

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
December 4, 2018
6:00 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present: Shelton, Watts, Thomas, Knight, McClendon, Miller, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: City Administrator, Gregory K. Wilkinson
City Engineer, Jeff Kramer
Assistant Director of Community Development, Randy Crist
Fire Marshal, Kayla Holiman
Various department heads or their representatives
City Attorney, Richard W. Files
City Clerk, Lynda Bushong

I. YUMA TERRITORIAL LIVE STEAMERS

Chuck Finnila, President of the Yuma Territorial Live Steamers, introduced John Schwartz, Vice President and Shop Superintendent for the Yuma Territorial Live Steamers, to provide an update on what has transpired at Riverside Park since approval was received for installation of the railroad.

Schwartz reported that the building permit was issued in October 2014, the first track was laid in March 2015, and the grand opening was held in November 2015 with public rides around the outer loop of track. Since then a second loop has been added that goes through the Grand Canyon of Yuma and a fire hydrant was added to allow for expansion on the north side. A Go Fund Me account has been established to raise funds for a station, and a grant from the Arizona Community Foundation of Yuma will help with the engraved brick program for the platform. A base is being created for a 300-gallon water tank which will serve as an entrance feature for Riverside Park. Volunteers have worked to build two small bridges, a turn table, a traveling lift table, many feet of track, and numerous switches. The scale billboard campaign has been successful, with one billboard up and many more to come.

Saturday, December 8th, will mark the completion of a double track, 40-foot bridge donated by Geico Steel Trust, LLC, and set in place by Sellers Crane Service. This will complete the third loop and is a huge accomplishment for a club of this size, requiring many hours of time and effort from the club volunteers. The ribbon cutting ceremony for the bridge will take place at 2:00 p.m. and the train will continue to run until 3:00 p.m. Train rides typically take place on Saturday and Sunday on the second and fourth weekends of the month, October through May, from 10:00 a.m. to 3:00 p.m.

Finnila gave recognition to Leonard Houpt, founding member and first president of the Yuma Territorial Live Steamers, who came to Yuma as a winter visitor with a passion for the 7 ½ inch gauge riding railroad hobby. There are approximately 450 clubs in the nation with similar 7 ½ inch gauge railroads, the majority

of which are located in public parks. After seeing Riverside Park and drawing an initial site plan, Houpt determined that it would be the perfect place for a riding live steam railroad. Members of the Yuma Territorial Live Steamers fondly refer to the 80,000 tons of landscape material brought in to create the railroad canyon effect as Mount Leonard.

Thomas asked if the Yuma Territorial Live Steamers have considered organizing a Polar Express themed event during the Christmas season. **Finnila** confirmed that they have, stating that there are two major factors preventing such an event: lack of adequate electrical power and the need for a train station with platform to safely load and unload passengers.

II. REGULAR CITY COUNCIL MEETING AGENDA OF DECEMBER 5, 2018

Motion Consent Agenda Item B.3 – Job Order Contract: Transportation Facilities, Pathways and Pavement (three-year JOC with the option to renew for two additional one-year periods with Cactus Asphalt; Cemex Materials South, LLC; DPE Construction, Inc.; Sunland Asphalt; and SWP Contracting & Paving) (Eng)

Mayor Nicholls declared a potential conflict of interest with regard to Motion Consent Agenda Item B.3, turned the meeting over to Deputy Mayor Knight, and left the dais.

Miller declared a potential conflict of interest with regard to Motion Consent Agenda Item B.3 and left the dais.

Deputy Mayor Knight asked if this Job Order Contract (JOC) is only for Capital Improvement Program (CIP) projects. **Kramer** stated that the intent of the JOC is primarily related to the CIP, but is not exclusively limited to that. It can be utilized for any construction work that involves pavement.

Mayor Nicholls and **Miller** returned to the dais.

Resolution Consent Agenda R2018-047 – Addendum to Real Property Exchange and Development Agreement: Southgate Mall, LLC (allow a lot-tie/lot-split in lieu of a full subdivision plat for a portion of the mall property) (Atty)

Knight asked what type of subdivision is being planned for Southgate Mall. **Files** explained that one of the requirements under the current Real Property Exchange and Development Agreement is that any time the developer wants to build on a separate lot they must complete a subdivision plat of the entire property. A restaurant is proposed for this area, but only requires a small portion of the property. The developer has requested an alternative to sub-dividing the entire mall property. This addendum allows the developer to do a lot tie/lot split to for the small restaurant and retail space without having to go through the full subdivision plat process.

Shelton asked when the City owned a part of the Southgate Mall property. **Files** stated that the City owned a portion of the property near the curb up until approximately 2015. **Wilkinson** added that in exchange for the property Southgate Mall, LLC, completed improvements including changing the entrance to the property and paving a portion of the 4th Avenue extension behind the Howard Johnson hotel.

Thomas asked for clarification on the location of the property formerly owned by the City. **Files** stated that it is the land in front of the vacant building that was formerly Paul Bensel Jewelers.

Adoption of Ordinances Consent Agenda O2018-054 – Amend Yuma City Code: 2018 International Swimming Pool and Spa Code and Amendments Dated June 19, 2018 (Chapter 150, add sections 150-18 and 150-19 and adopt by reference) (DCD)

Thomas asked if changes will be required to existing pools other than adding a barrier if necessary. **Crist** explained that the Swimming Pool and Spa Code applies mostly to new pools, while the minimum barrier requirements are outlined in the Property Maintenance Code. All pools are required to meet the minimum barrier requirements, but existing pools do not need to be modified to comply with the amended Swimming Pool and Spa Code. **Thomas** asked if there are certain depth and slope requirements for new pools. **Crist** confirmed that there are, explaining that the new code will regulate slopes for diving, the grade of the radius of the pool, and requirements for pool stairs.

Introduction of Ordinances O2018-055 – Amend Yuma City Code: NFPA 1 Fire Code 2018 Adoption with Local Amendments (Chapter 131, amend sections 131-15 through 131-19 and adopt by reference) (YFD)

Holiman presented an overview of the proposed Fire Code amendments as follows:

- The fire code that is being recommended for adoption is the 2018 National Fire Protection Association (NFPA) 1 Fire Code with Local Amendments
 - The current fire code that is in place is the 2012 NFPA 1 Fire Code with Local Amendments
 - The sole purpose of the fire code is to prevent the loss of life and limit property damage by using science and engineering to reduce hazards
 - The fire code is updated every six years concurrently with the update of the building codes
 - Updating the fire code provides for the use of the most up-to-date materials and equipment available and helps to achieve a favorable Insurance Service Office (ISO) rating, which affords building owners and homeowners reduced insurance premiums
 - Adopting an updated fire code is also required for the Yuma Fire Department's accreditation status with the Commission of Fire Accreditation International and the Center for Public Safety Excellence
- The review and recommendation process is the same as that used for the building codes
 - A comprehensive review of all significant changes between the 2012 and 2018 editions was conducted by the Building Advisory Board (BAB) as well as fire and building safety personnel
 - The review took place during public meetings held during July-August 2018 with participation from local engineers and contractors
 - On August 22nd the BAB voted unanimously to approve and accept the 2018 NFPA 1 Fire Code, including Annexes A, B, D, and G with proposed local amendments and recommended moving forward to City Council for approval and adoption

- Significant changes between the 2012 and 2018 fire codes:
 - Fire sprinkler exception for smaller business occupancies
 - The current code requires sprinklers in new commercial buildings over 500 square feet; the new code will not require sprinklers in businesses less than 2,000 square feet
 - Fire hydrant spacing
 - Reduction of fire hydrant spacing requirements due to increased installation of fire sprinklers in commercial occupancies
 - Currently fire hydrants are required every 500 feet in residential areas, and any new construction that is not within 500 feet of a fire hydrant requires the installation of a new fire hydrant; the new code would increase the fire hydrant distance to 1,000 feet if fire sprinklers are voluntarily installed
 - Fire Department access roads
 - The current code requires a 20-foot-wide access road; the new code will allow fire access roads less than 20 feet in width, taking into account one-way roads, potential for parking on the street, the length of the road, and the amount of traffic
 - Surface of fire department access roads
 - Air curtain destructor placement
 - Piles of yard waste materials
 - Removal of restriction on zoning districts for above ground storage

Thomas asked if businesses that are not required to have fire sprinklers need to have additional fire extinguishers. **Holiman** clarified that there is no difference in the fire extinguisher requirement, which is one fire extinguisher for every 75 feet of travel distance. On a related note, the City is more restrictive than the national standard for sprinkler requirements, something that the RAB, the BAB, as well as the construction community of Yuma all support. **Thomas** asked if the Fire Code addresses seismic issues. **Holiman** stated that this is not covered in the Fire Code, but is addressed by the Building Code.

III. EXECUTIVE SESSION

Motion (Thomas/Knight): To adjourn the meeting into Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:42 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor