

**THE SPECIAL MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD OCTOBER 18, 2013, AT 10:00 A.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

CALL TO ORDER:

Mayor King called the meeting to order at 10:07 a.m. with the Pledge of Allegiance.

ROLL CALL:

Present were: Mayor Toney D. King, Sr., Vice Mayor Al Sacco, Councilmembers Patrick Boyle, Ron Brooks and Jeff Cook (arriving at 1:20 p.m.). Absent were: Councilmembers Chris Moncada and Peter Wangness.

NEW BUSINESS:

EXECUTIVE SESSION: As per A.R.S. §38-431.03(A)(1), Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of public officer, appointee or employee of any public body. The Committee will discuss City Attorney interviews.

No executive session was held. Councilmember Brooks stated the Council had a list of questions to ask the applicants and since the Council was hiring a contractor and not a City employee, he didn't think there would be a problem asking additional questions if Council wanted to. Mayor King stated the Council could ask follow up questions if they wanted, but that all other questions needed to be consistent for all the applicants.

1. Interview of Justin Allred of the Allred Law Office for the position of the City Attorney

The Council interviewed Justin Allred. Councilmember Brooks then moved to take a 10 minute recess. Seconded by Councilmember Boyle. Motion passed 4-0. Council reconvened at 11:15 a.m.

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No executive session was held.

2. Interview of Hector Figueroa of Figueroa & Associates for the position of the City Attorney

The Council interviewed Hector Figueroa. Councilmember Brooks moved to adjourn until 1:15 p.m. Seconded by Councilmember Boyle. Motion passed 4-0. Council reconvened at 1:17 p.m.

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No executive session was held.

3. Interview of Roger Frazier of Gust Rosenfeld for the position of the City Attorney

The Council interviewed Roger Frazier. Mayor King stated the Council would take a 5 minute recess. Council reconvened at 2:25 p.m.

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No executive session was held.

4. Interview of Kelli Peterson of Mangum, Wall, Stoops & Warden for the position of the City Attorney

The Council interviewed Kelli Peterson. Mayor King stated the Council would take a 10 minute recess. Council reconvened at 3:15 p.m.

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No executive session was held.

5. Interview of Gary Cohen (or associate) of Mesch, Clark & Rothschild for the position of the City Attorney

The Council interviewed Gary Cohen. Mayor King stated the Council would take a 10 minute recess. Council reconvened at 4:19 p.m.

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No executive session was held.

6. Interview of John Brady of the Udall Law Firm for the position of the City Attorney

The Council interviewed John Brady. Councilmember Brooks then asked if Council would like to set a date to discuss the interviews and if the Council should have an executive session to do so. Mayor King agreed Council should set a date for a meeting to do so with Councilmember Brooks stating he didn't know if the weekend would give them enough time to make a decision. City Clerk Vicki Vivian asked if Council wanted to take into consideration giving the absent Councilmembers time to listen to the interviews with Council agreeing that Councilmembers Moncada and Wangsness should listen to the interviews and Councilmember Cook could listen to the portion of the interviews he was not present for. Councilmember Brooks stated he didn't want to make the decision without Councilmembers Moncada and Wangsness. Ms. Vivian stated she would have the audio recording out to all Councilmembers on October 19. Councilmember Brooks stated he would like to see the Council move along right away on this issue with Councilmember Cook stating a community forum was scheduled for October 21 and the Community Watershed Alliance was scheduled to hold their meeting on October 22. Council then discussed possible dates for meetings with City Clerk Vicki Vivian stating the Council was scheduled to hold a worksession on October 28 to continue the review and changes to the Council rules and procedures, adding the Council could change the subject of the worksession to discuss the City Attorney interviews and then have an item on the October 28 Regular Meeting agenda to take action, should they choose to do so. Councilmember Brooks stated that meeting would be 10 days from now with Ms. Vivian agreeing and stating she was working on producing packets for the October 28 meetings and they would be available on October 21. Vice Mayor Sacco asked if the packets were ready for the October 28 meeting with Ms. Vivian repeating the packets would be available on October 21. Council then agreed to a worksession on October 28 to discuss the City Attorney interviews and discussed having an executive session on the agenda with Ms. Vivian stating should Council choose to have an

executive session to discuss the candidates, she would need to notify them, adding they would then have the right to demand the discussion regarding them be conducted in the open meeting. Ms. Vivian then stated she had never seen it happen, but wanted Council to know it was a possibility. Council discussed the issue and decided an executive session was not necessary.

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No executive session was held.

ADJOURNMENT:

Councilmember Brooks moved to adjourn at 5:02 p.m. Seconded by Vice Mayor Sacco. Motion passed 5-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk