

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
AUGUST 3, 2011
5:30 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

INVOCATION/PLEDGE

Major Douglas H. Ball, Chaplain of Yuma Proving Grounds, gave the invocation. **Joel Olea**, Director of Field Operations, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Various Department Heads or their representative
City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Krieger made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS - none

I. CALL TO THE PUBLIC

Monica De Leon, 3602 Cooke Street, alleges that she is being slandered by a group of illegal aliens posing as a neighborhood association, who harass her and cause the merchants of Yuma to deny her services even though she has purchased protection plus insurance from the Federal government.

Ginger Hammack, 6293 E. 45th Street, informed City Council that she is part of a newly formed organization, Fluoride Free Yuma, who are working to gather signatures to stop the fluoridation of City water. Fluoridation of City water began in 2005 as a result of an initiative approved by a majority of voters in 2000. Fluoride Free Yuma is working to educate the public on what fluoride does to the human body, and raise awareness of the fact that it has not been approved by the FDA for safety or effectiveness as an additive to drinking water. Germany, Belgium and Luxembourg rejected fluoridation of water because it was classified as compulsive medication against a subject's will and therefore violated fundamental human rights. Fluoride Free Yuma estimates the cost to the City at \$95,000 annually to add fluoride to the water. The goal of Fluoride Free Yuma is to be able to gather the necessary signatures for the November ballot. She asked the City Council for their support and handed pamphlets to the City Clerk.

Mary Ann Easterday, 3359 S. 15th Avenue, attended the Imperial Valley Swim League Championship swim meet at Marcus Pool and noted that Yuma had seven teams with about 60 members; compared with Brawley who had 200 swimmers. Other cities that participated were El Centro, Blythe, Calipatria and

Holtville. It was a great meet and the parents were very supportive. The owner of Southwest Misting put misters under the bleachers, which allowed her to stay for the entire swim meet. There were over 1,000 people at that meet who purchased fuel and food in Yuma before heading home to California, bringing economic stimulus to Yuma. The City of Yuma has a great, supportive community.

Ken Rosevear, 801 W. 1st Street, Ste. A, stated that the City has been discussing Aesthetic Overlay for over 12 years. It is not fair for the City to enforce an Aesthetic Overlay on the private sector, when the City has questionable lots, such as the intersection at 16th Street and Avenue A. The City should lead by example. Particular design specifications can be negotiated during the development agreement process. Also, there are ordinances in existence that address landscaping and signs; therefore, the Aesthetic Overlay is not necessary. He suggested that in the current economic times, the City do away with the Aesthetic Overlay.

II. MOTION CONSENT AGENDA

Motion (Johnson/Mendoza): To approve the Motion Consent Agenda as recommended with the exception of Item B2, which was removed for separate consideration by Stuart. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meetings:

Regular Worksession	May 17, 2011
Regular Council Meeting	May 18, 2011

B. Approval of Staff Recommendations:

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (Attny)
2. Removed for separate consideration; see below.
3. Approve an Interim Permit/New Restaurant, #12, Liquor License application submitted by In Kwan Beak, agent for Ninja Sushi Restaurant Inc. dba Ninja Sushi Restaurant, located at 1400 E. 16th Street, Yuma, Arizona. (LL11-10) (Admin/Clerk)
4. Approve an Interim Permit/Person Transfer of a Bar, #6, Liquor License application submitted by Debra Ray Drysdale, agent for Drysdale Flats, LLC dba Strummer's Village Tavern, located at 3780 S. 4th Avenue, Yuma, Arizona. (LL11-11) (Admin/Clerk)
5. Award to the lowest responsive/responsible bidder for Avenue D waterline from 24th Street to 32nd Street at a total cost of \$569,151.25 to Yuma Valley Contractors, Inc., Yuma, Arizona. (Bid # 2011000381) (Eng)
6. Authorize staff to award to the lowest responsive/responsible bidder for installation of a waterline at Avenue 3E between 12th and 15th Streets at an estimated cost of \$129,638.25 to Yuma Valley Contractors, Yuma, Arizona. (Bid # 2011000394) (Eng)

Motion Consent Agenda Item Removed for Separate Consideration

- B.2. Approve an application for a Permanent Extension of Premises/Patio Liquor License Permit submitted by William Francis Bowles, agent for Das Bratwurst Haus, LLC dba Das Bratwurst Haus, located at 204 S. Madison Avenue, Yuma, Arizona. (EP11-04) (Admin/Clerk)

Motion (Johnson/Mendoza): To approve Item B.2: Permanent Extension of Premises – Das Bratwurst Haus, LLC dba Das Bratwurst Haus. Voice vote: **approved** 6-0-1; Stuart declared a conflict of interest due to proprietary interest.

III. RESOLUTION CONSENT AGENDA

Motion (McClendon/Brooks): To approve the Resolution Consent Agenda as recommended.

Bushong displayed the following title:

Resolution R2011-21

A resolution of the City Council of the City of Yuma, Arizona, authorizing a collateral assignment of a previously approved Development Agreement
(Sun Vista R.V Resort) (Utilities/Admin)

Roll call vote: **adopted** 7-0.

IV. ADOPTION OF ORDINANCES CONSENT AGENDA - none

V. INTRODUCTION OF ORDINANCES - none

VI. PUBLIC HEARINGS - none

VII. ANNOUNCEMENTS AND SCHEDULING - none

VIII. SUMMARY OF CURRENT EVENTS

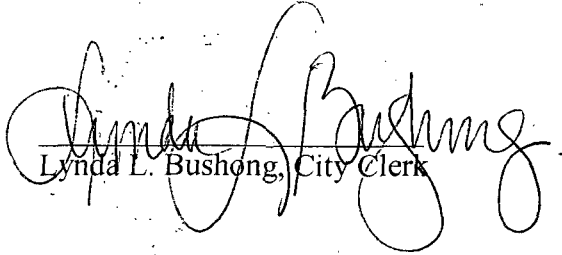
Wilkinson announced the following:

- City of Yuma Parks and Recreation employee, Gabe Plaza, has qualified for the 2011 US Amateur Golf Tournament in Wisconsin, in which only 128 people around the world qualified.
- Tuesday, August 30, 2011, is the Primary Election; early ballots should be mailed shortly.
- Saturday, August 6, 2011, is the “Splash Out Crime” event, which will be held at the Valley Aquatic Center at 6:00 p.m..
- Saturday, August 6, 2011, the Indoor Swap Meet is open from 7:00 a.m. to 1:00 p.m; admission is \$1 and children under 12 are free.

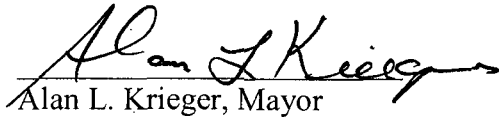
- The Summer Six Pack continues at the Historic Yuma Theatre with "Doubt" at 7:00 p.m., presented by the Five Point Theatre Company; tickets are \$10.
- Friday, August 5, 2011, Fire Cadet Graduation for three City of Yuma firefighters will be held in the City Council Chambers.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Krieger** adjourned the meeting at 5:50 p.m. An Executive Session was not held.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of:
October 19, 2011
City Clerk: 