

**THE SPECIAL MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD DECEMBER 17, 2012, AT 7:00 P.M.  
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

**CALL TO ORDER:**

Mayor King called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**ROLL CALL:**

Present were: Mayor Toney D. King, Sr., Vice Mayor Lori McGoffin, Councilmembers Ron Brooks, David Lambert (arriving at 7:01 p.m.), Nick Maldonado, Chris Moncada and Al Sacco.

Mayor King then called for a moment of silence for the families of the victims in the recent shooting in Connecticut and also for the Weeks family and the local boys who were in a car accident over the weekend, stating it has been a very tragic weekend.

**PUBLIC HEARING:**

City Clerk Vicki Vivian stated the public hearing was being held for the purpose of considering the continuation of the City transit system project for which financial assistance is being sought from U.S. Department of Transportation and grant funds would be used to provide general public transit to the residents and visitors of the City and surrounding communities. Ms. Vivian then stated the public hearing affords the opportunity for interested persons to be heard with respect to the social, economic and environmental aspect of the project. The information including grant applications was available for inspection on the table at the back of the room. Ms. Vivian then stated Mr. Brad Hamilton, Public Works Director and Cheri Shull, Engineering Aide are also available at City Hall for questions. Mayor King then opened the public hearing at 7:02 p.m. Mayor King stated there was no one signed up to speak during the public hearing and then asked if there was anyone present who wished to speak.

Mr. Steven Insalaco then addressed the Council stating he was very happy to see the transit (BAT) system in the City, adding he has numerous friends in town who would like to take greater advantage of the transit system, but they are in the more outlying areas of J6 Ranch, St. David and Pomerene, adding if the system could be expanded in any capacity to reach those more rural areas, he thinks the transit system would have a larger audience. Mr. Insalaco then stated he thinks the transit system is great and he hopes it stays.

Councilmember Brooks stated he had comments on the transit system, but he would discuss them when the New Business item opened.

Mayor King thanked Mr. Insalaco for speaking and then closed the public hearing at 7:04 p.m.

**NEW BUSINESS:**

- 1. Resolution 61-2012 of the Mayor and Council of the City of Benson, Arizona, authorizing the submission of an application for Arizona Department of Transportation Section 5311 Funds to operate a Rural Public Transit System**

Councilmember Brooks had several questions on the grant application beginning with page 11, noting if the revenue miles increased, the question regarding the increase should be answered yes instead of no. Public Works Director Brad Hamilton stated the application was using information from the original study completed by consultants for the transit system. Councilmember Brooks then continued to page 12, confirming with Mr. Hamilton that the City would be meeting with the Department of Economic Security

(DES). Councilmember Brooks then stated on page 13, it discusses using the Caselle software system for accounting and verified this was done in the Finance Department and not in the Public Works Department. Councilmember Brooks then asked about dispatching and the use of radios with Mr. Hamilton stating the drivers have cell phones and they work very well, adding radios wouldn't be considered unless we had more buses. Councilmember Brooks then stated there was a typo on page 16 that should be corrected before sending the application to ADOT. Councilmember Brooks then stated Councilmember Sacco had an issue he will address, adding he was concerned about the same issue. Councilmember Sacco then stated the application names Cheri Shull, Engineering Aide as the primary point of contact for the transit division since the transit system was recently taken over by the Public Works Department. Councilmember Sacco then asked how intimately Ms. Shull is going to be involved in the transit system with Mr. Hamilton stating she is the primary contact and the duties take approximately 50% of her time. Councilmember Sacco then asked about Ms. Shull's experience with Mr. Hamilton stating she has been handling the transit system for the last 6 months. Councilmember Sacco then asked about the Technical Advisory Committee (TAC) consisting of the Council with Mr. Hamilton stating in the past the City Council could be the TAC committee, but now ADOT is requiring a separate TAC with certain requirements. Mr. Hamilton then stated they are still working on the TAC, but they will finalize the suggested committee at the beginning of the new year. Councilmember Sacco then confirmed Mr. Hamilton is the Director of the transit system and those items such as setting fares and changing routes will be brought to Council for action.

Councilmember Sacco then again questioned the experience and knowledge of Ms. Shull with Mr. Hamilton stating Ms. Shull has been handling the transit system for the past 6 months. Mayor King then stated these are questions Councilmembers could have asked of Staff before coming to the meeting. Councilmember Sacco then asked if the Finance Director Jim Cox would be leaving this position immediately or would stay in it for a month or so, because Councilmember Sacco would like to see a smooth transition. City Manager Glenn Nichols stated the transit system is under him with Mr. Hamilton being the responsible Department Head, adding that change in the transit system occurred prior to the current fiscal year and Mr. Cox is the person who asked to move the transit system.

Councilmember Lambert then moved to approve Resolution 61-2012. Councilmember Maldonado then stated the figures Councilmember Brooks was questioning on page 11 were year-to-date figures, adding there isn't any increase in the projection. The motion on the floor was then seconded by Councilmember Moncada. Councilmember Brooks then stated he also had concerns about the Engineering Aide being the transit manager and asked if she were going to be paid for the position. Mayor King stated these concerns and questions should have been asked of Staff before the Council meeting, adding Councilmembers can talk to Staff at any time and ask these questions. Mayor King then stated the Council shouldn't be questioning Ms. Shull's qualifications until they speak to Staff. Councilmember Brooks then expressed concern over something happening and the City ending up in a lawsuit and needing to defend that the transit manager who handles the day-to-day operations didn't have any experience. Mayor King stated the City Manager and the Public Works Director must have had the confidence in Ms. Shull's ability or they wouldn't have assigned the duties to her, adding he feels proceeding with this line of questioning is now questioning the judgment of the City Manager and the Department Head in making that decision. Mayor King then asked both Mr. Nichols and Mr. Hamilton if they felt Ms. Shull was qualified for the duties as transit manager with both Mr. Nichols and Mr. Hamilton stating they felt she was. Councilmember Brooks then stated there was a very short timeframe to come up with people for this in order to fulfill the grant since we didn't know ADOT changed the requirements until December. Mr. Hamilton then stated we have been dealing with changes from ADOT since Public Works took over the transit system before the beginning of the current fiscal year. Councilmember Brooks then asked when it became known that the Council could no longer be the TAC with Mr. Hamilton stating it had been in the last month or so. Councilmember Brooks then stated he understood the importance of getting the grant through so the City didn't lose the transit system, but he was concerned about the TAC, adding he didn't even know who Joyce Scott is and questioned Councilmember Moncada being a transit manager on the proposed TAC and their ability to make decisions. City Clerk Vicki Vivian stated the TAC will act as an advisory board before Council, but the Council would still be making any decisions regarding the transit system, including

changing fares or routes or anything of that nature. Councilmember Brooks then stated he would prefer to have Mr. Hamilton as the transit manager because he is a manager level person and if something happened, the Council would be looking to the transit manager. Mayor King then stated Mr. Hamilton is responsible for everything in his department. Councilmember Brooks then stated the Council could possibly look at this in the future on the next application. Councilmember Lambert then stated ultimately the only person to work for the Council is the City Manager, adding if something goes wrong, the City Manager is ultimately responsible, again adding, the City Manager works directly for the Council. Mayor King then called for a vote. Motion passed 7-0.

2. **Resolution 62-2012 of the Mayor and Council of the City of Benson, Arizona, adopting a Paratransit Plan making known its commitment to the principle to provide Paratransit services to Individuals with disabilities that is comparable to the level of service provided to those who use the Fixed Route Service**

Public Works Director Brad Hamilton stated this resolution addresses both transit systems and is required to be put in place. Vice Mayor McGoffin moved to approve Resolution 62-2012. Seconded by Councilmember Lambert. Councilmember Brooks stated the transit system can make interconnections with other cities at some point, adding he would eventually like to see it get to that point. Mr. Hamilton then stated all the transit systems are currently meeting with SEAGO and are trying to coordinate something in the future. Motion then passed 7-0.

3. **Discussion and possible action regarding the development cost of \$525.00 for the billboard designs prepared by Larry Scott of Kestral Graphic Designs and proposed by Jim Gray**

Councilmember Brooks stated he would like to invite Mr. Gray up to address the Council. Mr. Gray then stated he had passed out letters from Mr. Scott on the cost of the designs, adding there has been no cost up to now. Mr. Gray then stated Mr. Scott has all the software needed to make the designs available for the signs and he would develop them and work with the sign company to have them ready. Mr. Gray then stated the business community likes the signs and he hopes Council approves the cost so they will be ready to go when the City acquires the billboards. Mayor King asked City Manager Glenn Nichols if he had talked to the billboard company with Mr. Nichols stating he had been in contact with Bowlines and had two billboards they think might work, adding he asked a representative to come to the next Council meeting and speak at the Call to the Public on what is available and what the exact costs would be. Mr. Nichols then stated the cost of the vinyl is \$2.00 per sq. ft. Councilmember Lambert stated he would like to direct Staff to put the billboards on the agenda as an item instead of the Call to the Public so the Council could ask questions and discuss the item. Councilmember Lambert then stated he would like to commend Mr. Gray for all the work he's done, adding the designs came out great and he thinks the price is fair. Councilmember Lambert then moved to approve the expense of \$525.00 for the signs. Seconded by Councilmember Maldonado. Councilmember Brooks then stated he had spoken to Diane Bingham, the Manager at Wal-mart regarding a possible donation toward the signs and she said she could come up with some money toward the signs as a contribution, but asked if we could add "24/7" next to Wal-mart since many Wal-mart's aren't open all the time and it might pull more nighttime traffic off the freeway. Councilmember Brooks then stated he would like to accommodate her request and added he felt the signs were great and would like to see them up right away. Councilmember Brooks then stated he has full confidence in the City Manager to make the decision on the placement of the signs, adding he would like to see them up as soon as possible and would rather not wait for another Council meeting. Council concurred they had already directed the City Manager to proceed with the signs placement as soon as they were available. Mr. Nichols then stated the proposed billboards wouldn't be available for 3 weeks, so we would have time to work on getting the designs ready. Mr. Nichols then stated Mr. Scott's letter read that Mr. Scott would do the scalable art work for the billboard companies and the designs would remain Mr. Scott's property. Motion then passed 7-0.

**ADJOURNMENT:**

Vice Mayor McGoffin moved to adjourn at 7:40 p.m. Seconded by Councilmember Sacco. Motion passed 7-0.

ATTEST:

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Toney D. King, Sr., Mayor

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Vicki L. Vivian, CMC, City Clerk