

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, September 3, 2024, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

CALL TO ORDER

Mayor D'Amico called the special meeting to order at 4:00 p.m.

ROLL CALL

Council Present

Alfonzo, D'Amico, Head, Hecht, Lettman, Ring

Council Absent

Lizarraga

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Debie Ogden

DISCUSSION ITEM(S)

1. Discussion regarding cellular sites

City Manager Cotter said the city has new sites from the EPCOR acquisition on the north side of the city. He said well tank sites can be used for tower locations. He said the city owns 300 acres on Bullhead Parkway just south of Laughlin Ranch Boulevard that can be used for locations.

Planning Manager Loera said the city reached out to a cell tower company that was requesting a site in the Pegasus Ranch subdivision but were denied. He said they are very interested in the 300-acre location on the Parkway. He said they looked at existing cell tower sites to confirm any cell company can use that tower. He said the Wolf Court tower on the south side of town has AT&T, Verizon, T-Mobile, and Sprint on it. He said the tower on Desert Sky Boulevard has T-Mobile, Sprint and Verizon. He said the tower at 1355 Ramar Road has AT&T, Sprint, and T-Mobile. He said the sites are owned by the tower company and they rent space on their cell tower to various cell phone providers.

City Manager Cotter said the company who wanted to place a tower at Pegasus Ranch had initially designed a clock tower, then a basic pole design. He said the neighbors objected to the design of the tower and the contractor pulled the project. He said people along the Parkway have complained about dropped cell service, and many do not have land lines.

City Manager Cotter said contractors have a codified process for cell tower installation. He said they can also work with the private sector for tower locations to provide service when the location has varied topography. He said some towers can reach up to 30 miles in some rural areas.

Vice Mayor Alfonzo said during the last discussion, it was stated that cell towers would only service within a mile of the tower, and said there would be too many towers needed to service the entire city. City Manager Cotter said the cell service companies must provide the schematics to the Planning and Zoning Commission before any construction starts.

Vice Mayor Alfonzo asked if the city receives any revenue from the towers. City Manager Cotter said the city is not receiving any revenue for the existing towers. He said if a tower is placed on city property, the expectation is to receive rent for the space.

Vice Mayor Alfonzo asked if the cell tower would be exclusive to one cell provider or will all tower users be able to rent space. City Manager Cotter said the city will look at the contract to make sure companies can collocate as many as possible.

Mayor D'Amico said he would like to hear from different parts of the community on services and the design of the tower. City Manager Cotter said the city can put out a survey.

Council Member Hecht said she spoke with a local business owner who has a cell pole on their property. She said the cell service company hired a consultant to find a location for an additional tower on the Parkway. She said the cell service company obtained the all necessary permits and paid for construction. She said the property owner receives rent from the company that had requested that tower but was told no other companies have requested to be added to the tower. She said if it is on city-leased property, the tower needs to be available for rent to all cell service companies, and asked how the city can insure this. City Attorney Emery said there are a variety of ways through a request of proposals with favorable conditions and lease payments. Planning Manager Loera said the tower at Landon is a shorter tower because of the proximity to the airport and may be why no other companies have asked to be added to the tower.

Council Member Ring said the city should first make sure more towers are even feasible. Council Member Lettman said he prefers private enterprise but since there has been little interest from them, the city should proceed with a Request for Proposals, move it into the public domain and make some revenue. Council Member Head said when the 911 Center tower was built, it was the only tower on the east side of town, and everyone wanted a space on it. He said if there are proper locations for the towers there will be more interest from the cell service companies. He said he would like the city to move forward and find out what the citizens want. Council Member Hecht asked if the city would be interested in a partnership with private enterprise. City Manager Cotter answered affirmative.

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

Rick Campos with Tri-State Wi-Fi said his company would be interested in a cell tower program with the city. He said they have crews and engineered tower plans that are already in place. He said they have the resources to provide and offer other companies space on the towers. He said 5G has a limited range so those towers would have to be placed closer together, but older cell technology can still be used. He said Tri-State Wi-Fi provided the towers for the Fort Mohave Mesa Fire Department and they are engineered for long ranges. He said the towers can be used for cell service, internet, or radios.

Harvey Pryor said the city should not be involved in the communications business. He said he supports leasing a tower on city land to a cell service provider. Mayor D'Amico said the city would not be building any towers but would be interested in leasing city-owned land for a tower to be constructed by others.

2. Discussion regarding Supreme Court Ruling – homelessness and city code proposals

City Attorney Emery said California is clearing state and local lands of the homeless population. He said approximately 5 years ago, United States Court of Appeals for the 9th Circuit severely limited enforcement of camping on public property ("Boise case"). He said communities have been struggling with this increasing activity and its effects. He said the United States Supreme Court took up a case from Grants Pass, Oregon, and invalidated the premise upon which the Boise case rested. He said this ruling has restored the ability of communities to enforce reasonable and definable conduct through local codes. He said the City's previous ordinance could be modified to comply with the Boise case showing potential changes that could be discussed for enactment for more effective enforcement under the recent Grants Pass case regarding camping or sleeping on public land. He said if they can define conduct that is contrary to public policy the City can enforce against it.

City Attorney Emery said he incorporated some of the Grants Pass language in the draft amendments to Bullhead City Municipal Code 10.12.090 given to Council for review. He said Council should look at the most objective basis possible that substantially reaches the desired result.

City Manager Cotter said Bullhead City is not a sanctuary city, and said the homeless population is welcome only under the care of an organization meant to help them. He said the amendments to the existing ordinance will give law enforcement the tools needed to enforce laws within the parks and public property. He said everyone needed to understand the City will do everything in its power to help the homeless, but there will be no camping in any city parks.

Council Member Hecht asked if BACCUP will play a part in helping the homeless and how the cycle can be broken. Police Chief Trebes said officers try to offer services first and drive them to the services if necessary. He said a large percentage of homeless are there by choice. He said the BACCUP unit responds after the situation is made safe by police officers. He said they now have a manager that will do follow up.

Council Member Hecht asked if BACCUP will confiscate a homeless person's shopping cart. Police Chief Trebes said BACCUP will take the person to a shelter and transport the person's property to Property and Evidence for safe keeping. City Manager Cotter said Code Enforcement has been instructed to remove shopping carts and provide trash bags for their belongings.

Council Member Lettman said the city should be strict but humane and move forward with implementing the amendments to the code. He suggested looking at the Fort Mojave Tribe's policy on homelessness for suggestions. Mayor D'Amico said we must first differentiate between true homeless from transients.

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

Harvey Pryor asked if the people living in cars parked along Miracle Mile will be ticketed and removed. City Manager Cotter answered affirmative. Mr. Pryor asked if people camping on private property will be ticketed. City Manager Cotter answered affirmative. He said the City is working with property owners to be able to enforce as necessary.

Council Member Ring said the city needs to be strict and start now.


ADJOURNMENT

Mayor D'Amico declared the special meeting adjourned at 4:56 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 3rd day of September 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of September 2024.



Debie Ogden, 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, September 3, 2024, 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 Bill Jones, Bethel Community Church to deliver the invocation. Pastor Jones was not in attendance, so Council Member Hecht delivered the invocation. Mayor D'Amico led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Alfonzo, D'Amico, Head, Hecht, Lettman, Ring (via telephone)

Council Absent

Lizarraga

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Debie Ogden

POLICE CHIEF: Robert Trebes

FINANCE DIRECTOR: Robert Drexler

PUBLIC WORKS DIRECTOR: Angie Johnson

UTILITIES DIRECTOR: Mark R. Clark

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

PRESENTATIONS AND PROCLAMATIONS

Bullhead City Morning Kiwanis Check Presentation.

Grace Hecht, President of the Bullhead City Morning Kiwanis, presented a check to the city in the amount of \$15,620.00 to help pay for children's swim lessons.

Mayor D'Amico thanked S&S Concrete for donating \$3,000 to help pay for children's swim lessons.

National POW/MIA Recognition Day Proclamation

Mayor D'Amico read the proclamation and presented it to Ray Williams from the VFW Auxiliary Post 10005.

Recovery in the Park Proclamation

Mayor D'Amico read the proclamation and presented it to Lorrie Duggins, Bullhead City Police Department Community Services Officer.

Presentation from Mohave Electric Cooperative regarding electric bills.

Tyler Carlson from Mohave Electric Cooperative gave a brief presentation regarding the Purchased Power Adjustor (PPA) and how the ongoing high temperatures effect customer's electric bills.

OPEN CALL TO THE PUBLIC

Mayor D'Amico opened the call to the public.

Steven Lee said the founder of Telegram was arrested in France. He said since his arrest, his Apple iCloud account has been deleted, and gave an alternative email address the public can use to contact him. He said operation Lock Step is taking place and urged all residents to prepare for the inevitable.

Barbara Pape said the Colorado River Republican Women's Council will hold a luncheon at Chaparral Country Club on September 4th.

Diana Lestat, Lecturing Knight for the Bullhead City Elks Lodge, said they partnered with the Arizona Department of Game and Fish to offer a free fishing clinic event. She said the event will take place on September 28th at Rotary Park.

Jeremy Brunk from TWN gave an update on projects they are working on within the city.

Cindy Frizelle asked for American Flags be put up along Highway 95 for Patriot Day.

Pamela Smith said the Daughters of the American Revolution will have a monument dedication at Veterans Memorial Park on October 12th.

Rose Jacobs spoke about the upcoming Colorado River Concert Series performances.

Harvy Pryor said Mayor D'Amico interrupted him during the August 20, 2024 Work Session Meeting because he was speaking directly to Mr. Griffin. He said he was speaking directly to Mr. Griffin because he had questions about the general plan. He asked Mayor D'Amico to not interrupt him in the future, and said it was a violation of his civil rights.

Tanya Belt from the City of Needles said they will be doing a Hands Only CPR class for local 8th grade students. She thanked the Council, Police Department, and the Bullhead City Fire Department for their involvement with the classes.

Scotty McClure said he received a letter from Dave Hawkins explaining an error he made in a previous newspaper article. He apologized to Mayor D'Amico for accusing him of stolen valor.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

Vice Mayor Alfonzo made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Council Member Lettman seconded the motion.

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

MOTION CARRIED

MANAGER'S REPORT

1. Bullhead City Birthday Party - 40 Years of Incorporation

City Manager Cotter provided a brief recap of the Bullhead City Birthday Party event and showed a brief video highlighting some of the event entertainment.

2. Update on Construction of Senior Enrichment Center and Animal Shelter (BARC)

City Manager Cotter said they are hoping to open the senior center sometime in November. He said the parking lot should be completed in October, and said the generator should be onsite on October 1st. He said the generator will be used in times of emergency.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Lettman said this past Friday was the inaugural kickoff of the Mohave Community College Bighorn soccer season. He said Mohave Community College had a presentation between games in which they presented plaques to organizations that have supported the Mohave Community College Bighorns. He said the City of Bullhead City received a plaque and he presented it to Mayor D'Amico.

Council Member Ring said she had a water leak on her property on Friday afternoon. She said she called the Utilities Department, and said they had the problem fixed very quickly. She thanked the employees for their quick action.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

Vice Mayor Alfonzo made a motion that Items 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 Hecht seconded the motion.

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

MOTION CARRIED

Items on the Consent Agenda were approved as follows:

1. Approve the minutes of the August 19, 2024 Special Council Meeting, August 20, 2024 Special Work Session Meeting, and August 20, 2024 Regular Council Meeting. (City Clerk Ogden)
2. Approve the expenses incurred from the disposal of sludge to Mohave Valley Landfill in an amount not to exceed \$200,000.00 for FY 24-25 and authorize the City Manager to approve resultant payments. (Utilities Director Clark)

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

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

3. Discussion and possible action to 1) approve the purchase of Praestol K 148 L and Praestol K 274 FLX Polymer from Solenis for the use at both Section 10 and Section 18 Wastewater Treatment Plants in an amount not to exceed \$75,000.00 for FY 24-25; 2) authorize the City Manager to approve the resultant payments, and 3) waive competitive bidding under Bullhead City Municipal Code 3.37.030(D) as being in the best interest of the city. (Utilities Director Clark)

Wastewater Manager Tim Fontenot said this polymer is used at both wastewater treatment plants, and said it separates liquid from the solids in the sludge. He said this polymer is a major part of the treatment process.

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

Council Member Lettman made a motion to approve the purchase of Praestol K 148 L and Praestol K 274 FLX Polymer from Solenis for the use at both Section 10 and Section 18 Wastewater Treatment Plants in an amount not to exceed \$75,000.00 for FY 24-25; authorize the City Manager to approve the resultant payments, and waive competitive bidding under Bullhead City Municipal Code 3.37.030(D) as being in the best interest of the city. Council Member Head seconded the motion.

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

MOTION CARRIED

4. Discussion and possible action to name the new animal shelter facility located at 2435 Miracle Mile the "Bullhead City Animal Resource Center (BARC)" (Human Services Director Tipton)

Human Services Director Tipton showed a brief video of the evolution of the current animal shelter and future amenities to transform the new facility into a resource center for the community and their pets. He said they did not want to use the words "pound" or "dog pound" because it is thought of negatively and associated with a high kill rate. He said they did not want to use the phrases "animal shelter" or "animal care and welfare" because it still has some negative feelings attached to it. He said they wanted to use the term "resource center" because it is both animal and pet owner focused and focuses on no kill. He briefly spoke about building a strong volunteer base and community engagement. He said they are going to recruit an in-house veterinarian so they can offer emergency vet services, shot clinic, cremation and end of life services, and a mobile spay and neuter clinic.

Vice Mayor Alfonzo thanked the animal shelter staff for everything they do. He also thanked the organizations in the city that help to rescue and adopt animals. He said naming the new facility the "Bullhead City Animal Resource Center" will add class to the facility.

Council Member Hecht asked how many current volunteers they have and how many more they anticipate having once the new shelter is built. Human Services Director Tipton said they have had up to 11 volunteers, but currently only have a handful of volunteers. He said their goal is to have 50 volunteers when the new facility opens. Council Member Hecht asked approximately how much enrichment time each animal will get when the new facility opens. Human Services Director Tipton said they will have a lot more time than the 15 minutes they currently receive. He said staff from Reisen Star Kennel also work with animals that are aggressive or need additional training before they are adopted. He said he hoped each animal will have between 1-2 hours of enrichment each day when the new facility is complete and additional volunteers start.

Mayor D'Amico said he would like to help the foster program. He said residents are currently allowed to have 3 dogs. He said he would like to place an item on the next council agenda to amend the ordinance so that someone can have up to 5 dogs if they are fostering. He said the amendment will allow people who currently own 3 dogs to have the opportunity to foster up to two dogs. He said residents will not be allowed to own 5 dogs, but allowing more people to foster will help the number of pets in the shelter. He said there are a lot of people in the community that want to foster but they cannot because they already have 3 dogs.

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

Council Member Hecht made a motion to name the new animal shelter facility located at 2435 Miracle Mile the “Bullhead City Animal Resource Center (BARC).” Vice Mayor Alfonzo seconded the motion.

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

MOTION CARRIED

5. Discussion and possible action to 1) authorize the purchase of a CLP and CMK 175 portable concrete mixer from Cart-Away in the amount of \$106,524.00 under the quote dated August 13, 2024; 2) authorize the City Manager to make resulting payments, and 3) authorize the waiver of competitive bidding under Bullhead City Municipal Code 3.37.030(D) as being in the best interest of the city. (Public Works Director Johnson)

Public Works Director Johnson said this item is for the purchase of a portable concrete mixer so staff will have the flexibility to make small pours.

Vice Mayor Alfonzo asked if there are any other companies that make a similar concrete mixer. Public Works Director Johnson said staff researched this item, and said they would have to go out of the United States to purchase a similar product.

Council Member Hecht said she thought this would be a great piece of equipment to have. She said this will enable staff to make concrete repairs much quicker and will help with public safety by eliminating tripping hazards much quicker.

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

Harvey Pryor asked if the cement mixer will be used to add additional curbing. Public Works Director Johnson said this item will not do curbs and gutters. She said the mixer will be used to mix small amounts of concrete.

Scotty McClure asked if staff would have to go to S&S Concrete to fill the mixer. Public Works Director Johnson said staff has the materials to make the concrete. She said if they need to do a big pour, they will have S&S Concrete help.

Vice Mayor Alfonzo made a motion to authorize the purchase of a CLP and CMK 175 portable concrete mixer from Cart-Away in the amount of \$106,524.00 under the quote dated August 13, 2024; authorize the City Manager to make resulting payments, and authorize the waiver of competitive bidding under Bullhead City Municipal Code 3.37.030(D) as being in the best interest of the city. Council Member Lettman seconded the motion.

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

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 7:04 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 3rd day of September 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of September 2024.



Debie Ogden, MMC, CPM
City Clerk