

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD APRIL 23, 2018 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 7:03 p.m. with the Pledge of Allegiance. Mayor King then introduced Pastor Kirk Sorensen from The First Assembly of God Church of Benson who offered the invocation.

ROLL CALL:

Present were: Mayor Toney D. King Sr., Vice Mayor Joe Konrad, Councilmembers Pat Boyle, and Lupe Diaz
Absent were: Councilmembers Larry Dempster, Levi Garner, and David Lambert

Mayor King stated Councilmember Garner was out of town on a fire call in New Mexico and Councilmember Dempster had a late flight back into town, so both were unable to attend the meeting.

EMPLOYEE RECOGNITION: None

PROCLAMATION:

Councilmember Diaz read a proclamation declaring May 3, 2018 as the “National Day of Prayer” and presented it to Pastor Kirk Sorensen, of the First Assembly of God of Benson.

Councilmember Boyle read a proclamation declaring May 5, 2018 as “Benson Poppy Day” and presented it to Ms. Dolores Chavez of the American Legion Ladies Axillary.

Vice Mayor Konrad read a proclamation recognizing the week of May 6-12, 2018, as “Municipal Clerks Week.” Mayor King presented it to Interim City Manager Vicki Vivian.

PUBLIC HEARING:

The Mayor and Council will be available to receive comments from the public regarding a proposed annexation into the City of Benson of property located near Interstate 10, Mile Marker 303, in section 8, Township 17 South, Range 20 East, Gila and Salt River Meridian, Cochise County, Arizona, Assessor’s Tax Parcel 123-12-024.

Vice Mayor Konrad noted the public hearings were reversed from the order on the agenda.

Mayor King acknowledged the second public hearing would be held first and then opened the public hearing on the annexation for Tax Parcel 123-12-024 at 7:15 p.m.

Paul Lotsof, a non-resident and business owner of the Cave FM radio station in Benson, addressed the Council regarding the annexations of both parcels, stating the City is soliciting comments on two proposed land annexations and with the information the City supplied, it is nearly impossible to be well enough informed to make a comment that is well thought out. Mr. Lotsof stated there were basic questions that needed to be asked before an intelligent comment could be made, then asked where the two parcels of land are, adding the Council agenda has a reference to an assessor’s parcel number, but unless someone has an assessors map, it is hard to pin point the exact locations. Mr. Lotsof then stated after receiving a tip from a citizen, he was able to find a small map of the area on the City’s website, adding very few interested people would have known where to look. Mr. Lotsof then asked who owns the parcels of land proposed for annexation and what current use the property is. Mr. Lotsof then asked who the petitioners were and why they want the land annexed. Mr. Lotsof then stated it appears that both parcels of land are surrounded by land that is already part of the City and asked why the land wasn’t annexed years ago. Mr. Lotsof then asked how the people of Benson benefit from these annexations and if there will be a significant generator of tax revenues or if they will be little more than an expense for the City to

provide various services. Mr. Lotsof then stated unless there was some reason these parcels needed to be immediately annexed, the annexation process should be delayed so the public can be given sufficient information, so a citizen can comment intelligently. Mr. Lotsof then stated basic information is being withheld and the public should be provided pertinent information before the public hearing.

Vice Mayor Konrad asked if this was the only public hearing being held; and when action would take place on the annexations with Planning Technician/GIS Michelle Johnson stated the City is re-annexing the properties because when they were originally annexed, there were some scribner's errors meaning there were errors in the legal descriptions that were discovered by Cochise County. Ms. Johnson then stated the State of Arizona is in the process of updating the "next generation 911" system and Cochise County has been going thru original annexations on every jurisdiction and caught these errors. Ms. Johnson then stated the property owners are aware and were asked if they would like to be re-annexed, adding one parcel is owned by El Paso Gas, now Kinder Morgan and the other parcel is partially owned by ADOT and is partially a right-away owned by a gentleman out of state who also owns additional frontage on 4th Street. Ms. Johnson then stated this is will be the only public hearing, adding they City then has a year to get the property owners to sign the annexation petitions and since she spoke to them already, they are expecting the petitions after the public hearing.

Vice Mayor Konrad asked if the Council would take action after that with Ms. Johnson confirming they would. Interim City Manager Vicki Vivian stated she would like to comment on the remarks of Mr. Lotsof, adding the City had to do publications legally required through public hearing notices, which included a map of where the properties are located. Ms. Vivian then stated City offices are open anytime from 8 a.m. to 5 p.m., Monday through Friday for anyone who has any type of question on any annexation or any other action the Council is to consider. Ms. Vivian then stated anyone can call City Hall and the staff would be happy to give out that information.

Mayor King asked if there was anyone else who would like to speak. After receiving no responses, Mayor King closed the public hearing at 7:23 p.m.

PUBLIC HEARING:

The Mayor and Council will be available to receive comments from the public regarding a proposed annexation into the City of Benson of property located near Interstate 10, Mile Marker 303, southeasterly of the northernmost Interstate 10 right-of-way, Assessor's Tax Parcel 123-12-015A.

Mayor King opened the public hearing on the annexation for Tax Parcel 123-12-015A at 7:23 p.m. Mayor King stated no one signed up to speak and asked if there was anyone present who would like to speak. After receiving no responses, Mayor King closed the public hearing at 7:23 p.m.

CALL TO THE PUBLIC:

Paul Lotsof, a non-resident and business owner of the Cave FM radio station in Benson, addressed the Council stating this day marks the 35th anniversary of the radio station Cave 97.7 FM, adding it is their birthday and they are having a party at Dickey's Barbecue Pit. Mr. Lotsof then stated he was giving away free dinner coupons to whomever would like one after the meeting.

CITY MANAGER REPORT:

Interim City Manager Vicki Vivian addressed Council, giving the dates of upcoming meetings and events.

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| Tuesday, April 24, 2018 | – | Community Watershed Alliance, 6:30 p.m., City Hall |
| Monday, May 7, 2018 | – | Planning and Zoning, 7:00 p.m., City Hall |
| Monday, May 14, 2018 | – | Council Meeting, 7:00 p.m., City Hall |
| Saturday, May 19, 2018 | – | Historic Preservation Commission, 9:00 a.m., City Hall |
| Tuesday, May 22, 2018 | – | Community Watershed Alliance, 6:30 p.m., City Hall |

- Wednesday April 25, 2018 – Candidate Forum, 6:00 p.m., City Hall
If you are interested in becoming a Councilmember, Please join us at the Potential City Council Candidate Forum.
Every Voice Counts!
- Saturday, May 12, 2018 – Benson City Grille, San Pedro Golf Course
will be having a Mother’s Day Wine Event
from 5:00 p.m.- 7:00 p.m.
- Friday, May 18, 2018 – Movie in the Park Featuring CoCo, Lion’s Park
Popcorn, Soda, and Water, Free while supplies last
will start serving at 6:30 p.m. Movie will start at Dusk.
- Friday, May 25, 2018 – City Pool Opens, For more information on the pool and
our other summer activities, go to www.cityofbenson.com
- Monday, May 28, 2018 – Forget-Me-Not Pool Party
Kick off the Summer Swim Season with the City of Benson’s Forget-me-Not
Memorial Day Pool Party Monday, May 28, from 11:00 a.m. – 5:00 p.m.,
Join us for a fun day filled with music, prizes, and food! Free swimming is
sponsored by the VFW Women’s Auxiliary
- Monday, May 28, 2018 – Memorial Day – City Offices Closed

Ms. Vivian then stated for a full list of events, activities, locations and times, the public could view the City’s website at www.cityofbenson.com

NEW BUSINESS:

1. **Discussion and possible action on the Consent Agenda**

- 1a. Minutes of the December 28, 2017 Special Meeting
- 1b. Minutes of the February 26, 2018 Regular Meeting
- 1c. Minutes of the March 26, 2018 Regular Meeting
- 1d. Appointment of Joe Knoblock to the Public Safety Personnel Retirement Boards for the Fire Department and the Police Department
- 1e. Invoices processed for the period from March 17, 2018 through March 29, 2018
- 1f. Invoices processed for the period from March 30, 2018 through April 12, 2018

Vice Mayor Konrad moved to approve the Consent Agenda. Seconded by Councilmember Boyle. Motion passed 4-0.

2. **Discussion and possible action regarding Resolution 11-2018 of the Mayor and Council of the City of Benson, Arizona, directing the City’s Banking partners to recognize the signatures of said officers on electronic fund transfers, checks for deposit and/or withdrawal; and declaring an emergency with respect to this resolution**

Interim City Manager Vicki Vivian stated the proposed resolution authorizes the Mayor, Council and the Interim City Manager/City Clerk to sign bank transfers and checks for deposit and/or withdrawal, adding Staff is asking to have all Councilmembers named in the resolution. Ms. Vivian stated this would currently give Staff a total of 8 authorized personnel to sign checks, noting 2 signatures are required, and increase the ability to have checks executed when some of the authorized persons are not available. Ms. Vivian then stated as a policy, one member of the Council and one member of Staff will sign checks, providing one of the many checks and balances the

Finance Department maintains; however, should circumstances arise with Staff not being available, two Councilmembers may be asked to sign checks. Ms. Vivian then stated a procedure will be put into place in the Finance Department to offset this before two Councilmembers are asked to sign checks.

Mayor King thanked Ms. Vivian for working on this resolution, adding he is glad the City will have additional signers now. Mayor King asked if everyone had signed the signature card at the bank with Ms. Vivian stating the new resolution will require a new signature card, due to removing the former Finance Director and adding Councilmember Diaz. Ms. Vivian then stated the Administrative office will prepare the papers with the bank and will inform Council when it is ready. Vice Mayor Konrad asked how this differs from the previous resolutions regarding bank signatures with Ms. Vivian stating the proposed resolution adds Councilmember Diaz to include the entire Council as authorized signers, as well as removes the former Finance Director. Ms. Vivian then stated an additional change is that the stipulation prohibiting two Councilmembers or two staff members to sign checks has been removed, adding as a practice, Staff will always request one signature from Council and one signature from Staff; however, should all of Council be out of town, or Ms. Vivian is out of the office, Staff can have signatures from two Councilmembers. Ms. Vivian then stated should this happen, the Finance Department will have the vouchers with the checks enabling Council to see the checks have been through proper channels. Vice Mayor Konrad asked if a new resolution would be required should the Council membership change with Ms. Vivian confirming a new resolution would be required with each Council or personnel change. Ms. Vivian then stated in the past, the bank only requested minutes showing new Councilmembers being sworn in, but now require a resolution and the minutes of the meeting at which the resolution was passed.

Councilmember Boyle moved to approve Resolution 11-2018. Seconded by Councilmember Diaz. Motion passed 4-0.

3. **Recognition of the creators and participants of the “Brighten the Path – the New Face of Benson” event held on March 31, 2018 to clean up trash in Benson**

Interim City Manager Vicki Vivian stated this item has been placed before the Council to recognize Mr. Elton Bowman and Ms. Pam Masters, who were the creators of “Brighten the Path – the New Face of Benson” proposing a beautification event and encouraging people to pick up litter in Benson whenever they are walking their dogs or even going for a walk. Ms. Vivian then stated the City purchased some supplies and bottled water for the event, which was held on March 31, from 7:00 a.m. to noon, and engaged partnerships with Wal-Mart to supply garbage bags and Southwest Disposal to place 2 trash receptacles near the former Goodwill location for use in that section of the City. Ms. Vivian then stated other businesses that wanted to participate, allowed their trash receptacles to be used the day of the event and in addition, the City Council approved providing pizzas for the volunteers. Ms. Vivian stated Mr. Elton Bowman and Ms. Pam Masters provided bracelets to identify volunteers and were hoping to have approximately 30 participants, but their expectations were exceeded with over 40 volunteers showing up and participating, noting the area they cleaned up spanned several blocks and approximately 140 45-gallon trash bags were filled with trash. Ms. Vivian then stated the efforts of everyone involved is greatly appreciated and the work they did made a big contribution to the beautification in our City. Ms. Vivian then stated Mr. Bowman and Ms. Masters would like to continue this momentum and hold another event in the fall and the City would like to recognize both Mr. Bowman and Ms. Masters for their inspiration and perspiration, or their willingness to not only lead, but to lead by example, in serving the community. Ms. Vivian then stated the City would also like to recognize all those who volunteered in the event.

Mayor King presented both Mr. Elton Bowman and Ms. Pam Master with a certificate of appreciation. Mr. Bowman stated Ms. Masters was the “Brighten the Path” person, and without the support of Mayor King and the City and all the people who volunteered, the event couldn’t have happened and thanked Interim City Manager Vicki Vivian and Administrative Assistant Barbara Thompson, who jumped in with both feet. Mr. Bowman then stated he has plans to continue though the summer so there won’t be 7,000 cubic feet of trash to pick up in the fall and then thanked everyone who made the event a success, adding it took the community to do it.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Vice Mayor Konrad moved to adjourn at 7:38 p.m. Seconded by Councilmember Boyle. Motion passed 4-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk