

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a regularly scheduled meeting on Tuesday, September 16, 2014 in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hakim called the meeting to order at 5:30 p.m. and invited Pastor Bruce Rahlf of the River Chapel Assembly of God to deliver the invocation. Council Member Clark led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts

Council Absent

None

Staff Present:

CITY MANAGER: Absent

HUMAN SERVICES/TRANSIT DIRECTOR: Susan Betts

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Bob Howell for Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal (Acting City Manager)

PRESENTATIONS AND PROCLAMATIONS

1. Recreation Manager Heath will present two plaques in recognition of an Eagle Scout project to paint the Bullhead City Municipal Pool Building.

Recreation Manager Heath presented plaques to Keddington Emery, Eagle Scout, and Michael Prince, Sr. in recognition of their volunteer efforts to complete the Bullhead City Municipal Pool Building beautification project.

2. Proclamation declaring the week of September 17 – 23, 2014, as “Constitution Week.”

Mayor Hakim presented a proclamation to Denise Rene Atwater-Vallon, a member of the Fort Mohave Chapter of the Daughters of the American Revolution, to commemorate “Constitution Week” in Bullhead City.

3. Proclamation declaring the month of October 2014 as “National Cooperative Month.”

Mayor Hakim presented a proclamation to Lori Fonzi, representative of the Mohave Electric Cooperative in Bullhead City, recognizing the month of October 2014 as “National Cooperative Month.”

4. Proclamation declaring Tuesday, October 7, 2014, as “National Night Out.”

Mayor Hakim read a proclamation declaring October 7, 2014, as the 31st Annual “National Night Out” in Bullhead City. He thanked Target and Mohave Electric for sponsoring the event, and invited the community to participate at the Mohave Electric Cooperative offices and Target store parking lot beginning at 7:00 p.m. He thanked the Bullhead City Police Department and Fire Department for their continued participation in this annual event.

OPEN CALL TO THE PUBLIC

Mayor Hakim announced that City Manager Cotter was attending the International City Managers’ Conference in North Carolina, and that Public Works Director Agrawal would serve as the Acting City Manager at this meeting.

Mayor Hakim opened the call to the public.

Jamie Starr asked the Council to consider that the gaming industry was having issues across the country. She said she was confused about the amount of funding the city would have to maintain the streets, and said she would like the city to provide a clear explanation to the public.

Larry Tunforss said he has heard many compliments about the job that Police Chief Williamson and the Bullhead City Police Department performed during last week’s events surrounding Bella. He said the proposed Contract for Prosperity did not have one benefit to the city, and urged the public to read it. He said it puts handcuffs on the elected officials to operate the city. He said the two people that wrote it should live somewhere else if they were not happy with the city.

Eva Corbett invited the public to attend the Republican Women’s Luncheon to be held on September 17. She said members of the Daughters of the American Revolution would be in attendance.

Dave Borlan stated he would be speaking about one of his concerns regarding Proposition 2014-5 tonight, and would highlight several more concerns at future council meetings. He said this proposition would change the way the people have a say in government. He said currently they elect leaders and pass legislation by a simple majority. He said, if this measure passed, it would enable a small minority to control the future of Bullhead City no matter what the majority wanted. He said the majority would have no voice under this bill. He said this proposition, if passed by the simply majority, would empower a small anti-everything crowd to control what happens in Bullhead City.

Having no one else present wishing to speak, Mayor Hakim closed the call to the public.

AGENDA MODIFICATIONS

None

WAIVER MOTION

MOTION: Vice Mayor Duvall made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

None

MAYOR'S COMMENTS

Mayor Hakim thanked the community for coming together at their time of need during the Isabella Canella tragic event. He commended the actions of Police Chief Williamson and the Bullhead City Police Department with the help of all the other agencies that assisted the city. He thanked Public Works Director Agrawal for his fast work in re-naming Loop Road in Rotary Park as "Bella's Way."

Mayor Hakim stated that Judge Jantzen ruled in the city's favor on every single count relative to the city's lawsuit brought by the makers of the Contract for Prosperity.

CURRENT EVENTS

Vice Mayor Duvall stated that he was proud to be able to work with the professionals in the Bullhead City Police Department over the past two weeks. He said a Homeless Task Force meeting would be held on Thursday in the Council Chambers. He said the group is moving forward to help with the issue of homelessness in the community, and invited the public to attend this meeting.

Councilor Shutts reminded the public that Friday, September 19, was Prisoner of War (POW) and Missing in Action (MIA) Recognition Day.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Councilor Medrano made a motion that items 1 and 2 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Councilor and without further discussion. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

Items on the consent agenda were approved as follows:

1. Approval of the minutes of the Regular Council Meeting held on September 2, 2014. (City Clerk Stein)
2. Approval of ORDINANCE NO. 2014-21 authorizing an amendment to Z08-003/S08-006, Ordinance No. 2010-22, Stipulation No. 7 to allow the applicant additional time (4 years) to record the final plat for a project known as Shamrock Town Homes that is described as Palma Quartz, Tract 5005, Lots 1, 2, 3, 7, and 8, and Parcels B and C. (Public Works Director Agrawal)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

3. Discussion and possible action to appoint two citizens to serve on the Bullhead Area Transit System Commission to fill two 2-year terms beginning on October 1, 2014 and expiring on September 30, 2016. (City Clerk Stein)

City Clerk Stein stated that three vacancies on the BATS Commission would expire on September 30. She said the two applicants have previously served on this Commission and said both were interested in being re-appointed, but were unable to attend the meeting tonight.

Councilor Medrano stated that he was impressed with both of the applicants' knowledge and involvement in the Commission and recommended that both applicants be re-appointed. Transit Director Betts stated that she was also very happy with the applicants' participation and commitment in serving BATS.

MOTION: Councilor Medrano made a motion to appoint Douglas Bonate and Jared Gift to serve on the Bullhead Area Transit System Commission to fill two 2-year terms beginning on October 1, 2014 and expiring on September 30, 2016. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

None

ACTION ITEMS

Building, Planning and Zoning Items

See Consent Agenda

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

4. Discussion and possible action to approve the expenditure in the amount of \$43,573.45 to CODY Computer Services, Inc., for the annual support agreement for the records management system used by the Department of Police for the period of September 1, 2014 through August 31, 2015, and authorize the City Manager to execute the resulting purchase order. (Police Chief Williamson)

Police Chief Williamson stated this expenditure was for the annual renewal of the support agreement for the Police Department's dispatch and records management systems.

MOTION: Councilor Bruck made a motion to approve the expenditure in the amount of \$43,573.45 to CODY Computer Services, Inc., for the annual support agreement for the records management system used by the Department of Police for the period of September 1, 2014 through August 31, 2015, and authorize the City Manager to execute the resulting purchase order. Vice Mayor Duvall seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

5. Discussion and possible action to authorize the purchase of 500,000 pounds of PolyFlex Type 4 Crack Sealant from Crafcoc, Inc. of Chandler, Arizona, for a total amount of \$249,409.60 utilizing the City of Tempe's Cooperative Purchasing Contract T10-006-01, and authorize the City Manager or his designee to negotiate and execute a contract with all required accompanying documentation, and to approve subsequent payments. (Public Works Director Agrawal)

Public Works Director Agrawal stated each year approximately one-sixth of the city's streets undergo crack sealing when temperatures are the coldest. He said crack filling work would be completed for the Neighborhood Street Improvement Programs 25 and 26 (NSIP) streets this year, as NSIP 25 was cut short last year and there was a significant budget carry-over. He said in a typical year, the city has approximately \$500,000 to \$700,000 to spend on NSIP programs. He said revenues exceeded last year by a few hundred thousand dollars because NSIP 25 was not completed during the last fiscal year. He said putting all resources together; the city has approximately \$1.5 million to spend on street maintenance. He said an additional \$125,000 would be spent on crack filling this fiscal year. He said most likely a combination of chip seal, slurry seal and perhaps micro surfacing costing \$1 to \$3 per square yard, would be applied, and said new pavement would cost approximately \$20 per square yard.

Councilor Medrano asked how long the city had been performing crack sealing. Public Works Agrawal stated it has been an annual program for many years, and said the city purchases 250,000 pounds annually with HURF revenue, which covers approximately 1/6 of the city's roads. He said crack sealing prevents moisture from getting under the surface which would cause the road surfaces to chunk.

Mayor Hakim asked how long the crack seal application was expected to last on the pavement surface. Public Works Director Agrawal stated the treatment lasted approximately 4 to 6 years, and said often it is followed by chip seal or slurry seal as part of the maintenance program which maximizes the life of the pavement.

Vice Mayor Duvall asked if staff was preparing to handle the future maintenance of the city's streets after the defeat of the street tax proposal. Public Works Director Agrawal stated currently some of the streets are in need of repair, but said they have to perform crack sealing to buy them time. He said crack sealing does not keep the pavement together, but it was needed to prolong the life of the roads.

Jamie Starr asked if the roads would end up with the black tar over the cracks. Public Works Director Agrawal stated this particular procurement was for crack sealant only, but said additional slurry seal and chip seal could be performed in the future, and said there were no funds available for any structure improvement.

MOTION: Vice Mayor Duvall made a motion to authorize the purchase of 500,000 pounds of PolyFlex Type 4 Crack Sealant from Crafc0, Inc. of Chandler, Arizona, for a total amount of \$249,409.60 utilizing the City of Tempe's Cooperative Purchasing Contract T10-006-01, and authorize the City Manager or his designee to negotiate and execute a contract with all required accompanying documentation, and to approve subsequent payments. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

6. Discussion and possible action to approve ORDINANCE NO. 2014-23 which authorizes a change to Bullhead City Municipal Code Section 17.06 by adding Section 17.06.125 to the Bullhead City Municipal Code regarding Hotel/Motel Height Limitations. (Public Works Director Agrawal)

Public Works Director Agrawal stated the current City Code has a height limitation of three stories or 35-feet, except for some overlay districts by the river. He said they were approached by the Holiday Inn developer and another potential hotel developer for assistance. He said staff recommended a code amendment that would allow up to five stories or 60-feet in height as long as the zoning was also appropriate for that type of project.

Mayor Hakim stated a process that was already in place would make it easier for potential companies to move their businesses to the city. He commended the Planning and Zoning Commission for their input and approval on this item.

Councilor Clark stated this ordinance did not allow a building of that height to be located anywhere within the city. Public Works Director Agrawal stated the zoning would have to be appropriate, and said the airport also reviews each of the applications. He said a hotel would not be allowed to be located in a residential zoning district.

MOTION: Councilor Clark made a motion to approve Ordinance No. 2014-23 which authorizes a change to Bullhead City Municipal Code Section 17.06 by adding Section 17.06.125 to the Bullhead City Municipal Code regarding Hotel/Motel Height Limitations. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

7. **PUBLIC HEARING.** Discussion and possible action to approve ORDINANCE NO. 2014-22 which authorizes a Zoning Map Change from PL (Public Land District) to M1 (General Limited Industrial Zoning District) for a parcel of land located at 999 Bullhead Parkway on the southwest ¼ of Section 32, T21N, R21W, Bullhead City, Arizona. (Public Works Director Agrawal)

John Williams stated that he represented the Mohave Electric Cooperative and was prepared to answer any questions the Council might have.

Mayor Hakim opened the call to the public. Having no one else present wishing to speak, Mayor Hakim closed the call to the public.

MOTION: Councilor Shutts made a motion to approve Ordinance No. 2014-22 which authorizes a Zoning Map Change from PL (Public Land District) to M1 (General Limited Industrial Zoning District) for a parcel of land located at 999 Bullhead Parkway on the southwest ¼ of Section 32, T21N, R21W, Bullhead City, Arizona. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

Other Business

8. Discussion and possible action to approve the Community Park Plan to reflect the addition of a Dog Park. (Recreation Manager Heath)

Recreation Manager Heath stated this request was based on a recommendation from the Parks and Recreation Commission to amend the Community Park plan to include a new dog park. He said previously a committee was put together to create the existing dog park in Rotary Park, and it had been a huge success. He said the City Council and staff agreed it was a good idea to look at creating an additional dog park in the northern part of the city. He said the proposed dog park currently has grass, trees, and was close to parking and restrooms. He said \$25,000 was included in this year's fiscal budget for the project, and said the cost for this project was approximately \$22,000.

Mayor Hakim stated he frequently visits the Rotary Park dog park, and has received many requests and comments from citizens and visitors that they would like another dog facility located at the north end of the city. He said the current dog park gets congested because of the popularity of the park and the number of people and dogs using it.

Councilor Clark asked about the timeline for completion of the proposed dog park. Public Works Director Agrawal stated they have already submitted the application to the Bureau of Land Management for approval, and said they anticipate completing the basic park fencing and obtaining approval within a few weeks.

Councilor Clark asked about the status on the Parks and Recreation Commission work to complete a master plan for all of the parks. Public Works Director Agrawal stated staff was in the process of putting together a draft master plan, and said the basics for a citywide park master plan should be available within the next few months.

Councilor Medrano asked if the city considered involving the community in the formation of this park to alleviate the burden on the city, similar to when the original dog park in Rotary Park was built. He asked what the \$22,000 would be used for. Public Works Director Agrawal stated the majority of the budget would go toward fencing, and said they would also expand the grass area. Councilor Medrano said the committee members put so much effort into the first dog park, and asked if the citizens would be a part of this process as well. Public Works Director Agrawal stated the city would provide the basic skeleton for the park, and said funds for any amenities would come from the citizens.

Mayor Hakim stated the first dog park committee was disbanded, but said they set the example for creating future dog facilities in the city. He said the Community Park dog park was also citizen-driven, and said it was good for the community.

MOTION: Councilor Bruck made a motion to approve the Community Park Plan to reflect the addition of a Dog Park. Councilor Ring seconded the motion.

Jamie Starr asked if there were any public hearings to discuss this item. She said there was already one dog park in the city, and asked if any studies have been done. She asked if the city should be adding more amenities before taking care of all of the roads.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
 ABSENT: None

MOTION CARRIED

9. Discussion and possible action to approve amending the Rotary Park Master Plan to reflect the addition of a Dog Beach. (Recreation Manager Heath)

Recreation Manager Heath stated this was another citizen driven request and was recognized by the Council as something that the community wanted. He said the Parks and Recreation Commission recommended this location to be used as a dog beach.

Mayor Hakim stated the new ordinance restricted dogs on the beach or in the river without a leash. He said they wanted to provide a separate place for dog owners to take their dogs to play in the water or on the beach without a leash. He said the proposed location was adjacent to the existing dog park in Rotary Park. Public Works Director Agrawal stated a fence with gates would be installed, but said funding for additional amenities would be provided by the public.

Vice Mayor Duvall asked about the length of water frontage that was proposed for the dog beach. Public Works Director Agrawal stated 186 feet. Vice Mayor Duvall stated this area would get congested during the Regatta, and said this was a concern for participants disembarking out of the river.

Councilor Medrano stated this was a lightly used area 364 days of the year. He said the city could mitigate the issues during the Regatta, and said this issue could be addressed by the Regatta Committee. He said the city was supposed to provide amenities to its residents, and said this City Council has made tremendous progress in partnering with other organizations to get things done. He said this location was as far northwest as they could go and still be on the river.

Public Works Director Agrawal stated the location was selected because of proximity to the existing dog park, and said the fence line would be placed on the city's property line on the north side. He said the fence gates would be left open during the Regatta so participants could exit straight through, but said this issue would be addressed in further detail during the Regatta planning meetings. Recreation Manager Heath stated the CSC security staff would be in the river helping and directing people when they get out of the water during the Regatta.

Councilor Clark asked about the expense of this project. Recreation Manager Heath stated a total of \$25,000 was budgeted this year for the Community Park location, and said the cost for that project amounted to \$22,000, and said approximately \$3,000 would be designated to pay for fencing at the dog beach.

Jamie Starr asked if the city performed any studies on the number of users, or researched the potential dangers and safety issues to the dogs. She asked what the city would do if a dog was swept downstream by the current in the river.

MOTION: Councilor Bruck made a motion to approve amending the Rotary Park Master Plan to reflect the addition of a Dog Beach. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Hakim, Medrano, Ring, Shutts NAYS: Duvall
ABSENT: None

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

ADJOURNMENT

MOTION: Councilor Medrano made a motion to adjourn. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:05 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the minutes of the regular meeting of the City Council of the City of Bullhead City held on the 16th day of September 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of October 2014.

Susan Stein, MMC, CPM
City Clerk