

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, April 7, 2015 in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

**CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Brady called the meeting to order at 5:30 p.m. and invited Pastor Earl J. Pierce of St. John Evangelical Lutheran Church to deliver the invocation. Council Member Ring led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, D'Amico, Duvall, McClure, Ring, Shutts

Council Absent

Clark

Staff Present:

CITY MANAGER: Toby Cotter

HUMAN SERVICES/TRANSIT DIRECTOR: Absent

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

**PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation declaring April 21, 2015, as "Powertalk 21 Day," to raise awareness of the importance of parents and teens talking together about alcohol to reduce the risks and dangers posed to teens and communities.

Mayor Brady read the proclamation and presented it to Bullhead City Community Services Officer Lorrie Duggins. Officer Duggins encouraged parents to have conversations with their kids regarding the risks and dangers of using alcohol.

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Eva Corbett invited the public to attend the Saving Animals In Need Together (S.A.I.N.T.) adoption event to be held on April 18 at Rotary Park. She said the Fire Department's Search and Rescue Team was holding a fundraiser at Mohave Steakhouse on May 5, and said the Mohave County Sheriffs' K-9 Division was selling raffle tickets to raise funds.

Shirley Cerissa stated that the Colorado River Concert Association's performance on April 16 would feature calypso music. She invited community members to attend.

Having no one else present wishing to speak, Mayor Brady 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 Ring seconded the motion.

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

**MOTION CARRIED**

**MANAGER'S REPORT**

City Manager Cotter invited the public to attend the Annual Rotary Burro Barbeque at Rotary Park on April 10 and 11. He said 70 teams would participate in a soccer tournament at Rotary Park during the same weekend.

Public Works Director Agrawal stated that staff discovered a sewage leak along Lakeside Drive and immediately went to work to correct the issue. He said a 24-inch sewer line that handled over one million gallons per day was found to be completely corroded. He said, at this time, they were nearing completion of the line replacement. He said some staff members worked more than 24 hours straight before a contractor took over the work. He said the city would not pave the area until the remainder of the line was inspected. He thanked staff and apologized to the public for any inconvenience. Mayor Brady asked what would prevent the rest of the pipe from corroding. Public Works Director Agrawal stated the line was installed with ductile pipe approximately 15 years ago and it should not have corroded this soon. He said they would inspect the remainder of the pipe in that line and replace additional sections if required. Vice Mayor Duvall asked if the city had blueprints of the lines, and asked how they would determine if ductile pipe was used in other places. Public Works Director Agrawal confirmed, and said they would video inspect all of the lines before repaving that area.

**MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS**

Mayor Brady stated he drove to Chicago last week and said most of the vehicles on the road were from Michigan, Wisconsin, and Minnesota traveling home for the summer. He said many short-term leases expired on April 1, and said the same situation would probably happen around May 1.

Councilor Ring stated she observed that city employees were working very hard to repair the sewer line on Lakeside Drive.

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Councilor McClure made a motion that items 1 through 3 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Councilor and without further discussion. Vice Mayor Duvall seconded the motion.

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

**MOTION CARRIED**

Items on the consent agenda were approved as follows:

1. Approval of the minutes of the Regular Council Meeting held on March 17, 2015. (City Clerk Stein)
2. Approve the acceptance of the sewer manholes and sewer mains into the city system for maintenance for Sienna Villas, Tract 5155. (Public Works Director Agrawal)
3. Adoption of Resolution No. 2015R-16 approving the Cooperative Agreement between Lake Mead Recreation, National Park Service, and the City of Bullhead City for use of the Katherine Firearms Range; and authorizing the Mayor to enter into and execute the agreement on behalf of the city. (Police Chief Williamson)

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

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

4. **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 Special Event Liquor License application submitted by Heather A. Brennan on behalf of the Colorado River Women's Council for the 2015 Western Auction fundraising event to be held on Saturday, May 9, 2015, at the Bullhead Area Chamber of Commerce. (City Clerk Stein)

City Clerk Stein stated that both the Bullhead City Police Department and the Planning and Zoning Division have reviewed this application and recommended approval.

Mayor Brady opened the public hearing.

Eva Corbett stated this was the largest Colorado River Women's Council fundraiser of the year, and requested approval of the application.

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

**MOTION:** Councilor Shutts made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the Special Event Liquor License application submitted by Heather A. Brennan on behalf of the Colorado River Women's Council for the 2015 Western Auction fundraising event to be held on Saturday, May 9, 2015, at the Bullhead Area Chamber of Commerce. Councilor Ring seconded the motion.

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

**MOTION CARRIED**

**ACTION ITEMS**

**Building, Planning and Zoning Items**

None

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

5. Discussion and possible action to approve the Contract for Construction Services for the Section 18 Wastewater Treatment Plant Improvements Project in an amount not to exceed \$1,782,000.00 with Fann Environmental LLC, of Prescott, Arizona; and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Funding for this item was included in the FY 2014-2015 Wastewater Operations budget. (Public Works Director Agrawal)

Public Works Director Agrawal stated this project would eliminate grease from the treatment process stream, provide a better mechanism to clean the membranes, rehab the sludge drying beds, and improve the entire process. City Manager Cotter stated the need for this project was discussed at last year's budget meetings, and said this was an investment in the city's infrastructure.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

Mayor Brady stated that the competitive bid recap and all of the supplemental information provided to the Council was also provided to the public on the city's website.

**MOTION:** Councilor McClure made a motion to approve the Contract for Construction Services for the Section 18 Wastewater Treatment Plant Improvements Project in an amount not to exceed \$1,782,000.00 with Fann Environmental LLC, of Prescott, Arizona; and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Councilor Ring seconded the motion.

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

**MOTION CARRIED**

6. Discussion and possible action to approve the Agreement for Professional Engineering Services for the Section 18 Wastewater Treatment Plant Improvements Project in an amount not to exceed \$140,500.00 with Morrison-Maierle, Inc. and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Funding for this item was included in the FY 2014-2015 Wastewater Operations budget. (Public Works Director Agrawal)

Public Works Director Agrawal stated this agreement was a companion item to Agenda Item No.5. He said the engineer was in the audience to answer any questions from the Council. There were no questions from the Council.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

**MOTION:** Councilor Shutts made a motion to approve the Agreement for Professional Engineering Services for the Section 18 Wastewater Treatment Plant Improvements Project in an amount not to exceed \$140,500.00 with Morrison-Maierle, Inc. and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Councilor D'Amico seconded the motion.

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

#### **MOTION CARRIED**

7. Discussion and possible action to approve the Agreement for General Materials Testing Services Project No. 12-E-003, Task Order No 7, in an amount not to exceed \$24,650.00 with Sunbelt Engineering and Testing, LLP, of Fort Mohave, Arizona, in connection with general materials testing and specialty inspections for the Section 18 Wastewater Treatment Plant Improvements Project. Funding for this item was included in the FY 2014-2015 Wastewater Operations budget. (Public Works Director Agrawal)

Public Works Director Agrawal stated this agreement was another companion item to Agenda Item No. 5.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

Mayor Brady confirmed that funding for the last three agenda items was budgeted for and included in the Wastewater Operations budget, and confirmed that funds for this project would not come from the General Fund budget.

**MOTION:** Vice Mayor Duvall made a motion to approve the Agreement for General Materials Testing Services Project No. 12-E-003, Task Order No 7, in an amount not to exceed \$24,650.00 with Sunbelt Engineering and Testing, LLP, of Fort Mohave, Arizona, in connection with general materials testing and specialty inspections for the Section 18 Wastewater Treatment Plant Improvements Project. Councilor McClure seconded the motion.

**VOTE:**        AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts    NAYS: None  
                  ABSENT: Clark

**MOTION CARRIED**

**Other Business**

8. Discussion and possible action to approve RESOLUTION NO. 2015R-17 regarding the planning and future development of a portion of the Colorado River Heritage Greenway Trail System on lands owned by the United States Bureau of Reclamation and National Park Service and leased by Mohave County. (City Manager Cotter)

City Manager Cotter stated this was the first step in a long process that could take many years to complete. He said Mayor Brady, Councilmember Clark, and he met with all of the stakeholders on February 26 in Boulder City. He said the idea was to create a loop on the Arizona side from the Laughlin Bridge to Davis Dam, and said half that loop was already completed on the Laughlin side. He said the process would involve many organizations and they wanted to get the ball rolling. He said the resolution would acknowledge the need to coordinate with Mohave County, and said the city would start to pursue the process. He said there was a potential funding source, with the addition of possible local matches along the way.

Mayor Brady stated he was hopeful that the city would find a funding source through the federal government or the State of Nevada. He said they looked forward to something positive happening for the community.

Mayor Brady asked if anyone from the public wanted to speak.

Eva Corbett asked if horse trails were planned as part of the future trail development. City Manager Cotter stated currently there were a substantial number of horse trails on the Nevada side, but said they could investigate the possibility of including horse trails on the Arizona side in the future.

