CITY OF BENSON
CITY COUNCIL
JUNE 11, 2018 – 6:00 P.M.
WORKSESSION

A WORKSESSION OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON JUNE 11, 2018 AT 6:00 P.M.
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

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Vicki L. Vivian, CMC, City Clerk

A G E N D A

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.

ROLL CALL: The City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

NEW BUSINESS:

1. Discussion about obtaining Railroad Quiet Zones for the City of Benson; may include feasibility, funding options, and the research of opportunities to achieve Quiet Zones, including the approval of outside persons to pursue obtaining Railroad Quiet Zones – **Councilmember Boyle**

ADJOURNMENT

POSTED this 8th day of June, 2018

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 Statues §38-431.03 (A)(3) to obtain legal advice on matters listed on the Agenda.

* Denotes an Exhibit in addition to the Council Communication

City of Benson
City Council Communication

Worksession **June 11, 2018**

To: Mayor and Council Agenda Item # 1

From: Vicki Vivian, CMC, Interim City Manager / City Clerk

Subject:

Discussion about obtaining Railroad Quiet Zones for the City of Benson; may include action regarding feasibility, funding options, and the research of opportunities to achieve Quiet Zones, including the approval of outside persons to pursue obtaining Railroad Quiet Zones

Discussion:

At the May 14 Council meeting, Ms. Najayyah Many Horses and Andrew Abernathy both addressed the Council regarding Quiet Zones in the City of Benson. Ms. Many Horses submitted petitions seeking the establishment of the Quiet Zones (and letters regarding the railroad noise) after her remarks to the Council, which were emailed to the Council. After the Call to the Public, Councilmember Boyle requested a worksession on Quiet Zones and Councilmember Lambert requested an action item be placed on the regular meeting agenda.

Also, since that time, a letter from Southeast Arizona Economic Development Group (SAEDG) was delivered to the Administration office at City Hall regarding the Quiet Zones requesting the formation of a Task Force chaired by former Benson Mayors George Scott, Mr. David DiPeso and Mr. Mark Fenn. SAEDG requests that the Task Force be given "authorization to talk to the Union Pacific Railroad, Arizona Department of Transportation and other organizations" to bring back (to the Council) workable solutions to the quiet zones from any and all agencies that would be involved. The letter is also seeking that Council direct Staff to cooperate and assist in the project. I would like to note that prior to the May 14 Council meeting, I met with Mr. Scott, Ms. Many Horses and Ms. Carol Treuber regarding the Quiet Zones and informed them that I (and Staff) would be happy to meet with all parties regarding the establishment of Quiet Zones and was open to researching and exploring possibilities to bring back to Council for action, but that it would have to be after the adoption of the budget.

Attached for Council review are:

- minutes of Council meetings in which the Railroad Crossings/Quiet Zones were discussed
- the petitions and letters submitted by Ms. Many Horses
- a guide for creating Quiet Zones
- the presentation on the Quiet Zone from the October 24, 2016 worksession
- the Quiet Zone Feasibility Study
- the Letter from Southeast Arizona Economic Development Group

Staff Recommendation:

Discussion only

THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD NOVEMBER 9, 2015 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. Mayor King then introduced Brother Robbie Robinson from the Church of Christ 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:

Mayor King recognized Judd Lowe for 5 years of service with the City of Benson. Mr. Lowe was not in attendance.

PROCLAMATION:

Mayor King then read a proclamation of the Mayor and Council urging all citizens of our community to commend America's veterans and to observe with solemn pride November 11, 2015 as Veterans Day and to take part in as many ceremonies and events as possible to honor these men and women.

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Dan Barrera, a non-resident and owner of the Quarter Horse Motel located in Benson, stated he has 600 frontage feet and a little over 1,000 feet adjacent to the railroad that is within a quarter mile of the train. Mr. Barrera stated people want to enhance the community and make it the best possible place to live, adding Benson has great scores, but creating quiet zones at the railroad crossings will further enrich and enhance the community for its residents. Mr. Barrera then thanked Councilmember Boyle for getting this item on the agenda. Mr. Barrera then stated he spent about 5 minutes on a computer looking up quiet zone locations in the state of Arizona and found them in Tempe, Flagstaff, Phoenix, Maricopa, Wellton, Chandler, Marana, Kingman, Gila Bend and Willcox, adding if those could be done, he is sure it can be done in Benson. Mr. Barrera stated it was amazing how quickly he was able to get a guide to quiet zones and the establishment process, adding this is something greatly needed in Benson. Mr. Barrera then stated he has seen too many people in the City with their fingers in theirs ears and turned toward the audience to demonstrate. City Attorney Gary Cohen asked Mr. Barrera to address his comments to the Council. Mr. Barrera then continued, stating he thinks Benson needs these quiet zones, adding if he is on a phone just outside his establishment, he has to wait for the train to pass before talking on the cell phone. Mr. Barrera then stated he was not trying to be disrespectful to the Council by facing the audience and apologized. Mr. Barrera then asked the Council to move quickly on the establishment of the quiet zones to make Benson a better place to live.

Mayor King stated he did not think Mr. Barrera was being disrespectful, but all comments from speakers at the Call to the Public need to be directed to the Council and no one else.

Angela Roberts, Pearl Street, Benson, addressed the Council regarding issues at the animal shelter, stating a second person is needed to work there. Ms. Roberts stated the City is about to lose an employee who is very dedicated to the animal shelter and the community because the employee is struggling there. Ms. Roberts stated dealing with animals and the people who bring them in is a backbreaking, heartbreaking, soul-sucking job, adding even good things can be stressful. Ms. Roberts then stated she used to be the volunteer who came in and cleaned on weekends

for about 2 years, but she quit because it was blatantly obvious to her that the longer she worked for free, the longer it will be expected and the City won't hire anyone. Ms. Roberts then stated this past weekend, she took some things in to drop off and found out there was no responsible party at the shelter all weekend long and not a single animal was fed, cleaned or medicated over the weekend. Ms. Roberts stated she didn't know whether this was an oversight or miscommunication issue, but it was unacceptable. Ms. Roberts then stated she didn't need the job and this was not a petition to hire her, but she wanted the Council to know what was happening. Ms. Roberts then stated the current animal control officer is dedicated and loves what she does, but she is up against the wall. Ms. Roberts then stated if the animal control officer is on vacation or is out sick, there is no one else to do anything, adding volunteers can't euthanize sick or injured animals. Ms. Roberts then asked the Council to address this issue, adding the situation is unacceptable to animals, to the employee and to the community.

Susan Van Skike, Empire Road, Mescal, stated she was a volunteer at the animal shelter and it is extremely upsetting to watch everything that goes on there. Ms. Van Skike stated Laurie Fivecoat is the only paid animal control officer and Ms. Fivecoat is so overworked, it's crazy, adding Ms. Fivecoat is so stressed over her job that she has been to a doctor and has a note from the doctor saying her load needs to be lightened, but it hasn't happened and is not being addressed. Ms. Van Skike then stated as a volunteer she can answer calls, but people get upset, frustrated and irate when the animal control officer is out on a call or is not there to handle their requests. Ms. Van Skike then stated she feels that the animal control officer is being taken advantage of, adding during the 6 months she has been a volunteer, the animal control officer has been told that an additional employee for the animal shelter will be hired, but nothing has been done. Ms. Van Skike then stated there has also been an issue about purchasing an $85 printer, with the animal control officer being told she could purchase it and then being told she could not purchase it and now the animal control officer has to leave the animal shelter to make copies, which again, causes customers to be angry when they can't be helped. Ms. Van Skike then spoke about the animals not being fed or cleaned over the weekend, stating she was there and listened to someone from the Police Department tell the animal control officer that it would be taken care of. Ms. Van Skike then stated the animal control officer is stressed out, near tears and needs to take time off, but can't because nothing is taken care of when she is gone. Ms. Van Skike then stated she knows the animal control officer takes her computer home and works overtime at home, adding she is way overworked and volunteers can only do so much. Ms. Van Skike then asked the Council to address this issue.

George Scott, Director of SAEDG (Southeast Arizona Economic Development Group), 168 E. 4th Street, Benson, stated the quiet zone program is long overdue in Benson and thanked Councilmember Boyle for recommending the City look at this and move forward with the quiet zones. Mr. Scott then stated the biggest complaint from downtown businesses and from visitors is the train whistle noise, adding people like to look, but they don't want to have their eardrums blown out. Mr. Scott then stated the only reason Benson is here is because it was a transportation hub with the railroad being the most important piece, but we need to make visiting Benson more pleasant with quiet zones. Mr. Scott then stated with all the proposed growth, there will be new businesses and visitors, adding his office is already getting inquiries from businesses who are thinking of locating downtown and he feels this issue needs to be addressed sooner rather than later, stating the City needs to be prepared for the growth that will be happening in the next few years. Mr. Scott then agreed with Mr. Barrera's comments that other cities have done this and it's time for Benson to do the same. Mr. Scott then stated Councilmember Cook lives near the railroad tracks and he knows how the train sounds in the middle of the night. Mr. Scott then stated one of the issues will be the cost, but stated the Council should consider how much making Benson a better place to be and visit is worth. Mr. Scott then stated a lot of groups, such as the SAEDG, the Chamber of Commerce, the Benson Heritage Railroad Foundation and others have volunteered to help with this project. Mr. Scott then asked the Council to remember that they are the only ones who can start this by directing Staff to move forward in initiating this project and asked Council to do so to make Benson a nicer place to live and do business.

Samuel Miller, Foothill Drive, Benson, addressed Council stating he is a pilot and owns an aircraft, but he is not rich, adding his aircraft costs about as much as a truck, noting the difference is an aircraft costs a lot more to maintain. Mr. Miller then stated on his last night flight he took out of the Benson airport, he saw that the beacon hasn't been working and the taxiway lights were blocked by grass that is high enough to hit his aircraft wings. Mr. Miller stated he has a low-winged aircraft and as long as he lands it in the middle of the runway, there is no problem, but if the wind made him land on the sides, the grass could pull his aircraft off the runway. Mr. Miller

then stated the lights have been out for about a year, adding they are not required, but are nice to have at night and the security gates have not worked for 2 years and are now locked open because access cards don't work. Mr. Miller then stated the van at the airport that has Benson's name on it is in need of a battery, adding the van is old and should be gone. Mr. Miller then stated he is a pilot and he served on the Airport Advisory Committee, but he was only speaking due to his personal concerns about these issues. Mr. Miller stated some of the issues are serious enough for the FAA and ADOT to look at, but none of them have anything to do with the current FBO, Southwest Aviation, and all of them have to do with the City. Mr. Miller then stated there is talk about a new FBO and if they come and operate in a free economy, it would be good, but he has heard rumors of the City having to pay the new FBO if the new FBO doesn't make a certain amount of money. Mr. Miller then stated this may result in increases in landing fees and fuel costs which would drive people away from the Benson airport, adding fly-ins bring people to Benson who spend money, but if they are driven away, they won't come to Benson. Mr. Miller then stated other airports such as Scottsdale, Tucson International, Yuma and Sierra Vista don't have landing fees and stated the hangar fees in Benson are higher than in Sierra Vista and Tucson. Mr. Miller then stated someone can also go to Casa Grande and ask about building a hangar and be given a packet with instructions and plot maps, adding it's simple in Casa Grande and shouldn't be so difficult in Benson. Mr. Miller then stated he put on a public event last year at the airport and plans on doing it again next year.

Heather McClain, Whetstone Ranch, Benson, stated she was a volunteer at the animal shelter for about 3 years, and the animal control officer has been by herself, adding it has been a difficult couple years for her. Ms. McClain stated she has seen the animal control officer decline emotionally, adding the animal control officer is truly a wonderful lady who is doing the best she can and puts in a lot of time on her own, but she has a lot of pressure to work by herself and there is no way she can continue running the shelter by herself. Ms. McClain then stated the animal control officer is in desperate need of help and the City may end up losing a valuable asset at the animal shelter without it.

Paul Lotsof, a non-Benson resident and Manager of the CAVE FM radio station in Benson stated he has spoken about the proposed Villages at Vigneto project and anyone listening knows he has never expressed opposition to growth in the Benson area, adding he is a strong supporter of growth and feels that more population would benefit this area in many ways. Mr. Lotsof then stated he has never expressed opposition to the proposed project, but he does have reservations about the management and even more reservations about the proposal to form one or more CFDs (Community Facilities Districts), adding he doesn't feel their formation is essential for the project to be carried out. Mr. Lotsof then stated there is a multitude of questions that first need to be answered and some are vital the Council should ask before acting, such as how much bond money will be initially raised; would the initial offering be based on providing infrastructure to the entire 28,000 home development; how much is being looked at; who will rate the bonds in terms of how risky they will be; what interest percentage the bonds will pay and what happens if the bonds are rated as junk bonds or near junk bonds. Mr. Lotsof then asked the Council what they would tell the developer if he says the project can't be done unless the City backs the bonds. Mr. Lotsof stated during the October 12 Council worksession, Mr. Guckenberger spoke on CFDs, and said that "we're certainly on the riskier end of the municipal debt spectrum, so that's something to think about" then asked Council if they intend to think about the element of risk or if they have total faith that the money will be spent with the highest standards. Mr. Lotsof then stated other El Dorado developments have been built without CFDs. Mr. Lotsof then stated one downtown revitalization district had a scandal with over $200 million disappearing and stated the old adage of 'Look before you leap' may have some application here. Mr. Lotsof then spoke about his business building stating in January, all the Council agreed that his business would get no relief from the City codes, making it impossible for him to replace the 1964 mobile home under any reasonable terms and he thinks some of that decision was based on faulty legal advice from City Attorney Paul Loucks. Mr. Lotsof stated after some time, he accepted that he is not permitted to improve his property and this is why he hasn't spoken about it in several months, adding he is speaking about it now because a week ago, he received a notice from the Building Inspector that the area in front of his building does not comply with the City codes and that the necessary improvements must be made. Mr. Lotsof then stated the City is trying to have it both ways; he is not allowed to improve his property, but is required to improve it. Mr. Lotsof then stated his intention is to try and bring the issue to resolution with the Building Inspector, but he doesn't know if that will be possible or not, adding the issue has a strange resemblance to Stagecoach Trails and another Stagecoach Trails is something no one wants.

Kevin Dirksen, Pearl Street, Benson stated he has an eyesore problem and fire hazard next to his house that he spoke to the Council about 3 years ago. Mr. Dirksen said he was told by the Mayor that the issue would be taken care of in 30 days and that didn't happen. Mr. Dirksen then stated last year he then spoke to the City Manager and the Public Works Director and was told the issue would be taken care of in the fall of 2014, but it's now the fall of 2015 and the issue remains. