

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 19, 2022, 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 Spiritual Leader Maryann Shepherd to deliver the invocation. Vice Mayor D'Amico led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Brummett, D'Amico, Head, Hecht, Wegmann

Council Absent

None (one 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

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Dr. Liliya Tishchenko invited the public to attend the Community Health Fair to be held at Mohave Community College on April 23rd.

Dan Alfonzo said he would like the public to receive more advance notice and information about the upcoming Bullhead River Run event.

Jackie Edge said she was new to the area, and asked for assistance in preventing the person from defecating in the Rotary Park dog park.

Najib Noori thanked the Development Services Department for their actions to save people's lives when their canopy at Fast Trip was crushed.

Harvey Pryor said the RC Car Club would meet on April 24th at the RC Track. He said the Laughlin Town Board did nothing to assist the city with its river safety programs.

Billy Pershing invited the public to attend the Mohave Tea Party meeting on April 23rd at the public library.

Pamela Smith invited the public to attend a council candidate forum on June 27th at Chaparral Country Club.

Scotty McClure said he was displeased with Walmart's new manager, and said the entire store layout was being changed. He said he wanted to have the option to pay cash at the store's checkout locations.

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 Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. City Council Budget Meetings

City Manager Cotter said the City Council would hold public budget meetings on May 9th, 10th, and 11th at 3:00 p.m.

2. Community Park Construction

City Manager Cotter said construction of the commercial boat launch and parking lot was almost complete, and the new splash pad construction at Community Park would begin soon.

3. Water Safety Lifeguard Video

City Manager Cotter re-played the water safety lifeguard video that was produced to show what the city-contracted lifeguards did on the river to keep it safe.

4. Water and Wastewater Report

Utilities Director Clark provided an update on the water and wastewater activities. He said staff completed an asset assessment with the consultant, and said a condition report was being prepared. He said they began inspecting and evaluating all of the pressure reducing vaults throughout the city.

He said the new water manager began employment with the city, and said they were almost fully staffed.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Wegmann invited the public to attend the Chamber Mixer at Horizon Community Bank.

Council Member Hecht invited the public to attend upcoming events such as a bunco fundraiser, bingo fundraiser, bubble party, and Kiwanis gun show.

Vice Mayor D'Amico said the Bullhead River Run event would begin on April 27th at Community Park and the Anderson Auto Group Fieldhouse.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Head made a motion that Items No. 1 and 2 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, Brummett, D'Amico, Head, Hecht, Wegmann
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 April 5, 2022; and the Minutes of the Regular Council Meeting held on April 5, 2022. (City Clerk Stein)
2. Approval of the request for additional time to complete the required improvements for Rancho Colorado Tract 5086, Unit 1, thereby establishing January 10, 2023, as the completion date. (Development Services Director Chooniyom)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

3. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a Series 9 Liquor License Job. No. 190246 submitted by Martin Salam Banyameen for King’s River Mart located at 1901 Highway 95 in Bullhead City. (City Clerk Stein)

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

Mayor Brady opened the public hearing. Have no one present requesting to speak; Mayor Brady closed the public hearing.

MOTION: Council Member Hecht made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a Series 9 Liquor License Job. No. 190246 submitted by Martin Salam Banyameen for King’s River Mart located at 1901 Highway 95 in Bullhead City. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D’Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

None

Other Business

4. Discussion and possible action to adopt Ordinance No. 2022-17 approving the code amendment, “Watercraft Responsibility and Safety Amendments 2022” by reference; and adopt Resolution No. 2022R-18 declaring the code amendment a public record. (City Manager Cotter)

City Manager Cotter said this item was tabled at the last Council meeting to allow staff to make additional changes concerning the penalty, wristband affixation, and rentals destined for Lake Mohave for further consideration. He said the requirement of a wristband represented that each person wearing a wristband had watched the city-mandated video and signed the consumer protection form. He said they did a review of last year’s form numbers and said there was an average of four persons that signed a form. He said the wristbands would cost approximately nine cents each, and would be a different color for each rental business.

City Attorney Emery discussed the penalty provision. He said the change made in the ordinance provided for liability for not only the person who failed to produce the consumer advisory when

requested as well as the person that operated without a wristband. He said the violations were civil and a matter of secondary enforcement.

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

Najib Noori said the rental businesses were being overcharged in fees from the city. He said no watercraft rental vendors were allowed to use the lake. He said lifeguards did help, but asked why the rental businesses were forced to pay for this.

Dr. Waheed Zehri said Bullhead City shared the use of the river and were limited in enforcing the law. He said he attended the Laughlin Town Board meeting to support river safety, and said after this meeting; he was no longer in favor of the wristbands. He said safety was the number one priority for the city, and said it was not fair to charge the city-owned rental companies without any collaboration with the other government organizations.

Harvey Pryor said he did not want taxpayer dollars paying for the wristbands. He spoke in opposition to the program.

