

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, December 17, 2019, 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 Bill Jones of Bethel Community Church to deliver the invocation. 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

INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Absent

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Jamie Starr said transients and vagrants camping illegally created a public health crisis and an increase in crime. She said she would like to see a plan to clean up the city's parks, and to not allow drinking and smoking in parks. She said this was a national problem that needed to be solved at the local level with everyone working together.

Pamela Smith invited the public to attend a New Year's Eve party at the VFW. She said transients were now using the bathrooms at the VFW, showering in the sinks; and said this was a public health issue.

William Grippo said he belonged to the radio-controlled flyers' association that used the parks every day. He said the flyer runway was in dire need of replacement and asked for the repair expense to be included in the city's budget.

Gene Quitmeyer said a watchdog group was formed called the "Eye on Government" in order to expose financial improprieties and constitutional rights violations. He said the government could not cure the homeless problem without the help of the entire community.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

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

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

MOTION CARRIED

MANAGER'S REPORT

1. EPCOR Update

City Manager Cotter said Mayor Brady and he recently met with EPCOR officials in Phoenix. He said based on the outcome of that meeting and all other previous meetings, the city was still in the process of acquiring EPCOR and in the process of obtaining an appraisal. He said the city had the absolute right to condemn EPCOR. He said updates on the process would be provided on a regular basis.

2. Gary Keith Park Restroom Facilities – Donation Acknowledgements

Parks and Recreation Superintendent Dave Heath said he was honored to work with the community on improving all of the parks, which was made possible by volunteers and donations. He thanked Mehdi Azarmi for donating his general construction expertise on the Gary Keith Park restroom project. He said the city budgeted \$100,000 to complete the restrooms; and said due to the generosity of the entire community, the city only spent a total of \$30,000 to complete the project. He said the remaining \$70,000 budgeted would be allocated for additional improvements in Gary Keith Park. He provided certificates of appreciation to local contractors and suppliers.

3. City Construction Projects Update

Interim Public Works Director Johnson said the traffic signal construction at Corwin Road and Highway 95 was expected to begin in January, the Parkway extension to the new Laughlin Bridge would start around the beginning of March, the Rotary Park parking lot would begin on January 6, the Sunshine Marina boat ramp was completed, the Silver Creek Road dust control project would be finalized after the first of the year, 7.5 percent of the 20 percent annual neighborhood street maintenance goal completed to date, the Original Bullhead CDBG street project was completed with a savings of \$91,230, the Miracle Mile/Mohave Drive right-turn lane project was completed under budget, Heritage Trail construction would begin in January, and city crews had been working on potholes throughout the city. She said the Marina Blvd. right turn lane ADOT project should

begin in October 2020, and said two median projects at the north and south ends of Highway 95 should begin in 2020.

City Manager Cotter said the Rotary Park paving project came in under budget. He requested that some of those allocated funds be used to repair the radio flyer runway at Rotary Park at the same time the paving construction work was being done.

4. 2020 Census Update

City Manager Cotter said the 2020 census was coming up in March and April. He said they would begin the public information process after the holidays. He displayed a video about the census.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

None

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Bruck made a motion that Item No. 1 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Vice Mayor 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 December 3, 2019; and the Minutes of the Regular Council Meeting held on December 3, 2019. (City Clerk Stein)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

2. Discussion and possible action to appoint a citizen to serve on the Planning and Zoning Commission to fill a partial term beginning immediately upon Council approval and ending on June 30, 2021. (City Clerk Stein)

City Clerk Stein said one application was received from Aaron Lopez.

MOTION: Council Member Bruck made a motion to appoint Aaron Lopez to serve on the Planning and Zoning Commission to fill a partial term beginning immediately upon Council approval and ending on June 30, 2021. Council Member Ring seconded the motion.

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

MOTION CARRIED

3. Discussion and possible action to appoint two citizens to serve on the Franchise License Commission to fill three-year terms beginning on January 1, 2020, and ending on December 31, 2022. (City Clerk Stein)

City Clerk Stein said both Eva Corbett and Ray Jackson have expressed interest in being re-appointed to serve on the Franchise License Commission for another term. She said no additional applications had been received by the City Clerk's Office.

MOTION: Council Member Shutts made a motion to appoint Eva Corbett and Ray Jackson to serve on the Franchise License Commission to fill three-year terms beginning on January 1, 2020, and ending on December 31, 2022. Council Member Bruck seconded the motion.

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

MOTION CARRIED

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

None

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

4. Discussion and possible action to approve the purchase of the EG-8.2T Dual Stage Biotrickling Odor Control System from EcoVerde, LLC, in the amount of \$88,400.00 plus freight and applicable taxes; and to authorize the City Manager to execute the agreement and approve resultant payments. (Interim Public Works Director Johnson)

Utilities Superintendent Jeff Wileman said the city currently had five EcoVerde odor control systems and said this purchase would standardize the equipment, as all parts would be interchangeable. He said Eco Verde was a sole source provider. He said this new system would help with the odors at the Lakeside Drive area.

Council Member D'Amico asked if the other systems around the city were working efficiently. Utilities Superintendent Wileman said they had no more odor complaints along the Parkway since installing the last system in that area.

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

Gene Quitmeyer said he was familiar with H2S and its dangers. He encouraged the city to do more research regarding the options available to remediate sewer odors in the community.

MOTION: Vice Mayor Wegmann made a motion to approve the purchase of the EG-8.2T Dual Stage Biotrickling Odor Control System from EcoVerde, LLC, in the amount of \$88,400.00 plus freight and applicable taxes; and to authorize the City Manager to execute the agreement and approve resultant payments. Council Member Shutts seconded the motion.

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

MOTION CARRIED

5. Discussion and possible action to accept the lease from the Bureau of Land Management under Serial No. AZA 25306 for the installation of an odor control system in the vicinity of Lakeside and Riviera Drives. (Interim Public Works Director Johnson)

City Manager Cotter said this agreement would allow the placement of the odor control system on BLM land. He said most of the city facilities were located on BLM land.

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

MOTION: Vice Mayor Wegmann made a motion to accept the lease from the Bureau of Land Management under Serial No. AZA 25306 for the installation of an odor control system in the vicinity of Lakeside and Riviera Drives. Council Member Bruck seconded the motion.

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

MOTION CARRIED

Other Business

6. Discussion and possible action to accept the Bullhead City Biennial Water Resource Fee Audits for Fiscal Years 2014-2016 and 2016-2018. (City Manager Cotter)

Kevin Burnett from Willdan Financial Services said Willdan was retained by the city to conduct the biennial water resource fee audits. He provided background information on the reports. He said water resource fees were subject to statutory requirements on how they were assessed, collected, used, and reported. He said the audit results must be posted on the city's website for transparency.

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

Billy Pershing asked about the city's water allocation and its relationship to EPCOR.

City Manager Cotter said the city owned approximately 25,000 acre feet of water and said some of that water was acquired from the City of Kingman (Cibola Water). He said the city owned the water rights, but said the equipment to deliver the water was owned by EPCOR.

MOTION: Council Member Ring made a motion to accept the Bullhead City Biennial Water Resource Fee Audits for Fiscal Years 2014-2016 and 2016-2018. Council Member Shutts seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

7. Discussion and possible action to approve the placement of advisory panhandler signage in Bullhead City. (City Council Member Ring)

City Manager Cotter said he had been working with Council Member Ring on the placement of advisory signage in city rights of ways and possibly on private property at the request of certain business owners where panhandlers were known to frequent. He displayed videos of news clips from other municipalities that were dealing with the same issues.

City Manager Cotter displayed a sample sign similar to the City of Scottsdale's sign. He said most of the panhandling occurred along Highway 95 and said approval from the state would be required to erect any signs along the highway. He said no government approvals would be required to place the signs on private property, such as Walmart. He said they would give the signs to Walmart and other businesses. He said the signs would be advisory only, because passive panhandling had been ruled by state and federal courts to be protected free speech. He said the city could not prohibit panhandling on city sidewalks unless there were safety concerns or trespassing on private property.

Council Member Ring said the idea was brought to her from a Scottsdale resident. She said she had talked to the Public Information Officer from Scottsdale and was told that the program had been successful to date. She said she also received a voicemail from Scottsdale Mayor Lane that the signs discouraged people from taking advantage of the kindness of the people driving by. She said this was a step in the right direction to solve the problem, because doing something was better than doing nothing.

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

Jamie Starr said Walmart was a major crime magnet and a major drain on city resources. She said begging on the street corners at Walmart needed to be curtailed. She said she moved to Bullhead City to get away from the big city issues, and said this was the tip of the iceberg.

Rob Hanson asked about the number of signs that would be made and the cost.

City Manager Cotter said they would begin with about 25 signs and the cost would be approximately \$50 each.

Mr. Hanson said according to the news clips, the signs appeared to be non-effective. He said putting up signs would just be a waste of taxpayers' money, and asked that the city come up with some real solutions.

Buz Terry said the people enabling the panhandlers were the reason the signs had to be put up. He said the city was looking really bad, and said this was a start.

Mayor Brady said homelessness and panhandling were problems with no solution, and said the Supreme Court recently refused to hear a major case on homelessness. He said the law allowed the homeless to sleep on the sidewalk or in public parks if no other shelter was available. He said they were dealing with the panhandling issue today. He said for every dollar given to a panhandler, begging becomes more lucrative rather than working for a living. He said there was no guarantee that beggars would spend money they received to improve their quality of life, but spend it on alcohol or drugs. He said there were abundant resources in this community to assist those who needed help. He said for those who chose the homeless lifestyle and did not want to change, there were organizations that would help them attain the basic necessities. He said there was no harm in trying this approach. He encouraged people to give their money to organizations that were prepared to address the homeless solution; such as The Salvation Army.

Council Member D'Amico suggested beginning with a pilot program before spending more money. He said the signs probably would not change anything, but said it would not hurt to try.

Council Member Ring said the City of Scottsdale did not have any shelters or organizations that supported the homeless in parks by feeding them. She said panhandlers took advantage of those with a caring heart. She said something needed to be done now.

Vice Mayor Wegmann said something needed to be done, and suggested the item be tabled for further research.

Council Member Shutts said this was a move in the right direction, and said the cost of the signs was minimal in relation to what was happening now.

Council Member Bruck said she wanted to start with 25 signs, and work with Walmart and Sam's Club.

City Manager Cotter said the city would print the appropriate number of signs, and said they knew the locations. He said they would work with private property owners and the Arizona Department of Transportation (ADOT) on the placement of signs.

Mayor Brady said this was a problem throughout the state and said it appeared that ADOT was aware of this and was working with municipalities towards a solution.

City Manager Cotter said the new homeless shelter would open in March or April 2020. He said some decisions needed to be made in the months ahead, and said some of the decisions would not be easy.

MOTION: Council Member Ring made a motion to approve the placement of advisory panhandler signage in Bullhead City. Council Member Bruck seconded the motion.

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

MOTION CARRIED

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:01 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 17th day of December 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of January 2019.



Susan Stein, MMC, CPM
City Clerk