

**THE REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD DECEMBER 13, 2010 AT 7:00 P.M.  
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

**CALL TO ORDER:**

Mayor Fenn called the meeting to order at 7:00 p.m. wishing those present a Merry Christmas before beginning with the pledge of allegiance.

**ROLL CALL:**

Present were: Mayor Mark M. Fenn, Councilmembers Jo Deen Boncquet, David Lambert, John Lodzinski, Lori McGoffin and Al Sacco.

**EMPLOYEE RECOGNITION:**

Mayor Fenn recognized Floyd Graf for 10 years of service with the City. Mr. Graf then stated he was grateful to be able to serve the community and thanked the citizens of Benson and all those present, adding this was the best move his family ever made. Mayor Fenn stated he recently had the opportunity to see Officer Graf in action during a potentially very tense situation and he was very impressed with Officer Graf's ability to negotiate and to work with people. Mayor Fenn then stated this helped result in a successful outcome for everyone and thanked Officer Graf for his service.

**PROCLAMATION:** None.

**CALL TO THE PUBLIC:**

Stephen Insalaco addressed City Council concerning the Benson Municipal Airport. Mr. Insalaco's comments are incorporated into the minutes. Mayor Fenn suggested Mr. Insalaco address his ideas with Public Works Director Brad Hamilton.

Paul Lotsof, Manager of CAVE FM radio station, addressed the Council regarding the upcoming City elections. Mr. Lotsof stated there are 3 seats and only 3 candidates and then proceeded to give possible reasons there wasn't more interest in running for Council, including a feeling of hopelessness to bring about change, the thought of being portrayed negatively in the press, poor pay for Councilmembers, and the fact that the City nomination process is too close to the national elections and holidays. Mr. Lotsof then stated the State law that prescribed the dates pertaining to nominations were not well thought out and there may be more interest generated if the City held their elections in the fall, adding it may even provide a cost savings to the City. Mr. Lotsof then addressed Council concerning his business stating the building he is currently using was manufactured in 1964, is in poor condition and is too small for his business needs, but he can't look at moving a newer manufactured home in due to the City's position that it would have to comply with current zoning regulation requirements. Mr. Lotsof then stated he thinks there is a serious problem when the City regulations have the effect of making it impossible for a business to make improvements to its property and if anything, the City should encourage such improvements. Mr. Lotsof then stated one solution would be for the zoning regulations to state when a manufactured structure is replaced with another manufactured structure, the property owner would not lose his non-conforming use privilege, adding it may be something for Council to seriously consider in the upcoming year.

**CITY MANAGER REPORT:**

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

December 14, 2010 – Library Advisory Board, 4:00 p.m., Library  
December 16, 2010 – Board of Adjustment, 7:00 p.m., City Hall

- December 18, 2010 – Historic Preservation Commission, 9:00 a.m., City Hall
- December 28, 2010 – Community Watershed Alliance, 6:30 p.m., City Hall
  
- December 24, 2010 – HOLIDAY – City Offices Closed
- December 31, 2010 – HOLIDAY – City Offices Closed

**NEW BUSINESS:**

**1. Consent Agenda**

- 1a. Minutes of the November 22, 2010 Regular Meeting, Including Executive Session Minutes
- 1b. Renewal of an Independent Contractor’s Agreement with CH<sup>2</sup>M Hill, Inc. for Consulting Engineering Services on an As-Needed Basis
- 1c. Renewal of an Independent Contractor’s Agreement with Engineering & Environmental Consultants, Inc. (EEC) for Consulting Services on an As-Needed Basis
- 1d. Renewal of an Independent Contractor’s Agreement with PSOMAS, Inc. for Consulting Services on an As-Needed Basis
- 1e. Renewal of an Independent Contractor’s Agreement with Stantec Consulting Services, Inc. for Consulting Services on an As-Needed Basis
- 1f. Renewal of an Independent Contractor’s Agreement with Sunrise for Consulting Services on an As-Needed Basis
- 1g. Renewal of an Independent Contractor’s Agreement with WILLDAN, Inc. Consulting Services on an As-Needed Basis
- 1h. City of Benson Strategic Plan for Fiscal Year 2010-2011
- 1i. Community Service Project to purchase playground equipment for the Union Street Park by Savannah Olewinski, in conjunction with the Recreation Department
- 1j. Invoices processed for the period from November 16, 2010 through December 6, 2010

Councilmember McGoffin moved to approve the Consent Agenda. Councilmember Sacco requested Item 1i be removed from the Consent Agenda. City Attorney Mike Massee addressed Council stating anytime a Councilmember requests an item be removed from the Consent Agenda, the item is automatically removed and addressed separately. Councilmember Lodzinski then requested Item 1e also be removed from the Consent Agenda citing a conflict of interest. Councilmember McGoffin’s motion stood for the remaining items on the Consent Agenda. Seconded by Councilmember Sacco. Motion passed 6-0.

**Consent Agenda – Items Removed:**

- 1e. Renewal of an Independent Contractor’s Agreement with Stantec Consulting Services, Inc. for Consulting Services on an As-Needed Basis

Councilmember Lambert moved to approve Item 1e. Seconded by Councilmember McGoffin. Motion passed 5-0, with Councilmember Lodzinski abstaining.

- 1i. Community Service Project to purchase playground equipment for the Union Street Park by Savannah Olewinski, in conjunction with the Recreation Department

City Manager Glenn Nichols addressed Council stating Ms. Olewinski’s community service project is to try to get the community involved in raising funds to put playground equipment near the pool for children who don’t swim. Mr. Nichols stated Ms. Olewinski’s goal was to raise \$5,000 and she had done well, raising over \$1,000 already. Mr. Nichols then stated he had checked with our insurance carrier and there were no problems with the proposed project. Councilmember Sacco asked about the equipment and the City’s participation with Mr. Nichols stating the City would be installing the purchased equipment and putting in sand or another approved material for the base. Councilmember Lambert then spoke stating Savannah Olewinski has done an excellent job contacting businesses and collecting money and wanted to commend her for doing an outstanding job on this project. Councilmember Lambert then stated approximately 6

weeks ago, Bryan Smith, a previous City employee who had been with the City for 8 years, had passed away and then moved to donate \$200.00 from the Community Enrichment fund for this project in Mr. Smith's name. City Attorney Mike Massee addressed Council stating as laudable as the motion was, since it was not properly noticed on the agenda, it would inadvertently overstep the open meeting law and would have to be placed on a future agenda, if Council so wished. Councilmember Lambert then requested the item be placed on the agenda for January and amended his motion to approve Item 1i. Seconded by Councilmember McGoffin, who complimented Ms. Olewinski on her progress. Mayor Fenn also thanked Ms. Olewinski for her work on the project. Motion then passed 6-0.

2. **Presentation of the Certified Audit Report for the City of Benson for the fiscal year ended June 30, 2010**

Finance Director Jim Cox addressed Council stating each year the City conducts a certified independent financial audit of all the City finances and a report is given to Council and then introduced Mr. Jim Usevitch, a partner with Colby & Powell, PLC, who was in attendance to present the audit statements and answer any questions Council may have. Mr. Usevitch then addressed Council thanking them for the opportunity to speak. Mr. Usevitch then began with the new requirement in the audit, which was a letter addressed specifically to Council on new standards called Statement on Auditing Standards 114 (SAS 114) and explained it was to have questions answered on how the audit went, whether or not the City changed any accounting policies or procedures, if there were any difficulties encountered in performing the audit and other questions. Mr. Usevitch then stated their firm had no issues and the audit went very smooth, adding once again, Mr. Cox and the accounting staff did an excellent job, they were prepared and it made the audit very nice. Mr. Usevitch then stated the biggest thing he could say is the City is status quo and even though state revenues decreased, the expenses also decreased so the City's bottom line this year is about the same as last year, which given the current economic conditions, means the City is doing a lot better than probably 75% of the cities and towns out there. Mr. Usevitch then asked if Mayor and Council had any questions. Mayor Fenn then noted in the grants management and balance sheet accounts; it seemed there were minor accounting adjustments the City could possibly monitor closer, with Mr. Usevitch stating the City has come a long way in grants, and as the City gets more and more grants, it could become more difficult, but stated reviewing the general ledger on a quarterly basis would assist in making sure everything is running correctly. Mr. Usevitch then stated the City concentrates great on revenues and expenditures, making sure everything is according to budget and thanked Staff for their work. After no other comments or questions, Mayor Fenn thanked Mr. Usevitch for addressing Council.

3. **Appointment of Council Member to fill vacancy left by resignation of Toney D. King, Sr.**

Mayor Fenn spoke stating Vice Mayor Toney King resigned a few weeks ago in order to be able to submit his nomination to run for Mayor, which left a vacant position on the Council for the unexpired term of 2 years and Council has the opportunity to appoint someone in his stead. Mayor Fenn then stated through the advertising process: print, radio and other means, the City received 3 applications, Mr. Ron Brooks, Mr. Cliff Deane and Mr. Nick Maldonado. Mayor Fenn then stated each applicant brings different qualifications and experience and stated if anyone would like to nominate someone to serve out the term, they could do so, or Council could discuss the process and/or the applicants. Councilmember Lambert stated all 3 candidates had done a lot for the City with Mr. Brooks serving on the Board of Adjustment, Mr. Cliff Deane serving on the Planning & Zoning Commission and Mr. Nick Maldonado, who had served both as a previous Councilmember and on the Planning & Zoning Commission, adding it was a difficult choice, but then motioned to nominate Nick Maldonado for the vacant Council seat. The motion was seconded by Councilmember McGoffin, who added she didn't know the other candidates that well, but had known Mr. Maldonado for a long time and looked forward to working with him. Councilmember Lodzinski stated he wanted the public to know the reason the Council didn't fill the vacancy with the upcoming election was due to the timing of the vacancy as dictated by State law. Motion passed 4-2 with Mayor Fenn and Councilmember Sacco voting nay. Mayor Fenn then congratulated Mr. Maldonado and stated the appointment could be immediate; the City Clerk could swear Mr. Maldonado in and he could join the Council for the remainder of the meeting. City Clerk Vicki Vivian swore Mr. Maldonado in who was then seated. Mayor Fenn then stated for the record, he hoped Mr. Maldonado didn't take offense to his nay

vote; that as he studied the candidates, he had another candidate in mind, but at the same time, he supports Mr. Maldonado completely now that he is on the Council. Councilmember Sacco concurred.

**4. Selection of Vice Mayor for the City of Benson City Council**

Mayor Fenn stated since the Councilmember who resigned was also the Vice Mayor, the Council now needed to select a Vice Mayor to serve until June 30, 2011, which was done by nomination. Councilmember Bonquet moved to select David Lambert, stating he had progressed a lot as a Councilmember, he is moving forward in his political life and she thinks he will serve the citizens of Benson well. Motion died for lack of a second. Councilmember Sacco then nominated Councilmember John Lodzinski, stating he thinks Councilmember Lodzinski would do a good job as Vice Mayor that he has been on the Council for quite some time and had chaired items when the Mayor and Vice Mayor were absent. Seconded by Councilmember McGoffin. Motion passed 7-0.

**5. Presentation on the City's participation in Benson's Shop with a Cop Program**

Chief of Police Paul Moncada addressed Council with a brief overview of the Shop with a Cop Program, which took place December 4. Chief Moncada said they started quite early with officers volunteering to participate on their day off at approximately 5:30 a.m. Chief Moncada then stated all in all, the officers were really surprised by the effect the program had on them, adding they were overwhelmed by the emotions of the day because the kids really surprised and touched all the officers, adding the program was one of the most inspirational things the department had done in a long time. Chief Moncada then stated one of the kids, as reported in the newspaper, didn't spend a dime on himself, but spent everything on his family members. Chief Moncada then stated the officers were so touched, they took up a collection and gave the child money so he could buy himself something and not go without for Christmas. Chief Moncada then stated the City has done a lot of things in the community enrichment portion of our budget, but he really truly believes the money donated by the City could not have been spent any better and he hopes in the future, we keep this in mind, adding he would like to see the program grow next year. Chief Moncada then stated Denise Celentano did an outstanding job and she had a lot of volunteers that were involved throughout the community that assisted with the program. Chief Moncada then stated he felt he was speaking not only for the Benson Police Department, but the officers from the other agencies that helped which included the Department of Public Safety (DPS), Cochise County and the Arizona Rangers when he says they were equally overwhelmed with the program. Chief Moncada then stated Councilmember Lambert was there as an unofficial photographer/videographer and asked him to add his comments. Councilmember Lambert then stated he had a lot of pictures, about 16 minutes of video from everything from the police line up going down 4th Street to the free breakfast and all the shopping. Councilmember Lambert then jokingly said he did want to state for the record there was only one person who went over the \$110.00 budget and that was Chief Moncada. Councilmember Lambert then stated it was an excellent program and that he appreciated everything Chief Moncada did with the police, all the work that Denise Celentano did, All the Kings Horses Children's Ranch, DPS, the Sheriff's station, the Arizona Rangers and many others for their part. Councilmember Lambert then asked Ms. Celentano if she would like to add anything, with Ms. Celentano stating she would like to thank Thelma Grimes for a wonderful newspaper article and for including everyone they had. Ms. Celentano then stated the program went well for it being the first time this has been done, adding she had obtained information on the program off the internet. Ms. Celentano then added she would be going to Tucson and to Scottsdale to shadow their programs to find out more logistics and that she hoped the program would grow in the future; she then thanked Council for their support. Councilmember Lambert then presented a certificate of recognition on behalf of the Council to Ms. Celentano and to All the Kings Horses Children's Ranch to recognize them for their outstanding efforts in serving the Benson community with many hours of commitment and dedication in establishing and organizing numerous volunteers to assist with the Benson's Shop with a Cop program. Ms. Celentano then thanked the Council again.

**6. Possible action in support of the Arizona Centennial Project entitled, "Cochise County History on the Move" with a financial donation of \$300.00**

Mayor Fenn stated in 2012 Arizona will celebrate 100 years of statehood and this request is for a financial donation to sponsor a historical figure in Cochise County's project called "History on the Move," adding the figure the Council was looking to sponsor was Mr. William Ohnesorgen, who was a prominent citizen in early days of Benson. Tourism Director Bob Nilson then addressed Council stating this project falls under the State's Centennial programs and Cochise County's project has 3 parts, the traveling exhibit of life-size cutouts of prominent figures, which is scheduled to be in Benson in April, 2012; a booklet with a story on each prominent figure in the exhibit; and the interactive website, where people can contribute stories about Cochise County. City Manager Glenn Nichols then addressed Council stating each life-size cutout cost \$450.00 and with the City employees who contributed approximately \$150.00, he was asking for \$300.00 from the Community Enrichment fund to complete the sponsorship of Mr. Ohnesorgen's cutout. Councilmember Sacco moved to approve the \$300.00 sponsorship. Seconded by Councilmember Lambert. Motion passed 7-0.

7. **Resolution 69-2010 of the Mayor and Council of the City of Benson, Arizona, authorizing a release of assurances for the subdivision known as Turquoise Hills Lots 1-31, and Common Area "A"(Drainage and Utilities)**

Mayor Fenn stated this subdivision was located off of Highway 80 near the SKP Park. Public Works Director Brad Hamilton addressed Council stating the developer completed all the infrastructure and all the necessary documentation of the infrastructure approvals, met all the requirements of the trust assurance agreement and the City was now ready to release the lots. Councilmember Sacco moved to approve Resolution 69-2010. Seconded by Councilmember McGoffin. Motion passed 7-0.

8. **Discussion and possible action regarding Resolution 70-2010 of the Mayor and Council of the City of Benson, Arizona, approving an Intergovernmental Agreement (IGA) with the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing (OMH)**

Building Official Luis Garcia addressed Council stating this IGA will allow the City to inspect the installation of manufactured housing for the State Office of Manufactured Housing (OMH), adding the IGA is encouraged due to State budget constraints. Mr. Garcia stated the Office of Manufactured Housing develops standards for the installation of manufactured homes in Arizona and by statute is permitted to enter into agreements with local jurisdictions to enforce the set standards, noting there are currently 69 jurisdictions in the State actively participating in the program. Mayor Fenn asked about utility installations with Mr. Garcia stating the inspection is only related to hooking up to the utility provider with the internal distribution and the construction of the manufactured home being done at the State level through the State inspection process before the home leaves the manufacturer. Mr. Garcia then stated the benefit of the IGA is it creates a one-stop shop for the applicant, noting in January, 2010 the Tucson branch of the Office of Manufactured Housing shut down consolidating everything in Phoenix, requiring all correspondence requesting permits and inspections to be sent to Phoenix. Mr Garcia stated the IGA results in 1 application, 1 permitting body and 1 inspection request to complete, adding having a local inspector will save time and eliminate communication barriers with the installers as well, since the inspector would be able to answer questions about the installation the same time they are doing the zoning inspection. Mr. Garcia then stated this will also provide increased revenue for the City of Benson. Mr. Garcia then stated both he and the Building Inspector hold certifications from the Office of Manufactured Housing, which exceed the requirements of the IGA, and that the permit specialist will also be able to be trained for the inspections. Councilmember Sacco asked if the certification was permanent with Mr. Garcia stating it was, but the Office of Manufactured Housing will also provide training opportunities for Staff and local installers because new laws at the housing level require contractors to keep up a certain amount of continuing education to hold their license. Mr. Garcia then stated the IGA will aid local installers with their continuing education since the training will be held in Benson. Councilmember Lodzinski asked if the inspections would be for new units only with Mr. Garcia stating the City will inspect all units, however anything moving in from out of state will have to have State approved plans first, but once it's going to be installed locally, the City will perform the inspections. Mayor Fenn asked about the cost for these inspections with Mr. Garcia stating the IGA allows up to a \$300.00 installation inspection fee, however, Staff is proposing a \$200.00 fee so there would not be a drastic increase. Mayor Fenn then confirmed the

fee for installation inspections is currently paid to the State with Mr. Garcia stating the fee will now be paid to the City. Councilmember Sacco stated he had spoken to a couple of park owners and they welcomed the change to be able to have this handled locally rather than in the Phoenix office and then moved to approve Resolution 70-2010. Seconded by Councilmember Lambert. Councilmember Maldonado then asked the City Attorney if he would have a conflict of interest since he managed a mobile home park with City Attorney Mike Masee stating the conflict of interest would only be present if Mr. Maldonado would receive a monetary gain from the IGA being in place. Motion then passed 7-0.

9. **Presentation and possible Council action on budget for the operation of the San Pedro Golf Course for the period from November 1, 2010 through June 30, 2011 and staff request for reallocation of \$600,000 revenue and \$600,000 of expenditures from "Unallocated Grants" in the fiscal 2010-2011 Approved Budget to the new Golf Course Enterprise Fund**

Finance Director Jim Cox addressed the Council stating on October 29 the City accepted the San Pedro Golf Course, which opened for business on November 1, 2010. Mr. Cox then stated the golf course was not contemplated in the FY2010-2011 budget; however, Council annually approves unallocated revenues and expenditures in the grant fund, which was \$3 million this year. Mr. Cox then stated Staff is requesting to move \$600,000 of revenues and expenditures from the unallocated portion of the grant fund into the new golf fund, which is a new enterprise fund similar to the gas fund and water fund. Mayor Fenn stated he would like to make it clear that the Council is not transferring a literal \$600,000 cash to the golf course, but were just creating a place in the budget for expenditures and income to operate within the current approved budget. Mr. Cox confirmed this stating the City is a home rule city with State statutes requiring the Council each year to set the total gross revenues and expenditures, allocating monies to various funds in the budget. Mr. Cox then stated there is no literal movement of funds; Council is taking approved anticipated revenues from the grant fund and putting them into the new golf course fund and likewise with expenditures. Mr. Cox then stated he would like to give Council a brief update on the progress of the golf course, which has been open a little over a month. Mr. Cox then stated there have been a lot of positive comments, the building has been rehabilitated; being raised almost 2 feet with no exterior or apparent internal damage at all, with the exception of cosmetic damage related to the repairs. Mr. Cox then stated the Department of Corrections (DOC) labor is on site and working well and we are now concentrating on opening the restaurant. Mayor Fenn asked if the playership was increasing with Mr. Cox stating he was happy with November's numbers, introducing Director of Golf Jay Tomerlin. Mr. Tomerlin then addressed Council stating in November the golf course was just short of 1200 rounds, which is just below 2009 numbers, but after being closed for 5 months, was very good. Mr. Tomerlin then stated the golf course is playable again, Staff has done wonders and the DOC labor has done very well. Mr. Tomerlin stated this has all been with-out much advertising being done, adding the golf course hasn't hit the Tucson market and even so, he has seen a steady increase of bookings. Mr. Cox then addressed the Council stating we are now working on writing job descriptions for the golf course, adding all employees were hired as provisional employees and once job descriptions are completed and approved, we will post those and hold formal interviews to complete the hiring process as a standard City procedure. Discussion was then had on the number of employees and volunteers at the golf course, with Mr. Tomerlin and Mr. Cox stating there are 20 employees with 12 FTE employees and no unpaid volunteers at this point, since the IRS has been looking at volunteers who receive free play as receiving compensation. Mr. Tomerlin stated there is current litigation over volunteers receiving this type of compensation. Councilmember Sacco then moved to approve the reallocation of \$600,000 in revenues and \$600,000 in expenditures from the unallocated grant fund in the fiscal year 2010-2011 approved budget to the new golf course enterprise fund. Seconded by Councilmember Boncquet. Motion passed 7-0.

10. **Discussion and possible action regarding the City Employee Holiday Bonus**

Councilmember McGoffin stated she would not be participating in this item. Mayor Fenn confirmed this was due to a possible benefit. City Manager Glenn Nichols then addressed Council stating in the past Council had determined a holiday bonus for the employees, which had been gift certificates or additional time off. Mr. Nichols stated this year, Christmas and New Years Day fall on Saturdays so the holidays were given on the Fridays preceding the holiday. Mr. Nichols then stated it was Council's pleasure on

whether to give any bonus to the employees. Councilmember Bonquet asked about emergency workers with Mr. Nichols stating those who worked the holiday receive additional compensation or could take other time off if the schedule made it possible. Mayor Fenn asked what was done the preceding year with Mr. Cox stating Council gave 1 day at Christmas and 1 day at New Years. Mayor Fenn then moved to give employees 4 hours on each Thursday prior to both the Christmas holiday and the New Years holiday. Seconded by Councilmember Sacco. Motion passed 7-0.

11. **Review of City Finances with emphasis on October, 2010, financial results, the City's financial position at October 31, 2010, sales tax collections through November, 2010 and discussion of projected future net revenues**

Finance Director Jim Cox addressed Council starting with citywide financial highlights, stating unrestricted cash decreased by \$100,000 to \$2.65 million, adding he wanted to emphasize that was the City's unrestricted cash balance, and the City also had restricted bond proceeds of \$2.4 million and another \$1 million in other various restricted funds. Mr. Cox then stated fund balances increased by \$91,000 in October, but was primarily due to the closing on the golf course on October 29 when the City received \$110,000 in conjunction with that closing. Mr. Cox stated he was not concerned since the decrease was more of an anomaly than a trend at this time.

Mr. Cox then addressed citywide financial results, stating revenues were down \$84,000 compared to October of 2009 and down \$242,000 year-to-date, but was mostly due to the decline in construction sales tax and decrease of \$107,000 in grants. Mr. Cox stated personnel costs are the same year-to-date as last year and our operating costs were slightly higher but was due to timing differences. Mr. Cox then stated the City does not have the \$367,000 debt payment to Zions Bank, but did have the bond payment, which has been accrued for in our monthly financial statements.

Mr. Cox then moved to the General Fund stating revenues were down \$14,000 for the month and down \$143,000 year-to-date being due primarily to an increase of \$20,000 in City sales tax, a decrease of \$81,000 in State shared revenue, which is a permanent decrease and will be even larger in the next fiscal year, a decrease of \$25,000 in building permits and a decrease of \$35,000 in rental revenue due to a \$50,000 refund of rent payments the City received in error. Mr. Cox then stated personnel costs were down \$38,000 year-to-date and other expenditures were down \$12,000 year-to-date, but was all due to timing and was really the same as the previous year.

Mr. Cox then addressed the Enterprise Funds, stating he will add the golf course to the next presentation. Mr. Cox then stated the gas fund made money in October, but was still down \$66,000 year-to-date, which was similar to 2009. Mr. Cox stated the water fund was up \$15,000 in October and up \$9,000 year-to-date, even with the recent \$57,000 expenditure in capital improvements for the new well. Mr. Cox then stated the wastewater fund was down \$1,000 for October and up \$7,000 year-to-date adding all the enterprise funds were slightly breaking even.

Mr. Cox then summarized stating the City's sales tax collections are on pace with prior years with the shortfalls being construction related, both with permits and construction sales tax, as well as lowering State shared revenues. Mr. Cox stated the City's general fund sales tax collections are almost equal to where we were pre-recession and certainly are on track with the last two years. Mr. Cox stated bed tax is almost on line with the last 2 years and he was pleased to say the City's transaction privilege tax was almost the same as last year. Mr. Cox then stated another positive was the City received \$110,000 from the closing on the golf course; the renovations were right on track and the City should be opening the restaurant in early January with our own employees to get it started. Mr. Cox added in all likelihood, it would be open just for lunch before expanding to offer brunch and evening meals

Mr. Cox then gave a quick comparison to the State tax collections, stating for the first time in 3 years, the State tax collection increased very slightly on a year over year basis, which was very encouraging. Mr. Cox then stated this is the first time we've seen it and it looks like the State might be climbing out of what we climbed out of 1 ½ years ago.

**DEPARTMENT REPORTS:** None

**ADJOURNMENT:**

Councilmember Sacco moved to adjourn at 8:14 p.m. Seconded by Vice Mayor Lodzinski. Motion passed 7-0.

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Mark M. Fenn, Mayor

ATTEST:

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Vicki L. Vivian, CMC, City Clerk

CALL TO PUBLIC ADDRESS  
Benson City Council  
13 December 2010  
Stephen Insalaco

My name is Stephen Insalaco, I reside at 3280 West Pinto Place, J-Six Ranch; and I am a Benson Airport hangar tenant.

Honorable Mayor, City Council members, citizens of Benson, I wish to briefly address you this evening concerning two airport topics: The current airport NOTAM verbiage, and the runway restoration effort.

With respect to the current NOTAM issued about the airport, which reads "E95 Airport Closed" in so many words, the general consensus at the airport is that this verbiage might be stronger than needed. It is true, that runway 10-28 is unserviceable while the current runway restoration effort is underway, but the airport may remain open in other ways. First, there is no reason why rotorcraft operation could not continue during this runway restoration effort, and the airport business remain open during this same restoration effort. These businesses are adversely impacted by the closure of the runway, but the business proprietors understand the need for the restoration effort, and everyone at the airport appreciates the council's efforts in this matter. Having said that, if it pleases the council, and with the Airport Manager's approval, I would recommend, and request, that the current NOTAM verbiage be changed to reflect that runway 10/28 is closed, and that the airport is open to rotorcraft operations on the west ramp, and airport businesses are opened.

And my second topic includes some consideration of the airport using community. As you might suspect, there is much discussion by the community members about the current runway repair effort, and rumors abound. Discussion topics include the duration of the runway closure, the nature and extent of the runway problems, and the extent of the repairs. Again if it pleases the council, I would request a public forum between a city government official and the airport using community, in a near time frame, should the current repair effort should creep past a simple repair of the damaged runway surface.

Thank you for your consideration.

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