

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, July 18, 2017, 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 David Arnold of City Bible Church to deliver the invocation. Council Member Bruck led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

HUMAN SERVICES DIRECTOR: Jeff Tipton

**PRESENTATIONS AND PROCLAMATIONS**

None

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Royanne Ortiz said the Mohave County Supervisors recently discussed a proposed BMX Track to be located in Bullhead City. She asked that City Manager Cotter provide her with additional information regarding the track lease.

Jamie Starr asked when the city would consider the beautification of Marina Boulevard. She said this was the only business district that was not included in the Strategic Plan, and said now was the time to consider making some improvements to the area. She said there were weeds in the medians, rundown properties, and growing impound yards. She said the improvement process would include community involvement.

Mr. McClure said he was informed the July Franchise License Commission meeting was canceled and the next meeting was scheduled for October. He said no one has responded to him regarding the issues with his utility bills, including the trash company, and wanted to know why. City Manager Cotter asked Mr. McClure to provide his contact information to the City Clerk.

Eva Corbett invited the public to attend the Republican Women's Luncheon on July 19<sup>th</sup>.

Nick Parsons encouraged the city to create more special events in order to promote the city and provide an economic boost to the area.

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

### **AGENDA MODIFICATIONS**

None

### **WAIVER MOTION**

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

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

### **MOTION CARRIED**

### **MANAGER'S REPORT**

#### 1. River Safety

City Manager Cotter said there had been some conversations regarding river floats throughout the summer. He said the city hired Contemporary Services Corporation to assist with river safety. He said the beaches were very busy, and said the city had a plan to address any safety issues that arose.

#### 2. Summer Splash Bash

City Manager Cotter invited the public to attend the Summer Splash Bash to be held at Ken Fovargue Park, the splash pad and municipal pool on July 30<sup>th</sup>. He thanked the local businesses for supporting this event. He said numerous activities throughout the entire park were planned and free food would be available.

#### 3. Riverview Drive Construction Update

City Manager Cotter said Riverview Drive was currently open to traffic but the project was not totally completed. He said both lanes were now open.

City Manager Cotter said city staff and ADOT staff performed re-paving work at the intersection of Highway 95 and Hancock Road last Wednesday night. He said staff worked throughout the night to complete the project.

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

Council Member Shutts said she had promoted the Splash Bash on her Facebook page. She encouraged the public to share information about the upcoming event.

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Council Member Bruck made a motion that Consent Agenda Items No. 1 and 2 be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion; with a revision to page 6, paragraph 4 of the minutes changing the spelling of “Brotz” to “Braatz.” Council Member D’Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D’Amico, Ring, Shutts, Wegmann 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 July 5, 2017. (City Clerk Stein)
2. Adoption of Resolution No. 2017R-31 approving the submission of a Recreation and Public Purpose Lease Application for the continued use of a portion of Section 20, T20N, R22W for the Senior Center (2285 Trane Road); and authorizing the City Manager to execute the application and any documents thereafter related to the grant of a new lease period. (City Manager Cotter)

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

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

None

**ACTION ITEMS**

**Building, Planning and Zoning Items**

3. Discussion and possible action to approve the Digital Marquee Placement License Agreement (North Oatman Road/Highway 95), contingent upon the grant of a conditional use permit and the issuance of other regulatory permitting, and authorize the City Manager to execute the agreement on behalf of the city. (City Manager Cotter)

City Manager Cotter said the city addressed the possibility of having digital billboards in the city a few years ago. He said the City Council amended the zoning sign code to authorize the relocation

of large nonconforming signs so long as the original site was abandoned and the new site was located on property owned by the city. He said Lamar Advertising wishes to abandon a sign located at Plaza Drive and Riviera Blvd. in place of a new location adjacent to Highway 95 near North Oatman Road. He said the City Code required a conditional use permit, which was pending before the Planning and Zoning Commission on August 3<sup>rd</sup>; and said a separate site licensing agreement was also required.

City Manager Cotter said Mayor Brady, representatives from Lamar Advertising, and he worked with Legislators this year asking for approval to have LED billboards in Bullhead City under certain parameters. He said the state law which allowed digital placement within a 40-mile radius of Bullhead City was approved. He said the licensing agreement granted the use of 520 square feet of property owned by the city and required Lamar Advertising to pay the city a minimum annual rent of \$10,000. He said the agreement was for 15 years, with a ten year extension. He said the base rent would increase by 1.5 percent annually, and said the city would get one 8-second spot every minute on one side of the billboard.

Mayor Brady said he would like to include language in the agreement to request an annual accounting report from Lamar Advertising along with their annual payment. City Manager Cotter said this was a common request, and said Lamar Advertising would be happy to provide the report.

J. J. Tilley from Lamar Advertising said Lamar Advertising always provided an audit report two weeks prior to releasing the check. She said the report would be sent from their corporate office and said a letter would be provided with each check.

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

Eva Corbett asked about the location of the digital sign. City Manager Cotter said the sign would be located within city limits.

**MOTION:** Council Member Ring made a motion to approve the Digital Marquee Placement License Agreement (North Oatman Road/Highway 95), contingent upon the grant of a conditional use permit and the issuance of other regulatory permitting, authorize the City Manager to execute the agreement on behalf of the city; to include the requirement that Lamar Advertising provide an annual financial report to the city. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

#### **MOTION CARRIED**

4. Discussion and possible action to approve: 1) the Final Plat for the Ridge at Fox Creek, Tract 5147 (Unit 2); 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 3.36 acre-feet; and 4) authorizing the Mayor to execute the agreement on behalf of the city. (Public Works Director Agrawal)

Public Works Director Agrawal said this project included ten single-family lots and approximately 3.182 acres.

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

Royanne Ortiz asked who was responsible to maintain the roads in this subdivision. City Manager Cotter said some subdivisions created private streets during the development process, but said this subdivision included public streets.

Eva Corbett asked if parks or play areas were included for families with children. Public Works Director Agrawal said some portions of Fox Creek Estates contained pocket parks, but said those parks were much smaller than the city's parks. He said the pocket parks were maintained by the homeowners' association.

Jamie Starr said the development included a recreation center, swimming pool, open space and walking paths.

**MOTION:** Vice Mayor Clark made a motion to approve: 1) the Final Plat for the Ridge at Fox Creek, Tract 5147 (Unit 2); 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 3.36 acre-feet; and 4) authorize the Mayor to execute the agreement on behalf of the city. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

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

5. Discussion and possible action to approve Resolution No. 2017R-32 authorizing the Mayor or his designee to sign the Second Supplement to Trust Indenture and Joint Payment Agreement for the Multi-Species Conservation Program on behalf of the city. (City Manager Cotter)

City Manager Cotter said certain Arizona participants developed the program that provided the basis for compliance with the Federal Endangered Species Act. He said the second supplement provides for adequate funding for the Arizona portion of the program. He said the city's payment would go down a little.

Vice Mayor Clark said this program was about re-building habitat for endangered species along the river. He said there were additional members on the power users' side.

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

**MOTION:** Council Member Shutts made a motion to approve Resolution No. 2017R-32 authorizing the Mayor or his designee to sign the Second Supplement to Trust Indenture and Joint Payment Agreement for the Multi-Species Conservation Program on behalf of the city. Vice Mayor Clark seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

6. Discussion and possible action to adopt Resolution No. 2017R-33 approving Amendment No. 1, 2014-063A1 to DPS contract number 2014-063, Intergovernmental Agreement regarding Gang Immigration Intelligence Team Enforcement Mission (GIITEM) State Gang Task Force; and authorizing the Chief of Police to enter into and execute the agreement on behalf of the city. (Police Chief Williamson)

City Manager Cotter said the agreement provided funding for the city's GIITEM program and would remain in effect for the remainder of the five years set forth in the original contract.

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

**MOTION:** Council Member Wegmann made a motion to adopt Resolution No. 2017R-33 approving Amendment No. 1, 2014-063A1 to DPS contract number 2014-063, Intergovernmental Agreement regarding Gang Immigration Intelligence Team Enforcement Mission (GIITEM) State Gang Task Force; and authorizing the Chief of Police to enter into and execute the agreement on behalf of the city. Council Member D'Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

7. Discussion and possible action to authorize the lease purchase of a new 2017 Caterpillar 950M Loader from Empire Machinery of Mesa, Arizona, utilizing the National Joint Powers Alliance Cooperative Contract #032515-CAT in the total financed amount of \$265,280.00; and authorizing the City Manager to finalize a lease purchase agreement, execute all required documentation, and issue resulting payments. (Public Works Director Agrawal)

Public Works Director Agrawal said this purchase was approved by the City Council during the annual budget process. He said the lease would cost approximately \$45,000 per year for five years. He said at that time they had the option to purchase the loader or lease another new machine.

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

**MOTION:** Council Member Wegmann made a motion to authorize the lease purchase of a new 2017 Caterpillar 950M Loader from Empire Machinery of Mesa, Arizona, utilizing the National Joint Powers Alliance Cooperative Contract #032515-CAT in the total financed amount of \$265,280.00; and authorizing the City Manager to finalize a lease purchase agreement, execute all required documentation, and issue resulting payments. Council Member Bruck seconded the motion.

**VOTE:**        AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**Other Business**

8. Discussion and possible action to adopt Resolution No. 2017R-34 encouraging the Bureau of Land Management (BLM) to expedite two Right-of-Way Applications for the Golden Vertex Corp. for the installation of a power line and safety improvements to the Moss Mine Access Road. (City Manager Cotter)

City Manager Cotter said the resolution would encourage the expedition of two right-of-way applications for the Moss Mine Access Road. He said a similar resolution was passed by the Mohave County Board of Supervisors on July 3<sup>rd</sup>.

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

Royanne Ortiz asked if the resolution would be effective for the federal government. City Manager Cotter said when Legislators hear from elected officials at the city level, they do take notice.

**MOTION:**    **Council Member Ring made a motion to adopt Resolution No. 2017R-34 encouraging the Bureau of Land Management (BLM) to expedite two Right-of-Way Applications for the Golden Vertex Corp. for the installation of a power line and safety improvements to the Moss Mine Access Road. Council Member Bruck seconded the motion.**

**VOTE:**        AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

9. Discussion and possible action to adopt the Citywide Projects List as presented. (City Manager Cotter)

City Manager Cotter said this was the city's quarterly update of significant projects.

Vice Mayor Clark asked about the timeline for the effluent injection wells. Public Works Director Agrawal said the schedule was slipping a bit, but said it appeared that factory testing would occur on August 7<sup>th</sup> and field testing would take place on August 28<sup>th</sup>. He said all the wells and piping were in place.

Mayor Brady asked about the status of the Sunshine Marina Boat Ramp project. Public Works Director Agrawal said there was some movement from the State Land Department, but the paperwork had not been completed to obtain permission from Arizona Game & Fish. He said there was a good chance if everything fell into place they could finish the project by December 31<sup>st</sup>. He said if not, the next date the project could begin was next July.

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

Royanne Ortiz asked about the community groups that were raising money for the design of Gary Keith Park. City Manager Cotter said community volunteers have raised funds and have completed the design portion of the project. He said the design would go before the Parks and Recreation Commission tomorrow night for approval and to the Council on August 1<sup>st</sup> for final approval. He said the total cost of the project at final build out was approximately \$4 million.

**MOTION:** Council Member Shutts made a motion to adopt the Citywide Projects List as presented. Council Member Ring seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

**ADJOURNMENT**

**MOTION:** Council Member Wegmann made a motion to adjourn. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

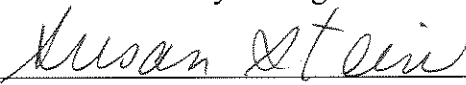
**MOTION CARRIED**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:25 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct record of the regular meeting of the City Council of the City of Bullhead City held on the 18th day of July 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of August 2017.

  
Susan Stein, MMC, CPM  
City Clerk