

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, June 3, 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 Philip Corbin of Christian Joy Church of the Nazarene 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, Ring, Shutts (via telephone)

Council Absent

Medrano

Staff Present:

CITY MANAGER: Toby Cotter

HUMAN SERVICES/TRANSIT DIRECTOR: Susan Betts

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

**PRESENTATIONS AND PROCLAMATIONS**

None

**OPEN CALL TO THE PUBLIC**

Mayor Hakim opened the call to the public.

Craig Powers, Vice President of Operations for Cameron Broadcasting, stated he was there to show support for the Shop Local Initiative. He introduced the members of Cameron Broadcasting team who attended the meeting. He said their radio stations and DJs would support the River Regatta again this year on the air and over the internet. He thanked the community for helping make Cameron Broadcasting stations the official Regatta radio stations, and making them the most listened to stations by any age in the Tri-State area.

Eva Corbett stated the Bullhead City Animal Shelter would hold pet adoptions on Saturday at Tractor Supply. She said their goal was to make the community aware of the shelter's needs.

Deborah Johnson stated at the last council meeting, City Manager Cotter responded to a statement that she made at the call to the public. She said that he referred to some language that she did not say. She said it was against the law for the city to advocate for a ballot measure, and said the city did not allow for public opinion. She said she had not received any response from the city regarding her statement.

Debbie Delgato stated she was running for the Justice of the Peace position. She thanked Cameron Broadcasting for having her on the air that morning.

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

**AGENDA MODIFICATIONS**

None

**WAIVER MOTION**

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

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

**MOTION CARRIED**

**MANAGER'S REPORT**

City Manager Cotter stated that he responded to Ms. Johnson the day after the last council meeting in an email, and said he also sent a copy of the email to each of the Councilmembers. He apologized for taking her words out of context, and thanked her for clarifying her position.

City Manager Cotter stated the city broke ground last week on a new solar project with Mohave Electric Cooperative that would furnish most of the electricity for the Senior Center and the Senior Nutrition Center. He said they also broke ground on a new city splash pad project this morning. He said soon the youth of the community will enjoy a state-of-the art splash pad in Ken Fovargue Park. He said the Joshua Springs Assisted Living Center broke ground recently and said they are ready to begin construction on an \$18 million project located on Bullhead Parkway.

**MAYOR'S COMMENTS**

Mayor Hakim thanked the Kiwanis Clubs for their dedicated efforts to put the splash pad together, and thanked the Legacy Foundation for their participation in the project. He thanked Mohave Electric Cooperative for their work in getting the solar panels up and said this project would save the city a lot of money.

**CURRENT EVENTS**

Councilor Clark reminded the public that water is a limited resource in the desert. He said the Lake Mead water level dropped to 1,087, and said once 1,075 was reached, a shortage would be declared. He said they did not anticipate a shortage being called this year or next year, and he encouraged the community to conserve water whenever possible.

Councilor Duvall stated he rode with the Police Department on the river last weekend. He said both boats he rode on were in dire need of replacement. He said the Council needed to keep pressure on Legislators in order to reinstate the SLIF grants because the city desperately needed the funding. He thanked everyone who contacted him regarding helping the homeless in the

community. He said they were in the process of creating a homeless resource pamphlet, looking at opening a few transitional homes for homeless veterans, and researching innovative ideas to help the homeless in the community. He said a citizen was willing to donate land to assist the city with this issue. He encouraged the community to attend the next meeting regarding homeless issues on June 19.

Councilor Ring congratulated the city and participating organizations for their efforts toward the successful splash pad project. She said the city would look forward to many positive projects in the future.

Vice Mayor Bruck thanked Mohave Electric Cooperative for the solar panels, and said the Bullhead City Senior Center was also the cooling center for the entire area.

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Councilor Clark made a motion that items 1 through 8 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Councilor and without further discussion. Councilor Duvall seconded the motion.

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

**MOTION CARRIED**

Items on the consent agenda were approved as follows:

1. Approve Addendum No. 3 to employment agreement with the City Clerk and direct the Mayor to execute the addendum and city staff to take all actions consistent with the intent of the addendum. (Human Resources Director Brusso)
2. Approval of RESOLUTION NO. 2014R-25 authorizing the submittal of an application and the receipt of grant funds from the U. S. Department of Justice, Bureau of Justice Assistance, to provide reimbursement funds towards bulletproof vests expenses in the amount of \$6,417.07, and authorizing Chief Williamson to sign the resulting documentation. (Police Chief Williamson)
3. Adopt RESOLUTION NO. 2014R-26 approving Amendment No. 11 to the Public Safety Dispatch Center Intergovernmental Agreement between the City of Bullhead City and the Bullhead City Fire Protection District for public safety dispatching services. (Police Chief Williamson)
4. Adopt RESOLUTION NO. 2014R-27 approving the Intergovernmental Agreement between the City of Bullhead City, Bullhead City Fire Protection District, and the Fort Mojave Mesa Fire Protection District for public safety dispatching services. (Police Chief Williamson)

5. Adopt RESOLUTION NO. 2014R-28 approving the Intergovernmental Agreement between the City of Bullhead City, Bullhead City Fire Protection District, and the Golden Shores Fire Protection District for public safety dispatching services. (Police Chief Williamson)
6. Adopt RESOLUTION NO. 2014R-29 approving the Intergovernmental Agreement between the City of Bullhead City, Bullhead City Fire Protection District, and the Mohave Valley Fire Protection District for public safety dispatching services. (Police Chief Williamson)
7. Adopt RESOLUTION NO. 2014R-30 approving the Intergovernmental Agreement between Mohave County and the City of Bullhead City for FY 2013-2014 Home Investment Partnerships Program (HOME) Weatherization Services for Owner-Occupied Housing Rehabilitation, and authorizing the Mayor to enter into and execute the agreement on behalf of the city. (Human Services/Transit Director Betts)
8. Adopt RESOLUTION NO. 2014R-31 authorizing the adoption of the City of Bullhead City, Arizona, 2014 Owner-Occupied Housing Rehabilitation Guidelines and declare that document a public record. (Human Services/Transit Director Betts)

**PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA**

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

9. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to either approve or deny the application for an Interim Permit and new Series 10 Liquor License #10083289 submitted by Dan Lynn Reed on behalf of Gas-n-Grub VII, LLC, a retail business located at 2996 Highway 68 in Bullhead City. (City Clerk Stein)

Dan Reed stated they were excited about opening their location in Bullhead City. He said, in addition to gas and groceries, they would also offer hay, feed, water, propane, and bait. He said they own five stores in the Kingman area.

**MOTION:** **Councilor Duvall made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and new Series 10 Liquor License #10083289 submitted by Dan Lynn Reed on behalf of Gas-n-Grub VII, LLC, a retail business located at 2996 Highway 68 in Bullhead City. Councilor Ring seconded the motion.**

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

**MOTION CARRIED**

Mayor Hakim opened the public hearing.

Eva Corbett asked if the applicant was taking over an existing business or opening a brand new store. Mr. Reed stated they were taking over the existing business at that location.

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

## **ACTION ITEMS**

### **Building, Planning and Zoning Items**

None

### **Bid Awards, Contracts, Intergovernmental Agreement, and Purchases**

None

### **Other Business**

10. **PUBLIC HEARING.** Discussion and possible action to approve ORDINANCE NO. 2014-11 by adopting and adding the provisions contained within that document and entitled "2014 Title 6 Amendments" to Chapters 6.04 General Provisions and 6.08 Dogs and Cats, of Title 6 Animals, of the Bullhead City Municipal Code by reference; declaring the document a public record under RESOLUTION NO. 2014R-33; establishing penalties; and authorizing the Mayor to execute the ordinance and resolution on behalf of the city. (City Manager Cotter)

City Manager Cotter stated the city and its residents have been discussing revisions to the city's animal codes after two recent major incidents raised community-wide concerns. He said staff took comments from the public, Mayor and City Council, and researched how other cities and counties handled similar problems to remedy their situations. He said the proposed ordinance amends and adds provisions dealing with vicious dogs, increases penalties for violations for allowing a dog at large and establishes new and minimum penalties for dogs at large that bite other dogs or persons.

City Manager Cotter said new offenses were added with minimum fines to Section 6.08.040, as follows: Running at large violation would carry a minimum fine of \$200 which increases to \$500 for a second offense within six months of the first; Running at large and the dog bites a dog would carry a minimum fine of \$500, a second offense within six month increases the penalty from a class 3 misdemeanor to a class 1 misdemeanor and carries a minimum fine of \$1,000; and Running at large and the dog bites a person, would become a class 1 misdemeanor and carry a minimum fine of \$1,000 and a second offense within six months would carry a minimum fine of \$2,000.

City Manager Cotter said the maximum leash length would go from 6 feet to 8 feet and to 20 feet if the dog is in the Colorado River, makes clear that dogs in obedience training must still be on a leash and clarifies that a city dog park is considered an enclosure. He said a license amnesty period was added for a 90-day period from August 1, 2014 through October 31, 2014. He said determinations as to whether an animal is vicious or not was a civil determination that remained with the City Court, but said the revisions added a number of specific options that would authorize the court to impose as a result of the determination. He said the ordinance incorporates the recent code change in Title 12 (Parks) that would allow Park Rangers to issue animal violations. He said references to "dangerous" animals were removed as they were not sufficiently defined in the current code. He

said the classification intended for dangerous animals has not been included in the references to “vicious” or “destructive” animals in Section 6.04.090. He said new language was added clarifying the victims’ rights applications to animal violations and said the court may order offenders to pay restitution to victims for injuries or damage. He said police dogs were exempted from the requirements of the code.

Mayor Hakim stated if a dog was loose and runs into a neighbor’s yard, it would be considered as a dog at large. He said they put a lot of time and effort into revising the proposed ordinance, and said if it was approved; the language would become part of the Bullhead City Municipal Code.

City Manager Cotter stated they were contemplating the creation of a dog beach where dogs could run off leash, but said currently the ordinance would call for all dogs to be on a 20 foot leash when in the Colorado River. He said a shorter length of leash in the river would not be practical.

Councilor Ring stated a minority of animal owners were in violation, but said this ordinance would protect the majority of the community.

Vice Mayor Bruck stated that she agreed with Councilor Ring, and said she was in support of the ordinance.

Councilor Duvall stated that irresponsible pet owners were targeted, and said leash lengths would be a nightmare to enforce. He said if the leash was too long and a dog bit someone, the owner would be responsible, and said the length of leash should be the responsibility of the dog owners. City Manager Cotter stated the leash lengths were included to protect the responsible owners from the people who are not responsible in controlling their pet.

Animal Control Manager Rojas stated she was in favor of the 6 foot leash length. She said an owner does not have enough time to bring a dog under control with a longer length of leash if a situation occurs.

Mayor Hakim stated he walks his dog on a leash in the park. He said he sees dogs let loose on the river’s shore, and said it was frightening for the other people in the park and the playground. He said they have to consider everyone in the area, and said people would need to be more aware of the laws within the city parks.

Councilor Clark asked how the leash lengths were determined. City Manager Cotter stated the 20 foot length was not scientific, and said that length was determined to be a reasonable length. He said the 6 foot leash length was in the current code, and said it was suggested to give a little leeway extending the length to 8 feet. He said they needed to agree on a practical, sensible length to allow people to be in control of their dogs within the community. Councilor Clark stated he has two dogs, and said he agreed that a 6 foot leash was sufficient in order to control an animal.

Mayor Hakim opened the public hearing.

Tamara Powers, Vice Chairman of the Parks and Recreation Commission, said they see many dogs running at large on the beaches. She said she would support the 20 foot leash length for dogs in the water. She said she supported giving the Park Rangers additional authority to issue citations.

Shirley Zaza stated that she applauded the council for considering the imposition of additional penalties. She suggested adding a law that would require a muzzle on vicious dogs because sometimes those animals could not be controlled with a leash alone.

Nick Parsons asked if the stricter regulations would be applied to small dogs. He said when the dogs are on leashes, they become violent at parks when dogs around them are off leash. He said the dog beaches in California do not experience any issues because all of the dogs are off leash.

Jeanne Brooks, President of Saving Animals in Need Together (S.A.I.N.T.), said she agreed with the 8 foot leash length and the 20 foot length while dogs were in the water. She said the people were causing the problems, not the pets. She asked the council to consider imposing stricter laws for owners who keep their animals outside in the heat without shade or water.

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

**MOTION:** Councilor Duvall made a motion to approve Ordinance No. 2014-11 by adopting and adding the provisions contained within that document and entitled "2014 Title 6 Amendments" to Chapters 6.04 General Provisions and 6.08 Dogs and Cats, of Title 6 Animals, of the Bullhead City Municipal Code by reference; declaring the document a public record under Resolution No. 2014R-33; establishing penalties; and authorizing the Mayor to execute the ordinance and resolution on behalf of the city, with an amendment to eliminate any specific leash lengths in the ordinance. Councilor Clark seconded the motion.

**VOTE:** AYES: Clark, Duvall, Shutts NAYS: Bruck, Hakim, Ring  
ABSENT: Medrano

**MOTION FAILED**

**MOTION:** Vice Mayor Bruck made a motion to approve Ordinance No. 2014-11 by adopting and adding the provisions contained within that document and entitled "2014 Title 6 Amendments" to Chapters 6.04 General Provisions and 6.08 Dogs and Cats, of Title 6 Animals, of the Bullhead City Municipal Code by reference; declaring the document a public record under Resolution No. 2014R-33; establishing penalties; and authorizing the Mayor to execute the ordinance and resolution on behalf of the city. Councilor Ring seconded the motion.

**VOTE:** AYES: Bruck, Hakim, Ring NAYS: Clark, Duvall, Shutts  
ABSENT: Medrano

**MOTION FAILED**

**MOTION:** Councilor Duvall made a motion to table Agenda Item No. 10 until the June 17, 2014 Regular Council meeting. Vice Mayor Bruck seconded the motion.

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

**MOTION CARRIED**

11. Discussion and possible action to adopt RESOLUTION NO. 2014R-32 adopting the estimated amounts required to meet the public expenses of the City of Bullhead City for the fiscal year 2014-2015, authorizing and directing the publication of statements and schedule of the tentative budget, together with notice of hearing on said budget and notice of date of final adoption of said budget. (Finance Director Vera)

Finance Director Vera stated the total tentative budget amount was \$75,282,134. He said there were three additional changes made to the tentative budget after the budget work shop, which included a \$146,555 increase to contingency in HURF fund, an \$8,000 increase to the Water Resources fund, and the new contract with the City Clerk, and said some items were reduced in the General Fund, so there was no fiscal impact to the General Fund itself. He said the overall comparison between the current budget and the proposed budget was an 11 percent increase. He said the primary reason for the increase was a placeholder for the \$5 million proposed ballot measure on street improvements and \$2.5 million for wastewater capital improvements. He said the operating fund was only increasing by 2.4 percent or \$553,439. He stated if the tentative budget was approved tonight, adoption of the final budget would be considered at the June 17 Council meeting.

**MOTION:** Councilor Ring made a motion to adopt Resolution No. 2014R-32 adopting the estimated amounts required to meet the public expenses of the City of Bullhead City for the fiscal year 2014-2015, authorizing and directing the publication of statements and schedule of the tentative budget, together with notice of hearing on said budget and notice of date of final adoption of said budget. Vice Mayor Bruck seconded the motion.

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

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

**ADJOURNMENT**

**MOTION:** Vice Mayor Bruck made a motion to adjourn. Councilor Medrano 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 6:55 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 3rd day of June 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of June 2014.

*Susan Stein, Deputy City Clerk*  
~~for~~ Susan Stein, CMC, CPM  
City Clerk