CITY OF BENSON
CITY COUNCIL
APRIL 22, 2013 – 7:00 P.M.
REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON APRIL 22, 2013 AT 7:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

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Vicki L. Vivian, CMC, City Clerk

A M E N D E D
A G E N D A

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

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

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

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

PROCLAMATION: A proclamation of the Mayor and Council declaring the month of May, 2012 as "Building Safety Month."

A proclamation of the Mayor and Council declaring May 10, 2013 as "Benson Poppy Day."

A proclamation of the Mayor and Council declaring the month of April as "Fair Housing Month."

PUBLIC HEARING: None

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

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

NEW BUSINESS:

1. Consent Agenda: *** APPROVED
   1a. Minutes of the February 25, 2013 Regular Meeting *
   1b. Minutes of the March 25, 2013 Regular Meeting *
   1c. Invoices processed for the period from March 30, 2013 through April 11, 2013 *

2. Presentation of Certified Audit Report for the City of Benson for the fiscal year ended June 30, 2012 – **Megan Moreno, Finance Director *** NO ACTION

3. Resolution 12-2013 of the Mayor and Council of the City of Benson, Arizona, Approving the supplemental salary deferral plan managed by ASRS and TIAA-CREF as an option for City employees' retirement savings accounts – **Megan Moreno, Finance Director** * APPROVED

4. Contract for Interim City Manager between Jim Cox and the City of Benson – **Jim Cox, Interim City Manager *** APPROVED WITH THE AMENDMENT TO CONTINUE WITH MR. COX'S CURRENT SALARY

5. Discussion and possible action regarding the sponsorship of the Benson High School Project Graduation Class of 2013 Committee to be held at the school on May 24, 2013, to include possible donation of funds – **Jim Cox, Interim City Manager *** SPONSORSHIP APPROVED WITH A DONATION OF $1,000

6. Resolution 10-2013 of the Mayor and Council of the City of Benson, Arizona, recommending approval of the issuance of a Series 10 (Beer/Wine Off-Sale) Liquor License at Dollar General Store #6629, 445 W. 4th Street,

Benson, Arizona – **Vicki Vivian, City Clerk** * APPROVED

7. Resolution 11-2013 of the Mayor and Council of the City of Benson, Arizona, approving a Mutual Aid Agreement with the Rincon Valley Fire District – **Keith Spangler, Fire Chief** * APPROVED

8. Discussion and possible direction to Staff on the Proposed Chapter 7, Development Services and Chapter 7.1, Administrative Hearings outside review or other Council direction – **Jim Cox, Interim City Manager** ITEM REMOVED FROM THE AGENDA

9. Review of City Finances with emphasis on March, 2013 financial results, the City's financial position at March 31, 2013 and discussion of expected future net revenue streams – **Megan Moreno, Finance Director** * NO ACTION

10. Discussion and possible direction to Staff regarding Benson City Code, Article 3-3, Council and Administration Relationships – **Toney D. King, Sr., Mayor** DIRECTIVE TO ATTORNEY TO MOVE FORWARD WITH A PROPOSED CODE AMENDMENT THAT INCLUDES A PENALTY PROVISION FOR VIOLATIONS OF ARTICLE 3-3

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

ADJOURNMENT

POSTED this 19th day of April, 2013

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

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

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

Executive Session – Upon a vote of the majority of the City Council, the Council may enter into Executive Session pursuant to Arizona Revised Statutes §38-431.03 (A)(3) (legal advice) to obtain legal advice on matters listed on the Agenda.

* Denotes an Exhibit in addition to the Council Communication

** Call to the Public

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

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

*** Consent Agenda

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