**MOTION:**    **Councilor Ring made a motion to approve Resolution No. 2015R-17 regarding the planning and future development of a portion of the Colorado River Heritage Greenway Trail System on lands owned by the United States Bureau of Reclamation and National Park Service and leased by Mohave County. Councilor McClure seconded the motion.**

**VOTE:**        AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts    NAYS: None  
                  ABSENT: Clark

**MOTION CARRIED**

9. **PUBLIC HEARING.** Discussion and possible action to approve RESOLUTION NO. 2015R-18 declaring the proposed code amendments a public document and ORDINANCE NO. 2015-03 adopting by reference "Amendments 4-7-2015, Chapter 5.30 Personal Watercraft Businesses." (City Manager Cotter)

City Manager Cotter stated Mayor Brady, Vice Mayor Duvall, and he met and worked with the business owners a few weeks ago to review the ordinance regarding personal watercraft rentals. He said major changes to that section of the City Code were made years ago, but said not all of the changes were implemented at that time. He said the city has continued to receive complaints from consumers. He said this code amendment provided a simple advisory notification, or “Buyer Beware,” for the protection of the public. He said customers renting a personal watercraft within Bullhead City limits would receive a Consumer Protection Advisory Notice from the rental business which would be read and acknowledged. He said there would be no contract between the city and the renter, but said the transaction would be between the business and the consumer.

City Manager Cotter read and explained the five bullet points contained in the advisory notice, as follows:

- Before signing the rental contract I was provided an opportunity to read it fully and have all of my questions answered.
- I have had the opportunity to inspect the watercraft in the presence of a business representative and any damages observed were documented. I understand that my inspection may include photographing the watercraft. I also agree to make an inspection after use is completed.
- I understand that rental of watercraft may result in disagreements concerning charges for use or damages. If I believe I have been wrongly charged for any fees and I cannot resolve the problem with the business, then I understand it is my responsibility to take reasonable measures to protect my financial interests.
- I agree that any personal injury, property damage or contractual issues that may arise out of the rental of the watercraft are solely between the watercraft rental business and me and I understand that the City of Bullhead City will not get involved in these disagreements.
- I have been provided an opportunity to be instructed in the proper operation of the watercraft. I assume all responsibility and risk of operation of the watercraft within the conditions presented and as required by law.

City Manager Cotter stated the watercraft rental businesses were provided with a copy of the code amendment and the proposed form prior to this meeting, and said all of the business owners were invited to attend this meeting and provide their comments to the Council.

Mayor Brady opened the public hearing. Having no one present wishing to speak, Mayor Brady closed the public hearing.

Councilor McClure stated the city has experienced numerous problems involving the personal watercraft businesses over a period of many years. He said the proposed amendment was a good thing for the community, and said it would help to enhance the enjoyment of residents and visitors.

Vice Mayor Duvall stated he liked “smaller government” and hoped the businesses could police themselves to solve the issues, but said that had not happened. He said he felt better about voting for the amendment now, and said they had to do something to take the city away from this problem.

Councilor D'Amico stated he wanted to make sure the public understood that the rental businesses were not bad places because of incidents in the past and said many people have had good experiences. He said this amendment was just an additional layer of protection for the public.

Mayor Brady stated what they were bringing forward tonight was nothing more than a "Buyer Beware" advisory for consumers to protect themselves. He said this requirement would not be a burden on the watercraft operators, nor city staff, because the forms do not have to be returned to the city for processing.

Councilor Ring stated the watercraft business was extremely competitive. She asked if the city would propose additional "Buyer Beware" ordinances for other types of businesses in the future. She said she did not think it would solve the problems between business owners, and said it might take some impact off the city. City Manager Cotter stated the city frequently finds itself engaged in correspondence from consumers with complaints about the rental business practices. He said the personal watercraft rental industry was different from other businesses in the community. Councilor Ring said she did not like targeting certain businesses, and said that consumers had a choice.

Vice Mayor Duvall stated that approximately 90 percent of the watercraft business owners in attendance at their meeting had agreed with the proposal.

Councilor Shutts asked who would make sure the businesses would conform to the ordinance. City Manager Cotter stated there were penalties involved for violating the City Code, and said he anticipated that all of the businesses would comply.

**MOTION: Councilor D'Amico made a motion to approve Resolution No. 2015R-18 declaring the proposed code amendments a public document and Ordinance No. 2015-03 adopting by reference "Amendments 4-7-2015, Chapter 5.30 Personal Watercraft Businesses." Vice Mayor Duvall seconded the motion.**

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Shutts NAYS: Ring  
ABSENT: Clark

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

**ADJOURNMENT**

**MOTION: Councilor McClure made a motion to adjourn. Councilor Ring seconded the motion.**

**VOTE:** AYES: Brady, D'Amico, Duvall, McClure, Ring, Shutts NAYS: None  
ABSENT: Clark

**MOTION CARRIED**

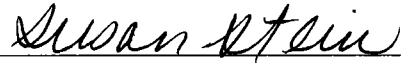


There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:33 p.m.

**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 7th day of April 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of April 2015.



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Susan Stein, MMC, CPM  
City Clerk