

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD MARCH 24, 2014, 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 the Allegiance. Mayor King then introduced Mike Cox of the New Life Family Worship Center who offered the invocation.

ROLL CALL:

Present were: Mayor Toney D. King, Sr., Vice Mayor Al Sacco, Councilmembers Pat Boyle, Ron Brooks, Jeff Cook, Chris Moncada and Peter Wangness.

EMPLOYEE RECOGNITION: None

PROCLAMATION: None

PUBLIC HEARING: The Mayor and Council will be available to receive comments from the public regarding a project for which financial assistance is being sought from the U.S. Department of Transportation. Grant funds will be used to provide general public transit to the residents and visitors of the City of Benson and the surrounding communities.

City Clerk Vicki Vivian stated the public hearing was being held to receive comments from the public regarding a project for which financial assistance is being sought from the U.S. Department of Transportation. Grant funds will be used to provide general public transit to the residents and visitors of the City of Benson and the 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 aspects of the project. Mayor King then opened the public hearing at 7:03 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. After receiving no requests to speak, Mayor King closed the public hearing at 7:04 p.m.

CALL TO THE PUBLIC:

Carol Boore addressed Council stating she lived on south Prickly Pear and when the rainy season comes along, the rain runs and has created deep ruts in the road, adding it is now hard to come in and out of the driveway. Ms. Boore then stated she has spoken to City Hall several times about people coming down and fixing it and she would think the City would take a look at it and see if they could put a culvert or a berm in so water wouldn't run down on her property.

Stephen Insalaco addressed the Council concerning New Business Item 7, the formation of a Benson Municipal Airport Advisory Committee. Mr. Insalaco's comments will be retained with the Council packet.

Jim Cox addressed the Council concerning the executive session concerning the Council's investigation on him. Mr. Cox's statement will be retained with the Council packet. Mr. Cox then stated on a related matter, the City has unfortunately lost another outstanding employee at the golf course and he would like to throw in his 2 cents worth, adding the City has several up and coming young professionals among the existing personnel who are very competent and have the ability to carry on what Mr. Tomerlin has so ably set in place and in motion for the golf course. Mr. Cox then stated he supported Joe Ryan taking on a more active role in the management of the pro shop and tournaments and that Mark Drehobl, who has done a great job as superintendent, have his role expanded to more of a general management role and that Elisia Rodriguez who has been de facto managing the restaurant for a long time be formally appointed. Mr. Cox then stated he

thought with that management team and a little help from a lot of very concerned and knowledgeable members of the golf course, that the golf course won't skip a beat and will keep right on an upward path.

Kevin Dirksen addressed Council stating he lives at the end of east Pearl Street. Mr. Dirksen then stated he had talked to the Council before about a fire hazard, health hazard and a general eyesore, adding two years ago, Mayor King promised to do something about this issue within 30 days, which has come and gone 24 times. Mr. Dirksen then stated two major fires occurred on the river last year and thanked Council for their concern. Mr. Dirksen then stated the City has two backhoes and DOC workers, and asked if there was a Department Head who actually lives in the City of Benson and is a homeowner who might be able to come out and do something, adding he would really appreciate it.

Barbara Nunn addressed Council asking why Benson is still operating under the 2006 International Building Code, adding 18 months ago, the Planning & Zoning Commission approved the 2012 Code and sent it to the City Council for a vote and even though there have been repeated reminders, absolutely nothing has been done. Ms. Nunn then stated perhaps the Council has been too busy taking directives from the gallery and pumping their egos to the extent of driving away a valued City employee; Danna Judd, and allowing the continued slander of RikerTek. Ms. Nunn then stated unless the 2012 International Building Code is passed, Benson will be hard-pressed to bring in new business, airport development will not happen and every homeowner will be heavily penalized because insurance rates are greatly affected by not adopting the current building codes. Ms. Nunn then asked the Council to bring the building codes back to a code of minimums for the sake of economic development, adding in order for Benson to grow, the Council needs to take a simple vote and again asked why this has not happened yet. Ms. Nunn then stated if the Council does nothing and it has to be addressed again by the Planning & Zoning Commission, it will be another waste of City dollars; just like the \$13,500 Jeff Cook recall fiasco. Ms. Nunn then stated the Council could remedy this by passing the 2012 International Building Codes, adding this Council could finally do something to help Benson.

Dave Thompson addressed Council stating it would appear this Council has let itself be guided and duped by a big-mouthed blowhard that rarely has the facts correct, adding the ego-driven tirades have targeted City employees, volunteers, contractors, individuals and even Councilmembers. Mr. Thompson then stated the recent RikerTek fiasco should be embarrassing to everyone, adding the fact that Mr. Riker is not suing the City and some other individuals for character assassination, slander and damage to his business name is amazing. Mr. Thompson then stated the City Council owes Mr. Riker a public apology, but it appears this Council is so busy entertaining itself with ongoing ego games that the City of Benson has taken a second position and nothing gets accomplished.

Councilmember Wangsness then stated he would like to make a brief comment, adding as a Councilmember and as a Board member of the Benson Clean & Beautiful Committee; he wanted to commend and thank the Benson Police Department for the quick arrest of the graffiti artist.

CITY MANAGER REPORT:

Interim City Manager Brad Hamilton addressed Council, giving the dates of upcoming meetings and events.

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| Tuesday, March 25, 2014 | - | Community Watershed Alliance, 6:30 p.m., City Hall |
| Thursday, March 27, 2014 | - | City Council Worksession, CANCELLED |
| Tuesday, April 1, 2014 | - | Planning & Zoning, 7:00 p.m., City Hall |
| Tuesday, April 8, 2014 | - | Library Advisory Board, 4:00 p.m., City Library |
| Monday, April 14, 2014 | - | City Council Worksession, 6:00 p.m., City Hall
City Council Meeting, 7:00 p.m., City Hall |
| Saturday, April 19, 2014 | - | Historic Preservation Commission, 9:00 a.m., City Hall |
| Tuesday, April 22, 2014 | - | Community Watershed Alliance, 6:30 p.m., City Hall |
| Monday, April 28, 2014 | - | City Council Worksession, 6:00 p.m., City Hall
City Council Meeting, 7:00 p.m., City Hall |

Councilmember Brooks stated he would like the public to know the new City Manager, William Stephens, was on his way to Benson with Mayor King stating Mr. Stephens should be here Friday. Mr. Hamilton stated Mr. Stephens first day as City Manager would be March 31. Councilmember Cook then stated in other news, on March 23, the road in front of the Horseshoe Restaurant was shut down, adding a photo shoot for Marlboro was being done, and the Horseshoe will be in those advertisements.

NEW BUSINESS:

1. Consent Agenda

- 1a. Minutes of the March 10, 2014 Regular Meeting
- 1b. Certificate of Award of Excellence to the City of Benson in recognition of outstanding achievement and continued excellence in Risk Management and control of losses
- 1c. Invoices processed for the period from February 27, 2014 through March 12, 2014

Councilmember Cook stated he would like to remove Item 1b from the Consent Agenda and have Interim City Manager address the Council on it. Councilmember Moncada moved to approve the remaining Consent Agenda. Seconded by Councilmember Brooks. Motion passed 7-0.

Consent Agenda – Items Removed:

- 1b. Certificate of Award of Excellence to the City of Benson in recognition of outstanding achievement and continued excellence in Risk Management and control of losses

Mayor King stated he had the certificate to present to Interim City Manager Brad Hamilton and the City from the Arizona Municipal Risk Retention Pool. Mayor King then read the certificate, stating it was being awarded in recognition of outstanding achievement and continued excellence in risk management and control of losses. Mr. Hamilton then stated the City received the award during our annual inspection from our insurance company for taking care of risk problems, whether they are OSHA violations, safety hazards and things like that. Mr. Hamilton then stated former City Manager, Glenn Nichols took a big interest in this and really pushed it along, adding we are not only proud of having a safer environment, but also in helping to reduce our insurance premiums. Mayor King then presented the certificate to Mr. Hamilton. Councilmember Cook then stated the City wouldn't have gotten the award if former Interim City Manager Jim Cox had not also been on board and pushing it forward. Councilmember Cook then thanked Mr. Cox.

Councilmember Moncada then moved to approve Consent Agenda Item 1b. Seconded by Councilmember Brooks. Motion passed 7-0.

2. Discussion regarding the use of Temporary Employment Services to fill critical needs as necessary

Interim City Manager Brad Hamilton addressed Council stating in the past, City Staff has used temporary employment services to fill temporary positions as needed for demands in workload, however, he wanted to bring this to Council due to the hiring freeze. Mr. Hamilton then stated utilizing temporary employment services would be for things like weddings or tournaments at the golf course, to assist in a leave of absence of 1 employee or other critical needs that could be served by using short-term employment services.

Councilmember Brooks stated he would like to try and utilize employees the City has internally first, but if that isn't possible, a temporary service is very useful and asked what service would be used. Mr. Hamilton stated the City has an IGA with the City of Tucson and have used their contracts. Councilmember Moncada asked about the length of time a temporary employee would be utilized with Mr. Hamilton stating it could be as short as a day or could be up to 6-8 weeks for a specific construction project, adding if it was very long, Staff would inform the Mayor and Council. Councilmember Brooks moved to approve the use of temporary

employment services to fill critical needs as necessary. City Attorney Gary Cohen stated the item was for discussion only. No further discussion was had.

3. **Discussion and possible action on a request to fill the Deputy City Clerk position**

Interim City Manager Brad Hamilton addressed Council stating the Deputy City Clerk has resigned and in complying with the hiring freeze, he brought this position to Council for discussion and direction. Mayor King stated this is a position the City needs to fill, noting the Clerk's office has a lot of duties. Mr. Hamilton noted the position is definitely a service position for Council and noted there would be a decrease in the work that comes back to Council from the Clerk's office if the 50% reduction remains in place. Councilmember Moncada agreed, stating he didn't think people realized what has to be done in the Clerk's office, which includes the work in preparing for Council meetings, events, scheduling, public records request and many other duties, adding he didn't think this was a position the City could do without. Councilmember Moncada asked Mr. Hamilton what the starting rate for the position was with Mr. Hamilton stating the minimum was \$16.10 per hour.

Vice Mayor Sacco asked if there were people already on staff inquiring about the position with Mr. Hamilton stating he first wanted to bring the position to the Council, in accordance with the hiring freeze, adding the normal procedure would be to open the position internally and then advertise it if it was not filled internally.

Councilmember Boyle asked if rather than filling the position with a full-time individual that's not necessarily a clerk, the City could get several young people and assign them different tasks, such as the minutes or records requests and asked if that would work or if it would be more advantageous to have 1 person do this, noting the City could possibly save some money by having some lower paid people to help as needed. Councilmember Boyle then stated a Deputy City Clerk is a high-paying position and the City is trying to save money, adding this may be an opportunity to perhaps hire a secretary instead of a Deputy City Clerk. City Clerk Vicki Vivian then addressed the Council stating the Deputy City Clerk serves as the City Clerk when she is out of the office, adding the City Clerk is served with notices of claims, lawsuits, etc, so she has to have someone appointed as a Deputy City Clerk regardless of their official title. Ms. Vivian then stated starting an employee at the minimum pay, would result in a savings, adding the previous Deputy City Clerk wasn't at the high end of the payscale by any means, but she also wasn't at the very bottom. Ms. Vivian then stated she thought a lot of the current Councilmembers haven't been to a retreat, where she has gone through a very thorough list of what the City Clerk's office does, adding her office also serves as the receptionist for the Administration office. Ms. Vivian then stated she was a firm believer in training the Deputy City Clerk so when she is out of the office for a day or two, the level of service remains the same, adding she feels the City needs to fill the position of the Deputy City Clerk. Councilmember Boyle agreed.

Councilmember Wangsness asked about the requirement of obtaining the Certified Municipal Clerk designation within 3 years of being hired with Ms. Vivian stating the designation required 120 hours of training. Councilmember Wangsness then stated he didn't feel the position should be started at the bottom and then be pushed up. Councilmember Brooks stated he felt the City should definitely try to hire within if at all possible, noting there have been discussions of possibly downsizing a little and personally, he would not like to see anyone have to be let go, adding Sierra Vista, Willcox and Bisbee used attrition and kept their own people so no one was ever laid off or let go and it also gave some of the employees a chance to advance in their payscales. Councilmember Brooks then stated if there was anyone internally, he would definitely think that would be the first way to go, and if that can't be done, other options could be looked at. Councilmember Brooks then stated he knew the City Manager is coming in and doesn't necessarily have a secretary, adding the City is using the HR Coordinator for those duties, but he didn't think it was officially given to her. Councilmember Brooks then stated when the new City Manager comes in, he may want his own secretary and the Council may have to look at that, adding maybe the position of the Deputy City Clerk could be used for both the assistance in the Clerk's office and for the secretarial work for the City Manager. Ms. Vivian stated she understood what Councilmember Brooks was saying, but she wanted the Council to not be mistaken that the position of the Deputy City Clerk was a part-time job, adding in the Administration office two years ago, the Staff went from 4 people down to 3 people and was now at 2 people with this vacancy. Ms. Vivian then

stated even if a secretary were hired instead of a Deputy City Clerk, the employee couldn't be split and do both jobs, adding it would result in less service with slower response times and more work not being completed. Councilmember Brooks asked if this issue could wait until the new City Manager was here with Councilmembers stating the process would take longer than a week anyway. Councilmember Boyle agreed, stating the new City Manager could be involved in the process and may have a way of doing business that he prefers. Ms. Vivian stated the City always advertise internally first, giving employees the benefit of being able to apply for that job before it is advertised publicly, noting that even if the internal advertisement were put out tomorrow, the process would still be to give employees at least a week or so to apply and the City Manager would be here before then. Councilmember Brooks asked about the timeframe for the advertisements with Ms. Vivian stating she didn't know the exact timeframe, but the City always advertises internally first with a deadline, before advertising a position publicly. Councilmember Brooks asked how the State looks at that and if there were any problems as far as an equal opportunity for employment with Ms. Vivian stating the process is done in accordance with State and Federal laws.

Councilmember Moncada moved to fill the Deputy City Clerk position. Seconded by Mayor King. Motion passed 7-0.

4. **Discussion and possible action on a request to fill the Director of Golf Operations position**

Interim City Manager Brad Hamilton addressed Council stating Director of Golf Jay Tomerlin is resigning and his last day will be April 4th, adding in accordance with the hiring freeze, he has brought the position to Council for direction.

Councilmember Boyle stated he thought Mr. Cox had a good point and that there are several people on Staff who are probably capable of doing this, adding if they were interested in the position, perhaps they should be interviewed and given a shot. Mayor King agreed. Councilmember Brooks stated he did talk with Mr. Tomerlin extensively, adding he thinks Mr. Tomerlin has done an excellent job at the golf course, especially with the way the economy has been and with how many other cities have had huge losses in their golf courses. Councilmember Brooks then stated he would definitely like Mr. Tomerlin involved in this hiring process, adding he thinks Mr. Tomerlin has a good feel for who would do that job best, and noted he would also like to consider Mr. Tomerlin as a possible consultant for a short period of time after the new person is on board to make sure the transition is smooth. Councilmember Brooks then stated unfortunately, Mr. Tomerlin has given a short notice for the Council to try and find a replacement and stated he had talked to Mr. Tomerlin briefly about this position, adding it's very critical that the Council gets the right person who knows how to market the golf course because if the Council doesn't get the right individual who can perform like Mr. Tomerlin, it could affect revenues. Councilmember Brooks then stated he would be the last one who would want to have to shut the golf course down because of a loss of money. Councilmember Brooks again stated this is a very critical position and he thinks it is very important that the Council looks at this hiring process very closely, adding again, he would like Mr. Tomerlin involved in it.

Councilmember Moncada moved to fill the Director of Golf Operations position. Seconded by Vice Mayor Sacco. Councilmember Wangsness asked how the process would be handled with Councilmember Moncada stating he imagined it would be handled just like any other hiring process with the position being advertised internally first and then externally, if it wasn't filled. Councilmember Brooks then asked how what he stated would be incorporated into the motion or the hiring process, adding the Council all seemed to like the idea and again asked how it would be directed into the hiring process. Councilmember Boyle then stated he would think Mr. Tomerlin would have to volunteer to be involved in the process and if he was willing to be involved, that would be great, adding he knew the Council would be hard pressed to replace Mr. Tomerlin with someone of his caliber. Councilmember Brooks stated he was not trying to abuse taxpayer money, but he has been with a lot of big companies and they don't usually have one guy walk out and one guy walk in, adding there is usually a transition to make sure the new person is familiar with the job. Councilmember Brooks then stated he thinks Mr. Tomerlin would be worth every dollar to help with that transition if the City has to find a way to pay him for some of his time, adding he was sure that Mr. Tomerlin would probably be willing to give a lot of his time for free. Councilmember Brooks then stated again he would like Mr. Tomerlin to be part of the hiring

process and asked City Attorney Gary Cohen how the Council would direct that. Mr. Cohen stated the Council could ask Mr. Tomerlin if he was willing to do that with Councilmember Brooks stating he had already talked to Mr. Tomerlin about it. Mr. Tomerlin then addressed the Council stating he has close ties to the golf course, adding he was there when it opened 12 years ago. Mr. Tomerlin then stated he definitely would entertain assisting with the golf course, adding he thinks internally, the City has some work to do and while it is an option to consider someone internally as an interim position, there was no one else on Staff that is a PGA member and there are some concerns that would need to be looked at. Mr. Tomerlin then stated he has talked to Councilmember Brooks and Interim City Manager Brad Hamilton about this, adding that is why he gave the Council a 4-week notice of his departure. Mr. Tomerlin then stated he does feel that the golf course has staff who is trained and could be put in place, adding the superintendent would be able to take that interim position and oversee operations until someone is hired or the City could look at utilizing him possibly through the summer, adding play at the golf course will start slowing down a little in the coming months. Mr. Tomerlin then stated Joe Ryan has worked at the golf course since he was 16 years old, adding he is someone who could take over in the golf shop area as a possible assistant tournament director, noting the golf course has several tournaments coming up including the Meals on Wheels tournament in June. Mr. Tomerlin then stated he would be available and would still be living in the community and would always be a PGA golf professional, adding his number one goal, still is, even in his new job, to grow the game of golf, and he would glad help out the community and the Council with a new selection and how the golf course moves forward. Mr. Tomerlin stated he wanted the golf course here and he was open to suggestions, adding hopefully the Council is open to his suggestions also. Mr. Tomerlin then stated he has already talked to the President of the local chapter, adding there are people out there who would apply for this position, adding it's a good job and while the City has some options for the golf course, it was up to the Council.

Councilmember Brooks stated he would like to make a motion with Mayor King stating there was already a motion on the floor. Mayor King then asked if Councilmember Moncada would like to amend his motion with Councilmember Moncada stating he would like to keep his motion the way it was. Councilmember Brooks then stated he would like to amend the motion. Mayor King stated Councilmember Moncada would have to amend his motion with Councilmember Moncada stating he felt the interview board should be selected by the City Manager, adding he agrees Mr. Tomerlin should be used but that he felt it was up to the City Manager and not the Council and he would leave his motion the way it stood. Councilmember Wangsness stated he would be more comfortable if Mr. Tomerlin was on the recommendation committee for this with Councilmember Moncada stating he agreed, and that was something the Council could talk to the City Manager about, but he didn't feel it was something that belonged in the motion. Mayor King then called for a vote. Motion passed 7-0.

5. **Discussion and possible action regarding Resolution 5-2014 of the Mayor and Council of the City of Benson, Arizona, approving a Delegation Agreement with the Arizona Department of Environmental Quality for the issuance of burn permits within the City**

Fire Chief Keith Spangler addressed Council stating this item is a continuation of the agreement the City already has in place with ADEQ, and basically gives the citizens a place to get their burn permits instead of having to go to the State to get them. Councilmember Boyle stated he utilizes burn permits and is glad to have this agreement and the ability to get burn permits. Councilmember Brooks moved to approve the delegation agreement with the Arizona Department of Environmental Quality for the issuance of burn permits within the City. Seconded by Vice Mayor Sacco. Motion passed 7-0.

6. **Discussion and possible action regarding installation of live cams on the City Municipal Golf Course and Visitors Center**

Councilmember Brooks addressed the Council stating he put this item on the agenda, adding he uses live cams to see what the weather is like and to get a feel for a city. Councilmember Brooks then stated he has spoken with Mr. Nilson at the Visitor Center and Mr. Tomerlin at the golf course along with Mr. Billy Coleman with Prologic about this, adding he didn't have any cost estimates but it doesn't sound like it's real expensive. Councilmember Brooks then stated he would like to direct the City Manager to look into the cost and the

feasibility of doing this, adding he thinks it is a good way to promote the City. Councilmember Brooks then stated his thought was to have a cam off the Visitor Center showing the sign with the temperature and events going on in town and showing street activity and the other would be at the golf course, showing the lake and mountains and greenery.

Mayor King stated his concern is money, adding the Council is trying to conserve money and asked how much it would cost and if the City really needed live cams. Councilmember Brooks stated it may be a couple thousand dollars. Councilmember Moncada stated the Council is asking Department Heads to cut their budgets and the Council was now sitting here talking about spending money on something that is completely not necessary, adding people get the weather from the internet, the weather channel on tv, the City's current website and their cell phones and asked why the Council should spend this money when they know they are going to try and cut the budget. Councilmember Moncada stated he knew Councilmember Brooks was saying it would only be a couple thousand dollars, but stated Councilmembers are the only ones who are continuing to spend money when the rest of the City is cutting budgets, noting again, this is not necessary at all. Councilmember Brooks stated as a businessman, Councilmember Moncada knew the importance of spending money to advertise with Councilmember Moncada stating live cams aren't advertising, since these are things that are already on the City's website. Councilmember Moncada then asked why the City needed to purchase cameras and upgrade the internet service at the Visitor Center and the golf course to do this with Councilmember Brooks stating from what he understood, no upgrade would be necessary. Councilmember Moncada disagreed. Discussion continued with Councilmember Brooks stating he would like to find out how much it would cost because it may cost only a couple thousand dollars to be able to have people nationwide have the ability to look at our City as a place to come. Councilmember Moncada then stated money adds up and the City is at the point, as Councilmember Brooks himself said earlier, where the Council may need to look at cutting positions and cutting where everything is already thin, and now the Council was looking at spending a couple thousand dollars, adding every time they spend a couple thousand dollars, it adds up and the Council needs to stop even talking about spending money like this. Councilmember Brooks stated he wasn't talking about buying a \$150,000 fire truck and all he was saying is the Council needs to start promoting the City. Councilmember Moncada then stated the Council could talk about this in the next budget, but right now it wasn't necessary, adding the Council needs to start acting like they know there might have to be some cuts in the next budget and it should start now. Councilmember Brooks stated he wasn't asking to purchase anything, but he would like to know how much it would cost, adding if it was only going to cost \$500, he would say to do it. Councilmember Moncada then stated Councilmember Brooks could price the project himself, but stated it is something the City doesn't need, regardless of how much it is.

Vice Mayor Sacco stated he would like to propose waiting until the new City Manager was on board and had a chance to get his feet wet, adding this project is not that critical and the Council doesn't need to make a decision tonight. Councilmember Brooks stated all he was asking for was to find out what it might cost and if it's even possible with Vice Mayor Sacco again stating he thinks the Council should wait until the new City Manager is here and the Council could let him decide, asking Councilmember Brooks what is so critical about making a decision now.

Councilmember Boyle then stated he would like to remind Councilmember Moncada that a month ago, Councilmember Moncada wanted to spend \$15,000 for a program to see if 2,500 people could be brought to Benson. Councilmember Boyle then stated it was a great idea and Councilmember Moncada felt that was easy money to be spent, but now the Council was only talking about looking into the idea of spending a few bucks to get a couple cameras, adding some cameras start at \$50.00 and the bandwidth would almost be nothing. Councilmember Boyle then stated if all the Council is talking about is looking into it, he didn't see any harm in it.

Councilmember Cook stated he was kind of on both sides, adding advertising the City is a good idea but he didn't think there needed to be a camera at the golf course, noting he thinks a picture of the golf course could be posted on the City's website. Councilmember Cook then stated he thought putting a camera at the Visitor Center for the time, temperature and current activities seems like a tremendous waste of money, adding he

thinks the time, temperature and current activities could easily be posted on the City's website, if they weren't already and then agreed the new City Manager could address the issue.

Vice Mayor Sacco agreed people could get all that information online and asked why a special camera was needed. Councilmembers Cook and Moncada both stated many people use their cell phones to get the time and temperature. Councilmember Brooks then stated live cams are quite a bit different than looking at a picture that was taken 5 years ago, adding the City's website doesn't even have one picture of Benson. Councilmember Brooks then stated all he was asking was to have the idea looked at, adding it might even be under \$500.

Discussion ensued with Vice Mayor Sacco stating he kept preaching when he could about the Council looking at the expense side of the ledger, adding they haven't done anything toward cutting expenses. Vice Mayor Sacco then stated the Council needed to look at the current expenses before they start talking about hiring someone to put a camera here and there, adding new budget sessions are coming up and that's the time to discuss this and have the City Manager look into it. Councilmember Brooks again stated he wasn't asking to spend any money, but was asking to just look into the cameras, adding the Council all agrees the City needs to be promoted and the Council has never done that. Vice Mayor Sacco then again stated he felt unless it was a critical issue, the Council needed to wait until the new City Manager was here.

Councilmember Wangsness stated he liked the idea just from the fact that it was an outreach and the capital expense would be fairly low for 5 years of operations or something like that, but he understood the idea of waiting for the new City Manager, adding he would like to address the issue again with the new City Manager. Councilmember Brooks then stated the Council could just table the item until the meeting on April 24th, which would give the new City Manager a week to get his feet wet. Councilmember Wangsness stated he was thinking the first meeting in June would be better since the new City Manager will have a lot thrown at him all at once. Councilmember Cook then stated he felt that instead of making a motion to table this for a date that the Council wasn't even sure of yet, he thought it could just be brought back when it was appropriate. Council concurred. The item then died for the lack of a motion.

7. **Discussion and possible action regarding the formation of a Benson Municipal Airport Advisory Committee**

Vice Mayor Sacco addressed Council stating the City previously had an airport advisory committee that for some reason, was disbanded, and he was suggesting the Council reform it, adding he thinks the committee did good when they were operating. Councilmember Brooks stated he asked the City Clerk to distribute a rough draft to the Council on how the committee would initially look, adding he worked on and off with Mr. Insalaco, who he find to be high caliber in what he does. Councilmember Brooks then stated he thought it would be great to at least get the committee started, adding if the committee was going to be a City committee, it would have to operate according to City codes. Councilmember Brooks then stated he would like to ask that the City put out an advertisement for people to be on this committee, adding Mr. Insalaco is also willing to distribute a flyer soliciting members if the City Clerk could create one. Councilmember Brooks then asked Mr. Insalaco to address the Council concerning the proposed committee. Mr. Insalaco then addressed Council stating he thought the committee would be a good idea, adding there was an airport advisory committee in the past, noting there were actually two committees; the ongoing committee providing advisement to Council and a second interim committee that lasted long enough to revise the airport master plan. Mr. Insalaco then stated the airport master plan is a 10-year document, but it is generally revised every 5 years, so there would be a need to look at the airport master plan again and this would be a good time to get input from the community members on what the next steps are with the capital improvements at the airport. Mr. Insalaco then stated he also thought the proposed committee would champion an annual airport open house fly-in event, which is something most airports in the region do, adding Benson held this event in 2005 and it was very successful. Mr. Insalaco then stated the event promoted the community, adding a lot of people from not only the community, but the surrounding region came out to the airport; there were vendors, displays and events, and the event was very successful in promoting the City and making people aware of what we have in the community in terms of aviation.

Vice Mayor Sacco asked if Mr. Insalaco knew how the Sierra Vista airport operates with Mr. Insalaco stating Sierra Vista has a committee, and a Councilmember, who is not a member of the committee, but he attends all committee meetings, adding it is a large committee and it functions well. Mr. Insalaco then stated he knew there is a lot of friction between the committee and the City Council because of the way Sierra Vista operates the airport, but they do have an airport committee and it offers a Call to the Public at its meetings. Mr. Insalaco then stated the committee also permits the attending public to interact with the committee members, adding he thinks that is important and while he knows it isn't something that can be done in a City Council meeting, he thinks it's both appropriate and fair for an open dialogue with the attending public to occur in advisement committee meetings, since all that comes from an advisement committee is a recommendation to the Council and the committee members forming the recommendation would want the best and largest breadth of input they can get from the community. Vice Mayor Sacco asked how often the Sierra Vista committee met with Mr. Insalaco stating he is proposing the new Benson committee meet once a month or more frequently, if needed. Mr. Insalaco then stated he turned in numerous applications for the proposed committee into Ms. Vivian, adding they were from members of the airport community who are aware this is transpiring and are interested on being on this committee, adding they would like to meet once a month at the airport on Saturday around noon since they are already there. Mr. Insalaco then stated he would make sure the Council and the Airport manager is aware of when meetings are and he would invite all to attend, adding he would like to get leadership more involved in what is going on at the airport. Vice Mayor Sacco agreed leadership should be more involved with the airport.

Councilmember Boyle asked if the committee members would have to be a resident of Benson or if they could be a member of the surrounding community with Mr. Insalaco stating he had a strong opinion on that, adding he thinks the committee needs residents from the City of Benson, but should also be open to non-residents, because the airport is a regional asset. Mr. Insalaco then stated the airport is funded largely by Federal funds, adding the FAA is not going to sponsor an airport in St. David, Pomerene or J-6 Ranch, again stating the airport is a regional asset and Council should consider permitting non-municipal residents on the committee. Vice Mayor Sacco agreed.

Councilmember Cook also agreed the airport was a regional asset and stated he thought the City needed an airport advisory committee and should include as many people as possible. Councilmember Cook then stated for the most part, he liked the way the Council was moving with this, but noted he had been on enough committees and boards to know that the airport advisory committee would operate under the same rules, ordinances and Open Meeting laws the Council operates under. Councilmember Cook then stated his problem with that is things can take a long time to get used to what laws apply, such as the Open Meeting laws, adding that law alone, suppresses Council's ability to talk to each other about the agenda items. Councilmember Cook then stated he thinks what he would want for the proposed airport committee and what he thinks Mr. Insalaco wants for the proposed committee is to be able to have open dialogue and for the members to be able to talk to each other at any time. Councilmember Cook then stated he thinks a fully operating airport committee that operates informally so anyone can give their input at any time, whether there is a meeting or not, without violating any laws and without being confused about the rules of order, what tabling a motion is and what it means if a motion is not made at all, would be better because there are so many things involved in a formal committee that suppresses participation and realistic help. Councilmember Cook then stated this was all off the top of his head, but he thought an informal committee may be better.

Mr. Insalaco then stated the City had an airport committee in the past, adding it followed the minimums required by Open Meeting laws by having agendas, minutes, etc. and he thinks the new committee would do that again. Mr. Insalaco then stated the previous committee did permit open dialogue with not only a Call to the Public, but on each agenda item, they permitted open discussion with everyone that was there, adding also at the end of the meeting, the committee collected ideas from committee members and the attending public of what the next agenda items should be, and stated he didn't see any problem with that. Mr. Insalaco then stated it creates a very informal environment, adding the meetings of the new committee will probably be held in conjunction with a barbeque, adding it will be a far more informal environment, but they will follow the Open Meeting laws in terms of attendance, agendas, adhering to the agenda and producing meeting minutes.

Councilmember Brooks stated if the proposed committee was under the official umbrella of the City, then the City would be responsible if the meetings were not conducted properly. Councilmember Brooks then stated he didn't really care if another Councilmember wanted to be on the committee, but he would be happy to unless another Councilmember wanted to, adding he thought it would be a good idea to have a Councilmember on it to make sure things were not being conducted improperly. Councilmember Brooks then stated he liked the idea of doing this in an official way because it makes the public aware of what is being discussed at the airport, adding if it were a private committee, they could do something and the City may not even know about it. Councilmember Brooks then stated the City previously had a committee like this, adding it worked very well and while he knew some things happened and the committee was dissolved, right now, the airport is a huge asset to the City and he thinks a lot of potential customers are being lost and the Council really needs to keep an eye on what is going on at the airport. Councilmember Brooks then stated he likes the idea of the committee bringing someone to the Council once a month and letting them know what the committee would like to see happen with the airport. Mr. Insalaco then stated he would be very pleased to have a Councilmember, either as a member of the committee or in attendance at the meetings. Mr. Insalaco then stated Mr. Hamilton as the Airport Manager would also be invited to attend the meetings and if Mr. Hamilton wanted to be a member of the committee, he thought that would be great, but noted if Mr. Hamilton just wanted to attend and interject his ideas, that would be great also. Mr. Insalaco then stated when he joined the previous committee, the former City Manager Boyd Kraemer attended all the committee meetings, which was welcomed and was helpful, adding involvement from the Council or the municipal leadership would be welcomed.

Councilmember Wangsness asked about federal constraints on the committee with Mr. Insalaco stating he was not aware of any federal constraints imposed on the committee, but noted there are federal constraints imposed on the City as the sponsor of the airport who accepts federal grant funds. Mr. Insalaco then stated there are as many as 43 grant assurances the sponsor of an airport has to accept, adding one of them is if there are going to be any activities that may impact a runway, such as the creation, destruction or changes, the sponsor of the airport is supposed to have a committee. Vice Mayor Sacco clarified that was if the City received grant funding from the FAA with Mr. Insalaco stating Vice Mayor Sacco was correct, adding the City of Benson has received grant funding from the FAA for capital improvements, and he believes those grant assurances are imposed for a period of time and he thinks it may be 10 years, but wasn't sure. Interim City Manager Brad Hamilton then stated the only time federal constraints are on the airport committee and during the creation and updating of the airport master plan, adding the FAA determines who is required to be on the committee. Mr. Hamilton then stated the airport master plan currently projects an update in 2018 or 2019, and the committee to address the master plan would have to be reformed at that time per those federal guidelines.

Councilmember Moncada stated he supported the proposed committee and thought it was a good idea, but he thought it should be run the same as the Economic Development Subcommittee with one Councilmember on it. Councilmember Moncada then stated the City should advertise for members the same way they advertised for the new economic development committee, adding he thinks more applications will be turned in. Councilmember Moncada then stated one thing he did want to stress was that the proposed committee is an advisory committee, again stating he wanted to stress that the proposed committee could not be negotiating with people and that they had no power or authority to talk to the FAA regarding grants, requesting grants or in negotiating or directing Armstrong Consultants or City personnel. Councilmember Moncada then stated again, the proposed committee would be an advisory committee and as long as it stays that way, he would fully support it. Mr. Insalaco stated he agreed with most of that, adding the committee would be an advisory committee, so they should not be attempting to make policy or negotiate contracts, but he did think it would be appropriate for committee members to talk to FAA members to gather information. Councilmember Moncada then stated he was referring to committee members requesting grants from the FAA or talking about acting on behalf of the City, adding committee members should not be doing that. Mr. Insalaco agreed and Councilmember Moncada stated he wanted to make that clear since some people don't read information. Councilmember Brooks stated all the City's boards and commissions should operate that way, adding the Council has the final say.

Councilmember Brooks then stated the City Council may receive a lot of applications for this committee and while he didn't want to limit it, he didn't want to have 15 voting members on a committee, adding the Council may want to consider having voting members and non-voting members. Councilmember Brooks then stated the non-voting members don't have to attend all the meetings, but the voting members would need to, adding a voting member were to miss 3 meetings, they would automatically be off the committee and he thinks that is the way most committees work. Councilmember Brooks then stated the way the committee is set up right now, they could have the Call to the Public, but that he spoke with City Attorney Gary Cohen about this subject for another committee and Mr. Cohen doesn't seem to think a committee can talk to the public during a meeting on an agenda item, adding this restricts the information coming to the committee. Councilmember Brooks then stated the committee brings ideas to the Council so if the committee had more members, it would broaden the discussion, adding he would like to see a larger number of committee members, again adding some could be voting members and some could be non-voting members. Vice Mayor Sacco agreed that the proposed committee was only a recommendation committee and there only power was to present recommendations to Council.

Councilmember Moncada stated he felt the Council should wait to decide on voting and non-voting members until they saw how many applications were submitted, adding if there are only 5 applications, it would be a moot point, but if 40 were submitted, then the Council could look at that. Councilmember Moncada agreed that he didn't want to turn people away, but stated the Council only received 4 applications for the Economic Development Committee, so it would obviously not be a problem there. Councilmember Brooks stated it might be an issue if he got out there to get applications, but agreed the Council could address it after the applications were submitted.

Vice Mayor Sacco stated the City would have several openings for these committee and needed to combine the advertisements, adding he thinks there are a lot of people in the community who would like to volunteer for these positions. Councilmember Moncada agreed, and then moved to form a Benson Municipal Airport Advisory Committee and to advertise for applicants. Before the motion could be seconded, Councilmember Brooks stated he didn't know if it was required to be part of the motion, but he would like the City Clerk to give Mr. Insalaco flyers to distribute. Mr. Insalaco stated he would be willing to make the flyers, run them by the City Clerk for her approval and then circulate them at the airport, adding he thought the City still needed to advertise in the traditional methods. City Clerk Vicki Vivian asked if the Council could establish a timeframe to advertise with Councilmember Moncada stating he would like the advertisement to run for 2 weeks with a month being given for responses. Council agreed. Motion was seconded by Councilmember Boyle. Councilmember Cook stated if there was a possibility of some members not being able to vote, he thought it should be included in the advertisement and the flyer. Councilmember Moncada stated as of now, all the members would be voting. Councilmember Brooks then stated in collecting applications for the Economic Development Committee, some people told him they couldn't attend all the meetings and would prefer to be non-voting members, but the advertisement was not run that way. Councilmember Cook stated if some members would not be able to vote, he thought they should know that upfront. Councilmember Wangsness stated non-voting members could be added at any time, stating the Council is basically selecting voting members and then if more people want to be on the committee, they could be accepted as non-voting members and it would be up to the committee. Mayor King agreed stating once the committee is formed, it would be up to them. Councilmember Brooks stated the Council normally appoints people to a committee, so the Council would have to approve their membership. Councilmember Wangsness stated that was for voting members and asked if the addition of non-voting members would be up to the committee. City Attorney Gary Cohen then asked for the motion to be restated for the record.

Councilmember Moncada then restated his motion was to form the Benson Municipal Airport Advisory Committee and advertise for members for 2 weeks, with 4 weeks being allowed for responses. Councilmember Brooks stated he didn't need to amend the motion, but did want to include that Mr. Insalaco would be able to hand out flyers soliciting membership after the flyer was approved. Seconded by Councilmember Boyle.

8. **Review and discussion of City Finances with emphasis on January, 2014 financial results, and the City's financial position at February 28, 2014**

Finance Director Megan Moreno addressed Council with the financial highlights for the month of February, stating the City's unrestricted cash balance increased, which is a great sign, adding the City has experienced positive fund balances the past two months. Ms. Moreno then stated revenues for the month exceeded expenditures by \$73,000, noting year-to-date, the City is still operating in the red and is down \$233,000; however, last year at this time, the City was down \$486,000, so there has been quite a good turnaround. Ms. Moreno then stated citywide revenues were \$783,000 for the month and are \$6.2 million year-to-date, adding it is a significant decrease of \$627,000 from last year, and was due to decreases of \$92,000 in construction sales tax, \$334,000 in grant revenue, \$175,000 in donations to the golf course and \$260,000 drawn down from the bond proceeds.

Ms. Moreno then addressed personnel citywide, stating the cost was \$396,000 for the month of February and \$3.35 million year-to-date, which is an increase over 2012 due to raises Council approved. Ms. Moreno then stated capital expenditures were only \$18,000 for the month of February, adding the City has been focusing on basically one project; the Hillcrest Street water line.

Ms. Moreno then addressed the General Fund, stating revenues were \$398,000 for the month of February, adding it is up \$148,000 year-to-date. Ms. Moreno then stated the increases largely come from 3 areas; an \$84,000 year-to-date increase in local sales tax and increases in both state sales tax and state shared revenues. Ms. Moreno then stated expenses in personnel were \$255,000 for the month and \$2.2 million year-to-date. Ms. Moreno then stated in the General Fund balance, the City had another positive month, adding revenues exceeded expenditures, however the City was still down \$78,000 for the month and down \$320,000 for the year, but noted this was a significant improvement over the previous year, when the City was down \$502,000 at this time last year.

Ms. Moreno then addressed Enterprise Funds, stating the Gas Fund lost money for the month of February, due to a very mild month, adding February usually draws in a significant amount of revenue, but there was a significant decrease in gas usage and she was predicting the same thing for the month of March. Ms. Moreno then stated even so, all fund balances are up year-to-date for Gas, Water and Wastewater and Sanitation. Ms. Moreno then stated the golf course also saw a positive fund balance for the month of February, adding operations made \$7,000 and food and beverage lost \$3,500 in the month of February, but combined over all, the result was positive for the month.

Ms. Moreno then addressed sales tax stating there was no significant increase in bed taxes and construction sales tax is showing a negative amount due to an accounting adjustment that had to be made during the month of February, adding this revenue was reported under the wrong codes, so the adjustment was added back to the City's retail sales tax. Ms. Moreno then noted without the adjustment, the construction sales tax was under \$3,000, and noted it was significantly lower than construction sales tax in the past. Ms. Moreno then stated State sales tax collections had a very good increase for the month of February and is trending nicely.

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body about the previously approved Mayor and Council investigation of Jim Cox

Councilmember Moncada moved to enter into an executive session with the Mayor and Council, the Interim City Manager, City Attorney and City Clerk at 8:29 p.m. Seconded by Councilmember Boyle. Mayor King reminded the public this was the last item on the agenda. Motion then passed 7-0.

Council reconvened at 9:15 p.m.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Moncada stated he would like to thank Interim City Manager Brad Hamilton for serving as the Interim City Manager for about 4 months, which is a lot longer than Mr. Hamilton planned, adding Mr. Hamilton is probably happier than anyone else that the new City Manager will be here next week. Council all thanked Mr. Hamilton.

Councilmember Moncada moved to adjourn at 9:15 p.m. Seconded by Councilmember Brooks. Motion passed 7-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk