

**THE REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD APRIL 24, 2017 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 7:01 p.m. with the Pledge of Allegiance.

**ROLL CALL:**

Present were: Mayor King, Councilmembers Pat Boyle, David Lambert and Crystal Lewie. Absent were: Vice Mayor Konrad, Councilmembers Levi Garner and Lori McGoffin.

**EMPLOYEE RECOGNITION:** None

**PROCLAMATION:**

Mayor King read the proclamation proclaiming the week of 7-13, 2017 as "Municipal Clerks Week." Mayor King then presented the proclamation to City Clerk Vicki Vivian.

Mayor King read the proclamation declaring May 9, 2017 as "Benson Poppy Day." Mayor King then presented the proclamation to Marilyn Wilharm of the American Legion Auxiliary.

**PUBLIC HEARING:** None

**CALL TO THE PUBLIC:**

Barbara Nunn, La Cuesta, Benson stated she was sorry she missed the apologies on the failed coup on Mr. Stephens, and stated Council needed to remember that part of the Council put the City in a real bind before Mr. Stephens and a real law firm pulled their butts out of the fire. Ms. Nunn then spoke about the vandalism on the gates on Post Ranch Road, stating someone first poured glue into the gates and then stole the gates on both ends of the road. Ms. Nunn stated she imagines someone is proud of themselves, adding someone in the crowd knows who did it, then stated this is a federal crime. Ms. Nunn then stated this is a small town and someone will eventually talk and she can't wait. Ms. Nunn then there is a waitress from Galleanos and Pablos who also works at Liz's Chevron and her mother and step-father were killed last night in a motorcycle accident. Ms. Nunn then said it's time to act like the small town Benson is supposed to be and pass the hat to help pay for the funeral expenses for this 20-year-old girl who has no way of paying for this. Ms. Nunn stated her name is Dainara Fronterhouse and her wedding is on May 6, then asked everyone to help Ms. Fronterhouse so her life wouldn't be ruined.

Dave Thompson, La Cuesta, stated he wanted to follow up on what Ms. Nunn said, adding he is putting a bowl in the back of the Council chambers and asked for contributions for Ms. Fronterhouse. Mr. Thompson stated Ms. Fronterhouse's mother was an addict for years who got sober, but in the meantime Ms. Fronterhouse raised her little brother and quit High School to do it. Mr. Thompson then stated Ms. Fronterhouse finally got her GED and has been working really hard, adding her wedding was planned for May 6 and then this tragedy happened. Mr. Thompson stated we all need to help her.

**CITY MANAGER REPORT:**

City Manager William Stephens addressed Council, giving the dates of upcoming meetings and events.

Monday, May 2, 2017	- Planning & Zoning Commission, 7:00 p.m., City Hall
Monday, May 8, 2017	- City Council Budget Worksession, 5:30 p.m., City Hall

- Tuesday, May 9, 2017 – City Council Meeting, 7:00 p.m., City Hall
- Monday, May 15, 2017 – Library Advisory Board, 4:00 p.m., City Library
- Saturday, May 20, 2017 – City Council Budget Worksession, IF NEEDED, 6:00 p.m., City Hall
- Monday, May 22, 2017 – Historic Preservation Commission, 9:00 a.m., City Hall
- Tuesday, May 23, 2017 – City Council Meeting, 7:00 p.m., City Hall
- Community Watershed Alliance, 6:30 p.m., City Hall
  
- Friday, May 26, 2017 – Benson City Pool Opens, For more information on the pool and our other summer activities, go to [www.cityofbenson.com](http://www.cityofbenson.com)
- Saturday, May 27, 2017 – Dive-in Movie, featuring the movie “Moana” rated PG, Gates open at 7:30 p.m. Movie starts at 8:00 p.m. Capacity is limited to 100. Be sure and arrive on time!
- Monday, May 29, 2017 – 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 29, from 11:00 a.m.-5:00 p.m., Join us for a fund ay filled with music, prizes and food! Free swimming is sponsored by the VFW Women’s Auxiliary.
- Monday, May 29, 2017 – Memorial Day – City Offices Closed

Mr. Stephens then stated this and other events could be found on the City’s website.

Mayor King stated he knew Dainara Fronterhouse and her family well, adding Dainara’s mother worked hard for the last 18 months to get her family back together and this accident took 2 wonderful people. Mayor King then stated Dainara is getting married next month and now won’t have her mom at the wedding. Mayor King then asked those present to please mindful and cautious and to watch out for motorcycles. Mayor King then stated the family doesn’t have 1 funeral to pay, but now has 2, adding a go fund me account has been set for those who wish to help.

Councilmember Lambert stated the budget worksession was coming up; then asked Mr. Stephens when the Council would have the recommended budget with Mr. Stephens stating the goal was to distribute the budget to Council on Friday, but it could possibly be Monday. Mr. Stephens then stated there was a problem found and as a result of that problem, Staff is literally going through the budget line by line to make sure it contains accurate information.

**NEW BUSINESS:**

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

1a. Invoices processed for the period from April 1, 2017 through April 15, 2017

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

2. **Recognition of Lisa Hill of Benson Clean & Beautiful for her role in the Benson Clean & Beautiful Mural Program**

**City Manager Bill Stephens stated** Mr. Leo O’Farrell has asked the Council to recognize Lisa Hill of the Benson Clean & Beautiful organization for her “dedication and perseverance in accomplishing the creation of so many beautiful and historic murals that add such beauty to our community.” Mr. O’Farrell writes that “Lisa Hill is a long time resident of Benson and is the founder of Benson Clean & Beautiful and has been its President for the last four years. It is a well know[n] fact, that the ‘Mural Program’ Lisa brought to the City of Benson, has been an acknowledged success and has brought new interest in our small community. Positive interest that residents and visitors alike enjoy. She continues to amaze me [Mr. O’Farrell] and the staff and members of Benson Clean & Beautiful with her new ideas and concepts that as they flourish will bring new

interest to our city that will benefit all citizenry. Although Lisa Hill will not admit the fact that she is a Leader who always thinks positively about the City of Benson and continues to strive to enhance the beauty and livability of our City, she is such a Leader. It is my strong feeling that Lisa Hill deserves recognition and acclaim from the Government of the City of Benson for her dedication and perseverance in accomplishing the creation of so many beautiful and historic murals that add such beauty to our community. Lisa Hill deserves the City's highest honor. Thank you."

Mayor King asked Ms. Hill to come forward. Mayor King presented Ms. Hill with a certificate that read "This certificate is to recognize your outstanding efforts to serve the Benson community by striving to enhance the beauty and livability of our city with your many hours of dedication and perseverance in accomplishing the creation of so many beautiful and historic murals that add such beauty to our community." Mayor King then stated he wanted to personally thank Ms. Hill for the Council and the whole community, adding she has done an amazing job and thanked her again for what she has done.

3. **Discussion and possible action regarding an amendment to Human Resources Policy paragraph 1.6, Examinations, adding a provision for a Veterans' Preference for External Employment Recruitment**

City Manager Bill Stephens stated there are laws, both federal and state, addressing this issue and other communities have enacted such policies. Mr. Stephens then stated the item was placed on the agenda and sponsored by Councilman David Lambert and Co-Sponsored by Councilwoman Crystal Lewie, both Veterans of our Armed Forces. Mr. Stephens then stated the recommendation is to add a Veterans' Preference to our Human Resources Policy where eligible veterans, as evidenced by a DD Form 214 or similar proof of eligible military service, who meet the minimum qualifications for the position, are guaranteed to receive an initial interview for the job they are applying for. Mr. Stephens stated the Veterans' Preference neither implies nor guarantees that the eligible, qualified veteran candidate will move on in the hiring process beyond the initial employment interview, nor does it imply a guarantee of employment. Mr. Stephens then stated there was additional information on the Council communication about state laws that dovetail with the Veterans statute as well.

City Attorney Gary Cohen stated the Councilmembers gave the proposal to the City Attorney's office for review, which has been done, noting the document before Council is appropriately legal and complies with the law.

Councilmember Lambert stated he asked for this item to be on the agenda, adding he and a friend did a lot of research and Staff then put it together. Councilmember Lambert then stated Thom Cope in the Attorney's office reviewed the document and made some changes to comply with state law. Councilmember Lambert then stated as a veteran, he knows that once military service ends, veterans begin their transition to civilian life, adding it can be a challenge to find a place to live and work in an area they choose. Councilmember Lambert then stated there is a list of Top 10 cities in the U.S. that are veterans' communities and Sierra Vista is number 6 because of Ft. Huachuca, their close vicinity to the VA hospital and what they have in Sierra Vista. Councilmember Lambert then stated the policy means that if a veteran is applying for a job at the City level, they would get an automatic interview if they are qualified for the job, adding this would give the veteran a better step to get into a workforce, which is why he wanted it on the agenda. Councilmember Lambert then stated he spoke to Councilmember Lewie, who agreed and this is why they asked for it to be considered by the Council. Councilmember Lambert then moved to approve an amendment to Human Resources Policy paragraph 1.6, Examinations, adding a provision for a Veterans' Preference in the City of Benson recruitment process. Seconded by Mayor King. Motion passed 4-0.

4. **Discussion and possible action regarding a Pre-Annexation Development Agreement between The Harlan Trust, property owner of 209 S. Cedar Place, Benson, Arizona and the City of Benson**

Public Works Director Brad Hamilton stated Mr. and Mrs. Harlan, who were present, requested water service, adding the services would be right off one of the mains and would be easy to accommodate, but the service would be outside the city, therefore the pre-annexation development agreement is required. Mr. Hamilton then

stated any assured water supply the property has would be the City's if the agreement is approved. Mayor King stated this is something Council has done in the past several times. Councilmember Lambert asked about providing gas service with Mr. Hamilton stating gas in that area is provided by Southwest Gas. Councilmember Boyle moved to approve the Pre-Annexation Development Agreement between The Harlan Trust, property owner of 209 S. Cedar Place, Benson, Arizona and the City of Benson. Seconded by Councilmember Lewie. Motion passed 4-0.

5. **Discussion and possible action including direction to Staff regarding a City/Neighborhood Clean Up Program**

City Manager Bill Stephens stated in an effort to improve and clean up the community, the City would like to initiate a program to place a "roll off" type dumpster in various locations around the City to assist citizens with the clean-up of their property. Mr. Stephens stated the roll off dumpster will be placed in a pre-determined location for a period of time for community access and will be moved from time to time to accommodate different locations around the City. Mr. Stephens then stated this service will be at no extra cost to our citizens and if approved, Staff will come up with a schedule and publish it to make sure the community is aware of when it starts, where they will be located and when they will be moved.

Mayor King stated he wanted to thank Mr. Stephens' wife because she was the one who brought the idea to his attention, adding she spoke to the Mayor from another city that has a similar program. Mayor King then stated he has spoken to some groups, including the Boy Scouts who want to provide assistance with the program, adding the Boy Scouts can get their badges by helping. Mayor King then stated this will help clean up Benson street by street, adding the City has recently addressed 3 properties that were eyesores and problem areas in the City by demolishing the buildings and he hopes everyone feels that it's time to start cleaning up and will utilize the program. Mayor King then stated he is hoping some businesses will help sponsor the program, adding if everyone takes advantage of the program, the City can be a beautiful place.

Councilmember Lewie asked how long the program would run with Mayor King stating he's hoping to hit every street in the community.

Councilmember Boyle asked how the program would be paid for with Mr. Stephens stating business could help sponsor the program and it would be a service the City provides to its citizens. Mr. Stephens then stated a number of buildings have been taken down, which comes from the City Code and were approved by Mayor and Council. Mr. Stephens then stated if there is a property that isn't cleaned up, the City notifies the owner and gives them ample time to comply, but if it doesn't happen, the City moves through the legal system to get a court order which allows the City to clean up the property. Mr. Stephens then stated the cost to do so becomes a lien on the property and if the property is sold, the lien is paid, but if the lien isn't paid, the City can acquire the property. Mr. Stephens then stated the goal isn't to acquire any property, but is to have the property cleaned up.

Mayor King then asked about a reduced cost from the County with Public Works Director Brad Hamilton stating he would have to check no that, but everyone knows the situation with the County's sanitation program losses. Mayor King then stated he knows it's hard for the elderly and he hopes people will reach out and help them and others to make Benson beautiful.

Councilmember Lewie asked if there could be an opportunity for Councilmembers and others to volunteer or if there would be a liability issue with Mr. Stephens stating he knows the Boys Scouts volunteer for similar projects and nothing precludes anyone from helping someone clean up their property. Councilmember Lewie stated the City would have to get permission from someone before cleaning up their property with Mr. Stephens stating people would have to volunteer. Mayor King stated the City would need to get the information on the program out to the public, adding he would be willing to donate his time and he know there are others would be willing to do the same and help others who can't help themselves. Mayor King then stated Mr. Stephens could check on volunteering and could get the program details worked out.

Councilmember Lambert stated the County does something similar to this each spring and call it a Free Dump Day, adding he thinks a program like this is a great idea. Councilmember Lambert then moved to direct Staff to work on the program, a fee schedule and a schedule that is going to be out there and get it done. Seconded by Mayor King. Motion passed 4-0.

**EXECUTIVE SESSION:** Pursuant to A.R.S. §38-431.03(A)(7), Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

Councilmember Lambert moved to enter into an executive session with Mayor and Council, the City Manager, Public Works Director, City Attorney and City Clerk at 7:38 p.m. Seconded by Councilmember Boyle. Motion passed 4-0.

Council reconvened at 7:51 p.m.

**DEPARTMENT REPORTS:** No comments from Council.

**ADJOURNMENT:**

Councilmember Boyle moved to adjourn at 7:51 p.m. Seconded by Councilmember Lewie. Motion passed 4-0.

ATTEST:

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Toney D. King, Sr., Mayor

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Vicki L. Vivian, CMC, City Clerk