

Mayor Cal Sheehy
Vice Mayor Cameron Moses
Councilmember Nancy
Campbell
Councilmember Jeni Coke
Councilmember Jim Dolan
Councilmember David Lane
Councilmember Michele Lin



Lake Havasu City
Municipal Courthouse
Council Chambers
92 Acoma Boulevard
Lake Havasu City, Arizona
86403
www.lhcaz.gov

City Council Regular Meeting

Minutes - Final

Tuesday, April 23, 2024

5:30 PM

1. CALL TO ORDER

Mayor Sheehy called the meeting to order at 5:30 p.m.

2. INVOCATION

Pastor Kay Zimmerman, City on a Hill International Church, gave the invocation.

3. PLEDGE OF ALLEGIANCE

Ms. Patti Gilmore, Western Arizona Humane Society, led in the Pledge of Allegiance.

4. ROLL CALL

Present: 7 - Mayor Cal Sheehy, Councilmember Nancy Campbell, Councilmember Michele Lin, Councilmember Jeni Coke, Councilmember Jim Dolan, Councilmember David Lane and Vice Mayor Cameron Moses

5. CONSENT AGENDA

5.1 [ID 24-4236](#) Approve the April 9, 2024, City Council Regular Meeting Minutes (*Kelly Williams*)

5.2 [ID 24-4229](#) Adopt Resolution No. 24-3737 Approving Affiliation Agreement with Arizona State University for Student Educational Experiences (*Kelly Garry*)

5.3 [ID 24-4233](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 3:00 p.m., Tuesday, May 14, 2024 (*Kelly Williams*)

Councilmember Coke moved to approve the Consent Agenda as presented, seconded by Councilmember Lane, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

6. CORRESPONDENCE, COMMUNICATIONS, PETITIONS, ANNOUNCEMENTS, CITY MANAGER REPORT

- 6.1 [ID 24-4234](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (*Kelly Williams*)

City Clerk Kelly Williams announced the current vacancies on various Lake Havasu City Boards, Committees, and Commissions. She added that applications are available at City Hall and on the City's website at www.lhcaz.gov.

- 6.2 [ID 24-4235](#) City Manager's Report (*Jess Knudson*)

City Manager Jess Knudson reported on the following:

- Announced various ceremonies, events, and proclamations.
- Reminded citizens to cover their trailer and vehicle loads to reduce trash and debris along Highway 95.
- Project Updates:
 - o City Core Paving and Water Main Project

7. PUBLIC HEARINGS

- 7.1 [ID 24-4191](#) Series #6 Bar Liquor License, Mustang Sally's Saloon, 91 London Bridge Road, Suite #103/Roady (*Kelly Williams*)

Ms. Williams advised that Ms. Amanda Estelle Roady has applied for a Series #6 Bar Liquor License for Mustang Sally's Saloon located at 91 London Bridge Road, Suite #103. She said all posting requirements have been met, all fees have been paid, and no objections were received. Ms. Williams added that the location is properly zoned for a Series #6 liquor license.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Series #6 bar liquor license for Mustang Sally's Saloon, 91 London Bridge Road, Suite #103, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.2 [ID 24-4183](#) Series #10 Beer and Wine Store Liquor License, Sunny Stop, 1732 McCulloch Boulevard S./Ozcan (*Kelly Williams*)

Ms. Williams advised that Mr. Harun Ozcan has applied for a Series #10 Beer and Wine Store Liquor License for Sunny Stop located at 1732 McCulloch Boulevard S. She said all posting requirements have been met, all fees have been paid, and no objections were received. Ms. Williams added that the location is properly zoned for a Series #10 liquor

license.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Lane moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Series #10 beer and wine store liquor license for Sunny Stop, 1732 McCulloch Boulevard S., seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.3** [ID 24-4224](#) Adopt Resolution No. 24-3738 Appointing Member(s) to the Lake Havasu City Board of Adjustment (*Kelly Williams*)

Ms. Williams advised that the city received one application requesting consideration for appointment as a regular member to the Board of Adjustment. She said an appointment is needed to fill a regular member vacancy. Ms. Williams said the Application Review Panel conducted interviews for the Board of Adjustment on April 4, 2024, and recommends that Mr. Kelly Lutz be appointed as a regular member with a term ending June 30, 2026.

Mr. Kelly Lutz, applicant, addressed the council and spoke on his understanding of the duties and responsibilities of the Board of Adjustment.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Campbell moved to adopt Resolution No. 24-3738 appointing Kelly Lutz as a regular member to the Lake Havasu City Board of Adjustment with a term ending June 30, 2026, seconded by Councilmember Lane, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.4** [ID 24-4228](#) Adopt Ordinance No. 24-1330 Declaring the Document Entitled “2024 Amendments to the Lake Havasu City Code Title 4, Water and Wastewater Regulations, April 23, 2024” a Public Record and Adopting by Reference Water and Wastewater Regulations and Penalties, Including Service, Billing, Connections, Charges, Hydrant Meters, Private Fire Protection Services, and Backflow Prevention, and Repealing Lake Havasu City Code Chapters 8.05 and 8.20 and Sections 11.04.280 and 11.04.290, to Amend and Consolidate All Water and Wastewater Regulations into Title 4 (*Timothy Kellett*)

Deputy Director of Public Works Timothy Kellett said the ordinance before the council tonight includes the feedback and changes from the public and the Council that staff received at the introduction of this ordinance on April 9th. He said the major updates are within the hydrant meter section, with a few minor edits that were made throughout the document for clarity.

Mr. Kellett reviewed the proposed changes to Chapter 4.28, Hydrant Meters, as follows:

- “City Staff would perform install” was changed to “Applicant will be issued meter”.
- “City Staff would read meter” was changed to “Applicant will send in read”.
- “City Staff would move meters” was changed to “Applicant can move meter”.

He reviewed the additional proposed changes to Chapter 4.28, Hydrant Meters, as follows:

- Deposit for meters will be based on the Master Fee Schedule.
- Applicants who fail to report meter reads can be fined \$500.
- Applicants are required to exchange meter every six (6) months.
 - o Previously meter had to be flow tested every three (3) months.
 - o Failure to bring meter in for exchange can be fined \$500.

Mr. Kellett explained that requiring the applicant to exchange the meter every six (6) months will allow staff to both true-up the meter reads and ensure that the flow tests and accuracy tests are being performed. He said staff is seeking adoption of these regulations which will go into effect 30 days after adoption.

Councilmember Campbell suggested the following changes be made to the “2024 Amendments to the Lake Havasu City Code Title 4, Water and Wastewater Regulations, April 23, 2024”:

- Section 4.08.060, Unauthorized Use of Water of the Water System (Page 9) – add language to include that “Property owner will be responsible for any costs due to unauthorized usage or overspray.”
- Section 4.28.020(C), Application (Page 40) – strike “The City Water Division will review the hydrant location requested by the applicant, but the location of the hydrant meter will be at the discretion of the Water Division based on system capabilities. Capabilities include system pressure, adverse effects on existing water customers or the water system within the requested zone. If for any reason the requested hydrant to be used is not available for a hydrant meter, the Water Division will notify the applicant and provide an alternate location for the meter.” She said this seems like a difficult process and would like to see the city come up with a better way to notify applicants on which hydrants can and cannot be used, possibly by marking the hydrants.
- Section 4.28.020(B)(4), Application (Page 40) – strike “A map indicating the requested hydrant for the hydrant meter to be connected.”

Mayor Sheehy stated that Councilmember Campbell has requested to strike subsections 4.28.020(B)(4) and (C) and asked if staff could provide some background and purpose for these two items, to which Mr. Kellett said the city included these items as part of a customer service aspect. He said the city has regularly scheduled water shutdowns and areas where the city performs work, and the intent of these sections was to provide a more proactive approach in notifying customers where those shutdowns would be and where work was going to be performed if they were looking to connect to a hydrant in those scheduled areas. Mayor Sheehy asked if it would operationally impact what the city was trying to achieve if those two items were stricken, to which Mr. Kellett said no. He said the city would just not be able to offer that customer service aspect, but applicants could still contact the city to find out which hydrants would not be available.

Mayor Sheehy said in hearing this information he would not be opposed to striking subsections 4.28.020(B)(4) and (C).

There was consensus from the council that subsections 4.28.020(B)(4) and (C) be stricken.

Vice Mayor Moses asked if striking these two items puts the City's system at risk, to which Mr. Kellett said any time someone is attaching to the system the city is taking on some level of risk, but this would be a low-level risk and does not put the City's system in serious jeopardy. He said knowing what is going on at a hydrant location (for example, if a low-pressure alarm is going off in an area with three hydrant meters connected) would be helpful information and would allow for a more proactive approach with the City's system instead of reactive.

Mayor Sheehy said Councilmember Campbell has also requested language be added under subsection 4.08.060 to include that the "property owner will be responsible for any costs due to unauthorized usage or overspray."

There was consensus from the council to include the language to subsection 4.08.060 as proposed.

Councilmember Lane expressed concerns with charging a property owner due to accidental usage or overspray. Mayor Sheehy said based on Councilmember Campbell's request, this subsection would state that all costs of repair or damage caused to city property due to unauthorized use of water or water system would be the responsibility of the account holder or property owner; however, as with all City Code sections, the enforcement aspect would be at the discretion of the department.

Discussion ensued related to the fines associated with failure to return a hydrant meter and failure to report hydrant meter readings. Mr. Kellett explained that city staff will be contacting any hydrant meter applicants that are not reporting their meter reads and said, as proposed, the fine for not reporting a hydrant meter read is per occurrence. Mayor Sheehy asked if the new hydrant meter fines are required to be posted for 60-days prior to implementation, to which Administrative Services Director Jill Olsen explained that any costs associated with a fine are not related to the master fee schedule and not subject to the 60-day posting requirement.

Mr. Knudson said there are many hydrant meters today that are being reported as missing, lost, or stolen and the City's current regulations do not allow staff to address these issues from an operational perspective. He said a benefit of requiring an applicant to exchange their meter every six months is that it will give the city the ability to run the flow testing as well as clearly mark and check the hydrant meters.

Discussion ensued related to outstanding hydrant meters that are not being returned or reporting their hydrant meter readings.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Dolan moved to adopt Ordinance No. 24-1330 declaring the document entitled "2024 Amendments to the Lake Havasu City Code Title 4, Water and Wastewater Regulations, April 23, 2024" a public record and adopting by reference water and wastewater regulations and penalties, and repealing Lake Havasu City Code Chapters 8.05 and 8.20 and Sections 11.04.280 and 11.04.290, to amend and consolidate all water and wastewater regulations into Title 4, with the addition of subsection (D) to Section 4.08.060 stating all costs to repair damage caused to City property due to unauthorized use of water or water system will be the responsibility of the account holder/property owner; and striking subsections 4.28.020(B)(4) and (C), seconded by Councilmember Campbell, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.5** [ID 24-4230](#) Adopt Ordinance No. 24-1331 Approving a Rezone of 7000 Chenoweth Drive, APN 120-03-027, a 10-Acre Metes & Bounds Parcel, from A-P (Agriculture/Preservation) District to LI (Light Industrial) District (*Trevor Kearns*)

Planner Trevor Kearns advised that the subject property is approximately 10-acres, currently vacant, and zoned Agriculture/Preservation (A-P). He said access to the property is off Highway 95 onto Chenoweth Drive and noted that the property is located within the

EPCOR water service area. Mr. Kearns explained that the abutting properties are a mix of Light Industrial (LI) and A-P zoning districts. He said the A-P zoning is typically used as a placeholder until the time a future development requires it to be rezoned for future use. He said the applicant's letter of intent requests to rezone the property from A-P to LI to possibly build an RV and boat storage complex. Mr. Kearns added that the Planning and Zoning Commission heard this request at their April 3, 2024, meeting and recommended approval.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to Ordinance No. 24-1331 approving a rezone of 7000 Chenoweth Drive, APN 120-03-027, a 10-acre metes & bounds parcel, from Agriculture/Preservation District to Light Industrial District, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.6** [ID 24-4226](#) Approve Cooperative Purchase Agreement and Cooperative Purchase of One (1) Demers MXP170E Type I 4WD Ambulance Mounted on 2024 Ford-450 4x4 Diesel Chassis from RedSky Emergency Vehicles, LLC (*Chief Pilafas*)

Fire Chief Pete Pilafas advised that staff is requesting approval to purchase an ambulance with RedSky Emergency Vehicles, LLC, utilizing a cooperative purchase agreement, in the amount of \$341,362.32. He said the new ambulance will replace a 2008 ambulance in the fleet and noted that the price is at a reduced cost due to the transfer of the current cot system to the new ambulance. Chief Pilafas added that the delivery of the new ambulance is expected in July 2024.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Lane moved to approve and authorize the City Manager to execute the Cooperative Purchase Agreement for emergency vehicles; approve the cooperative purchase of one (1) Demers MXP170E Type I 4WD Ambulance mounted on 2024 Ford-450 4x4 Diesel Chassis from RedSky Emergency Vehicles in the amount of \$341,362.32; and authorize City staff to exercise the option to renew the Agreement for three additional one-year terms, seconded by Councilmember Coke, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.7 [ID 24-4197](#) Approve Services Agreement with Stripe Services for Payment Platform for Transit
(Patrick Cipres)

Transit Manager Patrick Cipres advised that this item is requesting approval of a services agreement with Stripe Services for a payment platform for the City's new Direct Transit System App (LHCDirect). Mr. Cipres explained that Stripe Services will allow transit customers to pay fares electronically using a credit/debit card on the payment platform, similar to the Uber platform that the City was previously using. Mr. Cipres added that the new LHCDirect App is available for download in the App Store and will go live on May 1, 2024.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Dolan moved to approve the Stripe Services Agreement and authorize the City Manager to execute/accept the Agreement on behalf of the City, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

8. CALL TO THE PUBLIC

Ms. Bonny Toy, citizen, addressed the council regarding transit fares and payment options, limited parking in the downtown area during special events, and the increase of traffic accidents on Highway 95.

Mr. Richard Desantis, citizen, addressed the council regarding the second bridge and requested the City Council consider designing the second bridge to resemble a miniature Golden Gate Bridge.

Mr. Kelly Lutz, citizen, addressed the council and thanked the council for his appointment to the Board of Adjustment. He said he is aware of the important role and responsibilities the Board of Adjustment has in reviewing appeals.

9. CURRENT EVENTS

Mayor Sheehy reported that the Lake Havasu Metropolitan Organization (LHMPO) is currently recruiting for a new LHMPO Director. He expressed condolences to the family of Gary Knight who served as the Arizona State Transportation Board Chair, Councilmember for the City of Yuma, and LHMPO Board Member.

Councilmember Lin requested an update from Go Lake Havasu. Councilmember Lane said the new Go Lake Havasu Board Chair is in the process of making some changes and there was nothing to report at this time. Councilmember Lin requested a copy of the

updated bylaws from Go Lake Havasu.

10. FUTURE MEETINGS

Thursday, May 9, 2024 @ 9:00 a.m. – Budget/CIP Work Session

Tuesday, May 14, 2024 @ 5:30 p.m. – Regular Meeting

Tuesday, May 28, 2024 @ 5:30 p.m. – Regular Meeting

11. FUTURE DISCUSSION ITEMS

There were no requests from the council for future discussion items.

12. ADJOURN

Upon motion by Vice Mayor Moses and seconded, the meeting adjourned at 6:40 p.m.

CERTIFICATION

I hereby certify that the foregoing is a full and true copy of the Regular Meeting Minutes of the Lake Havasu City Council held on the 23rd day of April, 2024. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC