

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, November 20, 2018, 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 Mary Jo Small of the Tri-State Military Moms, Inc. to deliver the invocation. VFW Post 404 presented the Colors. Mayor Brady led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Bruck, Clark (via telephone), 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: Keegan Littrell

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Glen Wiltse

PRESENTATIONS AND PROCLAMATIONS

1. Mayor Elect Tom Brady and Council Members Elect Steve D’Amico and Annette Wegmann will take the Oath of Office and be sworn in as Bullhead City Mayor and Council Members by City Magistrate Peter Psareas.

City Magistrate Psareas administered the oaths of office to Mayor Brady and Council Members D’Amico and Wegmann.

2. Retirement of Military Banners Presentation by the Tri-State Military Moms, Inc.

Mayor Brady presented certificates of appreciation to those in the tri-state area returning home from serving in the military. Cindy Frizelle, President, and other members of the Tri-State Military Moms organization, presented the retired highway banners to 12 military retirees. A group photo was taken following the presentation.

3. Proclamation declaring Saturday, November 24, 2018, as “Small Business Saturday” in Bullhead City.

Mayor Brady read the proclamation and presented it to John Pynakker, Executive Director of the Bullhead Area Chamber of Commerce, and Jackie Mazzeo, Executive Director of the Laughlin Chamber of Commerce. John Pynakker encouraged residents to shop local during the holidays and throughout the year.

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Eva Corbett invited the public to attend the Republican Women's Luncheon to be held on November 21st at the Chaparral County Club.

Scotty McClure said the electric company was cutting down trees, and said it looked ugly. He said the post office was not delivering his mail and he was unable to get his medication. He presented a letter from his doctor. He said when utility work or street reconstruction took place in the future, more residents would have the same problem with moving their mailboxes.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

MOTION: Vice Mayor Ring 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. City Hall Closed on November 22 -23 for the Thanksgiving Holiday

City Manager Cotter said city offices would be closed for business on November 22nd and 23rd in observance of the Thanksgiving holiday.

2. Update on Land Exchange with Federal Government

City Manager Cotter said Senator Kyl introduced the land exchange legislation on the Senate side, and said Congressman Gosar had previously introduced the same bill in the House. He said Mayor Brady would testify on behalf of this bill in Washington, D.C.; and said they hoped that it would potentially become law by the end of the year. He said all of Community Park/Section 12 was part of the federal land exchange program to trade for the land donated by Don Laughlin to the city in December 2015. He said the city was simply caring for the Laughlin property until December 2020, when the land exchange would hopefully occur.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Shutts said the VFW Auxiliary had nominated Bullhead City and the Tri-State Military Moms, Inc. organization to receive the national "Spirit of America Award." She said one award would be given to each state for an outstanding or unique project of service to veterans, the military, families, or the community.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Bruck made a motion that Items No. 1 through 3 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Council Member Wegmann 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 Special Council Meeting held on November 6, 2018; and the Minutes of the Regular Council Meeting held on November 6, 2018. (City Clerk Stein)
2. Adoption of Ordinance No. 2018-23 authorizing an amendment to Z04-008, Ordinance No. 2014-16, Stipulation No. 4, to allow the applicant additional time (4 years) to obtain permits for a commercial project on a parcel of land located at the northwest corner of Highway 68 and Landon Drive and described as a portion of Section 21, T21N, R21W. (Development Services Director Wiltse)
3. Adoption of Resolution No. 2018R-56 authorizing the Mayor's execution of Quit Claim Deeds to the 17 successful bidders as a result of the auction authorized by the City Council on August 7, 2018. (Finance Director Vera)

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

4. **PUBLIC HEARING.** Discussion and possible action to adopt Ordinance No. 2018-24 by reference, approving amendments and additions to Chapter 5.04 Business License Fees, Chapter 17.04, Definitions; and Chapter 17.06, General District Requirements, of the Bullhead City Municipal Code; and adopt Resolution No. 2018R-57 declaring the code amendment a public record. (Development Services Director Wiltse)

Planning Manager Loera said the code amendment was prepared in response to House Bill 2371 that was recently passed by the State Legislature dealing with mobile food trucks and vendors. He said the city code did not currently address mobile food vending. He said the amendment would allow mobile food vendors to operate in all zoning districts, on private property with the property owner's permission, and in city parks under a separate licensing agreement. He said it would also set hours of operation from 6:00 a.m. to 7:00 p.m. in a public right of way, or 6:00 a.m. to 10:00 p.m. on private property.

Mayor Brady asked if the Planning and Zoning Commission had recommended approval. Planning Manager Loera confirmed.

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

MOTION: Vice Mayor Ring made a motion to adopt Ordinance No. 2018-24 by reference, approving amendments and additions to Chapter 5.04 Business License Fees, Chapter 17.04, Definitions; and Chapter 17.06, General District Requirements, of the Bullhead City Municipal Code; and adopt Resolution No. 2018R-57 declaring the code amendment a public record. 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 adopt Resolution No. 2018R-58 approving the Mohave County Court Automation Project Bullhead City Municipal Court Site Maintenance and Operation Intergovernmental Agreement effective through June 30, 2024. (City Magistrate Psareas)

City Manager Cotter said this was a routine request to approve the continuation of an agreement for the automated business functions of the municipal court.

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. 2018R-58 approving the Mohave County Court Automation Project Bullhead City Municipal Court Site Maintenance and Operation Intergovernmental Agreement effective through June 30, 2024. Council Member Shutts 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 authorize the purchase of a Vertical Heated Asphalt Tank from Superior Supply, Inc. of Phoenix, Arizona, in the amount of \$74,430.13 plus \$6,300.00 freight and applicable taxes; and to approve subsequent payments. (Public Works Director Littrell)

Public Works Director Littrell said the city received three bids with Superior Supply being the lowest bidder. He said the tank was needed to store asphalt emulsion to be used for the street maintenance program. He said the 43-ton tank would allow for a larger quantity of asphalt emulsion to be held for a longer period of time at a regulated temperature. He said the ability to heat and mix the emulsion would keep materials from separating during the winter months, which had created scheduling issues in past projects. He said the purchase was included in this year’s budget.

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 authorize the purchase of a Vertical Heated Asphalt Tank from Superior Supply, Inc. of Phoenix, Arizona, in the amount of \$74,430.13 plus \$6,300.00 freight and applicable taxes; and to approve subsequent 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

7. Discussion and possible action to adopt Resolution No. 2018R-59 approving and directing the execution of all bonding documentation for issuance of bonds to complete the roadway extension in connection with the Bullhead Parkway Extension/Bridge Project. (City Manager Cotter)

City Manager Cotter said for many years the City Council had been supporting and taking various actions in connection with the second Colorado River Bridge at the terminus of the Bullhead Parkway near the Mohave Crossroads Shopping Center. He said the Council would consider the issuance of \$3.1 million in bonds to finance the construction of this project. He said all rights of way have been acquired, all studies and permits were mostly complete, and project officials believed bids could be issued sometime in January 2019 for construction of the bridge. He said the city would receive bids for the construction of a two-lane roadway, landscaping, lighting, and

drainage next week. He said a four-lane roadway would also be considered. He said a number of contractors have expressed interest in the project. He said if the cost went over \$3.1 million, the city would use the additional budgeted \$250,000, plus some reserve funding, to make up the difference. He said they believed the bid would come in under \$3.1 million if the project was built according to the original specifications. He said they received numerous bids for financing, and said this was the first time a local bank was the lowest bidder.

Mark Reader, Managing Director of Stifel Investment Services, said they went out to bid and received twelve bids for financing. He said many financial institutions were very interested in this project. He said Mohave State Bank was the winning bidder at 3.01 percent interest. He said the bonds were callable at any time which was a nice feature as the ten-year loan could be paid down without penalty. He said they would like to close the loan on December 18th.

Patty Stewlow, Mohave State Bank Branch Manager, thanked the city for the opportunity to work together. She said they were truly invested in the community and supported economic development. She said Mohave State Bank had expanded into other markets. She said as they continued to grow, the "Mohave" State Bank name did not work for them anymore. She said the name would gradually change to State Bank of Arizona.

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

Scotty McClure said the interest rate was very good. He asked what would happen if Clark County decided to not build the bridge.

City Manager Cotter said millions of dollars had already been spent on this project. He said the city had been an ancillary partner with Clark County for many years, and said they would want to have a conversation with Clark County about the scope of the project. He said in the beginning stages, they believed a two-lane bridge could be built for \$20 million. He said the bridge was currently being scoped as a beautiful four-lane project for \$56 million. He said their goal was to have the conversation with Laughlin and Clark County to possibly bring the design back down to two lanes. He said the city was committed to continue investing in infrastructure to stimulate economic development from Highway 95 to the river.

MOTION: Council Member Wegmann made a motion to adopt Resolution No. 2018R-59 approving and directing the execution of all bonding documentation for issuance of bonds to complete the roadway extension in connection with the Bullhead Parkway Extension/Bridge Project. Vice Mayor Ring seconded the motion.

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

MOTION CARRIED

8. Discussion and possible action to adopt Ordinance No. 2018-25 by reference, approving amendments to Chapters 9 and 10 of the Bullhead City Municipal Code ("Property Offense Amendments 2018"); and adopting Resolution No. 2018R-60 declaring the code amendment a public record. (City Manager Cotter)

City Attorney Emery said the proposed code changes were necessary due to recent court decisions. He said the courts were dealing with homeless issues as a status as opposed to behaviors associated with being homeless, and said the code provisions addressed behaviors rather than status. He said he recommended the changes be made based upon the recent developments in the law.

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

Scotty McClure asked about the percentage of homeless beds available. He said homeless people could not afford to pay the fine; and therefore would be put in jail if they could not get a bed.

Mayor Brady said they were aware of the homeless shelter that would be built, and said the new ordinance was written to be in conformance with state law.

MOTION: Vice Mayor Ring made a motion to adopt Ordinance No. 2018-25 by reference, approving amendments to Chapters 9 and 10 of the Bullhead City Municipal Code (“Property Offense Amendments 2018”); and adopting Resolution No. 2018R-60 declaring the code amendment a public record. Council Member Wegmann 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 approve the mid-year budget adjustment of \$626,126.00 from General Fund Contingency to funds and departments as summarized, which includes reimbursements and grant funding from external sources of \$379,256.00. (Finance Director Vera)

City Manager Cotter said this was a routine mid-year budget adjustment request. He said out of the total adjustment, \$179,256 had been paid by Marnell Gaming for the Regatta, which was money in and money out. He said the city did not budget any funds for the Regatta last year because they did not know what would happen during the next fiscal year. He said \$250,000 was included for the soccer field lighting project. He said \$200,000 was grant funded, and \$50,000 was included in the approved budget. He said expenditures related to the Epcor rate case to date were \$103,360, and said additional funds were included to cover any more expenses incurred through June 2019. He said additional funding related to normal travel for the City Council and City Manager was included due to travel related to the Epcor rate case, the Section 12/Laughlin land exchange; and economic development marketing efforts in the total amount of \$18,300. He said one new position was authorized for the Building Division to assist with building plan review. He said the position was eliminated in 2011, but was being reinstated due to an increased workload. He said the budget request for the additional position was \$28,570.

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

MOTION: Council Member Bruck made a motion to approve the mid-year budget adjustment of \$626,126.00 from General Fund Contingency to funds and departments as summarized, which includes reimbursements and grant funding from external sources of \$379,256.00. Vice Mayor Ring seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

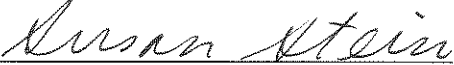
ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:04 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 20th day of November 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of December 2018.



Susan Stein, MMC, CPM
City Clerk