

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD APRIL 11, 2016 AT 7:00 P.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

CALL TO ORDER:

Mayor King called the meeting to order at 7:03 p.m. with the Pledge of Allegiance.

ROLL CALL:

Present were: Mayor Toney D. King, Sr., Vice Mayor Lori McGoffin, Councilmembers Pat Boyle, Jeff Cook, Joe Konrad, David Lambert and Chris Moncada.

EMPLOYEE RECOGNITION: See the minutes after New Business Item 2.

PROCLAMATION:

Mayor King read a proclamation of the Mayor and Council declaring the 21st of April as "PowerTalk 21@ Day."

PUBLIC HEARING:

City Clerk Vicki Vivian stated the public hearing was being held to receive comments from the public regarding a project for which financial assistance is being sought from the U.S. Department of Transportation, adding grant funds will be used to provide general public transit to the residents and visitors of the City of Benson and the surrounding communities.

Mayor King opened the public hearing at 7:07 p.m. Mayor King stated there was one person signed up to speak and invited Paul Lotsof to address the Council.

Paul Lotsof, a non-resident and business owner of the CAVE FM radio station in Benson, stated he thought it was significant that he was the only one signed up to speak at the public hearing and he feels the reason is that the purpose for the public hearing was not clear on the agenda. Mr. Lotsof stated the notice said funding had to be used for transit of some sort, but maybe it didn't. Mr. Lotsof then asked if there was only one possible use for the funding or if it was possible to use it for something else and if so, what it could be used for. Mr. Lotsof stated if the reason for the public hearing was clear and not so vague, there may be a better turnout.

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 7:09 p.m.

CALL TO THE PUBLIC:

Jim Thelander, La Mesa Drive, Benson, stated he has lived in Benson for 51 years and over the years, he has watched a lot of proposals come and go about increasing Benson's population, adding today the proposal is for the Villages at Vigneto and the Golf Course is being discussed. Mr. Thelander stated about 10 years ago when the economy was good, a lot of development was being proposed in Benson, but in 1965, the population in Benson was about 3,000 people and in 2015, the population was about 7,000. Mr. Thelander then stated the increase in population over 50 years is about 4,000 people which averages out to 80 people per year or 20 families per year. Mr. Thelander then stated that is important to know when the Council is looking at where the future is going, adding Benson gets a lot of talk about developments, but not a lot of results. Mr. Thelander then spoke about local and surrounding employer's increased employment, but that those hadn't really affected the population at any staggering rate. Mr. Thelander then

stated his point was that there is talk about development coming, but for 50 years it hasn't happened and asked where it would be coming from now.

Dan Barrera, a non-resident and owner of the Quarter Horse Motel in Benson, stated he and his wife own 10 acres in Benson with about 600 frontage feet and he has been asked by winter residents who own homes in his park to come to Council meetings to get them information regarding the quiet zones. Mr. Barrera stated the Council has directed Staff to follow up on the quiet zones and he hopes the study is being done. Mr. Barrera then stated he hoped as the Council gets ready to look at the budget, they please plan for upcoming expenditures related to the quiet zones, adding it is important to work with organizations, such as the Chamber and other businesses and to contact them to see what they think about the noise and the negative impact the train horns make. Mr. Barrera stated the train horns are inconsistent, sometimes being 2 horns or a continuous horn all throughout town and asked the Council to please continue to pursue the study to get the costs of establishing the quiet zones. Mr. Barrera then asked the Council to see what some of the businesses might be able to do, adding if the Council needs businesses to work as an ad hoc committee, they would be more than happy to work with Staff.

George Scott, Director of Southeast Arizona Economic Development Group (SAEDG), W. 4th Street, Benson, stated he was representing SAEDG regarding New Business Item 3; the golf course ponds and the possibility of an agreement with Arizona Game & Fish. Mr. Scott then stated he spent time at the Golf Course and has played golf, adding the Golf Course is one of the best assets the City owns. Mr. Scott then stated he knows the Golf Course Manager has done a lot of improvements and there are still some improvements needed and then stated a rezoning request (for property around the Golf Course) is going to be presented so the owner can possibly look at building homes around the Golf Course. Mr. Scott then stated he had an experience working with Arizona Game & Fish on ponds and the experience was not a good one. Mr. Scott then stated after the Council vote was tied on this issue, he did some research, adding if the Council wants fish or improvements to the ponds, which he thinks are needed, and they don't approve the agreement, he thinks donations can be gathered and he would be glad to help the Golf Course Manager and the City to put the money together to buy fish for the pond. Mr. Scott again stated if the Council doesn't approve the agreement, he would be glad to help put together a group of people and see if the improvements could still be done.

Tricia Gerrodette, Eagle Ride Drive, Sierra Vista, stated she was present to speak briefly about HB2568, which was proposed by State Representative David Gowan, adding she knew some of the Councilmembers were familiar with the bill's proposals as they had been quoted in the newspaper. Ms. Gerrodette then stated she was here to urge Councilmembers, individually since they couldn't do it collectively as a Council, to continue to speak with the State Representative and State Senator if Councilmembers were concerned about the proposals of the bill. Ms. Gerrodette then stated the terms of the bill would completely take away the Council's ability to put people on the governing board of a new (community facilities) district, adding she knows the Arizona League of Cities & Towns is concerned about the bill as well as some of the Council and she hopes the Councilmembers will stay engaged.

Paul Lotsof, a non-resident and owner of the CAVE FM radio station in Benson, stated there was a big change in the configuration of the traffic light at Wal-Mart, adding it used to be that the traffic was only stopped when someone wanted out of Wal-Mart, but now everyone gets stopped. Mr. Lotsof stated there is only 20 seconds of green light which results in wasting time, brake lining, fuel and when cars are stopped at the light instead of moving, it causes additional pollution. Mr. Lotsof then stated he would like the City Council to pass a resolution urging ADOT to go back to the old system of only stopping cars when someone is trying to get out of Wal-Mart. Mr. Lotsof then spoke about quiet zones, stating one of the three intersections/crossings is extremely problematic compared to other 2 and suggested the Council immediately try to reduce the noise of the 2 intersections/ crossings that are easy to do and let the other one go for a while. Mr. Lotsof stated this would reduce the noise by 2/3, which would be extremely significant and he hoped the Council would consider that approach.

Don Buchanan, River Road, St. David, stated he was glad to see the quiet zones on the agenda, but he was expecting Staff to say the budget won't handle the costs of the quiet zones. Mr. Buchanan then stated he also sees the agenda has proposals to hire Staff that will cost between \$106,000 and \$160,000, adding he understands 1 position is already filled and this would just be making it official at the Library, but the other 2 positions are not filled. Mr. Buchanan then spoke about the Council being aware of filling those 2 positions with non-exempt personnel, who would get paid overtime. Mr. Buchanan then spoke about concern over spending money on these positions and then not being able to spend money to establish quiet zones. Mr. Buchanan then stated he only hears the train horns when he gets up in the middle of the night, but he disagrees with Mr. Lotsof, adding that doing only part of the job isn't right. Mr. Buchanan then stated he has been in the State Senator's face over the changes in State law that State Representative David Gowan is pushing and Mr. Buchanan intends to keep pushing against that kind of change, adding it is foolish to take rights away from the people and give them to developers. Mr. Buchanan then asked the Council to not let rights regarding water of financial districts be taken away from citizens. Mr. Buchanan stated the Council needs to keep its power and fight against anyone who is attempting to take those rights.

Barbara Nunn, La Questa Drive, Benson, stated she hadn't attended several Council meetings due to a family death, but she had been following the usual suspects, who were doing everything in their power to stop any improvement to the City, including having Vigneto railroaded out of town. Ms. Nunn then stated a letter to the editor in last week's paper read that the Stagecoach Trails debacle cost the City \$1 million, which is not true. Ms. Nunn stated by spending a little time, she was able to discern the out of pocket cost was \$340,000. Ms. Nunn then stated the person who wrote the letter was able to vilify one of the Councilmembers, his entire family, his girlfriend, her brother and had the time to research the matter. Ms. Nunn then stated \$340,000 is an ugly number, but it certainly is not \$1million. Ms. Nunn then stated not many people come to Council meetings, but a lot of people read the paper and those people will never hear a rebuttal to that \$1million because Mr. Lotsof will not put her comments on the radio, adding Mr. Lotsof picks and chooses from the Call to the Public whatever favors the agenda he is backing, so again, no one will know the truth. Ms. Nunn then thanked the City for hiring Paul Teza back as the Animal Control Officer, adding he did a terrific job before and she thinks he will do so again. Ms. Nunn then stated when she leaves the San Pedro Clinic; she is thrilled to have the light in front of Wal-Mart because she needs to get across the lanes of traffic. Ms. Nunn then stated she would also buy some fish if the Council wants fish in the ponds at the Golf Course.

Dave Thompson, La Questa Drive, Benson, stated a lot of environmentalists are throwing things out there that are not true, adding a recent article said the area of the proposed Vigneto development is in a major flyway for millions of birds, but if that were the case, the sky would be black with millions of birds. Mr. Thompson stated he is out every day and doesn't see millions of birds, adding the number "millions" bothered him so he started looking at things people are concerned about. Mr. Thompson then stated people are concerned about the yellow-breasted cuckoo, adding the yellow-breasted cuckoo on the west coast migrates about 22,000 miles a year or 65 miles per day, they roost in trees, noting the word "tree" is important because there is not a tree in the area of the Vigneto project; there are mesquite bushes, but there are no trees. Mr. Thompson then stated the yellow-breasted cuckoo probably roosts in the riparian area because there are trees there. Mr. Thompson then stated when Vigneto builds, they will put in water features and trees, which will be creating a habitat for the yellow-breasted cuckoo, adding that bird is pretty rare on west coast, but there were 9.2 million on the east coast as of last year, noting they like that environment. Mr. Thompson then stated another concern is the northern Mexican garter snake, which grows up to about 4 feet long, likes water and trees and its main food is bird eggs, other snakes and mice. Mr. Thompson stated the northern Mexican garter snake lives in a water and tree environment, adding there are no water and trees in the development area now, but the developer says they will be putting those in, which will also be creating the environment the northern Mexican garter snakes like. Mr. Thompson then stated the article regarding the millions of birds in the sky, said groups were moving ahead with a lawsuit to stop all this stuff, adding all this stuff is the creation of a habitat so the yellow-breasted cuckoo and northern Mexican garter snake can live there. Mr. Thompson then stated he would also like to address another article he found written by someone in town, saying the article read that in 1978, that person did a Benson community survey of the kids at the high school and asked seniors what they planned to do when

they graduated with almost all of them saying they were leaving Benson. When they were asked why, the typical answer was there was nothing to do in Benson as far as being able to earn a decent income to support themselves and their families. There were no opportunities in Benson, unless it was working in fast food for minimum wage and 38 years later, very little has changed; in 1980, Benson had about 4,000 people and the economy was similar to now, servicing the snowbirds who are gone 7 months of the year. The article then read that today, Benson has over 5,000 people and there is still no good reason for young people to remain in Benson; Benson is one of the slowest growing communities and also one of the poorest because there isn't any opportunity. Mr. Thompson then stated the proposed development would bring opportunity and the Council should consider that. Mr. Thompson then stated the article was written by Paul Lotsof.

CITY MANAGER REPORT:

City Manager William Stephens addressed Council, giving the dates of upcoming meetings and events.

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| Tuesday, April 12, 2016 | – | Library Advisory Board, 4:00 p.m., City Library |
| Tuesday, April 12, 2016 | – | Planning & Zoning Commission Public Hearing, 7:00 p.m., City Hall |
| Tuesday, April 19, 2016 | – | Parks, Trails, Open Spaces Master Plan Public Open House, hourly presentations beginning at 3:00 p.m. to 7:00 p.m., Community Center, 705 W. Union Street |
| Wednesday, April 20, 2016 | – | Community Watershed Alliance, 6:00 p.m., City Hall |
| Monday, April 25, 2016 | – | City Council Meeting, 7:00 p.m., City Hall |

Mr. Stephens then stated for more events in Benson, the public could visit the City's website: www.cityofbenson.com under "What to do Today."

NEW BUSINESS:

1. Discussion and possible action on the Consent Agenda

- 1a. Minutes of the March 28, 2016 Regular Meeting
- 1b. Invoices processed for the period from March 21, 2016 through April 1, 2016

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

Mayor King then stated he was going to address New Business Item 8 next.

8. Discussion and possible direction to Staff to spend up to \$1,000.00 out of the Community Enrichment Fund to host three additional evening activities at the pool this summer

Recreation Coordinator Laura Parkin stated she and Cate Bradley with the National Parks Service met with Ms. Ragsdale and some of the students at the Benson Schools to talk about their ideas for the Parks, Trails and Open Spaces Master Plan, adding she had also been looking to expand some of the programs at the pool this summer. Ms. Parkin stated during the meeting, Ms. Ragsdale stated the kids need community service hours and the City needs volunteers, so they are partnering to do 3 additional activities at the pool. Ms. Parkin then stated she would let the students address the Council. Chloe Reynolds and Venessa Ramero from the Benson Middle School National Junior Honor Society took turns speaking and stated Ms. Parkin has been working with Ms. Ragsdale, the Middle School principal, to form a working relationship with the Benson Middle School National Junior Honor Society and this year, Staff would like to work with the students in planning and hosting a Family Swim & Dinner, a Teen Night and a Game Night at the pool, adding these events will all take place on a Friday night from 6-9 pm. On June 3, they would like to have a Family Swim & Dinner night, inviting families to come to the pool and be provided dinner; for this event they would need funding for food. On June 10, they would like to have a neon pool night for Teens

between the ages of 12 and 15; at this event, they would like to have music, snacks, neon products and raffle prizes and would need funding to do so. On June 24, they would like to have a Game Night open to families and have water games such as volleyball or water polo and would need money for game equipment and raffle prizes. The National Junior Honor Society would provide assistance with advertising and helping work the events. Councilmember Moncada stated the students gave a good presentation and answered all his questions. Councilmember Boyle asked where the proceeds from the raffle would go with Ms. Parkin stating the only charge will be the admission to the event and the prizes would be door prizes.

Councilmember Cook stated there is another agenda item which is an amendment to the budget to transfer money from the contingency fund and asked if an amendment to the budget was needed for this action with City Manager Bill Stephens stating the funding was not coming from the contingency fund, but would be coming from the Community Enrichment fund, should Council decide to approve the request. Finance Director Dustin DeSpain stated there was funding available in the Community Enrichment fund. Mayor King then thanked the students from the middle school, adding it takes courage to come forward and he appreciates their involvement. Mayor King then stated it would be great to have the City and the school working together to do this and then moved to approve the donation of \$1,000 from the Community Enrichment fund to host 3 evening activities at the pool this summer. Seconded by Councilmember Konrad. City Attorney Gary Cohen stated he believes based on the conversation and the agenda language that the record correctly reflects that this item is not a donation, but is an expenditure out of the Community Enrichment fund. Mayor King then amended his motion to clarify the expense was an expenditure and not a donation. Amended motion was seconded by Councilmember Konrad. Motion passed 7-0.

EMPLOYEE RECOGNITION:

Mayor King recognized Elisia Rodriguez for her 5 years of service with the City. Ms. Rodriguez was unable to attend the meeting; her supervisor, Director of Golf Operations Joe DelVecchio accepted the plaque on her behalf.

