

Mayor Mark S. Nexsen  
Vice Mayor Jeni Coke  
Councilmember Gordon Groat  
Councilmember David Lane  
Councilmember Michele Lin  
Councilmember Donna McCoy  
Councilmember Cal Sheehy



Lake Havasu City  
Police Facility  
2360 McCulloch Blvd North  
Lake Havasu City, Arizona  
86403  
www.lhcaz.gov

## City Council Regular Meeting Minutes - Final

---

Tuesday, September 12, 2017

6:00 PM

---

### 1. CALL TO ORDER

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

### 2. INVOCATION: Pastor David Bybee, Community Presbyterian Church

Chaplain Bea Evans with the 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

### 5. CALL TO THE PUBLIC

There were no requests to address the Council.

### 6. CONSENT AGENDA

- 6.1 [ID 17-1349](#) Approve the August 8, 2017, City Council Regular Meeting Minutes
- 6.2 [ID 17-1325](#) Adopt Resolution No. 17-3167 Ratifying Submission of a Grant Application with the Arizona Department of Public Safety for Victim Advocate Services for 2017-2020 and Authorizing Execution of Documents and Implementation of Funded Activities
- 6.3 [ID 17-1334](#) Adopt Resolution No. 17-3169 Abandoning the Northerly 1-Foot by the Westerly 5-Foot of the 10-Foot by 50-Foot Public Utility and Drainage Easement Near the Easterly Property Line of Tract 2143, Block 12, Lot 1
- 6.4 [ID 17-1339](#) Adopt Resolution No. 17-3170 Approving Lease Agreement with the Lake Havasu Metropolitan Planning Organization for Office Space in the Transit Building

- 6.5     [ID 17-1340](#)     Approval of a Final Subdivision Plat for River Ranch Villas, a Re-plat of Tract 2376-A, Reducing the Number of Developable Lots From 32 to 23, Including Common Parcels for Swimming Pool and Guest Parking
- 6.6     [ID 17-1343](#)     Approval of a Final Subdivision Plat for Tract 2379 a Portion of Havasu Foothills Estates Phase II, the Villas, the Subdivision of 46 Residential Lots, 2 Commercial Lots, Public Right-of-Way, and Parcels C & D
- 6.7     [ID 17-1350](#)     Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 5:00 p.m. Tuesday, September 26, 2017

**Vice Mayor Coke moved to approved the Consent Agendas as presented, seconded by Councilmember Brister, 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 17-1355](#)     Community Planning Month Proclamation

Mayor Nexsen presented a proclamation for “Community Planning Month.”

- 7.2     [ID 17-1347](#)     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.

- 7.3     [ID 17-1348](#)     City Manager's Report

City Manager Charlie Cassens reported on the following:

- Sales Tax Updates.
- Code Enforcement Updates. There are currently 67 open cases.
- Building Permit Updates.
- Vision 20/20 Celebrate, Learn, Participate event, will be held on Friday, September 29, 2017, from 6:30 p.m. to 8:30 p.m., at the Downtown Catalyst Project site on McCulloch and Querio.
- SARA Park Trailhead volunteer maintenance project will be held on September 30, 2017, from 7:00 a.m. to 9:00 a.m. Volunteers must pre-register online no later than Friday, September 15, 2017.
- Special Events:
  - o The Havasu Suicide Awareness & Prevention Walk will take place on

Saturday, September 16, 2017, from 8:00 a.m. to 11:00 a.m. at Rotary Community Park.

- o The Avalon Luxury Pontoon Regatta will take place on Saturday, September 23, 2017, from 8:00 a.m. to 7:00 p.m. at Rotary Community Park.
- o The Gold Star Mother's Day Ceremony will take place on Sunday, September 24, 2017, from 6:30 p.m. to 7:30 p.m. at Wheeler Park.

#### 7.4 [ID 17-1353](#) City Manager Recruitment Update

Human Resource/Risk Manager Shirlee Palbicki addressed the Council and stated the firm Springsted/Waters was retained to conduct a nationwide search for a new city manager. She said initial interviews were conducted with councilmembers last week in an effort to obtain the Council's ideal candidate preferences. Ms. Palbicki said the recruitment brochure and advertising are currently being developed and staff will begin accepting applications within a week to ten days through mid-November. She stated that the consultant will conduct the initial applicant screening and assessment in early November and provide recommendations to the Council for the semi-finalists. Ms. Palbicki added that the Council will then make the final determination on the finalists being selected for onsite interviews, which are expected to be conducted in late November.

Mayor Nexsen noted that the current city manager is retiring on December 29, 2017.

### 8. PUBLIC HEARINGS

#### 8.1 [ID 17-1322](#) Series #09 Liquor License, Maverik, Inc., 2197 McCulloch Boulevard North/Merrett

Ms. Williams advised that Lauren Kay Merrett has applied for a Series #09 liquor store license for Maverik, Inc., located at 2197 McCulloch Boulevard North. Ms. Williams said all posting requirements have been met, all fees have been paid, and no objections were received. She noted the location is properly zoned for a liquor license.

Mayor Nexsen 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 and Control approve a Series #09 liquor license for Maverik, Inc., 2197 McCulloch Boulevard North, seconded by Vice Mayor Coke, 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 17-1330](#) Series #10 Liquor License, Tri-M Mini Mart, 250 Swanson Avenue/Sohal

Ms. Williams advised that Rajinder Sohal has applied for a Series #10 beer and wine store liquor license for Tri-M Mini Mart, located at 250 Swanson Avenue. Ms. Williams said all posting requirements have been met, all fees have been paid, and no objections were received. She noted the location is properly zoned for a liquor license.

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

**Councilmember McCoy moved to recommend that the Arizona Department of Liquor Licenses and Control approve a Series #10 liquor license for Tri-M Mini Mart, 250 Swanson Avenue, seconded by Councilmember Sheehy, and carried by the following vote:**

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

**8.3**     [ID 17-1323](#)     Series #12 Liquor License, Frank·N·Stein Pub, 2061 Swanson Avenue/Varacchi

Ms. Williams advised that Robert Varacchi applied for a Series #12 restaurant liquor license for Frank·N·Stein Pub, located at 2061 Swanson Avenue. Ms. Williams said all posting requirements have been met, all fees have been paid, and no objections were received. She noted the location is properly zoned for a liquor license.

Mayor Nexsen 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 and Control approve a Series #12 liquor license for Frank·N·Stein Pub, 2061 Swanson Avenue, 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

**8.4**     [ID 17-1327](#)     Series #12 Liquor License, Hooch's Havasu Grille, 3557 Maricopa Avenue/Thornton

Ms. Williams advised that Michael Thornton applied for a Series #12 restaurant liquor license for Hooch's Havasu Grille, located at 3557 Maricopa Avenue. Ms. Williams said all posting requirements have been met, all fees have been paid, and no objections were received. She noted the location is properly zoned for a liquor license.

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

hearing.

**Vice Mayor Coke moved to recommend that the Arizona Department of Liquor Licenses and Control approve a Series #12 liquor license for Hooch's Havasu Grille, 3557 Maricopa Avenue, 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

- 8.5**     [ID 17-1221](#)     Series #18 Liquor License, Copper Still Distillery, 2005 West Acoma Boulevard, #G/Andersen

Mayor Nexsen noted this item was withdrawn by the applicant.

- 8.6**     [ID 17-1328](#)     Introduce Ordinance No. 17-1186 Amending Lake Havasu City Code Chapter 8.26, Fireworks, to Conform to State Statutes

Fire Chief Brian Davis stated this is an update to the existing ordinance and is based on a model ordinance received by the Arizona League of Cities and Towns to conform to state statutes. He said these are essentially housekeeping changes other than one notable change in the period that permissible consumer fireworks are allowed. He pointed out that fireworks such as fountains and other things of that nature are illegal for public use and have been for quite some time. Chief Davis stated the notable change would be a use of permissible consumer fireworks from June 24th through July 6th and from December 24th through January 3rd of each year.

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

**Councilmember Lane moved to introduce Ordinance No. 17-1186 amending Lake Havasu City Code Chapter 8.26, Fireworks, to conform to state statutes, seconded by Vice Mayor Coke, and carried by the following vote:**

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

- 8.7**     [ID 17-1335](#)     Introduce Ordinance No. 17-1187 Amending Lake Havasu City Code Chapter 3.20, Fee and Service Charge Revenue/Cost Comparison and Charging System, to Revise Process and Update Costs Recovered

Administrative Services Director Tabatha Miller stated this is an introduction of an ordinance to update the City fees and charges. She added that the City Code provides a process for the city to collect reasonable costs for the services provided. Ms. Miller said

reasonable costs are everything associated with a particular service and include direct, indirect, fixed asset costs, overhead and debt service. Ms. Miller stated that the current City Code includes this process as part of the budget process and added there are some good reasons for that. She said what the Council does is establish how much of the cost to cover especially when it comes to recreation and aquatics fees for children to subsidize those with General Fund tax dollars.

Ms. Miller reviewed the following for Council:

Proposed Changes to the Ordinance -

- Remove the requirement to include the Fee Schedule in the Operating Policies and Procedures (OPPs), which is a document used internally.
- Removing the references that include review of the Fee Schedule as part of the budget process and instead reference an annual review.
- Remove reference to when fees become delinquent. Fee due dates and past due dates vary with service and fees.

Standard Process for Determining the Fees -

- Extensive cost recovery review was completed in 2015 and many fees updated effective January 1, 2016
- Fee increase for 2017 were tied to Consumer Price Index increase of 1 percent
- 2018 fee increases tied to the Consumer Price Index increase of 2.4 percent
- Small dollar fees rounded to nearest dollar but tracked and compounded
- Fees established or imposed by Contract will supersede Schedule
- In a few cases, fees were held to stay competitive with market rates
- Fee changes effective January 1, 2018 – must provide a 60-day notice, plus 30 days for Ordinance to be effective

Ms. Miller stated most of the city's revenue sources will not change and the impact of those changes is approximately \$3 million or approximately three percent of the city's budget.

It Will Not Impact -

- Water and Wastewater charges
- Property Taxes
- City Sales Taxes
- State Shared Revenues
- Franchise Fees
- Building Fees

Notable Changes -

- Temporary Use Permit – added a 50% discount for 501(c)(3) organizations
- Swim Team pool rental continues phased-in increases proposed in 2016
- Residential Trash service is included at the amounts included in the contract for the next 5 years
- Fire Department itemization for out of city emergency responses
- The only new fees is a CO<sup>2</sup> Tank Installation, Removal or Repair Inspection Fee imposed by the Fire Department

Councilmember Sheehy thanked Ms. Miller for going into detail and added he has always been an advocate of including these price increases as part of the budget process.

Councilmember Sheehy proposed keeping the Business License Processing, the After School Program and the Youth Programs fees at the current rate. He stated that although the increases are not very large, it is an impact to the people that use them, and these are programs that benefit the children and keep them safe. He requested the Council's support.

Mayor Nexsen said the business license increase was minimal and he could support keeping it at the current rate if the fee is covering the cost. He said the rates for the after school programs have not been raised for many years and it got to a point where the City became so far behind that the increases became too high. Mayor Nexsen noted that the City is only recovering 17 to 31 percent on the youth programs, and said that is why the City decided to align the fee increases with the cost of living.

Councilmember Sheehy agreed but noted that the increases are so insignificant and wages have not gone up at the same level. Mayor Nexsen noted that the after school programs were only increasing by one dollar. Councilmember Sheehy agreed but noted that some of the youth programs have larger increases. He said when families have multiple children those increases can add up and they are faced with making decisions on whether they can afford to participate in some of these programs.

Ms. Miller said in regards to wages, the City had a significant increase in the minimum wage that primarily hit that particular area and those increases have not been built into the fees yet. She said the City will do a full analysis next year.

Mayor Nexsen said he is concerned that the analysis will show that the City should have raised the fees by a dollar or two.

There was discussion regarding the youth camp, summer camp, and sports fees.

Councilmember Sheehy requested the Council's support in keeping S-308, After School

Program, and S-309, Youth Programs, at the current rate.

Mayor Nexsen clarified that it is a \$1 increase for the first child to attend the after school program, but for each additional child the rate is the same.

Councilmember Sheehy said he thought the \$1 increase would not impact the City's budget but felt it would impact families who have to make those decisions. He said the Council should support the youth programs as they provide a safe place for the children to go after school and during breaks.

Mayor Nexsen said he agreed that they are valuable programs. He said the City suggested a 100 percent cost recovery but ended up with a 50 percent cost recovery, and cautioned the Council that for each year that the cost is held there will come a day where it is an \$8 or \$9 increase and families may not be able to afford it, but they could have afforded it if it was an increase of \$1 each year.

Councilmember Sheehy said he felt the Council would need to look at it differently next year to build in the wage increases. Mayor Nexsen said those increases are impacting the City now. Ms. Miller said the wage increases are impacting the City now but they have not taken those into account in the calculations. Councilmember Sheehy said he thought the Council could make a decision once the City has solid numbers and understands the impact of the minimum wage and what the cost recovery would be on these programs. Councilmember Lin agreed with Councilmember Sheehy in keeping the after school program and youth camp programs at the current rate.

Councilmember Groat asked for clarification on the 28.5 percent discount available for income qualified participants for the after school program and youth programs, to which Senior Accountant Sandy McCormack explained that if a child qualifies for the school's lunch program they are eligible for a 28.5 percent discount through the City for these programs. She added that there is also scholarship funding available.

Councilmember Groat agreed with Councilmember Sheehy and said the Council should do whatever possible for the after school programs and youth camps. He said while it will not really have a material effect on the City's budget; it will have a material effect on those kids.

Mayor Nexsen cautioned that there will come a time that this Council will need to have a discussion about needing to charge more. Councilmember Lane agreed, but said he did not think that time was today. He said the City should do whatever it takes to keep the cost lower for the kids, and in the future, when there are increases the Council will need to remind them of when the rates were kept the same. Mayor Nexsen said when that day



comes; it will be different kids.

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

**Councilmember Sheehy moved to introduce Ordinance No. 17-1187 amending Lake Havasu City Code Chapter 3.20, to revise process and update costs recovered, with keeping Service Center S-110 at the current fees for Business License Processing, and keeping Service Center number S-308, After School Program and Service Center S-309 Youth Camps, the same rates as they currently are, seconded by Councilmember Lin, 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

- 8.8**     [ID 17-1301](#)     Adopt Ordinance No. 17-1184 Amending Lake Havasu City Code Section 8.16.130, Mooring in Channel, to Include City Parks and Section 11.06.330, Launching Watercraft and Overnight Mooring Prohibited, to Remove Mooring

Police Captain Troy Stirling advised that Ordinance No. 17-1184 was introduced on August 8, 2017, to consolidate no mooring in the Channel and in the city parks to the same City Code section. Captain Stirling said currently Section 8 of the City Code addresses no mooring in the Channel between 11:00 p.m. and 5:00 a.m. as a civil violation, and Section 11 prohibits mooring in any city park between the same hours as a criminal violation. He said the recommendation is to combine those sections under Section 8; therefore removing it from Section 11, to create uniformity for mooring violations moving forward.

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

**Councilmember Lane moved to adopt Ordinance No. 17-1184 amending Lake Havasu City Code Section 8.16.130, Mooring in Channel, to Include City Parks and Section 11.06.330, Launching Watercraft and Overnight Mooring Prohibited, to remove mooring, seconded by Vice Mayor Coke, and carried by the following vote:**

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

- 8.9**     [ID 17-1333](#)     Adopt Resolution No. 17-3168 Approving the Intergovernmental Agreement with Kingman, Arizona, for the Substance Abuse and Mental

### Health Services Administration Grant

City Magistrate Mitchell Kalauli advised that the grant before the Council is for the City to join with the City of Kingman to provide treatment services for veterans. He added that they are also in discussion with the County's Limited Court of Jurisdiction in Kingman in regards to sending their veterans over to the City of Kingman to receive treatment on post adjudicated cases, and also in discussions with the Bullhead City Justice Court about bringing their veterans into Bullhead City Municipal Court to provide those services to veterans. Judge Kalauli said in doing so, it would cover all of the Limited Jurisdiction Courts in Mohave County, with the exception of the Superior Court left to figure out to get them involved to provide those treatment services for all veterans in Mohave County.

He said the grant has taken about four years and is the next step to allow us to provide those services to any veteran more or less in Mohave County and hopefully sometime soon all throughout northwestern Arizona. He explained that the grant and the IGA will be administered through Lake Havasu City, and Kingman will bill the City for those services which will be reimbursed through the grant.

Judge Kalauli said once approved the grant is effective on September 30th, and they are looking to move forward with this on October 1st.

Judge Kalauli recognized Court Clerk Erika Clayton, Veterans Treatment Court Coordinator Collen Lowery, and Court Administrator Jennifer Harrold for their hard work in preparing and writing this grant.

Judge Kalauli explained to the Council how the grant works and said if a veteran is not eligible to receive services through the Veterans Center, they can still receive treatment services and peer support services through the grant.

Mayor Nexsen said the contract lists the responsibilities for the two cities but it does not specifically address if there are any limits how much Kingman can be reimbursed for. Judge Kalauli explained the way the grant was developed, in order for it to be reimbursed it must be approved by Lake Havasu City. He said the grant was developed for a total of 70 new veterans, not including what we already have. Mayor Nexsen said the grant is for \$900,000 for three years and asked if somewhere in the contract or grant it outlines the amount allocated to Kingman versus Lake Havasu and whether either party can exceed those amounts. Judge Kalauli said the allocation is based in accordance with the number of veterans that are in the program.

Mayor Nexsen opened the public hearing.

Ms. Evelyn Hunter, resident, addressed the Council in support of the program.

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

**Councilmember McCoy moved to adopt Resolution No. 17-3168 approving the Intergovernmental Agreement with Kingman, Arizona, for the Substance Abuse and Mental Health Services Administration grant, seconded by Councilmember Sheehy, and carried by the following vote:**

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

**8.10 [ID 17-1341](#) Adopt Resolution No. 17-3171 Adopting a Smoke-Free Park Campaign to Extinguish Smoking in Rotary Community Park**

Recreation Services Manager Mike Keane said earlier this year an item was brought before the Council to seek direction regarding turning Rotary Community Park into a smoke-free park. He said at that time, the Council directed staff to create a park policy preventing smoking in Rotary Park. Mr. Keane said the resolution before the Council solidifies that direction by creating a smoke-free park campaign to extinguish smoking in Rotary Community Park.

Mr. Keane explained that the campaign will include signage in the park as well as an educational component on the City's website and awareness days coordinated with Students Working Against Tobacco (S.W.A.T.) in Lake Havasu City. He said the campaign will define smoking as smoking of cigarettes, cigars and other drugs as well as devices that simulate or facilitate smoking tobacco or other drugs such as e-cigarettes, vapes and other devices.

Mayor Nexsen opened the public hearing.

Mr. Chase Nobbe, member of S.W.A.T., thanked the Council for listening to their concerns and considering them to their entirety.

Mr. Chuck Vaughn, resident, addressed the Council and said he would like to see this as an absolute non-smoking park policy. He said the Police Department works with compliance rather than writing tickets all of the time but questioned how it will be enforced because there are dogs and alcohol in the park and those things are also prohibited. He said in addition to putting up signs that say "Young Lungs At Work" there should also be signs at all of the entrances that say Rotary Park is a non-smoking park.

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

Councilmember Sheehy stated after Mr. Vaughn's comment, just to clarify it is a resolution to create a Smoke-Free Campaign so there will be signage that says no smoking as you enter the park, and added that the policy will be self-policed.

**Councilmember Lane moved to adopt Resolution No. 17-3171 adopting a Smoke-Free Campaign to extinguish smoking in Rotary Community Park, seconded by Councilmember Lin, and carried by the following vote:**

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

**8.11 [ID 17-1337](#) Approve Change Order No. 1 for the Water Tank Rehabilitation Project with MMI Tank & Industrial Services, Inc.**

Assistant City Engineer Jeremy Abbott advised that the City is currently working on a rehabilitation project on two storage tanks after they were given a failure rating. He said as part of the rehabilitation project a floor survey was done and the results of that settlement survey are an increase of square footage of steel that needs to be replaced in each of the tanks. He said the change order will add 620 square feet of replacement steel to Tank 17, and 1,140 square feet of replacement steel to Tank 25.

Mr. Abbott explained that Tank 17 is a million gallon tank located off McCulloch Boulevard, and was constructed in 1974. He said Tank 25 is also a million gallon tank located off Scott Drive, and was built in 1990.

He said the project will require removal of the existing damaged steel and then re-compact and weld in new steel to the floor. He added that the project was suspended due to the high ambient temperatures but the tanks have been cleaned, prepped, and ready for coating as part of the rehabilitation project. He said they are re-mobilizing in the fall as the temperature drops and then in October or November they will proceed with the coating. He said if the repairs are deferred, the tank floor would need to be coated again at the time of repair.

Councilmember Lin asked what the life span is on a rehabilitated tank, to which Mr. Abbott said staff has evaluated the entire water system on all the City tanks and would expect 15 years of additional life with rehabilitation. He said if the steel is kept in good condition, hence the protective coating; it extends the life of the steel and adds another 20 to 25 years out of the tank before it would need to be replaced.

Councilmember Lin asked what it costs to replace a tank, to which Mr. Abbott said Tank 1-C was just replaced at a little over \$1 million.

Councilmember Lane asked how much time the tank would have left if maintenance was deferred, to which Mr. Abbott said if the floor maintenance was deferred it may have another two to three years of life; however, the problem is that once the steel fails it is catastrophic and there is no going back.

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

**Councilmember Sheehy moved to approve Change Order No. 1 for the Water Tank Rehabilitation Project with MMI Tank and Industrial Services, Inc., seconded by Vice Mayor Coke, and carried by the following vote:**

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

**8.12**     [ID 17-1342](#)     Award Bid for Concrete Repair (Labor Only) to Kelm Concrete Inc.

Maintenance Services Division Manager Mark Clark advised that the item before Council is a standard process for concrete repair work.

Mayor Nexsen questioned the difference in bid prices for the demolition flat work, to which Mr. Clark stated that the bidders choose to balance certain things and that is one of the reasons why the City typically goes out for multiple bids or looks at certain things, because some contractors may bid a certain way to make sure that they make money on a project if it requires extra crews or work.

Mayor Nexsen asked whether the contractor could come back with a change order because they bid too low, to which Mr. Clark said the City does not let them do that if they are unable to do the work. Mr. Clark said he was comfortable with both contractors as they have been doing work for the City. He said if a contractor is unable to do the work the City will go to the next bidder and not play games because it is not fair to make those changes in the process.

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

**Vice Mayor Coke moved to award the bid for Concrete Repair – Labor Only Misc. on an as needed basis to Kelm Concrete Inc. for One (1) year at the bid unit prices, for an estimated annual expenditure of \$75,000, and authorize City staff to exercise the option to renew for a maximum of three additional twelve-month terms, 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

**8.13**    [ID 17-1344](#)    Approve Cooperative Purchase of Pavement Crack & Joint Sealer from Crafc0, Inc. for FY 2017-18

Mr. Clark advised that the item before Council is approving a state contract for purchase of pavement crack and joint sealer. He said the advantage of using the state contract is that the City can pick and choose and the only difference statewide on any of the prices is the shipping. Mr. Clark added that this is an excellent product that allows the City to do more work in conjunction with contracting out the actual application, and further added that the City bids the work without the material to void the markup on the cost of material.

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

**Councilmember Lane moved to approve the cooperative purchase of pavement crack and joint sealer, from Crafc0, Inc., utilizing the ADOT State Contract Blanket Purchase Order, seconded by Vice Mayor Coke, 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**

Councilmember Groat gave a Mohave County Water Authority update. He said the Mohave County Water Authority complimented the efforts of City Attorney Kelly Garry.

**10.    CALL TO THE PUBLIC**

There were no requests to address the Council.

**11.    FUTURE MEETINGS**

Tuesday, September 26, 2017 @ 6:00 p.m. – Regular Meeting

Tuesday, October 10, 2017 @ 6:00 p.m. – Regular Meeting

**12.    FUTURE AGENDA ITEMS**

Councilmember Groat requested a future agenda item supporting the Mohave County Water Authority's position regarding the transfer of 4th priority water rights in time for key meetings in October.

**13.    ADJOURN**

Upon motion by Vice Mayor Coke and seconded, the meeting adjourned at 7:24 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 12th day of September, 2017. I further certify that the meeting was duly called and posted, and that a quorum was present.

---

Kelly Williams, City Clerk/CMC