

CITY OF BENSON CITY COUNCIL MAY 12, 2014 – 7:00 P.M. REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON MAY 12, 2014 AT 7:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

Vicki L. Vivian, CMC, City Clerk

AGENDA

The Council may discuss, direct, consider and take possible action as indicated below 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 proclaiming the week of May 18 - May 24, 2014 as "National Public Works Week."

A proclamation of the Mayor and Council proclaiming the month of May as "Drug Court Month."

PUBLIC HEARING: The City Council will hold a public hearing on the proposed rezoning of parcels 124-01-010F AND 124-01-010G From RT Rural Transitional to B-2 General Business. The public hearing will be on May 12, 2014 at 7:00 p.m. at Benson City Hall, 120 W. 6th Street, Benson, Arizona. The purpose of this public hearing will be to receive comments from the public regarding a proposed rezoning. The proposed rezoning affects parcels 124-01-010F and 124-010G from RT Rural Transition to B-2 General Business.

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. Discussion and possible action on the Consent Agenda: ***
 - 1a. Minutes of the April 28, 2014 Regular Meeting *
 - 1b. Appointment of Gerald Thomson to the Historic Preservation Commission *
 - 1c. Invoices processed for the period from April 17, 2014 through April 30, 2014 *
2. Discussion and possible action regarding a Fireworks display contract between Fireworks Productions of Arizona, Ltd. and the City of Benson – **William Stephens, City Manager** *
3. Discussion and possible action to designate \$4,000.00 to advertise the 4th of July Festivities – **William Stephens, City Manager**
4. Discussion and possible action on Resolution 10-2014 of the Mayor and Council of the City of Benson, Arizona, recommending approval of the issuance of a Series 12 (Restaurant) Liquor License at Galleano's, 601 W. 4th Street, Benson, Arizona – **Vicki Vivian, CMC, City Clerk** *
5. Discussion and possible action on Ordinance 567 of the Mayor and Council of the City of Benson, Arizona, approving a request to rezone Assessor's parcel numbers 124-01-010F and 124-01-010G, from a Zoning District of Rural Transitional (RT) to General Business (B-2) – **Luis Garcia, Building Official/Zoning Administrator** *

6. Presentation on the Economic Impact of Parks and Recreation Services – **William Stephens, City Manager** *
7. Discussion and possible action regarding the cancellation of the May 26, 2014 Regular City Council Meeting – **William Stephens, City Manager**
8. Discussion and possible direction to Staff regarding establishing a gun range – **Councilmember Boyle**
9. Recognition of the CAVE FM Radio station for their 30 years of operation – **Councilmember Brooks** *
10. Appointments to the Benson Economic Development Committee Membership, to include appointing members in different term lengths to establish staggered terms and possible appointment of a temporary Chairperson until such time the committee elects its Chairperson – **Councilmembers Boyle and Brooks**
11. Appointments to the Benson Airport Advisory Committee Membership, to include appointing members in different term lengths to establish staggered terms and possible appointment of a temporary Chairperson until such time the committee elects its Chairperson – **Councilmembers Boyle and Brooks**
12. Discussion and possible direction to the City Manager to cut employee expenses by 10% for the Fiscal Year 2014-2015 budget – **Councilmember Brooks**

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.

13. Discussion and possible action to approve and authorize execution of a proposed settlement agreement for pending litigation cases: 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 1983 Civil Rights Claim – Dianne Tipton vs. the City of Benson, Arizona, et. al. – **William Stephens, City Manager**

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

ADJOURNMENT

POSTED this 7th day of May, 2014

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

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

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

Executive Sessions - 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 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, a Call to the Public, if on the agenda, is provided as a courtesy.

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.