

# CITY OF BENSON CITY COUNCIL MAY 13, 2019 – 7:00 P.M. REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
WILL BE HELD ON MAY 13, 2019 AT 7:00 P.M.,  
AT THE BENSON COMMUNITY CENTER,  
705 W. UNION STREET, BENSON, ARIZONA

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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 Monday, May 27, 2019 as “Memorial Day.”

**PROCLAMATION:** A proclamation of the Mayor and Council declaring May 24, 2019 as “Benson Poppy Day.”

**PUBLIC HEARING:** The Mayor and Council will receive comments and questions from the public regarding “The 2012-2014 Amendments to the Tax Code of the City of Benson.”

**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: \*\*\* **APPROVED**
  - 1a. Minutes of the March 25, 2019 Regular Meeting \*
  - 1b. Invoices processed for the period from April 11, 2019 through May 1, 2019 \*
2. Recognition of Linda Lamb, Educator in the Benson Unified School District, for the impact she has had on the community throughout her career – **Vicki Vivian, CMC, City Manager/City Clerk** \* **PLAQUE PRESENTED**
3. Discussion and possible action regarding moving the May 27, 2019 Regular Council Meeting to May 28, 2018 – **Vicki Vivian, CMC, City Manager** **APPROVED**
4. Discussion and possible action regarding the financial request from the San Pedro Valley Alliance Summer Programs – **Vicki Vivian, CMC, City Manager** \* **APPROVED \$4,000**

5. Discussion and possible action regarding the authorization of Armstrong Consulting Inc. under the City of Benson On-call Engineering Contract to conduct Design and Construction Services for the Benson Municipal Airport for the removal of the existing fence and constructing an airport perimeter fence – **Bradley J. Hamilton, P.E. Director of Public Works/City Engineer** \* **APPROVED**
6. Discussion and possible action regarding Memorandum of Understanding (MOU) between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the City of Benson Police Department – **Paul Moncada, Chief of Police** \* **APPROVED**
7. Discussion and possible action regarding an Intergovernmental Agreement with the Arizona Department of Revenue for the Administration, Collection, Audit and Licensing of Transaction Privilege and affiliated Excise Taxes imposed by the State, Cities or Towns – **Seth Judd, Finance Director** \* **APPROVED**
8. Discussion and possible action regarding Resolution 13-2019 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 2012-2014 Amendments to the Tax Code of the City of Benson” – **Seth Judd, Finance Director** \* **APPROVED**
9. Discussion and possible action regarding Ordinance 598 of the Mayor and Council of the City of Benson, Arizona, relating to the Transaction Privilege Tax; adopting “The 2012-2014 Amendments to the Tax Code of the City of Benson” by reference; establishing effective dates; providing for severability and providing penalties for violations – **Seth Judd, Finance Director** \* **APPROVED**

**EXECUTIVE SESSION:** Pursuant to A.R.S. § 38-431.03 (A)(3) & (7), for discussion or consultation for legal advice with the attorney or attorneys of the public body and discussions or consultations with the Mayor and Council’s designated representatives to consider its position and possibly instruct its representatives regarding negotiations for the purchase, sale, lease, or exchange of city-owned real property.

**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 10th day of May, 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.