

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

**CALL TO ORDER:**

Mayor King called the meeting to order at 5:00 p.m. with the Pledge of the Allegiance.

**ROLL CALL:**

Present were: Mayor Toney D. King, Sr., Vice Mayor Al Sacco, Councilmembers Pat Boyle, Ron Brooks, Jeff Cook (arriving at 5:04 p.m.), Chris Moncada and Peter Wangsness.

Mayor King asked if there was a motion to start the meeting. Councilmember Moncada moved to start the Council meeting. Seconded by Councilmember Brooks. Motion passed 6-0.

Mayor King stated New Business Items 4 and 10 have been requested to be tabled by Mr. Scott of the Southeast Arizona Economic Development Group (SAEDG) and Interim City Manager Brad Hamilton. Councilmember Moncada moved to table New Business Items 4 and 10. Seconded by Councilmember Brooks. Motion passed 6-0.

Mayor King stated the Council would also be moving the executive sessions to the beginning of the meeting, noting it would assist in accommodating members of the public who wish to be in attendance for the open items of the Council meeting. Mayor King then introduced Pastor A.B. Blair of the First Baptist Church who gave the invocation.

**EMPLOYEE RECOGNITION:** None

**PROCLAMATION:** None

**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.

Vice Mayor Sacco moved to enter into an executive session with the Mayor and Council, the Interim City Manager, the City Attorneys, outside legal counsel Jeff Murray (via telephone) and the City Clerk at 5:03 p.m. Seconded by Councilmember Moncada. Motion passed 5-0 with Councilmember Brooks abstaining. Councilmember Cook arrived and entered into the executive session.

Council reconvened at 5:59 p.m.

Mayor King stated New Business Item 16 would be removed from the agenda, noting the City Attorney had been given direction.

**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

Councilmember Moncada moved to enter into an executive session with the Mayor and Council, the Interim City Manager, the City Attorneys and the City Clerk at 6:00 p.m. Seconded by Vice Mayor Sacco. Motion passed 7-0.

Council reconvened at 6:40 p.m.

## **CALL TO THE PUBLIC:**

Stephen Insalaco addressed the Council regarding New Business Item 13. Mr. Insalaco's statement will be retained with the Council packet.

Jim Grey stated he was present to report some good news and handed out copies of news articles commenting on economic development and tourism to Council. Mr. Grey stated the articles report on restaurant and bar sales and accommodation sales for Cochise County and for the City of Benson, adding the information on retail sales is not available yet. Mr. Grey then informed the Council that from October, 2012 to October, 2013, the County restaurant and bar sales were down 4.3% year-to-date, adding they have been down 19 of the last 25 months and accommodation sales are down 22.1%, adding they have been down 33 out of the last 37 months. Mr. Grey then stated for the City of Benson, restaurant and bar receipts were up 4.7% for the full year and were up 17.8% from 2012, adding sales have been up 10 of the past 12 months. Mr. Grey then stated accommodation sales for the City were up 34.4% for the first 10 months of 2013. Mr. Grey said the article goes on to say a lot of the increase in sales is due to the freeway construction being completed and while he is sure some of it is, the construction has only been completed for 6 months, and the data for the past 12 months suggests to him that the billboard signs are also responsible. Mr. Grey then spoke in favor of the Council approving the contract renewing the billboard signs for the City, adding the Council initially spoke about having 3 billboard signs and he thinks it would be a good idea to get a third sign to advertise the fact that the Benson School was the number 1 school in the State, referencing Ms. Figueroa's comments at the January 13, 2014 Council meeting. Mr. Grey then stated in tourist magazines and others, they report that people looking to move are looking for 3 things: good schools, recreation and a low cost of living. Mr. Grey then stated Voyager RV Park was voted the best park in the nation 17 years ago and they still advertise it, adding Butterfield RV Park was voted the best RV park when it was built and noted they also still use that claim in their advertising. Mr. Grey then stated the billboards are working and even though it may not be possible to track the success, when sales go up that much, the impact can be seen. Mr. Grey then urged Council, again, to renew the contract for the billboards and to consider adding another one to advertise the Benson School being the number 1 school in the State. Mr. Grey then stated the second news article he handed out was from the Mayor of Sierra Vista, and was a message on tourism and what an economic solution it was. Mr. Grey quoted the article, stating the Arizona Office of Tourism estimates that travel generates nearly \$75 million in Cochise County alone and provides for about 3,600 jobs. Mr. Grey then stated Sierra Vista has a plan they are going to be implementing, adding they are going to research and spend some money to find out how to attract more of that \$75 million to their community. Mr. Grey then stated again, he thinks the billboards are having a good, positive impact and Council should renew the contract to keep them.

David Thompson stated he owed Councilmember Brooks an apology, noting at the last Council meeting, he made the statement that Councilmember Brooks didn't have a City business license, but after Councilmember Brooks said he did have a City business license during the meeting, he looked into the matter and found that Councilmember Brooks does have and has had a City business license, though Councilmember Brooks does not have a contractor's license. Mr. Thompson then apologized to Councilmember Brooks, adding it's important that people be honest and correct. Mr. Thompson then stated at the last Council meeting, he was called a liar for making a true and verifiable statement, adding that kind of thing can lead to suits for slander and defamation of character, but he is older and understands those who don't stop to think before they speak. Mr. Thompson then stated he has built his life and his business on his word and on his handshake, adding he will let his peers and his God be the judge of that. Mr. Thompson then stated he understands that there is a local agitator that's going to go off on the Benson Volunteer Fire Department and because of that, he went in and requested a copy of the budget, adding the budget tells a lot of interesting things. Mr. Thompson stated for the residents who have a home in Benson, the City has about a \$500,000 Volunteer Fire Department budget, adding that includes 3 full-time people; the Fire Chief, the Administrator and a dispatcher, but the rest of the money goes to fuel, maintenance and everything else that is needed to operate the equipment to keep Benson residents safe. Mr. Thompson then stated the other day, he went by the Fire Department to talk to the Chief about this, but the Chief was out on business, adding one of the volunteers came over and Mr. Thompson asked them what they were doing. Mr. Thompson then stated the volunteer firefighter, who was in uniform, told him they were washing trucks and maintaining equipment. Mr. Thompson then asked the firefighter if they were paid for doing those things and how they were paid, with the firefighter telling Mr.

Thompson the compensation they receive is \$5.00 per call. Mr. Thompson then stated \$5.00 for each call probably doesn't even pay their gas back and forth. Mr. Thompson then asked what would happen if the City got rid of the Volunteer Fire Department and what would happen if the residents called 911 and received a recording telling them no one was available.

