

CITY OF BENSON CITY COUNCIL APRIL 22, 2019 – 7:00 P.M. REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON APRIL 22, 2019 AT 7:00 P.M.,
AT THE BENSON COMMUNITY CENTER,
705 W. UNION STREET, BENSON, ARIZONA

Vicki L. Vivian, CMC, City Clerk

AGENDA

The Council may discuss, direct, consider and take possible action as indicated below pertaining to the following:

CALL TO ORDER: The Call to Order will consist of the Mayor calling the Council to order. The Mayor or his designee shall then lead those present in the Pledge of Allegiance before introducing the invocation speaker, who will offer the invocation.

ROLL CALL: The City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

EMPLOYEE RECOGNITION: The Mayor shall use this time to present employment awards to those City employees or to present recognition awards for specific acts regarding public service, if any.

PROCLAMATION: A proclamation of the Mayor and Council declaring April “Autism Awareness Month.”

PROCLAMATION: A proclamation of the Mayor and Council declaring April “Fair Housing Month.”

PROCLAMATION: A proclamation of the Mayor and Council declaring May 5-11, 2019 “Municipal Clerks Weeks.”

PROCLAMATION: A proclamation of the Mayor and Council declaring May 2, 2019 “National Day of Prayer.”

PROCLAMATION: A proclamation of the Mayor and Council declaring April 21, 2019 “Power Talk 21® Day.”

PUBLIC HEARING: The Mayor and Council will receive comments and questions from the public regarding the proposed City of Benson The 2019 Use Tax Amendment to the Tax Code to adopt a local Use Tax by deselecting Model Option #15 and adopting Local Option #JJ; providing for severability; and designating an effective date of July 1, 2019

PUBLIC HEARING: The Mayor and Council will receive comments and questions from the public regarding a proposed rezoning. The proposed rezoning is for San Pedro Real Estate, L.L.C. and the City of Benson and is multiple parcels surrounding and inclusive of the San Pedro Golf Course, exclusive of the City of Benson Wastewater Treatment Plant. Parcel numbers are: 123-07-007A, 123-07-007B, 123-07-007C, 123-26-001F, 123-26-002A, 123-48-003A, 123-48-004R, 123-48-004S, 123-48-004T, 123-07-024D, 123-07-024E, 123-07-024F, 123-07-024G, 123-07-024H, 123-07-025; rezoning from a zoning district of single family residential (R-1-43) to multi-family residential (R-2)

CITY MANAGER REPORT: The City Manager will announce meetings and events taking place regarding matters involving or related to the City of Benson.

NEW BUSINESS:

1. Discussion and possible action on the Consent Agenda: ***
 - 1a. Minutes of the March 28, 2019 Special Meeting *
 - 1b. Resolution 9-2019 of the Mayor and Council of the City of Benson, Arizona, directing National Bank of Arizona to open an account restricted to depositing event tickets sales funds and subsequently transferring those funds post-event into the City of Benson general checking account *
 - 1c. Invoices processed for the period from March 15, 2019 through March 28, 2019 *
 - 1d. Invoices processed for the period from March 29, 2019 through April 10, 2019 *
2. Discussion and possible action regarding Resolution 10-2019 of the Mayor and Council of the City of Benson, Arizona, approving a Schedule for Fees relating to Library Services – **Kelli Jeter, Library Branch Manager** *
3. Presentation of the Certified Audit Report for the City of Benson for the fiscal year ended June 30, 2018 – **Seth Judd, Finance Director** *

4. Discussion and possible action regarding Ordinance 596 of the Mayor and Council of the City of Benson, Arizona approving a request to rezone assessor's parcel numbers 123-07-007A, 123-07-007B, 123-07-007C, 123-26-001F, 123-26-002A, 123-48-003A, 123-48-004R, 123-48-004S, 123-48-004T, 123-07-024D, 123-07-024E, 123-07-024F, 123-07-024G, 123-07-024H, 123-07-025 from a zoning district of single family residential (R-1-43) to multi-family residential (R-2) – **Bradley J. Hamilton, P.E. Director of Public Works/City Engineer ***
5. Discussion and possible action regarding Resolution 11-2019 of the Mayor and Council of the City of Benson, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "The 2019 Use Tax Amendment to the Tax Code of the City of Benson – **Seth Judd, Finance Director ***
6. Discussion and possible action regarding Ordinance 597 of the Mayor and Council of the City of Benson, Arizona, amending the City Tax Code to adopt a local Use Tax by deselecting Model Option #15 and adopting Local Option #JJ; providing for severability; and designating an effective date of July 1, 2019 – **Seth Judd, Finance Director ***
7. Discussion and possible action regarding Resolution 12-2019 of the Mayor and Council of the City of Benson, Arizona, declaring the "City of Benson, Arizona 2019 Water and Sewer Financial Planning Study" dated April, 2019, a Public Document and stating the date, time, and location for a public hearing on a proposed water and wastewater rate increase – **Seth Judd, Finance Director ***
8. Discussion during and/or after presentation by City Staff of City Finances, with emphasis on February 28, 2019 financial results, current year budget process, and the City's financial position at February 28, 2019 – **Seth Judd, Finance Director ***

CALL TO THE PUBLIC: Communications and comments from the citizens regarding the City of Benson or other matters properly addressed to the City Council shall be heard by the Council. Such remarks shall be addressed to the Council as a whole and shall be limited to five (5) minutes unless this time is adjusted in the discretion of the Mayor or Council. **

DEPARTMENT REPORTS: Written Department Reports will be provided to Councilmembers as part of the Council packet monthly, discussion and direction to Staff, if any, may ensue.

ADJOURNMENT

POSTED this 19th day of April, 2019

Material related to the City Council meeting is available for public review the day before and the day of the meeting, during office hours, at the City Clerk's Office located at 120 W. 6th Street, Benson, Arizona, 520-586-2245 x 2011.

All facilities are handicapped accessible. If you have a special accessibility need, please contact Vicki L. Vivian, City Clerk, at (520) 586-2245 or TDD: (520) 586-3624, no later than eight (8) hours before the scheduled meeting time.

Any invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

Executive Sessions – Upon a vote of the majority of the City Council, the council may enter into Executive Sessions pursuant to Arizona Revised Statutes §38-431.03 (A)(3) to obtain legal advice on matters listed on the Agenda.

* Denotes an Exhibit in addition to the Council Communication

** Call to the Public

Arizona Revised Statutes §38-431.01(H) provides that "A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action." As such, a Call to the Public, if on the agenda, is provided as a courtesy.

In order to speak during the Call to the Public, please complete the Call to the Public form requesting to do so.

*** Consent Agenda

The Consent Agenda will be the first item under New Business and shall list separately distinct items requiring action by the City Council that are generally routine items not requiring Council discussion. A single motion will approve all items on the Consent Agenda, including any resolutions or ordinances, or claims/invoices that are of a routine nature. A Councilmember may remove any issue from the Consent Agenda, and that issue will be discussed and voted upon separately, immediately following the Consent Agenda under its proper regular category of New Business.

NOTICE TO PARENTS: Parents and legal guardians have the right (with certain exceptions) to consent before the City of Benson makes a video or voice recording of a minor child. A.R.S. §1-602(A)(9). Regular and Special Meetings of the Mayor and Council for the City of Benson are recorded, and that recording is usually posted on the City's website. If you permit your child to participate in a Regular or Special Meeting of the Mayor and Council for the City of Benson, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the City Clerk.