

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD SEPTEMBER 28, 2009 AT 7:00 P.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

**MAYOR FENN
OPENED THE MEETING AT 7:00 P.M. WITH
THE PLEDGE OF ALLEGIANCE.**

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

INVOCATION:

Mayor Fenn introduced Pastor Kirk Sorenson of the First Assembly of God who offered the invocation.

**EMPLOYEE
RECOGNITION:**

Mayor Fenn recognized Joe Rodriguez for 30 years of service with the City.

CALL TO THE PUBLIC:

None.

CITY MANAGER REPORT:

City Manager Glenn Nichols addressed Council, giving the dates of upcoming meetings and events.

September 29, 2009 – Community Watershed Alliance, 6:30 p.m., City Hall
October 6, 2009 – Planning & Zoning, 7:00 p.m., City Hall
October 12, 2009 – City Council Meeting, 7:00 p.m., City Hall
October 13, 2009 – Library Advisory Board Meeting, 4:00 p.m., City Library
October 17, 2009 – Historic Preservation Commission, 9:00 a.m., City Hall
October 26, 2009 – City Council Meeting, 7:00 p.m., City Hall
October 27, 2009 – Community Watershed Alliance, 6:30 p.m., City Hall

October 8, 2009 – Family Fire Prevention Open House, Wal-Mart
October 9-11, 2009 – Butterfield Stage Days, Lions Park
October 24, 2009 – “A Gathering of Artists & Friends”, Gallery of Dreams

Mayor Fenn then noted the Council would be holding a retreat on October 8, 2009.

PROCLAMATION:

Mayor Fenn then stated a proclamation would be read. Mayor Fenn then read a proclamation declaring the week of October 4-10, 2009 as “Fire Prevention Week”, urging residents to protect their homes and families by heeding the important safety messages and supporting the many public safety activities and effort of our local fire and emergency services, including the Family Fire Prevention Open House at Wal-Mart on October 8, 2009 from 3-6 p.m. Mayor Fenn then presented the proclamation to Benson Fire Chief Keith Spangler.

CONSENT AGENDA:

- 1a. Approval of Minutes of the September 14, 2009 Regular Meeting
- 1b. Appointment of Catherine Abernathy to the Benson Library Advisory Board
- 1c. Change of term dates for "Citizen at Large" appointments for the Public Safety Personnel Retirement Pension Board (PSPRS) for the Fire Department and the Police Department
- 1d. Invoices Processed from September 8, 2009 through September 21, 2009

Vice Mayor King moved to approve the Consent Agenda. Seconded by Councilmember McGoffin. Motion passed 7-0.

NEW BUSINESS:

1. **Approval of Change Order with Prime Paving Company for the City of Benson, Community Development Block Grant #112-09 Street Improvements (Phase 3) for \$38,825.52 for the paving project to include east Walker**

Public Works Director Brad Hamilton addressed Council stating with the reduction in the cost of the current project, this change order will extend the paving on east Walker from San Pedro to its terminus. Mr. Hamilton stated the City was working with SEAGO to verify east Walker would meet the required criteria for funding. Mayor Fenn then asked about the remaining funds in the grant with Mr. Hamilton stating if this change order is approved, there will be approximately \$80,000.00 left that will be available for a period of one year. Mayor Fenn then verified with Mr. Hamilton that another project utilizing those grant funds would be brought before Council. Councilmember Lodzinski moved to approve the change order with Prime Paving Company for the City of Benson, Community Development Block Grant #112-09 Street Improvement (Phase 3) for \$38,825.52 for the paving project to include east Walker. Seconded by Councilmember Sacco. Motion passed 7-0.

2. **Resolution 60-2009 of the Mayor and Council of the City of Benson, Arizona, approving and authorizing the execution of an Intergovernmental Agreement between the City of Benson ("City") and the State of Arizona through its Department of Public Safety ("DPS") to enhance Law Enforcement Services concerning the Interdiction and Prosecution of Gangs and Drugs**

Acting Police Chief Paul Moncada addressed Council stating this resolution would approve the renewal of an Intergovernmental Agreement (IGA) that Council approved in January, 2009 which expired in June, 2009. Mr. Moncada stated the only change in the proposed IGA would be the reduction in reimbursable expenses, changing from 85% to 75%. Councilmember Lodzinski asked about the success of the program with Mr. Moncada stating there have been several search warrants and arrests in the community. Mayor Fenn then asked if the assigned officer stayed within the City limits, with Mr. Moncada stating the squad usually stays within Cochise County, but if there is no operation being conducted, the officer's main focus is in Benson. Mayor Fenn then asked if the IGA was for a year, with Mr. Moncada indicating it was. Mr. Moncada then stated the reason the IGA was being brought to Council at this time, was due to the State's schedule of adopting a partial budget, which now allowed the IGA to be put in place. Councilmember Boncquet moved to approve Resolution 60-2009. Seconded by Vice Mayor King. Motion passed 7-0.

3. **Resolution 61-2009 of the Mayor and Council of the City of Benson, Arizona, approving an application for a grant for Library Construction Funds from the Arizona State Library and authorizing the expenditure of a matching amount from FY2010 Contingency Funds if the City is awarded the grant**

Library Director Peggy Scott addressed Council stating this grant, if awarded, would provide for a remodel of the entry area and the circulation area. Ms. Scott stated the grant was a 50% match and that the estimate for the project is approximately \$13,000 with the City's contribution being approximately \$6,500.00. Vice Mayor King stated the City library has many visitors and is probably

one of the busiest libraries in the County and that he feels this grant would benefit to the library and its patrons. City Manager Glenn Nichols then stated if the grant was awarded, the City's contribution would come from contingency funds, which are for "expenditures that are necessary for the efficient operation" of the City and that he felt it would be a good use of those funds for the library and the public. Councilmember McGoffin moved to approve Resolution 61-2009. Seconded by Councilmember Sacco. Motion passed 7-0.

4. **Presentation and review of the advertisements placed by the City in the Business Expansion Journal**

City Manager Glenn Nichols addressed Council stating these advertisements have been placed in the Business Expansion Journal with the first ad, which highlights transportation and distribution, appearing in the October issue with an article on transportation and distribution. Mr. Nichols then stated the second ad, which highlights solar energy, will appear in the November/December issue along with editorial articles on solar energy. Mr. Nichols then stated the Business Expansion Journal is distributed all over the country to people that are looking for business relocation. Mr. Nichols then stated there was also information regarding a "business expansion button" that will be available on the City's website, leading to our asset inventory and the Economic Development Subcommittee's Strategic Plan. Councilmember Lodzinski, chair of the Benson Economic Development Subcommittee, then stated transportation is a very big factor in choosing a business location, probably outranking employment, available employees and tax incentives available to businesses. Councilmember Lodzinski stated this is why the first advertisement emphasized the transportation options in Benson, with the railroad and the interstate highways and that it was also in the second advertisement. Councilmember Lodzinski then stated the second advertisement would be in the November/December issue which would focus on solar energy and would talk about solar energy in the Southwest and its availability and that our ad included a picture of the small solar panel that are in place at Arizona Electric. Councilmember Lodzinski then stated with the limited resources, the Economic Development Subcommittee is trying to get the most for their money and that hopefully these advertisements would reach those that would be pointing businesses our way. Mayor Fenn then asked about the cost of the advertisements with Mr. Nichols indicating each advertisement cost \$600.00. Councilmember Lodzinski then stated the "business expansion button" on the City's website would assist in tracking the success of the advertisements.

5. **Discussion and possible action regarding the Benson Economic Development Subcommittee's recommendation to the Benson City Council to approve City co-sponsorship with the Southeast Arizona Economic Development Group of the AE Motorsports & Clean Cities U.S. Department of Energy's "CNG and Idle Reduction Technologies National Road Show" to be held in Benson on November 12, 2009**

City Manager Glenn Nichols addressed Council stating Benson was one of the few small communities this road show would be stopping in. Mr. Nichols then stated they were to be contacting the Administrative office regarding the placement of a compressed natural gas conversion kit on one of the City vehicles. Mr. Nichols stated he had been involved in with a conversion kit in the past and that it works very well on utility vehicles. Mr. Nichols then stated the road show would also address idle reduction technologies that would allow vehicles to operate emergency lights without running the vehicle. Mr. Nichols then stated the co-sponsorship, if approved, would include the co-sponsorship of the Cochise Energy Expo, being held October 24, 2009, at no additional cost. Vice Mayor King stated this was something that showed the City of Benson is open to the future, is welcoming alternative energy and that the road show and the energy expo were good for the community and good advertising for the City. Vice Mayor King then moved to approve the co-sponsorship of the AE Motorsports & Clean Cities U.S. Department of Energy's "CNG and Idle Reduction Technologies National Road Show" to be held in Benson on November 12, 2009 and the Cochise Energy Expo to be held in Benson on October 24, 2009 with a monetary contribution of \$500.00. Seconded by Councilmember McGoffin. Motion passed 7-0.

6. Discussion and possible action regarding the appointment of Acting Police Chief Paul Moncada as Police Chief for the City of Benson

City Manager Glenn Nichols addressed Council stating since July, 2008 Acting Police Chief Paul Moncada has been running the department and has done an excellent job. Mr. Nichols stated he had spoken to some of the people that worked in the Police Department and to other people in the community and has received positive responses to the job that Mr. Moncada has done. Mr. Nichols then stated there have been numerous situations arise in the Police Department in the last few months and that Mr. Moncada had done an excellent job handling those situations, showing his ability to run the Benson Police Department and that it was now time for Mr. Moncada to have that opportunity. Mayor Fenn then stated the appointment of the Police Chief was the responsibility of the City Manager and that Council action would be an affirmation of that appointment. Mayor Fenn then opened the item for discussion. Vice Mayor King stated he had known Mr. Moncada for many years, thinks he's done an amazing job, is the right person for the job and has his approval for the Chief of Police. Councilmember Lambert stated he had spoken to several police officers and had gotten all positive comments, that he was very satisfied with the job Mr. Moncada was doing, the job he had done in the past and confident about the job Mr. Moncada will do in the future, wishing Mr. Moncada good luck in the future. Councilmember Sacco then stated he too, was satisfied with the job Mr. Moncada had done and that he felt Mr. Moncada was a definite asset to the City of Benson and welcomed him to the position of Police Chief. Mayor Fenn then stated that he approved and that he liked to be able to promote from within when we were able to find someone who was qualified. Mayor Fenn then moved to approve the action of the City Manager in the appointment of Acting Police Chief Paul Moncada as Police Chief for the City of Benson. Seconded by Councilmember Sacco. Motion passed 7-0 after Councilmember McGoffin stated upon consulting with our City Attorney, she would be participating in the action.

COUNCIL DIRECTIVES:

None.

DEPARTMENT REPORTS:

None.

ADJOURNMENT:

Councilmember McGoffin moved to adjourn at 7:29 p.m. Seconded by Vice Mayor King. Motion passed 7-0.

Mark M. Fenn, Mayor

ATTEST:

Vicki L. Vivian, City Clerk