



CITY OF BULLHEAD CITY

COUNCIL COMMUNICATION

MEETING DATE: October 5, 2010

SUBJECT: Minutes of Council meeting held on September 7, 2010 for approval

DEPT OF ORIGIN: City Clerk's Department

DATE SUBMITTED: September 27, 2010

SUBMITTED BY: Diane Heilmann, City Clerk

SUMMARY:

The minutes of the September 7, 2010 Council meeting are being presented for approval.

FISCAL IMPACT:

None

Initial Project Costs:

Future Ongoing Costs:

Physical Impact (on people/space):

Residual or Support/Overhead/Fringe Costs:

REVIEWED BY: _____

Finance Department

ATTACHMENTS:

Draft minutes of the September 7, 2010 council meeting

LEGAL REVIEW:

APPROVED AS TO FORM: _____

City Attorney

RECOMMENDATION:

Council to approve the minutes of the September 7, 2010 council meeting.

APPROVED FOR SUBMITTAL BY:

Diane Heilmann

Department Director

City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No. _____

Continued To: _____

Ordinance No. _____

Referred To: _____

Approved _____

Denied _____

Other _____

File No. _____

BULLHEAD CITY ARIZONA, COUNCIL MEETING MINUTES, September 7, 2010 5:30 P.M.

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 7, 2010 in the Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE: Mayor Hakim called the meeting to order at 5:30 p.m. and invited Father Peter Dobrowski of St. Margaret Mary Catholic Church to deliver the invocation. Council Member Bruck led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL:

Council Present:

Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts

Council Absent:

None

Staff Present:

CITY MANAGER: Toby Cotter

ASST. CITY MANAGER: Susan Betts

CITY ATTORNEY: Garnet Emery

CITY CLERK: Diane Heilmann

POLICE CHIEF: Rodney Head

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

COMMUNITY SERVICES DIRECTOR: Karla Brady

DEVELOPMENT SERVICES DIRECTOR: Janice Paul

PUBLIC INFORMATION OFFICER: Emily Montague for Steve Johnson

PRESENTATIONS AND PROCLAMATIONS:

- (1) Proclamation: National Patriotism Week

Mayor Hakim asked Vice Mayor Shutts and Councilor McClure to join him in the reading of the proclamation because they are active members of the Elk's Lodge.

- (2) Proclamation: National Preparedness Month, September 2010

Mayor Hakim read the proclamation and presented it to Deputy Chief Williamson.

OPEN CALL TO THE PUBLIC

Mayor Hakim opened the call to the public. Having no one present wishing to speak, Mayor Hakim closed the call to the public.

AGENDA MODIFICATIONS:

None

MOTION: Vice Mayor Shutts made a **MOTION** to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Councilor Medrano seconded the motion.

VOTE: A vote was taken on the motion. AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None ABSENT: None MOTION CARRIED.

MANAGER'S REPORT

(1) HB 2002 Amending Title 4 regarding spirituous liquor licenses/City Attorney G. Emery

City Manager Cotter said this afternoon the City issued a stop work order on a portion of the solar project at City Hall. He said the stop work order was placed on the concrete subcontractor because he did not renew his commercial license. He said the stop work order will be released when the Arizona Registrar of Contractors has reinstated his license. He explained that if the license is not reinstated shortly, the City and the general contractor will work to find a new subcontractor.

City Manager Cotter announced that staff will be placing flyers in the monthly sewer bills that explain a new City law. He said that the new law states that it is illegal to ride or drive an OHV vehicle on public or state land, public lots, or private land without written permission from the owner. He explained that it is illegal and is subject to fines, jail, and vehicle impound. He said that the flyer explains the new ordinance and he asked the public to read and understand the flyer.

City Attorney Emery said on July 29, 2010 there was an amendment made to the liquor laws in Arizona. He said the new amendment will provide for an applicant or current licensee to apply for an additional license that would allow sampling on the premises that the sales are taking place at. He said the sample license would go through the same process as a regular liquor license. He said while sampling, the liquor must be kept under lock and key, they can not charge for a sample, and they are limited to what they can sample to an individual. He explained that they can serve an individual 3 ounces of beer or cooler products, one ounce of wine or distilled spirits per person, per brand, per day. Mayor Hakim asked City Clerk Heilmann if anyone has applied for a sample license. City Clerk Heilmann said Safeway has applied for a sample license and it will be presented to Council at the September 21st Council Meeting.

MAYOR'S COMMENTS

None

CURRENT EVENTS

None

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

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MOTION: Councilor Clark made a MOTION that items 1 through 3 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Councilor and without further discussion. Councilor Bruck seconded the motion.

VOTE: A vote was taken on the motion. AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None ABSENT: None MOTION CARRIED.

Items on the consent agenda were approved as follows:

1. Approve the minutes of the August 3, 2010 and August 17, 2010 Council meetings. (City Clerk Heilmann)
2. Approve a modification to the Greater Arizona Mayors Association Agreement approved on June 2, 2010 to increase the annual dues from \$25.00 a year to \$100.00 a year. (City Manager Cotter)
3. Approve Amendment #4 to the Intergovernmental Agreement between the City of Bullhead City and the Arizona Department of Transportation to fund the Bullhead Area Transit System program from October 1, 2010 through September 30, 2011 in the amount of \$456,740.00 in federally appropriated 5311 grant funds. (Transit Manager LaFontaine)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

PROCEDURES FOR PUBLIC COMMENT ON PUBLIC HEARING ACTION ITEMS

Members of the public are invited to speak on public hearing action items. To give everyone an opportunity to speak, please observe the following etiquette: (1) State your name clearly and spell your last name for the record (2) You may address the Council one time on each public hearing action item for a maximum of five (5) minutes (3) Groups must designate one spokesperson to speak on behalf of the group.

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

4. Discussion and possible action to appoint citizens to serve on the Bullhead City Board of Adjustment. There are three vacant positions on the Board of Adjustment. The City Clerk has received application from Lois Briesemeister, Matthew Hanrahan, and Sandra Port who wish to serve on this board. (City Clerk Heilmann)

Mayor Hakim asked Lois Briesemeister if she was aware of the job of serving on the Board of Adjustment. Ms. Briesemeister said she was. She said she moved to Bullhead City in 2003 and has been a realtor for the past 5 years. She said she currently works for U.S. Southwest. She said prior to moving to Bullhead City, she had a position in a corporation where she led a team of people that was responsible for the State of Minnesota. She said she was very involved with

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boards and committees within that environment. She said she looked forward to the opportunity of becoming more involved with the City.

Matthew Hanrahan said he currently serves on the Parks and Recreation Commission. Mayor Hakim said he watches their meetings and Mr. Hanrahan contributes a lot to the Commission. He said serving on the Board of Adjustment would be another way for him to help the community.

Sandra Port said she was solicited by Janice Paul to help with one of the available positions. She said she is a graduate of the 2004 Leadership Class that was sponsored by the Women's Council. She said she is also a graduate of the 2009 Master Government Program. She said she is a member of the Planning Committee of the Mohave County Airport Authority, a BREDA Representative for Bullhead City, and is also on the Mohave Valley Association of Realtors. She said she is the current President Elect for the Bullhead City Association of Realtors and the current Vice President of the Laughlin Ranch Owner's Association.

Vice Mayor Shutts made a motion to appoint Lois Briesemeister, Matthew Hanrahan, and Sandra Port to serve on the Board of Adjustment. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

5. Discussion and possible action to appoint five citizens to serve on the Youth Advisory Commission. Members are appointed on a yearly basis for this Commission in conjunction with the new school year. The Council recently changed the number of members on this Commission from seven to five with meetings to be held on a quarterly basis. The City Clerk has received Letters of Interest to serve an additional term from Megan Irgens, Jonathan Moss, and Brittney Woolard, and new applications from Madison Miller, Amber Sheldon, and Asim Zehri. (City Clerk Heilmann)

City Clerk Heilmann announced that Madison Miller withdrew her application.

Mayor Hakim asked Councilor Duvall if he had any questions for the applicants. Councilor Duvall asked all of the applicants to tell them what their goals are and what they would like to do while serving on the Commission.

Megan Irgens said this year she wanted to focus on showing students and the youth in the community that there are things to do in Bullhead City and the City is what they make it. Councilor Duvall said Megan contributed a lot to the Commission and would like for her to serve another term.

Jonathan Moss said at about half way through last year's term, he looked at what they accomplished. He said they did not do too much so during the second term he tried to get more into it, but was not completely sure what the job of the Youth Commission was. He said he had it figured out after meeting with Rob LaFontaine and Councilor Duvall, but by then they were

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almost done for the year. He said if he is reappointed he would like to be able to bring more items before City Council, look into increasing safety programs, and perhaps come up with their own events for the youth of the community.

Brittney Woolard said if she gets reappointed, this will be her third year on the Commission. She said her goals for the Commission are the same as Megan's and Jonathan's. She said she would like to show the youth that there are things to do in the City and to also make more activities for the youth in the community.

Amber Sheldon said she is very involved in the community and participates in different programs. She said she loves Bullhead City and thought that she could help other kids love Bullhead City to.

Asim Zehri said he would like to serve on the Youth Commission because he wants to be involved in the community and would like to represent the youth. He said he would like to make current youth activities more enticing and add more activities. He said he felt that they should also try to get more youths to volunteer and give back to the community.

Mayor Hakim said he and several Council Members attended the League of Cities and Towns Annual Conference in Glendale a few weeks ago. He said a number of cities have a youth commission and they carry their city flag proudly during the Parade of Flags. He said those cities have been incorporated for quite some time and are well established. He said their youth and the Youth Commission had quite a bit to bring to the table because of the city's long term incorporation. He said their challenge is difficult because they do not have all of the amenities that they would like to have. He stated that it is important that when they work with Karla Brady and Councilor Duvall, they bring something to the table that is innovative, has vision, and will inspire other youth to move forward. He said when they get on the Youth Commission, their job is to promote youth activities and to bring their recommended ideas to Council so they can move forward on it. He explained to the applicants that serving on the Commission is a commitment they will have to make and it is important that they bring some good ideas to Council. Councilor Medrano said he looked forward to their ideas.

Councilor Duvall made a motion to appoint Megan Irgens, Jonathan Moss, Amber Sheldon, Brittney Woolard, and Asim Zehri to serve on the Youth Advisory Commission. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

None

ACTION ITEMS

Building, Planning and Zoning Items

See Consent Agenda

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

6. Discussion and possible action to approve the emergency purchase of charter bus service from Americharter, Inc. in the amount of \$44,252.85 for the 2010 Regatta and authorize the City Manager to execute all appropriate documentation and authorize payment. (Parks, Recreation & Community Services Director Brady)

Community Services Director Brady said they originally estimated 7,500 participants for this years Regatta. She said they ordered 22 buses to handle 7,500 people and the original quote was for approximately \$25,000.00. She said a couple of weeks before the event; the projections grew to 12,000 participants so they added seven additional buses by going to local schools and casinos. She said on the day of the Regatta, the drivers incurred overtime and their shifts were lengthened to make sure that they got everyone transported. She said the total invoice is for \$44,252.85. She explained that under the agreement with the Laughlin Tourism Commission, they are picking up 60% of the cost and the City will pay 40%. Mayor Hakim asked where the additional funds will come from. City Manager Cotter said the Regatta is a self supporting event. He said there is a segregated account for the Regatta. Councilor Medrano said he felt that they needed to do more to protect the expenses from getting out of hand. He said it is estimated that approximately 5,000 people did not register to participate in the Regatta. He said that is a lot of extra people to transport which added to the bill. City Manager Cotter said from a purely profit balance sheet, the event does show a profit of approximately \$9,000.00 but there are still outstanding bills that need to be paid. He said from a financial standpoint, revenues will be more than expenditures. He said staff has been talking about a proposed ordinance amendment to limit the numbers of people who did not register in the Regatta. He said it could include provisions such as blocking access from public streets, requiring wrist bands, etcetera. He said they will be talking to Council at a later date about the entire event. Mayor Hakim said after all is said and done, the event brought close to \$3 million to local businesses and restaurants. He said money was made for our community and businesses and that has been the goal of the Regatta since its conception. He said there is talk that next year they may reach 20,000 participants. Mayor Hakim stated that they are going to ask for more money from the casinos next year.

Councilor Bruck made a motion to approve the emergency purchase of charter bus service from Americharter, Inc. in the amount of \$44,252.85 for the 2010 Regatta. Councilor Duvall seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

7. Discussion and possible action to approve a contract between the City of Bullhead City and McCormick Construction, Inc. of Bullhead City in the amount of \$277,862.90 for Phase 1 of the Havasupai-Chaparral Washes Area Drainage Improvements. (Public Works Director Agrawal)

Public Works Director Agrawal said the funds for this project will come from flood control funds and has no impact to the general fund. Councilor Clark asked if the plans to complete this project were done in-house. Public Works Director Agrawal said this phase was designed in-house. Councilor Clark asked if the contractor has reviewed the plans. Public Works Director Agrawal said the contractor has reviewed the plans and found no defects with the plans.

Councilor Duvall made a motion to approve a contract between the City of Bullhead City and McCormick Construction, Inc. of Bullhead City in the amount of \$277,862.90 for Phase 1 of the Havasupai-Chaparral Washes Area Drainage Improvement. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

8. Discussion and possible action to approve the purchase of 240,000 pounds of PolyFlex IV Crack Sealant from Crafcro, Inc. in the amount of \$88,408.48 utilizing the City of Tempe's Cooperative Purchasing Contract to be used for crack sealing maintenance on all city streets; authorize the City Manager or his designee to negotiate and execute all required documentation, approve the purchase order, and subsequent payments. (Public Works Director Agrawal)

Public Works Director Agrawal said every year they perform the crack sealing on City streets as part of the Pavement Management System Program. He said this year \$90,000 was budgeted for using Highway User Revenue Funds. He said there will be no impact to the general fund and they are using the Cooperative Purchase Agreement.

