

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD SEPTEMBER 25, 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 7:04 p.m. with the Pledge of Allegiance.

ROLL CALL:

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

Mayor King stated Councilmember Garner notified him he was unavailable and was excused.

EMPLOYEE RECOGNITION:

Mayor King recognized P.J. Moncada for 10 years of service with the City. Mayor King then recognized Clint Montijo for 25 years of service with the City.

PROCLAMATION:

Mayor King stated the proclamation will be read again on Friday at the Homecoming Pep Rally then read a proclamation of the Mayor and Council proclaiming the week of September 25-29, 2017 as "Benson Bobcat Week." Mayor King then urged everyone to recognize and acknowledge the impact of the school and the community on children's lives. Mayor King then asked everyone to support the Bobcats, noting the parade is on Friday, followed by the Pep Rally.

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Tricia Gerrodette, Eagle Ridge Drive, Sierra Vista, spoke about the airport, adding while she doesn't follow the Sierra Vista airport, she thinks the City is still supporting the airport with general funds, but she believes the 24-hour fueling was a plus to their income. Ms. Gerrodette then stated in case anyone missed it, the Mayor was quoted briefly in an Arizona Daily Star article about water. Ms. Gerrodette then stated she had a conversation between the worksession and this meeting with City Manager Bill Stephens and she appreciated the information he shared which was that he gives a report to the Council of what's been happening in the City. Ms. Gerrodette then stated she doesn't see that in the packet and noted she would be very interested in seeing that report as she is frustrated by just getting the calendar read during the meeting. Ms. Gerrodette then stated she would check with the City Clerk, but it seems appropriate that the report Mr. Stephens was speaking about would be available to the public. Ms. Gerrodette then stated the reason she asked was that she wanted to know what was happening with the Villages, adding it's been 4 weeks since there was a special meeting and a worksession learning about special taxing districts and Mr. Stephens told her that the taxing district applications were withdrawn. Ms. Gerrodette then stated she believed that was still the status, but she would like to have that confirmed. Ms. Gerrodette then stated because Mr. Stephens shared that information with her, she was glad that she didn't have to manufacture some criticism or insulting remarks to allow the Council to respond.

Mayor King then stated he missed the invocation and introduced Pastor Ron York from the Peace in the Valley Lutheran Church, who gave the invocation.

Jeff Cook, N. Huachuca Street, Benson stated he wanted to address the National League of Cities item and would do so through the budget. Mr. Cook then stated the .5% sales tax would be going away next year, but the City would still have the \$300,000 bond payment for another 12 years, then noted the City is \$1.2 million in debt for

the Public Safety Personnel Retirement System which has to be paid somehow. Mr. Cook then stated if the Council wants to put in a Quiet Zone, it would cost about \$500,000, even though they already paid around \$19,000 on that and have gotten nothing, in addition to the City Hall building that may have to be replaced. Mr. Cook then stated just last week, he saw that Washington State is suing one of their detention centers for paying their inmates \$1.00 an hour in violation of their minimum wage, and he wonders if that is going to be something that cities like Benson will have to deal with that since Benson pays inmates \$.50 an hour. Mr. Cook then stated the sign at the Visitor Center has not been working, and it will be about \$20,000 to fix that and noted that any additional money spent on the airport is something that hasn't been taken in account yet. Mr. Cook then stated as far as the construction boom from Vigneto, he came across a packet for the mayor/manager meeting in October, 2014, and one of the talking points then was El Dorado saying they expected to break ground a year from then, which would have been 2015, then everyone was told it would be in 2016, 2017 and now it's 2018, adding he doesn't think the City can rely on that and will have to wait and see when it happens. Mr. Cook then stated the it would be premature to spend or to commit to the \$4,000 or \$5,000 it would cost to join the National League of Cities and send a representative to their convention. Mr. Cook then stated one of the reasons he says this is because in years past, the City has jumped on board with any good idea and spent money on it, adding the City spent so much money that it was on the verge of entirely eliminating its cash reserves, and had to force furloughs on City employees. Mr. Cook then stated there's a lot of things to think about in the budget and he thinks this is a needless waste.

CITY MANAGER REPORT:

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

- Tuesday, September 26, 2017 – Community Watershed Alliance, 6:30 p.m., City Hall
- Tuesday, October 3, 2017 – Planning & Zoning Commission, 7:00 p.m., City Hall
- Monday, October 9, 2017 – City Council Meeting, 7:00 p.m., City Hall
- Tuesday, October 10, 2017 – Library Advisory Board, 4:00 p.m., City Library

- Tuesday, September 26, 2017 – Benson High School Homecoming Bonfire, Benson School overflow parking lot, 8:00 p.m. – 10:00 p.m.
- Friday, September 29, 2017 – Benson High School Parade, 12:00 p.m. – 2:00 p.m.
- Friday, October 13 through Sunday, October 15, 2017 – Benson Butterfield Overland Stage Days & Rodeo
This event includes a Parade, Car Show, the Benson Pony Express and a the Rodeo

For a full list of activities, locations and times, please see the City's website and www.bensonbutterfieldrodeo.com

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

Mayor King then encouraged those present to attend the rodeo, adding he has been fortunate enough to attend a lot of rodeos and this rodeo is probably one of the best rodeos in southern Arizona.

NEW BUSINESS:

1. Discussion and possible action on the Consent Agenda

- 1a. Minutes of the February 27, 2017 Regular Council Meeting
- 1b. Minutes of the March 13, 2017 Regular Council Meeting
- 1c. Minutes of the June 29, 2017 Special Council Meeting
- 1d. Minutes of the July 10, 2017 Regular Council Meeting
- 1e. Minutes of the July 24, 2017 Regular Council Meeting
- 1f. Minutes of the August 14, 2017 Regular Council Meeting
- 1g. Minutes of the September 7, 2017 Special Council Meeting

1h. Minutes of the September 11, 2017 Regular Council Meeting

1i. Invoices processed for the period from September 7, 2017 through September 19, 2017

Councilmember Lambert moved to approve the Consent Agenda. Seconded by Councilmember Boyle. Motion passed 6-0.

2. **Discussion and possible action regarding Resolution 32-2017 of the Mayor and Council of the City of Benson, Arizona, approving a Special Event Liquor License for the Boy Scouts of America Catalina Council for October 21-October 23, 2017 at Cochise Terrace, 1030 S. Barrel Cactus Ridge, Benson, Arizona**

City Clerk Vicki Vivian stated the Boy Scouts of America Catalina Council has applied for a special event liquor license which “allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only on the premises where the spirituous liquor is sold, and only for the period authorized on the license.” Ms. Vivian then stated as per ARS §4-203.02, the application is sent to the Arizona Department of Liquor Licenses & Control, where the director may “subject to the approval of...the governing body of a city or town...” issue the license on a temporary basis. Ms. Vivian then stated it is further stipulated that “qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year and a special event may be held for more than one (1) day, but it must be held on consecutive days and at the same location, or additional licenses will be required”. Ms. Vivian then stated if approved, this will be their first special event held in 2017. Ms. Vivian then stated the Boy Scouts of America Catalina Council is requesting the permit for a fundraiser to be held at Cochise Terrace on Friday, October 21, 5:00 p.m.-8:00 p.m.; Saturday, October 22, 11:00 a.m.-8:00 p.m.; and Sunday, October 23, 8:00 a.m.-3:00 p.m. Ms. Vivian then stated she spoke to Sam Albo who wanted her to assure everyone this is an adult-only event, ages 55 and over and there will be no Boy Scouts in attendance. Ms. Vivian then stated Mr. Albo also informed her that the Catalina Council does different fund-raisers in various places and Art Bale is a member of the board who offered Cochise Terrace as a location for the event.

Mayor King stated a lot of these special events are held at Cochise Terrace and they do a lot of good in the community. Councilmember Lambert stated he found no errors in the application and then moved to approve Resolution 32-2017. Seconded by Vice Mayor Konrad. Councilmember McGoffin stated on Sunday, alcohol can't be sold until a certain hour with City Attorney Gary Cohen stating that applied to retail sales only. Motion passed 6-0.

3. **Discussion and possible action regarding approval for the City of Benson to become a member of the National League of Cities (NLC)**

City Manager Bill Stephens stated this item was tabled to the September 25, 2017 Council meeting after being placed on the September 11 Council agenda by Councilman David Lambert. Mr. Stephens then stated while at the 2017 League of Arizona Cities and Towns conference, Councilman David Lambert attended an NLC session where city membership and associated benefits were discussed and is in the packets Council has been provided. Mr. Stephens then stated membership is annual and the costs are dependent on population, adding a chart is provided in the Council packet contained in the membership application in Section 6 and the cost for a city our size is \$1,117.00 based on the 2010 census. Mr. Stephens then stated the packet from the NLC will also be used for the next two Council items.

Vice Mayor Konrad moved to not join the National League of Cities at this time. Councilmember McGoffin asked if anyone from the NLC was present to discuss their organization. After being told there was no one present from the NLC, Councilmember McGoffin seconded the motion. Mayor King asked about the following two new business items with City Attorney Gary Cohen stating the Council needs to address each item. Mr. Cohen then stated he thought Mayor King was going to ask if the motion precludes the Council from changing its mind in the future, adding the Council could choose to join at a future time, as Vice Mayor Konrad's motion included the language “at this time.” Motion passed 5-1 with Boyle voting nay. Councilmember Boyle then asked about the motion and after the motion being restated, he asked to change his vote to yes. Mr. Cohen stated it was clear the motion passed 6-0.

4. **Discussion and possible action regarding Resolution 30-2017 of the Mayor and Council of the City of Benson, Arizona, appointing _____ as the City's representative to the National League of Cities**

Mayor King started to make a motion with Councilmember Lambert stating the item could simply die for a lack of a motion. City Attorney Gary Cohen stated for the Council to be consistent, he would recommend a motion. Mayor King then moved to appoint no one as a City representative to the National League of Cities. Vice Mayor Konrad suggested Mayor King's motion be to reject resolution 30-2017. Mayor King amended his motion to reject Resolution 30-2017. Seconded by Vice Mayor Konrad. Motion passed 6-0.

5. **Discussion and possible action regarding authorization for a City of Benson representative to attend the National League of Cities (NLC) Annual Conference, November 15-18, 2017, in Charlotte, North Carolina**

Councilmember McGoffin moved to send no one to attend the National League of Cities conference. Seconded by Mayor King. Motion passed 6-0.

6. **Discussion and possible direction to Staff regarding the audio recording system; including possible authorization to investigate and/or procure the possible purchase of a digital recorder**

City Clerk Vicki Vivian stated this item was placed on the agenda by Councilmember Lambert, adding the recording system has had adjustments made to it over the last year, but unfortunately, there have been problems with the audio quality. Ms. Vivian then stated Councilmember Lambert came into the office and made adjustments to the audio system (separate from the recording system) to include grounding the audio system, adjusting volumes and turning off equipment that was not being utilized, adding Councilmember Lambert then suggested contacting the company that installed the audio system to see what other recording devices were available. Ms. Vivian then stated one of the options is a portable digital recorder with Wi-Fi that saves audio to a memory card; however, it was an analog conversion, adding the estimated cost for this device, power pack, cables and installation is approximately \$350.00. Ms. Vivian then stated for a true digital recording, the mixers would need to be upgraded and a small PC would be installed in the audio rack, adding to do something like this is estimated at \$2,000. Ms. Vivian then stated the adjustments Councilmember Lambert made seem to have taken care of the audio system problems feeding into the recording system, however, should the Council decide that another recording system should be investigated and/or purchased, this item allows for that direction to Staff. Ms. Vivian then stated she would like to add that on Friday, after some final adjustments were made, a test recording was made that included all the microphone areas and she sent that recording to Council this morning, adding it does sound clear, but she does know there are some wiring problems, then noted they removed a CAT 5 wire coming across for the conference phone. Ms. Vivian then stated she believes the recording is now clear, but she feels for \$350, it would be good to have a backup.

Councilmember Lambert then spoke about the audio system stating he spent time with both City Manager Bill Stephens and the City Clerk and they tested each microphone individually, adding several problems were found. Councilmember Lambert then stated the less expensive system would be an analog system and the more expensive system would be a digital recording system. Councilmember Lambert then continued stating the same system is used for the Planning & Zoning meetings also and the on-going costs of the current system is about \$900 per year. Councilmember Lambert then stated the new analog recording system would probably cost between \$350-\$500, but it would be a dual recording system, with a recording to both a CD and a thumb drive, so if 1 fails, there would be a backup. Councilmember Lambert then stated he found wires that shouldn't be plugged in and he moved some microphones, adding this resulted in the much clearer audio recording Ms. Vivian sent to the Council this morning. Councilmember Lambert then stated when the current recording system was installed, it cost about \$4,000 and has had an annual maintenance cost of about \$900 for 10 years, adding if one of the proposed recording equipment is purchased, the City will own it and won't have those costs.

Councilmember McGoffin asked about operating a new system and if there was a system that would produce text for the minutes with Ms. Vivian stating the minutes for the Council are summary minutes, unless there is a political issue that would include more detail. City Attorney Gary Cohen stated the agenda is phrased to direct Mr. Stephens to investigate a new recording system and he would come back to the Council with his findings.

Councilmember Lambert then stated the Council received a long email from the company that originally installed the microphones and speakers, then stated the Council could direct Staff to investigate and/or purchase a new recording system, so it doesn't have to come back to Council.

Councilmember McGoffin stated she thought it was a great idea, but that the Council should let Staff decide between the systems, adding if Mr. Stephens wanted to bring it back to Council, he could, but she felt it wasn't necessary. Vice Mayor Konrad agreed, stating in looking to the future, he would be interested in the digital system, noting the cost over the last 9 years is almost \$10,000 and paying about \$2,000 for a system with no additional costs would be a long-term savings to the City. Councilmember McGoffin agreed, stating eventually an analog system would be outdated. Mayor King agreed, stating not only would a new system save money, but it would help employees do their jobs and he would support that. Mayor King then agreed that Staff should investigate both systems.

Councilmember Lambert stated either system was well under the City Manager's authority and he could go ahead and purchase the system he thought would be best with Mayor King asking Mr. Stephens to notify the Council of the decision beforehand, in case the Council had any questions.

Vice Mayor Konrad stated there may be some hidden costs, but hopefully, they will be minimal, adding Mr. Stephens could use his judgment on those.

Councilmember Lambert asked if a motion was necessary with Mr. Cohen stating he thought the direction was clear.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember McGoffin moved to adjourn at 7:40 p.m. Seconded by Councilmember Boyle. Motion passed 5-1 with Councilmember Lambert voting nay.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk