

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 17, 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 Pastor George Lyman of Desert Shores Community Baptist Church to deliver the invocation. Colors were posted by the Mohave High School JROTC and SSgt. Matthew Burns, U. S. Army, led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Brummett, D’Amico, Head, Hecht, Lizarraga, Wegmann

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

PUBLIC WORKS DIRECTOR: Angie Johnson

UTILITIES DIRECTOR: Mark R. Clark

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

PRESENTATIONS AND PROCLAMATIONS

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

Mayor Brady presented “Welcome Home” Certificates to the retiring military members. Tri-State Military Moms’ President Cindy Frizelle read a biography of each member and the retired banners were presented.

Mayor Brady adjourned the meeting at 5:56 p.m. for a short break. The meeting reconvened at 6:08 p.m.

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Tami Ring invited the public to participate in the “Back the Blue” caravan to be held on May 21st.

Rusty Braun from Riviera Marina said the commercial launching at Community Park and Rotary Park was not fair for those living in the area. He said the small businesses would now have to compete with the city’s summer concession at Community Park, and said it was a conflict of interest.

Harvey Pryor said he did not appreciate the Mayor's recent response to him. He said he did not want his tax dollars paying for a Catholic Charities refugee relocation program. He asked about the expenses paid for providing food the City Council.

Teresa Fernandez discussed a problem she was having with a deed and transfer of her property and asked if the city could help her.

Scotty McClure said medians were not needed on Riviera Blvd. He said the city should not give Catholic Charities any more money and said the city lets them do anything they wanted at the homeless shelter. He said he did not agree with the city proving funds for a summer day care program.

Pamela Smith invited the public to attend a forum for four-year City Council candidates to be held on June 27th.

Regina Guarisco asked that life guard towers be located along the beach at Community Park. She said she was concerned that excessive sediment would flow into the river during the flood season. She said she hoped the city's current water allocation would not be affected by the shortages.

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, Lizarraga, Wegmann
NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. Citywide Paving Projects Update

City Manager Cotter said the \$2.4 million community wide repaving project was underway. He said they were installing medians and streets that would beautify the Riviera neighborhood.

2. Bridge Update

City Manager Cotter said a local resident had been sharing his drone footage of the bridge's progress. He displayed the footage of the work in process.

3. Commercial Boat Launch Open

City Manager Cotter said the boat launch at Community Park was now open for all commercial businesses.

4. Homeless Shelter and Related Issues

City Manager Cotter said all local funding for Catholic Charities would stay in the community. He said people from the community were going to the shelter and not refugees from foreign countries. He said the Homeless Task Force meeting to collaborate resources would be held this week, and said the city was the only entity that was helping Catholic Charities at this time. He said they hoped other organizations in the community would step up and help.

Human Services Director Tipton said the shelter was open 21 hours per day and said there were no more restrictions on overnight stays. He said they were beginning to work on cooling stations for the summer. He said they helped 7,000 individuals since last year and served over 8,500 meals. He said they were looking to hire additional staff and more volunteers, and networking with other social service providers. He said they were working closely with the Police Department to clean up underpasses, parks, and BLM land.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Wegmann said Anderson Ford would hold a bingo fundraiser on May 20th, and said a Chamber of Commerce mixer would be held on May 27th.

Vice Mayor D'Amico discussed the history of the Veterans' Poppy Day that coincided with Memorial Day, and said the American Legion brought the Poppy Day to the United States.

Council Member Hecht thanked the Men of Fire for their donation to the River Fund. She discussed upcoming various events that would be held in the community. She thanked the volunteers at the homeless shelter, and said the daily lunch was open to all.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Wegmann made a motion that Items No. 1 through 3 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Vice Mayor D'Amico seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Lizarraga, 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 May 3, 2022; and the Minutes of the Regular Council Meeting held on May 3, 2022. (City Clerk Stein)
2. Approval of Resolution No. 2022R-24 authorizing the abandonment of the 50-foot by 40-foot ingress/egress easement and a portion of the public utility easement that lie within the parcel of land located at 1334 Park Lane and described as Parcel B-3 of the plat recorded in Book 1 of Parcel Plats, Page 70, Section 17, T20N, R22W, Bullhead City, Arizona. (Development Services Director Chooniyom)
3. Approval of Resolution No. 2022R-25 authorizing the abandonment of the 8-foot utility easement that lies along the rear property lines of parcels located on Thumb Butte Drive and described as Lots 1 through 7 of Belle Air Heights Unit 1, Tract 5017, Section 32, T21N, R21W, Bullhead City, Arizona. (Development Services Director Chooniyom)

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

4. **PUBLIC HEARING.** Discussion and possible action to adopt Ordinance No. 2022-19 approving the request for a zoning map change from R1L (Residential Single Family Limited) to M1 (Industrial General Limited) for a 14.08 acre parcel of land located at 2951 Silver Creek Road and described as a portion of Parcel 1 of the plat recorded in Book 2 of Parcel Plats, Page 14, Section 19, T20N, R21W, Bullhead City, Arizona. (Development Services Director Chooniyom)

Planning Manager Loera said the 14.08 acre parcel was located near the intersection of Bullhead Parkway and Silver Creek Road. He said the rezone to M-1 would allow the applicant to build an equipment storage yard. He said they would fence the area with a minimum 6-foot screening fence and provide a dust free surface from Silver Creek Road to the wash.

Mayor Brady opened the public hearing.

Scotty McClure said other businesses had their equipment in public view and asked why the city was hassling this applicant.

Harvey Pryor said he was concerned as to what items would be stored in the area.

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

MOTION: Council Member Wegmann made a motion to adopt Ordinance No. 2022-19 approving the request for a zoning map change from R1L (Residential Single Family Limited) to M1 (Industrial General Limited) for a 14.08 acre parcel of land located at 2951 Silver Creek Road and described as a portion of Parcel 1 of the plat recorded in Book 2 of Parcel Plats, Page 14, Section 19, T20N, R21W, Bullhead City, Arizona. Council Member Head seconded the motion.

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

MOTION CARRIED

5. Discussion and possible action to adopt Ordinance No. 2022-20 by reference, approving amendments to Chapter 5.06, Special Event Permits, and Chapter 17.26, Commercial and Industrial Districts, of the Bullhead City Municipal Code concerning swap meets; and adopt Resolution No. 2022R-26 declaring the code amendment a public record. (Development Services Director Chooniyom)

City Manager Cotter said the city's code currently required a minimum of 30 days between special events that were between one and five days in length, including swap meets. He said the proposed amendment would allow swap meets to operate by right without a conditional use permit for up to 12 non-consecutive calendar days per year with no other minimum interval between event dates. He said a conditional use permit would still be required for swap meets held on consecutive days or that exceeded twelve calendar days per year.

Council Member Hecht declared a conflict of interest and left the dais.

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

Harvey Pryor asked if the code would apply to the RC Club events. Planning Manager Loera said there would be no issues as long as there were no more than 12 non-consecutive events per year.

Regina Guarisco said the number of events per year should be increased to allow more events per month. City Manager Cotter said the approval of a conditional use permit would be required if a vendor wanted to hold more than 12 events.

Dan Alfonzo said the language should be clarified to allow a particular organization to hold the events. He said he enjoyed the community swap meets that were held at Mohave Community College.

MOTION: Council Member Head made a motion to adopt Ordinance No. 2022-20 by reference, approving amendments to Chapter 5.06, Special Event Permits, and Chapter 17.26, Commercial and Industrial Districts, of the Bullhead City Municipal Code concerning swap meets; and adopt Resolution No. 2022R-26 declaring the code amendment a public record. Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

Council Member Hecht returned to the dais.

6. Discussion and possible action to adopt Ordinance No. 2022-21 by reference, approving amendments to Chapter 17,26, Commercial and Industrial Districts, and Chapter 17.48, Landscaping and Screening Regulations, of the Bullhead City Municipal Code concerning storage containers in commercial districts; and adopt Resolution No. 2022R-27 declaring the code amendment a public record. (Development Services Director Chooniyom)

City Manager Cotter said the proposed amendment was prepared by staff to address ongoing issues with storage containers.

Planning Manager Loera said the amendment allowed storage containers only on commercial properties as accessory uses in rear or side yards. He said the language changed the screening requirement from six-feet to eight-feet and gave the owners the option to beautify the exterior of the container instead of screening it, and adding either block or stucco to match the building. He said the containers were subject to building setbacks, which would be required of any other structure on the commercial property. He said the Planning and Zoning Commission unanimously recommended approval.

Mayor Brady said he would like to modify the language to add the use of paint, and/or other approved building materials in order to match the existing building.

Vice Mayor D’Amico and Council Member Wegmann said they agreed with Mayor Brady.

MOTION: Mayor Brady made a motion to adopt Ordinance No. 2022-21 by reference, approving amendments to Chapter 17,26, Commercial and Industrial Districts, and Chapter 17.48, Landscaping and Screening Regulations, of the Bullhead City Municipal Code concerning storage containers in commercial districts, with a revision to City Code Section 17.48.090 (7)(c) language to read “...color and/or materials” in the first sentence; and adopt Resolution No. 2022R-27 declaring the code amendment a public record. Council Member Wegmann seconded the motion.

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

Harvey Pryor asked if storage containers were allowed in residential areas. Planning Manager Loera said they could be allowed subject to building department requirements, and said temporary containers would be part of the building permit process if located on a construction site.

Scotty McClure said the homeless shelter installed two units in the rear of the property and were painted to match the building, and it looked good.

Regina Guarisco asked if the outside insulation spray that was used for roofing would be allowed to be applied on the outside of containers.

Mayor Brady called for the vote.

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

MOTION CARRIED

7. Discussion and possible action to adopt Ordinance No. 2022-22 by reference, approving amendments to Chapter 5.04 Business License Fees, Title 5, of the Bullhead City Municipal Code, “Business License Amendments 2022;” and adopt Resolution No. 2022R-28 declaring the code amendments a public record. (Development Services Director Chooniyom)

Development Services Director Chooniyom said due to the recent organizational changes of moving business license functions from the Finance Department to the Development Services Department, a code amendment was necessary to accurately reflect the change. He said the amendment proposed a change to renewal dates for business licenses to a rolling term rather than the current fiscal year licensing period of July 1st through June 30th. He said the term change would not be immediate for all licenses but phased-in as new business applications were submitted.

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 adopt Ordinance No. 2022-22 by reference, approving amendments to Chapter 5.04 Business License Fees, Title 5, of the Bullhead City Municipal Code, “Business License Amendments 2022;” and adopt Resolution No. 2022R-28 declaring the code amendments a public record. Council Member Wegmann seconded the motion.**

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

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

8. Discussion and possible action to: 1) approve Quote #72414 from DHD for the purchase of computer switches for the city's SCADA system in the amount of \$166,142.24, and authorize the City Manager to issue the purchase order and issue resultant payments; and 2) pursuant to Bullhead City Municipal Code Section 3.37.030(D), and due to the unique circumstances of the acquisition and implementation of the new SCADA system, find it in the best interests of the city to waive the formal bidding requirements for the purchase. (Utilities Director Clark)

Utilities Director Clark said this request was for the purchase of layer 2 and layer 3 computer switches for use in the operation of the updated SCADA system. He said the switches would allow the ability to add much more flexibility in operating the water and wastewater systems, and allow city staff to react quicker to problems as they arise.

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

Harvey Pryor asked if the switches would allow better remote communication in the water and wastewater system. Utilities Director Clark confirmed.

MOTION: Council Member Wegmann made a motion to: 1) approve Quote #72414 from DHD for the purchase of computer switches for the city's SCADA system in the amount of \$166,142.24, and authorize the City Manager to issue the purchase order and issue resultant payments; and 2) pursuant to Bullhead City Municipal Code Section 3.37.030(D), and due to the unique circumstances of the acquisition and implementation of the new SCADA system, find it in the best interests of the city to waive the formal bidding requirements for the purchase. Council Member Hecht seconded the motion.

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

MOTION CARRIED

9. Discussion and possible action to: 1) approve the Wonderware West quote QUO-51146-N6Y9H8, dated May 5, 2022, in the amount of \$88,417.70; 2) authorize the City Manager to finalize and enter into an agreement and issue resultant payments; and 3) pursuant to Bullhead City Municipal Code Section 3.37.030(D), due to the unique circumstances of the acquisition and implementation of the new SCADA system, find it in the best interests of the city to waive the formal bidding requirements for the purchase. (Utilities Director Clark)

Utilities Director Clark said this software was used to operate and monitor numerous crucial functions as each of the city's water and wastewater sites. He said the upgraded software would support and integrate the additions of the newly acquired water infrastructure. He said Wonderware was the current system that had been used for many years for the wastewater SCADA system and would be the most cost effective to add to the current contract. He said this agreement would include a three-year contract.

Mayor Brady said this expense was necessary to provide safe and clean drinking water for the city.

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

Harvey Pryor asked about the timeline for the operation. Utilities Director Clark said it would take approximately six months to complete the switches and bring the software online.

MOTION: Council Member Brummett made a motion to: 1) approve the Wonderware West quote QUO-51146-N6Y9H8, dated May 5, 2022, in the amount of \$88,417.70; 2) authorize the City Manager to finalize and enter into an agreement and issue resultant payments; and 3) pursuant to Bullhead City Municipal Code Section 3.37.030(D), due to the unique circumstances of the acquisition and implementation of the new SCADA system, find it in the best interests of the city to waive the formal bidding requirements for the purchase. Council Member Wegmann seconded the motion.

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

MOTION CARRIED

Other Business

10. Discussion and possible action to accept the dedication of rights-of-way for Marina Boulevard, Lakeside Drive, and Riverview Drive as depicted on Land Split Map 368. (Deputy Utilities Director/City Engineer Blad)

Planning Manager Loera said the parcel was originally owned by the state and currently it was under private ownership. He said the new owners were splitting the lots for a project and the split would serve as a dedication for the new streets.

Council Member Brummett asked if the larger parcel would be split and developed.

Don Anderson from Anderson Nelson said the remainder of the parcel was currently being master planned, which takes a lot of time and effort. He said there were original BLM easements around the property but they were not passed on to the city, and said the land splits were giving fee title to the city.

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

Regina Guarisco asked if sidewalks would be installed. City Manager Cotter said the entire development would meet all city codes and sidewalks would be required throughout.

MOTION: Council Member Wegmann made a motion to accept the dedication of rights-of-way for Marina Boulevard, Lakeside Drive, and Riverview Drive as depicted on Land Split Map 368. Vice Mayor D'Amico seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Head, Hecht, Lizarraga, 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 7:32 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 17th day of May 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of June 2022.



Susan Stein, MMC, CPM
City Clerk