

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, April 6, 2021, 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 Clark led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Robert Trebes

FINANCE DIRECTOR: Rudy Vera (via Zoom Conference)

PUBLIC WORKS DIRECTOR: Angie Johnson

HUMAN SERVICES DIRECTOR: Jeff Tipton

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.

Gerald Ross said the lighting at the intersection of Lakeside and Riverview was too bright.

Sue Demarco said she represented Saving Animals In Need Together. She said animals had to be spayed and neutered. She said that they were using more vets in Las Vegas and asked the community for continued support.

Grace Hecht thanked the volunteers that helped with the Clean Up Bullhead event this month. She said the Family Fun Night would be held on April 15th at the Anderson Auto Group Field House.

Scotty McClure said the new Perkins flag looked good. He asked the city to look into providing additional handicapped parking spaces at McDonalds and Safeway.

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

**AGENDA MODIFICATIONS**

None

## WAIVER MOTION

**MOTION:** Vice Mayor D'Amico 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, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

## **MOTION CARRIED**

## MANAGER'S REPORT

### 1. COVID-19

City Manager Cotter said there was a substantial decline in cases from a few months ago. He said vaccinations were available for anyone interested through the Mohave County Health website.

### 2. Pest Abatement Updates

Pest Abatement Manager Dr. Michael Cavallaro talked about the pest abatement program. He said they would distribute caddisfly surveys to riverfront residents in collaboration with the University of Arizona Entomology Department. He said the program stocked 60,000 rainbow trout each year. He said they would install artificial fish habitats into the river at six different sites where they found the caddisfly population to be at its highest density in order to protect the trout.

### 3. Annual Report – Boys and Girls Club

Autumn Boyle-Robinson said this past year, their five facilities went from being an after school program to an all-day program to provide a safe site for long distance learning, daily physical activity, and meals. She said they helped 1,000 children and it was an amazing year. She said they were grateful for the city's support as well as the entire community.

### 4. Sports Tourism Update

City Manager Cotter said sports tournaments had continued in the community throughout the pandemic with COVID restrictions in place. He said the economic impact from those tournaments was in the millions of dollars. He said sports tourism activities would continue through the summer.

### 5. Rights of Way Landscaping

City Manager Cotter said the Arizona Department of Transportation (ADOT) had performed construction work on the center lane medians on Highway 95 from the Laughlin Bridge south to the Post Office and the Parkway to Aztec in Fort Mohave. He said the city had placed some small metal work and rocks that were approved by ADOT in those medians. He said the city-owned medians along the Parkway to the Field House had beautiful flagstone and tall artwork.

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

Council Member Zehri thanked the Mayor for the "National Doctors' Day" proclamation. He said the month of April was a religious holy month.

**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, Brummett, Clark, D'Amico, Wegmann, Zehri 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 March 16, 2021. (City Clerk Stein)

**PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA**

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

2. Discussion and possible action to appoint two Council Members to serve as Committee Representatives on the City's Real Estate Owned (R.E.O.) Committee. (City Clerk Stein)

**MOTION:** Mayor Brady made a motion to appoint Vice Mayor D'Amico and Council Member Wegmann to serve as Representatives on the City's Real Estate Owned (R.E.O.) Committee. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri 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**

3. Discussion and possible action to approve the Recycling Service Agreement between Recyclops, Inc. and the City of Bullhead City; and authorize the City Manager to execute the agreement and to take all actions consistent with its implementation. (City Manager Cotter)

City Manager Cotter said Recyclops offered a curb-side subscription recycling service for consumers at large and approached the city earlier this year about initiating the pay-for-service for consumers desiring to continue with recycling activities.

Derek from Recyclops provided a brief overview of their program and operation.

City Manager Cotter said the city had no part in the program, and said Recyclops had agreed to a license agreement that outlined its proposed activities and made certain affirmations in relation to its conduct of business.

Vice Mayor D'Amico asked about the insurance requirements for the business and its contractors.

Derek said they had corporate insurance plus each driver was required to provide their own insurance.

Council Member Brummett asked if special bags or receptacles would be provided.

Derek said they would provide 13-gallon clear trash bags under the program and carts for a refundable deposit.

Council Member Zehri asked about the number of recycling customers in the city. He asked if education about recycling would be provided by Recyclops.

City Manager Cotter said all Allied Waste customers paid for the previous recycling service. He said Recyclops would perform a complete educational and marketing campaign.

Council Member Wegmann asked when the program would begin.

Derek said they needed at least 100 customers to get started.

Mayor Brady asked about the pricing and if glass would be included.

Derek said the cost to Bullhead City residents would be \$12.00 per month for pickups every other week that did not include glass. He said glass had no real recycling value.

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 Recycling Service Agreement between Recyclops, Inc. and the City of Bullhead City; and authorize the City Manager to execute the agreement and to take all actions consistent with its implementation. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

4. Discussion and possible action to adopt Resolution No. 2021R-13A approving the Intergovernmental Agreement for use of the Police Training Facility at Lake Havasu City for the period of 2021 through 2031. (Police Chief Trebes)

Police Chief Trebes said the original agreement was entered into in January 2019 which gave the Bullhead City Police Department access to the Lake Havasu facility for general police training at no cost. He said approval of the proposed IGA would permit the Police Department continued use of the training facility. He said the facility offered judgmental training using a simulated system.

Council Member Brummett asked for the reason the system was located in Lake Havasu.

Police Chief Trebes said the Police Academy training facility was also located in Lake Havasu as well as other training facilities, and the space was available.

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

Eva Corbett said she would like to have the training conducted at the Field House in Bullhead City.

**MOTION:** Vice Mayor D'Amico made a motion to adopt Resolution No. 2021R-13A approving the Intergovernmental Agreement for use of the Police Training Facility at Lake Havasu City for the period of 2021 through 2031. Council Member Clark seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

5. Discussion and possible action to adopt Resolution No. 2021R-14 approving the Intergovernmental Agreement between the Bullhead City Pest Abatement District and the City of Bullhead City. (Human Services Director Tipton)

Human Services Director Tipton said the current agreement would expire on May 8, 2021. He said Bullhead City and the Pest Abatement District continued to work cooperatively in a proactive effort to suppress black fly, caddisfly, and mosquito populations.

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

**MOTION:** Council Member Bruck made a motion to adopt Resolution No. 2021R-14 approving the Intergovernmental Agreement between the Bullhead City Pest Abatement District and the City of Bullhead City. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

6. Discussion and possible action to approve the Mayor's execution of the Letter Agreement with the Bureau of Reclamation No. 21-XX-30-W0692-LA; and authorize the City Manager to take all actions consistent with the processing of the Letter Agreement and the issuance of the \$5,000 transactional payment required. (City Manager Cotter)

City Manager Cotter said the city had been working on this issue for quite some time. He said the city owned 25,000 acre-feet of water allocation and the Mohave Water Conservation District near Punto de Vista owned 4,800 acre-feet. He said the city wanted to merge the two districts and this action would accomplish their objective. He said the merger was a benefit to everyone, especially those living in the north side of the city, because they would not have to pay the taxing district any more.

Council Member Clark said the process of disbanding the district began many years ago and they were finally getting there. He said the district was created before the city incorporated. He said the city had been administratively operating certain pieces of the district for a long time. Mayor Brady asked if anyone from the public wanted to speak.

Billy Pershing asked if the residents would see a tax reduction.

City Manager Cotter said that water district tax would go away.

**MOTION:** Council Member Clark made a motion to approve the Mayor's execution of the Letter Agreement with the Bureau of Reclamation No. 21-XX-30-W0692-LA; and authorize the City Manager to take all actions consistent with the processing of the Letter Agreement and the issuance of the \$5,000 transactional payment required. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

7. Discussion and possible action to authorize the purchase of a new Regenerative Air-Type Street Sweeper from AZ Wastewater Industries, Inc. of Phoenix, Arizona, through the Sourcewell Cooperative Purchasing Contract #122017-GEP for a total of \$290,855.78; and authorize the City Manager or his designee to approve the purchase order and any resulting paperwork. (Public Works Director Johnson)

Public Works Director Johnson said the current street sweeper was 18 years old and had reached the end of its useful life. She said it would be sold in a public auction.

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

Billy Pershing asked about the life expectancy of the new street sweeper.

Operations Manager Ryan Farnell said a minimum of ten years.

Gary Genovese asked if the street sweeper would be used to pick up extra water on the streets after a rainstorm.

Operations Manager Farnell confirmed.

Dan Lorence asked if the city looked at additional options for purchase.

Public Works Director Johnson said they purchased the equipment through Sourcewell in order to get the best price possible.

Eva Corbett asked if the equipment could be leased.

City Manager Cotter said they looked at lease options, and they believed the best use of funds was through a purchase.

**MOTION:** Council Member Wegmann made a motion to authorize the purchase of a new Regenerative Air-Type Street Sweeper from AZ Wastewater Industries, Inc. of Phoenix, Arizona, through the Sourcewell Cooperative Purchasing Contract #122017-GEP for a total of \$290,855.78; and authorize the City Manager or his designee to approve the purchase order and any resulting paperwork. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

8. Discussion and possible action to authorize the purchase of a used 2019 Caterpillar 420F2 IT Backhoe from Peterson Tractor Co. of San Leandro, California for a total amount of \$128,816.00; authorize the City Manager or his designee to negotiate and execute a contract with all required accompanying documentation; and to approve the purchase order and resultant payments. (Public Works Director Johnson)

Public Works Director Johnson said the new backhoe would replace the current Street Maintenance unit that was 18 years old and beyond its useful life. She said the backhoe came with a 12 month warranty with unlimited hours.

Council Member Brummett said Bullhead City had been blessed and survived with the ability to do well during the pandemic.

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

Gary Genovese asked if Caterpillar would require the city to contract with them for repairs.

Public Works Director Johnson said Caterpillar would only perform repair work under the warranty.

Dan Alfonzo asked if there were options for an extended warranty.

City Manager Cotter said there were not many extended warranties for used equipment.

Billy Pershing asked if long lead times for repairs were a concern.

City Manager Cotter said city staff performed most of the repairs.

**MOTION:** Vice Mayor D'Amico made a motion to authorize the purchase of a used 2019 Caterpillar 420F2 IT Backhoe from Peterson Tractor Co. of San Leandro, California for a total amount of \$128,816.00; authorize the City Manager or his designee to negotiate and execute a contract with all required accompanying documentation; and to approve the purchase order and resultant payments. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

9. Discussion and possible action to approve the contract with Mesa Energy Systems, Inc. dba Emcor Services Nevada of Las Vegas, Nevada, for the replacement of an Evapco Cooling Tower in the amount of \$53,468.00 plus applicable taxes of \$4,063.57, for a total amount of \$57,531.57; and authorize the City Manager to execute all required documents and approve resultant payments. (Public Works Director Johnson)

Public Works Director Johnson this equipment would replace the second Evapco Cooling Tower in the Justice Center. She said the system had two cooling towers with one of them intended as an alternate and back-up. She said the first cooling tower was repaired in September 2019 after a complete failure. She said staff was aware that the second cooling tower would fail and needed to be replaced.

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 contract with Mesa Energy Systems, Inc. dba Emcor Services Nevada of Las Vegas, Nevada, for the replacement of an Evapco Cooling Tower in the amount of \$53,468.00 plus applicable taxes of \$4,063.57, for a total amount of \$57,531.57; and authorize the City Manager to execute all required documents and approve resultant payments. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

10. Discussion and possible action to approve the contract with Climatec, LLC of Las Vegas, Nevada in the amount of \$155,193.00 for the upgrades to the controls to the chiller system at the Justice Center; finding procurement and installation from current vendors to be in the best interest of the city; and authorize the City Manager to execute the contract and approve resultant payments. (Public Works Director Johnson)

Public Works Director Johnson said upgrades were needed to the chiller system at the Justice Center. She said the current Alerton system had been in use for more than ten years and the system was outdated. She said Climatec had maintained the system for more than six years. She said the proposal would update the system from analog to digital and help reduce delays in repairs.

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

**MOTION:** Council Member Bruck made a motion to approve the contract with Climatec, LLC of Las Vegas, Nevada in the amount of \$155,193.00 for the upgrades to the controls to the chiller system at the Justice Center; finding procurement and installation from current vendors to be in the best interest of the city; and authorize the City Manager to execute the contract and approve resultant payments. Council Member Clark seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

11. Discussion and possible action to authorize the purchase of a new John Deere 5075M Utility Tractor and a John Deere 540M Loader from Stotz Equipment of Las Vegas, Nevada, in the amount of \$63,859.00 plus estimated taxes of \$4,853.28; and authorize the City Manager to finalize a purchase agreement and execute all required documentation and issue resulting payments. (Human Services Director Tipton)

Parks and Recreation Superintendent Dave Heath said the current Parks Maintenance tractor was more than 20 years old and needed to be replaced. He said the equipment would be used for everything from aerating fields, moving soccer goals, and spreading fertilizer. He said the item would be purchased through the Sourcewell cooperative purchasing agreement.

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 authorize the purchase of a new John Deere 5075M Utility Tractor and a John Deere 540M Loader from Stotz Equipment of Las Vegas, Nevada, in the amount of \$63,859.00 plus estimated taxes of \$4,853.28; and authorize the City Manager to finalize a purchase agreement and execute all required documentation and issue resulting payments. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

**Other Business**

12. Discussion and possible action to adopt Ordinance No. 2021-07 approving the Amendment to the Bullhead City Municipal Code entitled "Pigeon Abatement Code Amendment 2021" by reference; and adopt Resolution No. 2021R-15 declaring the amendment a public record. (City Manager Cotter)

City Manager Cotter said this ordinance would ban and make unlawful the feeding of pigeons, and encouraging the lingering, roosting or congregation of pigeons. He said the city's parks and neighborhoods had seen an increase in people feeding pigeons. He said Clark County, Henderson, and Las Vegas also banned the feeding of pigeons within their communities. He displayed some news videos from Clark County relating to the pigeon feeding ban.

Council Member Zehri asked if signs would be installed.

City Manager Cotter said signs would be installed at the parks but not in the neighborhoods.

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

Gary Genovese said people feeding the quail were also providing food for the pigeons.

Dan Lorence spoke in support of the ordinance.

**MOTION:** Council Member Bruck made a motion to adopt Ordinance No. 2021-07 approving the Amendment to the Bullhead City Municipal Code entitled "Pigeon Abatement Code Amendment 2021" by reference; and adopt Resolution No. 2021R-15 declaring the amendment a public record. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

13. Discussion and possible action to adopt Ordinance No. 2021-08 approving the Amendments to the Bullhead City Municipal Code entitled “Medical Marijuana Odor Mitigation/Zoning Code Amendments 2021;” and adopt Resolution No. 2021R-16 declaring the amendments a public record. (City Manager Cotter)

City Manager Cotter said the Council desired to proactively address the possible odor ramifications that could be associated with cultivation and manufacturing activities and directed staff to submit further amendments to address the issue. He said as part of the process, it was determined that certain changes would need to be made in the existing medical marijuana code provisions to provide for consistence, compared to the recreational provisions, in the treatment of qualified zoning for areas of operation and odor control.

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

Billy Pershing asked if the city had odor restrictions for residential properties.

City Attorney Emery said the acts passed by the voters allowed limited cultivation in an enclosed residential area. He said there was no odor control for residential grows, which was limited to six plants and twelve plants if growing for another individual.

**MOTION:** Council Member Wegmann made a motion to adopt Ordinance No. 2021-08 approving the Amendments to the Bullhead City Municipal Code entitled “Medical Marijuana Odor Mitigation/Zoning Code Amendments 2021;” and adopt Resolution No. 2021R-16 declaring the amendments a public record. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D’Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

14. Discussion and possible action to adopt Ordinance No. 2021-09 approving the Amendments to the Bullhead City Municipal Code entitled “Recreational Marijuana Odor Mitigation Code Amendments 2021;” and adopt Resolution No. 2021R-17 declaring the amendments a public record. (City Manager Cotter)

City Manager Cotter said the proposed odor control amendments would implement certain conditions and ensure that the public would not be required to tolerate some of the odor issues that have already been identified by other communities in relation to these activities.

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

Dan Alfonzo asked if the definition of odor included the scent of smoking marijuana in a residential area.

City Attorney Emery said the ordinance applied purely to commercial activity.

**MOTION:** Council Member Bruck made a motion to adopt Ordinance No. 2021-09 approving the Amendments to the Bullhead City Municipal Code entitled “Recreational Marijuana Odor Mitigation Code Amendments 2021;” and adopt Resolution No. 2021R-17 declaring the amendments a public record. Council Member Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D’Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

15. Discussion and possible action to approve the budget amendment of \$25,000.00 from the City Grant Fund to the Pest Abatement Budget for the hiring of additional pest abatement staff and other contractors. (Human Services Director Tipton)

City Manager Cotter said the city had a partnership with the Pest Abatement District to control the gnat, caddisfly, and mosquito population.

Human Services Director Tipton said this was a one-time transfer request to hire additional staff to assist Pest Abatement Manager Dr. Cavallaro.

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

Dan Lorence suggested bringing in students from the local colleges and schools for assistance.

**MOTION:** Council Member Wegmann made a motion to approve the budget amendment of \$25,000.00 from the City Grant Fund to the Pest Abatement Budget for the hiring of additional pest abatement staff and other contractors. Council Member Clark seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D’Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

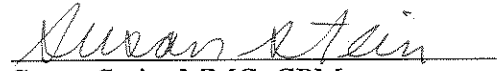
**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:21 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 6th day of April 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of April 2021.

A handwritten signature in cursive script, appearing to read "Susan Stein", is written over a horizontal line.

Susan Stein, MMC, CPM  
City Clerk