

**THE REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD JANUARY 8, 2007 AT 7:00 P.M.  
AT CITY HALL, 160 S. HUACHUCA, BENSON, ARIZONA**

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

**PRESENT WERE: MAYOR SCOTT, VICE MAYOR HAMILTON  
COUNCILMEMBERS FENN, KING, LODZINSKI, McGOFFIN, AND SUAGEE**

PUBLIC HEARING: Mayor Scott opened the public hearing to receive comments from the public regarding the Proposed Amendment to the City of Benson Zoning Regulations to add a Chapter addressing Regulations for Planned Area Developments at 7:01 p.m.

John Whiteside addressed Council stating the City already has a PAD Ordinance in place. This change will result in more traffic and higher density. The change was not successful in the General Development Plan and he feels it should not be successful in the Zoning Regulations. He submitted a letter to Council reiterating his concerns.

Call to the Public: Ruth Wilson of the Benson Historic Preservation Commission addressed Council regarding the City owned vacant residential lot at 173 W. 6<sup>th</sup> Street. Ms. Wilson stated her concern over the students building a home on the lot citing the quality of the finished project. She also stated that a suggestion had been given to her by Mayor Scott that the property could be sold and the money used to refurbish Apache Park. She concluded by stating a the lot should maintain the historic nature of the neighborhood and wished Council to consider all options and the Historic Preservation Commission would like to work out an agreeable solution.

Pat McGlumphy also addressed Council concerning the City owned vacant residential lot at 173 W. 6<sup>th</sup> Street. Ms. McGlumphy stated the Benson Historic Preservation Commission has been working with WLB on park refurbishing plans. Ms. McGlumphy would like to reflect the historic nature. She stated she would like to see the lot sold and the money designated to the Apache Park restoration.

Dianne Tipton declined, citing her comments were covered by the two previous speakers.

Kelly Johnson addressed Council regarding the City owned vacant residential lot at 173 W. 6<sup>th</sup> Street. Ms. Johnson commented that city property should be used for the good of the City.

Al Sacco addressed Council regarding the Proposed Code Amendment to allow the Building Official to issue building permits with the approved Partial Release of Assurance. Mr. Sacco expressed concerns over the responsibility of this issue belonging to Council or the Planning &

Zoning Commission. He requested Council take now action until it is researched.

Sylvia Burnside addressed Council regarding the Benson Arts Commission Bylaws. She would like to see membership adopted soon.

Mark Fenn addressed Council thanking the Benson Volunteer Fire Department and the Benson Police Department for their response and their professionalism at his jobsite. Mr. Fenn stated he saw city's finest hard at work first hand.

Ed Wagoner, a representative from Old Tucson Studios addressed Council at his Marketing Manager's request. He gave Council a brief update of upcoming film projects and stated Old Tucson Studios wants to work closely with tourism, the Chamber, and Benson businesses.

John Whiteside addressed Council regarding the Resolution 01-2007 appointing a City Engineer. Mr. Whiteside feels a city of our size does not need a full-time City Engineer. He then addressed Council regarding the New Position request for an Engineering Aide stating should work in the Planning & Zoning department. Mr. Whiteside then addressed Council regarding the City owned vacant residential lot at 173 W. 6<sup>th</sup> Street stating the City should not sell the property, but could possibly make it part of the park.

CONSENT AGENDA: Councilmember Suagee moved to approve the Consent Agenda. Seconded by Vice Mayor Hamilton. Motion passed 7-0.

- 1a. Approval of Minutes of December 11, 2006 Regular Meeting
- 1b. Approval of Minutes of December 18, 2006 Special Meeting
- 1c. Acceptance of resignation of Ray Adams from the Senior Center Advisory Board
- 1d. Removal of Sharon Roubos from the Senior Center Advisory Board
- 1e. Acceptance of Resignation of Helen Alto from Senior Center Advisory Board
- 1f. Appointment of Michael Almodobar to the Senior Center Advisory Board.
- 1g. Appointment of Pamela Schramel to the Senior Center Advisory Board
- 1h. Acceptance of Resignation of William Wells from the Benson Airport Master Plan Technical Advisory Committee
- 1i. Bills

OLD BUSINESS: None.

NEW BUSINESS:

Resolution 01-2007 of the Mayor  
and City council of Benson, Arizona

appointing a City Engineer: Councilmember Lodzinski moved to approve the Resolution 01-2007. Seconded by Councilmember King. Motion passed 7-0.

Development Review Standard  
Operating Procedures:

Martin Roush, City Manager addressed Council regarding the Development Review Standard Operating Procedures. Vice Mayor Hamilton thanked the staff for the procedures.

New Position Request:  
Engineering Aide for the  
Department o Public Works:

Councilmember Suagee moved to approve the new position request for the Engineering Aide. Seconded by Vice Mayor Hamilton. Motion passed 7-0.

Proposed Code Amendment to  
Allow the Building Official to  
issue building permits with the  
approved Partial Release  
of Assurance:

Councilmember Suagee moved to approve the Proposed Code Amendment to allow the Building Official to issue building permits with the approved Partial Release of Assurance amended with changes reflecting the following changes:

Section 14-10-9 – the second sentence reading “If all construction is found to be completed to ~~their~~ *his* satisfaction, then that inspection shall constitute the final inspection and the public works department will recommend final acceptance and/or the full release of assurances of the public improvements (including, but not limited to, street, paved shoulders, sidewalks, pedestrian paths, sewer infrastructure) to the City Council upon receipt of the follow items:”.

Section 14-10-9, Subsection B – the first sentence reading “The subdivider shall certify that all bills for labor and materials incorporated in the work have been paid and *shall* agree to indemnify and ~~save~~ *hold* harmless the city against any and all liens, claims of liens, suits, actions, damages, charges and expenses whatsoever, which the City may suffer arising out of the failure of the subdivider to pay for all labor performed and materials furnished in the construction of the required improvements”.

Article 14-12 – Issuance of Building Permits – the sentence reading “The City Building Official shall not issue building permits until all provisions of Section 14-10-9 have been ~~accepted by the City Council or~~ approved by the City Engineer”.

Councilmember Lodzinski seconded. Motion passed 6-1 with Councilmember King voting nay, citing the question of authority raised by Mr. Sacco at the Call to the Public.

Proposed Code Change  
to update Development,  
Permit and Plan Review  
Fees:

Martin Roush, City Manager addressed Council regarding the Proposed Code Change to update Development, Permit and Plan Review Fees. This item will be brought back to Council in the near future.

Resolution 02-2007 of the  
Mayor and City Council of  
Benson, Arizona prescribing  
the Compensation to be paid  
to the Mayor and City Council-  
members for the performance  
of their Official Duties:

Councilmember Suagee moved to approve 02-2007 effective with the 2007 Election and subsequent elections. Councilmember McGoffin seconded. Motion passed 6-1 with Councilmember Lodzinski voting nay.

Benson Arts Commission  
By-Laws:

Councilmember Fenn moved to approve the Benson Arts Commission By-Laws. Councilmember Suagee seconded. Motion passed 7-0.

Discussion and possible  
direction to City staff  
regarding the City owned  
vacant residential lot 173  
W. 6<sup>th</sup> Street:

Council asked members of the Benson Historic Preservation Commission what they would like to see built on the property. The present members stated they would like to see whatever is built to conform with Historic Preservation requirements and reflect the historic nature of the neighborhood. They would also like to see that money from the sale designated to refurbish Apache Park.

Councilmember Fenn then addressed Council over concerns expressed at the Call to the Public, stating it was never the intention to give the property to the school, but work with them helping the students in the shop program to develop skills and see construction as a future employment opportunity. After the project would be completed, with his voluntary supervision, it would be sold and then the money from the lot would be given to the City.

Council directed Staff to explore both options and bring them back to Council in the near future.

Annual Audit Approval for  
the City of Benson  
Fiscal Year 2005-2006:

Mr. Jim Usevitch, Colby & Co. addressed Council regarding the Annual Audit for the City of Benson Fiscal Year 2005-2006. Mr. Usevitch stated the City has a clean audit and this is the first time that Water and Solid Waste was in the black. He stated that Liquid Water was still in the red, but not as much as in previous years. Mr. Usevitch then commended Council for their decision to increase utility rates enabling the enterprise funds to pay for themselves, stating this issue is always a tough political issue. Councilmember Suagee moved to approve the Annual Audit for the City of Benson Fiscal Year 2005-2006. Seconded by Councilmember Lodzinski. Motion passed 7-0.

City of Benson, Finance  
Department Strategic  
Plan: Phase I:

Martin Roush, City Manager addressed Council regarding the City of Benson, Finance Department Strategic Plan: Phase I. Mr. Roush stated this plan sets a higher goal for the Finance Department producing more than what is expected regarding a budget. Mr. Roush stated how important the communication aspect is in a municipal budget and that future budgets would include narratives and be easier to understand, giving transparency to City Finance Operations.

Discussion and possible  
Direction to City staff  
regarding the City sponsored  
grant application for  
Tamarisk eradication and  
Native grass restoration:

Councilmember Suagee addressed Council regarding this item stating the City was made aware of this grant through the affiliation with the Coronado Resource Conservation & Development Area. This grant is from the US. Fish & Wildlife and is for \$25,000. It is an annual grant that can be applied for each year and can be utilized to improve the City's birding trail. Councilmember Suagee moved to approve a Resolution supporting this grant application. Seconded by Councilmember McGoffin. Motion passed 7-0.

COUNCIL DIRECTIVES:

None.

ADJOURNMENT:

Councilmember McGoffin moved to adjourn at 8:50 p.m.  
Seconded by Councilmember Lodzinski. Motion passed 7-0.

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George Scott, Mayor

ATTEST:

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Vicki L. Vivian, City Clerk