

**THE REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA  
HELD MAY 9, 2016 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 7:10 p.m. with the Pledge of Allegiance. Mayor King then introduced Pastor Kirk Sorenson from the First Assembly of God who offered the invocation.

**ROLL CALL:**

Present were: Mayor Toney D. King, Sr., Vice Mayor Lori McGoffin, Councilmembers Pat Boyle, Jeff Cook, Joe Konrad, David Lambert and Chris Moncada.

**EMPLOYEE RECOGNITION:** None

**PROCLAMATION:** None

**PUBLIC HEARING:** None

**CALL TO THE PUBLIC:**

Paul Lotsof, a non-Benson resident and Manager of the CAVE FM radio station, 156 W. 5th Street, Benson spoke about voter registration, stating he sent out a mass mailing to people registered to vote in Benson using the data base from the Cochise County Elections Department because he wanted to get some new faces to run for Council, but he got over 100 cards returned due to the information in the County database not being valid. Mr. Lotsof then stated his conclusion is about 20% of the voters in the County's database no longer live in Benson, meaning a huge number of people can vote in Benson, don't live in Benson. Mr. Lotsof then stated one discovery is that some people who can vote have willfully deceived the County, adding he knows of one family who lives in Pomerene but uses their business address on W. 4th Street as though it were their home address. Mr. Lotsof stated if those people can get away with this, he should be able to do the same thing. Mr. Lotsof then stated someone on the database uses the Benson City Hall as his address. Mr. Lotsof then stated the democratic process is badly compromised with hundreds of people who can vote in Benson, but don't live in Benson and urged the Council look into this situation further. Mr. Lotsof then spoke about the golf course, stating at some previous Council meetings, multitudes of golfers showed up and let the Council know all the horrible things that would happen should the golf course close, adding he believes those golf course advocates are avid golfers and are far from objective. Mr. Lotsof then stated some of the golf supporters cited national statistics that were very likely put out by the golf industry, then project those statistics onto Benson and predict vast sums of cash flow into this community because of golf. Mr. Lotsof then asked why they presume these national statistics apply to Benson when they might not and asked the Council to do a little inexpensive research and find out what the economic impact on Benson really is, adding this could be a class project for some high school or college student. Mr. Lotsof stated they could produce a brief questionnaire and interview a random sample of golfers at San Pedro to see where they are from, adding questions might include whether they spent any money in Benson before they arrived at the golf course and what they plan to do afterward. Mr. Lotsof then stated the Council might be surprised by what they learn and it could be that the close proximity of the course to the interstate causes golfers to spend very little in Benson, especially since there are very few businesses between the golf course and the 304 exit. Mr. Lotsof then stated one point raised two weeks ago was what would happen with the effluent from the wastewater treatment plan if there was no golf course, adding before the golf course was built; the land surrounding the treatment plant was leased to a farmer who grew alfalfa and the City was paid money from the farmer instead of losing money. Mr. Lotsof stated realistically, the golf course will not close no matter how much money it loses because it has sacred cow status and no one would dare antagonize all those golfers. Mr. Lotsof then stated two weeks ago, Mr. DiPeso suggested running the golf course like a business and advertising the course and restaurant to generate revenue. Mr. Lotsof then stated his company has a long and impressive track record of helping restaurants for

years and under the golf course's previous ownership, his company helped both the restaurant and golf course generate revenue. Mr. Lotsof then spoke about the area his radio station reaches and the advertising packages they offer and stated if the Council wants to improve revenues, it may be time to authorize advertising. Mr. Lotsof then stated one thing his radio station offers that no other advertising medium offers is that nearly every penny spent on advertising would be re-spent in Benson because their biggest expense is paying local employees. Mr. Lotsof then asked the Council to give his radio station consideration.

George Scott, Director of SAEDG (Southeast Arizona Economic Development Group), 168 E. 4th Street, Benson, spoke regarding New Business Item #3, stating the resolution is in support of economic development. Mr. Scott stated he had been listening to the Council's budget worksession, adding the simple fix for the ailing finances of the City would be to bring more jobs and businesses to Benson, which is what economic development groups do. Mr. Scott stated SAEDG works all the time to try and help local businesses if they ask, and they are working on projects now, including working with people on the Rosemont Copper project and helping the Excelsior group with the Johnson Camp copper mine between Benson and Willcox. Mr. Scott then stated the Council might not realize, SAEDG is trying to help with the golf course by building its value through assisting the property owner with rezoning the property around the golf course so homes can be built, which will add value to the City's asset there. Mr. Scott then stated SAEDG is also working with El Dorado in trying to develop the Villages at Vigneto to try and bring more money to Benson. Mr. Scott then stated SAEDG has also met with Mr. Stephens and Mr. Hamilton regarding the airport and is meeting again this week regarding some clients who want to be at the airport, which will bring money in and help offset the shortfall there. Mr. Scott then stated last week, he went to the Arizona Association of Economic Development meetings in Tucson, where they discussed everything from site selection to recruiting businesses out of the California market, adding with the \$15.00/hr. minimum wage, regulations and environmental issues in other places, a lot of companies are trying to get out of California as soon as possible. Mr. Scott then stated SAEDG will be working with the Arizona Commerce Authority and the Arizona Association of Economic Developers out of Phoenix over the coming year to try and recruit some of those businesses to come to southern Arizona; not only to Benson, but other places in Arizona also. Mr. Scott then stated last week, the Council might have read about Caterpillar moving 600 jobs to Tucson, adding that was done with a partnership between the City of Tucson, Pima County and a lot of other people who made that possible. Mr. Scott then stated those are things economic development groups, such as SAEDG, do and asked the Council to approve the resolution supporting economic development. Mr. Scott then thanked the Council, adding he looks forward to working with the Council in the future.

**CITY MANAGER REPORT:**

City Manager William Stephens addressed Council stating he would like to first point out, May 25, 26, 27 there will be several different school graduations. Mr. Stephen then gave the dates of upcoming meetings and events.

- Tuesday, May 10, 2016 – Library Advisory Board, 4:00 p.m., City Library
- Wednesday, May 18, 2016 – Community Watershed Alliance, 6:00 p.m., City Hall
- Saturday, May 21, 2016 – Historic Preservation Commission, 9:00 a.m., City Hall
- Monday, May 23, 2016 – City Council Budget Worksession 6:00 p.m., City Hall
- Monday, May 23, 2016 – City Council Meeting, 7:00 p.m., City Hall
  
- Saturday, May 14, 2016 – Relay for Life, American Cancer Society, Lions Park, 12:00 p.m.
- Monday, May 16, 2016 – Registration for both swim lessons and summer camps will begin at the Benson Community Center
  
- Friday, May 27, 2016 – Benson City Pool Opens at 11:00 a.m., For more information on the pool and our other summer activities, go to [www.cityofbenson.com](http://www.cityofbenson.com) and look for Parks and Recreation
  
- Saturday, May 28, 2016 – Dive in Movie, featuring the movie Good Dinosaur rated PG, Gates open at 7:30 p.m.
  
- Monday, May 30, 2016 – Memorial Day Pool Party. Kick off the Summer Swim Season with the City of Benson's Forget me Not Memorial Day Pool Party

Monday, May 30, 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 30, 2016 – Memorial Day – City Offices Closed

Mr. Stephens then stated for more events in Benson, the public could visit the City’s website: [www.cityofbenson.com](http://www.cityofbenson.com) under “What to do Today.”

Councilmember Lambert stated the Council had originally had a joint worksession scheduled with the Planning & Zoning Commission on May 26 and asked when that meeting would be held with Mr. Stephens stating the joint meeting was now split with the Planning & Zoning Commission and the Council each holding their own worksessions. Planning Technician/GIS Michelle Johnson addressed Council stating she didn’t have the schedule yet, adding she is still waiting for documents from the developer. Ms. Johnson then stated the tentative date for the Council worksession on the Development Agreement is Saturday, May 21; the Planning & Zoning Commission worksession on the Community Master Plan (CMP) would be held in June and the Council worksession on the CMP would be in July. Ms. Johnson then restated the May 21 meeting was tentative and may not happen as she was still waiting for information and documents from the developer. Mayor King stated he knew there were a lot of meetings for the Council between now and July and he appreciated Staff working on the schedule.

**NEW BUSINESS:**

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

1a. Invoices processed for the period from April 18, 2016 through April 30, 2016

Councilmember Lambert moved to approve the Consent Agenda. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

2. **Discussion and possible action regarding the financial request from the San Pedro Valley Alliance Summer Programs**

City Manager Bill Stephens stated the San Pedro Valley Alliance is requesting funding assistance for their 2016 summer activities, adding historically, the San Pedro Valley Alliance, in conjunction with various Governor’s Office programs and the City, has provided recreation activities for our youth, mainly with trips to movies, water parks, museums and other recreational facilities. Mr. Stephens stated in the past, the City had a specific line item for the San Pedro Valley Alliance funding \$3,000-\$5,000 each year; however, in Fiscal Year 2014-2015 funding was removed from the budget. Mr. Stephens then stated last year the Council provided the San Pedro Valley Alliance \$3,100 from the Community Enrichment budget, adding there is currently about \$4,700 remaining in the Community Enrichment budget, under City Promotions. Mr. Stephens then stated Ms. Divian Pierson from the San Pedro Valley Alliance is present should Council have any questions.

Ms. Pierson addressed Council stating she was on the San Pedro Valley Alliance Board and was present to answer any questions. Council briefly discussed the planned activities on Tuesdays and Thursdays starting on June 21 that included The Cove, Breakers Water Park, Airtime and Reid Park Zoo with Ms. Pierson stating the kids are supervised with 1 adult chaperone for every 5 children. Ms. Pierson then stated the program has been very beneficial, adding she has worked with the program for 22 years with Ms. Williamson. Ms. Pierson then stated the activities keep kids from being latch key kids, adding they take a bus of whoever can go and if there is more than a busload, they always have people who volunteer to drive so everyone can go. Ms. Pierson then stated the water parks trips usually have between 60 and 90 kids attending.

Mayor King stated this is a good program, adding his kids have used it and he believes it has kept a lot of kids off the streets and out of trouble. Mayor King then stated the program also loves to have volunteers. Ms. Pierson stated the activities are for the family and parents are welcome to attend with their children. Mayor King stated the program is one of the biggest positive things for kids and he thinks the Council should support

it. Vice Mayor McGoffin stated her kids used the program and as they got older, they went as chaperones, adding she knows it's important to keep kids out of trouble during the summer. Vice Mayor McGoffin then stated the funding request was for \$5,000, then noted the Council doesn't have that much available and asked if there were other fund raising opportunities. Ms. Pierson stated they write grants to the tobacco industry in Arizona and Colorado, but those funds have been cut so the school helps with buses, drivers and gasoline, noting that is a big portion of what is necessary. Ms. Pierson then stated they need a minimum of \$3,500, adding they would like \$4,000 and if they don't get it, they will have to cut some of the trips. Ms. Pierson then stated they did just discover another grant opportunity, but it was not found soon enough for this year, adding they will apply for it for next year. Ms. Pierson then stated they are always looking for grant money for the program.

Councilmember Konrad stated last year the Council was able to give \$3,100 and asked if the program accomplished what they wanted with Ms. Pierson stating last year, they didn't have to cancel any trips, adding they had some volunteers help out and the school board picked up the extra part for the program. Councilmember Konrad then stated there was a little more funding remaining in the Community Enrichment fund this year and moved to approve \$3,700 to the San Pedro Valley Alliance. Seconded by Vice Mayor McGoffin. Motion passed 7-0. Ms. Pierson thanked the Council and stated anyone is welcome to participate, adding they just need to call ahead and register so they are prepared for the number of people coming.

3. **Discussion and possible action regarding Resolution 14-2016 of the Mayor and Council of the City of Benson, Arizona, recognizing 2016 as the 90th Anniversary of the International Economic Development Council and as "The Year of the Economic Developer"**

City Manager Bill Stephens stated Economic Development Week is an event created by the International Economic Development Council to celebrate the achievements of economic developers, adding the event will occur for the first time during May 8-14, 2016. Mr. Stephens then stated information about IEDC's 90th anniversary, including celebration activities and events throughout the year can be found at [www.iedconline.org/90years](http://www.iedconline.org/90years). Councilmember Boyle asked what the Council is doing other than acknowledging the event with Mr. Stephens stating the Council is acknowledging and supporting Economic Development Week. Councilmember Boyle then moved to approve Resolution 14-2016. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

4. **Discussion and possible action regarding Resolution 15-2016 of the Mayor and Council of the City of Benson, Arizona, calling the election**

City Clerk Vicki Vivian stated this resolution is to inform the public of the 2016 City Election details. Ms. Vivian then listed the dates of the primary and general elections, the deadlines for candidates to turn in their documentation to have their names placed on the ballot, the deadline for write-in candidates to submit their documentation to run for office and the voter registration deadlines. Ms. Vivian stated the City will also be having the Home Rule election this year, adding the City is required to address Home Rule every 4 years and with new legislation in place, it must be addressed in the fall, 2016 election cycle. Ms. Vivian then stated the Alternative Expenditure Limitation (AEL) also known as Home Rule will be on the November 8 ballot. Councilmember Moncada moved to approve Resolution 15-2016. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

5. **Discussion and possible action regarding the Benson Economic Development Committee**

City Clerk Vicki Vivian stated the Benson Economic Development Committee (BEDC) membership must have an odd number of members ranging from 5 to 9 members, adding typically, the BEDC has consisted of 7 members. Ms. Vivian then stated at the Council meeting held on April 25, the Consent Agenda contained 6 resignations from members of the BEDC and during the discussion, she informed the Council that the remaining member of the BEDC had since submitted her resignation and that one application for membership had been received in the Clerk's office. Ms. Vivian then stated she is seeking direction from Council regarding the committee. Councilmember Boyle moved to disband the committee. Seconded by Councilmember Moncada. Councilmember Lambert stated disbanding the committee was not on the agenda

with Ms. Vivian stating the committee was in the City Code as a result of the ordinance creating the committee, adding if the Council wanted to disband the committee, they could direct Staff to prepare that ordinance and bring it to the next Council meeting. Councilmember Boyle then amended his motion to direct Staff to prepare the new ordinance disbanding the committee. Seconded by Councilmember Moncada. Motion passed 7-0.

6. **Discussion and possible action regarding adoption of the revised Planning & Zoning Commission Bylaws**

City Manager Bill Stephens stated on February 15, 2005, the Planning & Zoning Commission adopted bylaws for the Commission to follow, adding those bylaws, which were followed by the Commission for 10 years, weren't recognized by City Council until November 23, 2015. Mr. Stephens then stated at the recommendation of the City Attorney, those 2005 bylaws were revised to clarify several issues, including the number of members required for a quorum and records retention policy. Mr. Stephens then stated the revised bylaws were approved by the Planning & Zoning Commission in March 2016 and are before Council for approval. City Attorney Gary Cohen addressed Council stating the language in the ordinance creating the Planning & Zoning Commission requires Council approval of the Planning & Zoning Commission bylaws. Mr. Cohen then stated he appreciated the assistance of both Public Works Director Brad Hamilton and Planning Technician/GIS Michelle Johnson on revising the bylaws. Mr. Cohen then stated the Planning & Zoning Commission is comfortable with the revisions, as evidenced by their approval, adding he is recommending Council approval of the revised bylaws. Vice Mayor McGoffin moved to approve the Planning & Zoning Commission 2016 bylaws as recommended by the Planning & Zoning Commission on March 5, 2016. Seconded by Councilmember Moncada. Motion passed 7-0. Mr. Cohen then stated he would like to record to be clear that the Council is acting on and approved the bylaws that are part of the Council packet.

**EXECUTIVE SESSION:** As per 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, specifically the City-owned property (vacant lot located on 6th Street), parcel number 123-20-048Q

Councilmember Moncada moved to enter into an executive session with the Mayor and Council, the City Manager, the City Attorney, the Public Works Director and the City Clerk at 7:43 p.m. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

Council reconvened at 7:55 p.m.

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

**ADJOURNMENT:**

Vice Mayor McGoffin moved to adjourn the meeting at 7:55 p.m. Seconded by Councilmember Boyle. Motion passed 7-0.

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Toney D. King, Sr., Mayor

ATTEST:

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Vicki L. Vivian, CMC, City Clerk