

**CITY OF KINGMAN
REGULAR MEETING OF THE
ECONOMIC DEVELOPMENT AND MARKETING COMMISSION**

**City Council Chambers
310 N. 4th Street
Kingman, Arizona**

7:30 a.m.

Minutes

Wednesday, February 10, 2016

Members:	Officers:	Visitors Signing In:
C. Waalkens, Chair	J. Dougherty, City Manager	See Attached
W. Wales, Vice-Chair	M. Abram, Council Liaison - EXCUSED	
M. Cobb	G. Jeppson, Development Services Director	
G. Kirkham	S. Muhle, City Clerk	
A. Reynolds	E. Roper, Deputy City Clerk	
Y. Woytovich	D. Steadman, Recording Secretary	
Vacant		

EDMC MISSION STATEMENT

The mission of the Kingman Arizona Economic Development and Marketing Commission is to foster and encourage responsible economic development through developing an empowered workforce, assisting to sustain local businesses, and marketing Kingman to outside commercial and industrial enterprises. These endeavors will diversify the economic climate, create jobs, expand Kingman's tax base, and enhance the quality of life for all citizens.

MEETING MINUTES

CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL

Chair Waalkens called the meeting to order at 7:31 A.M. All commissioners were present.

1. APPROVAL OF MINUTES

The Regular Meeting minutes of January 13, 2016

Commissioner Woytovich made a MOTION to APPROVE the Regular Meeting minutes of January 13, 2016. Vice-Chair Wales SECONDED and it was APPROVED by a vote of 6-0.

2. PUBLIC COMMENTS

Those wishing to address the commission 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. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

There were no comments from the public.

3. OLD BUSINESS

a. Discussion and possible action regarding the development of a farmer's market

Commissioners will hear a presentation from the University of Arizona Extension SNAP-Ed program on its vision for a farmer's market. The commission may discuss and possibly take action on information or ideas from the presentation.

Following a brief introduction of U of A's experience with farmer's market planning and the services they

provide, Dan Peters of the Extension SNAP-ED presented the following slides:

THE Kingman Farmers' Market

Coming soon to a hungry
community near you!

WHAT DO WE WANT FOR THE OUR CITIZENS

Slide one was a title slide. Mr. Peters read the second slide



And full of fun activity

Several years ago a proposal was written and submitted to the Federal Government

THEN

- The USDA granted moneys to the
 - Food and Nutrition Service
 - The University of Arizona Nutrition Network
 - College of Agriculture and Life Sciences
 - Cooperative Extension Department
 - Supplemental Assistance Nutrition Program and SNAP-Ed (That's us) received our Strategies and Work Plans that includes (small drum roll please).
- Organize a FARMERS' MARKET IN KINGMAN AND Support COMMUNITY PHYSICAL ACTIVITY EVENTS

Mr. Peters read slides three and four and provided a brief synopsis.

The Food and Nutrition Service

- FNS is "committed to ensuring access to safe food for those participating in our programs including expectant mothers; infants and children in child care and school; low-income families going to foodbanks; local farmers markets; and local supermarkets. These are investments that support education, health care and a competitive workforce.



AND FULL OF FUN ACTIVITY

Mr. Peters read slides five and six.

FIRST PURPOSE OF PRESENTATION

REQUEST THE CHAMBER HELP SET THE
PRIMARY ATTRIBUTES

• Mission Statement

Answers 3 questions

What do we want to achieve going forward?

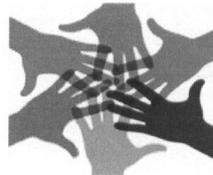
When do we want to do it?

How do we want to do it?

Statement of purpose

Guides behaviors as we strive to

Achieve the mission



2ND PURPOSE OF THE PRESENTATION

ENLIST THE CHAMBER AS FOUNDING,
COLLABORATING MEMBER ON THE BOARD

Reasons for Collaboration

Mutual goals

Complementary needs and resources

Reasons for Support

Start-up businesses

Cottage industry

Mr. Peters read slide seven and stated the purpose of the presentation was to generate interest and begin a Farmer's Market.

Mr. Peters read slide eight and stated collaboration with the Chamber of Commerce is essential. He further stated a Farmer's market will generate tax revenue, create more jobs and encourage the community to garden.

5 Steps to Organizing a Farmers' Market

1. Form A Planning Team
2. Access Community Support
3. Assess Vendor Support/ Reliability
4. Form a Market Association/ Board of Directors
5. Appoint an Interim Market Manager



TODAYS ACTION

- Consider the Benefits
 - Economic Development
 - More access to healthy food



Consider the Costs
Ongoing Collaboration
Support

Commit to:

participating in the **Planning Committee**
support **The Kingman Farmers' Market**

Mr. Peters read slide nine. He stated a planning team must be formed to solicit community support, access vendor support and reliability, and create the board of directors. He further stated a marketing manager would need to be selected.

Mr. Peters displayed slide ten.

Commissioner Cobb asked Mr. Peters how many reliable vendors would be needed.

Mr. Peters replied four reliable vendors would be necessary to start the market and 20 vendors would be ideal as the market expanded. Mr. Peters stated it would be necessary to hire a market manager as appointing a volunteer will lead the business in the direction of a "Mom and Pop" operation which was not a reliable business strategy.

Commissioner Woytovich thanked Mr. Peters for his time and his presentation. She stated she thought the

project was further along and not in the team building stage. She asked if Mr. Peters had spoken to the Master Gardner's group.

Mr. Peters stated he has spoken with the group and they would be involved as a vendor. He stated leadership was needed to guide the project and the Master Gardeners were not marketing experts.

Commissioner Woytovich stated the Chamber was mentioned several times throughout the presentation and EDMC was a City commission and not the Chamber. She further stated the Commission was restricted in some ways but the commission felt that bringing a farmer's market to the community was important. Commissioner Woytovich asked Mr. Peters where the produce will come from.

Mr. Peters stated products will come from within a 200 mile radius.

Commissioner Woytovich asked where funds would come from.

Mr. Peters replied compensation would come from vendor stall fees.

Chair Waalkens asked whose business is this going to be.

Mr. Peter's replied it will be the vendors business.

Chair Waalkens asked how the market would be organized, such as an LLC, and if it would be a for-profit or a non-profit.

Mr. Peters replied it would be a non-profit consortium.

Chair Waalkens asked who would be responsible for monitoring the quality of the goods brought in.

Mr. Peters replied the consumer and vendors would monitor the quality.

Commissioner Cobb stated he appreciated the vision and asked for the timeline for opening and the schedule.

Mr. Peters replied it will take a year to organize and would begin by operating one Saturday per month.

Vice-Chair Wales stated information could be pulled from other cities farmer's markets.

Mr. Peters stated he collected data and contact information from experts and could make it available to the commission.

Commissioner Reynolds stated she would like to attend the Downtown Merchants meeting and be involved in the farmer's market. She asked if the presenters would be available to lend support as this was their area of expertise. She stated there would be a need for marketing support.

Chair Waalkens asked Commissioner Reynolds to provide an update at the commission's March, 2016 meeting.

b. Discussion and possible action on the 2016 Las Vegas RECON convention

Commissioners may discuss and possibly take action on finalizing the schedule of commissioners attending

the convention, purchasing supplies such as shirts and flash drives, and determining the content of the flash drives.

Chair Waalkens asked Development Services director Gary Jeppson which two days the commissioners should attend.

G. Jeppson stated it would be best to attend on Monday, May 23, 2016 and Tuesday, May 24, 2016. He stated a booth will not be set up this year and that the two commissioners would canvas the retailer booths.

Mr. Jeppson distributed a 2016 City of Kingman Prospectus to the commission (attached) and stated it would be loaded onto a flash drive and shared with retailers at the convention.

Commissioner Cobb asked if flash drives from previous conventions were available.

Chair Waalkens stated the past flash drives were very successful.

Mr. Jeppson stated there were only two or three flash drives still available and additional flash drives needed to be purchased.

Commissioner Woytovich stated she is interested in attending.

Commissioner Kirkham stated he is interested in attending.

Commissioner Kirkham stated the City he previously worked for had a booth with meeting space for staff to meet with interested retailers.

Mr. Jeppson stated it was more effective to canvas the floor and visit with retailers than to have a booth.

Commissioner Kirkham stated it is more difficult for vendors to focus when they are manning their booth.

Mr. Jeppson stated his experience was that retailers expected the city personnel to come to their booths for meetings. He further stated 250 flash drives with the City logo and contact information could be purchased at \$4.00 per device for a total of \$1,012.50.

Commissioner Cobb made a MOTION to APPROVE purchasing 250 flash drives. Commissioner Woytovich SECONDED.

Commissioner Woytovich stated the Chamber had recently created new videos and asked if there was enough space on the drive to include them.

Mr. Jeppson stated he would check flash drives to determine how much space would be left.

Chair Waalkens stated the commission would need to review the videos and approve them at the next meeting before including them on the flash drives.

Chair Waalkens called for a VOTE and it was APPROVED by a vote of 6-0.

Commissioner Cobb stated all EDMC commissioners should have shirts to wear to official events.

Commissioner Cobb made a MOTION to APPROVE purchasing two shirts for each commissioner at a cost of \$30 per shirt with a maximum budget of \$500. Vice-Chair Wales SECONDED and it was APPROVED by a vote of 6-0.

Mr. Jeppson stated Deputy City Clerk Erin Roper could order the shirts.

Commissioner Woytovich made a MOTION to APPROVE funding hotel rooms on Sunday, May 22, 2016 and Monday, May 23, 2016 for the two commissioners attending the ICSC RECON Convention in Las Vegas. Commissioner Kirkham SECONDED and it was APPROVED by a vote of 6-0.

c. Discussion and possible action on the 2016 ICSC San Diego convention

Commissioners may discuss and possibly take action on matters related to the ICSC convention in San Diego.

Chair Waalkens stated the convention will be held August 31 through September 1, 2016.

Mr. Jeppson stated the City would partner with several other cities to staff a booth.

Chair Waalkens stated three commissioners would be the appropriate number to send as it would provide enough coverage for the cities' booth and to canvas the retailer's booths.

Chair Waalkens stated Commissioner Cobb, Commissioner Reynolds, and Vice-Chair Wales expressed interest in attending.

d. Discussion and possible action on assigning liaisons to attend local business and community organization meetings

Commissioners may discuss and possibly assign Commissioner Reynolds and/or alternate commissioners to attend one or more of the following meetings: Kingman Area Chamber of Commerce; Sandbox Committee; Downtown Merchants Association; Kingman Airport Authority (KAA); Kingman and Mohave Manufacturing Association (KAMMA); America's Best Communities (ABC) Committee; Route 66 Developments; Tourism Commission; and/or Business and Government Committee.

Commissioner Reynolds stated she would attend the Downtown Merchants Association, Sandbox Committee and Route 66 Development meetings.

Vice-Chair Wales stated he would not be able to attend the next Downtown Merchants meeting.

Commissioner Woytovich stated she would continue to attend Chamber, KAMMA and ABC meetings.

4. NEW BUSINESS

None

5. REPORTS

a. Open Meeting Law training

The City Clerk will provide commissioners with an overview of Arizona's Open Meeting Law. City Clerk Sydney Muhle presented the following slides:

Annual Open Meeting Law Training

Presented by the City Clerk's Office

Open Meeting Law

General Provisions

"It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided. Toward this end, any person or entity charged with the interpretations of this [law] shall construe any provision of this [law] in favor of open and public meetings"

Slide one was a title slide. Ms. Muhle stated Open Meeting is contained in Arizona Revised Statutes (A.R.S.) and read slide two.

Open Meeting Law

General Provisions

"All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings."

What does this mean?

THE PUBLIC'S BUSINESS MUST BE CONDUCTED
IN PUBLIC!

Open Meeting Law

Why Open Meeting Law matters:

- It protects the public and preserves their right to participate in government.
- It protects public officials and maintains integrity of government, ensures a better informed citizenry, and builds trust between government and citizenry.

Ms. Muhle read slides three and four.

Open Meeting Law

Who must comply with Open Meeting Law?

YOU do!

"Public body" is defined as "the Legislature, all boards and commissions of this state or political subdivision ...all standing, special or advisory committees or subcommittees or, or appointed by, the public body.

Open Meeting Law

- This includes quasi-judicial bodies (i.e. Board of Adjustments, Building Board of Appeals, etc.)
- Subcommittees are:
 - "Any entity, however designated, that is officially established, on motion and order of a public body, and whose members have been appointed for the specific purpose of making a recommendation concerning a decisions to be made or considered or a course of conduct to be taken or considered by the public body."

Ms. Muhle read slides five and six. She stated minutes and agenda requirements applied to subcommittees.

Open Meeting Law

What constitutes a "meeting"?

"...the gathering, in person or through technological devices of a quorum of members of a public body at which they discuss, propose or take legal action, including and deliberations by a quorum with respect to such action."

Open Meeting Law

- A quorum is defined as:
"a majority of the members of a board or commission."

Vacant positions do not reduce the quorum requirement.

Ms. Muhle read slides seven and eight. She stated a vacant commissioner seat does not lessen the mandatory number of four for a quorum.

Open Meeting Law

What constitutes a meeting?

Technological devices includes (but is not limited to):

E-mail	Website
Blogs	Tweets
Facebook	Telephone and video conferences
Any similar technologies.	

Splintering the Quorum

A meeting may also occur when less than a quorum of the public body discusses a matter of city business and one or more members later discusses the matter with another member of the public body.

Open Meeting Law

Informing the Public

No meeting may take place with less than 24 hours notice to the general public and each member of the public body.

Ms. Muhle read slides nine and 10. She stated topics that did not appear on the agenda were not allowed to be discussed and were required to be added to an agenda at a later date.

Open Meeting Law

Agendas

Agendas must include:

- Notice of the date, time, and location of the meeting.
- An agenda of "specific matters to be discussed, considered, or decided at the meeting".
- Must contain "such information as is reasonably necessary to inform the public of the matters to be discussed or decided.
- The "other matters" must in some reasonable manner be "related" to an item specifically listed on the agenda.

Open Meeting Law

- Only items specifically listed on the agenda or matters related thereto may be discussed, considered, or decided. **If it's not on the agenda it cannot be discussed.**
- If a matter not specifically listed on the agenda is brought up during a meeting, the better practice, and the one to minimize subsequent litigation, is to defer discussion and decision on the matter until a later meeting when it can be properly listed on the agenda.
- **If action is taken on an item not properly noticed on the agenda, then that particular action violates Open Meeting Law and is null and void!**

Ms. Muhle read slides 11 and 12. She stated violations of Open Meeting Law could occur by commissioners commenting on a Facebook article or if four or more commissioners commented on the same website. Ms.

Muhle stated if two commissioners discussed an item and one commissioner went to other commissioners and discussed the conversation that would be in violation of Open Meeting Law.

Chair Waalkens asked if splintering a quorum could occur if two commissioners discussed an item that would be on the agenda in the future.

S. Muhle stated there is no violation as long as the discussion took place during the meeting.

Open Meeting Law

Calls to the Public

- An open call to the public is an agenda item that allows the public to address the public body on topics of concern within the public body's jurisdiction, even though the topic is not specifically listed on the agenda.
- These are NOT required by state statute.
- You may impose a reasonable time limit on speakers.

Open Meeting Law

Calls to the Public

As a public body you have four options during call to the public:

- Respond to criticism after the close of the Call to the Public
- Ask staff to review the item
- Ask that a matter be placed on a future agenda so it can be discussed
- Sit in silence

**Call to the Public is only permitted if it is specifically listed on the agenda.

Ms. Muhle read sides 13 and 14. She stated a speaker at Calls to the Public are provided three minutes.

Open Meeting Law

The Public's Rights

The public has a right to:	The public has no right to:
• Attend	• Speak
• Listen	• Disrupt
• Tape Record	
• Video Tape	

Open Meeting Law

Sanctions for Violation

- Civil penalties of up to \$500 for each violation, plus attorney's fees and court injunctions against the offending public body or public official.
- If the public officer intentionally violated the Law, the court may remove the officer from office and assess him or her personally with the attorney's fee award.

Ms. Muhle read slides 15 and 16 and defined sanctions for violations of Open Meeting Law.

Open Meeting Law

Sanctions for Violation

- Action taken in violation of Open Meeting Law is null and void.
- All sanctions can be enforced against a member of a public body and any person who knowingly aids, agrees to aid, or attempts to aid anyone in violating the Law.

Conflict of Interest

- It is illegal to fail to declare a conflict of interest under Arizona law or to participate or otherwise be involved in discussion on issues or contracts where such a conflict exists.
- This covers all public officers and employees of incorporated cities and towns.
- This also applies to private interests of public official's or employee's relatives.

Find out ahead of time what your conflicts are!

Ms. Muhle read slides 17 and 18.

Vice-Chair Wales asked if five or more commissioners at the same place constituted a violation.

Ms. Muhle advised if a commissioner arrived and saw three other commissioners it is best to exit even if nothing was discussed. Ms. Muhle stated people could make assumptions, which were best avoided.

Chair Waalkens stated that was the purpose behind the commission liaisons.

Conflict of Interest

In general, a conflict of interests will result when an officer or employee of a city or town or relative of an officer or employee is involved in substantial ownership or salaried employment with a private corporation doing business with the city.

A public officer or an employee may sell equipment, material, supplies, or services to the municipality ONLY AFTER public competitive bidding.

Conflict of Interest

Remote interests are so minor that they do not constitute illegal conflicts of interests.

If you have only a "remote interest" in a matter before the public body, then you can vote and participate in the discussion.

Ms. Muhle read slides 19 and 20.

Chair Waalkens asked if multiple commissioners at City Council meetings to support a specific topic would constitute an Open Meeting Law violation.

Ms. Muhle stated it would and it was best to either post an agenda declaring it as a joint Council and commission meeting or send a representative.

Open Meeting Law & Conflict of Interest

If you have any questions regarding Open Meeting Law or Conflicts of Interest, please feel free to contact the City Clerk's Office or City Attorney's Office.

Ms. Muhle read slide 21. She stated if multiple commissioners arrive at the same City Council meeting they should avoid the conversing with each other as it could give the appearance of an Open Meeting Law violation.

b. Update on efforts to revitalize commercial filming as a source of revenue in Kingman

The commission will hear a report from Commissioner Woytovich on steps taken to revitalize commercial filming activity in Kingman.

Commissioner Woytovich stated she obtained a letter signed by the commission at the last EDMC meeting. She stated she missed the last board meeting but would take the netter to the next meeting and report back to the commission at the March, 2016 meeting.

c. Updates from commissioners who have attended local business and community organization meetings

Commissioners will give brief reports on matters discussed during local business and community organization meetings that are related to the mission/efforts of the EDMC.

Commissioner Kirkham stated he'd attended the January 20 KAA meeting and KAA was working on a pavement improvement project with the Arizona Department of Transportation (ADOT.) Commissioner Kirkham stated the KAA expected to receive \$1800 from the recent Navy training landings. Commissioner Kirkham stated he toured the airport and industrial park with KAA employee Bob Riley.

Vice-Chair Wales stated the Builders Association changed to quarterly meetings.

Commissioner Cobb stated he did not attend any meetings in January but did speak with Scott Dunton and would attend an upcoming Route 66 function.

Commissioner Reynolds stated the Best of the West committee was foundering and she would report on the next meeting to the commission next month.

Commissioner Woytovich stated she attended the America's Best Communities (ABC) meeting and learned that Kingman was cut from the competition. She stated the group would continue to meet in order to stay on top of their goals such as the Beale Street welcome arch. Commissioner Woytovich stated the ABC group would draft a press release with team perspectives on the competition and present a report to the Council.

Chair Waalkens reported he'd attended the Chamber Mixer at Kingman Police Department which involved a speed meet and greet to facilitate networking. Chair Waalkens stated the northwest Mayoral Economic Updates would be held February 18, 2016 at Beale Celebrations. He stated the event would involve mayors from Kingman, Parker, Bullhead City and Lake Havasu City sharing economic information. He encouraged all commissioners to attend and to advise Ms. Roper beforehand.

Commissioner Cobb stated Guardian Fiberglass was planning to re-open in the near future which means jobs for the community.

Chair Waalkens introduced the topic of Joint Technological Education District (JTED) to the commission. He stated the program provided multiple facets of career opportunities to high school students they would not otherwise have access to. He further stated JTED is worthy of support from the commission.

Vice-Chair Wales informed commissioners of the Downtown Merchant Association Wine Walk event to take place February 20.

6. COMMISSIONER'S COMMENTS

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings and requests for reports from staff.

Commissioner Woytovich she attended the Phoenix Basic Economic Development Course. She further stated the course reminded her of the importance of retention and expansion for existing businesses.

Chair Waalkens stated he would invite the Mohave County College Small Business Development program to present at the March, 2016 meeting.

Commissioner Woytovich made a MOTION to ADJOURN. Commissioner Cobb SECONDED and it was APPROVED by vote of 6-0.

ADJOURNMENT – 8:52 A.M.

APPROVED:



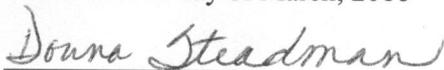
Chuck Waalkens, Chair of the Economic Development and Marketing Commission

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

CERTIFICATE OF ECONOMIC DEVELOPMENT AND MARKETING COMMISSION

I, Donna Steadman, 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 Economic Development and Marketing Commission held on February 10, 2016.

Dated this 9th day of March, 2016



Donna Steadman, Recording Secretary