

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, July 2, 2019, 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 Dr. Josiah Drawhorn from the Amazing Grace Fellowship to deliver the invocation. Council Member Shutts led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Absent

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Al Scigliano said the city had to stop EPCOR and take over the water company. He said EPCOR had a "cash cow" here and said they were making more than 16 percent over their investment. He said the H2O Committee had invited some other cities to attend the special Council meeting regarding the water consultant's valuation to be held on July 9th.

Jamie Starr said the streets in Vista del Rio had a lot of cracks because the city slurry sealed them over dirt, and said the streets should be scraped and re-paved. She suggested the duties of the Building Board of Appeals and the Board of Adjustment be combined with the Planning and Zoning Commission as those two boards meet infrequently.

Sam Medrano said he was a former Bullhead City Council Member. He said Bruce Clark, a prominent member of the community, recently passed away. He said Bruce Clark had made efforts every day for many years on his TV2 morning radio show to bridge the communities of the Colorado River. He asked the Council to consider naming the second bridge over the Colorado River after R. Bruce Clark.

Scotty McClure said the slurry seal on his street needed repairing. He said he hoped the Fire Department did not move their public meetings from the Council Chambers. He said the city was spending a lot of money on the new signs in Rotary Park.

Jackie Mazzeo said she was the Director of the Laughlin Chamber and Laughlin Tourism Commission. She said the "Rockets Over the River" fireworks display on the 4th of July was provided by the Laughlin Tourism Commission. She said she wanted to make sure that people knew where those fireworks came from, and said they were for both visitors and residents.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

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

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

City Manager Cotter said all of the new signs at Rotary Park were donated by local organizations.

1. Presentation to Rusty Braun – 2019 Striper Derby

Parks and Recreation Superintendent Heath presented a plaque of appreciation to Rusty Braun for his support and guidance that made the Striper Derby a huge success. Rusty Braun thanked city staff for their support in bringing this annual event to the city.

2. EPCOR Valuation

City Manager Cotter said the Council would discuss the valuation and the proposal to move forward with the potential acquisition and condemnation of the EPCOR water system at the July 16th Council meeting. He said a resolution would be considered that would place the measure on the November 2019 ballot.

3. Bond Rating Update

City Manager Cotter said the city received a double upgrade to an AA bond rating. He said this would increase the city's future bonding and borrowing capacity, as well as lower interest rates. He said the stability and leadership of the Council and staff longevity were important factors to the

bond rating agencies. He said the city was financially stable and able to meet all of its financial obligations.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

None

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Clark 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 Ring seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, 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 June 18, 2019; and the Minutes of the Regular Council Meeting held on June 18, 2019. (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 an Interim Transfer and new Series 12 Liquor License No. 65934 submitted by Jeffrey Craig Miller for the Samurai Noodle House Restaurant located at 1047 Highway 95, Suite A-1, in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff had reviewed the application and recommended approval.

Mayor Brady opened the public hearing. Having no one present wishing to speak, Mayor Brady closed the public hearing.

MOTION: Council Member Shutts made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Transfer and new Series 12 Liquor License No. 65934 submitted by Jeffrey Craig Miller for the Samurai Noodle House Restaurant located at 1047 Highway 95, Suite A-1, in Bullhead City. Vice Mayor Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

3. Discussion and possible action to approve: 1) the Final Plat for Canyon Trails at Fox Creek, Tract 5190, Unit 5; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 10.08 acre-feet; and 4) authorize the Mayor to execute the agreement on behalf of the city. (Development Services Director Wiltse)

Planning Manager Loera said the proposed subdivision of 16.69 acres would be divided into 30 lots for single family residential development and two parcels reserved for public utility, drainage, and landscape easements.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Vice Mayor Wegmann made a motion to approve: 1) the Final Plat for Canyon Trails at Fox Creek, Tract 5190, Unit 5; 2) the Financial Assurance through the Property Escrow Agreement; 3) the Water Allocation in the amount of 10.08 acre-feet; and 4) authorize the Mayor to execute the agreement on behalf of the city. Council Member Clark seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

4. Discussion and possible action to approve the construction contract with McCormick Construction Company of Bullhead City, Arizona, in an amount not to exceed \$649,325.55 for construction of a Traffic Signal at Corwin Road and Highway 95 (Project No. 15-E-009); and to authorize the City Manager or his designee to execute all appropriate documents and approve resultant payments. (Interim Public Works Director Johnson)

City Manager Cotter said there was one bidder for the traffic signal project located at Corwin Road and Highway 95. He said the city had worked with the Arizona Department of Transportation (ADOT) on the project design. He said with the new signal, vehicles heading southbound would

not stop, and traffic heading northbound would be controlled by the traffic signal. He said ADOT fully endorsed this project. He said the metal poles would have a long lead time which would delay construction, and said there would be night work.

Interim Public Works Director Johnson said the poles were 26 weeks out, but said part of the project construction could begin earlier.

Council Member D'Amico asked about the bid recap in the amount of \$845,271.40, and asked why the contract was less than the bid.

City Manager Cotter said since McCormick Construction was the sole bidder, they were asked to work with the city on the price rather than having the city go back out to bid.

Mayor Brady said 58 vendors were notified of the bid but the city received only one bid.

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

Barbara Pape said this was a good project design for safety and beautification of the city.

Jamie Starr said she was concerned about the proposed traffic control plan as vehicles would continue traveling southbound at a high speed. She said there would be a lot of rear end collisions heading northbound. She said \$650,000 was a very high price for a traffic signal and medians.

Scotty McClure said he was unaware of the raised medians. He said the developer should have paid for the signal in the first place, and said a left turn lane there should never have been built. He asked if the project included radar detectors.

Interim Public Works Director Johnson said the radar equipment included sensors that detected traffic movement at the signal and would not be used for traffic enforcement.

Josiah Drawhorn said the signal should cover both directions as drivers hit their gas pedal at that point heading southbound up the hill.

Council Member D'Amico asked if there would be signage indicating a new traffic control project.

Interim Public Works Director Johnson said the final decision by ADOT was to not provide a permanent sign, but said the city would provide temporary notification for safety improvement.

Council Member Ring said her office was located near that intersection, and said she avoided the area by driving through a back street due to the current unsafe traffic conditions.

MOTION: Council Member Ring made a motion to approve the construction contract with McCormick Construction Company of Bullhead City, Arizona, in an amount not to exceed \$649,325.55 for construction of a Traffic Signal at Corwin Road and Highway 95 (Project No. 15-E-009); and to authorize the City Manager or his designee to execute all appropriate documents and approve resultant payments. Council Member Bruck seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D’Amico, Ring, Shutts, Wegmann NAYS: None
 ABSENT: None

MOTION CARRIED

5. Discussion and possible action to approve the execution of the Digital Marquee Placement License Agreement (Community Park/Chamber of Commerce), contingent upon Arizona Department of Transportation approval; and authorize the City Manager to execute the agreement on behalf of the city. (City Manager Cotter)

City Manager Cotter said the Bullhead Area Chamber of Commerce was in the process of updating their current sign to a digital one to be located in the same place as the current sign. He said the proposed agreement was structured the same as the city’s agreements with Lamar Advertising, except the Chamber could use any proceeds from external sources to be re-invested back into the facility. He said this was a win-win partnership between the City and the Chamber.

John Pynakker, President/CEO of the Bullhead Area Chamber of Commerce, said this agreement was the culmination of a long process. He said the proceeds from the “Taste of Bullhead” events helped pay for the new sign. He said the proceeds would be used to repair and upgrade the Chamber building.

Vice Mayor Wegmann asked if the sign would be available for members and the community.

Mr. Pynakker said it would be available for the City’s and Chamber members’ use.

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

Scotty McClure said citizens’ rights to use the sign were being taken away.

MOTION: **Council Member Ring made a motion to approve the execution of the Digital Marquee Placement License Agreement (Community Park/Chamber of Commerce), contingent upon Arizona Department of Transportation approval; and authorize the City Manager to execute the agreement on behalf of the city. Council Member Clark seconded the motion.**

VOTE: AYES: Brady, Bruck, Clark, D’Amico, Ring, Shutts, Wegmann NAYS: None
 ABSENT: None

MOTION CARRIED

6. Discussion and possible action to approve the amendment to the Contracted Annual Payment to the City for the Riverview Mall signage placed in the city’s right-of-way; and authorize the City Manager to execute the amendment on behalf of the city. (City Manager Cotter)

City Manager Cotter said this was a request to amend the contracted annual payment to the city for the Riverview Mall signage placed in the city’s right-of-way. He said in 2003, the City Council approved a comprehensive sign plan to allow the mall to have signage located in the city’s right-of-way for a fee. He said the owner had asked the city to reduce the fee for the signage, but had

agreed to make space available in the mall as a courtesy for city utilization. He said the Recreation Department currently used the mall property and vacant suites to host the Annual Winter Fest and the mall owner did not charge a fee. He said there was also an opportunity to use this vacant space for other city events during the year as long as the space was available. He said the mall owners were great partners with the community.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Council Member Bruck made a motion to approve the amendment to the Contracted Annual Payment to the City for the Riverview Mall signage placed in the city's right-of-way; and authorize the City Manager to execute the amendment on behalf of the city. Vice Mayor Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

Other Business

7. Discussion and possible action to authorize the sale of Parcel No. 218-09-102A (2055 Coronado Drive) as excess property at a public auction with minimum bids as established by the Real Estate Owned (REO) Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. (Finance Director Vera)

Finance Director Vera said the REO Committee met that day and recommended the minimum bid be set at \$8,823.16 and the property be sold as an excess property at a public auction. He said the property was forfeited to the city through a stipulated judgement in lieu of foreclosure due to a conditional loan rehabilitation lien. He said rehabilitation liens were placed on properties under the city's Home Rehab Program (HOME grant). He said the owner of the home passed away and the unforgiven amount remaining after the owner's passing was \$6,478.35. He said a wastewater lien, abatement lien, taxes, and additional fees totaled \$2,344.81, for a total investment of \$8,823.16 in the property.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Council Member Shutts made a motion to authorize the sale of Parcel No. 218-09-102A (2055 Coronado Drive) as excess property at a public auction with minimum bids as established by the Real Estate Owned (REO) Committee; and direct staff to post and publish the notice of sale with time and location of the public auction. Council Member D'Amico seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

8. Discussion and possible action to approve a new location for “Poki” the Tortoise statue. (Parks and Recreation Superintendent Heath)

Parks and Recreation Superintendent Heath said the Parks and Recreation Commission recently recommended the tortoise statue be placed at the northwest corner of Laughlin Ranch Blvd. and Highway 95.

Council Member D’Amico said some utility boxes were at the northwest corner and suggested the statue be moved to the southwest corner.

Discussion ensued regarding the final placement of the statue along Highway 95.

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

Ray Rhines from the Chamber of Commerce said “Poki” was a landmark and could be seen coming from the north and south. She said there was enough parking at the Chamber of Commerce for visitors to stop and take photos. She said Bill Hayes, the man that donated the statue to the city, had passed away and said “Poki” should stay in the same location in honor of his donor.

Jamie Starr said she would like to see “Poki” stay in the same spot. She asked about the cost of moving the statute.

Scotty McClure said moving the statue would cost the city more money and requested that it remain in the current location as safer for visitors.

John Pynakker said ‘Poki” had its own Facebook page and had been featured in travel magazines. He said both the bull and the tortoise could co-habitate in the same area. He said hundreds of people had asked to keep the tortoise at the current location. He said representatives of the Chamber did not see any reason for moving “Poki” to another location.

Mary Slater said she was a member of the Chamber of Commerce. She said her constituents did not want the statue moved, and said she did not see the reasoning behind spending money to move it.

Gene Quitmeyer said all of the people he had spoken with wanted the statute to stay in the same location. He suggested the Council listen to who they were accountable to, and keep “Poki” where it was.

Council Member Shutts said she had not thought about the accessibility of parking at the Chamber. She said the statue should stay at the Chamber and not be moved.

Council Member Clark said he agreed with Council Member Shutts. He said the bull statue could be placed at the corner of Laughlin Ranch Blvd. and Highway 95.

Council Member Wegmann said “Poki” should remain where it was.

MOTION: Council Member D'Amico made a motion that the "Poki" the Tortoise statue remains in the same location in front of the Chamber of Commerce along Highway 95; and the "Bravo" the Bull statue be located at the southwest corner of Highway 95 and Laughlin Ranch Boulevard. Vice Mayor Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

9. Discussion and possible action to approve an expenditure in an amount not to exceed \$3,850.00 from the Arts Commission Fund to paint the "Bravo" the Bull statue. (Parks and Recreation Superintendent Heath)

Parks and Recreation Superintendent Heath said the Parks and Recreation Commission recommended the preparation of the bull statute to be placed in a public location. He said the funds would be taken from the Arts Fund.

Mayor Brady said the bull statue was made of heavy duty aluminum painted black. He said it was not designed for outdoor use, and some of the paint was already scraped off. He said he contacted the local artists' guild to find a qualified painter that could prepare and paint the statue with a lot more detail. He said the proposed painter was well known in his field and had painted close to 1,000 motorcycles. He said the painted statute would look like a beautiful art piece.

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

Jamie Starr said she was concerned about the color of the paint and the fact that people might get burned if they touched the metal when it got hot.

Scotty McClure said he was concerned that people would want to ride the bull for pictures and suggested they needed to prevent people from climbing on it.

Ray Rhines from the Chamber of Commerce said people tried to climb on the tortoise statue all of the time.

MOTION: Vice Mayor Wegmann made a motion to approve an expenditure in an amount not to exceed \$3,850.00 from the Arts Commission Fund to paint the "Bravo" the Bull statue. Council Member Ring seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

10. Discussion and possible action to accept the City Wide Projects List Update as presented. (City Manager Cotter)

City Manager Cotter said the projects included on the list were all capital improvement projects in different phases of completion. He said the Council had an opportunity to ask questions regarding any of the projects on the list. No questions were asked.

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 accept the City Wide Projects List Update as presented. Council Member Shutts seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, 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 6:55 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 July 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of July 2019.



Susan Stein, MMC, CPM
City Clerk