Vice Mayor Shutts made a motion to approve the purchase of 240,000 pounds of PolyFlex IV Crack Sealant from Crafcro, Inc. in the amount of \$88,408.48 utilizing the City of Tempe's Cooperative Purchasing Contract to be used for crack sealing maintenance on all city streets. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

Other Business

9. Discussion and possible action to ratify staff's action of submitting a grant application for consideration under the second Transportation Investment Generating Economic Recovery (TIGER II) grant program to the Federal Highway Administration seeking \$37 million for the second bridge project. (Public Works Director Agrawal)

Public Works Director Agrawal said TIGER II grant presented them with the opportunity to apply for the funding deficiency that we currently have for the bridge project. He said there is approximately \$18.5 million of prior funding from federal appropriation. He stated that the current estimate for the bridge is \$55.5 million and the City would need an additional \$37 million to accomplish this task. He said due to time constraints, they could not come to Council for an approval before the deadline but they did get approval from the Grant Committee. He said they did submit an application and they would like Council's approval. He stated that they will probably hear about the progress of the application later in the month and they may have a decision early next month. Councilor Medrano said the City would be well within its rights to lobby its own citizenry to make the necessary contacts in Washington to help push this through. He said he would like the City to do a publicity campaign of writing letters, send emails, and post on our Facebook site suggested ways for people to write to our Senators. He said this is a highly competitive grant and the need for this bridge is monumental. Mayor Hakim said they are working with Clark County, they have sent letters to our Representatives, and he received a letter stating that Congressman Trent Franks sent a letter of endorsement to LaHood on our behalf and Senator Kyle will most likely do the same. He said he received a call from Senator McCain and he said that he is going to work hard for us on our behalf for the bridge.

Councilor Medrano made a motion to ratify staff's action of submitting a grant application for consideration under the second Transportation Investment Generating Economic Recovery (TIGER II) grant program to the Federal Highway Administration seeking \$37 million for the second bridge project at the Bullhead Parkway. Vice Mayor Shutts seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

10. Discussion and possible action to accept a grant in the amount of \$286,000 from the United States Environmental Protection Agency and authorize the City Manager and the Mayor to sign the Assistance Agreement. The funding will be used for the Section 10 Wastewater Treatment Plant Head Works Project. (Public Works Director Agrawal)

Public Works Director Agrawal gave a brief background of this item. He said they were issued this grant and the last step is to sign the grant agreement. He said the funds can only be used for the Section 10 Wastewater Treatment Plant Head Works Project. Mayor Hakim thanked Public Works Director Agrawal and his staff.

Vice Mayor Shutts made a motion to accept a grant in the amount of \$286,000 from the United States Environmental Protection Agency. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

11. Discussion and possible action to adopt Resolution No. 2010R-37 APPROVING THE SUBMISSION OF A FUNCTIONAL CLASSIFICATION REQUEST TO THE FEDERAL HIGHWAY ADMINISTRATION TO DESIGNATE FUNCTIONAL CLASSIFICATION TO 25 STREETS WITHIN BULLHEAD CITY IN ORDER FOR THE ROADS TO BE ELIGIBLE TO RECEIVE FEDERAL FUNDING AND AUTHORIZE THE CITY MANAGER TO PREPARE AND SUBMIT ALL NEEDED DOCUMENTATION. (Public Works Director Agrawal)

Public Works Director Agrawal said they recently were able to get some federal funds for Miracle Mile Road and they realized somewhat late in the process that Miracle Mile was not functionally classified by the Federal Highway Administration. He said in order to receive any funding from the federal government for street projects, they have to be functionally classified. He said they were able to expedite the classification for Miracle Mile and save the funding but they do not want to repeat that situation. He said they went through the City and identified all of the streets that were not functionally classified but could be. He stated that they also updated some street classifications. He said if Council approves this item, the Federal Highway Administration will recognize particular streets as serving the purpose of an arterial street.

Councilor Medrano made a motion to adopt Resolution No. 2010R-37, approving the submission of a functional classification request to the Federal Highway Administration to designate functional classification to 25 streets within Bullhead City in order for the roads to be eligible to receive federal funding. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None
ABSENT: None ABSTAINED: None

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

ADJOURNMENT

MOTION: Vice Mayor Shutts made a MOTION to adjourn. Councilor Bruck seconded the motion.

VOTE: A vote was taken on the motion. AYES: Bruck, Clark, Duvall, Hakim, McClure, Medrano, Shutts NAYS: None ABSENT: None MOTION CARRIED.

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There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:52 p.m.

CERTIFICATION: I hereby certify that the foregoing minutes are a true and correct record of the minutes of the meeting of the City Council of the City of Bullhead City held on the 7th day of September 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of October 2010

DIANE HEILMANN, CMC, City Clerk