Barbara Nunn addressed the Council about bullying, stating it is not allowed in our schools and not allowed in the workplace, yet here at City Council meetings, the public is subjected to the town bully who doesn't even live in the City. Ms. Nunn then stated she talks to people every day who say they won't bother to come to the meetings because they have to hear the latest rant that has nothing to do with helping Benson, which is what the meeting is supposed to be about. Ms. Nunn then stated it's a sad thing that people come to the meetings to watch the Mayor and some Councilmembers be directed and signaled from the audience. Ms. Nunn then asked about Benson and if that isn't what everyone is supposed to be here for. Ms. Nunn then added she also supports the local volunteer firefighters.

J.T. Moffett addressed Council, stating he has been actively involved with City Council and the Benson community for years. Mr. Moffett then stated he has listened to various "experts" come to Council with plans for economic development and 2 weeks ago, he heard about a plan under the guise of economic development. Mr. Moffett then stated he wanted to read the true definition of economic development and provided copies of definitions to Council, adding due to time constraints, he would just read the definition from Wikipedia, stating "economic development generally refers to the sustained, concerted actions of policy makers and communities that promote the standard of living and economic health of a specific area. Economic development can also be referred to as the quantitative and qualitative changes in the economy. Such actions can involve multiple areas including development of human capital, critical infrastructure, regional competitiveness, environmental sustainability, social inclusion, health, safety, literacy, and other initiatives. Economic development differs from economic growth. Whereas economic development is a policy intervention endeavor with aims of economic and social well-being of people, economic growth is a phenomenon of market productivity and rise in GDP." Mr. Moffett then asked the Council to think back 2 weeks ago to the presentation from the Economic Development Subcommittee and Akos Kovach, and measure that presentation against the definition he read, asking if the plan presented was economic development or economic growth. Mr. Moffett then stated economic development differs from economic growth and if the Council saw the plan as economic growth, they needed to understand that they cannot put the cart before the horse. Mr. Moffett then asked if the plan succeeds in bringing 2,500 more people into Benson, who is going to police them, adding the Benson Police Department is still short officers and equipment needed to protect and serve the thousands of residents, businesses and visitors we have today. Mr. Moffett then asked where the influx of hundreds of new residents' kids will play ball, adding the City is at least 3 ball fields short for Little League, soccer and other sports in the park. Mr. Moffett then asked where the new residents are going to work, what the additional seniors and retirees are going to do and what building codes and property rights the new residents are going to be subject to. Mr. Moffett then stated these points and more are the true essence of economic development and are not once mentioned in the plan presented to the Council by Akos Kovach. Mr. Moffett then stated before the City begins to seriously entertain any proposals for economic growth, it must first address the social and community aspects of economic development. Mr. Moffett then asked Council to measure future requests for funding from economic development groups or individuals by this criteria and stated if there is not a plan to strengthen the social and human infrastructure, the Council should simply not fund the request. Mr. Moffett then stated he would like to remind Council that the City has been in an economic recession for the past 7 years and the emphasis needs to be on budget cuts, not pie in the sky pipedreams. Mr. Moffett then stated the exception to that statement is New Business Item 14, adding this event exemplifies what he is saying about economic development, noting the Crossroads County Music & Poetry Gathering is a charitable, cultural event that enhances the community with proceeds benefitting both the Benson FFA and the Senior Meals program. Mr. Moffett then stated the event encompasses a multi-generational social and family-style gathering while helping the youth and seniors as a direct result and is what he calls economic development. Mr. Moffett then stated, in closing, he wished again to commend Council for terminating both Jim Cox and RikerTek's contracts, adding since they wisely did so, they have saved the taxpayers of Benson over \$24,000.

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**

J.J. Kartchner and Clay Harper addressed Council stating they were present on behalf of the Crossroads Country Music & Poetry Gathering, adding this will be their second year hosting the event. Ms. Kartchner stated they are hoping the City will help with financial aid for advertising and other items that had to come out of their own pockets last year, which was roughly \$1,000. Ms. Kartchner stated the event would be held at the River Basin Ranch again this year, adding they thought about moving it to the Arena Bar, but family organizations requested it be kept at the ranch so it would be a more family-oriented environment. Mayor King stated the Council put funding in the budget for this event with Interim City Manager Brad Hamilton stating the budget contained \$1,000 for this event. Ms. Kartchner stated anything would be greatly appreciated, adding last year, all proceeds went to the Benson Chapter of the FFA and they would like to do it again this year. Mayor King stated he went to the event last year and it was absolutely amazing, adding there was even a singer there who was originally from Benson. Ms. Kartchner stated vendors will also be there and there will be a demonstration of ranch roping. Ms. Kartchner then stated in the community, there are lots of livestock and ranchers in the area, so they put on a demonstration because a lot of people have never seen that before. Ms. Kartchner then stated last year, they had about 100 new people that came to Benson as participants in the events and about 300 people a day came to the event, adding these people come into Benson and have meals and stay in the hotels for about 4 days, adding it's a great family event and it's growing, noting again, all proceeds will be going back to the Benson FFA. Ms. Kartchner then stated Mr. Harper would tell Council a little more about the event.

Clay Harper then addressed Council stating the event is to raise funds for the Benson FFA, while advocating agriculture through cowboy music and poetry, adding over the course of the last 60 years, people involved in agriculture declined from 60% of the population to under 2% of the population. Mr. Harper then stated this means the disconnect between the average person and the knowledge about their food source is at an all-time high. Mr. Harper then stated the number of young people wanting to pursue a career in agriculture is also at an all-time low, adding these 2 factors add up to the necessity of supporting the youth who are in agriculture and educating the general public about where their food comes from, however, given the choice between learning where their food comes from or being entertained, the average person will choose the latter. Mr. Harper stated the Crossroads Gathering is designed to introduce people to the genres of cowboy music and poetry to keep them entertained while teaching them about where their food comes from. Mr. Harper stated the entertainment portion is done through a unique contest and at the very least, the contestants will go home with 20 minutes of their own recorded live audio to use as a demo or to add to their other material to complete an album, adding 10 contestants will go home with over 30 minutes of audio with which they can release their own recorded live album and noted there is also prize money. Mr. Harper then stated the Crossroads Gathering also offers two open jam sessions, adding it doesn't matter if you're just beginning to play or if you have CDs out, people are welcome to join in these jams. Mr. Harper then stated another unique feature of these jams is that entertainers not in the contest are allowed to sell their CDs while they are there. Mr. Harper then stated booths for vendors are available, noting the cost is only \$75 without power and \$100 with power and this presents an opportunity for farm-to-fork agriculture producers to reach new customers and educate them about their product in a friendly atmosphere. Mr. Harper then stated there will also be a vicaro style roping while the Saturday portion of the contest is going on, adding unlike team roping and rodeo events, this style of roping mirrors the way cowboys actually doctored cattle on the ranch and rather than being a timed event, it is scored on finesse. Mr. Harper then stated money will be raised for the Benson FFA club through a dinner show and they are working on getting Baxter Black as the headline for the event, adding there will also be a Sunday night dance. Mr. Harper stated they are also working to get Bad Dog Bennett, a 13-time world champion mounted shooter and 2-time entertainer of the year at the National Finalists Rodeo and rodeos all over the country. Mr. Harper stated they will be working with Tucson radio and TV as much as they can and they hope to bring quite a few people down from Tucson and Phoenix to the Benson area. Mr. Harper then stated they appreciate any help from the Council.

Mayor King asked if Council had any questions with Councilmember Brooks asking about the location of the event. Ms. Kartchner stated it would be held at the River Basin Ranch at 1288 S. Astronomers Way. Councilmember Wangsness stated he attended last year with his wife and had a good time. Ms. Kartchner stated they try to keep the event very family-oriented and thanked Council for their consideration.

Councilmember Brooks stated someone else said some of the proceeds would be going to Meals on Wheels with Ms. Kartchner stating they are working on getting proceeds to both Benson FFA and Meals on Wheels and stating they would like to add that. Councilmember Brooks then stated all the profits go to non-profit organizations with Ms. Kartchner confirming this. Ms. Kartchner then stated Baxter Black donated his time last year and if his calendar is open, he will appear at the event again, adding he helped draw the crowd and he likes to give back to the community, noting they appreciate his time as well. Mr. Harper then stated Bad Dog Bennett would be offering his fee back also, if he is able to clear his schedule and participate. Councilmember Cook asked if the event would include any mounted shooting with Mr. Harper stating if Bad Dog Bennett is there, he will do a demonstration with his trick horse.

Mayor King moved to sponsor the Crossroads Country Music & Poetry Gathering in the amount of \$1,000. Seconded by Councilmember Wangsness. Motion passed 7-0.

**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).

Mayor King asked City Clerk Vicki Vivian to address the Council. Ms. Vivian stated this was the third public hearing, noting the first public hearing was held on December 9, 2013 and the second public hearing was held on December 23, 2013. Ms. Vivian then read a statement informing the public about the CDBG funds and criteria the projects must meet to be eligible for the funding. Mayor King then opened the public hearing at 7:10 p.m. stating there was no one signed up to speak during the public hearing and asked if there was anyone present who wished to speak.

Stephen Insalaco addressed Council stating he was unaware this grant could be used for street improvements and asked if there was a road in the City limits that is in worse condition than Aviation Drive. Councilmember Moncada stated he knew from discussions in previous grant cycles, CDBG funding can't be used for Aviation Drive, since the funding has to benefit low- and moderate-income persons. Councilmember Moncada then stated he agreed Aviation Drive was bad, but stated again, the funding could not be used to address it.

J.T. Moffett addressed Council stating he was just made aware there were things besides streets the City could use the money for. Mr. Moffett then stated his battle cry for a long time has been to benefit our senior citizens and youth in the community, adding he didn't know if the funds could be used for ball fields in the park, but if the Council could look into it, it would be greatly appreciated, since the City desperately needs these extra ball fields in the park. Mr. Moffett then stated the senior center is also in dire need of help with the senior meal program and the senior center programs alone are in desperate need of help, adding he thinks that is more important than sidewalks.

Councilmember Wangsness stated in mentioning the senior center, it was brought to his attention a while back that people going to the senior center have to get off into the street, because part of the sidewalk is blocked there. Councilmember Wangsness then stated he got the previous Interim City Manager to have a line painted there, but if the funding was available to widen the sidewalk in that area so they didn't have to go out into the street itself, it would be useful.

Mayor King then asked if there was anyone else present who wished to speak. After receiving no requests to speak, Mayor King closed the public hearing at 7:13 p.m.

### **CITY MANAGER REPORT:**

Interim City Manager Brad Hamilton addressed Council, giving the dates of upcoming meetings and events.

Monday, February 10, 2014	– City Council Worksession, 6:00 p.m., City Hall City Council Meeting, 7:00 p.m., City Hall
Tuesday, February 11, 2014	– Library Advisory Board, 4:00 p.m., Library
Monday, February 24, 2014	– City Council Worksession, 6:00 p.m., City Hall City Council Meeting, 7:00 p.m., City Hall

Tuesday, February 25, 2014 – Community Watershed Alliance, 6:30 p.m., City Hall

Monday, February 17, 2014 – Presidents' Day – City Offices Closed

## **NEW BUSINESS:**

### 1. **Consent Agenda**

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

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

### 2. **Presentation of the Parks and Recreation 2013 Survey Results**

Interim City Manager Brad Hamilton stated Dr. Rodriguez was here to present the results of the Parks and Recreation Survey to Council. Dr. Rodriguez addressed Council stating he was a faculty member at ASU and about 2 years ago they were approached to do a study to help the City understand Parks and Recreation services and the needs in the City of Benson. Dr. Rodriguez stated the City went through a process of collecting information from residents and that is what he is presenting. Dr. Rodriguez stated he wanted to thank the Council for supporting the project, adding without support, the project would not have been possible. Dr. Rodriguez then stated Recreation Coordinator Laura Parkin was amazing throughout the process and the City is very lucky to have someone so dedicated as she is to the community. Dr. Rodriguez then stated he would like to thank the Clerk's office for their assistance and the residents of Benson for participating in the survey. Dr. Rodriguez then stated Parks and Recreation services offer many possibilities and benefits including social, health and economic impacts, as well as provide opportunities for families and people to come together and give places for people to be physically active. Dr. Rodriguez stated Parks and Recreation services also have the potential for economic benefit by bringing in people from outside the City through cultural, sporting or other types of events, adding this gives the City the potential to increase revenues. Dr. Rodriguez then stated overall, Parks and Recreation is about increasing the quality of life of community residents. Dr. Rodriguez stated the study focused predominantly on what is needed and what can be done in the future, asking what residents are requesting, what they are needing and what else can be done.

Dr. Rodriguez then began his presentation stating data was collected in February, 2013, describing how the data was collected. Dr. Rodriguez then stated there were 4 main sections in the survey; General Activities, Information on Parks and Recreation existing services, Demographics and Child Recreation and School Behavior, adding school behavior was included so the City would have information to potentially go after some community grants that are available, particularly for kids walking to school. Dr. Rodriguez then stated the full report will be available on the City's website, but he would give a brief summary. Dr. Rodriguez then stated the top 3 recreation activities included walking/jogging/running, going on scenic drives and attending festivals and special events, adding the report gives a sense of individual interests throughout the community. Dr. Rodriguez stated in General Activities, people were passionate about families, being physically fit and outdoor recreation and social aspects, which were all important factors. Dr. Rodriguez then stated in the current services section, the report identifies components the City is doing well in, components the City could do better in and people's level of importance of each component. Dr. Rodriguez then stated the survey also addressed participation in current services, camps, clinics and sports, stating 76% of the respondents had visited the parks in the last 12 months, which is great to see. Dr. Rodriguez then stated the Demographic section reported there are no differences in participation of programs between renters and homeowners or differing marital statuses, but noted the participation rates of senior citizens had decreased, adding this may suggest a need for more senior services.

Dr. Rodriguez then stated overall, the Parks and Recreation experience seemed to be relatively a little higher and more positive, adding the quality of the current programs and services and the cost of programs rated a

little lower, but was still relatively high. Dr. Rodriguez then stated the availability of programs was a little lower, indicating there might be a need for additional services. Dr. Rodriguez then stated the survey also addressed methods of communication, stating the highest ranked way for the public to receive information was advice from family and friends, the newspaper and brochure mailing, which were all ranked higher than the City's website and flyers in school. Dr. Rodriguez then stated the recommendations for the future were to upgrade existing parks and facilities, to provide more youth and adult programs and to add upgrades to existing multipurpose trails, while lower scoring items were building new athletic facilities, building a lake and acquiring land, in that order.

Dr. Rodriguez then stated the City has seen a decrease in program and event participation from 2006, which could be due to many reasons, adding the data may have been collected differently with different comparisons. Dr. Rodriguez also noted the reason residents may not be satisfied with the opportunities to be with their family and be physically fit could also be from many things, such as a reaction to the economic downturn with people working more. Dr. Rodriguez stated this is something being seen everywhere, not just Benson, but noted it does present an opportunity within the community to provide additional services and to make it easier for people to be with their families and spend quality time with them, whether through events or programs. Dr. Rodriguez added it presents an opportunity for the Parks and Recreation Department to provide additional services, but noted additional personnel would be required to do so. Dr. Rodriguez then stated a follow up study targeting families would benefit the City in their efforts to understand how best to provide recreation services. Mayor and Council thanked Dr. Rodriguez for his presentation.

3. **Presentation on the Relay for Life event and request of continued support and sponsorship of the event to include possible financial assistance**

Lorraine Green, the event chair for the 2014 Relay for Life, addressed Council stating this is the third annual Relay for Life event and it will be held on April 12, 2014. Ms. Green then stated statistics indicate more than 500 people in Cochise County will be diagnosed with some form of cancer over the next 12 months which means there will be about 25 of them here in Benson. Ms. Green then stated this makes the Relay for Life an important fundraising event for the citizens of Benson, adding the money raised not only goes to research, but also to programs to help patients from the moment they are diagnosed. Mr. Green stated for the past 2 years, the City has provided employees to help set up the site, including setting up temporary fencing and striping the field and has sponsored the event with a financial contribution and this year, they are asking for the same assistance and sponsorship. City Clerk Vicki Vivian stated flyers on the event were distributed to the Council and were available on the back table for anyone who might be interested. Ms. Green then stated the first two events were held overnight, but this year, the event would be held from 11:00 a.m. on Saturday till 1:00 a.m. on Sunday, adding they are hoping this will result in more families attending. Councilmember Brooks asked about previous attendance with Ms. Green stating last year there were more than 20 teams participating with an average of 15 members per team, plus the people who came to see the vendors and support the event. Ms. Green then stated the event raised \$40,000 the first year, \$50,000 the second year and they hope to raise \$60,000 this year. Councilmember Moncada moved to approve sponsorship in the amount of \$1,500, the use of the park and employees to assist in set up as requested. Seconded by Mayor King. Motion passed 7-0.

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**

This item was tabled at the beginning of the meeting.

5. **Update from the Southeast Arizona Economic Development Group (SAEDG) of their on-going projects and activities**

SAEDG Director George Scott addressed Council giving a brief overview of the projects they are working on and gave Council a handout with the information, which will be retained with the Council packet. Mr. Scott stated SAEDG works on behalf of the City and the County, adding the first project he would like to update the Council on is the Rosemont Copper Mine. Mr. Scott stated they are 30 days into the 120 day permitting process and expect to have it completed by April 1 or May 1, at the latest. Mr. Scott then stated at that time,

they will get a record of the decision from the Forest Service, then a 404 permit from the Army Corps of Engineers, which takes a while. Mr. Scott then stated SAEDG, the Mayor and the Interim City Manager will be meeting with Rosemont Copper in the next month to discuss what is in the future for Benson as the project goes on. Mr. Scott then stated the next project he worked on in 2013 is the Red Horse Wind project between Benson and Willcox, adding it is a 50 megawatt wind project done by a group out of Texas. Mr. Scott stated the project got a slow start, but they are now clearing land and roads are being built. Mr. Scott stated this is a \$120 million project in Cochise County and when it is ready for construction, it will provide 50 construction jobs and at completion in 2015, will provide 5 permanent jobs to operate the facility. Mr. Scott then stated the next project he continues to work on is the SunZia Transmission line, adding he has worked on it for about 3 years. Mr. Scott stated this project is important to Benson because Mr. Graves and others have brought projects in that run into the problem of having no transmission line to carry electricity. Mr. Scott then stated the completion of the SunZia Transmission line will allow them to be able to bring some of the alternative energy projects online. Mr. Scott then stated he, along with members of the EDSC, continue to work on the Apache Powder Museum, adding he is working with Apache to find a suitable location for the museum and to put together a business plan that will assist with financing. Mr. Scott stated he will have more information in the next month or so, as it is determined who is going to own the project and they settle on a location, adding he is hoping it will be on 4th Street. Mr. Scott then stated he continues to work with Interim City Manager, Brad Hamilton and several others including the County and the Sierra Vista Economic Development Foundation on a local UAS test site for Benson and Cochise County. Mr. Scott then stated as it was already reported, Arizona did not get picked as a UAS test site, but with everyone's help, they are putting together a project for testing unmanned drones, adding a lot of that business can be brought to Benson. Mr. Scott then stated there are also clients at the airport waiting for Council action on shade ports and hangar space, adding he would like to see Council take action on those soon. Mr. Scott then stated he is also working with an equipment manufacturing company that is considering Benson as a location for their facility, adding it is a startup company and he is helping them put together a business plan. Mr. Scott then stated there are also people originally from Cochise County, who are talking about using Mr. Scott's facility to start their financial management company and may possibly locate it in Benson. Mr. Scott then stated as he mentioned earlier, he is working on 2 alternative energy projects for Benson and Cochise County and SAEDG also works with the Benson Clean & Beautiful committee on the mural projects.

Mr. Scott then stated a proposed project is a Winter Visitor Appreciation Event and he would like to request a worksession with the Council and any other entity who would be interested in discussing the possibilities for such an event. Mr. Scott stated he believes Benson is missing a lot of business by not taking care of the winter visitors and could keep parks filled if a few things were done. Mayor King thanked Mr. Scott for his presentation.

Mayor King then stated the Council would take a 5 minute break. Council reconvened at 8:00 p.m.

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)**

Interim City Manager Brad Hamilton stated the Council would need to choose a project, adding the only projects discussed that qualify are the sidewalks in north Benson and the ADA bathrooms in Lions Park. Mr. Hamilton then stated the suggestions brought up during the public hearing do not qualify, adding the sidewalk on Union Street is outside the low- to moderate-income area; the ball fields at the Park do not qualify since it doesn't address ADA deficiencies and the senior meals programs do not qualify because funds cannot be used for ongoing costs. Mr. Hamilton then stated he would recommend the selected projects be the sidewalks in north Benson and the ADA bathroom in Lions Parks.

Councilmember Brooks asked about walkways or a trail around the parks with Mr. Hamilton stating the project would have to be for ADA sidewalks and he could see if something like that could qualify for a future project. Councilmember Wangsness stated the sidewalk on Union Street may also qualify since it would address ADA issues. Mr. Hamilton stated he could check on these suggestions for future funding cycles.

Councilmember Moncada moved to approve Resolution 1-2014. Seconded by Vice Mayor Sacco. Motion passed 7-0.

7. **Discussion and possible action on a request to fill three (3) Substitute/On-Call Bus Drivers positions for Benson Area Transit**

Interim City Manager Brad Hamilton stated as part of the hiring freeze, this item was being brought to Council, adding the City needs on-call substitute bus drivers and needs to make sure they have CDLs and drug testing. Mr. Hamilton stated the substitute drivers would be utilized for vacations as needed and would only be paid for the time they work, adding they will not be paid when they do not work. Councilmember Brooks asked if these positions included any benefits with Mr. Hamilton stating the only benefit would be retirement but they would have to work 20 hours a week for more than 20 weeks and he didn't expect anyone to be out for 20 weeks.

Councilmember Cook stated he touched on this subject at the last meeting, noting the main responsibilities of Council is to hire the City Manager and the City Attorney and to set policy and procedure and yet, here the Council was, involving themselves as a Council in hiring and firing. Councilmember Cook stated again, this is the job of the City Manager, adding last week, this Council had to involve itself with the hiring of a seasonal part-time dishwasher, this week it's the substitute on-call bus drivers and in a few moments, it will be a cook, stating again, that is the job of the City Manager. Councilmember Cook stated he had a particular problem with this, in that he felt he wasn't given a win/win situation, but was given a lose/lose situation, adding he doesn't want to be seen in person or in the newspaper or the radio voting one way or the other because if he votes for it, it is viewed that he agrees with Council involving themselves in such action and if he votes against it, it is viewed that he is against employees. Councilmember Cook then stated he didn't want to vote on the issue or even be part of the discussion on the hiring, adding the only discussion he wanted to be a part of is that Council should not be involving itself in hiring issues, adding when it comes time to vote, he will not be voting.

Councilmember Brooks stated he had a rebuttal, stating Council wouldn't take so long to do it, it would be done. Councilmember Brooks then stated in this situation, the Council has to be careful who they are hiring. Councilmember Brooks then moved to approve the request to fill three (3) substitute/on-call bus drivers positions for the Benson Area Transit. Seconded by Councilmember Moncada. Motion passed 6-0 with Councilmember Cook abstaining.

8. **Discussion and possible action on a request to fill the Kitchen Cook position at the Benson City Grille/San Pedro Golf Course**

Interim City Manager Brad Hamilton stated Jay Tomerlin, Director of Golf Operations, was present to address Council. Mr. Tomerlin then stated this request is to fill the lead cook position due to the current lead cook giving a 2-week notice. Mr. Tomerlin then restated this is not an additional employee but will replace an employee who will be leaving, adding it is a key role and it is important to have someone who understands what they are doing, how to prep food and the health code regulations.

Councilmember Moncada asked if the position came with benefits with Mr. Tomerlin stating it was a full-time position with full-time benefits. Mr. Tomerlin then stated he hated to see Mr. Galleano leave the golf course, but noted Mr. Galleano would be reopening Galleano's, which is good for the City. Councilmember Moncada asked about the salary with Mr. Tomerlin stating the position pays around \$9.50 per hour or \$10.00 per hour with experience, adding it's a position that will be fairly easy to fill since it's full-time. Mr. Hamilton stated the position has a salary grade of 10, starting at \$9.35 per hour.

Councilmember Brooks asked about possibly bringing in a caterer for specialty events with Mr. Tomerlin stating to do so wouldn't fit with the current business plan, adding the golf course would lose revenue. Mr. Tomerlin then stated the golf course currently charges a facility fee to operate special events but if a different business plan is approved in the future, that could be changed.

Councilmember Brooks moved to approve the request to fill the Kitchen Cook position at the Benson City Grille/San Pedro Golf Course. Seconded by Councilmember Moncada. Motion passed 6-0 with Councilmember Cook abstaining.

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**

Interim City Manager Brad Hamilton addressed Council stating this item is to renew the contract for 2 billboards the City has, adding Mr. Bob Nilson, Tourism Director did a lot of the work for the billboards. Councilmember Moncada stated he knew the answer but would publicly like to have Staff answer the question of lighting the billboards. Mr. Hamilton stated the billboard company is working to get the billboard on the east side lit, adding it is in the City limits, so there are less issues, but the one on the west side requires working with an electrician and with Cochise County for the permitting process, which the City has no control over. Mr. Hamilton then stated the City is not being billed for lighting now, but when lighting is available; he will bring the issue back to Council.

Councilmember Brooks stated he really pushed for the signs to be up and he thought they would have a good impact on Benson since there are 12 million cars going by. Councilmember Brooks stated he had friends who stopped for fuel, took a look around and decided to invest in property here, adding they are full-time residents and have been here 15 years. Councilmember Brooks stated that probably happens quite often, adding the billboard signs are vital and he would like to see them lit. Councilmember Brooks then stated the billboard company is going to bill the City whether the billboards are lit or not, and he would hate to see it go another year without lighting. Councilmember Brooks then stated with a 24 hour Wal-mart, if traffic would get off the freeway, they may stay the night. Councilmember Brooks then stated he thinks the City needs the signs and would hope to add more at some point.

Mr. Hamilton agreed, stating Staff is pushing to have the lights completed, but the City cannot control the permitting processes outside of our jurisdiction or the contract work that needs to be done, adding Mr. Nilson has had discussions with the billboard company and they are definitely working on it. Mr. Hamilton then stated if more signs become available, he will bring the information to Council.

Councilmember Brooks asked if there was something in the City's lighting ordinance that was holding up the lights. Mr. Nilson then addressed Council stating the westbound sign is in the City limits and is currently lit from the bottom which is against the lighting ordinance. Mr. Nilson then stated it is very feasible to put new fixtures on it, but it is very expensive, however, the billboard company is working on it. Mr. Nilson then stated the billboard on the west side is only lit on one side, even though the permitting is to allow it to be lit on both sides. Mr. Nilson then stated when the billboard company called the County, the County stated the additional lights would be an upgrade, so the discussions between the County and the billboard company are continuing, but he knows the billboard company wants them lit as soon as possible.

Councilmember Brooks stated he knew the agenda states that the Council may approve 2 signs, but asked if it was possible to give a directive to Staff to let Council know if there are signs that open up on the south side, so Council could look at additional billboards. Mr. Nilson stated he did talk to the billboard company about other signs, but all the signs coming on eastbound I-10 are owned by Clear Channel, adding he has been in contact with them and if Council would like, Mr. Nilson will have them contact him if any other billboards become available. Council agreed they would like to know.

Councilmember Cook stated he heard in a Councilmember's earlier comments that the City was being billed for lighting on the billboards whether they are lit or not and wanted to make sure everyone knew that was not the case. Councilmember Cook then stated the contract states that the City will not be billed for lighting until the billboards are lit.

Councilmember Brooks then moved to approve the contract between Bowlin Travel Centers, Inc. and the City of Benson for the billboard advertisements along Interstate 10. Seconded by Vice Mayor Sacco. Motion passed 7-0.

10. **Discussion and possible action regarding a Contractor's Agreement with Armstrong Consultants, Inc. for Consulting Engineering Services on an As-Needed Basis**

This item was tabled at the beginning of the meeting.

11. **Discussion and possible direction to Staff regarding the revision of Chapter 9 of the Benson City Codes**

Vice Mayor Sacco stated he thought the Council should bring Chapter 9 forward and cast a vote for it. Building Official/Zoning Administrator Luis Garcia addressed Council stating Chapter 9 is one of the many codes that need attention, adding he thinks Council should have a worksession on the matter to discuss what Council's pleasure is, moving forward. Councilmember Wangsness asked about proposed revisions with Mr. Garcia stating Staff has participated in a community forum and has continuously gathered public input, but a worksession would be another step to be able to engage the community and see how they want their code to evolve. Councilmember Wangsness asked about documents for review with Mr. Garcia stating he would have Staff notes and hopefully, some red line and strike out versions. Councilmember Brooks stated the City has the current code and the revisions so the public can give their input.

Mr. Garcia then stated he would like to know what Council's desire is concerning Chapter 9, since it covers Health and Sanitation and includes garbage pickup and everything else in the chapter, adding he would like to have something more specific directed to Staff. Councilmember Brooks then asked Vice Mayor Sacco if he was more concerned with the enforcement codes on properties or Health and Sanitation. Vice Mayor Sacco stated he didn't want to answer that question. Councilmember Brooks then stated without any other direction, the Council would be looking at the entire chapter. Vice Mayor Sacco then asked if Chapter 9 was ready to go or not with Mr. Garcia stating Chapter 9 is currently in effect. Vice Mayor Sacco then asked if all the changes and updates have been incorporated to Chapter 9 with Mr. Garcia stating no worksessions on Chapter 9 have been held with Council, so there is nothing to move forward at this time, adding Staff would request a worksession to see what Council's desire would be. Vice Mayor Sacco then suggested a worksession on Chapter 9.

Interim City Manager Brad Hamilton asked if Staff could get direction on the priorities of Council, adding there are currently worksessions being held on Council Policies & Procedures. Councilmember Moncada stated he thought Chapter 9 would be a priority, adding if he remembered correctly, Council needed to take a break from the Council Policies & Procedures to allow time for the new City Attorney to review Council's proposed changes. Council concurred. Mr. Hamilton then stated he would be asking for the same direction during the next item of New Business.

Mr. Garcia then stated he would like to request more specifics on what Council would like to review in Chapter 9, adding he heard mention of enforcement policies and actions that pertain to premises and maintenance and he would like to have a Council consensus on the direction they wanted Staff to go. Councilmember Moncada stated he would like to work on building enforcement and premises maintenance, which is Article 9-2. Councilmember Wangsness stated the Council needed to review the City codes and should look at Chapter 9. Mr. Garcia stated Chapter 9 would address refuse pickup, which may have some potential contractual impacts, so Council may need to include the contract and see if the code is compliant. Councilmember Brooks stated the worksession could be held on Chapter 9 and the Council could skip parts as they went through it. City Attorney Gary Cohen clarified with Council the direction they were providing to Staff, adding the direction is to have a worksession regarding Chapter 9 in its entirety with Mr. Garcia agreeing that was the direction Council gave him. Council concurred and asked for the worksession to be held just prior to the next Council meeting. Councilmember Cook stated reviewing Chapter 9 would probably require multiple worksessions with Mr. Garcia agreeing multiple worksessions would be needed.

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 Brooks stated he knew a lot of things are outdated and in violation with the State, adding the Council needs to address these things and since Mr. Garcia expressed his opinion on the order they should be handled, Councilmember Brooks would like Mr. Garcia to address the Council.

Building Official/Zoning Administrator Luis Garcia addressed Council stating Councilmember Brooks asked Mr. Garcia to identify what codes and provisions require attention, adding they are the General Development Plan (GDP), the building code, Chapter 9 of the City Code and the Zoning Regulations. Mr. Garcia then stated Councilmember Brooks had asked him what he thought were the priority and stated in his professional opinion, the GDP and the building safety codes would be the most time sensitive since both have immediate impacts on the community if they are excluded from the conversation. Mr. Garcia then stated building safety codes have a direct tie with insurance premiums and the GDP has statutory requirements and timelines that need to be met. Mr. Garcia then stated Staff had the GDP process well on its way, but it fizzled out at the Council level, so it needs to be picked up and completed to be in a position to possibly give direction to future economic development.

Councilmember Brooks stated he would like to see a plan to address these and get public input, bringing that proposal to Council in worksessions or forums or whatever it takes to get this done. Councilmember Brooks then stated he would like Mr. Garcia's recommendation on how to do that, adding he would like to get the public involved, which would help dispel things in the past with changes in code and Council will have the public on board and will have their blessing along with it.

Mr. Garcia stated the GDP has very specific public participation guidelines and requirements in statute, which have been met at this time; however, he would need to confer with the City Attorney to see if the process would need to be started over due to the lapse in time, noting, again, this is something Staff would follow according to statute. Councilmember Brooks asked if Council would adopt the plan with Mr. Garcia stating an update to the GDP would then be presented to Council for action. Mr. Garcia then asked if Council wanted to schedule a worksession or some other method of public input to see what the priorities the updates to the code should be in, with Councilmember Brooks stating Mr. Garcia made it clear the GDP is the first thing that should be addressed, so that should be the first thing looked at to figure out the best way to get it to where Council can take action on it. Mr. Garcia stated if the direction from Council is to show attention to the GDP specifically, Staff is prepared to start immediately.

Interim City Manager Brad Hamilton stated his question in discussing the previous item was to find out what Council's priority was, whether it was the GDP or Chapter 9 of the city codes since Council directed Staff to schedule a worksession on Chapter 9 before the next Council meeting. Councilmember Moncada asked about a timeframe for approving the GDP update with Mr. Garcia stating Staff had multiple drafts published and held numerous public meetings at multiple venues; City Hall, Benson schools, Cochise College, adding Staff actually exceeded the public input requirements. Mr. Garcia then stated a draft update to the GDP was generated based on that public input, which the Planning & Zoning Commission recommended to Council for approval. Mr. Garcia then stated since it has been some time since the Planning & Zoning Commission's recommendation, he would have to defer to the City Attorney to determine if the process would need to be started over, adding Staff is willing to do whatever it would take to move forward and he would say the plan is quite well put together already.

Councilmember Moncada stated he thought the Council should start with Chapter 9 and the worksession before the next Council meeting, while Mr. Garcia consults with the City Attorney and can then report back to Council on the GDP process and if it needs to start over again, adding if it is determined that the update is ready for Council action, Council could put Chapter 9 aside and concentrate on the update to the GDP. Councilmember Wangsness stated he thought Chapter 9 was a priority since it was listed on the agenda as a separate item with Mr. Garcia stating neither of these two agenda items were initiated by Staff and the priority would be determined by Council, which is why Staff is seeking direction. Councilmember Brooks agreed with Councilmember Moncada stating if the update to the GDP has to be started over, some of that process doesn't involve Council, so they could continue working on Chapter 9 until the update is ready to bring to Council for action. Council concurred.

City Attorney Gary Cohen stated he would be happy to address the legal question regarding the GDP update process and the sooner he had the information from Staff to do so, the sooner he would have an answer. Mr. Garcia stated he would get Mr. Cohen the information as soon as possible.

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**

Councilmember Brooks stated he recognized the importance of an economic development group in Benson, adding Sierra Vista has two groups; one they pay for and now, their own committee. Councilmember Brooks then stated it is vital for Benson to have a group of individuals, businessmen and someone from each sector of the community; the senior community, the religious community, a number of individuals from the business community and at least 1 Councilmember as a representative for the City. Councilmember Brooks stated he wouldn't want to see the group limited as to how many people want to get involved, but it would need to have a limit as to how many people could vote, adding an odd number would be best. Councilmember Brooks then stated the process by which Council would form the committee is what he was looking for, adding Mr. Insalaco brought up a few points he hadn't heard before, that sound interesting. Councilmember Brooks then stated the selection of the new members is something that could come back to Council after they receive applications, adding there is a standard application for boards and commissions that he looked over and he would suggest using that form and soliciting for members.

Councilmember Boyle asked how would the Council solicit applicants with Councilmember Brooks stating they could advertise in the newspaper and then look over the applications and select members or Council could choose another option. Councilmember Brooks then stated the Board of Adjustments selected their own chair, vice chair and treasurer and he didn't know why the Council had chosen the chair of the Economic Development Subcommittee, but he would suggest the new committee selecting their own chair. Councilmember Brooks then stated there are a lot of factors involved, but sometimes people have special interests and maybe they should have no voting power on the committee, adding he doesn't want to see people who have their own interest, since the committee is for the community.

Vice Mayor Sacco stated he thought the normal practice was for the committee to choose its own chair. Councilmember Brooks then stated he didn't want the chair to have special interests since they would be a voting member. Councilmember Brooks then stated the committee would have bylaws, adding he thinks the committee would create those and the City had some standard bylaws that could be used. Councilmember Brooks then stated the City code would be the base in forming the committee and from there, any changes would have to be brought to Council for approval, adding Chapter 18 of the City code addresses boards, commissions and committees and basically tells how meetings are conducted, that they are subject to open meeting law and are responsible to the public and other things that must be followed.

Vice Mayor Sacco asked if the Planning & Zoning Commission had been involved, adding he didn't see any information that the Planning & Zoning Commission had reviewed this.

Councilmember Brooks stated Chapter 18 applied to all boards and commissions, and he is saying a new committee would need to follow the same code.

Vice Mayor Sacco stated he thought Council needed more definition and this was like writing a blank check, adding the item being discussed was the “Discussion and possible action to Staff regarding the revision of the Benson City Code and other regulation documents of the City, including but not limited to the building code and zoning regulations.” Council indicated the discussion on that item had concluded and they were discussing the next item of New Business, which was the possible action to create an economic development committee. Vice Mayor Sacco then stated Council would need to advertise for volunteers for the committee with Councilmember Brooks stating he would like to see all sectors in the City represented; the religious community, senior citizens and others and after Council receives applications, they could look at them as a Council and decide who would be voting members.

Vice Mayor Sacco suggested directing Staff to do some advertising with Councilmember Brooks stating Council is defining the process of soliciting, what form to use, if Council was looking for certain individuals from each sector of the City, how Council would want to review applications or interview applicants and how many voting members Council would like to appoint. Councilmember Brooks stated he could stipulate what he would want, but he would like Council to make those decisions.

Councilmember Moncada stated there should be no more than 7 voting members, adding anyone can come and participate, but voting should be limited to 7 or maybe 5 members. Vice Mayor Sacco agreed with 5 voting members. Councilmember Moncada then stated he thought 5 voting members would be best consisting of 1 Councilmember, 2 business owners and 2 citizens, again stating anyone could participate regardless of their background. Councilmember Wangsness stated communication studies don't recommend any more than 8 and agreed on 5 voting members, adding Council could always increase it to 7 voting members and he also agreed anyone could participate. Council concurred.

Vice Mayor Sacco stated Council should advertise first and see what they get from the public. Councilmember Brooks then stated the solicitation could say that the Council is looking for people from different sectors, such as the business sector, the religious sector, senior citizens and asked if there were any others. Councilmember Boyle mentioned youth representation. Councilmember Brooks then asked if Council would like to include other agencies like SEAGO or SAEDG, adding they could be members and could give updates to the committee, adding the Council could advertise for intergovernmental agencies to participate.

Councilmember Wangsness then stated if Council was going to adopt the statement of Goodwill given to Council by Mr. Insalaco, line 5 should be corrected to show, "While the idea of disagreement is an ~~enviable~~ inevitable fact of life in all endeavors, the applicant agrees to demonstrate respect, good will, and professionalism towards others when communicating their concerns of disagreement."

Councilmember Brooks asked if the City Clerk could put an advertisement together with City Clerk Vicki Vivian stating she would defer to the Interim City Manager, but would be happy to work with him on an advertisement. Interim City Manager Brad Hamilton stated they would work together on it. Councilmember Brooks then stated if it was ok with the Council, the advertisement could be sent to him and he would approve it with discussion by Council agreeing they should all review it.

City Attorney Gary Cohen stated at this point, rather than a motion being made that is being voted on regarding the precise procedural mechanism to create the committee, what he is hearing is a directive to Staff to come up with language for an advertisement to bring back to Council for approval at the next meeting, and in addition to direct with specificity the process by which the committee would be formed. Council concurred.

Councilmember Brooks stated he would like to note that he agreed with Mr. Insalaco about the committee name and felt it should be called the "Benson Economic Development Committee." Mr. Cohen stated that language could be included in the advertisement for Council's approval and subsequent motion with specificity as to the process by which the committee will be formed at the next Council meeting. Councilmember Brooks asked about the timeframe for which the advertisement would be placed and applications would come back to Council with Mr. Cohen stating the advertisement would be coming back for Council approval in 2 weeks. Councilmember Boyle stated he would like to consider radio ads as well with Mr. Hamilton stating when the ad is presented to Council for action, that direction could be included in the motion, if Council chose. Councilmember Brooks then asked about soliciting members on the City's utility bills with Mr. Hamilton stating it would take a full 4 weeks to do so, since billing is done in 4 separate cycles.

Councilmember Brooks then stated he didn't want to hold the committee specifically to the City of Benson. Mr. Cohen then stated at this point, the direction to Staff is in the next two weeks, Mayor and Council will be able to develop the specific process by which they want to see the committee formed, and it can be brought back in a very specific motion in two weeks, hopefully with draft advertisement language acceptable to Council. Councilmember Brooks asked when the advertisement would be done with Mr. Hamilton stating the advertisement language would be brought to Council for review and approval at the next Council meeting. Councilmember Brooks stated there was no sense in waiting that long and suggested Council approving something now. City Clerk Vicki Vivian stated the items for the next Council meeting were due to the Clerk's

office in 3 days, noting this gave Staff 3 days to work on the advertisement language. Councilmember Brooks then asked if Council would approve the language when they received the Council packets and wouldn't have to wait until the Council meeting with both City Attorney Gary Cohen and Ms. Vivian stating the Council would have to take that action in an open meeting.

Councilmember Brooks stated he didn't want to go through that and whatever advertisement Staff had would be good, adding the City needs this committee and waiting to approve advertisement language is going to prolong it. Mr. Hamilton then asked Council if they were directing Staff to develop advertising language and publish it without bringing it back to Council for review and approval with Councilmember Brooks stating that would be his recommendation. Mayor King asked the Council for their opinions, with Councilmember Boyle asking if the advertisement could be emailed to the Council. Both Mr. Hamilton and Ms. Vivian stated an approval via email would still constitute action that would need to be done in an open meeting. Councilmember Brooks then stated the Council could designate 1 Councilmember to approve it with Councilmember Wangsness stating he would like to review it and Mayor King and Councilmember Moncada agreeing they would like to review it also. Mayor King then stated the Council should continue with direction given to Staff to bring the language for the ad back to Council for approval. Mr. Cohen stated he would like the record to reflect that the direction to do so is the consensus of the Council.

Councilmember Cook stated he may disagree with that, adding the Council used to have an economic development committee filled with people who were affiliated or oriented toward economic development, and asked why the Council needed to disband it and start another one, all at Councilmember Brooks' behest. Councilmember Cook then stated as long as that tail is wagging the dog, Council ought to just leave it to Councilmember Brooks to approve whatever language there is in the advertisement and everything else that goes along with this new economic development committee. Mayor King stated he strongly disagreed. Councilmember Wangsness also disagreed, stating he voted against disbanding the committee, but since it was done, he thought the Council needed to go forward now. Councilmember Cook stated he felt the Council was actually moving backward, by removing people who are affiliated with and oriented toward economic development and replacing them with other people, again stating he thinks that is moving backwards. Councilmember Wangsness stated it was already done and Council had no choice, since they couldn't go back with Councilmember Cook stating the Council could go back and reconstitute the economic development committee exactly the way it was, adding they could even add another member if they wanted. Councilmember Wangsness stated the issue had already been voted on with Councilmember Cook stating the Council could simply reconstitute the committee as it was. Councilmember Wangsness asked if Councilmember Cook thought such action would pass with Councilmember Cook stating he didn't know if it would pass or not, as he didn't coordinate votes with Councilmembers as other Councilmembers did.

Mr. Cohen then stated Staff had been directed by Council and we can move forward at this point. Council concurred.

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**

This item was moved to the beginning of the meeting.

15. **Review and discussion of City Finances with emphasis on November, 2013 financial results, and the City's financial position at November 30, 2013**

Finance Director Megan Moreno addressed Council stating with Council's permission, she would rather not go through each individual slide; Council agreed. Ms. Moreno then stated she would go over the summary and give Council the key things that happened in November. Ms. Moreno then stated November was a 3 payroll month, which meant personnel costs were elevated. Ms. Moreno then stated cash reserves increased due to the City being reimbursed for the ADA compliant bathrooms project at Lions Park for about \$100,000. Ms. Moreno then stated the General Fund through November, continued to operate in the red, however, the enterprise funds for the most part were operating in the black.

Ms. Moreno then briefly addressed revenues, stating there have been good increases in State-shared revenues and State-shared sales tax, which show the economy is picking up at the State level, adding this is encouraging, however, the City hasn't seen a significant increase in local sales tax collections, adding local sales tax revenue is hard to forecast. Ms. Moreno then briefly addressed expenses, stating a few meetings ago, Council implemented a hiring freeze, adding this will be a cost-saving measure; however, it doesn't have an immediate effect on the financials yet. Ms. Moreno then stated as the City starts to see attrition in positions, the City will start to realize some cost savings there and when it happens, she will report the information to Council.

Ms. Moreno then stated the only enterprise fund that operated in the red during the month of November was the Gas Fund, adding this is typical, and the City should see a turnaround in the coming months since January and February are the highest usage months for natural gas, which means increased revenues during those months. Ms. Moreno then stated the Golf Course continues to improve over the previous year and with the coming months being the busy time, the City should continue to see increases in revenue. Ms. Moreno then stated looking back where it was last year, golf operations are showing a 10% increase in revenues from 2012 and the restaurant has reduced personnel costs by 10% over 2012.

Councilmember Brooks noted the State retail sales tax is higher than it has been with Ms. Moreno stating the amount is consistently increasing year over year, which is a great indicator the economy is rising at State level. Councilmember Brooks noted the bed tax revenue is higher also with Ms. Moreno stating the bed tax is up from 2011, but is fairly consistent with where it's been this year and is right on par with where it was last year.

**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

This executive session was moved to the beginning of the meeting.

**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.

The executive session was moved to the beginning of the meeting.

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**

This item was removed after the executive sessions at the beginning of the meeting.

**DEPARTMENT REPORTS:** None

**ADJOURNMENT:**

Councilmember Moncada moved to adjourn at 9:06 p.m. Seconded by Councilmember Brooks. Motion passed 7-0.

ATTEST:

\_\_\_\_\_  
Vicki L. Vivian, CMC, City Clerk

\_\_\_\_\_  
Toney D. King, Sr., Mayor