



City Council Regular Meeting Minutes - Final

Tuesday, April 25, 2017

6:00 PM

1. CALL TO ORDER

Mayor Nexsen called the meeting to order at 6:00 p.m.

2. INVOCATION: Pastor Dale Ray, Lakeview Community Church

Pastor Kay Zimmerman with City On A Hill International Church gave the invocation.

3. PLEDGE OF ALLEGIANCE

The Mayor led in the Pledge of Allegiance.

4. ROLL CALL

Present: 7 - Mayor Mark S. Nexsen, Councilmember Donna McCoy, Vice Mayor Jeni Coke, Councilmember Cal Sheehy, Councilmember Michele Lin, Councilmember David Lane and Councilmember Gordon Groat

Mayor Nexsen welcomed Boy Scout Troop #89. Mayor Nexsen announced that Lake Havasu City was the \$2 million grand prize winner of the America's Best Communities Competition.

5. CALL TO THE PUBLIC

Mr. Jason Henderson addressed the Council concerning the historical district. He said the trail along the Island path is now 35 years old and is continuing to degrade as it has not been refurbished in approximately 13 years. He said as the City begins to spend \$3 million on Cypress Park, \$12 million on SARA Park, and \$1 million for property on McCulloch Boulevard, he would like the Council to consider placing money in the CIP budget to refurbish the Island path.

6. CONSENT AGENDA

6.1 [ID 17-1149](#) Approve the April 11, 2017, City Council Regular Meeting Minutes

6.2 [ID 17-1136](#) Approve Amendment to Measurement, Verification Agreement and Savings Guarantee Agreement No. 111-010

- 6.3 [ID 17-1137](#) Approve Solar Thermal Facility Operation and Maintenance Agreement with Ameresco, Inc.
- 6.4 [ID 17-1160](#) Call for Executive Session Pursuant to A.R.S.§ 38-431.03(A) 5:00 p.m. Tuesday, May 9, 2017

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

Aye: 7 - Mayor Nexsen, Councilmember McCoy, Vice Mayor Coke, Councilmember Sheehy, Councilmember Lin, Councilmember Lane and Councilmember Groat

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

- 7.1 [ID 17-1147](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions

City Clerk Kelly Williams announced the current vacancies on various Lake Havasu City Boards, Committees, and Commissions.

- 7.2 [ID 17-1146](#) City Manager's Report

City Manager Charlie Cassens reported on the following:

- Lake Havasu City – 2nd Place America’s Best Communities Competition
- Code Enforcement Updates. There are currently 59 open cases
- Building Permit Updates
- The quarterly Tri-City Council meeting will be held on Wednesday, April 26, 2017 at 10:00 a.m., at The Grill at Laughlin Ranch in Bullhead City.
- Mayor Nexsen will issue a proclamation in celebration of National Arbor Day and dedication of Rotary Community Park being the official monarch butterfly waystation on Friday, April 28, 2017 at 9:30 a.m.
- The public is invited to an open house hosted by Lake Havasu City at the Aquatic Center on Monday, May 1, 2017 at 2:00 p.m. to discuss the Lake Havasu Downtown Design Guidelines project.
- The next Coffee with the Mayor and City Manager is scheduled for Friday, May 5, 2017, at 7:30 a.m., at the Red Onion.
- Special Events:
 - o The 2017 US Freestyle Championship will be held Saturday, April 29, 2017, at Rotary Park and Thompson Bay, from 7:00 a.m. to 7:00 p.m.
 - o A Night at the Drive-In will be held Saturday, April 29, 2017, from 4:30 p.m. to 11:00 p.m., at the SARA Park Rodeo Grounds.
 - o The Annual National Day of Prayer will be held on Thursday, May 4, 2017, from 7:30

a.m. to 9:30 a.m., outside of the Police Department.

- o Desert Storm 2017 Street Party will take place on Thursday, May 4, 2017, from 11:00 a.m. to 10:00 p.m. on McCulloch Boulevard between Riviera Avenue and Acoma Boulevard.
- o Desert Storm 2017 Power in the Park event will take place May 5, 2017 through May 7, 2017, from 8:00 a.m. to 4:00 p.m. at Lake Havasu State Park, Windsor 4.
- o Desert Storm 2017 Parade of Power will take place on Friday, May 5, 2017, at 10:00 a.m. in the Bridgewater Channel.
- o Desert Storm 2017 Shootout will take place on Saturday, May 6, 2017, from 8:00 a.m. to 4:00 p.m. off of Site 6.

Mayor Nexsen congratulated Statesboro, Georgia who was the \$1 million grand prize winner and Huntington, West Virginia who was the \$3 million grand prize winner in the America's Best Communities Competition.

8. PUBLIC HEARINGS

- 8.1 [ID 17-1159](#) Adopt Resolution No. 17-3127 Appointing One Alternate Member to the Lake Havasu City Planning & Zoning Commission

Ms. Williams stated that the Clerk's Office received one application requesting consideration for appointment as an alternate member on the Planning & Zoning Commission. She said the appointment is needed to fill an unexpired term of one alternate member vacancy ending June 30, 2018.

Mr. Leo Biasiucci, applicant, addressed the Council and gave some background information about himself. He said he would like the opportunity to become an alternate member to allow him to step in and learn what it takes to become a full member. He added that his goal is to contribute and, hopefully, make Lake Havasu City become number one.

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

Councilmember Lane moved to adopt Resolution No. 17-3127 appointing Mr. Leo Biasiucci as an alternate member to the Planning & Zoning Commission with a term ending June 30, 2018, seconded by Councilmember McCoy, and carried by the following vote:

Aye: 7 - Mayor Nexsen, Councilmember McCoy, Vice Mayor Coke, Councilmember Sheehy, Councilmember Lin, Councilmember Lane and Councilmember Groat

- 8.2 [ID 17-1151](#) Adopt Ordinance No. 17-1174 Approving a Request to Rezone Tract

2194, Block 5, Lots 1-3 From C-1 (Limited Commercial District) to C-2 (General Commercial District)

Zoning Administrator Stuart Schmeling advised that the three adjacent properties are located just west of Highway 95 and are bordered on the east of El Camino Way, the south and west by alleys, and a wash to the north. Mr. Schmeling said the properties along London Bridge Road are zoned C-2 and C2PD's, and the properties along El Camino Way are zoned mostly C-1. He noted that the General Plan Land Use Map lists this area as resort related, listing primary uses as commercial, retail, hotel, and motel, and secondary uses as recreational type uses intended to support and serve the tourism oriented resort industry.

Mayor Nexsen asked about the lots next to the alley, to which Mr. Schmeling replied that there is an existing building on one lot and the other two adjacent lots are vacant.

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

Councilmember Sheehy stated that the Council received petitions from surrounding neighbors who were not in favor of the rezoning however; it is an appropriate use and complies with the Lake Havasu City General Plan.

Councilmember Sheehy moved to adopt Ordinance No. 17-1175 rezoning Tract 2194, Block 5, Lots 1-3 from C-1 (Limited Commercial District) to C-2 (General Commercial District), seconded by Vice Mayor Coke, and carried by the following vote:

Aye: 6 - Councilmember McCoy, Vice Mayor Coke, Councilmember Sheehy, Councilmember Lin, Councilmember Lane and Councilmember Groat

Nay: 1 - Mayor Nexsen

- 8.3** [ID 17-1152](#) Adopt Ordinance No. 17-1175 Approving a Request to Rezone Tract 2289, Block 6, Part of Lot 2, APN 114-20-094E, From R-4/PD (Multi-Family Planned Development District) to C-2 (General Commercial District)

Mr. Schmeling advised that this item is requesting a rezone on the south end of Highway 95 along Sweetwater Avenue between Osborn Drive and Oro Grande Boulevard. Mr. Schmeling reviewed the current zoning surrounding the property and the zoning in 1990's, which was originally zoned R-4/PD to be a continuation of Phase I of the South Pointe Condo project. Mr. Schmeling noted that the City's General Plan Land Use Map designates this area as commercial.

Mr. Schmeling said letters of objection were received however, those individuals were in attendance at the Planning and Zoning Commission meeting and the City has not received any additional objections.

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

Vice Mayor Coke moved to adopt Ordinance No. 17-1175 rezoning Tract 2289, Block 6, Part of Lot 2, APN 114-20-094E, from R-4/PD (Multi-Family Planned Development District) to C-2 (General Commercial District), seconded by Councilmember McCoy.

Mr. Mychal Gorden, applicant, addressed the Council and said he represents the development of this parcel. Mr. Gorden said they held an initial public meeting with the surrounding neighbors and the South Pointe Homeowner's Association to address concerns regarding the proposal. He said their concerns were primarily that in the 1990's when the development was first developed, it was part of a larger planned development that was actually platted as condos and had infrastructure, primarily electrical service, to the existing complex through a portion of the complex. He said a number of years ago the developer abandoned that portion of the plat; therefore, the parcel is free and clear and now one parcel versus the condo plat. Mr. Gorden added that they worked with Unisource to address the existing infrastructure needs, and also addressed concerns regarding the odd shaped parcel of land and the placement of the commercial buildings since the property line is so close to some of the existing facilities and common space. He explained that because they have to provide stormwater retention, open space, and a number of things as part of the proposed development, it was not feasible to build in that corner so they were able to work with them on the plan for fencing, landscaping, and open space to ensure that they are not encroaching on their concerns. Mr. Gorden said they held a second meeting where they presented the changes and said everyone seemed happy with the intent and that they worked closely to mitigate their concerns. He said a similar project was built last year that had similar issues and concerns. He said in the end, the neighbors were happy with the result and what was built.

Councilmember Sheehy said it is reassuring to hear that the developer has worked to mitigate the concerns and issues from the surrounding areas.

Mayor Nexsen asked if those in attendance were in agreement that their issues had been addressed. Mayor Nexsen said, for the record, the audience nodded in agreement.

Mayor Nexsen called for a vote on the motion, motion carried by the following vote:

Aye: 5 - Councilmember McCoy, Vice Mayor Coke, Councilmember Sheehy, Councilmember Lin and Councilmember Groat

Nay: 2 - Mayor Nexsen and Councilmember Lane

8.4 [ID 17-1153](#) Award Bid for Fiscal Year 2016-2017 Slurry Seal Program to Regional Pavement Maintenance of Arizona

Maintenance Services Division Manager Mark Clark addressed the Council and said typically the City performs slurry seal after the streets are chip sealed; however, the City has not used slurry seal in over eight years due to funding cuts from the State and Highway User Revenue Fund (HURF) reductions. He said cul-de-sacs provide a real serious problem for chip seals because of trash trucks and other vehicles turning around. Mr. Clark said there is funding available and the City felt that \$2 a square yard is reasonable for a small slurry seal project. He said staff recommends award of this bid and plans to analyze whether it helps treat spot repair areas for future years.

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

Councilmember McCoy moved to award the bid for Fiscal Year 2016-2017 Chip Seal Program to Regional Pavement Maintenance of Arizona, seconded by Councilmember Groat, and carried by the following vote:

Aye: 7 - Mayor Nexsen, Councilmember McCoy, Vice Mayor Coke, Councilmember Sheehy, Councilmember Lin, Councilmember Lane and Councilmember Groat

9. CURRENT EVENTS

There were no council committee reports.

10. CALL TO THE PUBLIC

There were no requests to address the Council.

11. FUTURE MEETINGS

Thursday, April 27, 2017 @ 9:30 a.m. – CIP Work Session

Thursday, May 4, 2017 @ 9:00 a.m. – Budget Overview Work Session

Tuesday, May 9, 2017 @ 6:00 p.m. – Regular Meeting

12. FUTURE AGENDA ITEMS

Councilmember Lane requested a future agenda item regarding discussion of renaming the Springberg-McAndrew property.

13. ADJOURN

Upon motion by Vice Mayor Coke and seconded, the meeting adjourned at 6:37 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 25th day of April, 2017. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/CMC