

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 Special Meeting on Tuesday, February 18, 2020, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

**CALL TO ORDER**

Mayor Brady called the special meeting to order at 4:12 p.m.

**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

FINANCE DIRECTOR: Rudy Vera

HUMAN SERVICES DIRECTOR: Jeff Tipton

**DISCUSSION ITEM**

1. Discussion regarding proposed revisions to the Comprehensive Fee Schedule.

City Manager Cotter said only a few fees were proposed for modification this year. He said some recreational fees and the water impost fee would be discussed.

Parks and Recreation Superintendent Dave Heath said the deposit fee change in Section A3.40.220.01 (Ball Field/Facility Use Fee) would reflect fees of \$250 for soccer or football fields, and \$150 for baseball or softball fields. He said the proposed fees in Section A.3.40.220.05 (Suddenlink Community Center Reservations) would be as follows: Gymnasium rental from \$260 to \$400 per day; Multi-Purpose Room from \$160 per day to \$250 per day; and Meeting Rooms from \$100 per day to \$175 per day, and \$200 per month to \$300 per month.

Council Member Clark asked if the fees were proposed to the Parks and Recreation Commission. City Manager Cotter said traditionally the fees were decided on by the City Council.

Mayor Brady asked if there was a policy on deposits for field rentals.

Parks and Recreation Superintendent Heath said the deposits were basically for cleaning and maintenance, but said in the future the deposits would be held when the field rentals were cancelled on short notice.

Council Member D'Amico asked if the majority of the meeting rooms were used by non-profit organizations.

Parks and Recreation Superintendent Heath confirmed.

Council Member D'Amico said he would like the fees for the meeting rooms to remain in the

amount of \$200 per month, which were mostly used by the non-profit organizations. He said those groups did a lot to help the community.

Council Member Shutts asked if the fees could be designated as “profit” and “non-profit.”

Parks and Recreation Superintendent Heath said they have gone away from separating the fees for profit and not-for-profit groups, but said they probably could do it for this one fee.

Mayor Brady asked about the last time the fees were raised. Parks and Recreation Superintendent Heath said those fees had never been raised since the Community Center first opened.

A brief discussion took place regarding the adjustment of rates for the meeting rooms.

City Manager Cotter said utility fees were going up each year, and said the fees charged for the rooms would help the city to recoup some of the costs.

The general consensus of the City Council was to increase the monthly meeting room rental fee from \$200 to \$250 per month. There were no additional revisions to the other proposed fee changes.

City Manager Cotter said per the City Code, the city charged a “Water Impost Fee” to recover administrative costs on bureau contracts and the water conservation program. He said this fee would increase according to the annual Cost of Living Adjustment (COLA).

Council Member Clark said the increase would be approximately two cents per month or less on water bills.

City Manager Cotter said staff would post the recommended fee changes on the city’s website for a minimum of 60 days and bring the recommended fee changes to the Council for consideration and adoption at the May 5, 2020 regular Council Meeting. He said all fees adopted by the Council at that meeting would become effective on July 1, 2020.

**MOTION: Council Member Shutts made a motion to adjourn the special meeting and convene into executive session at 4:34 p.m. Council Member Bruck seconded the motion.**

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

**MOTION CARRIED**

**Council Member Clark recused himself from the meeting during discussion on Executive Session Item No. 2.**

**EXECUTIVE SESSION**

2. Discussion or consultation for legal advice concerning the actions necessary to carry out the acquisition of EPCOR Arizona’s assets in and around Bullhead City. Arizona Revised Statutes § 38-431.03(A)(3).

3. Discussion or consultation for legal advice concerning the requirements of and legal implications of potential actions for appeals to conditional use permits submitted under Zoning Code 17.08.060. Arizona Revised Statutes § 38-431.03(A)(3).

**MOTION:** Council Member Bruck made a motion to adjourn from executive session and the special meeting at 5:15 p.m. Council Member Ring seconded the motion.

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

**MOTION CARRIED**

**ADJOURNMENT**

Mayor Brady declared the special meeting adjourned at 5:15 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct record of the special meeting of the City Council of the City of Bullhead City held on the 18th day of February 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of March 2020.

*Debra Ogden, Deputy City Clerk*  
for Susan Stein, MMC, CPM  
City Clerk

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, February 18, 2020, 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 Ann Shepherd of Unity Spiritual Center of Mohave Valley 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

ACTING CHIEF OF POLICE: Dennis DeSantis

FINANCE DIRECTOR: Rudy Vera

INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Glen Wiltse

**PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation declaring February 25, 2020, as “Tri-State Youth Internship and Leadership Day.”

Mayor Brady read the proclamation and presented it to Dr. Waheed Zehri and Gina Covert.

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Keith Sondgeroth said he had read a lot of negative things on Facebook recently, and said he wanted to provide a positive report about his feelings regarding Bullhead City.

Billy Kay thanked the City Council for helping him obtain his own place.

Eva Corbett invited the public to attend the Republican Women’s Luncheon to be held on February 19th at Chaparral Country Club.

Sue Demarco said she was a member of Saving Animals In Need Together (S.A.I.N.T.). She said they offered low-cost spay and neuter programs and saving lives programs. She said they were in desperate need of foster homes. She invited the public to attend the “Wiggle Waggle Walk” event in Community Park on February 29th.

Royanne Ortiz invited the public to attend the Republican Dinner to be held on March 14th at the Riverside Resort. She said a Trump rally watch would be held at the Mohave Steak House on February 19th.

Gene Quitmeyer asked if the Council really wanted to improve the city. He said they were elected because people believed in them, and asked that they do their due diligence in determining what is right and what is wrong.

Harvey Pryor asked if the city was reimbursed for the work done in Original Bullhead. He asked if the Mayor's visit to Phoenix and Washington, D.C. was paid for with taxpayers' dollars. He asked if the weeds could be cleaned up around City Hall.

Randy Sparas thanked the Beacon of Hope Hospice for transitioning his grandfather.

Scotty McClure said he would continue to seek Martha McSally's retired plane for display at the Veterans Peninsula. He asked why the sewer pipe lines on Phyllis Drive were going bad already.

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 Bruck seconded the motion.

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

#### **MOTION CARRIED**

#### **MANAGER'S REPORT**

##### 1. Census 2020

Assistant to the City Manager Kozlowski played a brief video on the upcoming census. He said people would be able to access the census website on March 12th and begin completing the forms.

##### 2. Corwin Road Traffic Signal Safety Project

Interim Public Works Director Johnson said crews were working on the project at night. She said new curbs, foundations for conduits and poles, and the traffic signal cabinet have been installed. She said the project should be completed by the end of March or mid-April.

3. Desert Clean-up Project between Home Depot and Community Park

City Manager Cotter said the area from Home Depot south to Community Park would be cleaned up with the help of the Homeless Task Force volunteers on February 27th.

4. EPCOR Appraisal and Acquisition Discussion moved to Tuesday, March 3

City Manager Cotter said the appraisal and acquisition discussion was moved to the March 3rd City Council meeting.

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

Vice Mayor Wegmann invited the public to attend the Chamber mixer at Desert Lawn Funeral Home "All Dogs go to Heaven" on February 20th.

Council Member D'Amico said a fake Facebook page was going around that indicated the city was looking at reducing the speed on Highway 95 to 25 mph. He said it was not true.

Mayor Brady said he attended a legislative meeting in Phoenix recently. He said Representative Weninger, who previously filed a complaint against the city for electioneering, introduced a new bill (HB 2499) that could muddy the waters in their condemnation proceedings. He said the bill had passed through two committees and would move forward.

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Council Member Clark 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 Ring 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 February 4, 2020. (City Clerk Stein)
2. Approval of the Release of the Financial Assurance for The Ridge at Fox Creek, Tract 5147, Unit 4, and acceptance of the required improvements into the city system for maintenance. (Development Services Director Wiltse)

3. Approval of: 1) the Final Plat for Laredo Canyon Trails at Fox Creek, Tract 5192, Unit 2; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 6.72 acre-feet; and 4) authorize the Mayor to execute the agreement on behalf of the city. (Development Services Director Wiltse)

**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. Discussion and possible action to take either one or both of the following actions relative to the Appeal of Conditional Use Permit No. U19-003: 1) conduct a public hearing at this meeting, deliberate the matter and then uphold the previous action, reverse the previous action, or make a decision of its own findings; or 2) direct that the appeal be set for a hearing at a later City Council meeting after 15 days' legal notice by publication and conduct the same process as described under the preceding #1. (Development Services Director Wiltse)

City Manager Cotter said the Conditional Use Permit (CUP) was denied by the Planning and Zoning Commission at their last meeting, and said the applicant had requested an appeal to come before the City Council. He said this was the first time the request would come before the Council. He recommended the Council hold a work session and take a tour of the facility on March 3rd, and set a public hearing for March 17th for consideration.

Mayor Brady invited the applicants to speak.

Kristen Ott, CEO for Rivyve Behavioral Health, said their leadership team had a vast amount of experience in all aspects of this venture. She reviewed the many years of experience of each member. She said the licensed bed counts were not based on perceptions, and asked that decisions be based on facts and the true needs of the community. She said they would modify their request and reduce the number of beds from 120 to 90. She said they were still requesting a ten-year CUP. She said there was an opioid problem in Mohave County, and said they wanted the city to partner with them in improving public health. She said they would partner with Mohave Community College to provide additional skilled job opportunities, work with the Catholic Charities' homeless shelter, and provide assistance to those with substance abuse problems before they entered the justice system. She said their discharge planning would include working with the Veterans' Resource Center of America, Catholic Charities, Diana's Faith House, Rose Garden House, and Corner Stone Mission in Kingman. She said increased crime rates could not be validated in connection to addiction treatment centers, and did not reduce property values. She said Rivyve strongly believes in community partnerships and relationships; and through their 22 years of

experience in Mohave County, they understood that partnerships were even more important in rural areas.

Mayor Brady asked about open visitation.

Ms. Ott said visitation would be on the weekends and monitored. She said patients would need to earn privileges in order to have visitors and/or talk on the phone.

Chris Luciano said he had worked nationally and in Phoenix with similar facilities for 13 years. He said those facilities were located in both residential and commercial areas, and said the ratio was one bed for 3,000 people in Maricopa County. He said there was a definite need for a facility in Bullhead City. He said he understood the objections, and said most of those objecting probably did not have a family member or friend going through addiction issues, because they would truly understand the need for this type of facility. He said they did not do this for the money, it was about saving lives. He said they would provide necessary resources under a specific discharge plan to get people back into functioning members of society.

Council Member Ring asked about the facility in Mesa. She said she felt the proposed facility was too big for the area.

Mr. Luciano said the Mesa facility was named "Unhooked Recovery" which opened in 2016 with 120 beds, and said he was responsible for the day to day operations there. He said it was rare that any facility had 100 percent capacity.

Council Member Clark said he understood the average was one bed per 3,000 people in Maricopa County. He said the calculation for Mohave County at 210,000 population, divided by 3,000, came out to about 68 beds.

Council Member D'Amico asked if homeless people needing treatment would qualify for AHCCCS assistance.

Mr. Luciano confirmed that people would qualify and said they would help them apply for benefits from AHCCCS plus other sources if they met certain criteria.

Rod Jarvis, legal representative for Rivyve, said laws passed by the Federal Government such as the Americans with Disabilities Act and the Civil Rights Act required equal protection for all types of disabilities. He said people with addiction issues were defined as "disabled" according to the law. He said to not approve the CUP was in violation of the Americans with Disabilities Act. He said roughly 30 percent of all households experienced some type of addiction problems.

Dr. Ernest Harman, board certified psychiatrist, said he had 28 years of experience, most in Mohave County. He said it was estimated that one in twelve adults had a substance abuse disorder, and said 90 percent did not get treatment. He said substance abusers were from all walks of life, not just the homeless. He said substance abuse was a disease, and said they wanted to treat it. He said now they had an opportunity to treat these issues.

Council Member D'Amico said the Council Members required additional time to know all the facts in order to make the right decision.



Council Member Clark said they needed to make an informed, educated decision, and needed more time to review all the information.

Mayor Brady said it was wise for the Council to delay their decision and hold a public hearing.

No public comment was heard at this meeting.

**MOTION:** Council Member D’Amico made a motion to direct staff that the appeal be set for a hearing at the March 17, 2020 City Council meeting after 15 days’ legal notice by publication. Vice Mayor Wegmann seconded the motion.

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

**MOTION CARRIED**

Mayor Brady called for a short break at 7:01 p.m. and reconvened the meeting at 7:11 p.m.

5. Discussion and possible action to approve the Final Plat for CSQ Parcel 2, Tract 5097; and authorize the Mayor to sign all accompanying documents. (Development Services Director Wiltse)

Planning Manager Johnny Loera said the property owner was proposing to subdivide the approximate 8.6 acre property into four parcels. He said all necessary approvals had been granted and a financial assurance was not required because no additional improvements were necessary.

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

**MOTION:** Council Member Ring made a motion to approve the Final Plat for CSQ Parcel 2, Tract 5097; and authorize the Mayor to sign all accompanying documents. Vice Mayor 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**

6. Discussion and possible action to approve, in substantial final form, the “Development Agreement for Expansion of Food Distribution Center” with DOT Foods; and authorize the City Manager to execute the agreement and take all actions necessary for implementation of the agreement. (City Manager Cotter)

City Manager Cotter said DOT Foods had asked the city to consider another economic incentive in relation to a proposed second phase expansion of the facility by another 69,000 square feet. He said the requested city incentive consisted of the reimbursement of the construction sales tax related to the expansion and the waiver of city building fees. He said the total incentive would be \$127,000.

He said the expansion would add at least another 60 jobs with an average wage of \$46,000 annually.

Mayor Brady asked about the cost of the economic incentive study.

City Attorney Emery said \$750.00.

Council Member D'Amico said DOT Foods was a great addition to the community, but said he did not agree with the incentive because the city did not give any incentives to small businesses.

Council Member Clark said this was a huge deal, and said DOT Foods was adding \$3.5 million dollars of wages for new employees.

Mayor Brady said DOT Foods was a wonderful company with fine employees; but said he did not agree with giving them another incentive.

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

Steven Lee said he agreed with Council Member D'Amico.

Council Member Shutts said she was behind small businesses, but said DOT Foods would put a lot of people to work as a result of the expansion.

**MOTION:** Council Member Ring made a motion to approve, in substantial final form, the “Development Agreement for Expansion of Food Distribution Center” with DOT Foods; and authorize the City Manager to execute the agreement and take all actions necessary for implementation of the agreement. Vice Mayor Wegmann seconded the motion.

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

**MOTION CARRIED**

**Other Business**

7. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2020R-08 approving a change in the Colorado River Water Safety Fee assessed under the Watercraft Rental Consumer Protection Advisory Form from \$5 per multi-copy form to \$15 per multi-copy form. (City Manager Cotter)

City Manager Cotter said a joint City Council and Parks and Recreation Commission workshop was held on December 3, 2019, to present and discuss fee changes concerning watercraft consumer protection advisory forms. He said the city spent \$250,000 on the lifeguard program last summer which did not include the cost of police boats and personnel, and cleaning and maintaining the park system. He said the fee would help to defray costs of the program and other expenses incurred. He said the proposed fee change was posted on the city's website for 60 days.

Mayor Brady opened the public hearing.

Bryan Corbin from Wet & Wild said the jet ski rental establishments had asked for some type of regulation from the city for about 12 years. He asked if the number of skis on the water could be limited as holiday weekends on the river were dangerous. He said it was not just the jet ski rental operators that needed assistance on the river, and said they should not have to bear the total cost for safety. He said they did not get their forms from the city until June of last year, and said the numbers did not reflect the entire season. He said he did not agree with the \$10 increase in the form for jet ski operators alone, and suggested charging a \$10 convenience fee to all types of watercraft operators.

Robert VanAusdell of Laughlin Watercraft Rentals said he agreed with Mr. Corbin. He said he paid \$2,500 for the fee last year, and said this year he would have to pay \$7,500. He said it would have been simpler to regulate the number of skis on the water, and said it was the city's fault. He said they were screaming at the city for years for regulation, and said they tried to promote more safety on the river. He said they were all willing to help, but said he did not agree with the increase.

Terry Shurte said she served on the Parks and Recreation Commission. She said it was time to take action and unfortunately businesses had to help pay for the water safety program in order to protect the lives of citizens and visitors. She said the Parks and Recreation Commission members were in favor of the fee.

Steven Lee suggested regulating the number of skis on the river, or charging more during the congested periods.

Baryalai Badery of Water World and Five-Star Rentals said the initial program was free, and said the city was only concerned about the money. He said Laughlin did not pay for the program, and said tax dollars should help to pay for the program.

Keri Simons of Laughlin Watercraft Rentals said she wanted to see where the money for the program was going. She asked that the decision be tabled so citizens could get more information.

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

City Manager Cotter said the city collected \$125,850 from the program in 2019 and spent around \$250,000 on the life guard safety program alone. He said the city did care about safety and said the consumer protection form was mandated to insure that renters watched the safety video. He said the form puts all of the liability on the renter. He said the city created ordinances to heavily regulate the jet ski industry. He said they mandated the form and zoning requirements. He said the city could not regulate the number of skis, and said it was a federal issue. He said Laughlin had donated hotel rooms for all of the lifeguards in the program, and said those lifeguards saved lives.

Council Member D'Amico said \$10 would cover the cost of the current program, and said the proposed fee could be reduced from \$15 to \$10.

**MOTION:** Council Member D'Amico made a motion to adopt Resolution No. 2020R-08 approving a change in the Colorado River Water Safety Fee assessed under the Watercraft Rental Consumer Protection Advisory Form from \$5 per multi-copy form to \$10 per multi-copy form. Vice Mayor Wegmann seconded the motion.

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

**MOTION CARRIED**

8. Discussion and possible action to approve Resolution No. 2020R-09 authorizing the proposed new no-wake zones for the Colorado River adjacent to Community Park and Harrah's Beach effective March 22, 2020. (Acting Chief of Police DeSantis)

City Manager Cotter said the city looked at additional ways to make the river safer at a joint meeting with the Parks and Recreation Commission on December 3rd. He said they looked at the current no-wake zones. He said some members of the industry came forward and expressed concerns about the original proposal. He said the outcome was to remove the no-wake zone in front of Harrah's and create a smaller no-wake zone by Harrah's beach. He said a recommendation was made to create a 1,100 foot section of no-wake on the Colorado River at the narrowest point.

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

Keri Simons asked if the city could re-address the new no-wake zones in the near future to determine if they were working as they should.

City Manager Cotter said the city would evaluate the new no-wake zone locations at the end of the season.

**MOTION:** Council Member Shutts made a motion to approve Resolution No. 2020R-09 authorizing the proposed new no-wake zones for the Colorado River adjacent to Community Park and Harrah's Beach effective March 22, 2020. Council Member Ring 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 possibly direct staff to bring forward a resolution at a future Council meeting seeking an increase in the Transient Occupancy Tax (T.O.T.); and setting an election date. (City Manager Cotter)

City Manager Cotter said the Bullhead Area Chamber of Commerce met with the City Council at a workshop to discuss a possible increase to the Transient Occupancy Tax in Bullhead City. He said they discussed the matter at length at that workshop. He said it appeared, by the comments from numerous City Council members at the workshop, that there was probably not enough support for

the T.O.T. increase to move forward. He asked if the Council Members were interested in moving forward with the increase and setting an election date.

Council Member Clark said it was premature to bring the item forward at this time.

Council Member D'Amico said he was opposed to this tax from the beginning and would not support it.

Mayor Brady agreed with Council Members Clark and D'Amico.

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

Scotty McClure said the city should not increase the bed tax.

Steven Lee said that adding another 2 percent would not affect the occupancy rate, and said he thought most residents would be in favor of this because the tax was coming out of the visitors' pockets.

**No action was taken by the Council on Agenda Item No. 9.**

10. Discussion and possible action to adopt Ordinance No. 2020-02 by reference, approving an amendment to Title 13, Sections 13.08.030/040, of the Bullhead City Municipal Code ("Wastewater Amendments 2020"); and adopt Resolution No. 2020R-10 declaring the code amendment a public record. (Interim Public Works Director Johnson)

Utilities Superintendent Jeff Wileman said there was ambiguous language in the current code that should clarify the owner of the sewer mains and laterals. He said the language was cleaned up to put the responsibility on the homeowner for the city laterals. He said it did not make sense that the Utilities Department had to clean out the lines due to grease blockages from private properties.

Council Member Clark said the laterals sometimes ended at the property line and in some communities, were taken all the way to the sewer main. He said any blockage in a service line from a home to the main would be coming from that single residence. He said it was not like there were other properties hooked up to the line, and said the language specified that residents were responsible for the cleaning of those lines from the house to the main.

Mayor Brady confirmed this amendment pertained to wastewater only.

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

Scotty McClure asked if homeowners would be responsible for cutting the street to clear their lines.

Utilities Superintendent Wileman said most of the time, the blockages could be cleared without cutting the street; unless another utility company damaged it, and then the homeowner would not be charged.

Steven Lee said it did not seem right that the homeowner would be responsible for repairs on damage by something that was not the owner's fault.

**MOTION:** Council Member D’Amico made a motion to table Agenda Item No. 10 for discussion at a future Council meeting. Vice Mayor Wegmann seconded the motion.

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

**MOTION CARRIED**

11. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2020R-11 approving the “Title VI Implementation Plan 2020” as it relates to transit/transportation service delivery and related activities as presented. (Human Services Director Tipton)

Human Services Director Tipton said the city received federal funds from the Federal Transit Administration through the Arizona Department of Transportation. He said the city was required to certify that a policy and complaint process was established to assure compliance with Title VI of the Civil Rights Act in all programs and activities. He said the plan affirmed the city’s commitment to nondiscrimination.

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

**MOTION:** Council Member Bruck made a motion to adopt Resolution No. 2020R-11 approving the “Title VI Implementation Plan 2020” as it relates to transit/transportation service delivery and related activities as presented. Council Member Ring seconded the motion.

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

**MOTION CARRIED**

12. **PUBLIC HEARING.** Discussion and possible action to approve Resolution No. 2020R-12 adopting the updated Bullhead Area Transit System ADA Paratransit Plan; and authorizing its use for guiding delivery of paratransit service as presented. (Human Services Director Tipton)

Human Services Director Tipton said the Arizona Department of Transportation expected all rural fixed route transit providers to maintain an up-to-date Paratransit Plan. He said the Paratransit Plan was designed to provide an operational framework that implemented policies for complementary paratransit services. He said the plan outlined how BATS complied with the Americans with Disabilities Act in providing paratransit service. He said only minor modifications were made to the plan.

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

**MOTION:** Vice Mayor Wegmann made a motion to approve Resolution No. 2020R-12 adopting the updated Bullhead Area Transit System ADA Paratransit Plan; and authorizing its use for guiding delivery of paratransit service as presented. Council Member Ring seconded the motion.

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

**MOTION CARRIED**

13. Discussion and possible action to authorize the sale of Parcel No. 218-12-268 (2101 Hermosa Drive) as excess property at public auction with minimum bids as established by the REO Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. (Finance Director Vera)

City Manager Cotter said the Real Estate Owned (REO) Committee met to approve authorization for a public sale of the city-owned property deemed as excess property. He said the home had served its purpose, and said it would be in the best interest of the city to sell the property at a public auction. He said the REO Committee recommended a minimum bid of \$110,000.

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

**MOTION:** Council Member D'Amico made a motion to authorize the sale of Parcel No. 218-12-268 (2101 Hermosa Drive) as excess property at public auction with minimum bids as established by the REO Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. Vice Mayor Wegmann seconded the motion.

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

**MOTION CARRIED**

14. Discussion and possible action to authorize the sale of Parcel No. 218-02-033A (1887 Sea Breeze Lane) as excess property at public auction with minimum bids as established by the REO Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. (Finance Director Vera)

City Manager Cotter said the Real Estate Owned (REO) Committee met to approve authorization for a public sale of the city-owned property deemed as excess property. He said the home had served its purpose, and said it would be in the best interest of the city to sell the property at a public auction. He said the REO Committee recommended a minimum bid of \$115,000.

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

**MOTION:** Council Member Ring made a motion to authorize the sale of Parcel No. 218-02-033A (1887 Sea Breeze Lane) as excess property at public auction with minimum bids as established by the REO Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. 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**

None

**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 8:30 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 February 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of March 2020.

*Susan Stein, MMC, CPM*  
for Susan Stein, MMC, CPM  
City Clerk