

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, May 18, 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. Retired Air Force Chaplain Paul Pitts delivered the invocation and the Mohave High School Jr. ROTC presented the colors. Staff Sgt. Matthew Burns led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Bruck, D'Amico, Wegmann, Zehri (via Zoom conference)

Council Absent

Brummett

Vacant Seat

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Robert Trebes

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Angie Johnson

HUMAN SERVICES DIRECTOR: Jeff Tipton

PLANNING MANAGER: Juan Loera

PRESENTATIONS AND PROCLAMATIONS

1. Retirement of Military Banners Presentation by the Tri-State Military Moms, Inc.

Mayor Brady presented "Welcome Home" certificates to the banner retirees. Cindy Frizelle, President of the Tri-State Military Moms, thanked the military families, veterans, and supporters of the highway banner program. The retired banners were presented to each of the military retirees.

Mayor Brady adjourned the meeting at 6:07 p.m. for a photo session and reconvened the meeting at 6:25 p.m.

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Harvey Pryor said he wanted to thank Little Caesar's Pizza for donating food to the local non-profit organizations. He said the city needed additional police officers.

Sue Demarco from Saving Animals In Need Together thanked all of their generous supporters that attended the Cinco de Mayo fundraiser, and said they were in desperate need of more foster homes. Billy Pershing said the Bullhead City Conservatives would meet on June 19th at the public library.

Scotty McClure said that raccoons were becoming a nuisance in many neighborhoods and he would like the city to address the problem. He said the lack of handicapped parking was still an issue in the city.

Eva Corbett said the Colorado River Women's Republican Club would hold a luncheon on May 19th at Chaparral Country Club.

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, D'Amico, Wegmann, Zehri NAYS: None
ABSENT: Brummett

MOTION CARRIED

MANAGER'S REPORT

1. Budget Workshops – May 24-26

City Manager Cotter said the Council would hold public budget work sessions on May 24 through May 26 beginning at 3:00 p.m. each day.

2. Sports and Special Events

Human Services Director Tipton provided an update on local sports tournaments and special events. City Manager Cotter discussed the summer river safety program and parking requirements at the city parks.

3. Caddisfly Update

Pest Abatement Manager Michael Cavallaro discussed the programs being performed in order to eradicate the caddisfly population along the river. He discussed the low flow process and the timing of those flows on the river.

4. Federal Mask Requirement for Transit

City Manager Cotter said drivers and passengers would be required to wear masks inside the city's transit vehicles as required by Federal law until September.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

None

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Bruck made a motion that Items No. 1 through 6 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, D'Amico, Wegmann, Zehri NAYS: None
ABSENT: Brummett

MOTION CARRIED

Items on the Consent Agenda were approved as follows:

1. Approval of the Minutes of the Regular Council Meeting held on May 4, 2021. (City Clerk Stein)
2. Approval of Resolution No. 2021R-23 authorizing the abandonment of a portion of the "No Construction Allowed" designation within Lots 53 and 54 of the Punto de Vista Unit 2, Tract 1060B subdivision, located in Section 27, T21N, R21W, Bullhead City, Arizona. (Development Services Director Chooniyom)
3. Approval of: 1) the Final Plat for Parkway Commercial at Desert Foothills Estates, Tract 5034; 2) the Water Allocation in the amount of 1.2 acre-feet; and 3) authorizing the Mayor to sign the Final Plat. (Development Services Director Chooniyom)
4. Approval of: 1) the Amended Final Plat for Laredo Canyon Trails at Fox Creek, Tract 5192, Unit 3; 2) the Financial Assurance through the Amended Property Escrow Agreement; 3) confirming the Water Allocation in the amount of 4.37 acre-feet; 4) authorizing the Mayor to execute the amended agreement on behalf of the city; 5) authorizing the termination of the previously entered property escrow agreement under the original final plat. (Development Services Director Chooniyom)
5. Approval of the request to release the Financial Assurance for Laredo Canyon Trails at Fox Creek, Tract 5192, Unit 1; and to accept the required improvements into the city system for maintenance. (Development Services Director Chooniyom)
6. Adoption of Resolution No. 2021R-24 approving the Intergovernmental Agreement between Bullhead City and Mohave County for the purpose of continuing Mohave County administration of the housing assistance programs within Bullhead City in the amount of \$3,500 annually through June 30, 2022. (Human Services Director Tipton)

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

7. Discussion and possible action to adopt Ordinance No. 2021-10 by reference, approving amendments to Chapter 17.04, Definitions, and Chapter 17.06, General District Requirements, of the Bullhead City Municipal Code concerning swimming pools; and adopting Resolution No. 2021R-25 declaring the code amendment a public record. (Development Services Director Chooniyom)

Planning Manager Loera said the proposed amendments would address ongoing issues with swimming pools and spas. He said the amendment would specify that hot tubs and spas fall under the definition of “swimming pool.” He said the current code did not define spas or hot tubs, which occasionally led to confusion on the part of residents as to whether the swimming pool regulations also applied to those other structures. He said the amendment would clarify that all related code provisions would apply to swimming pools, including barrier and setback requirements, and apply to hot tubs and spas. He said the second part addressed the location of swimming pools in single-family residential districts. He said current provisions limited swimming pools to side and rear yards only. He said this amendment would allow swimming pools to be located in front yards on lots over 10,000 square feet in size, provided the minimum front yard setback required by the density district was met for both the swimming pool and the required pool barrier. He said approval was recommended by the Planning and Zoning Commission.

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

Eva Corbett asked if the code applied to ponds. Planning Manager Loera confirmed.

MOTION: Council Member Wegmann made a motion to adopt Ordinance No. 2021-10 by reference, approving amendments to Chapter 17.04, Definitions, and Chapter 17.06, General District Requirements, of the Bullhead City Municipal Code concerning swimming pools; and adopting Resolution No. 2021R-25 declaring the code amendment a public record. Council Member Bruck seconded the motion.

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

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

8. Discussion and possible action to adopt Resolution No. 2021R-26 approving the Intergovernmental Agreement between the City of Bullhead City and Clark County for animal drop-off location. (Police Chief Trebes)

Police Chief Trebes said Clark County did not have an animal shelter in the Laughlin, Nevada area. He said Clark County officials requested availability for Laughlin residents to drop off stray and unwanted animals at the city's shelter. He said an intergovernmental agreement was reached in 2015 for those limited services at the rate of \$125 per month. He said services were limited in nature and performed without issue since that time. He said a two-year extension of the agreement with Clark County was recommended by staff.

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 adopt Resolution No. 2021R-26 approving the Intergovernmental Agreement between the City of Bullhead City and Clark County for animal drop-off location. Council Member Bruck seconded the motion.

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

MOTION CARRIED

9. Discussion and possible action to: 1) adopt Resolution No. 2021R-27 approving the "Collection Agreement" with the State of Arizona for receipt of a \$53,000 grant for the sole purpose of supporting recreational boating law enforcement activities; 2) approve the purchase of one law enforcement patrol boat through authorized GSA purchasing channels with the grant funds in an amount not to exceed \$53,000, to be owned by the city with associated emergency response and boating safety equipment; and 3) authorize the City Manager to enter into any required contracts with the patrol boat vendor and to execute all required documentation and issue resulting payments. (Police Chief Trebes)

Police Chief Trebes said Arizona Game & Fish had awarded the city a \$53,000 grant to help defray the expense of purchasing one new boat for law enforcement activities on the Colorado River. He said the total cost of the boat was \$105,000 and the difference would be paid by the general fund. He said the city would purchase the new vessel through Rogue Jet Boatworks that allowed governments to purchase through a negotiated pricing process.

