

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 15, 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 Council Member Wegmann 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 (via telephone), Ring, Shutts (via telephone),  
Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter  
CITY ATTORNEY: Garnet Emery  
DEPUTY CITY CLERK: Debie Ogden  
INTERIM POLICE CHIEF: Dennis DeSantis  
FINANCE DIRECTOR: Rudy Vera (via Zoom conference)  
INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson  
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 asked for an update on the drive-in theater. He said he opted out to be tested for COVID-19 last week because he felt the Mayor's previous comments implied that people should stay home and not get tested if they thought they had contracted the virus.

Royanne Ortiz said Senator McSally would be at That Dam Diner on September 19th, and said the Trump caravan would be held on September 26th.

Sue Demarco thanked all of the supporters of Savings Animals In Need Together. She said funds were put towards saving animals from recent fires and a hoarding issue. She said hoarding had to stop in this city, and something had to be done in order to prosecute people from abusing animals.

Carlos Jackson said he lived in the Sundial neighborhood, and said he did not understand how the hospice facility in his neighborhood came about or when that happened. He expressed his concerns about this type of facility in his neighborhood.

Ray Casavent said the homeless population in the city was growing and getting worse. He asked when the Catholic Charities' homeless shelter would open. He said the hospitals and parks were strapped.

Gina Cochran said she was a homeowner in Sun Ridge Estates and speaking in protest of the hospice facility proposed for the neighborhood. She played a recording from a conversation with the Department of Health Services.

Scotty McClure said he was glad the second doors were opened back up at Safeway. He said he wanted six more handicapped parking spots in the Safeway parking lot.

Leslie Curtis asked about the direction the city was headed and the projected goals of the city.

Greg Valdez said the community did a fantastic job in cleaning up the river banks last week. He said he visited the proposed hospice care facility and found the home to be gracious and accommodating.

Pamela Smith asked when the "In God We Trust" Motto would be installed.

Billy Pershing said he thought hospice facilities should be located in specifically zoned locations. He said he would like assurance that Bullhead City was prepared to handle rioting.

Gary Genovese said some of the Trump political signs he installed were stolen. He said it was against the law to remove political signs without proper permission.

Larry Tunforss invited the public to attend the Kiwanis gun show fund raising event to be held at the Chamber of Commerce building over the weekend.

Gene Quitmeyer said there was a sewer smell by the post office. He said there were nine pending lawsuits against the city and asked how much it would cost the citizens. He said the city was spending \$1.3 million tonight and said the community was hurting.

Eva Corbett invited the public to attend the Howl-O-Ween pet costume contest fundraiser to be held at Swanty's.

Having no one else present wishing 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 Bruck 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 the city recently held a community meeting with 30 residents of the Sundial neighborhood regarding the proposed hospice care facility. He said the city did not license home hospices for ten or less. He said the licensing came through the state, and said the city was not misleading anyone. He said the "In God We Trust" motto would be installed next week.

1. COVID-19

City Manager Cotter said a testing event was held last week and 300 people were tested. He said additional testing was available at Mohave Community College.

2. Caddisfly Suppression Program and

Pest Abatement Manager Michael Cavallaro said he had experimented with the caddis fly mortality which resulted in a discussion with all parties regarding river flows that would expose the larvae to higher temperatures. He said trapping events happened regularly, and said the lowering of the river likely exposed about 20 to 30 percent of the total larvae population to drying conditions. He said the mortality rate during the first river lowering was about 46 percent. He said they were looking at proposing an annual river lowering event. He said about 20,000 rainbow trout were recently stocked in the river, and said more trout would be stocked next month.

3. River Clean-up Projects

Mayor Brady asked if any fish were trapped in the low water during the river clean-up. Pest Abatement Manager Cavallaro said they did not find any fish that were trapped, and said the temperature and oxygen variations of the water were also checked.

4. Transition of Recycling to All Trash Collections

City Manager Cotter said there would be no more recycling in Bullhead City for at least three years. He said the Council had been talking about recycling options for two years.

5. Census 2020

City Manager Cotter said the census campaign was wrapping up. He said city staff and census employees were holding census events over the weekend at Smith's, Best Buy Market, and Southern Maid Donuts.

6. Water Safety - River Lifeguard Program

Bullhead City Police Lt. Robert Trebes provided a report on this summer's lifeguard program and statistics on water craft violations, accidents, assists, and rescues. He displayed a video by Paul

McDermott that showed the importance of the city's relationship with Water Rescue & Safety. He said the partnership was vital to protect all citizens and keep them safe.

City Manager Cotter said the water craft rental agencies' consumer protection forms paid for the cost of the safety program and for police officers to be on the river this year.

Paul McDermott gave a brief description of some rescue situations they had responded to over the summer. He thanked the city for their continued support of the program.

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

Council Member Wegmann invited the public to attend the Kiwanis gun show to help raise funds for the organization.

Council Member Clark said the Arizona Department of Water Resources had approved the transfer of a portion of Cibola Water to the Town of Queen Creek. He said 780 people spoke on this matter and 16 were in favor. He said the Mohave County Water Authority passed another resolution opposing this transfer. He said the federal government would review the matter and make the final decision. He said Lake Havasu City, Kingman, and Bullhead City, as well as LaPaz and Yuma Counties, would be passing resolutions opposing this transfer.

### **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 September 1, 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**

2. **PUBLIC HEARING.** Discussion and possible action to adopt Ordinance No. 2020-08 approving the request for a zoning map change from R2MF (Residential Multiple-Family) to C3 (Commercial and Minor Industrial) Zoning District for a parcel of land located at 2961 Easy Street and described as Enchanted Acres, Block 3, Lot 15, Section 35, T20N, R22W, Bullhead City, AZ. (Development Services Director Chooniyom)

City Manager Cotter said the zoning of the small lot on Easy Street would be changed to match the zoning of the adjoining parcels so the parcel could be developed with an allowable commercial use. He said the request was unanimously recommended for approval by the Planning and Zoning Commission.

Mayor Brady opened the public hearing.

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

**MOTION:** Council Member Ring made a motion to adopt Ordinance No. 2020-08 approving the request for a zoning map change from R2MF (Residential Multiple-Family) to C3 (Commercial and Minor Industrial) Zoning District for a parcel of land located at 2961 Easy Street and described as Enchanted Acres, Block 3, Lot 15, Section 35, T20N, R22W, Bullhead City, AZ.. Council Member Clark 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**

3. Discussion and possible action to approve the Second Amendment to the Professional Services Agreement with Raftelis Financial Consultants in an amount not to exceed \$120,453.00; authorizing the City Manager to execute the agreement on behalf of the city to make resultant payments and to take all actions to effectuate the intent of the agreement. (City Manager Cotter)

City Manager Cotter said the second amendment to the original agreement would provide an updated appraisal of EPCOR's water assets in and around Bullhead City. He said the previous valuation from Raftelis addressed only the potential business valuation aspects of acquisition and was not a formal appraisal for eminent domain purposes. He said the next step in the acquisition of EPCOR's water assets was the preparation of an appraisal which would serve as the basis for the court action in eminent domain. He said a court hearing had been set for February 2021.

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 the Second Amendment to the Professional Services Agreement with Raftelis Financial Consultants in an amount not to exceed \$120,453.00; authorizing the City Manager to execute the agreement on behalf of the city to make resultant payments and to take all actions to effectuate the intent of the agreement. Council Member Ring 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 the contract for the purchase of PMCQS-1h Asphalt Emulsion for Street Maintenance Projects within city limits in an amount not to exceed \$743,386.00 for fiscal year 2020-2021 from Ergon Asphalt and Emulsions, Inc. of Las Vegas, Nevada; and to authorize the City Manager to execute the contract and approve resultant payments. (Interim Public Works Director Johnson)

Interim Public Works Director Johnson said they received four bids and Ergon was the low bidder. She said staff had already reached their annual street maintenance goal, and said this material would enable them to maintain and repair more streets by the end of this fiscal year.

Council Member Clark said their annual street maintenance goal was 25 percent of all streets within the city limits, and asked about the additional maintenance that could be accomplished this year.

Interim Public Works Director Johnson said staff had completed more than 30 percent of the streets, and said they slurry sealed some of the more highly traveled streets more than once.

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

**MOTION:** Council Member Clark made a motion to approve the contract for the purchase of PMCQS-1h Asphalt Emulsion for Street Maintenance Projects within city limits in an amount not to exceed \$743,386.00 for fiscal year 2020-2021 from Ergon Asphalt and Emulsions, Inc. of Las Vegas, Nevada; and to authorize the City Manager to execute the contract and approve resultant payments.. Council Member Ring 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: 1) approve the construction contract for the Senior Nutrition Center Rehabilitation CDBG Project with Precise Builders, Inc. of Fort Mohave, Arizona, in the amount of \$426,240.00, authorize the City Manager or his designee to execute the contract, issue resultant payments, and approve any other documents necessary to effectuate the intent of the grant-fund CDBG project; and 2) approve a budget transfer from the General Fund Contingency in the amount of \$60,276.00. (Interim Public Works Director Johnson)

City Manager Cotter said the community development block grant (CDBG) came from federal dollars through the state. He said previous CDBG projects included the Gold Rush Road project and the Senior Center. He said \$60,276.00 would come from the general fund to cover all construction costs.

Interim Public Works Director Johnson said five bids were received and Precise Builders was the lowest bidder. She said the project completion date was approximately March 2021.

Council Member Wegmann asked if any program events would have to be cancelled during construction.

City Manager Cotter said they were still delivering food to the homebound out of the kitchen, and said they would move most of the operations to the Senior Center behind the Nutrition Center. He said they would hold a grand re-opening in March and invite people to come back for meals.

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

Scotty McClure said the taxpayers were only paying \$60,276.00 toward the entire rehabilitation project, and spoke in support of the project.

**MOTION:** Council Member Bruck made a motion to 1) approve the construction contract for the Senior Nutrition Center Rehabilitation CDBG Project with Precise Builders, Inc. of Fort Mohave, Arizona, in the amount of \$426,240.00, authorize the City Manager or his designee to execute the contract, issue resultant payments, and approve any other documents necessary to effectuate the intent of the grant-fund CDBG project; and 2) approve a budget transfer from the General Fund Contingency in the amount of \$60,276.00. Council Member Ring 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 adopt Resolution No. 2020R-41 extending a face covering mandate within the city in response to the COVID-19 pandemic. (City Manager Cotter)

City Manager Cotter said this resolution would extend the mandatory face covering requirement within city limits through October 21, 2020, if approved. He displayed a graph depicting the COVID-19 infection rates.

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

Royanne Ortiz spoke in opposition to the extension of the face covering requirement. She said she did not think that masks were effective.

Scott Anderson said masks did not work and spoke in opposition to the proposed resolution.

Ray Casavent asked why children six and under were exempt from wearing masks. City Manager Cotter said they looked at what other cities did and said this was the standard around the country.

Pamela Smith spoke in opposition to the mask mandate.

Greg Gilbert said he researched the issue and spoke in opposition to the proposed resolution.

Eva Corbett said disposable masks from China did not prevent COVID.

Billy Pershing asked if other factors, other than the wearing of face masks, affected the decrease in the number of cases.

Scotty McClure said politics had intruded into science. He said the decision was a challenge, but said some establishments would still require the wearing of masks, and said he would continue to wear a mask.

Daniel Alfonzo said any decisions made by the city should take any government funding opportunities into consideration. He said it should be up the individual whether or not they should wear a mask.

Discussion ensued regarding COVID-19 related funding opportunities from the federal government.

Pat Schaner said none of the local establishments were knowledgeable about the city's face covering exemptions. He spoke in opposition to the proposed resolution.

Mayor Brady said they were faced with a pandemic and said he wished everyone could come together. He said he was not a health professional, but said he was the Mayor of this city, acting in the best interest to protect this community. He said Governor Ducey was calling the shots on COVID regulations for the state. He discussed the business closures, re-openings, and mask requirements around the state, and said he was a firm believer against big government. He said the city's COVID numbers spiked in June and that was the time he imposed the first mask requirement. He said he wanted all businesses to re-open as quickly as possible but was afraid due to past experience, if they went against the Governor's orders, CDC guidelines, and the County Health Director's guidelines; there would be another spike in cases. He said he believed that masks did work, and said the number of cases was significantly down in the city, but did not know what would happen if the mask requirement went away. He said regardless of the decision made tonight, masks were not going away in Bullhead City; as all restaurants, bars, gyms, fitness centers, and retail corporations would still require them, as well as all establishments in Nevada and California. He said as the Mayor of this city, he believed the mask order should stay in place for a few more weeks.

Council Member Shutts said she traveled to Minneapolis and said she found out that masks were not required in a majority of places. She said she would vote "no," and said she would choose to visit those places that required masks.



Council Member Clark said he agreed with Mayor Brady, and said masks were worn to protect others from contracting the virus. He said medical doctors agreed that masks prevented the spread of the virus by 85 percent. He said he would support the resolution through October 21st.

Vice Mayor D'Amico said the employees of many businesses had to wear masks 40 hours per week, and this was a hardship. He said he would vote "no."

Council Member Bruck agreed to keep the mask order in place for a few more weeks.

Council Member Wegmann said it was important to listen to the citizens in the community and people were "done" with the masks.

Council Member Ring said that many people did not have health problems and not everyone was sick. She said people were responsible for their own health, and would vote "no."

**MOTION:** Council Member Bruck made a motion to adopt Resolution No. 2020R-41 extending a face covering mandate within the city in response to the COVID-19 pandemic. Council Member Clark seconded the motion.

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

**MOTION FAILED**

7. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2020R-42 approving a change in the Parking and Recreation Programming Language that provides authorization for city staff to implement parking fees at city parks (excluding the Colorado River Nature Center). (City Manager Cotter)

City Manager Cotter said the city had been charging for parking at special events for a number of years. He said language about parking in general had not previously been included in the fee schedule. He said the additional language would provide authorization for city staff to implement parking fees at city parks. He said the fee rates would vary depending upon date, season, or related events and not apply to Bullhead City residents.

Mayor Brady opened the public hearing.

Scotty McClure asked if the fees would apply to Bullhead City residents.

City Manager Cotter said the parking fees would not apply to people living within the city limits.

Terry Shurte said was a member of the Bullhead City Parks and Recreation Commission and was in support of charging parking and event fees in the parks. She said the parks were valuable assets and the revenue would help to maintain them.

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

**MOTION:** Council Member Wegmann made a motion to adopt Resolution No. 2020R-42 approving a change in the Parking and Recreation Programming Language that provides authorization for city staff to implement parking fees at city parks (excluding the Colorado River Nature Center). 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**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:58 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 15th day of September 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of October 2020.

  
Susan Stein, MMC, CPM  
City Clerk