

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



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

City Council Regular Meeting

Minutes - Final

Tuesday, May 13, 2025

5:30 PM

1. CALL TO ORDER

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

2. INVOCATION

Ms. Joan Dzuro gave the invocation.

3. PLEDGE OF ALLEGIANCE

Mr. Dan Roddy, Kids on the Colorado River, led in the Pledge of Allegiance.

4. ROLL CALL

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

5. CONSENT AGENDA

- 5.1** [ID 25-4761](#) Action: Approve the April 10, 2025, City Council Budget/CIP Overview Work Session Minutes, and April 22, 2025, City Council Regular Meeting Minutes (*Kelly Williams*)
- 5.2** [ID 25-4755](#) Action: Resolution No. 25-3827 Abandonment of the 10-Foot-Wide Public Utility and Drainage Easement on the Westerly Property Line of 2885 Swanee Lane, Tract 117B, Block 2, Lots 11 & 12, Excluding the Rear Most 10-Feet (*Trevor Kearns*)
- 5.3** [ID 25-4760](#) Action: Resolution No. 25-3828 Approving the Intergovernmental Agreement with the Arizona Board of Regents on Behalf of the University of Arizona for the Arizona Project WET Program - Water Festival (*Timothy Kellett*)
- 5.4** [ID 25-4768](#) Action: Resolution No. 25-3829 Approving an Intergovernmental Agreement with the Mohave County Flood Control District for Flood Control Purposes (*Mike Wolfe*)
- 5.5** [ID 25-4770](#) Action: Resolution No. 25-3830 Abandonment of the Westerly 5-Feet of the Existing 10-foot Public Utility and Drainage Easement on the Easterly Property Line of 2565

Caribbean Drive, Tract 147, Block 2, Lot 30 (*Trevor Kearns*)

- 5.6 [ID 25-4772](#) Action: Resolution No. 25-3831 Approving an Intergovernmental Agreement with the State of Arizona, Department of Transportation, for Scoping Services to Install a Traffic Signal at the Intersection of Palo Verde Boulevard North and Lake Havasu Avenue North (*Ron Foggin*)
- 5.7 [ID 25-4773](#) Action: Resolution No. 25-3832 Approving an Intergovernmental Agreement with the State of Arizona, Department of Transportation, for Scoping Services to Install Pedestrian Safety Features on McCulloch Boulevard from Smoketree Avenue to Acoma Boulevard (*Ron Foggin*)
- 5.8 [ID 25-4754](#) Action: Resolution No. 25-3833 Approving Abandonment of the 10-Foot-Wide Public Utility and Drainage Easement on the Easterly Property Line of 2879 Swanee Lane, Tract 117B, Block 2, Lot 13, Excluding the Rear Most 10-Feet (*Trevor Kearns*)
- 5.9 [ID 25-4766](#) Action: Development Agreement for Island View Estates Subdivision with J & S, LLC, Regarding Private Roadways and Drainage for the Development (*Jeff Thuneman*)
- 5.10 [ID 25-4777](#) Action: Ratification of Change Order No. 2 for the Island Treatment Plant Metal Storage Building Construction Project with ABCO Builders, Inc. (*Phil Porter*)
- 5.11 [ID 25-4762](#) Action: Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:30 p.m., Tuesday, May 27, 2025 (*Kelly Williams*)

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

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

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

- 6.1 [ID 25-4774](#) Investment Report as of March 31, 2025 (*Jill Olsen*)

Mayor Sheehy noted that this item was for informational purposes only.

- 6.2 [ID 25-4763](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (*Kelly Williams*)

City Clerk Kelly Williams announced the current and upcoming 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.

- 6.3 [ID 25-4764](#) City Manager's Report (*Jess Knudson*)

Mr. Guy Reynolds, Parks Maintenance Superintendent, gave an update to the City Council on the City's efforts and support, as well as the use of city facilities, during the recent Desert Storm event.

City Manager Jess Knudson reported on the following:

- Announced various achievements, ceremonies, events, and proclamations.
- Recognized National Police Week from May 11 to May 17, 2025.
- Celebrated the Community Aquatic Center's 30th Anniversary event.
- Acknowledged two Havasu Youth Advisory Council 2025 Lake Havasu High School graduates.
- Recognized National Parks Week and spotlighted Yonder Park.
- Announced that registration for the Lake Havasu City Parks and Recreation Summer Programs will open on Friday, May 16, 2025.
- The Lake Havasu City General Plan Questionnaire is available on the City's website at www.lhcaz.gov and on the City's Facebook page.

7. PUBLIC HEARINGS

- 7.1 [ID 25-4724](#) Discussion and Action: Series #7 Beer and Wine Bar Liquor License, Hava Bite LLC, 2894 Jamaica Boulevard S./Bybee (*Kelly Williams*)

Ms. Williams advised that Mr. Troy Bybee applied for a Series #7 Beer and Wine Bar Liquor License for Hava Bite LLC located at 2894 Jamaica Boulevard South. 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 #7 liquor license.

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

Councilmember Moses moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Series #7 Beer and Wine Bar Liquor License for Hava Bite LLC, 2894 Jamaica Boulevard S., seconded by Councilmember Dolan, and carried by the following vote:

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

- 7.2 [ID 25-4717](#) Discussion and Action: Ordinance No. 25-1360 Amending City Code Title 6, Animals, Including but Not Limited to Adding and Revising Definitions; Revising Violations; and Adding Unlawful Restraint of Dog and Animal Hoarding (Introduction) (*Kelly Garry/Chris Lutgen*)

City Attorney Kelly Garry advised that this item began as a review of the violation and

penalty provisions throughout Title 6 to ensure that they match what is contained in the city's computer systems used by the Police Department and the Court. Ms. Garry said while going through the review, a more detailed review occurred to determine if any of the violations or penalties needed to be revised. Ms. Garry explained that Title 6 has a section that states, unless otherwise indicated, a violation of this section shall be a class 2 misdemeanor. She said the tracked changes in the City Council packet are suggestions provided either to be made more effective or to bring them in line with other violations that are similar in nature. Ms. Garry added that an overall review of Title 6 was conducted at the same time to determine if any other changes needed to be made. Ms. Garry said she received several questions regarding the proposed ordinance and wanted to provide clarification on the the following: 1) the newly unlawful restraint of dogs section does not refer to people walking their dogs, 2) the definition of a service animal was updated to mirror the definition that is contained in Title 2 of the Americans with Disabilities Act (ADA), 3) the proposed amendments escalate at-large offenses making subsequent offenses within a 12-month period a criminal charge, 4) the focus of the unlawful restraint of dog section is mistreatments of dogs not animals at-large, and 5) the ten or more animals only applies with respect to animal hoarding.

Senior Animal Control Officer Chris Lutgen highlighted the following major changes to Title 6 as outlined in the proposed ordinance:

- Section §6.16.030, Unlawful Restraint of Dog, currently is a civil offense; however, the new revision would make the first offense a civil offense and any subsequent offense within a rolling 12-month period a criminal offense. The section also provides a provision that an animal cannot be left outdoors in extreme weather conditions below 32 degrees or above 100 degrees, which is when animals are more susceptible to heat stroke and exhaustion.
- Section §6.04.010, Definitions, added violations related to cruel mistreatment or killing of a domestic animal, and updated the definition of cruel neglect to clearly define adequate shelter for an animal.
- Section §6.16.040, Aggressive Animals, added an exception that any person keeping, possessing, harboring or maintaining an animal can be charged.
- Section §6.20.040, Feeding of Coyotes, changed from a criminal offense to a civil offense.
- Section §6.20.060, Animals Disturbing the Peace, currently all violations are criminal; however, the new revision would make the first offense a civil offense and any subsequent offense within a 12-month period a criminal offense.
- Section §6.20.070, Animal Hoarding, applies to 10 or more animals under

circumstances injurious to the health or welfare of any animal or person, and includes unsanitary conditions, failure to provide medical care, or failure to provide suitable water or food for the animals. In addition to any other penalties allowed by law, if a person is placed on probation, the Court may order the person to submit to periodic property inspections by law enforcement.

Councilmember Diaz questioned why those convicted are not currently subject to property inspections, to which Officer Lutgen explained that currently it is unsupervised probation where they are not checking in with anyone and the terms and conditions of their probation would have to specifically state that they are subject to property inspection. He said under the hoarding statute, property inspections would automatically become part of their terms of probation.

Discussion ensued related to ADA service animals.

Mayor Sheehy opened the public hearing.

Ms. Patty Gilmore, Executive Director of the Western Arizona Humane Society, addressed the council and spoke in support of the proposed ordinance.

Mr. M.J. Weaver, citizen, addressed the council and said he is a professional dog trainer and questioned whether breeders would now fall under animal hoarding if they had more than 10 animals.

Officer Lutgen explained that when it comes to breeders if the animals are receiving medical care and are not living in non-sanitary conditions they would not be considered in violation. He added that statutorily, there is no limit to the number of animals that an individual can have as long as the animals are properly cared for (food, water, shelter, and medical attention when needed).

Mr. Weaver suggested the City Council consider setting a limit on the number of animals or regulating the number of litters due to overbreeding.

Ms. Bonny Toy, citizen, addressed the council and suggested the City Council reduce the dog license fees or eliminate the need for annual licensing.

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

Councilmember Moses questioned why the language “become unclean or unwholesome” was removed under Section §6.20.020, Livestock and Poultry Confinement, to which Ms. Garry explained that this section was revised to “adequate shelter” which refers to the

newly defined adequate shelter that goes into more detail on what would be acceptable.

Councilmember Diaz moved to introduce Ordinance No. 25-1360 amending Title 6, Animals, seconded by Councilmember Campbell, and carried by the following vote:

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

- 7.3** [ID 25-4750](#) Discussion and Action: Ordinance No. 25-1361 Amending Lake Havasu City Code Section 2.04.080, Regular Meetings, to Revise Meeting Location and Section 2.04.130, Executive Sessions, to Clarify Meeting Type (Introduction) *(Kelly Garry)*

Ms. Garry advised that the proposed ordinance amends City Code Section 2.04.080 to reflect the new address of the City Council Chambers, 92 Acoma Boulevard South, and Section 2.04.130, Executive Sessions, to allow the City Council to meet in executive session for legal advice, in accordance with Arizona Revised Statutes, during any meeting.

Discussion ensued related to executive sessions in accordance with Arizona Revised Statutes.

Mayor Sheehy opened the public hearing.

Ms. Toy addressed the council and asked for clarification regarding executive sessions.

Mayor Sheehy reviewed the code sections and statutes pertaining to executive sessions. He noted that this amendment would allow the City Council to meet in executive session during any meeting pursuant to Arizona Revised Statutes.

Mr. Kelly Lutz, citizen, addressed the council and asked if the reason for an executive session would be listed on the agenda.

Mayor Sheehy replied yes and reviewed the code sections pertaining to executive sessions.

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

Councilmember Dolan moved to introduce Ordinance No. 25-1361 amending City Code Sections 2.04.080 and 2.04.130, seconded by Councilmember Moses, and carried by the following vote:

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

- 7.4** [ID 25-4767](#) Discussion and Action: Ordinance No. 25-1362 Approving a Planned Development

Rezone and General Development Plan of 2250 Marina View Avenue, Tract 2399, Block 1, Lot 75, Approximately 2.31 Acres, from Mixed Use-Neighborhood/Planned Development (MU-N/PD) to Mixed Use-Neighborhood/Planned Development (MU-N/PD), Retaining the Previously Approved Maximum Allowable Building Height of Up to 60 Feet, Applying Single-Family Residential (R-1) Setback Standards, and Exempting the Requirements of City Code Section § 14.02.04.A.4.b (Adoption) (*Chris Gilbert*)

Planning Division Manager Chris Gilbert advised that the subject property is 2.31-acres of vacant land located at 2250 Marina View Avenue in the Havasu Riviera master planned community. The subject property and properties to the south and west are zoned Mixed Use-Neighborhood/Planned Development (MU-N/PD) and developed as single-family residential uses, the property to the north is State-owned land zoned Public Facilities (P-1), and the property to the east is zoned Mixed-Use General (MU-G) and developed with a neighborhood pool and additional vacant parcel. Mr. Gilbert reviewed the approved 2022 General Development Plan, which anticipated a higher density townhome development, and the proposed General Development Plan. He said the applicant's letter of intent requests to amend the 2022 General Development Plan to replace the higher density townhome development with a total of eight (8) lower density single-family residential lots with the requested exceptions as follows:

- 1) Exceptions from Development Code Section 14.02.04.A.4.b which pertain to development standards specific to the Mixed Use-Neighborhood District:
 - A primary building must have at least one operable pedestrian door leading directly from the primary building onto a sidewalk. For primary buildings located on corner lots, the required pedestrian entrance may be located on the primary street façade or at the corner where the two streets intersect.
 - Ground floor street frontages on each primary building may not be occupied by residential uses but may be occupied by a lobby or entrance to residential portions of the building.
 - At least 50% of the building front façade are between three (3) and eight (8) feet above grade shall be of windows or other transparent materials allowing views into the building.
 - No on-site loading requirements shall be required.
 - Curb cuts shall only be permitted if access cannot be provided from an alley. Where curb cuts are permitted, they shall not exceed 24 feet in width.
- 2) Retention of the previously approved 60-foot maximum allowable building height from Ordinances No. 18-1191 and No. 22-1281.

Mr. Gilbert reviewed the following staff conditions for code compliance:

- 1) All principal and accessory structures shall meet the Single-Family Residential District (R-1) setback standards.

Discussion ensued related to the history of the planned development and subject property. Mr. Gilbert noted that the original planned development included more mixed-use activity including commercial; however, he noted that the proposed rezone is consistent with the surrounding area.

Mr. Luke Still, applicant, spoke on the history of the original planned development with hotel/commercial element. He said the property was later rezoned to townhomes and is now being requested to be rezoned to single-family residential, which is still a residential use but with less density.

Councilmember Moses expressed his concerns with rezoning the property to a lower density.

Mr. Still spoke on the challenges of the hotel/commercial element and development of townhomes.

Councilmember Diaz also expressed concerns with rezoning the property from townhomes to residential single-family homes.

Mayor Sheehy clarified that the hotel/commercial was previously rezoned to 17 housing dwellings. He stated that the request before the City Council is the development component to lower the density from 17 to eight housing dwellings.

Councilmember Campbell said she was in favor of less density at this time until the city's infrastructure is in place and safe throughout the community.

Mr. Still spoke on several potential future commercial uses/plans in the Havasu Riviera including a sales office, design office, restaurant, and family center with pools and fitness center.

Councilmember Moses asked why the applicant is requesting an exception to retain the previously approved 60-foot maximum allowable building height, to which Mr. Still said they do not have any vision for 60-foot building heights and their Covenants, Conditions, and Restrictions (CC&Rs) for other areas that were zoned for 60-feet prohibited limits well below that. He said they just want to preserve the property rights that they have now and the ability to have flexibility. Mr. Still noted that it is not essential but something they did not want to change.

Councilmember Dolan spoke on the approved 2022 General Development Plan and said he was in favor of the lower density.

Mayor Sheehy opened the public hearing.

Ms. Toy addressed the council and requested clarification regarding the infrastructure concerns in the Havasu Riviera.

Councilmember Campbell spoke on the city's aging infrastructure and repairs and maintenance needed throughout the community.

Mr. Lutz addressed the council and questioned the original 60-foot building height allowance and why the applicant is requesting an exception to retain 60-foot building height in single-family residential zoning.

Mr. Gilbert explained that the original 60-foot building height allowance was to accommodate a mixed-use development and noted that the height exception was also retained in the two previously approved ordinances.

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

Councilmember Moses moved to adopt Ordinance No. 25-1362 approving a Planned Development Rezone and General Development Plan of 2250 Marina View Avenue, Tract 2399, Block 1, Lot 75, from Mixed Use-Neighborhood/Planned Development to Mixed Use-Neighborhood/Planned Development, without retaining the previously approved maximum allowable building height of 60-feet, applying single-family residential setback standards, and exempting the requirements of City Code Section § 14.02.04.A.4.b, seconded by Councilmember Dolan.

Mayor Sheehy asked about the building height allowance by right in this area, to which Mr. Gilbert replied that the allowance by right is 25 feet.

Mr. Still said he understands the intent is not to grant something that is not going to be used, but said 25 feet is not something that he would accept as it would prohibit them from two-story buildings. He said the highest height they have allowed in the Havasu Riviera to date is 44-feet and would be more comfortable accepting 44-feet.

Councilmember Campbell said she would be in favor of a 45-feet maximum allowable building height as it is equivalent to others in the neighborhood if the City Council feels a reduction is a good idea.

Councilmember Moses amended his motion approving a maximum building height of 45-feet. The motion as amended was seconded by Councilmember Dolan, and carried by the following vote:

Aye: 5 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan and Councilmember Moses

Nay: 2 - Councilmember Diaz and Vice Mayor Lin

7.5 [ID 25-4756](#) Discussion and Action: Bid for the South Intake Effluent Project to Schofield Civil Construction, LLC (*Jason Hart*)

Capital Program Manager Jason Hart advised that this item is to award the bid for the South Intake Effluent Project to Schofield Civil Construction, LLC, in the amount of \$713,000. Mr. Hart said the purpose of this project is to construct an interconnection line between the Mulberry Wastewater Treatment Plant re-use line and the Island Wastewater Treatment Plant re-use line at the Mulberry Wastewater Treatment Plant and re-purpose one pump with required valving at the South Intake Lift Station. He reviewed the project schedule and said the project is anticipated to start in December 2025 with an estimated completion date in March 2026.

Councilmember Moses asked if the line would be underground, to which Mr. Hart said the infrastructure is already in place with an in-take line going to the Colorado River that is pulled to the comingling pond. He said the project would connect the two lines that enter the comingling pond with new valves and repurpose a pump from the comingling pond.

Discussion ensued regarding the bids received and cost differences in mobilization and bonds and insurance.

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

Councilmember Moses moved to award the bid for the South Intake Effluent Project to Schofield Civil Construction, LLC, in the amount of \$713,000, seconded by Councilmember Coke, and carried by the following vote:

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

8. CALL TO THE PUBLIC

Mr. Nicholas Black, citizen, addressed the council regarding the construction happening on the property across from Arizona State University.

Ms. Michaela Young, citizen, addressed the council and said she is a teacher at Starline

Elementary School and would like to speak from an educator's side about what they see to be issues in the education system. She said what is not helpful and what causes chaos in the community is to have community leaders, not involved in the education system, speak out on issues on social media that they are not a part of. She read the mission statement of the Lake Havasu Unified School District and asked that the community stand up for longtime dedicated educators.

Mr. Tim Nelson, citizen, addressed the council regarding the lack of support and appreciation of leaders in the community.

Ms. Dana Rickard, citizen, addressed the council and said she thought a great purpose of the City Council was to support Lake Havasu as a community; however, recent posts on social media that speak down on Starline staff and parents look like the City Council is not for the city but those they are friends with. She said for a councilmember to post on social media before knowing the facts is poor representation of the community and unprofessional. She said staff at Starline have stayed proud and professional, and asked that the leaders in the community support and show up for Starline staff and parents as they are part of the community as well.

Ms. Christina Musselman, citizen, addressed the council and said she has been an educator for 21 years and thanked them for their support and attendance at several recent Starline events, and asked for their continued support as the community and students are watching.

Ms. Kori Porter, citizen, addressed the council regarding the city's efforts to beautify, recruit and retain employees, and boost tourism in the community. She said strong schools and a growing medical community are key pillars of a strong community.

Mr. Tim Murray, citizen, addressed the council and expressed his concern regarding the poor condition of the sidewalk at Main Street Commons.

Mr. Bob Barrett, citizen, addressed the council and said he wrote an article in the newspaper regarding the data that does not support installing a stop light at the intersection of Jamaica Boulevard and McCulloch Boulevard. Mr. Barrett said he believes a stop light will jeopardize the safety of the people of the city and noted that a much cheaper solution to improve safety would be a blinking stop sign. He asked the City Council to rethink the objective of stop lights in the city.

Ms. Toy addressed the council regarding the upcoming General Plan update and the need for additional ADA parking requirements in the city.

Ms. Andrea Helart, CEO Lake Havasu City Chamber of Commerce, addressed the council and said they have extended the submission of award nominations for their Annual Celebration of Business Event.

9. CURRENT EVENTS

Mayor Sheehy provided an update from the Clean Colorado River Sustainability Coalition.

Vice Mayor Lin provided an update from Go Lake Havasu.

Councilmember Moses provided an update from the Parks and Recreation Advisory Board.

10. FUTURE MEETINGS

Thursday, May 15, 2025 @ 9:00 a.m. – Budget/CIP Work Session

Tuesday, May 27, 2025 @ 5:30 p.m. – Regular Meeting

11. FUTURE DISCUSSION ITEMS

Councilmember Campbell requested a future discussion item and presentation regarding “Child Overwatch”. A second was received by Councilmember Diaz.

12. ADJOURN

The meeting was adjourned at 7:27 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 13th day of May, 2025. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC