

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD MAY 22, 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 7:21 p.m. with the Pledge of Allegiance.

ROLL CALL:

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

EMPLOYEE RECOGNITION: Mayor King recognized Michelle Johnson for 10 years of service with the City of Benson.

PROCLAMATION: Mayor King read a proclamation regarding Child Abuse Prevention Year for the remainder of 2017 in Benson.

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Paul Lotsof, a non-resident and business owner of the Cave FM radio station in Benson, stated if a survey of the American people would have been done a couple of weeks ago, he was confident that well over 99% would never have heard of Benson, adding many people in Tucson have heard of Benson, but have no idea where it is. Mr. Lotsof then stated that changed a couple weeks ago when the name Benson got printed in the New York Times, the Chicago Tribune, the St. Louis Post Dispatch, the Miami Herald, the Arizona Republic and likely 100 other newspapers affiliated with the Associated Press. Mr. Lotsof then stated Benson also got mentioned on CBS News, CNN, Fox News and even in the BBC in London in addition to a news organization in Russia mentioning a radio station in Benson. Mr. Lotsof stated Benson got recognized by 3 television stations in Tucson and some television stations in Phoenix. Mr. Lotsof stated there is a school of thought in the advertising business that any name recognition is better than nothing at all; then stated if someone were to purchase all this advertising, his guess is that it would cost well over \$1 million. Mr. Lotsof stated it was too bad there was no economic development effort to follow up on that advertising. Mr. Lotsof then stated he may not have come out smelling like a rose, but Benson's image won't be tarnished just because the radio station is located there. Mr. Lotsof then stated 2 of the Tucson stations sent people to take pictures of his dilapidated building and the local newspaper printed a picture of the CAVE eyesore in the latest addition, adding these photos do not advance Benson's image. Mr. Lotsof then stated Benson has more than its share of buildings in a state of disrepair and he is sure many of the owners would like to do something, but the problem is that the City stands in the way. Mr. Lotsof then stated about 2 years ago, the Benson City Council unanimously rejected his proposal to install a newer building on the grounds that if he was permitted to improve his property, others might also want to improve their property. Mr. Lotsof then stated there is a slightly different City Council from a couple of years ago and maybe some of the codes and policies could be looked at to see if maybe they do more harm than good. Mr. Lotsof then asked why the proclamation declaring 2017, Child Abuse Prevention Year, wasn't issued in January before speaking about other agenda items. Mr. Lotsof spoke about the contract for prosecutorial services, stating the part-time prosecutor is moving from a contractor to an employee to get an expensive benefit package in addition to the salary and the prosecutor mostly handles traffic tickets as serious criminal matters are decided in superior court. Mr. Lotsof then stated the contract represents cronyism with very little public benefit and the City doesn't even get the revenues from the court, adding the contract should be rejected and renegotiated. Mr. Lotsof then spoke about the Tohono O'odham grants, stating several years ago, a staff member told the Council the tribe required the grant funding be awarded to Police and Fire Departments, but he found that was not true. Mr. Lotsof then stated he thinks a better use for the funding could be found and the Council could ask the public for their ideas. Mr. Lotsof then stated funding senior meals might be a nice idea and suggested tabling the grant applications.

Stephen Insalaco, W. Pinto Place, J6, addressed Council regarding several topics, beginning with his opinion that Interstate speed limits should be reduced around Benson, citing Tucson has reduced the speed limit inside most of Tucson. Mr. Insalaco then spoke about the airport and how it brings in commerce, with pilots flying in and shopping in Benson. Mr. Insalaco stated this revenue stream isn't as easy to see as hangar fees, but the airport is valuable to the City for its economic contribution. Mr. Insalaco then spoke about the needs of the airport to make it successful, including telephone, internet and mail service and marketing the airport and airport events on the City's website. Mr. Insalaco then stated the City needs to start promoting what the City has to offer and success will follow.

Savannah Quiroz, S. San Carlos, Benson, addressed the Council concerning the 4th of July. Ms. Quiroz stated the public is asking her questions and she thought the Council may also get asked questions, so she wanted to announce the event and give out some information. Ms. Quiroz then stated the 4th of July festivities will take place on the 4th of July and will start at 9:00 a.m., adding the theme this year is "Let Freedom Ring". Ms. Quiroz then stated the Grand Marshal position is open to any and all veterans, adding Benson has a community of veterans and it's time to recognize them. Ms. Quiroz stated if anyone needs an application, they can contact her and she will drop an application off to them. Ms. Quiroz then stated after the parade, people should go to the park, where there will be music for the day, the water fights, demonstrations, bands, dance groups, fireworks and the dance. Ms. Quiroz then stated if anyone has any questions, they can contact her. Council thanked Ms. Quiroz for her hard work.

Brandii Carrillo, Stallion Ranch, Benson addressed Council regarding the original markers for when her property was surveyed, stating the satellite images aren't matching up with pins and this can be a serious issue, adding she wanted the Council to be aware of this. Ms. Carrillo then spoke about water, stating since 1982, without any additional building, the water levels have been dropping consecutively each year, adding when she moved to her home the wells in J6 were going dry and people need to be concerned.

CITY MANAGER REPORT:

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

- Tuesday, May 23, 2017 – Community Watershed Alliance, 6:30 p.m., City Hall
- Monday, June 5, 2017 – City Council Special Meeting – Approval of the Tentative Budget and Public Hearing on the Community Development Block Grant
- Tuesday, June 6, 2017 – Planning & Zoning Commission, 7:00 p.m., City Hall
- Monday, June 12, 2017 – City Council Regular Meeting, 7:00 p.m., City Hall

- Monday, May 29, 2017 – Memorial Day – City Offices will be closed

- May/June – Benson City Pool – The pool opens Friday, May 26.

- Saturday, May 27 – Dive in Movie, featuring "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! Other dive in movies will be shown on June 10 and June 24.

- Monday, May 29 – Forget-me-Not Pool Party. Kick off the summer swim season with the Forget-me-Not Memorial Day pool party from 11:00 a.m. – 5:00 p.m., Join us for a fun day filled with music, prizes and food! Free swimming, sponsored by the VFW Women's Auxiliary.

- Friday, June 9 – Friday Evenings at the Pool, 6:00 p.m. – 9:00 p.m., Family Night, neon theme night with glow sticks, glow necklaces and glow bracelets. Music and prizes! Other Friday Evening events will be held on June 23 and June 30.

Information on these events, swim lessons, active adult swim hours and the pool activity schedule is available at www.cityofbenson.com

June

- Benson Public Library – Friday, June 2 – Adventures in the Park Through Books! This summer the Benson Public Library will have a children’s story time in Lions Park, 10:00 a.m., grab a blanket, snack, bottle of water, hat and sunscreen and head over to Ramada #2 just west of the big Ramada for exciting adventures in the park through books! Available to all children.

Wednesday, June 14 – Build a Better World – Free summer reading program from 9:00 a.m. to 10:00 a.m. offering activities, crafts, prizes, books and special guests and entertainment. All ages are welcome and must be accompanied by an adult. Other dates for this program are June 21 and June 28, please see the City’s website for details.

Friday, June 16, 2017

- Movie in the Park, “Secret Lives of Pets” rated PG, will be showing in Lions Park at dusk (7:00 p.m.), Arrive at 6:30 p.m. for free popcorn and sodas (while supplies last.)

June/July

- Summer Recreation Programs – The Recreation Department offers many activities such as:

- Sweet Treat Camp
- Kartchner Caverns State Park – Tuesdays in June Camp
- Tennis Camp
- Baseball Camp
- Basketball Camp
- Volleyball Camp
- Dance & Cheer Camp
- Wrestling Camp
- Gymnastics Camp
- Self-Defense Camp
- Archery Camp
- Arts & Crafts

More activities and programs are in place. Information on activities and camps are available at www.cityofbenson.com under “Summer Programs”

Mr. Stephens 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. Discussion and possible action regarding an Employee Benefit Advocate Service Application and Agreement with ESG (Employee Solutions Group) Corporation for insurance brokerage and administration of employee insurance related benefits

1b. Invoices processed for the period from May 1, 2017 through May 15, 2017

Councilmember McGoffin moved to approve the Consent Agenda. Seconded by Vice Mayor Konrad. Councilmember Lambert noted item 1a contained former employee Dustin DeSpain's contact information with City Clerk Vicki Vivian stating she had corrected the agreement for execution. Motion passed 7-0.

2. **Discussion and possible action regarding a Health Insurance contract with Blue Cross Blue Shield for the Employee Benefits for Fiscal Year 2017-2018, and authorization for the City Manager to sign the health insurance contract**

Councilmember McGoffin stated she would be abstaining due to her husband being an employee and excused herself. City Clerk Vicki Vivian stated this item is requesting approval of Blue Cross Blue Shield (BSBS) to provide employee health insurance and to give authorization for the City Manager to sign the health insurance contract. Ms. Vivian then stated Employee Solutions Group (ESG) worked to get the City the best renewal rate it could with BCBS and in doing so, solicited several offers from competing companies. ESG then brought the proposals before the Finance Director and City Manager for review and after analyzing all the offers, Staff concluded that staying with BCBS was preferable as they were the most reasonable offer. Ms. Vivian then stated staff feels confident that through continuing coverage with BCBS, the City can continue to offer the same level of health insurance coverage without substantial increases in premiums, adding with BCBS the City will offer a PPO and a Health Savings Account (HSA) plan option. Vice Mayor Konrad moved to approve the health insurance contract with Blue Cross Blue Shield for the employee benefit for Fiscal Year 2017-2018, and authorization for the City Manager to sign the health insurance contract. Seconded by Councilmember Garner. Motion passed 6-0 with Councilmember McGoffin abstaining.

3. **Discussion and possible action regarding a contract for Prosecutorial Services between Ann P. Roberts and the City of Benson**

City Manager Bill Stephens stated the City Prosecutor's contract is set to expire June 30, 2017 and the contract is being brought before Council at this time to better fit with the budget process. Mr. Stephens then stated Ms. Roberts has indicated she is willing and able to continue providing prosecutorial services to the City of Benson under the same terms. Mr. Stephens then stated the contract before Council is the same except the date changes, and the 3% COLA, as given to other City employees in FY17. Mr. Stephens then stated this contract supersedes the April 13, 2015 contract and will be effective July 1, 2017. Councilmember Lewie asked if this change was built into the budget with Mr. Stephens stating it was. Councilmember McGoffin moved to approve the contract for prosecutorial service between Ann P. Roberts and the City of Benson. Seconded by Mayor King. Motion passed 7-0.

4. **Discussion and possible action regarding Resolution 9-2017 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**

Mayor asked Councilmember Boyle and Councilmember McGoffin to stay on as approved signatures for checks. Councilmember McGoffin stated if she received a call before she went to work, she could stop in and sign checks. Mayor King moved to add Councilmembers Boyle and McGoffin. Seconded by Councilmember Lewie. Motion passed 7-0. Mayor King then amended his motion to approve Resolution 9-2017 with the addition of Councilmembers Boyle and McGoffin. Amended motion seconded by Councilmember Lewie. Amended motion passed 7-0.

5. **Airport Update and Discussion**

City Manager Bill Stephens stated this item was placed on the agenda by Councilman David Lambert, who was requesting an update on the airport regarding current projects and improvements for the airport. Mr. Stephens stated the item was tabled at the May 8, 2017 meeting until the next Regularly Scheduled Council Meeting set for May 22, 2017, which is why this item is on the agenda for tonight's meeting, however, Councilman Lambert learned that our Airport Coordinator, Mr. David Thompson, is not available tonight and Mr. Thompson has much

of the necessary information to share with Council. Mr. Stephens then stated because of this, Councilman Lambert has requested tabling this item and rescheduling it to the agenda for June 26, 2017. There was no further discussion and the item will be placed on the June 26, 2017 agenda.

6. **Discussion and possible action regarding Resolution 10-2017 of the Mayor and Council of the City of Benson, Arizona, authorizing the City Manager and/or the Police Chief to apply for a grant from the Tohono O’odham Nation to purchase new Police Equipment**

Chief of Police Paul Moncada stated Proposition 202 was passed in 2002, requiring the Tohono O’odham Nation to distribute 12% of the tribe’s annual net gaming revenues from casinos to fund areas that benefit the public, one area of this is public safety, adding the Police Department has prepared a proposal, requesting funds for new body cameras and media storage for patrol officers not to exceed \$20,000.00 in costs, adding these are hot button items and the grant application, if successful, will save the City quite a bit of money, adding there is no required match for this grant. Chief Moncada then stated the Police Department requests approval to apply and if awarded, approval to enter an agreement with the Nation.

Councilmember Boyle asked about what other things the City needs with City Manager Bill Stephens stating this grant application is specific to about 6 areas, including economic development and public safety, adding he didn’t have a list of the other areas, but any application specific to those defined areas are welcome. Mr. Stephens then stated Mr. George Scott is also trying to get a grant for economic development, adding there has been correspondence between the City and the Tohono O’odham Nation asking if the City would agree to administer the grant.

Mayor King stated the City has received these grant funds in the past. Councilmember Lambert asked if there were any grants from the Tohono O’odham Nation in use at this time with Chief Moncada stating there is equipment in 3 or 4 vehicles, but the equipment is not operational at this time due to some technical issues with downloading. Vice Mayor Konrad moved to approve Resolution 10-2017. Seconded by Councilmember Boyle. Mayor King stated these grants were a good thing for the community. Motion passed 7-0.

7. **Discussion and possible action regarding Resolution 11-2017 of the Mayor and Council of the City of Benson, Arizona, authorizing the City Manager and/or the Fire Chief to apply for a grant from the Tohono O’odham Nation to purchase new Fire Equipment**

Fire Chief Keith Spangler addressed Council stating this is the same grant funding process the Chief of Police just spoke about. Chief Spangler then stated he is applying for PPE for 10 turnouts, adding turnouts have a 10-year shelf life regardless of how many times they have been used. Chief Spangler then stated turnouts consist of a jacket, pants, boots and helmets. Mayor King stated replacement turnouts have been included in the budget to replace some each year with Chief Spangler stating due to the economic downturn, the City hasn’t been able to replace as many as he would like, but the grant, if successful, will give the City a jump on the replacements. Chief Spangler then stated the jacket and pants are about \$2,000, boots are \$300 and helmets are usually \$350. Mayor King stated the grant would be a blessing and moved to approve Resolution 11-2017. Seconded by Councilmember Garner. Councilmember Lambert asked about the number of current volunteer firefighters with Chief Spangler stating there are 21; then added 10 turnouts will help make the replacements complete, as some turnouts have already been replaced. Motion passed 7-0.

8. **Discussion and possible action regarding Resolution 7-2017 of the Mayor and Council of the City of Benson, Arizona, adopting a rate increase for Water and Wastewater Rates**

Public Works Director Brad Hamilton stated the proposed rates were brought before the Council in February, adding the City waited the required 60 days for public comment and held a public hearing at the last Council meeting. Mr. Hamilton then stated there were a few questions on how the rates are calculated, but there were really no other comments and the item is now before Council for their consideration. Councilmember McGoffin moved to approve Resolution 7-2017. Seconded by Councilmember Lewie. Motion passed 7-0.

9. **Discussion and possible action regarding Resolution 8-2017 of the Mayor and Council of the City of**

Benson, Arizona, adopting a rate increase for Natural Gas Rates

Public Works Director Brad Hamilton stated the timeline for these proposed rates was the same, but there were no comments at the public hearing, adding he would like to point out that it's been 22 years since rates were adjusted. Mr. Hamilton then stated the City has replaced a lot of the old steel lines with plastic, which improved the loss rate from about 29% to less than .5%. Mayor King stated the increase was the right thing to do and he thanked the Council for being bold enough to do the right thing. Mayor King then moved to approve Resolution 8-2017. Seconded by Vice Mayor Konrad. Motion passed 7-0.

10. **Discussion and possible action regarding Resolution 12-2017 of the Mayor and Council of the City of Benson, Arizona, authorizing Staff to apply for a Planning Assistance for Rural Areas Grant, through the Arizona Department of Transportation, in Joint Partnership with Cochise County for a Roadway Alignment Study in the Benson Growth Area**

Public Works Director Brad Hamilton stated Staff was asking to apply for the grant, noting it will also go before the County Board of Supervisors since this area contains County property also. Mr. Hamilton then stated the subject roadway alignments are Ocotillo to the new development and Post Ranch Road from the end of the development to Hwy 80, adding the application will be asking for \$150,000-\$180,000 for the alignment studies. Mr. Hamilton then stated once the development starts to build, having the roadways come into place to address lower speed and more access from our current City to the new development will be beneficial. Mayor King asked if any matching funds were required with Mr. Hamilton stating the grant did not require any matching funds. Vice Mayor Konrad asked if this would conflict with the City's GDP (General Development Plan) with Mr. Hamilton stating it did not. Mr. Hamilton then stated the GDP is a very high look at things, but these studies will be looking at preliminary drainage, canyons that cost too much to cross, and things like that, adding it's a much closer look. Mayor King moved to approve Resolution 12-2017. Seconded by Councilmember McGoffin. Motion passed 7-0.

11. **Presentation and discussion of the Winter Visitor Golf Course Survey**

City Manager Bill Stephens stated this item was placed on the agenda by Councilman Boyle, adding after the discussions about a year ago, when the Council talked about having a worksession to gather data, Councilman Boyle created a winter Visitor Golf Course Survey and distributed it throughout our RV parks. Mr. Stephens stated he then added a few more questions to the same survey and left the modified survey at the Golf Course for winter visitors who weren't in RV parks, but golf. Mr. Stephens then stated now that the Winter visitors have mostly departed Benson, Councilman Boyle has gathered the surveys and would like to do a presentation and have a discussion regarding the data obtained. Mr. Stephens then stated this item was tabled from the May 8th, 2017 meeting until the Regularly Scheduled Council Meeting set for tonight, May 22, 2017.

Councilmember Boyle stated the original survey was distributed to RV parks with just a few questions: In your decision to stay in Benson, was it important to have a golf course? If there wasn't a golf course, would you go elsewhere? How often do you play during your stay?, and the name of the person filling out the survey. Councilmember Boyle then stated Mr. Stephens added several questions to the survey and put it out at the golf course. Councilmember Boyle then stated he spoke to a lot of owners and managers of RV parks and when he picked the surveys up, he found that some had management changes and he didn't get quite the number of responses he wanted, but he did get about 245 responses. Councilmember Boyle then stated out of that 245, only 20 said it wouldn't matter if there was a golf course and the other 225 all said they need to have a golf course. Councilmember Boyle then said he found the RV parks all very strongly recommended the City keeping the golf course. Councilmember Boyle then said he had talked to the former Finance Director and was hoping to have some financial information for the Council, adding it was hard to determine how much the winter visitors who golf contribute and what would happen if they weren't here. Councilmember Boyle then stated he thought that the Council could look at the winter increase in sales tax and subtract that number from the balance of the year to determine the City's static line and then use that information to determine the increase, but the former Finance Director was no longer here to help him get that information. Councilmember Boyle then stated most RV parks were very adamant that the golf course stay open and that it would be a tragedy to close it. Councilmember Boyle then stated he would like to be able to have some hard numbers on the financial difference and the net results of

having the golf course open considering how much has to be taken from the general fund to make up for its losses, but he didn't have it. Mayor King then stated that sales tax spike during the winter and he would think it would even out on the golf course, adding all the businesses do much better when winter visitors are in Benson. Mayor King then asked Mr. Stephens if there was a way to get the financial information on this with Mr. Stephens stating he could talk to Pat Walker, our Financial Consultant. Mayor King then stated he knew it may be difficult, but he would like to have that information also, adding the Council could then see the positives of the golf course instead of the just the negatives.

Councilmember Boyle stated when he received the surveys there were a lot of added comments and information that may be helpful to have in the City offices. Councilmember Lambert stated he requested the surveys but has not received them with City Clerk Vicki Vivian stating the surveys were in the Council packet. Councilmember Boyle stated some of the comments were people asking what the hours to the golf course restaurant were. Mayor King thanked Councilmember Boyle for creating and gathering the survey. Mayor King then stated there are also clubs that come down from Tucson to golf, adding they eat and get gas while they are here, adding there is a lot more information that would need to be considered. Councilmember Boyle stated the survey was slightly skewed, adding people who took the survey at the golf course were obviously going to say the golf course was important and far more surveys were completed at the golf course, but there were still solid numbers in support of the golf course. Councilmember Lambert stated he didn't have the surveys with Ms. Vivian apologizing and stating she was incorrect in her statement; then clarified that the surveys were given to the Councilmembers with paper Council packets. Ms. Vivian then stated she would scan the surveys and email them to Council after the Council meeting.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Lambert moved to adjourn at 8:14 p.m. Seconded by Councilmember McGoffin. Motion passed 7-0.

ATTEST:

Toney D. King, Sr., Mayor

Vicki L. Vivian, CMC, City Clerk