Ordinance 1799 which extended the sunset date on the increased 1/2% TPT rate from June 30, 2016 until December 31, 2017 in an effort to establish a

primary property tax. A primary property tax has not been a form of revenue since 1980 when the primary property tax was permanently removed. Staff will provide Council with information surrounding the establishment of a primary property tax to include: a general overview of property taxes, historical valuations, considerations in determining a base levy, and public safety priorities in the upcoming fiscal years. **This item is for discussion only.**

Finance Director Tina Moline reviewed the slides that were included in the agenda packet. On slide one Ms. Moline stated the intent of the presentation was to provide general information on property taxes and the impact to property owners. On slide two Ms. Moline reviewed the definitions and stated each term factored into how property value was assessed, which was then used to calculate property tax. Ms. Moline reviewed slides three and four.



Ms. Moline stated slide five was an updated version of the slide included in the agenda packet; it is included above. Ms. Moline stated the assessor used three and a half years of historical data to arrive at the value of a property. Ms. Moline reviewed slide six. On slide seven Ms. Moline stated the City's anticipated delinquency rate would be 10% and was based on the average of the surrounding area's delinquency rates. On slide eight Ms. Moline stated a \$3 million levy would not add additional revenue to the general fund as it would only replace the expiring 0.5% transaction privilege tax (TPT) increase. On slide nine Ms. Moline stated the inability to grow the general fund balance could impact public safety budgets and capital improvement projects. Ms. Moline reviewed slides 10 through 13.

Mr. Cook stated homeowners already paid enough taxes and the 0.5% TPT increase should become permanent instead of creating a primary property tax.

Mr. Hicks stated the primary property tax was burdensome to property owners, many of who were seniors living on fixed incomes. Mr. Hicks asked how much public money would be used to inform people about the cons of the property tax.

Mayor Anderson stated last fiscal year (FY) was the first year the City collected more sales tax than

FY 2006 and that was only achieved due to the 0.5% TPT increase. Mayor Anderson stated there was a decrease in buying power when the two years were compared. Mayor Anderson stated the City would not be able to annex certain properties, such as the airport, if it did not adopt a property tax. Mayor Anderson stated if the public wanted emergency services and maintained roads the needed to maintain a consistent tax base. Mayor Anderson stated two-thirds of the property in Kingman was undeveloped and the property owners were benefiting from services they were not paying for.

City Clerk Sydney Muhle stated the City printed the pamphlets and the pro/con arguments came from the public. Ms. Muhle stated the City was required to print specific factual information in the pamphlet such as the complete resolution and the amount to be levied, but it could not sponsor any persuasive arguments.

Mr. Dickmeyer stated the City had a spending problem, not a revenue problem. Mr. Dickmeyer stated the tax would not be a small amount to low wage earners and seniors on a fixed income. Mr. Dickmeyer stated there was no property tax for 35 years and the City was able to sustain a 140% population growth without it. Mr. Dickmeyer stated the sales tax should be increased if necessary as it was a fair tax. Mr. Dickmeyer stated emergency services were important and a bond for capital improvement projects should be placed on the ballot for people to vote on.

Councilmember Young stated sales tax was slowing decreasing each year and the City needed a property tax or it would become locked into a cyclical pattern of lowering and raising sales tax.

8. NEW BUSINESS

a. Consideration of an exception to the preliminary plat extension regulations

Doug Angle of Hualapai Development LLC received a preliminary plat approval on the Vista Bella Ranchitas Subdivision, Tract 6029 on October 2, 2006. This proposed 71 lot subdivision is a 21.69 acre tract of land located southeast of Airway Avenue and Prospector Street. A preliminary plat is valid for 24 months and several extensions have been granted; however, an extension was not requested in 2014 and the preliminary plat approval has lapsed. Mr. Angle is now requesting a preliminary plat extension, which requires the Council to grant an exception to Section 2.2.(8).b.(iv) of the Subdivision Ordinance. This area has drainage issues and if the subdivision is fully improved in accordance with the engineered design the drainage issues should be addressed. The interim drainage mitigation structures are not being maintained and need to be maintained to avoid flooding issues. Because there are no changes in design standards, staff recommends granting the exception to Section 2.2.(8).b.(iv) of the Subdivision Ordinance so Hualapai Development LLC can request another extension. **Staff believes an extension needs to address current and future drainage issues.**

Mr. Jeppson stated the applicant would need to apply for a new plat if the extension was not granted.

Applicant Doug Angle stated he was unaware the plat was expiring and did not apply for an extension in time. Mr. Angle stated he would address the Engineering Department's comments regarding flooding.

Councilmember Miles made a MOTION to GRANT the exception to Section 2.2.(8).b.(iv) of the Subdivision Ordinance in order to allow Hualapai Development LLC to request another extension. Councilmember Yocum SECONDED and it was APPROVED by a vote of 6-0.

b. TDC/KVC follow up to work session

On October 26, 2015 the Tourism Development Commission (TDC) and Council met to discuss the following proposals for the future of the TDC: disbanding the TDC and contracting with the Kingman Visitors Center, Inc. (KVC); continuing current operations; or bringing the tourism function in house. **Staff recommends bringing the tourism function in house beginning July 1, 2016 and retaining the TDC as an advisory commission.**

Councilmember Carver made a MOTION to APPROVE the recommendation to bring tourism functions in house beginning July 1, 2016 and retain the TDC as an advisory commission. Councilmember Abram SECONDED.

Kingman resident Brian Zimmerman stated a strong tourism industry improved the overall quality of life and economic growth in a community. Mr. Zimmerman stated tourism put Kingman on the map for future residents and businesses and the City needed a position that combined tourism and economic development in order to present a unified effort for responsible growth.

Kingman resident Joe Longoria stated the current process should remain unchanged. Mr. Longoria stated Josh Noble of the KVC was doing an excellent job and would have more freedom as a contract employee than as a City employee. Mr. Longoria stated it would not be fiscally responsible to bring another staff member onto the City's payroll.

TDC Vice-Chair Tom Spear stated the Staff recommendation was a workable solution. Vice-Chair Spear stated it would eliminate the KVC board and put another staff member onto the City's payroll; however, the position was currently funded through the bed tax and would not be an additional expense. Vice-Chair Spear stated the new arrangement would allow Mr. Noble to focus solely on tourism duties instead of routine housekeeping matters such as facility maintenance.

Mayor Anderson called for a vote.

The motion was APPROVED by a VOTE of 6-0.

**9. REPORTS
Board, Commission and Committee Reports by Council Liaisons**

There were no reports.

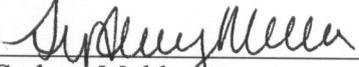
**10. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER
Limited to announcements, availability/attendance at conferences and seminars,
requests for agenda items for future meetings.**

Mayor Anderson stated the America's Best Communities (ABC) committee was submitting its final paper to the competition on Thursday, November 5, 2015.

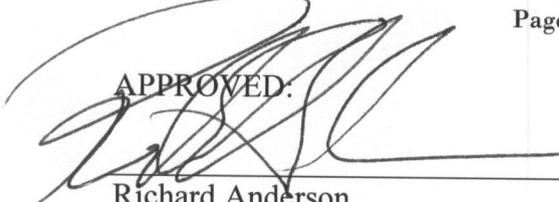
Councilmember Abram made a MOTION to ADJOURN. Councilmember Young SECONDED and it was APPROVED by a vote of 6-0.

ADJOURNMENT – 8:33 P.M.

ATTEST:



Sydney Muhle
City Clerk

APPROVED:


Richard Anderson
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 November 3, 2015.

Dated this 17th day of November, 2015



Erin Roper, Deputy City Clerk and Recording Secretary





Traffic Laws and Traffic Safety



Plain Language

- Laws You Should Know
- Public Education Campaigns
- Traffic Stops & Racial Profiling
- Motorcycles & Mopeds
- Driver Handbooks



Laws

- NRS 484A - Traffic Laws Generally
- NRS 484B - Rules of the Road
- NRS 484C - DUI
- NRS 484D - Equipment & Loads
- NRS 484E - Accidents



More Laws

- All Nevada Motor Vehicle Laws
- NRS Index - Traffic Control
- NRS Search
- Municipal Codes
- US Code Title 49 - Transportation



More Resources

- Quick Tips Brochures
- Zero Fatalities
- Nevada Office of Traffic Safety
- NHTSA
- trafficsafetymarketing.gov

Laws You Should Know

[Top ↑](#)

Cell Phones & Texting

Texting, accessing the internet and hand-held cell phone use while driving are illegal in Nevada as of January 1st, 2012. [\(NRS 484B.165 | Quick Tip\)](#)



The fines are \$50 for the first offense in seven years, \$100 for the second and \$250 for the third and subsequent offenses. Fines are subject to doubling if the offense occurs in a work zone. Courts may assess additional administrative fees.

The first offense is not treated as a moving violation. A second or subsequent offense carries 4 [demerit points](#).

You can talk using a hands-free headset and, while making voice calls, touch the phone to "activate, deactivate or initiate a feature or function on the device."

Other exceptions include:

- Any person reporting a medical emergency, a safety hazard or criminal activity.
- Drivers using a voice-operated navigation system affixed to the vehicle or those riding in autonomous vehicles.
- Drivers using citizen band or other two-way radios that require a license and have a separate, hand-held microphone.
- Law enforcement officers, firefighters or emergency medical personnel acting within the scope of their employment.
- Utility workers responding to an outage or emergency and using devices provided by the company.
- Amateur radio operators providing communications services during an emergency or disaster.