

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 Special Meeting on Tuesday, August 2, 2022, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

**CALL TO ORDER**

Mayor Brady called the special meeting to order at 3:00 p.m.

**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

DEVELOPMENT SERVICES DIRECTOR: S. Chooniyom

PLANNING MANAGER: Johnny Loera

**DISCUSSION ITEM**

1. Discussion on Short Term Rentals, AZ Senate Bill 1168, and the City of Scottsdale's Short-Term Rental Ordinance.

City Manager Cotter said Senate Bill 1168 was passed at the end of the legislative session, and said the provisions in the bill could now be imposed in cities. He said the Council would discuss a draft ordinance today, and said the local law would provide the city with a registry of all short-term rentals within the city, and include licensing provisions. He said the city received complaints about noise issues, parking, and trash. He said once property owners were held accountable, hopefully many of the complaints would go away.

City Attorney Emery discussed the draft ordinance, and said the bill gave the city some substance to work with. He said short-term rentals were classified as residential properties that were available for occupancy for less than 30 consecutive days. He said the city could create a registry in order to know the location of the properties and then a license could be issued. He said the property owner would provide a contact person that would be available 24-7. He said the designated representative would not have to respond on-scene, in-person, unless the police department required that representative on-site. He said the requirement would be to respond to a complaint either by phone or email at any time of day. He said the property owners would be required to obtain a license with the city and provide a tax number.

City Manager Cotter said, depending on the situation, most of the time the owner's representative could respond with a phone call. He said the owner would have to apply to the city and a license would be issued. He said a separate license would be required for each location at which a rental was operated. He said the license application must contain: name, address, phone, and email address for the owner or the owner's agent; address of the rental; proof of the issuance of a transaction privilege tax license; contact information for the designated local contact person; acknowledgement of the requirement to comply with all applicable laws, regulations, and

ordinances; affirmation by the owner that the owner was not a registered sex offender; and submission of a \$250 license fee. He said applications would be processed within seven working days.

City Attorney Emery said there was a criminal penalty in the tax code for owning a business and collecting the revenue without a TPT number. He said property owners would be required to post their city license number on all advertising transactions. He said there would be a requirement for proof of at least \$500,000 in general liability insurance. He said rental locations could not be used for any other purposes, such as: housing sex offenders, an adult-oriented business, sale of illegal drugs, sales or distribution of liquor or pornography, or operating a sober living home. He said screening of sex offenders was not included in the draft ordinance. He said licenses could be suspended for up to one year, and civil penalties imposed. He said the municipal court would be used as the "hearing officer" in these types of cases.

Mayor Brady said he would like to see more regulations included in the ordinance. He said he would like to tighten up the process in order to mitigate most of the complaints.

City Manager Cotter said not one person had complained about sex offenders renting homes. He said the online Air B&B companies were currently conducting background checks on renters. He said it would be extremely cumbersome on staff if they had to check every renter in Bullhead City.

Mayor Brady said he would like to include the suspension and fine language in the city's ordinance.

City Attorney Emery said the same penalties were included in the city's ordinance by reference to the state statutes.

City Manager Cotter said city staff would notify neighborhoods about property rentals in the area.

Mayor Brady said he thought this ordinance was a good start.

Council Member D'Amico asked if it was apparent that Air B&B companies were conducting sex offender background checks.

City Manager Cotter said they were made aware that online booking companies performed background checks of the booking guest.

Council Member Wegmann asked if a staff member would need to be available 24/7.

City Manager Cotter said a Development Services Department staff member would be responsible for business licensing and would be designated as the contact person for short term rental issues, Monday through Friday, 8 to 5. He said the police department dispatch would be used for calls received on nights and weekends.

Council Member Hecht asked if the properties would be required to display the business license information in the home.

City Manager Cotter said the law did not stipulate that licenses be posted at the property.

Mayor Brady suggested that fines and penalties be clarified in the ordinance, rather than referencing a state statute number.

Council Member Head asked for the current noise ordinance to be strengthened. He requested the city to provide the tools for measuring noise and decibel levels to city police officers in order for any charges to stand up in court.

Council Member Lizarraga asked if the description of short term rentals included recreational vehicle "RV" rental parking areas.

City Attorney Emery said the definition simply indicated a residential property of one to four dwellings.

City Manager Cotter said all RV spaces were located in the RV parks which were required to collect and remit tax.

Vice Mayor Brummett said this ordinance was a really good foundation to build upon in the future.

City Manager Cotter said the city had many very responsible people operating short term rentals, but there were a few "bad apples." He said they just needed some common sense controls.

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

Sheila Barger from Palo Verde Meadows said there were more than nine rentals in their neighborhood, and said every weekend there were many people coming and going. She said there was a parking problem and more enforcement was needed.

Dale Collins said he had dealt with these issues for many years and said this was a great start. He said the only way to deal with non-resident owners was to hit them in the pocketbook. He said the enforcement should be written into the code, and the penalties made loud and clear.

Dr. Waheed Zehri said this ordinance was a good start, and asked if the rentals were located throughout the city.

City Manager Cotter said most of the rentals were on the river, and said it was up to the individual homeowner associations to either allow or ban them.

**MOTION:** Council Member Wegmann made a motion to adjourn the special meeting and convene into executive session at 3:56 p.m. Council Member D'Amico seconded the motion.

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

**MOTION CARRIED**

**EXECUTIVE SESSION**

2. Discussion and consultation with the Human Resources Manager and City Attorney concerning the process to be utilized in the replacement of the City Magistrate due to the resignation of City Magistrate Peter Psareas, effective November, 1, 2022. Bullhead City Municipal Code Section 2.36.025 and Arizona Revised Statutes § 38-431.03(A)(1)&(3).

**MOTION:** Vice Mayor Brummett made a motion to adjourn from executive session and the special meeting at 4:22 p.m. Council Member Wegmann seconded the motion.

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

**MOTION CARRIED**

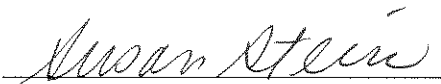
**ADJOURNMENT**

Mayor Brady declared the special meeting adjourned at 4:22 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct record of the special meeting of the City Council of the City of Bullhead City held on the 2nd day of August 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of August 2022.

  
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Susan Stein, MMC, CPM  
City Clerk

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, August 2, 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 Bill Jones from Bethel Community Church to deliver the invocation. Council Member D'Amico 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**

None

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Harvey Pryor thanked the candidates running in the primary election. He said the amount spent on Council meals recorded between July 2021 and April 2022 was \$2,809.71, and said the Council was eating good. He said he had a disagreement with a city official and said he wanted to give that person a chance to apologize. He asked if the city had an employee appreciation program.

Nick Parsons said the city was doing a great job with the water company. He said the city needed more space programs in order to create higher paying jobs. He suggested the creation of an amateur solar car race event for the community

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

**AGENDA MODIFICATIONS**

None

**WAIVER MOTION**

**MOTION:** Vice Mayor Brummett 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. Primary Election Day

City Clerk Stein provided information on voting.

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

Council Member Wegmann provided information on two Chamber of Commerce mixer events.

Council Member Hecht provided information on a community carnival and food giveaway event.

**ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

**CONSENT AGENDA**

**MOTION:** Council Member Wegmann 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 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 Regular Council Meeting held on July 19, 2022. (City Clerk Stein)

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

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

2. **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 new Series 10 Liquor License No. 200138 submitted by Tyler Austin Martin for Blazin Exotics located at 2064 Highway 95, Suite 2, in Bullhead City. (City Clerk Stein)

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

Mayor Brady opened the public hearing. Having no one from the public 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 a new Series 10 Liquor License No. 200138 submitted by Tyler Austin Martin for Blazin Exotics located at 2064 Highway 95, Suite 2, in Bullhead City. Council Member Lizarraga seconded the motion.

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

**MOTION CARRIED**

**ACTION ITEMS**

**Building, Planning and Zoning Items**

None

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

3. Discussion and possible action to ratify the procurement of the Layne Christensen Company on an emergency basis for the repair of Well #16-1; and authorize the City Manager to issue payment in the amount of \$84,510.69. (Utilities Director Clark)

Utilities Director Clark said on July 9th, Well 16-1, the second best producing well in the water system, became inoperable and stopped pumping water to the reservoir. He said it was determined the pump was not working and a well drilling company had to remove the column pipe and pump. He said it was determined the drive shaft for the pump had snapped. He said the pipe and pump were close to 30 years old and at the end of useful life. He said a new pump and pipe were installed, but staff could not wait for Council's approval before getting the well back online as some customers were out of water for a period of time and others experienced low water pressure. He said the work was completed and the amount of the emergency repairs was \$84,510.69.

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

Nick Parsons asked if the old pump could be stored to be used for spare parts.

Utilities Director Clark said the units were made as an assembly.

**MOTION:** Vice Mayor Brummett made a motion to ratify the procurement of the Layne Christensen Company on an emergency basis for the repair of Well #16-1; and authorize the City Manager to issue payment in the amount of \$84,510.69. Council Member D'Amico seconded the motion.

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

**MOTION CARRIED**

4. Discussion and possible action to approve a construction contract with Redmond Construction for the Highway 95 Crossing Project (No. 23-U-031) in the amount of \$373,407.00; and authorize the City Manager to execute the agreement and issue resultant payments. (Utilities Director Clark)

City Manager Cotter said later this year, Highway 95 would be under construction at night. He said this was the opportunity for the city to cut the highway and install pipe underground. He said the Arizona Department of Transportation (ADOT) had agreed to allow the city to perform the work. He said the project was time sensitive to meet the ADOT schedule.

Utilities Director Clark discussed the planned cuts for the water and sewer lines at 7th Street, Laughlin Ranch Boulevard, and North Oatman Road. He said Redmond Construction, a local contractor, was the only bidder.

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

Billy Pershing asked about the distance the water had to be pumped uphill. Utilities Director Clark said the minimum was 720 feet.

**MOTION:** Council Member Wegmann made a motion to approve a construction contract with Redmond Construction for the Highway 95 Crossing Project (No. 23-U-031) in the amount of \$373,407.00; and authorize the City Manager to execute the agreement and issue resultant payments. Council Member D'Amico 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 approve a contract with Precise Builders, Inc. of Fort Mohave, Arizona for the construction of a new restroom in Community Park for a total amount of \$281,963.00; and authorize the City Manager or his designee to sign resulting documents on behalf of the City. (Public Works Director Johnson)

Public Works Director Johnson said a new 820-square foot ADA compliant restroom and a mechanical room building for the splash pad in Community Park would be constructed. She said amenities included adult and child changing tables, and a family restroom with appropriately sized



fixtures for smaller children. She said three bids were received and Precise Builders was the lowest bidder. She said the project was under the budgeted amount of \$300,000.

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 a contract with Precise Builders, Inc. of Fort Mohave, Arizona for the construction of a new restroom in Community Park for a total amount of \$281,963.00; and authorize the City Manager or his designee to sign resulting documents on behalf of the City. Council Member Hecht seconded the motion.**

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

**MOTION CARRIED**

**Other Business**

6. **PUBLIC HEARING.** Discussion and possible action to: 1) adopt Resolution No. 2022R-46 authorizing submission of a Federal Transit Administration Section 5339 Bus and Bus Facilities Grant Application to fund a portion of the capital expenses for the Bullhead Area Transit System for the period starting October 1, 2022; and 2) authorize the City Manager or his duly authorized designee to execute the application, agreement, certifications, amendments, payments, and any other documents necessary to effectuate the intent of any resultant grant award. (Human Services Director Tipton)

Transit Manager Peluso said the city had applied and received Section 5339 grants for public transit since 2000. He said this grant would reimburse the city for at least 85 percent of eligible expenses for vehicle purchases. He said they were requesting grant funding for one bus replacement and one van replacement. He said the funds were included in this year's budget.

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

**MOTION: Council Member Wegmann made a motion to: 1) adopt Resolution No. 2022R-46 authorizing submission of a Federal Transit Administration Section 5339 Bus and Bus Facilities Grant Application to fund a portion of the capital expenses for the Bullhead Area Transit System for the period starting October 1, 2022; and 2) authorize the City Manager or his duly authorized designee to execute the application, agreement, certifications, amendments, payments, and any other documents necessary to effectuate the intent of any resultant grant award. Council Member Head seconded the motion.**

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

**MOTION CARRIED**

7. Discussion and possible action to authorize an expenditure of \$108,680.04 for FY 2023 Municipal Firefighters' Cancer Reimbursement Fund Assessment. (Finance Director Vera)

City Manager Cotter said the fees were assessed to each Arizona city and town that received state shared revenues. He said this amount was included in the budget.

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 an expenditure of \$108,680.04 for FY 2023 Municipal Firefighters' Cancer Reimbursement Fund Assessment. Council Member D'Amico seconded the motion.

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

**MOTION CARRIED**

8. Discussion and possible action to adopt Resolution No. 2022R-47 approving the city's entry into an intergovernmental agreement with the La Paz County Jail District for alternative prisoner detention services. (City Manager Cotter)

City Manager Cotter said the Mohave County Jail was experiencing prisoner availability capacity issues that impacted the ability of the court to access needed incarceration resources. He said this was an ongoing issue that needed to be addressed in a timely manner in order to preserve the function and credibility of the criminal justice system with Bullhead City. He said the La Paz County Jail District had space available and was agreeable to make space available to the city at a cost of \$70.00 per day per prisoner. He said the additional resource was not intended to supplant the detention services available in Kingman, but to address needed incarceration at those times in which the Mohave County Jail could not adequately serve the needs of the community.

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 adopt Resolution No. 2022R-47 approving the city's entry into an intergovernmental agreement with the La Paz County Jail District for alternative prisoner detention services. Council Member Head seconded the motion.

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

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

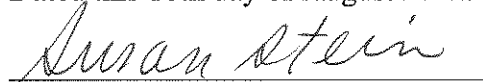
**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:10 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 2nd day of August 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of August 2022.



Susan Stein, MMC, CPM  
City Clerk