2. **Discussion and possible action regarding Resolution 11-2016 of the Mayor and Council of the City of Benson, Arizona, amending the Fiscal Year 2015-2016 Budget**

Public Works Director Brad Hamilton stated as he was directed at the last Council meeting, he has brought forward this resolution to transfer funding from the contingency reserve to CIP 07-02 to start the quiet zone study. Mr. Hamilton then stated he would like to point out that Staff is not against this project at all. Mayor King stated it would be \$16,000 for the required study and asked how long it would take with Mr. Hamilton stating he didn't know, but he could let the Council know after he issued the notice to proceed. Mayor King stated Staff has been working on this, starting with the information on the study and Mr. Hamilton can keep Mr. Barrera informed if he wishes. Mayor King then stated it's a good idea to get the study started. Councilmember Boyle asked what the parameters of the study would be with Mr. Hamilton stating the study will address the safety indexes being low enough to make sure the Federal Railroad Administration will issue quiet zones at all 3 crossings. Councilmember Boyle then asked if the study would tell what we needed to be done with Mr. Hamilton stating it would tell what needs to be done to bring the indexes down. Councilmember Boyle then stated the Council could then look at the physical things that need to be done. Mayor King asked if the study would be completed in time to address the issues in the upcoming budget with Mr. Hamilton stating he would know more in a week or two. Councilmember Konrad stated this is a pretty popular topic around town and he would like to ask if it were possible to have an update with every other City Manager's report with Mr. Stephens confirming he would do so.

Councilmember Cook stated he was in favor of spending money to pursue a quiet zone for all 3 crossings, however, the timing is bad, adding if this were to be considered in the upcoming fiscal year, he would be completely in favor of it, but right now, he sees making up at least some of the COLAs that have been denied to City employees 8 of the past 9 years, as well as the step-plan and merits. Councilmember Cook then stated again, he is completely in favor of this, except for the timing.

Councilmember Lambert stated he wanted to make it clear that the Council had this project as a CIP slotted for the Fiscal Year 2018-2019 and all the Council was doing now, was moving up the study into the current budget, which is why the Council needs to take the money from the contingency fund. Councilmember Lambert then restated the Council has been looking into the quiet zones and is now just moving the study up.

Vice Mayor McGoffin stated she didn't believe the City could only address 2 of the 3 railroad crossings with Mr. Hamilton confirming the quiet zone has to be at least ½ mile long, so it was an all or nothing proposition. Mayor King stated he believed that if the expense for the study would hurt the City right now, Finance Director Dustin DeSpain would let the Council know. Mayor King then stated the fiscal year is coming to an end and the Council will be studying the next budget, adding he thinks it's right to get the study started. Mayor King then moved to approve Resolution 11-2016. Seconded by Vice Mayor McGoffin. Motion passed 6-1 with Councilmember Cook voting nay.

3. **Discussion and possible action regarding Resolution 7-2016 of the Mayor and Council of the City of Benson, Arizona, approving the Safe Harbor Agreement for Topminnows and Pupfish in Arizona between the Arizona Game and Fish Department and the U.S. Fish and Wildlife Service and the City of Benson**

Mayor King moved to table this at this time, stating the City Attorney had requested information from the Arizona Game & Fish Department, but had not gotten any answers yet, adding since the Council doesn't have that information, the timing is not right to bring this issue back up. Mayor King repeated his motion to table the item. Seconded by Councilmember Moncada. City Attorney Gary Cohen then addressed Council stating he had questions concerning material terms of the Safe Harbor Agreement Landowner Certificate of Includement, adding he had reached out to the State to get that information but the State hasn't gotten back to him, noting it was his recommendation to table the item and once he received the information, he would notify Council. Mr. Cohen then stated the Council could then address this item on a future agenda, if they chose to do so. Motion passed 7-0.

4. **Discussion and possible action regarding the job description for an Executive Assistant to the City Manager**

City Manager Bill Stephens stated Council brought up the subject of Mr. Stephens needing additional assistance in the office so he could do other things and asked him to incorporate the requirements in a job description, adding the proposed job description stood out the most in regards to those tasks and was being brought forward for consideration, as requested. Mr. Stephens then stated the Council can discuss the proposed salary range is adjustable depending on Council, but noted the salary range was arrived at after looking at other municipalities that have this position.

Councilmember Konrad stated when the Council discussed this earlier in the year, he did talk about Mr. Stephens needing some assistance, but had remarked at that time that there is quite a difference between an administrative assistant and an executive assistant, adding after looking at the pay grade and what the duties may or may not be, he is more in favor of an administrative assistant rather than an executive assistant. Councilmember Konrad then stated if an executive assistant is needed, the position once existed in City Hall and it was held by a current employee, then stated some shifting of responsibilities could be done and the position could be filled internally without the need to create another job description at the proposed higher salary range. Councilmember Konrad then stated the Council just raised the sales tax rate by 1% last year and the City hasn't experienced any growth since that time, adding while he agrees Mr. Stephens needs help, he doesn't think an executive assistant is prudent at this time.

Councilmember Moncada stated he agreed with Councilmember Konrad and that the proposed job description is for a City that is a lot larger than Benson is at this point, but may be used in the future. Councilmember Moncada then stated Mr. Stephens does need help, but he thinks an administrative

assistant is more proper than an executive assistant. Councilmember Moncada then stated everyone will hear him say a lot that the .5% sales tax will be going away in 2018, adding it seems far away, but it will affect the next budget, noting \$500,000 of revenue will be going away and the Council needs to be careful how money is spent. Councilmember Moncada then stated Mr. Stephens has done without help for so long and he agrees Mr. Stephens does need help, but the Council needs to be careful about what positions are filled, again stating a year from now, the Council will be trying to find \$500,000 in revenue to make up for the decreased sales tax rate at that time. Councilmember Moncada then stated the assistance needs to be a different position, adding the proposed salary range is probably appropriate for the proposed job description, but he doesn't think the proposed job description is needed.

Mayor King stated Mr. Stephens needs help, whether it is from an administrative assistant or an executive assistant, adding between development and other things going on, Staff in the Administrative office needs help and the Council needs to come up with a solution and get it done, adding he can tell the Council that Mr. Stephens spends quite a bit of time at work and is there sometimes until 6 or 7 p.m. Mayor King then stated the Council can ask Mr. Stephens to rewrite the job description and bring it back to Council as soon as possible, but something needs to be done.

Councilmember Moncada stated he agreed something needed to be done, but that the Council has other positions that need to be filled, such as a Planning & Zoning Director and a Building Official, adding those positions are going to have to be hired soon and the Council needs to be cautious about where they spend money.

Councilmember Konrad then stated he would recommend an administrative assistant with a salary grade of 24 versus an executive assistant with a salary grade of XX. Councilmember Moncada stated if that was a motion, he would second it. Councilmember Cook stated that action was not on the agenda for Council to consider.

Mr. Stephens then stated the Council is proposing a different job description, then stated the executive assistant job description that is on the books is not what he needs, adding that job description was created years ago and is not effective for what is being done today. Mr. Stephens then stated he would have to go back and rewrite the proposed job description, but it wouldn't come before Council soon. Mr. Stephens then stated for \$25,000, he would prefer to transfer the position that was already in the Administrative Office back from the Fire Department, adding there would be no reason to spend \$25,000 to get someone who wouldn't be able to do some of the things he needs done. Mr. Stephens then stated he doesn't need someone who can just answer phones and type letters and stated there is more to the position. Mr. Stephens then stated the City is about to grow and already, he is very busy with meetings with El Dorado, adding he can't attend those meetings and attend to City business at the same time. Mr. Stephens then stated he needs someone who has a little more skill and ability, so he can give them direction and have them handle the project and get back to him, adding this multiplies his ability to get things done and again stated a \$25,000 administrative assistant isn't going to fulfill that task. Mr. Stephens then stated again, he would prefer to transfer the administrative assistant back from the Fire Department if that is what the Council is proposing or if the Council wants a different position, he can go back to the drawing board and create a different position that would encompass some of the duties the current position doesn't; then noted the current position was written to actually work for and serve the Council.

Councilmember Konrad stated the agenda item is for discussion and possible action regarding the job description and asked if a motion to not pursue the proposed job description was needed since it was already developed. Mayor King stated the Council could amend the job description or direct Mr. Stephens to amend it to fit the needs of the City at this time. Councilmember Konrad stated he didn't think there was a problem in creating the proposed job description, but as far as Mr. Stephens rearranging Staff to suit the needs of the City, it was well within Mr. Stephens' ability to do that, adding there doesn't need to be any Council action to direct Mr. Stephens to do so, again noting, Mr. Stephens is free to move people around as needed to make the City more efficient. Mr. Stephens confirmed this, then stated he would do so in concert with the City Council, adding he takes direction from the Council and would not arbitrarily make that

decision without Council knowing it. Mayor King then stated his only concern with moving an employee from the Fire Department to City Hall was the duties of the assistant at the Fire Department with Mr. Stephens stating the position at the Fire Department would have to be replaced because in the not too distant future, when development grows, the City will be creating a full-time Fire Department. Mayor King then expressed concern over moving the Fire Department assistant to City Hall, if the job descriptions would be changed from executive assistants to administrative assistants and what the process would be to replace the position at the Fire Department. Councilmember Boyle then stated the situation wasn't so complicated, adding he thought the Council should just deny the proposed job description and direct Mr. Stephens to come up with a new job description for their consideration.

Mayor King asked if anyone would like to make such a motion.

Councilmember Cook stated 4 of the Councilmembers had not weighed in on the issue yet. Councilmember Cook then stated he has watched Mr. Stephens in action for a couple hours at a time and can see that an administrative assistant is absolutely out of the question, adding that would be like hiring someone, putting them in an office, locking them in there 8 hours a day and expecting some kind of production out of them. Councilmember Cook stated Mr. Stephens does not have any work for an administrative assistant. Councilmember Cook then stated he has seen Mr. Stephens over and over with a need for the job functions outlined in the proposed job description and has seen Mr. Stephens' frustration when Councilmember Cook asks him about different things because he's trying to put out many different fires at once, is trying to gather as much information as he can and is trying to disseminate that information to a minimum of 7 Councilmembers and to other Staff members. Councilmember Cook then stated when he reads the proposed job description, he thinks Mr. Stephens knows completely what he needs and how the proposed job description would help City staff functions in the administrative office, which would benefit Council also. Councilmember Cook then stated he was wondering if the major problem was not so much the duties, as the proposed salary range and stated he thinks Mr. Stephens knows very well what he needs and maybe the Council could simply adjust the salary range down to make it work for all of the Council. Mayor King asked if Councilmember Cook would like to give an example of a salary range with Councilmember Cook stating there was already opposition to the proposed salary range, but maybe the Council could start the position at a lower pay grade and then as more development comes in, the Council could look at the additional responsibilities this person will have taken on and could then reclassify the position to a different pay grade. Councilmember Cook then stated he believes a lot of the proposed job description duties need to be done and with development coming, he sees the needs to have someone in the office help with the administrative part of that also. Councilmember Cook stated the Town of Buckeye has had a lot of development and has a person that deals with it, adding he thinks an administrative assistant would be doing a lot of that. Councilmember Cook then stated he knows development is still a little out, but development issues are going to start rolling in. Councilmember Cook then restated that the Council could lower the pay grade and then raise it as needed for the increased workload that will be coming with development, adding this person will be doing a lot of this, which will give Mr. Stephens a chance to do other things. Councilmember Cook then asked how much the salary should be adjusted and stated one possibility was to drop the minimum, mid-range and maximum salary by \$10,000 and then see if the Council agrees or not and Mr. Stephens could get his direction from the Council's comments and suggestions.

Councilmember Lambert stated he felt this was putting the cart before the horse, noting the Council is making it sound like Mr. Stephens is going to go out and hire someone right away, but all the Council is doing is looking at a job description at this point. Councilmember Lambert then stated he thinks an executive assistant is needed so when Mr. Stephens is away from the office, the executive assistant would be able to step into his shoes and do almost everything the City Manager can do instead of having to pull someone from somewhere else to be the Acting City Manager and not being able to do their job because they are wearing too many hats. Councilmember Lambert then stated the City would be better off if the Council approved this job description, adding the minimum salary is \$47,000 and the maximum salary is \$70,000, but that a higher salary would be due on experience and it would be up to the City Manager to come back to the Council and say that he wanted to hire someone for this position and that he found

someone with qualifications and because of those qualifications, Mr. Stephens feels that person is worth a higher salary. Councilmember Lambert then stated if Mr. Stephens can't find someone that fits the description, he would have to lower his standards and at that time, the Council can address the issue, but he thinks the Council needs to set the bar high because the City is going to need someone with the experience and the knowhow to run a city in the absence of the City Manager.

Councilmember Moncada stated he doesn't think the City is at the place or has the population where an assistant City Manager is needed. Councilmember Lambert then stated at this point, no one is being hired, adding it's not in the budget or anywhere else.

Vice Mayor McGoffin stated she has received several complaints that Mr. Stephens can't get back to people because he is very busy and unavailable, adding Staff has been cut to the bone everywhere and everyone is doing everything. Vice Mayor McGoffin then stated every position really needs to be considered. Vice Mayor McGoffin then asked if an assistant City Manager was needed and stated at this time, she didn't think so. Vice Mayor McGoffin then asked if development was coming; then stated she didn't know, adding development has been coming ever since she has been on the Council and still isn't here. Vice Mayor McGoffin then stated she hates hiring for things that are going to be coming and then are stuck with the positions because the Council doesn't want to lay anyone off, but she knows Mr. Stephens has a lot going on and he is trying to get everything done, noting Mr. Stephens manages his time very well for the time he has. Vice Mayor McGoffin then stated she thinks the Council should approve the job description so it will be ready for if and when it will be needed; then stated just because the job description is approved doesn't mean someone will be hired and noted there are a lot of positions that people haven't been hired for. Vice Mayor McGoffin then restated that she thinks the Council should approve the job description, but she didn't think someone should be hired at this time.

Councilmember Boyle then stated with the last financial presentation from the Finance Director, the Council discussed the amount of money brought in with the sales tax rate increase and that the City was doing better with the increase, but if the increase was subtracted back out, the result was that there was no growth and the only reason extra money was brought in was due to the increased rate. Councilmember Boyle then stated as Councilmember Moncada mentioned earlier, in a year and a half, .5% sales tax collections will be going away and the Council will have to choose to keep that .5% in place because of everything going on, but he felt the citizens would be better served by the little inconvenience caused by the time it takes things to get done as opposed to continue raising taxes in the future.

Councilmember Konrad stated he was looking at the budget approved last July and it contained a line item for an executive assistant for the City Manager with a pay grade of 30 with a minimum salary of \$31,864 and a maximum salary of \$47,797, but the proposed job description has a minimum salary of \$47,000. Councilmember Konrad then stated the Council needed to talk about this, adding he agrees we are not in a position to do this and there hasn't been any growth since last year, noting he knows Mr. Stephens needs help, but the City hasn't grown to the point of needing another position at that level in the Administration office.

Mayor King stated the last budget had the position at \$31,000 and asked if the Council could send this back to Mr. Stephens to have him adjust the pay to whatever is comparable. Mayor King then stated, approving this and hiring someone are two different things. Mayor King then stated the pay range could be changed to be from \$25,000 to \$40,000, if that was something that would satisfy Council as far as money. Mayor King then stated he hated to see wasted work on the job description, adding he knows Mr. Stephens put a lot of time and effort on this and if it's just the salary that is an issue, the Council can say what salary range they would like to see and the job description could then be presented to the Council again for consideration with a different pay grade.

Councilmember Konrad asked if it wouldn't be wise to look at the job description that goes with the current salary range already in the budget and see how it differs. Mayor King then asked Mr. Stephens to give each Councilmember the previous job description and asked each Councilmember to review both job

descriptions and meet with Mr. Stephens and give him ideas on what they were looking for, adding this would give each Councilmember the chance to say what they think the pay grade should be and then the revised job description could be brought back to Council. Mayor King then directed Mr. Stephens to get copies of the proposed job description along with the previous job description to the Council and in the next couple of weeks, each Councilmember could meet with Mr. Stephens in the next couple of weeks to discuss possible changes.

Mr. Stephens stated he would do that and would also provide Council a copy of the administration assistant position so they could see what that was as well. Mr. Stephens then stated he wanted the Council to understand that at the last meeting, the auditor commented that two years ago the City was on the verge of bankruptcy. Mr. Stephens then stated that was because the City's reserve fund had been depleted as a result of some unsustainable expenses, adding the way the reserve was built back up was literally on the backs of the employees, who were furloughed and through hiring and spending freezes, which is why there are positions that aren't filled now. Mr. Stephens then stated since then, the hiring freeze and the spending freeze is over and Staff is no longer on furloughs. Mr. Stephens then stated the sales tax increase helps to sustain the reserve at an acceptable level, adding each year, the City spends about \$1 million in the bond payment and the payment to Wal-Mart so the City needed to get back to a point where it wasn't on the verge of bankruptcy. Mr. Stephens then stated the sales tax increase not only keeps that sustainable amount in the reserve, but it also provides a little extra to do some other things and provide services to citizens. Mr. Stephens then stated some of the positions that aren't filled are actually on the books and funded, adding it wasn't a matter of being a newly created position; he just didn't fill them and wanted to make sure the Council knew that.

Councilmember Cook then spoke about the Council comparing the two job descriptions Mayor King asked Mr. Stephens to distribute to the Council and stated he didn't want Mr. Stephens to think the Council expects Mr. Stephens to compromise and give the Council some kind of a patchwork job description to consider that is such a horrible compromise that no one will be happy with it. Councilmember Cook then stated he thought Mr. Stephens had given the Council what was needed in the proposed job description, but he did see some validity in the concerns over the pay scale and what would happen if the development didn't happen. Councilmember Cook then stated if the development doesn't happen, it might be a problem keeping this person busy or productive and then asked the City Attorney if there was any way to make this position a temporary position for 1 or 2 years so the City wouldn't be stuck with a permanent position and be faced with possible lawsuits for eliminating the job after some time. City Attorney Gary Cohen stated it was possible to do so. Mayor King then confirmed the job could be a temporary job or possibly be renewed every 6 months or every year with Mr. Cohen stating there were ways to do so, but it was too complicated to discuss tonight. Mr. Cohen then stated for the record to be clearer, he would appreciate a motion to table this item until such time as information is provided back to the Council as directed. Councilmember Konrad then moved to table New Business Item 4 until such time as Mr. Stephens comes back to the Mayor and Council with the information the Council asked for. Seconded by Vice Mayor McGoffin. Motion passed 6-1 with Councilmember Lambert voting nay.

5. **Discussion and possible action regarding the job description for a Library Branch Manager**

City Manager Bill Stephens noted the former Library Director retired and then stated the position of the Library Director requires a college degree and in most cases Library Directors manage Library Branches, adding Library Branches have Branch Managers. Mr. Stephens then stated the City currently has 1 Library and it is more appropriate to have a Branch Manager, adding at some point in the future, when development occurs and population increases, there will be additional Library Branches and at that time, it would be appropriate to have a Library Director. Mr. Stephens then stated this new position also allows him to utilize current staff and make some adjustments which will result in having all library positions filled enabling Staff to reopen the library on Tuesday nights, Thursday nights and part of the day on Saturday.

Councilmember Cook asked what the former Library Director payscale was with Finance Director Dustin DeSpain stating the Library Director salary grade was 40, which has a salary range of \$40,789 to \$61,184.

Councilmember Konrad asked who the Branch Manager would report to with Mr. Stephens stating the Branch Manager would report to the City Manager. Vice Mayor McGoffin moved to approve the Library Branch Manager job description. Seconded by Mayor King. Motion passed 7-0.

6. **Discussion and possible action regarding the job description for a Human Resource Assistant**

City Manager Bill Stephens noted the former Human Resource Coordinator resigned and the position has been vacant mostly due to budget issues, adding those duties have been dispersed to 3 different people, but 1 person is really needed to consolidate those duties and have a cohesive process in Human Resources. Mr. Stephens then stated Staff looked at the Human Resource Coordinator position and is now bringing up the job description for a Human Resource Assistant, with a lower salary range, which saves the City some money and then added the proposed position is sufficient because the City Manager is the Human Resource Director with oversight of the Human Resources functions.

Councilmember Moncada stated he knew that Finance Director Dustin DeSpain and City Clerk Vicki Vivian were splitting the Human Resource duties and asked if they would still be doing that and the Human Resource Assistant would be assisting Mr. DeSpain and Ms. Vivian with Mr. Stephens stating they would not. Mr. Stephens stated the Human Resource Assistant would perform all the Human Resource duties and would report directly to the City Manager. Vice Mayor McGoffin moved to approve the Human Resource Assistant job description. Seconded by Councilmember Moncada. Motion passed 7-0.

7. **Discussion and possible action regarding the Greyhound Contract**

City Manager Bill Stephens stated some requirements of the Greyhound contract, such as handing errant luggage, freight and problems are taking a lot of Staff time, which is basically an expenditure of resources, noting Staff operates the Visitor Center, but instead are working as de facto Greyhound employees because they spend a lot of their time on Greyhound issues. Mr. Stephens then stated in addition, part of the reason the City entered into the contract was the potential revenue the City would gain from ticket sales at the Visitor Center, but most Greyhound customers purchase tickets online, which means Staff does the work for those ticket sales, but the City gets nothing for those. Mr. Stephens then stated Staff was also told that the Greyhound contract would suffice for certain requirements the City needed to meet in order to get and maintain a higher level of the transportation grant, but that is not the case, adding the City will not get the mileage credit from the Greyhound ticket sales. Mr. Stephens then stated it boils down to City employees doing Greyhound work, but not getting a fair exchange for the City, adding the recommendation is to terminate the contract, which is actually expired. Mr. Stephens then stated Staff has met with Greyhound leadership and Greyhound has alternatives in place at this moment, adding he hasn't had any negative feedback in regards to cancelling the contract.

Mayor King stated he has been at the Visitor Center when Staff has been working on Greyhound issues, such as trying to fix passenger ticket errors, adding it can take hours to try and fix things and it's taking its toll on Staff. Mayor King then stated terminating the contract will give Staff time to do their jobs. Mayor King then stated the City entered into the agreement for something that didn't work out and he thinks the Council should terminate the contract.

Mr. Stephens stated the recommendation was to terminate the agreement and give Greyhound a 30-day notice to allow them time to adjust to that change. Mr. Stephens then stated he didn't get into details, but Staff does spend a lot of time dealing with travelers, who, in some cases, are not very savory and are unfriendly, adding there have even been some hostile customers and Staff has needed Police Officers sent to the Visitor Center to handle the situation.

Councilmember Moncada asked if Staff explained that the City wasn't making money and if Greyhound offered more or if they offered assistance with Mr. Stephens stating the only thing offered was changing the computer system a bit to allow a little more convenience, but that change still wouldn't eliminate some of the issues mentioned. Councilmember Moncada then asked about staffing levels at the Visitor Center and

if it would change as a result of terminating the contract with Mr. Stephens stating the current Staff were already in place and weren't predicated on the Greyhound contract. Mr. Stephens then stated Staff saw the Greyhound contract as an opportunity to recreate what Benson already was, which was a central hub for transportation, noting Staff was simply trying to pull together a multi-connective transportation process where people could get off an Amtrak train, for example, and get on a Greyhound bus to go somewhere further in the County or they could come by bus and take local transportation to get to other locations in the County, creating multiple transportation opportunities. Mr. Stephens stated Staff was simply trying to facilitate that and at that time Greyhound was also looking for someone to contract with for bus service. Mr. Stephens then stated Greyhound would pursue other options, adding the bus service will still be available and Greyhound is looking to keep the bus service in the downtown area for travelers.

Vice Mayor McGoffin moved to cancel the Greyhound contract with a 30-day notice. Seconded by Mayor King.

Councilmember Cook stated most everything has been eluded to, but noted the present Council may not be here in the future and Greyhound may come back, so he wanted his comments on record. Councilmember Cook then stated he spends a lot of time at the Visitor Center using the internet service and he gets to see a lot of things that go on there, adding he was there when Staff had to call the Police on a Greyhound customer or when there have been customers with some sort of mental disturbance and City Staff handles those situations very well. Councilmember Cook then stated he had watched a Staff member stay at the Visitor Center until 6:50 p.m. on a Saturday evening after the Visitor Center closed at 5:00 p.m., just to babysit a Greyhound customer and be able to explain to the bus driver what went wrong with the customer's ticket and be able to get the customer on the bus. Councilmember Cook then stated he has also listed to a Staff member who was mentally and emotionally wringing her hands and wanting to dig into her own pocket to buy someone a ticket to get them out of the Visitor Center. Councilmember Cook then stated too many of these passengers are gaming the system and City employees for their own benefit, adding he thinks many of the customers have the money, but they want someone else to help them, then stated he knows some of the Greyhound customers would sleep overnight at the Visitor Center. Councilmember Cook then stated he was saying all of this because he wanted it to be on record for future Councils who may consider entering into another Greyhound contract, adding he wanted future Councils to know when this contract was going to be terminated and that he wasn't just saying these things as a citizen who watched these things happen, but as a Councilmember who could step in and be a witness regarding issues that happened. Councilmember Cook then stated too many times, he has heard employees say it took them 2 hours to get a customer a ticket and when he asks those employees what the City gets for that, he is told the customer bought their ticket online and the employee wasn't able to view or print the ticket, but they gladly worked on the problem to resolve it, but the City gets nothing for doing so. Councilmember Cook then stated Staff goes far above and beyond to serve Greyhound, who offers so little to the City and its residents.

Mayor King then called for a vote. The motion passed 7-0.

8. **Discussion and possible direction to Staff to spend up to \$1,000.00 out of the Community Enrichment Fund to host three additional evening activities at the pool this summer**

This item was addressed after New Business Item 1.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Lambert moved to adjourn the meeting at 8:37 p.m. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk