

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, January 17, 2023, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

3:00 P.M. COUNCIL QUORUM

1. City Council Members Alfonzo, Hecht, Lizarraga, and Ring met at the Optimum (formerly Suddenlink) Center and toured the facility with City Manager Cotter and Parks and Recreation Superintendent David Heath. Immediately following the tour, the City Council returned to the Council Chambers and convened for a special meeting.

CALL TO ORDER

Mayor D'Amico called the special meeting to order at 3:45 p.m.

ROLL CALL

Council Present

Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

PUBLIC WORKS DIRECTOR: Angie Johnson

PARKS AND RECREATION SUPERINTENDENT: David Heath

DISCUSSION ITEM

2. Discussion regarding the Optimum Center: long-term investment and the future of the facility.

City Manager Cotter said the elementary school district leased the property (former Mountain View School) to the city for \$1.00 per year, beginning in 2011. He said now was the time for major investments to be made in the property, and said the main issue was insufficient parking areas. He said they learned that some events could not handle the current parking requirements. He said the big hill adjacent to the existing parking lot could be cut down to make room for 300 to 400 cars. He said the cost of the project would be approximately \$1 million. He said the neighborhood needed the investment, and said there might be other areas within the city that would accommodate a community center.

Parks and Recreation Superintendent Heath provided information on bookings, events, and reservations at the facility. He said some of the regular activities conducted there were the community theater, free tax service, open gym for basketball and pickle ball, and rooms rented per month to non-profits, churches, and other small businesses. He said other reservations for corporate meetings, homeowner association meetings, family gatherings and parties were provided. He said they did not have a lot of weddings because no alcohol was allowed. He said the center served a vast variety of community needs.

City Manager Cotter said all of the improvements must meet ADA requirements and the cost to renovate would be approximately \$2 million. He asked if this was the right investment for the property and the area. He said they would have to hire architects and go through the process, but first they wanted to hear from the Council if they should move forward. He said if the Council was interested in moving forward, they would first contact the school district and have conversations. He said the school district would have to turn all liability and the entire property over to the city, either through a lease arrangement, or turning over the keys and management.

City Attorney Emery said further due diligence would include possible restrictions on the use of the land, which currently was an unknown. He said the power of the school district, under statute, included the privilege to sell or lease to other governmental agencies, not the private sector. He said a sale to the private sector would require a vote of their constituents. He said their current lease with the school had automatic renewals through 2040.

Mayor D'Amico said the area need the improvement, and said he would like to acquire the property before the city invested a large amount of money.

Council Member Alfonzo asked about the annual revenue received from the center.

City Manager Cotter said expenses for cleaning, maintenance, and staff time was \$128,000 in 2021 and \$126,000 in 2022. He said this year \$160,000 was budgeted. He said revenue in 2021 was \$25,800, and the 2022 revenue was \$42,600. He said Optimum provided a sponsorship fee of \$15,000 to \$20,000 per year. He said the facility was subsidized for community engagement and a not for profit center; similar to the municipal pool.

Council Member Alfonzo asked about the property on the other side of the hill. Parks and Recreation Superintendent Heath said that property was owned by the airport.

Council Member Alfonzo asked if there was a number for the cost to provide a beautiful center for the community.

City Manager Cotter said the revitalization cost for the current property was at least \$3 to \$4 million or less, and said they would hopefully use grant money to help pay for it. He said a brand new structure would cost approximately \$10 million or more.

Vice Mayor Brummett said she would support moving forward in the process. She said by the time an older building was brought up to code, it might be better to build a new building because the expense could grow.

Council Member Lizarraga said he would like to move forward in reaching out to the school district.

Council Member Hecht said she went to elementary school there and it was a wonderful facility. She said many groups used the center and it would be a wonderful investment in that area.

Council Member Ring said the project was worth investigating and the improvements would be another asset to the area.

Council Member Alfonzo asked if the structure could be used as an emergency center and cooling station.

City Manager Cotter said a backup power generator could be an investment with a long term commitment.

Mayor D'Amico asked if anyone from the public would like to speak.

Bob Horne, President of Veterans in Motion, said they were tenants in the community center. He spoke in support of moving forward. He said Veterans in Motion was looking for a piece of land to build their own facility.

The consensus of the Council was to move forward in discussions about the future of the facility with the school district.

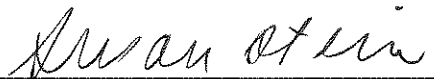
ADJOURNMENT

Mayor D'Amico declared the special meeting adjourned at 4:24 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 17th day of January 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February 2023.



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, January 17, 2023, in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor D'Amico called the meeting to order at 5:30 p.m. and invited Pastor Earl Johnson from Spirit Life Church to deliver the invocation. Council Member Hecht led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring

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: Absent

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

PRESENTATIONS AND PROCLAMATIONS

1. City Magistrate Peter Psareas administered the oath of office to incoming City Magistrate Richard Speer.

OPEN CALL TO THE PUBLIC

Mayor D'Amico opened the call to the public.

Steven Lee provided information on upcoming Voices for Freedom meetings.

Raye from the Bullhead Area Chamber of Commerce requested more shopping opportunities in the city.

Jena Morga from the Mohave Health Coalition invited the public to attend the Family Health Fair to be held at Mohave Community College on February 25th.

Sandy Gerchenson requested the Council consider increasing the limit of three dogs and three cats per household in Bullhead City.

Sean Regan from the Arizona Veteran K-9 organization said he had requested a body camera video and report from the Police Records Department 30 days ago and he had not received it. He said the process was taking too long and city staff did not respond to his calls.

Julie Hassett provided information on upcoming Colorado River concert performances and ticket sales.

Scotty McClure requested the manager's report be moved before the call to the public. He said the memorials that were broken were covered up with tarps. He said he did not think the tank should be erected at the Veterans' Memorial site.

Nick Parsons provided drones as giveaway prizes for an essay contest. He suggested holding a drone race in order to stimulate interest, and offering a grand prize.

Having no one else present wishing to speak, Mayor D'Amico 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 Lizarraga seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. Federal Appropriation for New Water Well

City Manager Cotter said \$2 million of direct federal funding would come to the city to fund a new city water well. He said the allocation would be a great asset to the city's budget.

2. New Bridge Update

City Manager Cotter displayed a drone video showing the progress of the new bridge construction.

3. Grand Re-Opening of Veterans' Peninsula – February 13th

City Manager Cotter invited the public to attend the grand re-opening on February 13th.

4. Little League Bathroom Project

City Manager Cotter provided a video of the completed Rotary Park Triplex project's ribbon cutting event that was held on January 13th.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Hecht thanked the community for supporting the family of a boy with leukemia; and for donating at the blood drive. She said the next food giveaway would be held on January 21st.

Council Member Lizarraga thanked Nick Parsons for donating the drones for the essay contest.

Council Member Alfonzo said the city received a grant of \$100,000 from the Bureau of Reclamation for a Watersmart water efficiency project.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Vice Mayor Brummett 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 Lizarraga seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
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 January 3, 2023. (City Clerk Stein)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

2. Discussion and possible action to appoint a citizen to serve on the Franchise License Commission to fill either a term expiring on December 31, 2023, OR a term expiring on December 31, 2025. (City Clerk Stein)

City Manager Cotter said two positions were available, and one application was received from Jason Newlin.

Jason Newlin expressed his interest in serving on the commission.

MOTION: Council Member Hecht made a motion to appoint Jason Newlin to serve on the Franchise License Commission to fill a term expiring on December 31, 2025. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D’Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

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 6 Liquor License Interim Permit and Owner Transfer No. 222377 submitted by David Wisam Dahdah for O’Leary’s located at 1063 Highway 95 in Bullhead City. (City Clerk Stein)

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

Mayor D’Amico opened the public hearing. Having no one from the public requesting to speak, Mayor D’Amico closed the public hearing.

MOTION: Council Member Lizarraga made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a Series 6 Liquor License Interim Permit and Owner Transfer No. 222377 submitted by David Wisam Dahdah for O’Leary’s located at 1063 Highway 95 in Bullhead City. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D’Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

4. **PUBLIC HEARING.** Discussion and possible action to approve Ordinance No. 2023-01 authorizing an amendment to Z05-017, Ordinance No. 2018-26, Stipulation No. 5, to allow the applicant (Bullhead City Fire Dept.) additional time (2 years) to obtain building permits for a commercial project located at 1495 Riverport Drive, and 2651, 2701, and 2571 Laughlin Ranch Blvd., and described as Laughlin Ranch, Tract 5090, Unit 1, Parcel E; and Laughlin Ranch, Tract 5127, Unit 2, Tracts G, H, and I. (Development Services Director Chooniyom)

Vice Mayor Brummett declared a conflict of interest and left the dais.

City Manager Cotter said approval of this item would allow a fire station to be built on the parcel. He said the item was tabled at the December 20, 2022, City Council meeting to allow additional discussions between the neighborhood residents and the Fire Department.

Council Member Alfonzo said there seemed to be some inconsistencies in the paperwork, and said the original application was dated 2004. He said some of the factors the Fire Department claimed that delayed the project were irrelevant. He said a nuisance would be brought into the area with sirens at all hours, and said he thought some other locations would be better. He said in 2017, a letter was received stating the project was ready to go, and said nothing had been done for 19 years. He said it appeared there was poor planning and poor management. He said the proposed antenna would be dangerous for airplanes.

Bullhead City Fire Chief Pat Moore said the bond to fund and build the station was passed five years ago. He said the property was purchased in 2008 and the fire station was always planned to be built in the second phase of the bond, which was now. He said they attended numerous Homeowner Association meetings to discuss the planned project and met with the Laughlin Ranch Design Review Committee. He said this had been going on for ten years and the first pushback they received was last month. He said a lot of misinformation was put out about the project, and said they had not waived from their original plan. He said they notified the Federal Aviation Administration (FAA) regarding the construction and possible tower.

Assistant Bullhead City Fire Chief Scott Neal said the FAA had a portal to submit their project. He said the initial information had been submitted and a response was received from the FAA indicating the project required their approval. He said it took about four to six weeks to receive approval after the drawings were submitted.

Mayor D'Amico said the Council was voting on the zoning tonight, not the tower.

Mayor D'Amico opened the public hearing.

Jim Zaborsky said he served on the Airport Board for 21 years. He said the Fire Department presented their project to them and there were no issues. He said it was a public safety issue. He said most fire stations were located in residential areas without any problems, and he said it offered faster response times.

Dave Lords from Laughlin Ranch said the HOA and Design Review Committee approved the site and building plans with the pole. He said the homes overlooking the site were already overlooking power lines. He said the vast majority of the owners saw the station as a tremendous asset. He said the agreement was to not run sirens or lights until vehicles reached the Parkway, unless required.

Sean Regan asked how much more the project would cost in today's dollars. He said the government used the term "public safety" in order to justify spending money.

Barbara Pape asked where the funds would come from. City Manager Cotter said funds would come from property tax.

Having no one else from the public requesting to speak, Mayor D'Amico closed the public hearing.

Mayor D'Amico asked if the residents contacted the Fire Department for additional discussion. Chief Moore said they did not.

MOTION: Council Member Ring made a motion to approve Ordinance No. 2023-01 authorizing an amendment to Z05-017, Ordinance No. 2018-26, Stipulation No. 5, to allow the applicant (Bullhead City Fire Dept.) additional time (2 years) to obtain building permits for a commercial project located at 1495 Riverport Drive, and 2651, 2701, and 2571 Laughlin Ranch Blvd., and described as Laughlin Ranch, Tract 5090, Unit 1, Parcel E; and Laughlin Ranch, Tract 5127, Unit 2, Tracts G, H, and I. Council Member Head seconded the motion.

VOTE: AYES: Alfonzo, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None ABSTAIN: Brummett

MOTION CARRIED

Vice Mayor Brummett returned to the dais.

5. **PUBLIC HEARING.** Discussion and possible action to approve Ordinance No. 2023-02 authorizing the repeal of Ordinance Numbers 2004-37, 2006-42, 2008-62, 2010-31, 2014-16, and 2018-23; and voiding the conditional zoning map change for the parcel of land located at the northwest corner of Highway 68 and Landon Drive, and described as a portion of Section 21, T21N, R21W, Bullhead City, Arizona. (Development Services Director Chooniyom)

Planning Manager Loera said this project had not moved forward for many years, and the applicant had not made any submittals for a building permit. He said staff recommended approval.

Mayor D'Amico opened the public hearing. Having no one from the public requesting to speak, Mayor D'Amico closed the public hearing.

MOTION: Council Member Hecht made a motion to approve Ordinance No. 2023-02 authorizing the repeal of Ordinance Numbers 2004-37, 2006-42, 2008-62, 2010-31, 2014-16, and 2018-23; and voiding the conditional zoning map change for the parcel of land located at the northwest corner of Highway 68 and Landon Drive, and described as a portion of Section 21, T21N, R21W, Bullhead City, Arizona. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

6. **PUBLIC HEARING.** Discussion and possible action to approve Ordinance No. 2023-03 authorizing an amendment to Z06-004/S05-025, Ordinance No. 2018-18, Stipulation No. 9, to allow the applicant additional time (2 years) to record the final plat for a project known as The Overlook that is generally located south of Laughlin Ranch Blvd. and east of the Bullhead Parkway, and described as a portion of Section 8, T20N, R21W, Bullhead City, Arizona. (Development Services Director Chooniyom)

Planning Manager Loera said the applicant requested a four-year extension and staff recommended a two-year extension.

Mayor D'Amico opened the public hearing.

Don Anderson, project engineer, said they were actively marketing the project. He said a two-year extension would not allow enough time for a developer to purchase the property and complete the submittals. He said it was costly to come back to the city each time when applying for an extension.

Having no one from the public requesting to speak, Mayor D'Amico closed the public hearing.

Vice Mayor Brummett said she would like the Council to re-consider the time extension for this particular project.

MOTION: Vice Mayor Brummett made a motion to approve Ordinance No. 2023-03 authorizing an amendment to Z06-004/S05-025, Ordinance No. 2018-18, Stipulation No. 9, to allow the applicant additional time (4 years) to record the final plat for a project known as The Overlook that is generally located south of Laughlin Ranch Blvd. and east of the Bullhead Parkway, and described as a portion of Section 8, T20N, R21W, Bullhead City, Arizona. Council Member Ring seconded the motion.

VOTE: AYES: Brummett, Head, Hecht, Lizarraga, Ring
NAYS: Alfonzo, D'Amico ABSENT: None

MOTION CARRIED

7. Discussion and possible action to adopt Ordinance No. 2023-04 by reference, approving an Amendment to Chapter 17.06, General District Requirements, Title 17, of the Bullhead City Municipal Code, entitled "Swimming Pool Amendment 2023"; and adopt Resolution No. 2023R-01 declaring the code amendment a public record. (Development Services Director Chooniyom)

Planning Manager Loera said staff requested the zoning code requirements for pools to be removed completely. He said the Building Code currently addressed this.

Mayor D'Amico asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Council Member Head made a motion to adopt Ordinance No. 2023-04 by reference, approving an Amendment to Chapter 17.06, General District Requirements, Title 17, of the Bullhead City Municipal Code, entitled "Swimming Pool Amendment 2023"; and adopt Resolution No. 2023R-01 declaring the code amendment a public record. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

8. Discussion and possible action to adopt Resolution No. 2023R-02 approving the application for and receipt of Off Highway Vehicles (OHV) Competitive Grants Program Funds from Arizona State Parks and Trails. (City Manager Cotter)

Assistant to the City Manager Edigar Kajirwa said the city would use the grant funding to develop an off-highway vehicle staging area on the east side of the Bullhead Parkway adjacent to Silver Creek Road. He said staff was seeking approval to apply for \$750,000 in grant funds. He said the city had budgeted an additional \$250,000 to complete the project.

Council Members Hecht and Lizarraga spoke in support of the grant.

Mayor D'Amico asked if anyone from the public wanted to speak.

Pamela Smith asked for the reason there was no eastern access to Silver Creek Road from the parking area.

Public Works Director Johnson said the east side of the property was owned by a private individual.

MOTION: Council Member Ring made a motion to adopt Resolution No. 2023R-02 approving the application for and receipt of Off Highway Vehicles (OHV) Competitive Grants Program Funds from Arizona State Parks and Trails. Council Member Hecht seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

9. Discussion and possible action to approve the construction contract with RCH Construction of Paso Robles, California, in the amount of \$384,309.20 for the remodel of the Municipal Court; and to authorize the City Manager or his designee to execute the contract and issue resultant payments. (City Magistrate Psareas)

City Manager Cotter said there were safety issues and insufficiencies at the current courtroom lobby. He said funds were approved and included in this year's budget for construction.

City Magistrate Peter Psareas said the current "fishbowl" administration office location in the lobby had no other exits except back into the lobby. He said the flow of work would be improved as staff would be located in one area, and said the area would be much more secure and efficient.

Council Member Lizarraga asked if the court proceedings would be affected during construction.

City Magistrate Psareas said the public entrance to the court would be re-directed, and said they had a plan on how to move people through the building.

Mayor D'Amico asked if anyone from the public wanted to speak.

Billy Pershing asked if the work could be contracted with an Arizona corporation.

City Manager Cotter said the bid process was followed and the lowest bidder must be used.

Vice Mayor Brummett asked when construction would begin.

City Manager Cotter said staff anticipated the project would move along very quickly.

MOTION: Council Member Alfonzo made a motion to approve the construction contract with RCH Construction of Paso Robles, California, in the amount of \$384,309.20 for the remodel of the Municipal Court; and to authorize the City Manager or his designee to execute the contract and issue resultant payments. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

10. Discussion and possible action to approve the "Professional Services Agreement for Indigent Legal Defense Primary Public Defender" with The Mullan Law Firm, P.C.; and authorize the City Manager to execute the agreement on behalf of the city, issue resulting payments, and take all actions consistent with the implementation of the agreement. (City Manager Cotter)

City Manager Cotter said Anthony Mullen had done a very good job in providing previous public defense services for the city.

Anthony Mullen said he was going on his fifteenth year in working for the city. He expressed his interest in continuing to provide the same high level of services to the city for years to come.

MOTION: Council Member Ring made a motion to approve the "Professional Services Agreement for Indigent Legal Defense Primary Public Defender" with The Mullan Law Firm, P.C.; and authorize the City Manager to execute the agreement on behalf of the city, issue resulting payments, and take all actions consistent with the implementation of the agreement. Council Member Lizarraga seconded the motion.

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

Other Business

None

COUNCIL REQUESTED ITEMS

None

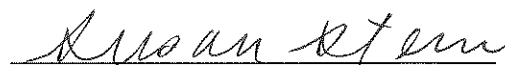
ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:29 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 January 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February 2023.



Susan Stein, MMC, CPM
City Clerk