

CITY OF BENSON CITY COUNCIL JANUARY 27, 2014 – 5:00 P.M. REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON JANUARY 27, 2014 AT 5:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

Vicki L. Vivian, CMC, City Clerk

A G E N D A

The Council may discuss, consider and take possible action pertaining to the following:

CALL TO ORDER: The Call to Order will consist of the Mayor calling the Council to order. The Mayor or his designee shall then lead those present in the Pledge of Allegiance before introducing the invocation speaker, who will offer the invocation.

ROLL CALL: The City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

EMPLOYEE RECOGNITION: The Mayor shall use this time to present employment awards to those City employees or to present recognition awards for specific acts regarding public service, if any.

PROCLAMATION: None

PUBLIC HEARING: The Mayor and Council will be available to receive comments from the public regarding the use of approximately \$253,287 in Fiscal Year 2014 Federal Community Development Block Grant (CDBG) funds from the Arizona Department of Housing Regional Account (RA).

CALL TO THE PUBLIC: Communications and comments from the citizens regarding the City of Benson or other matters properly addressed to the City Council shall be heard by the Council. Such remarks shall be addressed to the Council as a whole and shall be limited to five (5) minutes unless additional time is granted by the Council. **

CITY MANAGER REPORT: The City Manager will update and inform the public of specific items of interest regarding City matters.

NEW BUSINESS:

1. Consent Agenda: *** **APPROVED**
 - 1a. Minutes of the December 23, 2013 Regular Meeting *
 - 1b. Minutes of the January 6, 2014 Special Meeting *
 - 1c. Appointment of Anita Gilmore as Chair of the City of Benson 4th of July Committee for 2014 *
 - 1d. Invoices processed for the period from January 3, 2014 through January 16, 2014 *
2. Presentation of the Parks and Recreation 2013 Survey Results – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** * **NO ACTION**
3. Presentation on the Relay for Life event and request of continued support and sponsorship of the event to include possible financial assistance – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** **APPROVED SUPPORT AND SPONSORSHIP OF ASSISTANCE, FACILITIES AND FINANCIAL ASSISTANCE IN THE AMOUNT OF \$1,500**
4. Request by the Benson/San Pedro Valley Chamber of Commerce and the Southeast Arizona Economic Development Group (SAEDG) for support and possible sponsorship of a Winter Resident Appreciation Day – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** **TABLED**
5. Update from the Southeast Arizona Economic Development Group (SAEDG) of their on-going projects and activities – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** **NO ACTION**
6. Resolution 1-2014 of the Mayor and Council of the City of Benson, Arizona, authorizing the submission of an application(s) for FY 2014 State Community Development Block Grant Funds, certifying that said application(s) meets the Community's previously identified housing and Community Development needs and the requirements of the State CDBG Program, and authorizing all actions necessary to implement and complete the activities outlined

in said application(s) – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** * **APPROVED**

7. Discussion and possible action on a request to fill three (3) Substitute/On-Call Bus Drivers positions for Benson Area Transit – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** * **APPROVED**
8. Discussion and possible action on a request to fill the Kitchen Cook position at the Benson City Grille/San Pedro Golf Course – **Brad Hamilton, P.E., Interim City Manager/Public Works Director / City Engineer** * **APPROVED**
9. Discussion and possible action regarding the contract between Bowlin Travel Centers, Inc. and the City of Benson for the billboard advertisements along Interstate 10 – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** * **APPROVED**
10. Discussion and possible action regarding a Contractor’s Agreement with Armstrong Consultants, Inc. for Consulting Engineering Services on an As-Needed Basis – **Brad Hamilton, P.E., Interim City Manager/Public Works Director/City Engineer** * **TABLED**
11. Discussion and possible direction to Staff regarding the revision of Chapter 9 of the Benson City Codes – **Vice Mayor Sacco and Councilmember Boyle** **WORKSESSION TO BE SCHEDULED ON CHAPTER 9 OF THE BENSON CITY CODES**
12. Discussion and possible direction to Staff regarding the revision of the Benson City Codes and other regulation documents of the City including but not limited to the Building Codes and Zoning Regulations – **Councilmember Boyle and Councilmember Brooks** **WORKSESSION TO BE SCHEDULED TO DISCUSS THE GENERAL DEVELOPMENT PLAN UPDATE PROCESS AND LEGAL REQUIREMENTS, BENSON CITY CODES AND OTHER REGULATION DOCUMENTS OF THE CITY**
13. Discussion and possible action to create an Economic Development Committee officially called “Economic Development Committee” and to discuss the process by which we will solicit, interview, select new members, and to decide the number of voting members to be on the committee along with a chairperson for the committee – **Vice Mayor Sacco and Councilmember Brooks** **DIRECTIVE TO STAFF TO CREATE AN ADVERTISEMENT TO SOLICIT POTENTIAL MEMBERS OF A COMMITTEE; TO BE BROUGHT TO COUNCIL FOR DISCUSSION AND POSSIBLE ACTION AT THE FEBRUARY 10, 2014 COUNCIL MEETING**
14. Discussion and possible action regarding a possible financial donation to the Crossroads Country Music & Poetry Gathering to be held March 28-30, 2014 in Benson, Arizona – **Mayor King** **APPROVED SPONSORSHIP OF FINANCIAL ASSISTANCE IN THE AMOUNT OF \$1,000**
15. Review and discussion of City Finances with emphasis on November, 2013 financial results, and the City’s financial position at November 30, 2013 – **Megan Moreno, Finance Director** * **NO ACTION**

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03(A)(3), Discussion or consultation for legal advice with the attorney or attorneys of the public body regarding the Mayor and Council approved investigation regarding RikerTek

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03 (A)(3) & (4), for discussion or consultation for legal advice with the attorney or attorneys of the public body regarding the City’s position and to instruct its attorney(s), in accordance with A.R.S. section 38-431.03(D), regarding pending litigation, Stagecoach Trails Mobile Home Court (MHC) vs. the City of Benson, Arizona, et. al. and 1983 Civil Rights Claim – Stagecoach Trails Mobile Home Court (MHC), LLC and Jay Kendrick vs. the City of Benson, Arizona, et al. and/or 1983 Civil Rights Claim – Dianne Tipton vs. the City of Benson, Arizona, et. al.

16. Discussion and possible action concerning Stagecoach Trails permit on Space #27 and any further action to challenge the validity or revocation of the permit – **Vice Mayor Sacco, Councilmember Boyle and Councilmember Brooks**

DEPARTMENT REPORTS: Written Department Reports will be provided to Councilmembers as part of the Council packet monthly.

ADJOURNMENT

POSTED this 24th day of January, 2014

Material related to the City Council meeting is available for public review the day before and the day of the meeting, during office hours, at the City Clerk’s Office located at 120 W. 6th Street, Benson, Arizona, 520-586-2245 x 2011.

All facilities are handicapped accessible. If you have a special accessibility need, please contact Vicki L. Vivian, City Clerk, at (520) 586-2245 or TDD: (520) 586-3624, no later than eight (8) hours before the scheduled meeting time.

Any invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

Executive Session – Upon a vote of the majority of the City Council, the Council may enter into Executive Session pursuant to Arizona Revised Statutes §38-431.03.

* Denotes an Exhibit in addition to the Council Communication

**** Call to the Public**

Arizona Revised Statutes §38-431.01(H) provides that “A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.” As such, Call to the Public agenda items are provided as a courtesy to allow citizens an opportunity to voice any concerns or opinions they may have regarding the City of Benson or other matters properly addressed to the City Council. However, in accordance with Arizona law, citizens need to understand that the City Council is not permitted to enter into a direct discussion with the citizens speaking on any issues of concern during the Call to the Public and no legal action can be taken, unless the matter is properly noticed on the agenda.

In order to speak during the Call to the Public, please complete the Call to the Public form requesting to do so.

***** Consent Agenda**

The Consent Agenda will be the first item under New Business and shall list separately distinct items requiring action by the City Council that are generally routine items not requiring Council discussion. A single motion will approve all items on the Consent Agenda, including any resolutions or ordinances, or claims/invoices that are of a routine nature. A Councilmember may remove any issue from the Consent Agenda, and that issue will be discussed and voted upon separately, immediately following the Consent Agenda under its proper regular category of New Business.