Frank Hellier said accidents occurred with people that did not watch the safety video. He said it was not fair for just the local companies to have to pay for river safety.

Dan Alfonzo spoke in opposition to the wristband program. He said the wristbands were an effort in futility and a waste of the city's money.

Mr. Noori from the local watercraft rental industry said he had his own private launch ramp and asked for the reason he had to pay the city's fee.

Ray from the local watercraft rental industry said the consumer protection form was not worth \$20. He said the used wristbands would be thrown into the river and cause pollution.

Jackie Edge spoke in favor of the safety program and said she hoped the future negotiations with Laughlin would be successful.

Patrick Holmes said he rode jetskis on the river almost every day. He said he had not seen a lot of police presence on the river. He said the river was a federal waterway and the city's jurisdiction was limited. He asked if there were federal grants that would pay for the lifeguards.

MOTION: Mayor Brady made a motion to adopt Ordinance No. 2022-17 approving the code amendment, "Watercraft Responsibility and Safety Amendments 2022" by reference; and adopt Resolution No. 2022R-18 declaring the code amendment a public record. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

5. Discussion and possible action to accept the donation of the Celebration Boat, and approve modifying the City's Master Plan for Community Park to include the parking of the Celebration Boat on land near the beach south of the Chamber of Commerce. (City Manager Cotter)

City Manager Cotter said Trevor and Brea Chiodini were making a donation of the Celebration Boat to the city for the betterment of the community. He said the Chiodinis were making a major investment by purchasing a new, larger boat for the Colorado River; and said the Celebration was still in very good condition. He said the Celebration would no longer be on the river but placed on land at Community Park for city utilization. He said the city envisioned using the on-land boat for meetings, allowing the community to rent the boat for special occasions along with concessions for those visiting the park. He said the ongoing maintenance and operations budget would be included in the upcoming fiscal budget under the "Marketplace" line item, which is the same as the summer retail store and parking lot attendants budget item. He said the Celebration would need a new name, as the name "Celebration" would continue as the name of the new river yacht. He said the master plan for Community Park would be amended, consistent with the city's parks and public purpose leases with the Bureau of Land Management, to include the boat.

Brea Chiodini said the Celebration sailed its maiden voyage in May 1997, and had been cruising the Colorado River for 25 years. She said the boat played a special role in many people's hearts. She said the boat needed to retire at home. Trevor Chiodini said this was something special for the city.

Council Member Wegmann said the Council toured the boat earlier that day, and said it was top notch. She said this would be a special addition to the park for years to come.

Vice Mayor D'Amico said the boat would become a city landmark.

Mayor Brady said he was impressed with the boat and the opportunity given to the city.

Council Member Brummett said the Chiodini's generosity was very much appreciated. She said she could imagine children visiting Santa Claus on the boat at Christmas time.

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

Scotty McClure confirmed the city would be responsible for the future operation and maintenance of the boat. He spoke in support of the donation.

Harvey Pryor said he was concerned that the boat was added to the park before the parks master plan was completed. He asked about the cost of the transition from water to land. He said boats were a "money pit."

City Manager Cotter said there was no significant cost, and said the master plan was included with the item in the Council packet. He said they anticipated the operation would make a profit to the city, which would be invested back into the park.

Emily Dotter spoke in support of the donation, and said the boat would bring more improvement to Community Park.

Dan Alfonzo thanked the Chiodinis for their generous gift, and said the boat would be another landmark and money-maker for the city.

MOTION: Vice Mayor D'Amico made a motion to accept the donation of the Celebration Boat, and approve modifying the City's Master Plan for Community Park to include the parking of the Celebration Boat on land near the beach south of the Chamber of Commerce. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

6. Discussion and possible action to approve the draft master plan map and authorize the City Manager or his designee to work with the Bureau of Land Management to create a long-term management plan for all the lands shown in the map and report back to the City Council to finalize the master plan. (City Manager Cotter)

City Manager Cotter said the City Council had been discussing a number of new capital projects including a new animal shelter and community garden. He said staff had identified the lands near City Hall as the most appropriate for these new community resources. He said the Bureau of Land Management was the owner of the lands and the city could apply for a parks and public purpose lease from the Bureau for the long-term management of these lands. He said hundreds of acres of lands in Bullhead City had been developed in this fashion with a very strong partnership between the Bureau of Land Management and the city. He said this would be a draft proposal needing additional discussions with the Bureau to finalize a long-term management plan.

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

Jackie Edge asked if there were strings attached to the free land.

City Manager Cotter said the lands could only be used for parks and public purposes.

MOTION: Vice Mayor D'Amico made a motion to approve the draft master plan map and authorize the City Manager or his designee to work with the Bureau of Land Management to create a long-term management plan for all the lands shown in the map and report back to the City Council to finalize the master plan. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

7. Discussion and possible action to adopt Resolution No. 2022R-19 authorizing application for WIFA funding for the Water Supply Redundancy Program and the Wastewater Rehabilitation and Improvements Program outlined in the FY 2022-2023 Capital Improvements Plan. (City Manager Cotter)

Assistant to the City Manager Edigar Kajirwa said staff was requesting approval to apply for Drinking Water State Revolving Fund financial assistance from the Water Infrastructure Finance Authority (WIFA) for the city's water supply redundancy and wastewater rehabilitation and improvements program. He said some funding through the low interest loan could be forgiven in future years as part of the loan and grant program.

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. 2022R-19 authorizing application for WIFA funding for the Water Supply Redundancy Program and the Wastewater Rehabilitation and Improvements Program outlined in the FY 2022-2023 Capital Improvements Plan. Council Member Hecht seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

8. Discussion and possible action to: 1) adopt Ordinance No. 2022-18 as an emergency measure and approving the code amendment "City Council Vacancy Appointment Amendment 2022" by reference; 2) adopt Resolution No. 2022R-20 declaring the code amendment a public record; 3) direct the City Clerk to develop an application form, receive candidate statements of interest, and prepare all documents necessary for the City Council's consideration, and possible appointment of, a temporary Councilmember at the regularly scheduled Council meeting on May 3, or at a special meeting scheduled for that purpose. (City Manager Cotter)

City Attorney Emery said the recent resignation of Dr. Zehri from the Council in order to run for election on the August 2022 primary election ballot resulted in an open Council seat with a potential partial term running through the end of the current election cycle, or a term of approximately seven months. He said rather than invoke the extensive appointment process that had been utilized for appointments of much longer terms, the Council directed staff to formulate an option for a more expedited process for this type of shorter-term appointment. He said according to statute, the Council had the discretion of either appointing a Council Member for the shorter term, or appointing a Council Member through the next two-year election cycle ending in 2024. He recommended the Council take measures that allowed the two-year term to be voted on by the public. He said the draft ordinance would allow the Council take applications with a statement of interest, hear applicants at an open meeting, and then make an appointment upon the conclusion of the meeting for the limited term. He said due to the diminishing period of the potential appointment, and other pressing Council business, it was recommended that if the Council agreed with the draft code change, to adopt the change by emergency at this meeting, and then direct the City Clerk to take the candidate submissions with the objective of appointing a new temporary member at the May 3, 2022, Council meeting. He said the Council was not required to take any action, and said the decision was up to the Council.

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

Scotty McClure urged the Council to take no action on this item.

Vice Mayor D'Amico said he would like the voters to decide on the Council Member to fill the two-year seat.

Council Member Wegmann said she would like the Council to proceed with the expedited appointment to fill the vacant seat for seven months.

Mayor Brady said there were three people running unopposed for three two-year terms. He said two people running were sitting on the dais now and said Juan Lizarraga was running unopposed for the third seat. He said the position would be open to other applicants, but said Juan was the logical choice.

Billy Pershing said the seat could be left open as most votes were passed unanimously.

Regina Guarisco said the city needed to fill the vacant seat. She said the city needed everyone on board.

Council Member Hecht asked if it was possible to appoint Mr. Lizarraga directly.

City Manager Cotter said the Council would need to follow the process outlined in the code.

City Clerk Stein said the application form was drafted and could be placed on the website the next day in order to include the appointment on the next Council agenda.

MOTION: Council Member Wegmann made a motion to 1) adopt Ordinance No. 2022-18 as an emergency measure and approving the code amendment "City Council Vacancy Appointment Amendment 2022" by reference; 2) adopt Resolution No. 2022R-20 declaring the code amendment a public record; 3) direct the City Clerk to develop an application form, receive candidate statements of interest, and prepare all documents necessary for the City Council's consideration, and possible appointment of, a temporary Councilmember at the regularly scheduled Council meeting on May 3, or at a special meeting scheduled for that purpose. Council Member Hecht seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

9. Discussion and possible action to adopt Resolution No. 2022R-21 ordering and calling a Primary Election to be held on Tuesday, August 2, 2022; and if necessary, a General Election on Tuesday, November 8, 2022, to nominate candidates for Mayor and Councilmember positions. (City Clerk Stein)

City Clerk Stein said approval of the resolution would formally order and designate the two election dates for the city for the purpose of electing one Mayor and five Councilmembers in the 2022 primary and general elections.

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

Billy Pershing asked about the language about holding a general election in November, if necessary. City Manager Cotter said if candidates were not directly elected in the August primary election, a run-off election would be required in the November election.

MOTION: Vice Mayor D'Amico made a motion to adopt Resolution No. 2022R-21 ordering and calling a Primary Election to be held on Tuesday, August 2, 2022; and if necessary, a General Election on Tuesday, November 8, 2022, to nominate candidates for Mayor and Councilmember positions. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, 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 7:41 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 April 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of May 2022.



Susan Stein, MMC, CPM
City Clerk