

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, September 1, 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 Pastor Bill Jones from 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, D'Amico (via telephone), Ring, Shutts, Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

INTERIM POLICE CHIEF: Dennis DeSantis

FINANCE DIRECTOR: Rudy Vera (via Zoom conference)

INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson (via Zoom conference)

HUMAN SERVICES DIRECTOR: Jeff Tipton (via Zoom conference)

DEVELOPMENT SERVICES DIRECTOR: S. Chooniyom (via Zoom conference)

**PRESENTATIONS AND PROCLAMATIONS**

None

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Steven Lee said Suddenlink continued to overbill, refused to address complaints, and had poor customer service. He said the city needed reliable and affordable internet service, and asked the city to consider doing something to bring much-needed broadband service to the area. He suggested the city use COVID-19 rapid testing to get everyone tested and open things up.

Carlos Jackson said a health care hospice facility was planned to be constructed in his neighborhood on Sundial Drive. He said he was not able to attend the neighborhood meeting with the city. He said traffic, parking, hours of operation, and bio-hazardous waste would impact the neighborhood.

Greg Valdez asked if the city could help clean up the property next to his friend's home on Brill Drive.

Colby Ritter said Dr. Zehri was not fit to serve on the City Council. She said she was a victim of his sexual harassment.

Tyler Carlson said the Mohave Electric Cooperative was in the process of obtaining state-of-the-art fiber optic for everyone, and said their pricing would be at or below the existing providers. He said they were currently in the process of building the infrastructure, and said internet service to customers was anticipated to be available by the first of the year.

Royanne Ortiz invited the public to participate in a Republican caravan on September 26th. She said vehicles would stage at the Anderson Auto Group Field House and requested that participants pre-register.

Eva Corbett provided information on a voter registration drive.

Nick Parsons asked if Council Member Clark could look into blocking the Southern Utah water project from pulling water from the Colorado River. He said the entire southwest could not sustain other areas taking and using Arizona's water.

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

### **AGENDA MODIFICATIONS**

None

### **WAIVER MOTION**

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

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

### **MOTION CARRIED**

### **MANAGER'S REPORT**

City Manager Cotter said federal fair housing laws were in place throughout the country and said the city's laws were in compliance with the federal laws. He said the city did not issue licenses for home health care facilities and did not have the ability to stop them from being placed in residential neighborhoods.

#### 1. Police Chief Transition

City Manager Cotter said Dennis DeSantis was named the Interim Chief of Police, and said Dennis would take the city through the transition toward a new police chief.

#### 2. COVID-19

City Manager Cotter said free COVID-19 testing would be available on September 10th and September 12th for 1,000 people. He said the positivity percentage made a huge difference in the re-opening of local establishments. He said they would not allow large group gatherings in the parks until the Governor lifted the restrictions.

3. Census 2020

City Manager Cotter said census takers were going door-to-door in order to count everyone living in the city.

4. New Trash Service/End of Recycling

City Manager Cotter said information on the new Republic Services' trash pick-up days could be found on the city's website and in the newspaper.

5. Caddisfly-River Lowering Event, August 27th

Pest Abatement Manager Michael Cavallaro discussed the new low-flow river experimental pilot program. He said the program was approved by the U. S. Army Corps of Engineers, Arizona Game & Fish, and the U. S. Coast Guard. He said he worked with the Bullhead/Laughlin River Flow Committee and said the stakeholders had approved lowering the river level to expose the river bed under the one unit water release line. He said this level exposed the caddis fly larvae and pupae, and said the purpose of the program was to study the larval mortality, which proved to be 46 percent. He said the impacts they studied were promising. He said another low flow event would occur on September 10th. He said they would release 20,000 rainbow trout for caddis fly control. He encouraged property owners to maintain their docks during the low flow event.

City Manager Cotter said their river trash clean-up program worked very well, and said the riverbanks were now very clean.

Mayor Brady said his wife and he were out that day in kayaks, and said they found a bull's head skull in the water. He thanked Mr. Cavallaro for all of his efforts in studying the caddis fly and other insects.

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

None

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Council Member Clark 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. 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 Regular Council Meeting held on August 18, 2020. (City Clerk Stein)

**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**

None

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

2. Discussion and possible action to approve acceptance, if granted, of the AGO Law Enforcement Safety Equipment Funding in the amount of \$27,000.00 to be used toward body worn cameras and associated equipment and data storage; and authorization for the City Manager, or his designee, to execute all documents pertaining to funding applications and awards on behalf of the city. (Interim Chief of Police DeSantis)

Interim Chief of Police DeSantis said the funds were from Arizona's portion of the Wells Fargo multi-state settlement monies to be used to procure safety equipment not currently funded by other sources. He said the grant funds would be used towards the purchase of a body worn camera system.

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 acceptance, if granted, of the AGO Law Enforcement Safety Equipment Funding in the amount of \$27,000.00 to be used toward body worn cameras and associated equipment and data storage; and authorization for the City Manager, or his designee, to execute all documents pertaining to funding applications and awards on behalf of the city. Council Member Bruck 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 approve a construction contract with Hunter Contracting Co. of Gilbert, Arizona in the amount of \$750,543.00 for the installation of the disk filters for Section 10 Wastewater Treatment Plant (WWTP), and to authorize the City Manager to execute all required documents and approve resultant payments. (Interim Public Works Director Johnson)

Utilities Superintendent Jeff Wileman said this contract was a budgeted item for this fiscal year. He said four bids were received. He said the equipment was purchased last year, and said this contract was for the installation of the new tertiary effluent wastewater filter system and associated piping.

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 approve a construction contract with Hunter Contracting Co. of Gilbert, Arizona in the amount of \$750,543.00 for the installation of the disk filters for Section 10 Wastewater Treatment Plant (WWTP), and to authorize the City Manager to execute all required documents and approve resultant 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**

4. Discussion and possible action to adopt Resolution No. 2020R-40, approving the City's intervention of the Bermuda Water Rate Case. (City Manager Cotter)

City Manager Cotter said Bermuda Water had proposed a 24 percent rate increase for customers on the south side of Bullhead City and many residents living outside of the city limits. He said the monthly rate would increase by \$6.37 per month. He said EPCOR had also proposed a massive rate hike and the city was also intervening in that rate case. He said the city deferred a two percent rate increase in its wastewater billing for the coming year. He said Bermuda Water was owned by a Canadian public pension fund. He said they were asking the Council for permission to intervene in the rate case.

Mayor Brady said when the city owned a utility; the city looked at the needs in order to propose a rate increase which was brought before the public for input. He said Bermuda Water had been providing good reliable water to customers but when he saw they were asking for full recovery of their offices from the Chicago suburbs to the Downtown Loop, it piqued his attention. He said it was imperative that representatives from Bullhead City go to the Arizona Corporation Commission in Phoenix and express their displeasure.

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

Eva Corbett said it was important that people vote for Arizona Corporation Commission candidates in the upcoming election.

Greg Valdez asked if the city was considering taking over the Bermuda Water Company.

City Manager Cotter said there had been no discussions about purchasing the water company. He said their only goal at this time was to object to the huge rate increase.

Billy Pershing asked about the size of Bermuda Water Company and if they served other communities in Arizona.

City Manager Cotter said the company was held by CORIX Utilities of Canada, and did not serve any other communities in Arizona.

Tyler Carlson of Mohave Electric Cooperative said they were not raising their rates.

Nick Parsons said the city should concentrate on one fight at a time. Mayor Brady said they were not considering taking over Bermuda Water at this time, but would intervene in their rate case.

**MOTION:** Council Member Shutts made a motion to adopt Resolution No. 2020R-40, approving the City's intervention of the Bermuda Water Rate Case. Council Member Bruck 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 citywide projects list update. (City Manager Cotter)

City Manager Cotter said the Veterans' Memorial ramp and parking lot project had finally been completed. He said the Senior Nutrition Center project would come before the Council in the near future. He said the Corwin Road traffic signal project had been completed and was working effectively.

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

Eva Corbett asked if the project list included the second bridge.

City Manager Cotter said the bridge itself was Clark County's project. He said the Bullhead Parkway extension to the bridge was a city project and was almost complete.

**MOTION:** Council Member Bruck made a motion to accept the citywide projects list update as presented. 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**

6. Discussion and possible action concerning the Governor's Executive Orders regarding the closure of fitness centers and gymnasiums. (Council Members Annette Wegmann and Kathy Bruck)

City Manager Cotter said Mad Dog Fitness was approved for opening their business. He said the fitness center had to go through an application process to be opened. He said Thursday's positivity numbers would be important because if the city's positivity percentage was under ten percent, gyms could open as long as they followed the rules. He said if the number went back up, gyms would have to close again unless they were approved through an application process. He said the city was following the rules set by Governor Ducey, and said it was too risky to go against the executive orders.

Council Member Wegmann said Mad Dog Fitness was leading by example. She said their main concern was small businesses in the community having to be closed. She encouraged everyone to come together as community leaders and members to reach out to the Governor and share their concerns about their businesses not being able to survive.

Council Member Bruck asked if the municipal pool could be made available to more community members. City Manager Cotter said they were doing what they could under the Governor's order and said they were more than willing to apply for special considerations because currently the number of individuals in the pool was limited to ten at one time. Council Member Bruck asked if individuals could be allowed to sign up for only one session per day, and asked if more sessions could be scheduled. City Manager Cotter said they would look into accommodating the demand.

Mayor Brady said the Governor was driving the train on the closures and said the city had to fall below ten percent positivity for the first re-opening and fall below five percent for other re-openings. He said there had been limited testing in the city, and said they had not been testing many asymptomatic individuals, which would help to drive the positive rating down. He encouraged people to get tested even though they showed no symptoms to help drive the positivity rate down.

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

Greg Gilbert said he was a retired private investigator and had researched the information on COVID testing. He said the testing was inaccurate and said most of the reported deaths were not directly related to COVID-19. He said the Governor should start opening things up.

Billy Pershing thanked Council Members Wegmann and Bruck for their efforts. He said people had been negatively impacted by the shutdown of gyms.

Dean Bryant said the beaches would be packed over the holiday weekend and said the positive rates would go up after the long weekend.

Gary Genovese asked that health clubs be opened within Bullhead City as long as they followed the Center for Disease Control (CDC) guidelines. He said the health clubs did not violate any state

laws, and he asked the city to default on the Governor's order and re-open health clubs immediately as people needed to exercise. He said life was a balance between risk and reward.

Royanne Ortiz encouraged the public to get tested for COVID-19 on September 10th and 12th.

**No motion was made and no action was taken on Agenda Item No. 6.**

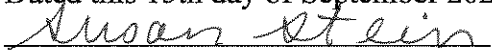
**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:16 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 1st day of September 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of September 2020.

  
Susan Stein, MMC, CPM, City Clerk