

**THE RETREAT  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD OCTOBER 8, 2009 AT 9:00 A.M.  
AT COCHISE COLLEGE, 1025 S. HWY 90, BENSON, ARIZONA**

**MAYOR FENN  
OPENED THE MEETING AT 9:00 A.M WITH  
THE PLEDGE OF ALLEGIANCE.**

**PRESENT WERE: MAYOR MARK M. FENN, VICE MAYOR TONEY KING,  
COUNCILMEMBERS JO DEEN BONCQUET, DAVID LAMBERT, JOHN LODZINSKI,  
LORI McGOFFIN and AL SACCO**

**ALSO PRESENT WERE STAFF: CITY MANAGER GLENN NICHOLS,  
CITY CLERK VICKI VIVIAN, CITY ATTORNEY MICHAEL MASSEE**

Discussion throughout the retreat/meeting will include broad topic areas, such as: Council communication and leadership, City government goals, programs and priorities, the Capital Improvement Plan, Citizen Service programs, all aspects of the City's budget, all revenues and expenditures, City fees and taxes, the City Code, personnel and organizational structure, all City services, land use, planning and development, and other concerns and programs identified by Council.

Mayor Fenn asked those present to give a brief history of themselves.

**NEW BUSINESS:**

**1. Discussion and possible action in reviewing and updating the "City of Benson, Arizona, Strategic Plan for 2006 and beyond..."**

Mayor Fenn addressed the Council stating at the previous City Council Retreat the Department Heads gave Council a status of each department and while it was beneficial, it didn't leave time for Council to address the Strategic Plan. Mayor Fenn then stated in 2005, the City Council worked with a facilitator to create a Strategic Plan. Mayor Fenn then stated the Strategic Plan was based on an assumption of rapid growth, but that it was a good starting point for the Council and that the plan could be refined to reflect today's policies. Mayor Fenn then stated the Strategic Plan should be referred to and utilized by both Council and City staff. Mayor Fenn then stated Council could review the plan goals, one by one, changing and updating each goal's objectives and strategies if needed.

**Goal 1 – Public Safety**

Councilmember Lodzinski spoke stating most of the objectives were accomplished with the exception of a full-time fire department and that we should maintain a volunteer fire department with a full-time fire chief and that we could set a timeframe up to have full-time firefighters hired and a sub-station established on Highway 90. Mayor Fenn asked if the goal for a full-time department should be time-driven or need-driven with Councilmember Lodzinski stating he felt a full-time department should be need-driven based on the City's population. Vice Mayor King stated he felt the goal of a full-time fire department should be based on both time and needs, stating if grants were available to establish a full-time fire department, Council should consider it.

Mayor Fenn then asked City Manager Glenn Nichols if the establishment of a full-time fire chief was effective with Mr. Nichols stating it was effective and beneficial to the City. Mr. Nichols stated Fire Chief Keith Spangler now could dedicate himself completely to the fire department, was now the Emergency Services Director for the City, which encompasses public works along with fire and

police. Mr. Nichols then stated with the current economic environment, many training opportunities that were provided at no cost to the City now require the City to pay a registration fee and for accommodations. Mr. Nichols then stated the appointment of a full-time fire chief and the recently approved decision for the fire department to respond on medical calls has been a big benefit to the community.

Mayor Fenn stated both those changes, the appointment of a full-time fire chief and the response to medical calls, are substantially different changes and that if the City remained static with our population and our budget, were these changes sustainable with Mr. Nichols indicated he felt it was, citing the fire chief is the only full-time employee and that the response to medical calls has boosted the activity and moral of the volunteers. Mr. Nichols then stated there had been a problem with volunteers responding on calls in the past, but that was no longer a problem, citing that approximately 50% of the volunteers were EMS certified, some that were paramedics and some that were going through training now.

Mayor Fenn then stated in 2005, the Council discussed different options of providing fire protection, such as a Fire District, contracted fire services or a full-time fire department, asking Council what their thoughts were. Council agreed their sentiment was to stay with our fire department as it was, but to possibly put target dates of three to five years for the strategies of establishing a full-time fire department and then re-evaluate the timeline on or before those target dates, looking at the population and needs at that time. Mayor Fenn then suggested that City staff, on an annual basis, give Council a report on the growth that occurred, how we met the needs, the projected growth for the next year and how we would meet those needs. Mayor Fenn then stated the step from an all volunteer fire department to a full-time fire chief with all volunteers was a relatively easy step, but the transition to a full-time fire department was a big step, with a large fiscal impact on the City. Mayor Fenn then stated he would look to the fire chief to determine the needs of the population and geography to determine when and how to transition. Mayor Fenn then stated it also meant that we would need facilities to accommodate a full-time fire department.

Vice Mayor King stated we need to have new growth pay for itself, with Councilmember Lodzinski asking if Mr. Graves gave the City 5 acres in his development project. Mr. Nichols stated the property to be given to the City was in the development agreement, but had not been deeded to the City. Mr. Nichols then stated he was not sure the property location was conducive to handle calls on Highway 90. Mayor Fenn then stated there had been discussion about allocating the current fire/police complex solely to the fire department when it expanded and that the old City Hall location had been looked at as a location to relocate the police department. Mayor Fenn then asked if that was still a probable idea being looked at by the Council. Council then discussed the location, stating it was a good location with easy entrances and exits, and that the City currently owned property west of the office of Battaglia & Roberts, PC. Mr. Nichols then stated the police department had conducted a long term space needs analysis, based on a population of 50,000. Mr. Nichols then stated due to the economy, the plan was not brought forward to Council. Mayor Fenn asked if the property currently owned by the City at 160 S. Huachuca would be sufficient for the facility with Mr. Nichols stating the City would need to acquire the property where the Roberts & Battaglia office currently is. Vice Mayor King stated anything the City looked at should be looked at with a long term plan in mind. Mayor Fenn asked Council if the idea was to look at a police facility before any other City facility with Council indicating that was correct.

Councilmember Lodzinski then stated he would like to see the Strategic Plan become an appendix to the City's budget. This would allow a presentation by each department, showing how they would meet growth and what their goals and objectives would be for the next year. Council discussed this option stating it would ensure the Strategic Plan was looked at, reviewed and possibly updated on an annual basis. Mr. Nichols then stated each Department Head could provide a report that could be to inform Council what goals and objectives had been accomplished in the current year and what the plan would be for the coming year as well as long term, which could be utilized to update the City's Strategic Plan. After discussion, Council stated the report Glenn suggested would need to be

distributed to Council by March 1.

Councilmember Sacco asked about the ambulance service with Mr. Nichols stating we have been approached by the ambulance company and by the Mescal Fire Department inquiring about the City dispatching for them. Mr. Nichols stated this would probably be the most efficient system and the fiscal impact would be passed on to them. Councilmember Lodzinski asked if there were any plans to move forward for a countywide central 911 dispatch system with Mr. Nichols stating the project had been looked at, but that the terrain in Cochise County was not conducive to such a project and that the funding or the ability to put the infrastructure that would be required for the system to work was not available. Mayor Fenn then stated if the City could reach out to the ambulance company and to the Mescal Fire Department to provide dispatching, which would enhance responsiveness to the community without additional expenditures, we should.

Mayor Fenn then stated public safety objectives in the current strategic plan also included training, salaries, a citizen committee and the drug problems we face. Mayor Fenn then asked Council for their thoughts on these items. Vice Mayor King stated it took a long time to get the police department salaries where they should be and that we should continue to keep salaries in mind, stating when the City starts to grow, salaries will need to be reviewed and should remain competitive, which will help the City retain our police officers. Councilmember Lodzinski stated this applies to all salaries, Citywide, stating Council needs to re-evaluate not only pay grades, but employees' positions in the pay grade on an annual basis and City salaries should remain as competitive as possible. Vice Mayor King stated he agreed this needed to be done with all City salaries. Mayor Fenn then stated the Council would rely on Police Chief Paul Moncada to keep Council informed of any salary disparities and that he has heard morale is good in the department, making him think the compensation must be ok. Councilmember Lambert then stated he felt when Council looked at the salaries, they should also look at the minimum and maximums of each pay grade, stating this would help retain long-term employees. Councilmember Boncquet stated she felt Department Heads should re-evaluate each job and ask for a market adjustment, if needed. City Manager Glenn Nichols then stated with the addition of the Human Resource Technician, the City is now conducting an annual salary survey, in addition to the salary survey done by the League of Arizona Cities & Towns, which will assist in keeping Council informed of any adjustments that should be made. Vice Mayor King stated in the future, the City may also look at some sort of buy-out or early retirement packages for employees, since there is a possibility of the economy not improving. Mayor Fenn then stated that would be something he would look to the City Manager to identify in each department and if the need were to come up, to advise Council. Vice Mayor King stated he was pleased with the training opportunities that have been provided and that employees took advantage of those opportunities.

Mayor Fenn then stated another goal under Public Safety was the drug problem and asked City Manager Glenn Nichols to give the Council an update. City Manager Glenn Nichols stated the drug problem is still here and we're facing the same issues. Mr. Nichols stated for several years, the task forces didn't work in Benson and we eventually quit participating in them, however, we now have an officer participating in the GIITEM squad, which main focus was gangs, but now also focuses on drugs and they have made several arrests in Benson. Mr. Nichols then stated it's an on-going problem, but we are working on it and making some progress. Mr. Nichols then stated it would help in the long run if we could get to the point of seizing property. Vice Mayor King asked if the City could do anything else to aid in the fight against drugs, with Mr. Nichols stating Tucson has a "red tag" program that addresses a continuous problem house. City Attorney Mike Masee then addressed Council stating there is a criminal abatement statute, explaining that if there are multiple arrests at the same location, notice can be given to the property owner and if it continues, a foreclosure action can be initiated. Councilmember McGoffin then stated she felt we were doing a better job now, since we had more officers in place and that keeping police officer positions filled was important so the City could remain proactive instead of reactive. Council then asked the City Attorney to look at State law and the City Code to ensure City administration has as many tools as they can to assist with eradication and abatement of drug activity.

Mayor Fenn then stated Council would take a 5 minute break before resuming with emergency response and the court system in Public Safety.

Mayor Fenn resumed the meeting with continuing the discussion in Public Safety. Councilmember Lambert stated he had spoken to then Police Chief Glenn Nichols about establishing a citizen patrol, putting citizens in a marked car, getting more presence out on the road. City Manager Glenn Nichols stated it had been put on the back burner, but that he would discuss it with Police Chief Paul Moncada. Councilmember McGoffin asked about a youth program, with Mr. Nichols stating there was not enough interest to begin a program at this time.

Council then discussed emergency response with Mayor Fenn asking what the Council needed to know and what their duties were in the event of a major emergency. City Manager Glenn Nichols stated this was being worked on now with a presentation coming before Council in the near future. Mr. Nichols stated there is a process in which the City contacts the County Emergency Management Department who then has the ability to petition the State for assistance. Council then discussed the need for the plan to contain information on temporary shelters in the community. City Attorney Mike Masee then stated there was a state statute allowing the Mayor to govern by proclamation in the event of an emergency and that Council should be informed of their role in an emergency situation. Mr. Masee then gave a brief overview of the process, stating the City Council should be convened as soon as possible to declare an emergency by resolution, with a certain basic law enforcement administration role being assumed by the Mayor in the meantime. Mr. Masee stated once the resolution is passed, it is forwarded to the Governor and some funding from the Governor's office of emergency management becomes available from the State, at a 75% reimbursement rate. Mayor Fenn asked for that documentation to be available for Council. City Manager Glenn Nichols then informed Council that a master plan for emergency response is being worked on, developing resources and agreements with the schools in place for the utilization of school buses to move people.

Council then discussed the court system with the consensus that it is working well, with City Manager Glenn Nichols adding that the Intergovernmental Agreement with the County is now standardized countywide. Mr. Nichols stated a code enforcement ordinance will be coming before Council giving the City the tools when these issues go to court. As discussion centered on civil enforcement of zoning, City Attorney Mike Masee stated there wasn't a current enforcement provision to address basic set-backs or other issues in the zoning code and without that provision, the City falls back on state statute, which allows the City to seek an injunction in a superior court. Mr. Masee then stated this could result in the City obtaining a civil order requiring the defendant to comply with the law, but that this process is costly for the return and that it was fairly common for City's to utilize their own court system to process it as a civil infraction or a misdemeanor. Mr. Masee stated by doing so, it keeps the process local which is more accessible to all parties and the cost stays reasonable. Mr. Masee then stated this is the process that he is looking at adding to our code. Mayor Fenn then stated it was good that the tools were being put into place that will enable staff to do their job.

## Goal 2 – Transportation

Mayor Fenn opened this discussion saying in 2005 the Council was addressing circulation issues with growth, but that he felt the focus should now be on addressing our existing streets. Council then discussed the need to repair our streets and the struggle to fund those repairs. City Manager Glenn Nichols stated many of the older streets were built to past specifications which didn't meet the needs today. Council then discussed the need to look at funding options, such as bonds, property taxes and assessment districts. Mayor Fenn then stated the subject of a street re-paving cost analysis and possible funding options was placed on the agenda for the upcoming October 12 Council meeting and that in this current economic environment, we were at a time when we could really leverage money to get more work done. Mayor Fenn then stated that before we could go to the

public to address the situation, we would need a cost analysis and a plan, addressing which streets would be done in what order, drainage and utility issues and the possibility of additional sidewalks. Mayor Fenn also questioned if the method we were using to currently deal with existing potholes was the best we could do. Discussion then moved to who was responsible for the property from the curb in, with City Manager Glenn Nichols stating there was nothing in place to address this and that it was being worked on to assign responsibility from the curb in to the property owner.

As discussion moved to the objective of a downtown development plan, Council felt that the current City Hall facility would last 5 to 10 years and that with the recent demolition of the old City Hall location, the parking lot that could provide parking for 4th Street was now an asset. Council asked for staff to contact the Arizona Department of Transportation regarding the placement of parking lot signs on 4th Street. City Manager Glenn Nichols stated there would also be signs placed at the parking lot indicating there would be no overnight parking.

### Goal 3 – Utilities

Discussion started with the City's treatment plant with City Manager Glenn Nichols stating the plant was not even at 50% capacity at this point and that when capacity increased to 60-70%, we would start looking at Phase II of the treatment plant which would use existing land. Mayor Fenn asked about additional capacity after Phase II with Mr. Nichols stating that with new technology, we may be looking at a new process and would have to see then. Mayor Fenn then asked about capacity verifying that there isn't anything coming that would be a substantial strain on the treatment plant. Mr. Nichols then stated all new development south on Highway 90 would go to the new perc plant and everything else comes into our treatment plant and it is still well below 50% capacity.

Discussion then moved to reclaimed water distribution with City Manager Glenn Nichols stating we don't have the funding to install effluent lines throughout the City. Councilmember McGoffin verified that the golf course uses the City's effluent now. Mr. Nichols then stated Lion's Park could utilize an off-site well, which would remove the park from the water system at a cost of approximately \$10,000 - \$12,000, benefitting the water system.

Mayor Fenn then asked about the operation of the perc plant verifying that the City is subsidizing the operation cost of the plant at approximately \$800.00 per month, but that the homes that were being served were being billed for wastewater. City Manager Glenn Nichols stated that the City is paying for the transfer of the waste since there is not enough volume to process it there. Mr. Nichols stated until there are enough homes built to create the necessary volume for processing, the plant is basically a holding site for the waste to be transferred to our treatment plant system. Mayor Fenn asked about Whetstone's responsibility with Mr. Nichols stating they were to exercise the plant's computerized systems to verify everything was working until processing started, but when the bankruptcy was filed, that stopped. Mr. Nichols stated our Public Works Superintendent Larry Napier had been trained to exercise the perc plant's computerized systems, but the City did not have access to be able to do so.

Discussion then moved to solid waste with asking if contracting the service was best with City Manager Glenn Nichols stating the City used to have its own solid waste department, but it was probably more efficient to contract it out. Council then stated the biggest issue was the holiday schedule for solid waste pickup. Council asked that we continue to notify the public as much as possible, through utility bills and advertisements. Mayor Fenn stated the County had started a recycling program and asked if we participated in any way. City Manager Glenn Nichols stated the City promoted the program, which has been fairly successful so far, taking newspaper, office paper, cardboard, #1 and #2 plastic and tin cans. Mayor Fenn asked if there was more promoting the City could do to make the citizens aware of the recycling program.

Council then moved the subject of the gas system stating historically, the gas fund has been a good revenue fund for the City, often being used to subsidize the water and wastewater funds before the

water and wastewater rates were adjusted. Council then discussed the need to monitor the rates of all the utilities to ensure these funds remain solvent, as well as the need to build a surplus in the funds to replace the infrastructure as needed. City Manager Glenn Nichols then addressed Council regarding water, gas and wastewater stating the water department has improved with the addition of electronic meters and that some changes were made on Highway 80 when the Sue Juan water system was added to the City's system. Mr. Nichols stated those new customers were very happy with the water and service the City provides and that it was a very positive transition. Mr. Nichols then stated the City is looking for the BECC (Border Environmental CC) grant to address the remediation of arsenic in the SKP well. Mr. Nichols then stated in the gas department, there were some improvements to be made and they were looking at the possibility of doing them in house, a little at a time. Mr. Nichols then discussed wastewater, stating the City does have wastewater lines in serious need of replacement, stating he hoped they could be done before the Ocotillo road project, which would require addressing engineering and drainage issues. Mr. Nichols stated in order to move forward with that project; there were permits that would require a consulting piece be completed up front and that there was no funding available to do so now.

Mayor Fenn then asked about the City's designated water assurance and what would happen should someone come in and want to develop, with City Manager Glenn Nichols stating the City has a water assurance from the State and that the City is requiring proposed annexations get their own water assurance and add it to ours. Mr. Nichols stated any proposed developments in the City limits would be covered by the designation we have now. Mr. Nichols then stated San Pedro Partners' water and wells will be given to the City with their assurance for the 300 acres they plan on annexing.

Council then stopped the retreat for lunch.

#### Goal 4 – Administration

Mayor Fenn asked City Manager Glenn Nichols to address Council concerning Administration. City Manager Glenn Nichols then addressed Council stating he felt things were moving forward and while there were still issues to work on, there has been much improvement in customer service. Mr. Nichols then talked about the Planning & Zoning and Building departments and their process of developing books with rules, regulations, forms and check lists to provide consistency in the information given to customers inquiring about subdivisions, stating they are also working on the same information books for commercial projects and for the airport. Mr. Nichols stated they will be meeting to discuss other areas it would be beneficial to have this book available.

Mr. Nichols then spoke regarding the finance office stating it is working very well, with many of the employees cross-trained. Mr. Nichols stated he has encouraged employees in all departments to work on cross-training since the City operates with a small staff and wouldn't want to be at a loss in the event of absences. Mr. Nichols then stated the Administration office, which encompasses the Executive Assistant, Human Resources and the City Clerk's office, have been working on cross-training and have recently enacted a four 10 hour day schedule. Mr. Nichols stated this can only be done with a staff that is cross-trained and who are willing to work together well and take the steps necessary to make this work. Mr. Nichols stated this would be looked at for a 90 day period. Mr. Nichols stated other departments, if they cross-trained and worked well together, could possibly do the same thing. Mr. Nichols stated the dispatchers at the Police Department have implemented this schedule and that it's working well. Mayor Fenn asked how this affected the hours the Administration office was open to the public with Mr. Nichols stating the open hours are still the same, but this allows employees to work without interruptions for a part of their day.

Mr. Nichols then discussed the library, stating it was very positive with good service. Mr. Nichols said being connected to a countywide system is a benefit, allowing patrons to request books that can be shipped to the Benson library.

Mr. Nichols then addressed public works saying that they are doing a good job and supervisors are

working well together. Mr. Nichols indicated most public works employees are cross-trained in the event of a large project or other issues.

Mr. Nichols then spoke about the Visitor Center stating it was going well and that Bob Nilson had recently completed the City's asset inventory. Mr. Nichols then stated Laura Laird, who had recently joined the visitor center part-time and was working in recreation part-time, would like to focus on the City's website design and that she would be working with our IT Technician, Jared Riker to accomplish this.

Mayor Fenn asked about the Human Resource Manual with Mr. Nichols stating the final product should be presented to Council the end of October. City Attorney Mike Masee stated after working on the manual, he had a labor lawyer review it and they were able to address some concerns such as exempt employees and how to manage their sick and vacation leave. Mayor Fenn then asked about the addition of the Human Resource Technician and if the position dealt with Human Resource issues exclusively. City Manager Glenn Nichols stated the Human Resource Technician did deal with Human Resource issues, such as workman's compensation, the Fair Labor Standards Act, job description updates, the organizational chart, the salary survey, exclusively, but that she was cross-trained to assist employees in the Administration office also.

Mayor Fenn then indicated it had been awhile since the Council had seen an organizational chart and requested an updated copy be given to Council, along with a list of employees and their titles. Councilmember Lambert asked if Council could get the Human Resource Manual as soon as possible in order to review it before it was presented to them for action.

Council then discussed the website and Mr. Nichols indicated that it had been turned over to Laura Laird. Council indicated they liked the Visitor Center's website and would like to see the City's website upgraded, that it should be more user-friendly and kept up to date. Council then recognized that even though there are improvements to be made, they wanted to commend staff for the improvements that have been accomplished. Vice Mayor King then stated the City Clerk's office has made great strides in records research and organization. City Manager Glenn Nichols the addressed the subject of records retention and that the City is not following the retention schedule adopted by the state, which was an important component in City records. City Clerk Vicki Vivian then stated all Council minutes are now scanned with optical character recognition, allowing the minutes to be searched electronically.

Mayor Fenn then stated that over the years, some of the Council has seen administration come and go and that he felt every City Manager has contributed something good to the City, that the Council should focus on that and continue to move forward.

City Manager Glenn Nichols then asked the Council for direction concerning an Employee Recognition Program honoring employees for their service years. Mr. Nichols spoke about the Employee Council's plan to give employees \$10.00 for each year of service at their 5 year anniversary and every 5 years after. Mr. Nichols then stated that other possibilities were discussed including a catalog program allowing employees to choose different items for different years of service and the award of additional vacation time. Vice Mayor King stated his employer participated in a catalog program and also gave employees thank you letters. Mayor Fenn stated he liked the catalog program and felt he would support a plan brought forward by the Employee Council. Councilmember McGoffin stated the Council needs to be proud of any item awarded to an employee, that she liked the idea of the employee being able to choose an item and thought it could be ordered in advance, allowing the Council to present the item to the employee at a Council meeting. Mayor Fenn asked Mr. Nichols to have the Employee Council come up with a plan and stated he felt it was important the employees knew that Council valued their years of service.

#### Goal 5 – Recreation

Mayor Fenn stated the goal of developing a swimming pool was realized and then verified the last loan payment for this would be due in July, 2010. Mayor Fenn then verified the loan proceeds were used not only for the pool, but also to assist with arsenic compliance in the water utility. Vice Mayor King then stated he thought the recreation department was doing a great job and was pleased they were working so well with the school to provide programs and activities.

City Manager Glenn Nichols stated he would be getting new signs for the Community Center and the pool.

Discussion then turned to the City parks, with Vice Mayor King asking about the recently published complaint letter, with City Manager Glenn Nichols indicating he would look into the complaints. Council then discussed moving the playground equipment with Mr. Nichols stating staff had looked at that equipment and that it was put in permanently (over 6' deep). Mayor Fenn then stated the issue with the playground equipment was trying to move it out of the softball area, with discussion then turning toward additional screening being a possibility. Vice Mayor King then stated at the soccer fields, there was nothing behind the soccer goals and that the soccer organization was willing to help pay for some fencing behind the goals.

Councilmember McGoffin then asked about charging sports leagues fees to improve the park and make it safer for the leagues. Vice Mayor King stated there was also the issue of the cost to operate the park lights. Vice Mayor King and Councilmember McGoffin indicated they had served on a committee and had drafted a plan to address these issues as well as a process to reserve the parks and a procedure to reserve the ramada that included a deposit that was partially refundable to encourage those who reserved the ramada to keep it clean and would be forfeited to help defray the cost of cleaning the ramada if it was needed. Vice Mayor King stated the parks were community parks and that the community needed to assist with taking care of them, also stating that we needed a plan to address the cost of the lights. City Manager Glenn Nichols stated part of the problems with the lights is that the controls are antiquated and that some can be bypassed. Mr. Nichols stated different options such as pay for time control and other timers have been looked at, but these controls are very expensive. Mr. Nichols stated the parks department doesn't work at night and that we depend on those using the facilities to be responsible, which doesn't always happen. Mr. Nichols stated he did task the Recreation Center Coordinator to check and see what fee schedules were in place in other communities.

Mayor Fenn stated it sounded like a combination of both more vigilance from staff and to start a fee process for a fund that can be used to update the lighting controls. City Manager Glenn Nichols stated if the City could gather information, such as the hours the lights are used and the length of the season for each entity that utilizes the parks, then the fees could be charged those entities who in turn could charge the participants.

Vice Mayor King and Councilmember McGoffin stated they were on a committee consisting of the themselves, the former City Manger and the Parks Supervisor and that they spent months drafting a plan for the parks that included most of this information, which was now gone. They both stated they would be willing to meet and come up with a plan to present to Council.

Mayor Fenn stated the goal of hiring an Events Coordinator had been accomplished.

City Manager Glenn Nichols then addressed Council stating in the master plan for the park, there was no ramada/band shell type facility and asked for consideration to design and incorporate a multi-purpose facility that would be used not only for Butterfield Stage Days, Bluegrass in the Park, the 4th of July celebration as well as possibly drawing other activities. The location of the Northeast soccer field could be beneficial, keeping the facility off the field, but being able to utilize the soccer field for seating and was close to the electric service. Council agreed that this type of facility should be incorporated into the master plan for the park.

Mayor Fenn asked if there were any other comments on the library, with Council stating the library needed parking. Mayor Fenn then stated this brought to light the City's long term plan for the City's building that is currently being leased to the Benson School and the Food Bank. Mayor Fenn stated he thought with the construction going on at the school, that the charter school would move to the school property and they would no longer need this location. Mayor Fenn stated if this were the case, the property could be used for parking for the library, but that Council would need to address the issue of the Food Bank's lease. Council then discussed the use of the library and that they would need to look at an expansion at some point in the future.

#### Goal 6 – IGAs

Council then discussed Intergovernmental Agreements (IGAs) stating the City has IGAs in place with the schools, the county and recently entered into an IGA with the Department of Public Safety (DPS). Mayor Fenn asked if we remained in contact with the St. David School district with City Manager Glenn Nichols indicating after the County ceased the DARE program, he contacted the schools and kept the program active in the surrounding communities. Mr. Nichols then stated the St. David School district will also be included in the emergency response plan and that we continue to ask developers to contact the schools as part of the check list, keeping the school districts informed of proposed developments. Mayor Fenn then stated this brought to mind the agreement that had been discussed in the past regarding the acceptance of 4th Street from the Arizona Department of Transportation (ADOT). Discussion then centered on 4th Street and the concerns of maintenance, the drainage issues and the acceptance and maintenance of the traffic signals. Council expressed that this would have to be addressed at some time in the future.

Vice Mayor King inquired about ADOT's proposed changes to the east end of 4th Street, including the underpass, with discussion that this is a separate project that ADOT proposed and that it has been put on hold.

Councilmember McGoffin asked about the hospital board, with City Manager Glenn Nichols stating they are part of the emergency response plan. Discussion then turned to an IGA that had been looked at in the past for the City to join the County fleet maintenance program. City Manager Glenn Nichols addressed this stating there were concerns of priority and the distance to take a vehicle for maintenance. Mr. Nichols then stated the County has expressed interest in entering an IGA to perform the City's inspections, but again, priority and distance would be a concern since they would charge the City for the time they would have to travel each way. The discussion of inspections then lead the Council to discuss staff needs for inspections and for the Planning & Zoning Department. Mayor Fenn stated he felt contracting out for plan review services created an image of the City that turned people away and that the more we do in house, the better service and image we provide. City Manger Glenn Nichols stated the City needs an inspector now and that we were looking for more expertise as applications were reviewed. Mr. Nichols also stated he had discussed the possibility of sending current staff to school for initial plan reviews and that it may be beneficial to look at the position of a Planning & Zoning Director, who would have the ability to review plans. Discussion among Council then centered on the Planning & Zoning Director, with the consensus being now would be a good time to bring on a Planning & Zoning Director, who could make improvements in the department, enabling the City to be ready for growth when the economy turns around. Mayor Fenn stated the Planning & Zoning Director was in the budget as a vacant funded position, with Mr. Nichols stating he would look at the finances and come back to Council regarding a Planning & Zoning Director and the Building Inspector. Mayor Fenn stated while it was easy to think we shouldn't hire those positions due to the economy, but that it could be to our advantage to prepare now.

#### Goal 7 – Finance

Council stated they would like to continue getting monthly updates from the Finance Director at Council meetings. Council then discussed the Finance goals and objectives beginning with the plan

for submitting long term debt obligations to voters to invest in capital improvements, stating they felt the first step in this process would be to identify projects and costs and then see what the political will is at that time. Councilmember McGoffin stated that she had spoken to many people who indicated they would be willing to pay more tax dollars for better streets. Mayor Fenn stated the City could take a poll but we would need to be specific regarding a proposed project and the cost. Councilmember Lodzinski stated that doubling the property tax would increase revenue by approximately \$200,000.00 estimating that would make a payment on \$3,000,000.00 that could be used to address streets. Vice Mayor King stated before Council committed to any long term debt, they would need to make sure it was for a long term project. City Manager Glenn Nichols stated we also needed to incorporate maintenance programs, which would lengthen the life of any project and all City facilities. Council then stated after information on a street repaving plan is gathered, Council would like a more formal poll of the public.

Mayor Fenn stated the next objective was to simplify the budget process and that it had been accomplished, stating the budget was easier to follow and understand. City Manager Glenn Nichols stated in the next budget, there would be the addition of a total budget for the entire City. Council noted that the City's Strategic Plan will also be an appendix to the budget in the next year.

Mayor Fenn then went to the next objective, which was to identify new revenue sources that have little or no impact on current residents. This turned the discussion to grants, with City Manager Glenn Nichols stating he had been notified that the Department of Commerce had allocated \$69,000 to the City of Benson in the renewable energy grant program. Mr. Nichols stated this money is distributed around the state and that while money has been allocated to the City, we have to apply to receive it. Mr. Nichols then stated that Venture Catalyst Inc. had come before Council requesting the authority to apply for federal funding for solar projects at a cost of 15% of the grant and that the City was looking at completing the process in house. Mr. Nichols stated any project proposed by Venture Catalyst would require Council approval. Mayor Fenn asked if any rebates for solar conversion would be applicable to the City with Mr. Nichols confirming they would. Mr. Nichols then stated the renewable energy grant program could encompass projects at the wastewater treatment plant, the community center, the police/fire complex and could even be used for street lights or traffic signals. Mr. Nichols then stated he was discussing project ideas to identify the most sensible project and that there was a possibility of changing the pumps at a couple of City well sites to smaller horsepower pumps that would save the City money and would fall under this funding opportunity.

Council then discussed the objective relating to consultants stating the Planning & Zoning department was the only department to contract out employees and then indicated their desire to be more in house and that they had addressed that subject earlier.

#### Goal 8 – Image

Mayor Fenn stated when you looked at the City's image; one of the most identifiable changes was the new City logo. Councilmember McGoffin stated 4th Street looks better and that we need to address the area across from Safeway. City Manager Glenn Nichols stated the first step was to identify ownership and that the City doesn't own much of that property. Mayor Fenn asked about ownership of the property west of Ocotillo with Mr. Nichols stating the City's ownership is not curb to curb, but is instead directly behind the landscaping that we have done. Mr. Nichols then stated that the City requested records from ADOT to determine ownership of property along 4th Street but that the record was hard to make sense of since ADOT had given land back in some areas and had not in other areas. Mr. Nichols stated he has requested ADOT to update their records and is working on obtaining it from them. Mayor Fenn then stated many times a blind eye was turned to "a frame" signs, but that it could become a problem in the future. Mayor Fenn then asked about incorporating the City's new logo into the police cars, stating he didn't want the City to spend a lot of money, but that the cars could look less generic and that if we're selling our brand and are proud of our new logo, it should be integrated into everything. City Manager Glenn Nichols stated now would be a good time to update the police cars.

Councilmember Lambert brought up the image of the parks and suggested that when Council moves forward with the parks master plan, asking the community to purchase a tree that could have a plaque recognizing the purchaser or honoring someone at their request. Councilmember Sacco stated he didn't feel it would work, noting that the Benson Clean & Beautiful Committee had attempted it before. Councilmember Sacco then stated he would be working with and pushing the Benson Clean & Beautiful program again and that they would be starting a big campaign.

Mayor Fenn then stated one of the objectives was to facilitate redevelopment of the Arnold Hotel and asked where this was. City Manager Glenn Nichols stated a grant had been awarded to assist with the restoration and that the improvements made so far had included new roofs and windows. Mr. Nichols stated he thought the owner was refurbishing the building to be able to rent it out.

Council then asked if the City was selling merchandise at the Visitor Center with Mr. Nichols indicating it would begin shortly. Council commented on the Visitor Center website, stating it was well done. Vice Mayor King told Council that they should stop in and see the display in Visitor Center, stating it was the same display the City had at the Festival of Cities during the League Conference, and that it looked great.

#### Goal 9 – Economic Development

The Council started discussing Economic Development with Councilmember Lodzinski addressing the Council formed Economic Development Sub-Committee (EDSC). Councilmember Lodzinski stated the EDSC had drafted and approved the *City of Benson Economic Strategic Plan*, had purchased economic advertising, completed an asset inventory and was working on the development of a list of "Shovel Ready" properties. Councilmember Lodzinski stated one of the positive things in economic development was the hiring of Bob Mucci as the Director of the Chamber of Commerce. Councilmember Lodzinski stated Mr. Mucci was knowledgeable about economics and has held and will continue to hold workshops to assist businesses. Councilmember Lodzinski stated there is virtually no assistance from the Arizona Department of Commerce. Councilmember Lodzinski then stated one thing he would like to see is the State land south of the airport being available for development. Vice Mayor King stated he would like the City to contact the military at Davis-Monthan Air Force Base and Ft. Huachuca to make sure they know our airport is an available option.

Discussion then turned to the airport with Mayor Fenn stating he felt Public Works Director Brad Hamilton wearing another hat as the airport manager left him little time to oversee the airport. Mayor Fenn then asked where the City was with the Fixed Base Operator (FBO) agreement and airport maintenance, with City Manager Glenn Nichols stating we were currently negotiating the FBO agreement and that the City performs airport maintenance. Mr. Nichols stated the airport's 10th anniversary will be coming up in the spring and that a committee that would like to plan an anniversary event will be coming to Council for permission to do so. Mr. Nichols then stated the airport is already on the radar with Ft. Huachuca and others, stating since we're so close to a military facility, there are additional compliance and approval issues that the military is involved in.

Mayor Fenn then stated if there was someone who could dedicate more time to the airport, there may be more things happening at the airport. Councilmember Lodzinski suggested a "Friends of the Benson Airport" committee, stating it would be different from advisory committees that were required by the FAA to seek construction funding and to develop a master plan, stating the advisory committee took on a larger role than approved by Council. Councilmember Lodzinski then stated this committee could lobby Council for permission to hold events at the airport, but it would remain in Council's control. Vice Mayor King stated there had been a lot invested into the airport and that he would like to be able to say "Look what we've done" in a positive way.

Mayor Fenn then stated the 10 year anniversary would help the Council focus on the airport. City Manager Glenn Nichols then stated Mr. Insalaco will be coming to Council to get permission to hold

the 10<sup>th</sup> anniversary event, and then come to Council with their plans and what they would like to do.

Discussion then turned to the objective to develop a nature trail along the San Pedro. City Manager Glenn Nichols addressed the Council stating that he had looked at the US Fish and Wildlife grant for birding trail and found there were a lot of things in the grant agreement that were not followed. Mr. Nichols then stated there was the issue with the pending lawsuit with Mr. Hartley of the San Pedro Golf Course and that the attorneys were working on the settlement agreement and didn't come back and touch base with staff, instead sending the agreement to Council. Mr. Nichols then stated when Mr. Hartley came in a few months later, explaining what he wanted to do with part of the land at the golf course, he had an ALTA survey, which we never had. Mr. Nichols then stated that not only the golf course went to Mr. Hartley, but the surrounding property went to him also, including the birding trail. Mr. Nichols then stated that last week, he had sent letters and checks back to US Game & Wildlife and Kinder Morgan and informed them that we were cancelling the grant. Mr. Nichols stated this subject will be on the October 26th agenda.

City Attorney Mike Masee then addressed Council stating he had tried talking to Mr. Hartley's attorney, who alleged this was not a mistake, since the land conveyed to Mr. Hartley in the agreement was that all the land that was included in the original lease would be conveyed to him. Mr. Masee then stated the City improved the land as the landowner, but the land was subject to the lease agreement. Mr. Masee stated we're still discussing the issues with Mr. Hartley's attorney, stating that the legal description doesn't follow one road that Mr. Hartley thought it did, so he may give us land back to get the land he thinks he had. Mr. Masee then stated that meanwhile Mr. Hartley has a few ideas on what to do with it and doesn't want to just give it back to us.

Mayor Fenn asked if the City should pursue the birding trail in some fashion, with City Attorney Mike Masee stating that Mr. Hartley is also thinking of a conservation easement, which he's discussing with Mr. Hartley's attorney. Mr. Masee then indicated that if a conservation easement is in place, the trail would still be open to the public. Mr. Masee then clarified that the birding trail is currently open to the public and that Mr. Hartley has done nothing with the property or anything to exclude the public, but that he does own it. City Manager Glenn Nichols then stated the City couldn't qualify for any grants to improve the property unless the City owned it. Mr. Nichols then stated we were looking at having the forest service come down to discuss the tamarisk in the San Pedro River that is almost up to the gas pipes, but now that we don't own the property, it's questionable and we'll have to see.

Discussion then turned to tourism with Mayor Fenn asking about the bed tax and our contribution to the Chamber of Commerce. City Manager Glenn Nichols indicated the partnership between the City and the Chamber is very positive. Mr. Nichols then stated he had discussed the possibility of increasing the bed tax, citing that bed tax is high everywhere, but that the City would have to raise it dramatically to make a difference. Mayor Fenn then stated he felt the Chamber was a good return on the Council's investment. Mr. Nichols then stated Mr. Bob Nilson, in the Tourism department worked very well with the Chamber and the he felt this partnership was very positive benefitting the entire community.

#### Goal 10 – Planning and Development

Discussion started with the first objective of hiring a City engineer. Council stated that had been done, but recognized that he was spread very thin over a lot of departments. City Manager Glenn Nichols indicated that he will work on the Planning & Zoning Director and Building Inspector positions right away.

The next objective was regarding downtown and Highway 80 and Highway 90, with Council realizing that due to the economy, the Arizona Department of Transportation (ADOT) was also addressing the issues of funding projects. Mayor Fenn stated he had spoken with Public Works Director Brad Hamilton and that the Interstate 10/Highway 90 project was moving forward and was

out to bid, stating this project will create a new off ramp, frontage road, will straighten the lanes and redo the interchange with both sides of the bridge being traffic controlled with lights. Mayor Fenn then stated he was hoping for the enhancement element; not just a sterile bridge and asked if we had a design drawing and could a copy be given to Council. Mayor Fenn then stated if we were in high times and had developers knocking on our doors, things would be different; that in some ways, the current economic condition made Council's job easy and in some ways it made it harder.

Councilmember McGoffin asked if there were still inquiries from people wanting to bring businesses to Benson with City Manager Glenn Nichols indicating that Bob Nilson, Robert Mucci and himself had received inquiries. Vice Mayor King then inquired about the armory with Mr. Nichols stating it was still in the works, but that it was a long, slow process. Mr. Nichols then stated the City still didn't own the land for the proposed armory site and then stated the armory would be a positive project for both the National Guard and the City. City Attorney Mike Masee then stated he had contacted Wal-Mart regarding the deed to this land and would do so again.

Mayor Fenn then stated that when the economy turns around, that to kick start some things for Benson, Council may need to have an open approach and look to the objective under Planning & Development regarding the encouragement of development through incentives to lower or eliminate utility connection fees, permit fees, plan check fees, impact fees, etc. Mayor Fenn then stated that if someone came to Council to see how serious they are about kicking off development, Council needs to be prepared, asking Council if they were going to stick by the current fees or weigh the benefits and determine an offset. Mayor Fenn then asked Council for their thoughts. Vice Mayor King stated there are quite a few cities out there doing just that now, reducing or off-setting fees.

City Attorney Mike Masee then addressed Council saying that City Attorneys are unhappy with Council undercutting fees, explaining that State statutes make those fees difficult to impose in the first place, requiring a study to show what the development will cost, which supports the impact fees. Mr. Masee then said if Council then selectively or periodically backs off those fees, they run the risk of discrimination, stating Council can't impose or un-impose fees, for that matter, in a discriminatory manner, although some are. Mr. Masee then stated the legislature recently passed a law to prohibit cities and towns from increasing those fees and that many cities and towns would do additional studies allowing increases, such as cost of living increases, but that the legislature banned cities and towns from doing that and made it effective retroactive to July 1. Mr. Masee stated these are the types of issues that come into play and that the safest approach was if the City had something in place, to leave it, saying adjusting it from time to time runs the risk of invalidating all of it.

Mayor Fenn then stated that he understood, however, uncommon times calls for uncommon practices and asked if there is something that can be looked at that would have legal foundation that would allow Council to give an incentive for someone to do something and asked what would Council's mind be. Mr. Masee stated he would need to familiarize himself with our fees.

Mayor Fenn stated we have utility fees, impact fees and construction sales tax. Mr. Masee then stated the construction sales tax is a lot more committed to the discretion of Council, that impact fees are more of what he was talking about statutorily. Mr. Masee stated the construction sales tax can go up or down and doesn't have the same level of scrutiny as impact fees.

Councilmember Bonquet stated she agreed with Mr. Masee and that we shouldn't change impact fees, but if there are other fees that can be changed that aren't discriminating, that's fine, but the others should be left in place.

Mr. Masee stated he was not trying to argue or set policy, but wanted to give Council background on impact fees. Vice Mayor King asked if there were other areas, like the construction sales tax, that could be looked at. Councilmember Lodzinski then stated if Council were to lower the construction sales tax, it would be best to do it for a certain period of time, so it would apply equally for everyone.

Mayor Fenn stated a lot of remodeling projects don't fall under impact fees that still pay construction sales tax, so that may provide an incentive for more of those types of jobs. Vice Mayor King asked for this subject to be looked into. Mayor Fenn then stated he felt Council had to be open to providing incentives otherwise Benson could remain stagnant.

City Attorney Mike Masee stated he will do research and brief Council on their options; will give his legal opinions and inform Council what other entities are doing.

Mayor Fenn then stated Council would move to the next item on the agenda, with City Manager Glenn Nichols indicating he would like direction regarding the Strategic Plan first. Mayor Fenn then stated there were some items Council didn't touch on, but would like to see some summary overlay, eliminating some objectives, removing dates on objectives and updating the plan per the retreat.

## **2. Discussion concerning Council members' individual goals and objectives**

Mayor Fenn then opened this item stating as Councilmembers, they can do a lot of things mediocre or a few things well, that the current Council would remain together for approximately 18 months and he would like to know what Councilmembers would like to focus on. This would enable Councilmembers to be proactive on the areas they would like to work on and get more done. Mayor Fenn then stated for the rest of his tenure as Mayor, his focus would be with the infrastructure, including streets and wouldn't be so focused on other areas. Mayor Fenn then stated if any Councilmember didn't have an area they would like to focus on, it was fine, but that if each Councilmember chose an area to champion, they could really work on it for the next year.

Councilmember McGoffin stated she would like to focus on parks and recreation, activities for our youth and events for the community. Councilmember McGoffin stated she would like to get the plan in place for schedules and fees at the park, and would like to get the other side of Lion's park developed. Mayor Fenn then stated he felt she would excel in that area, stating the other reason he would like Councilmembers to select an area to champion, is that he would like to be able to direct citizens that address him with a parks issue to the Councilmember that is focusing on that area.

Councilmember Boncquet stated she would like to focus on Benson Clean & Beautiful, stating she had made contact with Mary Ann Scott about this program several months ago.

Vice Mayor King stated he would join hands with Councilmember McGoffin in parks and recreation. Councilmember McGoffin then stated her ideas would include community programs such as an informational presentation on prescription drug abuse. Vice Mayor King then stated he would like to add to that by encouraging stores and other businesses and community members to participate in not only our programs, but others' programs, such as the Back to School Fair, stating in other communities he has seen doctors' participate by giving eye tests and giving out shots.

Councilmember Lodzinski then stated he would like his focus to be primarily getting the climate set up to keep businesses and attract businesses and that he would like to bring local businesses together to let them know the City cares about them. Councilmember Lodzinski then stated he would like to continue working with Mr. Mucci on seminars and workshops and would like to see something done at the airport, stating he would like to see the land south of the airport opened up for development. Councilmember Lodzinski then stated he would also like to do something positive with the land south of Benson; possibly range restoration on land between the highways and the San Pedro to improve the watershed into the riparian area.

Councilmember Lambert stated he was interested in parks, noting that Vice Mayor King and Councilmember McGoffin were focusing on that issue. Councilmember Lambert then stated he would like to establish a Teen Council, and that he had talked to several people at the schools and SEABHS about this. Councilmember Lambert stated if we could get some type of cohesion between the teenagers, it could draw problems out into the open and they could bring issues to Council that

Council may be able to assist with. Councilmember Lambert then stated if the Council could help 1 out of 50 kids, it would be worth it to put some type of monetary value on the program to get it started, noting that some cities are putting \$3,000 - \$3,500 into the program annually and then the Teen Council has fund raisers to offset some of their costs. Councilmember Lambert then stated he would like to bring this issue to Council in the near future, after he had a chance to review some bylaws he had obtained from other cities. Councilmember Lambert then stated he wants to provide another positive activity by getting teens involved in government development and making them part of the action crew since they will be our future politicians and future business leaders.

Councilmember Sacco then stated he would continue working on the land development code and would like to bring it to Council in the next 45 days. Mayor Fenn asked if he had been working in conjunction with Planning & Zoning Commission with Councilmember Sacco confirming he had. Councilmember Sacco then stated the Planning & Zoning Commission has some issues that he would like to help them with. Councilmember Sacco then stated he would be working with Benson Clean & Beautiful and would like to promote local businesses.

Mayor Fenn then asked Council to focus on those chosen areas and think of some specific things that can be done and asked Council to make it their mantra for the next 18 months.

Councilmember Lambert thanked staff for their work in setting up the retreat and asked staff to send a letter to Michael Wright, who provided lunch.

Vice Mayor King then stated his final comment was that after being on Council so long, he realized he has seen the good years, the rough years and that the City was going through the hard years, due to the economy, but that the Council as a whole, was working well and that he was proud to be part of the Council and the City, thanking Councilmembers for all they have done.

**ADJOURNMENT:**

Councilmember Lodzinski moved to adjourn at 2:40 p.m. Seconded by Councilmember Boncquet. Motion passed 7-0.

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Mark M. Fenn, Mayor

ATTEST:

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Vicki L. Vivian, City Clerk