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: 1) adopt Resolution No. 2021R-27 approving the “Collection Agreement” with the State of Arizona for receipt of a \$53,000 grant for the sole purpose of supporting recreational boating law enforcement activities; 2) approve the purchase of one law enforcement patrol boat through authorized GSA purchasing channels with the grant funds in an amount not to exceed \$53,000, to be owned by the city with associated emergency response and boating safety equipment; and 3) authorize the City Manager to enter into any required contracts with the patrol boat vendor and to execute all required documentation and issue resulting payments. Vice Mayor D’Amico seconded the motion.

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

MOTION CARRIED

10. Discussion and possible action to adopt Resolution No. 2021R-28 approving the updated Intergovernmental Agreement between Lake Havasu City, the City of Kingman, the City of Bullhead City, the Town of Colorado City, and Mohave County Sheriffs’ Office for the Arizona Department of Administration, Grants, and Federal Resources (ADOA-GFR) Arizona 911 Grant Program. (Police Chief Trebes)

Police Chief Trebes said this agreement would update the current agreement with all parties. He said the purpose of the agreement was to administer funds received under the Office of Grants and Federal Resources Arizona 911 Grant program for the operation of all public safety answering points in Mohave County.

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 adopt Resolution No. 2021R-28 approving the updated Intergovernmental Agreement between Lake Havasu City, the City of Kingman, the City of Bullhead City, the Town of Colorado City, and Mohave County Sheriffs’ Office for the Arizona Department of Administration, Grants, and Federal Resources (ADOA-GFR) Arizona 911 Grant Program. Council Member Bruck seconded the motion.

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

MOTION CARRIED

11. Discussion and possible action to adopt Resolution No. 2021R-29 approving an Intergovernmental Agreement entitled “Criminal Justice User Agreement between the Arizona Department of Public Safety and Bullhead City Police Department” (Rev. 09/19). (Police Chief Trebes)

Police Chief Trebes said the proposed agreement would update the current agreement with the State of Arizona through the Department of Public Safety that regulated the Police Department’s use of

criminal justice information available through the Federal Bureau of Investigation's National Crime Information Center.

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-29 approving an Intergovernmental Agreement entitled "Criminal Justice User Agreement between the Arizona Department of Public Safety and Bullhead City Police Department" (Rev. 09/19). Vice Mayor D'Amico seconded the motion.

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

MOTION CARRIED

12. Discussion and possible action to approve the Tenth Amendment to the Memorandum of Agreement between the City of Bullhead City and the Boys and Girls Club of the Colorado River in the amount of \$50,000 for FY 2021-2022; and authorizing the City Manager to execute the amendment on behalf of the city. (City Manager Cotter)

City Manager Cotter said the city first entered into the agreement with the Boys and Girls Club on September 29, 2011, in order to provide funds to conduct after school programs. He said the parties have extended the agreement since that time each year. He said this was a great partnership operating out of a city-owned facility on Highland.

Council Member Zehri suggested increasing the amount of funding from \$50,000 to \$60,000.

Vice Mayor D'Amico asked if \$50,000 was sufficient for the next year.

City Manager Cotter said that was the amount requested by the Club. He said additional services were provided by the city; such as taking care of the parking lot and installing additional lighting.

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

MOTION: Vice Mayor D'Amico made a motion to approve the Tenth Amendment to the Memorandum of Agreement between the City of Bullhead City and the Boys and Girls Club of the Colorado River in the amount of \$50,000 for FY 2021-2022; and authorizing the City Manager to execute the amendment on behalf of the city. Council Member Wegmann seconded the motion.

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

MOTION CARRIED

13. Discussion and possible action to approve the expenses incurred from the disposal of sludge to the Mohave County Landfill in an amount of \$45,000 for fiscal year 2021; and authorize the City Manager to approve resultant payments. (Wastewater Operations Manager Dukek)

City Manager Cotter said the request would cover the additional expense incurred by the Wastewater Division to dispose of sludge from the Section 10 and Section 18 wastewater treatment plants.

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

MOTION: Vice Mayor D'Amico made a motion to approve the expenses incurred from the disposal of sludge to the Mohave County Landfill in an amount of \$45,000 for fiscal year 2021; and authorize the City Manager to approve resultant payments. Council Member Bruck seconded the motion.

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

MOTION CARRIED

Other Business

14. Discussion and possible action to approve the seven Council-Selected Members to serve on the Council Vacancy Nominating Committee; direct the Committee to act in accordance with City Code and the processes outlined in the council communication; and further direct staff to coordinate the administrative functions of the committee. (City Manager Cotter)

City Manager Cotter said a vacancy was created on the City Council after the recent resignation of Mark R. Clark when he accepted the position of Utilities Director with the city. He said the City Code defined the process the city would need to follow to fill the vacant position. He said this was the time for each Council Member to inform the City Clerk of the person they selected to serve on the Nominating Committee.

Mayor Brady selected Tyler Carlson and Bill Osborne.

Vice Mayor D'Amico selected Grace Hecht.

Council Member Bruck selected Judy Musselwhite.

Council Member Brummett selected Karen Flenniken.

Council Member Wegmann selected Carey Fearing.

Council Member Zehri selected Irene Reyna.

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 seven Council-Selected Members to serve on the Council Vacancy Nominating Committee; direct the Committee to act in accordance with City Code and the processes outlined in the council communication; and further direct staff to coordinate the administrative functions of the committee. Council Member Bruck seconded the motion.

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

MOTION CARRIED

15. Discussion and possible action to adopt Ordinance No. 2021-11 approving an amendment to Section 2.04.110 Honorarium of the Bullhead City Municipal Code increasing the Honorarium as stated in the Ordinance. (City Manager Cotter)

City Manager Cotter said the City Council honorarium had not increased since 2006. He said staff provided an analysis of what other comparable municipalities paid their Mayor and Council Members. He said the current ordinance provided a monthly honorarium of \$750 for the position of Council Member and \$1,000 for the position of Mayor. He said the proposal would increase the honorarium amounts to \$958 per month for Council Member and \$1,375 for the Mayor. He said the proposed ordinance, if approved, would not increase the honorarium amounts until January 1, 2022 (subsequent to the next Mayoral election); and the Council Member honorarium would not increase until January 1, 2024 (subsequent to the next Council Member election). He said, as of January 1, 2024, the honorarium would increase annually on the same schedule as, and equal to, any cost of living increase approved for Bullhead City employees.

Mayor Brady said members of the Council were asked to attend many meetings, work sessions, fund raising events, and attend to constituent needs. He said the honorarium would help to reimburse their personal expenses.

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

Scotty McClure spoke in support of the honorarium increase, but was not in favor of the annual cost of living increases.

MOTION: Council Member Wegmann made a motion to adopt Ordinance No. 2021-11 approving an amendment to Section 2.04.110 Honorarium of the Bullhead City Municipal Code increasing the Honorarium as stated in the Ordinance. Vice Mayor D’Amico seconded the motion.

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

MOTION CARRIED

16. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2021R-30 approving amendments to the Comprehensive Fee Schedule for Fiscal Year 2021-2022. (City Manager Cotter)

City Manager Cotter said the city did a thorough annual review of all fees. He said no changes had been effectuated in the categories selected for a long period of time and were needed to more adequately address the city's costs. He said Development Services/Building and Planning & Zoning changes were recommended based upon a one-time cost of living rate, currently at 1.3 percent. He said some recreation fee changes were needed to more accurately reflect actual personnel costs.

Mayor Brady opened the public hearing. No one from the public requested to speak. Mayor Brady closed the public hearing.

MOTION: Council Member Bruck made a motion to adopt Resolution No. 2021R-30 approving amendments to the Comprehensive Fee Schedule for Fiscal Year 2021-2022. Council Member Wegmann seconded the motion.

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

MOTION CARRIED

17. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2021R-31 authorizing the submission of the application for the FY2021 CDBG project and directing all follow-on activities. (Public Works Director Johnson)

Public Works Director Johnson said this was the second public hearing on the use of Community Development Block Grant (CDBG) funds. She said the proposed project was the construction of the Senior Nutrition Center Expansion. She said the building would consist of approximately 5,000 square feet and include additional meeting/craft rooms and an open recreation and exercise room. She said the building would allow seniors to flow smoothly from having meals to participating in activities that would keep them socializing and active. She said the building had access to Ken Fovargue Park and the community swimming pool.

Mayor Brady said he was all in favor of providing additional amenities for seniors in the community. He said the building would give the city the ability to offer more classes and activities to seniors.

Council Member Bruck invited the public to tour the newly remodeled Senior Nutrition Center during the grand re-opening on May 21st.

Mayor Brady opened the public hearing. No one from the public requested to speak. Mayor Brady closed the public hearing.

MOTION: Council Member Bruck made a motion to adopt Resolution No. 2021R-31 authorizing the submission of the application for the FY2021 CDBG project and directing all follow-on activities. Vice Mayor D'Amico seconded the motion.

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

MOTION CARRIED

18. Discussion and possible action to adopt Resolution No. 2021R-32 authorizing and directing the Mayor's signature on a deed(s) in connection with the anticipated sale of 80 acres of the Don Laughlin donated lands. (City Manager Cotter)

City Manager Cotter said this was the continuation of the land exchange with the Bureau of Land Management and the sale of the 80-acre property donated by Don Laughlin. He said the City Attorney had worked with Mohave County to create the conveyance documents.

Mayor Brady said this document would clarify the parcel with the County Assessor's office.

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

Scotty McClure asked about the reason for selling the parcel.

City Manager Cotter said the BLM gave no value to the house and bunker donated by Don Laughlin and the city picked an appropriate size of property to include in the parcel to be sold. He said the remainder of the donated property would be traded for land at Community Park.

Harvey Pryor asked if the city would be able to obtain the land south of the wash at Community Park.

City Manager Cotter said that parcel was classified as state land.

MOTION: Council Member Wegmann made a motion to adopt Resolution No. 2021R-32 authorizing and directing the Mayor's signature on a deed(s) in connection with the anticipated sale of 80 acres of the Don Laughlin donated lands. Council Member Bruck seconded the motion.

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

MOTION CARRIED

19. Discussion and possible action to approve the transfer of \$75,000 for Gary Keith Park Budget Amendment from General Services Contingency to the Parks and Recreation Capital Fund; and allocate the funding to Community Pride Advocates. (Human Services Director Tipton)

City Manager Cotter said this was a budget amendment to fund additional improvements at Gary Keith Park to include ramada concrete foundations, more landscaping, decorative rock throughout, and other beautification projects.

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 transfer of \$75,000 for Gary Keith Park Budget Amendment from General Services Contingency to the Parks and Recreation Capital Fund; and allocate the funding to Community Pride Advocates. Vice Mayor D'Amico seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

20. Discussion on Term Limits for Mayor and City Council Members. There will be no official action on this item. There will be discussion, citizen input, and direction to staff only. (Mayor Brady and Council Member Zehri)

Mayor Brady said he and many others believed there should be term limits for members of Congress. He said voters passed term limits for State Legislators years ago. He said he was a firm believer in term limits for all elected officials. He said under state law, the question to impose term limits for the City Council would need to be decided by the voters in an election. He said the City Attorney indicated the question of term limits could be placed on the ballot through a Council resolution. He asked the City Council to help him place the question on the ballot without having to obtain 1,184 signatures through an initiative process.

Council Member Zehri said he agreed with Mayor Brady.

Vice Mayor D'Amico asked for a work session to allow additional public input.

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

Dan Alfonzo said he was a firm believer in term limits. He said fresh ideas were needed in order to focus on the needs of the citizens.

Scotty McClure spoke in support of term limits.

Billy Pershing said once an elected official was termed out, that person should not be able to re-run in the future.

The consensus of the City Council was to hold a work session on June 15th.

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:54 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 May 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of June 2021.



Susan Stein, MMC, CPM
City Clerk