

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, October 19, 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 Pastor Roy Hagemyer of the Way Christian Church to deliver the invocation. Mayor Brady led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, Brummett, D'Amico, Mieding, Wegmann, Zehri

Council Absent

None-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

UTILITIES DIRECTOR: Mark R. Clark

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

Mayor Brady said the city mourned the recent loss of Kathy Bruck who served on the City Council for 13 years. He provided information on the memorial celebration of her life. The other five Council Members expressed their thoughts on the merits of Kathy's life and mourned her passing.

**PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation declaring the month of October 2021 as "National Cooperative Month" in Bullhead City.

Mayor Brady read the proclamation and presented it to Jerry Hardy and Regina of Mohave Electric Cooperative in celebration of the company's 75 years in business.

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Steven Lee requested that the Council prepare for upcoming power/fuel shortages and supply chain interruptions.

Ken Sondgeroth invited the public to attend the Corn Fest on October 29th and 30th at Gary Keith Park with music, a haunted house, and teen zone.

Grace Hecht discussed the various events that were taking place in the community. She said volunteers were needed at the homeless shelter and for Meals on Wheels.

Julie Hassett invited the public to attend the Colorado River Concert performances beginning on November 3rd.

Scotty McClure said the city's meeting hearing device was working much better. He said Circle K would not sell him a lottery ticket unless he provided his birthdate or phone number. He said people were trespassing in the wash behind the homeless shelter.

Eva Corbett invited the public to attend a fundraiser for the Mohave County Sheriffs' K-9 Unit and Saving Animals in Need Together.

Harvey Pryor requested the Council consider building an RC track in Rotary Park. He said the city should provide more park amenities for residents and not more fields for tournaments.

Billy Pershing said the Tea Party group would meet on October 30th at the public library.

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

#### **AGENDA MODIFICATIONS**

None

#### **WAIVER MOTION**

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

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

**MOTION CARRIED**

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

##### 1. Annual Update from the Municipal Court

City Magistrate Pete Psareas provided an annual update of the city's court operations. He said court proceedings included criminal misdemeanors, civil violations, and protective orders. He said the number of cases had remained consistent over the last four years, even during COVID restrictions. He said fiscal year 2021 had more dispositions because people were taking advantage of COVID and not showing up. He said there were more active warrants over the last few years due to a number of circumstances. He said more people were paying their fines over the last year, possibly due to the stimulus checks. He said jail costs would increase next year because the jail had recently re-opened after being closed due to COVID. He said the Veterans' Treatment Court currently had six participants with a total of 59 past participants. He said the court held an Amnesty Day on

September 10th that resulted in quashing 59 active warrants, 68 payments received, and 14 suspensions lifted.

Council Member D'Amico asked for a report on the number of community service hours from the court.

## 2. Federal Recovery Funds/CARES Act

City Manager Cotter said in 2020, the city received \$4.6 million from the federal government under the AZ CARES Act. He said the funding allowed direct relief to cover expenses incurred during the pandemic. He said the city would receive a total of \$13.6 million under American Rescue Plan Act, and had received \$6.8 million to date. He said this funding was more restrictive and said most of it had been included in the approved budget for eligible projects. He said that ARPA funding would free up more dollars in the general fund. He said construction of the new second bridge would begin soon.

## 3. City Utilities Department/Water System Transfer

Utilities Director Clark said since the city took over the water system, they had 1,227 calls for service, or an average of 25 per day. He said the field staff had been very busy repairing line breaks and other equipment. He said they were working through the challenges.

City Manager Cotter said they had been receiving many calls from customers regarding their accounts, and said they were hiring more people in customer service to handle the calls. He said they were not charging late fees at this time. He said the Council took a tour of the facilities and saw some of the problems they were facing with the system.

## 4. Economic Development Update

City Manager Cotter said the Holiday Inn was about 99 percent completed. He displayed photos of the rooms. He read a list of new businesses and developments coming to the area. He said approximately 500 new single family homes would be built this year. He said the official 2020 census report for Bullhead City was 41,348.

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

Council Member Wegmann invited the community to visit the "Wall That Heals" display at Mohave High School. She discussed additional community events.

Council Member Mieding invited the community to participate in the "Walk Away From Drugs" event on October 27th.

## **ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Council Member Wegmann made a motion that Items No. 1 through 4 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Council Member Mieding seconded the motion.

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

**MOTION CARRIED**

Items on the Consent Agenda were approved as follows:

1. Approval of the Minutes of the Special Council Meeting held on October 5, 2021; and the Minutes of the Regular Council Meeting held on October 5, 2021. (City Clerk Stein)
2. Approval of: 1) the Final Plat for Florence Estates, Tract 5003; 2) the Water Allocation in the amount of 2.02 acre-feet; and 3) authorizing the Mayor to sign the Final Plat. (Development Services Director Chooniyom)
3. Approval of Resolution No. 2021R-57 authorizing the abandonment of a 16-foot anchor easement that lies within a parcel of land located at 3885 Rising Sun Road and described as Clearwater Hills, Unit 1, Tract 4011A, Lot 81, Section 11, T19N, R22W. (Development Services Director Chooniyom)
4. Acceptance of real property (a median strip on Marina Blvd.) as public right-of-way as described within the “General Warranty Deed and Dedication as Public Right-of-Way” as conveyed by Peter W. Horne to the city. (Public Works Director Johnson)

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

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

5. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the Application for an Interim Permit and Owner Transfer of Series 6 Liquor License Job No. 161258 submitted by Jared Michael Repinski for an establishment known as, Our Place on Hancock, located at 877 Hancock Road in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff had reviewed the application and had no objections.

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

**MOTION:** Council Member Wegmann made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the Application for an Interim Permit and Owner Transfer of Series 6 Liquor License Job No. 161258 submitted by Jared Michael Repinski for an establishment known as, Our Place on Hancock, located at 877 Hancock Road in Bullhead City. Council Member D'Amico seconded the motion.

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

**MOTION CARRIED**

## ACTION ITEMS

### Building, Planning and Zoning Items

6. Discussion and possible action to approve: 1) the Final Plat for Canyon Trails at Fox Creek, Tract 5190, Unit 9; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 15.8 acre-feet; and 4) authorizing the Mayor to execute the agreement on behalf of the city. (Development Services Director Chooniyom)

Planning Manager Loera said the 13-acre site would be subdivided into 47 lots for single family residential development and five parcels for open space, public utility, drainage, and landscape easements. He said all streets and utility were dedicated to the public.

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

**MOTION:** Council Member D'Amico made a motion to approve: 1) the Final Plat for Canyon Trails at Fox Creek, Tract 5190, Unit 9; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 15.8 acre-feet; and 4) authorizing the Mayor to execute the agreement on behalf of the city. Council Member Mieding seconded the motion.

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

**MOTION CARRIED**

7. Discussion and possible action to approve: 1) the Final Plat for The Ridge at Canyon Trails, Tract 5189, Unit 6; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 3.36 acre-feet; and 4) authorizing the Mayor to execute the agreement on behalf of the city. (Development Services Director Chooniyom)

Planning Manager Loera said the 5.8-acre site would be subdivided into ten lots for single family residential development and three parcels for open space, public utility, and drainage easements. He said all streets and utility easements were dedicated to the public.

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: 1) the Final Plat for The Ridge at Canyon Trails, Tract 5189, Unit 6; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 3.36 acre-feet; and 4) authorizing the Mayor to execute the agreement on behalf of the city. Council Member Mieding seconded the motion.

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

**MOTION CARRIED**

8. Discussion and possible action to adopt Ordinance No. 2021-18 by reference, approving additions to Chapter 17.26, Commercial and Industrial Districts of the Bullhead City Municipal Code, concerning residential apartments in commercial districts; and adopt Resolution No. 2021R-58 declaring the code amendment a public record. (Development Services Director Chooniyom)

City Manager Cotter said the proposed code amendment would allow apartments on the upper floors of commercial buildings in the C1 and C2 commercial districts by right, with no requirement for a conditional use permit, and no limitation on the percentage of the buildings that could be utilized for residential uses.

Council Member Mieding said some issues such as trash and parking would need to be addressed. He spoke in support of the amendment.

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

Eva Corbett asked if new structures could be built under this amendment.

Planner Loera confirmed.

Scotty McClure spoke in support of the amendment and asked if separate utility meters would be required.

Planner Loera said any issues would be addressed during the building permit process.

Billy Pershing asked about the number of stories that could be built.

Planner Loera said a height of three stories was currently the height restriction for residential structures.

**MOTION:** Council Member made a motion to adopt Ordinance No. 2021-18 by reference, approving additions to Chapter 17.26, Commercial and Industrial Districts of the Bullhead City Municipal Code, concerning residential apartments in commercial districts; and adopt Resolution No. 2021R-58 declaring the code amendment a public record. Council Member Zehri seconded the motion.

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

**MOTION CARRIED**

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

9. Discussion and possible action to approve the “Agreement for Emergency Pipe Replacement at Section 10 Wastewater Treatment Plant” in the amount of \$41,516.41 plus taxes and applicable fees; and authorize the City Manager to execute the agreement and issue resultant payments. (Utilities Director Clark)

Utilities Director Clark said the main influent pipe for the Section 10 plant was a 36-inch ductile iron pipe. He said each day, approximately three million gallons of sewage flowed through this pipe on its way to be treated at the plant. He said the pipe had a considerable amount of corrosion in a localized area, and said staff was concerned the pipe could rupture if it was not replaced soon.

Council Member Mieding asked about the warranty and if the city would supervise the work.

Utilities Director Clark said he would be supervising the project.

Council Member Brummett asked if service would be interrupted during the repair.

Utilities Director Clark that service would not be interrupted.

Council Member D’Amico asked about the use of iron pipe.

Utilities Director Clark said a strong material was required with withstand the pressure, and said it was a coated pipe.

Council Member Wegmann asked when the equipment would be received and installed.

Utilities Director Clark said as soon as possible.

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

**MOTION:** Council Member Mieding made a motion to approve the “Agreement for Emergency Pipe Replacement at Section 10 Wastewater Treatment Plant” in the amount of \$41,516.41 plus taxes and applicable fees; and authorize the City Manager to execute the agreement and issue resultant payments. Council Member Zehri seconded the motion.

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

**MOTION CARRIED**

10. Discussion and possible action to approve the “Supervisory Control and Data Acquisition Master Plan Services (SCADA) Bullhead City Utilities” in the amount of \$200,000.00, contingent upon stated circumstances; and authorize the City Manager to execute the agreement and issue resultant payments. (Utilities Director Clark)

Utilities Director Clark said this system was the brains of the automated control of the city’s wastewater collection system, wastewater treatment facilities, water production facilities, water storage facility, and water distribution system. He said the computer based system controlled the city’s water reclamation plants, lift stations, wells, storage tanks, and booster pumps. He said both the wastewater and water operations communication systems were obsolete. He said they needed to standardize the wastewater and water systems to determine what componentry, community system, software, controllers and integration were the best in order to integrate the all of the above. He said staff believed the best way to answer all of their questions regarding the upgrade of the SCADA system was to bring in experts to help develop the master plan.

Council Member Zehri asked if grant funding could be used to pay for the study.

Utilities Director Clark said they would apply for as many grants as possible.

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

Steven Lee said he was concerned there was a risk the city could have its technology hacked and taken over by outside forces. He asked if there was a way to have backup power.

City Manager Cotter said they would not disclose any of the city’s security programs.

Scotty McClure spoke in support of the item.

Eva Corbett asked if this expenditure would come under the \$5 million for system upgrades.

City Manager Cotter confirmed.



**MOTION:** Council Member Mieding made a motion to approve the “Supervisory Control and Data Acquisition Master Plan Services (SCADA) Bullhead City Utilities” in the amount of \$200,000.00, contingent upon stated circumstances; and authorize the City Manager to execute the agreement and issue resultant payments. Council Member Wegmann seconded the motion.

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

**MOTION CARRIED**

**Other Business**

11. Discussion and possible action to approve the seven (7) 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 communication; and further, direct staff to coordinate the administrative functions of the committee. (City Manager Cotter)

City Manager Cotter said the recent passing of Kathy Bruck created a vacancy on the Council. He said the vacancy was filled according to a process defined in the City Code.

The City Council nominations were as follows;

Mayor Brady	Tyler Carlson, Bill Osborne
Council Member Brummett	Ellen Brown
Council Member Mieding	Karen Flenniken
Council Member Wegmann	Janelle Finch
Council Member D’Amico	Barbara Houston
Council Member Zehri	Ardie Lauxman

**MOTION:** Council Member Mieding made a motion to approve the seven (7) 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 communication; and further, direct staff to coordinate the administrative functions of the committee. Council Member Wegmann seconded the motion.

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

**MOTION CARRIED**

12. Discussion and possible action to designate a Council Member to serve as Vice Mayor for the remainder of fiscal year 2021-2022; from October 19, 2021 through June 30, 2022. (City Clerk Stein)

City Manager Cotter said the position of Vice Mayor became available upon the recent passing of Vice Mayor Kathy Bruck.

**MOTION:** Council Member Mieding made a motion to designate Steve D'Amico to serve as Vice Mayor for the remainder of fiscal year 2021-2022; from October 19, 2021 through June 30, 2022. Council Member D'Amico seconded the motion.

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

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

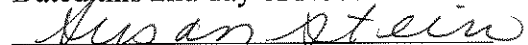
**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:25 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 19th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of November 2021.

  
Susan Stein, MMC, CPM, City Clerk