

**THE REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD JULY 26, 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. with the pledge of allegiance.

**ROLL CALL:**

Present were: Mayor Mark M. Fenn and Councilmembers Jo Deen Boncquet, David Lambert, John Lodzinski, Lori McGoffin and Al Sacco. Absent was: Vice Mayor Toney D. King, Sr.

**EMPLOYEE RECOGNITION:** None

**PROCLAMATION:** Mayor Fenn read a proclamation declaring the Month of August Drowning Impact Awareness Month.

Mayor Fenn presented a proclamation to Jesse Alexander Tapia, Sergio I. Santiago and Manuel J. Santiago stating that it is quite an accomplishment for 3 young men to work and achieve their Eagle Scout.

**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 27, 2010 – Community Watershed Alliance, 6:30 p.m., City Hall
- August 3, 2010 – Planning & Zoning, 7:00 p.m., City Hall
- August 9, 2010 – City Council Meeting, 7:00 p.m., City Hall
- August 10, 2010 – Library Board, 4:00 p.m., Library
- August 21, 2010 – Historic Preservation, 9:30 a.m., City Hall
- August 23, 2010 – City Council Meeting, 7:00 p.m., City Hall
- August 24, 2010 – Community Watershed Alliance, 6:30 p.m., City Hall
  
- August – City Pool – The pool is open Monday through Saturday from 11:00 a.m. to 5:00 p.m. and Sunday from 1:00 p.m. to 5:00 p.m. The pool will remain open weekends only after Monday, August 9, 2010, and will close after Labor Day Weekend. Swim lesson schedule and the pool activity schedule are available at [www.cityofbensons.com](http://www.cityofbensons.com) under “what to do today”.
  
- August – Benson School starts Thursday, August 12th.

Information on activities and camps are available at [www.cityofbensons.com](http://www.cityofbensons.com) under “what to do today”.

Mr. Nichols stated on August 3, 2010 a “Stuff the Bus” event will be held at Wal-Mart to help get supplies needed for the Saturday, August 7, 2010 Back to School Fair held at Lions Park. Mayor Fenn thanked Mr. Nichols. Mayor Fenn stated that the second City Council Meeting scheduled for August 23, 2010 falls in the same week as the League of Arizona Cities and Towns and that if the agenda is light maybe the meeting could be cancelled.

## NEW BUSINESS:

### 1. Consent Agenda

- 1a. Minutes of the July 12, 2010 Regular Meeting
- 1b. Resignation of Cliff Brown from the Planning and Zoning Commission
- 1c. Appointment of Jane Scholer to the Planning and Zoning Commission
- 1d. Appointment of Richard Busselle to the Planning and Zoning Commission
- 1e. Reappointment of Walt Schmidt to the Planning and Zoning Commission
- 1f. Reappointment of Ron Brooks to the Board of Adjustment
- 1g. Reappointment of Robert Barnaby to the Board of Adjustment
- 1h. Appointment of Bryan Bowen to the Board of Appeals
- 1i. Appointment of Kendell Ryan to the Board of Appeals
- 1j. Appointment of Mike Guinane to the Board of Appeals
- 1k. Invoices processed for the period from July 7, 2010 through July 19, 2010

Mayor Fenn stated that he would be removing items 1c, 1d and 1e from the Consent Agenda to the Regular Agenda.

Councilmember McGoffin moved to approve the Consent Agenda minus items 1c, 1d and 1e. Seconded by Councilmember Lodzinski. Councilmember Lambert noted in item 1g, Staff Recommendation needed to be Robert Barnaby not Ron Brooks. Councilmember McGoffin amended her motion to include that change. The amended motion was seconded by Councilmember Lodzinski. Motion passed 6-0.

Mayor Fenn stated there are 2 vacancies available on the Planning & Zoning Commission and 3 applicants who would like to fill those positions. Mayor Fenn stated the applicants are Jane Scholer, Richard Busselle and Current Commissioner Walt Schmidt. Councilmember Lodzinski stated for clarification that only 2 people may be appointed with Mayor Fenn confirming. Mayor Fenn then asked where Dogwood Lane with Public Works Director Brad Hamilton stating it was outside the city limits. Mayor Fenn then stated it had already been discussed by the Council to allow non-residents to serve.

Councilmember Lodzinski then moved to approve Consent Agenda Item 1c and appoint Jane Scholer to the Planning & Zoning Commission. Seconded by Councilmember Lambert. Motion passed 6-0.

Mayor Fenn then stated Consent Agenda Item 1d was the appointment request from Richard Busselle for the Planning & Zoning Commission. Councilmember McGoffin stated she knows Mr. Busselle, that she thinks he would be good for the Commission and then moved to appoint Richard Busselle to the Planning & Zoning Commission. Seconded by Councilmember Lodzinski. Motion passed 6-0.

Mayor Fenn stated that the 2 positions were filled so that matter of business was finished. Mayor Fenn then stated the City needs to extend appreciation to Mr. Walt Schmidt for his devotion to the Commission for the years Mr. Schmidt served.

### 2. Resolution 48-2010 of the Mayor and Council of the City of Benson, Arizona, approving and authorizing the execution of an Intergovernmental Agreement between the City of Benson and the Benson Unified School District #9 (The "District") to permit reciprocal use of the buildings and grounds of the City of Benson and the District

City Manager Glenn Nichols stated Staff had been asked to bring forward Intergovernmental Agreements (IGAs) within the community for reciprocal use of facilities. Mr. Nichols stated that both the agreement in this item and the next had been looked at by the schools' attorneys and minor changes were made. Mayor Fenn asked if there were any fees involved for either party in this agreement. Mr. Nichols stated that each party has listed the other on their insurance as an additional insured and there is no charge to do that. Councilmember Sacco asked if our insurance covered reciprocal use agreements with Mr. Nichols confirming it does. Councilmember Boncquet moved to approve Resolution 48-2010. Seconded by Councilmember Sacco. Motion passed 6-0.

3. **Resolution 49-2010 of the Mayor and Council of the City of Benson, Arizona, approving and authorizing the execution of an Intergovernmental Agreement between the City of Benson and the St. David School District (The “District”) to permit reciprocal use of the buildings and grounds of the City of Benson and the District**

Mayor Fenn asked if the City had ever had an agreement with the St. David School District before with Mr. Nichols stating we had not, but that we now have agreements with the Benson and Pomerene School Districts. Councilmember Lodzinski asked if the School Resource Officer still goes to St. David with Mr. Nichols stating the officer still goes to St. David to teach law related education classes. Councilmember Lodzinski asked if the IGA would cover the officer with Mr. Nichols confirming it would. Councilmember Lambert asked if we had a similar agreement with Cochise College with Mr. Nichols stating we did not, but such an agreement could be considered.

Councilmember Lambert moved to approve Resolution 49-2010. Seconded by Councilmember McGoffin. Motion passed 6-0.

4. **Discussion and possible action regarding the purchase of a Vermeer Vac-Tron vacuum excavation system for \$44,181.99 under GSA Contract #GS-07F-0700N**

Public Works Director Brad Hamilton stated he had placed this item in the City’s Capital Improvement Plan (CIP) approximately 2 years ago, explaining this piece of equipment is used to excavate and vacuum instead of a backhoe which is especially helpful around utility lines since there is less chance of damage. Mr. Hamilton then stated this will assist with water line breaks as it will vacuum up all of the mud as well as being useful on the sewer system. Mr. Hamilton then stated he had made inquiries on this type of equipment and had received good comments about this particular piece of equipment. Mayor Fenn asked if we had rented this piece of equipment in the past with Mr. Hamilton confirming it was rented for several jobs. Mayor Fenn then stated this is a must have piece of equipment in this line of work.

Councilmember McGoffin moved to approve the purchase of a Vermeer Vac-Tron vacuum excavation system for \$44,181.99 under GSA Contract #GS-07F-0700N. Seconded by Councilmember Lodzinski. Motion passed 6-0.

5. **Resolution 50-2010 of the Mayor and Council of the City of Benson, Arizona, to accept the United States of America Federal Aviation Administration Grant for improvements at the Benson Municipal Airport (AIP-14)**

Public Works Director Brad Hamilton stated the City had programmed this grant back in February with the Federal Aviation Administration (FAA). Mr. Hamilton then stated it was designed and sent out to bid, but it was sent back by the FAA because they were having problems getting authorization from Congress. Mr. Hamilton stated last Monday he received a call from the FAA asking if he could execute the grant before July 28th and that if he couldn’t, he would have to wait until the next fiscal year and again compete for the funding. Mr. Hamilton then stated he was advised by the FAA that there was enough extra money left over to do both projects under the grant; the first project to install a helipad and the second project to resurface the runway. Mr. Hamilton then stated normally he would bring the grant from the Federal Government, the grant from the State Government and the construction contract to Council, however, since the project was still out to bid, he could use the engineer’s estimate for the grant. Mr. Hamilton then stated Federal funding would be in the amount of \$464,500, State funding would be in the amount of \$12,500 and the City’s required match would be approximately \$12,500. Mayor Fenn then stated if the State didn’t match the grant, the City would pay \$25,000 for the projects. Mr. Hamilton then stated the State may issue an IOU, but that they are paying on previous grant matches right now. Mr. Hamilton also stated he needed Resolution 50-2010 amended to show the Federal Grant number API-3-04-0077-14. Councilmember Lambert asked for clarification in the dollar amounts on the resolution and if it would include the State and City matches. Mr. Hamilton stated the resolution indicates the Federal funding amount of \$464,550 and that the total project cost estimate is \$489,000 adding there is a pre-bid meeting later in the week. Councilmember Lodzinski stated the runway needs to be resurfaced with Mr. Hamilton adding all of the

cracks would be repaired. Councilmember Sacco moved to approve Resolution 50-2010. Seconded by Councilmember Lodzinski. Mayor Fenn asked City Attorney Michael Massee if the amendment to include the Federal Grant number should be in the motion with Mr. Massee indicating it should. Councilmember Sacco amended his motion to approve Resolution 50-2010 with the change to include the grant number as stated by Mr. Hamilton. The amended motion was seconded by Councilmember Lodzinski. Motion passed 6-0.

**DEPARTMENT REPORTS:** None

**ADJOURNMENT:**

Councilmember McGoffin moved to adjourn at 7:28 p.m. Seconded by Councilmember Lodzinski. Motion passed 6-0.

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Mark M. Fenn, Mayor

ATTEST:

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Vicki L. Vivian, CMC, City Clerk