



City Council Regular Meeting

Minutes - Final

Tuesday, January 14, 2025

5:30 PM

1. CALL TO ORDER

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

2. INVOCATION

Pastor Dale Ray, Lakeview Community Church, gave the invocation.

3. PLEDGE OF ALLEGIANCE

Mr. Randy Nelson, Stonebridge Veterans, led in the Pledge of Allegiance.

4. ROLL CALL

Present: 9 - Mayor Cal Sheehy, Councilmember Nancy Campbell, Councilmember Michele Lin, Vice Mayor Michele Lin, Councilmember Jeni Coke, Councilmember Jim Dolan, Councilmember David Diaz, Councilmember Michele Lin and Vice Mayor Michele Lin

Absent: 1 - Councilmember Cameron Moses

*Councilmember Jim Dolan was present via remote conferencing.

5. CONSENT AGENDA

- 5.1 [ID 25-4608](#) Action: Approve the December 10, 2024, City Council Special Meeting Minutes and Regular Meeting Minutes (*Kelly Williams*)
- 5.2 [ID 25-4602](#) Action: Resolution No. 25-3797 Ratifying the Submission of a Grant Application to the Arizona Department of Housing (ADOH), HOME Investment Partnerships Program, For Owner Occupied Housing Rehabilitation (*Heidi Hernandez*)
- 5.3 [ID 25-4603](#) Action: Resolution No. 25-3798 Approving Abandonment of the Southeasterly 5-Foot by 33-Foot portion of the Existing 10-Foot by 50-Foot Public Utility and Drainage Easement on the Northerly Property Line of 4010 Arizona Plaza, Tract 2209, Block 16, Lot 69 (*Trevor Kearns*)

- 5.4 [ID 25-4604](#) Action: Resolution No. 25-3799 Approving Abandonment of the Southeasterly 5-Foot by 25.5-Foot Portion of the Existing 10-Foot by 50-Foot Public Utility and Drainage Easement on the Southwesterly Property Line of 3285 Palm Grove Drive, Tract 2238, Block 10, Lot 10 (*Trevor Kearns*)
- 5.5 [ID 25-4612](#) Action: Resolution No. 25-3800 Adopting the Revised Lake Havasu City Airport Disadvantaged Business Enterprise Program and Repealing Resolution No. 24-3794 (*Robert C. Kane*)
- 5.6 [ID 25-4590](#) Action: Ground Lease Agreement for the Parking of Display Vehicles and Landscaping Adjacent to 921 N. Lake Havasu Avenue to Messmer Properties, LLC (*Kelly Garry*)
- 5.7 [ID 25-4601](#) Action: Reclaimed Water Agreement with Island Venture, LLC (*Kelly Garry*)
- 5.8 [ID 25-4594](#) Action: Purchases Exceeding Expenditure Threshold for Cumulative Reoccurring Purchases of Maintenance Repair and Operations Supplies, Parts, Equipment, and Materials with Grainger, Inc. (*Thilak Fernando*)
- 5.9 [ID 25-4598](#) Action: Purchases Exceeding Expenditure Threshold for Cumulative Reoccurring Purchases for Citywide Uniforms, Floor Mats, Towel Rental and Laundry Service with Unifirst Corporation (*Bill Young*)
- 5.10 [ID 25-4591](#) Action: Cooperative Purchase Agreement and Purchases Exceeding the Expenditure Threshold for Routine Citywide Maintenance, Repair and Operating Parts and Supplies with Ferguson Enterprises, LLC, d.b.a. Ferguson Waterworks (*Tim Kellett*)
- 5.11 [ID 25-4592](#) Action: Cooperative Purchase Agreement and Purchases Exceeding the Expenditure Threshold for Cumulative Reoccurring, Routine Purchases of Tires from Southern Tire Mart (*Bill Young*)
- 5.12 [ID 25-4609](#) Action: Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:30 p.m., Tuesday, January 28, 2025 (*Kelly Williams*)

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

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Diaz and Vice Mayor Lin

Absent: 1 - Councilmember Moses

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

- 6.1 [ID 25-4611](#) 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 25-4610](#) City Manager's Report (*Jess Knudson*)

City Manager Jess Knudson reported on the following:

- Announced various events and ceremonies.
- Acknowledged the retirement of Cheri Kowalski with 34 years of service (Parks & Recreation Department), Cindy Slack with 27 years of service (Police Department), and Nic Jones with 26.5 years of service (Fire Department).
- Republic Services will be holding a Household Hazardous Waste Event on Saturday, February 1, 2025, from 8:00 a.m. to 12:00 p.m., at 2065 Kiowa Boulevard North (Fire Station No. 2).

7. PUBLIC HEARINGS

7.1 [ID 25-4613](#) Discussion and Action: Ordinance No. 25-1352 Approving the Rezone of Tract 2302, Block 1, Parcels A and C, 360 Cypress Drive, 340 Mulberry Avenue and 1873 Walnut Drive, Approximately 21.4 Acres, from Single Family Residential District (R-1) to Public Lands and Facilities District (P-1) (*Chris Gilbert*)

Planning Division Manager Chris Gilbert advised that the subject property is a 21-acre parcel owned by the city and used for wastewater treatment purposes among other city uses. The property is bounded by Cypress Drive, Oak Drive, Mulberry Avenue, Walnut Drive, and Spruce Drive and is currently zoned Single Family Residential (R-1) District and surrounded by residential uses. Mr. Gilbert said Lake Havasu City is considered a full-service city and provides a wide range of services including police, fire, sewer, water, and parks, all of which require public buildings and lands upon which these facilities can be placed and expand as needed to continue serving the growing community. The Mulberry Wastewater Treatment Plant is one of these facilities and the need for a new water quality laboratory on this property has been recognized and budgeted by the City Council. Mr. Gilbert said a zoning map amendment rezone of the property from R-1 to Public Lands and Facilities (P-1) District is necessary to help facilitate the needs of the city. This change will allow for the construction of a new water quality laboratory adjacent to the Mulberry Wastewater Treatment Plant and allow for future expansion as needs arise. Mr. Gilbert reviewed the building site plan which included a parking lot and landscape. He added that the Planning and Zoning Commission recommended approval of this application at the December 18, 2024, meeting.

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

Councilmember Coke moved to adopt Ordinance No. 25-1352 approving the rezone

of Tract 2302, Block 1, Parcels A and C, 360 Cypress Drive, 340 Mulberry Avenue and 1873 Walnut Drive, from Single Family Residential District to Public Lands and Facilities District, seconded by Vice Mayor Lin, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Diaz and Vice Mayor Lin

Absent: 1 - Councilmember Moses

- 7.2 [ID 25-4600](#) Discussion and Action: Master Services and Purchasing Agreement with Axon Enterprises, Inc., for the Cooperative Purchase of Draft One AI (Artificial Intelligence) Assisted Report Writing Software (*Chief Stirling*)

Police Chief Troy Stirling advised that this item is requesting approval of a 30-month Master Services and Purchasing Agreement with Axon Enterprises, Inc. (“Axon”), for the purchase of Draft One AI assisted report writing software. Chief Stirling provided a brief background on the Draft One AI software and how it operates with their Axon body camera equipment to streamline and reduce the amount of time an officer spends on report writing. Chief Stirling said the Police Department is currently in the middle of a five-year contract with Axon; therefore, instead of renegotiating the entire contract, staff is requesting to move forward with a 30-month contract to align with the current contract. He said the first portion of the contract for February 2025 through June 2025 would be in the amount of \$20,793.18, which is currently available in their Fiscal Year 2024-25 operating budget, and then appropriations would be requested in the remaining budget cycles for the total amount of \$259,914.73.

Mayor Sheehy said in speaking with some of the officers that piloted this program they found that they increased their capacity and efficiency and were impressed by the accuracy of the software.

Discussion ensued regarding the fees, redaction, and turnaround time for copies of police records.

Councilmember Diaz asked if the equipment included warranties from the provider, to which Chief Stirling said it would be as outlined in their services contract with Axon.

Mayor Sheehy opened the public hearing.

Mr. Emiliano Torres, citizen, addressed the council and said from his understanding the software converts the audio to text and the officer can make a correction. He asked if the software suggests the wording, as he wants the officers’ words not AI’s suggested text.

Chief Stirling said the AI software does not change the text and spoke on the safeguards the software has in place throughout the process. He explained that there are different areas throughout the process that require the officer to input data based on their own observations, and added that the officer also has the ability to review their body camera footage to ensure the report is providing an accurate depiction of what actually occurred. Mr. Knudson added that the police report is transcribed based on the officer's Axon video.

Mr. Kelly Lutz, citizen, addressed the council and asked if there were four cameras, would there be four reports generated or would there be one officer that writes the report and that officer reviews all four cameras.

Chief Stirling explained that there is always one initial officer who is responsible for the call and the other officers would write what is called a supplemental report; therefore, any supplemental reports would be added to the initial report.

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

Councilmember Diaz moved to approve the Master Services and Purchasing Agreement with Axon Enterprises, Inc., for Draft One AI Assisted Report Writing Software for \$259,914.73 and authorize the City Manager to execute all agreement documentation on behalf of the City, seconded by Councilmember Campbell, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Diaz and Vice Mayor Lin

Absent: 1 - Councilmember Moses

- 7.3** [ID 25-4615](#) Discussion and Action: Purchase Order Change Order Approving Additional Work for the Rehabilitation of High-Service Pump #12 by Layne Christensen Company
(Tim Kellett)

Deputy Director of Public Works Tim Kellett advised that this item is requesting a purchase order change for additional work for the rehabilitation of high-service pump #12 that exceeds the \$50,000 threshold with Layne Christensen Company. He said the city contracted with Layne Christensen Company in September 2024 for repair of the bowls and further inspections. The further inspections resulted in additional work that exceeds the expenditure threshold and is necessary to repair at this time while the pump is apart.

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

Councilmember Coke moved to approve a Purchase Order Change Order for

additional work for the repair of high-service Pump #12 at the City's Water Treatment Plant with Layne Christensen Company for a total amount of \$54,324.15, seconded by Councilmember Campbell, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Diaz and Vice Mayor Lin

Absent: 1 - Councilmember Moses

- 7.4** [ID 25-4614](#) Discussion and Action: Construction Contract for the Fiscal Year 2024-25 Crack Seal & Mastic Program to Holbrook Asphalt (*Bill Young*)

Transportation and Maintenance Superintendent Bill Young advised that this item is to award a construction contract for the Fiscal Year 2024-25 Crack Seal and Mastic Program with Holbrook Asphalt in the amount of \$562,860.

Vice Mayor Lin questioned the traffic control line item on the bid tabulation and asked what those costs include, to which Mr. Young said those costs are for moving traffic control alongside their equipment as well as signage at both ends of the work area.

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

Councilmember Diaz moved to award the Construction Contract for the FY 2024-25 Crack Seal & Mastic Program with Holbrook Asphalt in the amount of \$562,860, seconded by Vice Mayor Lin, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Diaz and Vice Mayor Lin

Absent: 1 - Councilmember Moses

- 7.5** [ID 25-4589](#) Discussion and Possible Direction Regarding Council Requests (*Councilmember Diaz*)

Councilmember Diaz said the current City Code, adopted on March 14, 2023, reads as follows:

“Any member of the Council may request that an item be researched further or place an item on a future agenda for consideration, discussion, or legal action by making a motion and receiving a second from two other Councilmembers, no vote necessary, during the Future Discussion Items portion of the City Council meeting; or submitting a written request to the Mayor...”.

He said the prior City Code, adopted on January 5, 2022, read as follows:

“Any member of the Council may request that an item be researched further or place an item on a future agenda for consideration, discussion, or legal action by making a motion and receiving a second, no vote necessary, during the future Discussion Items portion of the City Council...”.

Councilmember Diaz spoke on Roberts Rules of Order and said at a recent training he spoke with several cities and towns throughout Arizona and could only find one city that does it the way that the city does and they actually have to put it in writing through the mayor and city manager’s office, with the second and third councilmembers also having to put it in writing to get an item on the agenda. He said he contacted the previous city attorney for that city (Gilbert) who said they are trying to probably change that because it is ominous and the citizens are frustrated. He said he also spoke with the surrounding cities who do not require a third requirement, only a first and second. Councilmember Diaz said he has faith in each of the City Councilmembers that if they want to bring up something, even if he totally disagrees with it, he will give them a second. He said having a system that can seem to block people from putting items on the agenda, by the way it is worded, is not right in his estimation. He said he was disappointed that Councilmember Moses was not in attendance tonight because there were seven people who ran for City Council in the last election, and the three people who won all said during the election process that they were for going back to a first and second. He added that both incumbents also voted not to have a third requirement (in 2023).

Mayor Sheehy briefly reviewed the council request process and timeline. Mayor Sheehy said overall this is really not an issue and has never been an issue. He said as the mayor he is in charge of the agenda along with his colleagues and there has never been one thing denied. He said he has not denied one thing that a councilmember has asked him with the exception of one item that a councilmember asked him about building heights, which he did not believe the citizens supported increase building heights but said to that councilmember that he would not work through that through his office but he would be willing to give them the third if they asked for it as a future agenda item. He said that was not done. He said that is the only item that he has ever not worked through when they come to him directly; otherwise, they are willing to work through it to find out what that is. He said no councilmember has had an issue and asked Councilmember Diaz about his experience and whether the process is broken.

Councilmember Diaz expressed concerns regarding the current wording and recalled a time after the wording was changed when a councilmember made a motion for a future agenda item and received a second but failed to get a third, so they were unable to get the item on an agenda. He said he appreciates Mayor Sheehy's comments, but feels it is

worded where it could block someone.

Mayor Sheehy said the City Council is doing the people's business that requires four votes or more, so if a councilmember cannot convince a colleague or two to join in a conversation, what is it that the City Council is trying to solve? He said the majority of the work is done from the dais like code changes and/or things required by the code, otherwise the City Council needs to have a consensus of four or more councilmembers to change any policy. He said he is able to assist citizens with challenges that they may be having that do not necessarily need to be solved by code issues. Councilmember Diaz said he has witnessed councilmembers, who after discussion and hearing from the people, change their mind so if the City Council does not even allow that process to take place by having a discussion and added that the way the wording got changed in the first place shed negative light on the people. Mayor Sheehy said decisions and minds are changed at all times throughout the City Council's discussions and deliberations with members of the public and community but noted that from the time of introduction of an ordinance to the final adoption, anything can change.

Vice Mayor Lin expressed concerns with the current wording and possibly violating open meeting law in trying to reach out to a third councilmember for support of an item. She said the current City Council has not had a problem getting something on the agenda, but that may not be the case in the future.

Councilmember Campbell said it did happen as she requested an item that had been dropped and was told it was not moving forward. She said when the ordinance came before the City Council for introduction in 2023, the City Council gave direction to staff and voted only to change the time of the meeting, and then it came back for adoption and was changed. She said she too was disappointed that Councilmember Moses was not in attendance today as he was one of the councilmembers who voted against the current wording. She said the City Council is here again shedding bad light when a majority of the people that she has spoken to have asked her to change the ordinance back.

Mayor Sheehy said this item is for discussion and whether there is consensus from the council to make any changes.

Mayor Sheehy opened the public hearing.

The following individuals spoke in opposition to the current language regarding council requests:

- Ms. Jeanne Taylor, citizen
- Ms. Evelyn Tinsley, citizen
- Ms. Bonny Toy, citizen

- Mr. Greg Logan, citizen
- Mr. Neil Tinsley, citizen
- Mr. Kelly Lutz, citizen
- Mr. Tim Murray, citizen
- Ms. Lucille Jennings, citizen

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

In response to some of the comments made during the public hearing, Mayor Sheehy provided clarification regarding open meeting law, Robert's Rules of Order, and changes to the council request process over the last few years. He said if a councilmember does not get a second or third, as currently written, the councilmember can still come to him to find an avenue to have the discussion and address the needs of the citizens.

Councilmember Diaz was in favor of changing the council request process and reverting the language back to March 14, 2023.

Councilmember Campbell was in favor of changing the council request process and reverting the language back to March 14, 2023.

Vice Mayor Lin was in favor of changing the council request process and reverting the language back to March 14, 2023.

Councilmember Coke was not in favor of changing the council request process.

Councilmember Dolan was not in favor of changing the council request process.

Mayor Sheehy said he did not support changing the council request process; however, with Councilmember Moses absent, a tie vote by city code would fail; therefore, he would propose that staff bring forward a future item for introduction that changes the council request process to require a first and second. He said this will allow the voices of all councilmembers to be heard and allow for a discussion with all members of the council.

8. CALL TO THE PUBLIC

Ms. Toy addressed the council and spoke concerning the lack of handicapped spaces along the residential property on Swanson Avenue. She suggested the city look into the handicapped accessibility issues around the city.

Mr. Waylon Gates, citizen, addressed the council regarding an item on the consent agenda that has to do with reclaimed water being used on a property located on the Island. He said this particular solution creates stagnant water on the Island that causes bugs and

odors and creates a waste of water that could be used to water dying trees. He said he believes this is bad community financial policy as the agreement is giving the water to that parcel for free, granted he does not think they have a use for it and it is more in the city's interest to get rid of the reclaimed water; however, they are getting the water for free while their neighbors pay for the same water. He said he does not know if all the users of the water area are aware of that, but it is happening. He said the multipronged approach to deal with the reclaimed water is to ultimately dump it into the lake, which was voted on in October, but does not believe the public is aware of that and would like to see more transparency. He suggested the city work with key players to find solutions that are less wasteful and overall improve the community with a higher priority being given to using reclaimed water in any way that replaces the use of potable water.

(No Name Given), citizen and Republican Party District 3 Director, addressed the council and encouraged the councilmembers to be more accessible to citizens and listen to their needs.

Mr. Charles Taylor, citizen, addressed the council and thanked them for the work that they do and encouraged the City Council to support the Fire Station No. 7 Project.

9. CURRENT EVENTS

There were no council committee reports.

10. FUTURE MEETINGS

Tuesday, January 28, 2025 @ 5:30 p.m. – Regular Meeting

Thursday, January 30, 2025 @ 8:30 a.m. – Planning Session

11. FUTURE DISCUSSION ITEMS

Councilmember Campbell requested a future discussion item regarding why the trees are dying. A second was received by Councilmember Diaz and Vice Mayor Lin.

12. ADJOURN

Upon motion by Councilmember Coke and seconded, the meeting adjourned at 7:18 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 14th day of January, 2025. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC