

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD JULY 9, 2012, AT 7:00 P.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

CALL TO ORDER:

Acting Mayor McGoffin called the meeting to order at 7:02 p.m. with the pledge of allegiance. Acting Mayor McGoffin the introduced Pastor A.B. Blair of the First Baptist Church who gave the invocation.

ROLL CALL:

Present were: Acting Mayor Lori McGoffin, Councilmembers Ron Brooks, David Lambert, Nick Maldonado, Chris Moncada and Al Sacco. Excused was: Mayor Toney D. King, Sr.

EMPLOYEE RECOGNITION: Acting Mayor McGoffin recognized Chuck Trujillo for 20 years of service with the City of Benson.

PROCLAMATION: None.

PUBLIC HEARING: None.

CALL TO THE PUBLIC:

None.

CITY MANAGER REPORT:

City Manager Glenn Nichols addressed Council, giving the dates of upcoming meetings and events.

July 10, 2012	– Library Advisory Board, 4:00 p.m., Library
July 21, 2012	– Historic Preservation Commission, 9:00 a.m., City Hall
July 23, 2012	– City Council Meeting, 7:00 p.m., City Hall
July 24, 2012	– Community Watershed Alliance, 6:30 p.m., City Hall

Mr. Nichols then reminded those present of the continuing work on the Interstate 10/State Route 90 Traffic Interchange project, adding up-to-date information can be found at www.azdot.gov.

NEW BUSINESS:

1. Consent Agenda

- 1a. Minutes of the June 11, 2012 Regular Meeting
- 1b. Minutes of the June 21, 2012 Special Meeting
- 1c. Reappointment of Cliff Deane to the Planning & Zoning Commission
- 1d. Appointment of Angel de la Torre to the Planning & Zoning Commission
- 1e. Invoices processed for the period from June 14, 2012 through June 28, 2012

Councilmember Sacco moved to approve the Consent Agenda. Seconded by Councilmember Brooks. Motion passed 6-0.

2. Discussion and possible action regarding a “Get Fit Day” for the City of Benson

Acting Mayor McGoffin stated Derek Ausseresses asked to address Council regarding a fitness day and introduced Mr. Ausseresses. Mr. Ausseresses gave a handout to the Council (which will be retained with

the Council packet) and stated he has had a life-long struggle with his weight and in taking the first steps to getting healthy, he started a walking group for the whole community. Mr. Ausseresses stated there were about 20 local people walking with him and he had received over 100 emails from people in the surrounding areas, adding once he saw the scope of the problem and how many people need help, he wanted to do something for them as well. Mr. Ausseresses then stated he formed the 1,000 lbs. club and had two people from it who would like to address Council also.

Robin Fenn then addressed Council, asking Council if they could identify an alcoholic by looking around the room, adding identifying food addicts by their looks was much easier. Ms. Fenn then stated this is a problem that can't be walked away from, but must be dealt with, adding she joined the walking group and Mr. Ausseresses has been a phenomenal resource and gives a tremendous sense of support. Ms. Fenn then stated we need people like Mr. Ausseresses to help the community, adding this effort will help the community know there are people locally that are with them and can help support them. Ms. Fenn then stated the group she is in is determined to lose 1,000 lbs. in 10 months and they would appreciate Council support to have a fitness day in Benson to show community members there is support.

Natalie Sabin then addressed Council stating a couple months ago, she saw Mr. Ausseresses on facebook, but didn't pay much attention until she saw the newspaper article a month later, adding she was amazed at his progress which was accomplished mostly by walking. Ms. Sabin then stated she decided she could walk also and is now walking 15-20 miles per week, adding she also made some dietary changes thanks to the information Mr. Ausseresses was given with him setting up gym and nutrition training. Ms. Sabin then stated there are now two 1,000 lb. clubs competing and cheering each other on. Ms. Sabin then stated she not only has she lost weight, but she has more energy and is glad Mr. Ausseresses decided share losing weight, since he is helping so many people. Ms. Sabin then stated many years ago, the City of Tucson had a similar fitness day and she would like to see an event of that magnitude here to address the overweight epidemic and to motivate others.

Mr. Ausseresses then addressed Council stating he started out on facebook in an attempt to make himself accountable and it's ended up turning into something greater, adding he feels he now has a responsibility and that it would be an injustice to the community if he didn't take the momentum and pay it forward. Mr. Ausseresses then stated on August 11 he would like to have a community outreach day to help improve the health and wellness of Benson residents, either at the park or at a community building, adding he has had donations of half-off memberships at Frontier Fitness and the Medicine Shoppe has offered a licensed dietician who has taught courses on how to eat and prepare better meal plans. Mr. Ausseresses then stated he wants to make those resources available again, on a bigger scale, with possibly having a free health seminar. Mr. Ausseresses then stated he has reached out to people in Tucson and locally and has had a donation of free physicals so people will know where they are starting from. Mr. Ausseresses then stated he would like to have a "Penny per Pound Pledge" where local businesses would donate a penny per pound and the money would be used for a monthly community workout or to subsidize gym memberships or pay a trainer to put on a monthly community fitness day at the park. Mr. Ausseresses then stated he would like people in the community to commit to losing 10,000 lbs., adding he currently has two 1,000 lb. clubs with 20 people committing to lose 100 lbs. and thinks a goal of 10,000 lbs. is very doable. Mr. Ausseresses then stated he has never done anything like this, but his purpose is to instill hope, encourage accountability, inspire change and cultivate success, adding when he started he had no idea how much it would affect people and with the community's assistance, he would like to help even more.

Councilmember Lambert stated he felt Mr. Ausseresses' plan was excellent and the momentum is great for the community. Councilmember Maldonado stated he thought it was a good idea and there would be a lot of people interested in a fitness day. Acting Mayor McGoffin then clarified that Mr. Ausseresses would like a pledge from the City as well as the use of the park or a City building with Mr. Ausseresses stating if the event is as big as the response he's gotten, only the park would be big enough to hold the event. Mr. Ausseresses then stated he had also spoken to some physical trainers at Frontier Fitness who would be willing to do group workouts, which are fun and contagious, adding some of the funds raised would be used to pay them for their professional assistance. City Manager Glenn Nichols then suggested Mr. Ausseresses meet with him to discuss what can be done. Acting Mayor McGoffin then asked Mr.

Ausseresses to meet with Mr. Nichols as soon as possible to discuss his plans and see if the City can help with permitting and other things he would need for the event, adding she would like to see the City help with as much as we can. Councilmember Brooks asked if Mr. Ausseresses would need to form a 501c to collect money and stated he liked the idea of fitness events.

3. **Resolution 34-2012 of the Mayor and Council of the City of Benson, Arizona, to participate in the State of Arizona Department of Transportation Aeronautics Group Airport Surface Treatment Program for Improvements at the Benson Municipal Airport**

Public Works Director Brad Hamilton stated this resolution is for the resurfacing of the runway 10-28 with rubberized asphalt, adding the grant is a 90/10 match and ADOT administers everything including the bidding and construction management. Councilmember Moncada asked about the time for completion with Mr. Hamilton stating if the project is approved, it should be completed in the current fiscal year. Councilmember Moncada then moved to approve Resolution 34-2012. Seconded by Councilmember Sacco. Motion passed 6-0.

4. **Resolution 35-2012 of the Mayor and Council of the City of Benson, Arizona, authorizing the City Manager to apply to the Arizona Department of Transportation for Section 5311, 5316 and 5317 Rural Public Transportation Program Funds for use in operating the Benson Area Transit System**

Public Works Director Brad Hamilton stated this resolution is to approve the application for funding to assist with the operation of the Benson Area Transit (BAT) system. Councilmember Lambert then moved to approve Resolution 35-2012. Seconded by Councilmember Maldonado. Motion passed 6-0.

5. **Resolution 36-2012 of the Mayor and Council of the City of Benson, Arizona, authorizing Staff to apply for a Planning Assistance for Rural Areas Grant, through the Arizona Department of Transportation, in joint partnership with Cochise County for a feasibility corridor study in the Benson growth area**

Public Works Director Brad Hamilton stated this resolution authorizes Staff to apply for, along with Cochise County, a para-study to look at roadway corridors, especially around the new I-10/Hwy90 interchange, possible connections to the airport and other future roadway needs. Mr. Hamilton then stated this will be a growth area and we would like to get ahead on the planning. Council asked about the cost of the grant and the physical parameters of the study area with Mr. Hamilton stating the study would require Staff time, but very little cost and the scope of the study was to be north of the freeway, but it may include the area south of the freeway, adding he will meet with Cochise County's transportation planner and work out exactly what the area boundaries will be. Councilmember Moncada then moved to approve Resolution 36-2012. Seconded by Councilmember Brooks. Motion passed 6-0.

6. **Review, discussion and possible action regarding approval and renewal of Municipal Legal Services Contract for the City Attorney, Michael Masee**

Acting Mayor McGoffin stated Council decided at the previous meeting to continue services with Mike Masee and what is before Council is the contract that was submitted with the proposal for legal services. Councilmember Lambert stated he would like to make a change to the contract, if Council agrees, to extend it to a 2-year contract, adding currently the City Attorney contract is renewed annually and the City Manager's contract is renewed every other year. Councilmember Lambert then stated should Council agree to a 2-year contract, it would result in the two contracts being up for renewal on opposite years, adding Council would still have the termination rights as listed in the contract, but it would avoid having to possibly renew two key positions in the same year. Councilmember Moncada asked City Attorney Mike Masee if he would be agreeable to the proposed change with Mr. Masee stating he would. Councilmember Lambert then moved to approve the contract with the amendment to change it to a 2 year contract instead of 1 year. Seconded by Councilmember Moncada. Motion passed. Motion passed 5-1 with Councilmember Brooks voting nay.

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) regarding both pending litigation matters, Stagecoach Trails Mobile Home Court (MHC) vs. the City of Benson, Arizona, et. al.

Councilmember Moncada moved to enter into Executive Session with the Acting Mayor and Council, City Manager, City Attorney Mike Masee and the City's outside legal counsel provided by the Arizona Municipal Risk Retention Pool, Mr. Jeff Murray (via phone) and the City Clerk at 7:34 p.m. Seconded by Councilmember Brooks. Motion passed 6-0.

Council reconvened at 7:55 p.m.

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03 (A)(3) & (7), for discussion or consultation for legal advice with the attorney or attorneys of the public body regarding the purchase, sale or lease of real property

Councilmember Moncada moved to enter into Executive Session with the Acting Mayor and Council, City Manager, City Attorney, Public Works Director Brad Hamilton and the City Clerk at 7:55 p.m. Seconded by Councilmember Lambert. Motion passed 6-0.

Council reconvened at 8:06 p.m.

DEPARTMENT REPORTS: None

ADJOURNMENT:

Councilmember Lambert moved to adjourn at 8:06 p.m. Seconded by Councilmember Sacco. Motion passed 6-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk