

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD SEPTEMBER 10, 2007 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 FENN, VICE MAYOR KING,
COUNCILMEMBERS LODZINSKI, SUAGEE, SACCO, TIPTON AND MCGOFFIN**

EMPLOYEE

RECOGNITION: Mayor Fenn recognized Clint Montijo for 15 years of service with the City of Benson.

Call to the Public: Steven Insalaco addressed Council regarding the Federal Aviation Administration Grant for Improvements at the Benson Municipal Airport. Mr. Insalaco suggested the City may wish to discuss with airport personnel placement of taxiway lighting and additional parking spaces. Mr. Insalaco also spoke of the installation of an Automated Weather Observers System and the many benefits it would bring to both the airport and the citizens of Benson.

CONSENT AGENDA: Councilmember McGoffin moved to approve the Consent Agenda with an amendment to the minutes of the August 27, 2007 minutes to read “the City’s strategic plan for the fire department called for ~~a Chief, Deputy Chief, Captain and~~ 9 full-time firefighters by the year 2009,”. Seconded by Councilmember Sacco. Motion passed 7-0.

- 1a. Approval of Minutes of August 27, 2007 Regular Meeting.
- 1b. Bills

NEW BUSINESS:

Final Plat for
Canyons III at
Whetstone Ranch:

Mike Lockett, Building Official addressed Council introducing Pat Lopez representing the developer. Mr. Lopez addressed Council and answered questions regarding the final plat. Questions included the 25 lots that are unable to feed into the plant due to terrain and are scheduled to have septic tanks installed. Mr. Lopez stated these lots must pass the required tests to have the septic tanks installed and if a lot cannot pass the required tests, it cannot be developed. Mr. Lopez also stated the developers have ongoing discussions with the St. David School Board. Council expressed desires to have parks and open space in all developments. Mr. Lopez stated there will be over 90 acres of open space and the developers are working on a “Rails to Trails” program to turn legally abandoned railroads to a trail system throughout the developments. Mr. Lopez also stated the developers are looking at the option of planning a park and ramadas. Vice Mayor King stated he would like to see an all-around park that can be utilized for different purposes. Mike Lockett then stated staff recommended approval of the final plat and the developer had made all requested changes. Councilmember Lodzinski moved to approve the Final Plat for Canyons III at Whetstone Ranch. Seconded by Councilmember Tipton. Motion passed 7-0.

Resolution 31-2007 of
the Mayor and Council
of the City of Benson,
Arizona entering into an
Independent Contractor's
Agreement with EEC for
Consulting Engineering
Services on an As-Needed

Basis: Brad Hamilton, Public Works Director addressed Council stating after advertising for consulting firms on an as-needed basis, a committee reviewed the contracts and recommended those brought to Council. Mr. Hamilton addressed the process of development review and informed Council the process will now change to include the City. The developer will submit plans to the City and the City will then send them out as needed. The developer will cover the cost of the process through development fees. Mr. Hamilton stated by having more than one firm for development review, it would alleviate possible conflicts of interest and the work load can be distributed if a firm becomes busy. Councilmember McGoffin moved to approve Resolution 31-2007 of the Mayor and Council of the City of Benson, Arizona entering into an Independent Contractor's Agreement with EEC for Consulting Engineering Services on an As-Needed Basis. Seconded by Councilmember Sacco. Motion passed 7-0.

Resolution 32-2007 of
the Mayor and Council
of the City of Benson,
Arizona, entering into an
Independent Contractor's
Agreement with Psomas for
Consulting Engineering
Services on an As-Needed

Basis: Councilmember Sacco moved to approve Resolution 32-2007 of the Mayor and Council of the City of Benson, Arizona entering into an Independent Contractor's Agreement with Psomas for Consulting Engineering Services on an As-Needed Basis. Seconded by Councilmember Tipton. Motion passed 7-0.

Resolution 33-2007 of
the Mayor and Council
of the City of Benson,
Arizona, entering into an
Independent Contractor's
Agreement with Stantec for
Consulting Engineering
Services on an As-Needed

Basis: Brad Hamilton, Public Works Director addressed Council stating this contract would be for the airport only. Mr. Hamilton stated a committee reviewed the submitted contracts and recommended the contract for approval. Councilmember Suagee then stated a previous Councilmember had expressed concerns with Stantec. Mr. Hamilton stated there were two contracts submitted; Stantec and one other company in Colorado. The committee felt the City shouldn't pay for travel for that firm to address airport issues. City Manager Martin Roush then addressed Council stating the contract renews annually, but it is required for the City to process an Request for Proposal (RFP) every five (5) years. Mr. Roush then stated

Stantec, while benefiting from grants to the airport, has shown the City that they can acquire the maximum amount of grants for the City. Mr. Roush also stated that federal projects meeting federal guidelines and requirements are not simple. Mr. Roush stated that Stantec has proven they can do the job and he is extremely supportive of Stantec. Councilmember Suagee moved to approve Resolution 33-2007 of the Mayor and Council of the City of Benson, Arizona entering into an Independent Contractor's Agreement with Stantec for Consulting Engineering Services on an As-Needed Basis. Seconded by Councilmember McGoffin. Motion passed 6-1 with Councilmember Lodzinski voting present.

Resolution 34-2207 of the
Mayor and Council of the
City of Benson, Arizona,
to accept the United States of
America Federal Aviation
Administration Grant for
Improvements at the Benson
Municipal Airport

(AIP 3-04-0077-11): Brad Hamilton, Public Works Director addressed Council stating this grant is for additional parking spaces, installation of taxi way lighting and the installation of Automated Weather Reporting Equipment. Councilmember Suagee moved to approve Resolution 34-2007 of the Mayor and Council of the City of Benson, Arizona, to accept the United States of America Federal Aviation Administration Grant for Improvements at the Benson Municipal Airport (AIP 3-04-0077-11). Seconded by Councilmember Sacco. Motion passed 7-0.

Resolution 35-2007 of the
City of Benson, Arizona,
entering into Agreements
with Pavex Corporation,
for Benson Municipal
Airport (Automated
Weather Observers
System Equipment)
AWOS, (Medium
Intensity Taxiway
Lighting) MITL &
Parking Expansion:

Brad Hamilton, Public Works Director addressed Council stating the City along with its consultant had advertised a competitive bid for this project and the lowest qualified bidder was Pavex with a bid of \$541,213.00. Councilmember Suagee asked Mr. Hamilton if this project would address Mr. Insalaco's comments made in the call to the public. Mr. Hamilton stated the project addressed most of his comments, however, the sign lighting Mr. Insalaco spoke of is not specifically addressed in this project. Councilmember Lodzinski moved to approve Resolution 35-2007 of the City of Benson, Arizona, entering into Agreements with Pavex Corporation, for Benson Municipal Airport AWOS, MITL & Parking Expansion. Seconded by Vice Mayor King. Motion passed 7-0.

Resolution 36-2007 of
the City Council of the
City of Benson, approving
the Proceedings of the
Industrial Development
Authority of the City of
Benson and its Issuance
of Education Revenue
Bonds (21st Century Charter
School Project) Series 2007
in an Aggregate Principal
Amount of not to Exceed
Four Million Dollars
(\$4,000,000) and the
Execution and Delivery
by the Authority of an
Indenture of Trust, A Loan
Agreement, and A Bond
Purchase Agreement,
together with Related
Documents, and Declaring
an Emergency:

Martin Ryan, co-Counsel for the Benson Industrial Development Authority (IDA) addressed Council. Mr. Ryan stated the information presented to Council at the July 23, 2007 meeting and in a letter dated August 30, 2007 explained this project. Mr. Ryan then gave a brief presentation on what the IDA was attempting to accomplish. The IDA has applied for the designation of Certified Development Entity (CDE) to facilitate the process of assisting the funding for the 21st Century Charter School Project through the issuance of Education Revenue Bonds. Mr. Ryan stated that under Arizona Revised Statutes, the governing body has no liability for the repayment of the bonds issued. Mr. Ryan stated affidavits of the required publication of the public hearing notice had been submitted to the City Clerk and that the public hearing was held earlier on September 10, 2007 with two persons in attendance; Councilmember Tipton and one other gentleman. Mr. Ryan added that the Benson IDA earns income through application fees and annual administration fees which is intended to benefit local commercial and industrial development and that all investment activities of the Benson IDA must have Council approval. Councilmember Suagee moved to approve Resolution 36-2007 of the City Council of the City of Benson approving the Proceedings of the Industrial Development Authority of the City of Benson and its Issuance of Education Revenue Bonds (21st Century Charter School Project) Series 2007 in an Aggregate Principal Amount of not to Exceed Four Million Dollars (\$4,000,000) and the Execution and Delivery by the Authority of an Indenture of Trust, A Loan Agreement, and A Bond Purchase Agreement, together with Related Documents, and Declaring an Emergency. Seconded by Councilmember Tipton. Motion passed 7-0.

EXECUTIVE SESSION:

As per A.R.S. §38-431.03(A)(7), Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

Councilmember McGoffin moved to go into Executive Session at 7:55 p.m.
Seconded by Councilmember Lodzinski. Motion passed 7-0.

Council reconvened at 8:18 p.m.

COUNCIL DIRECTIVES:

None.

Adjournment: Councilmember Sacco moved to adjourn at 8:18 p.m. Seconded by
Councilmember Tipton. Motion passed 7-0.

ATTEST:

Mark M. Fenn, Mayor

Vicki L. Vivian, City Clerk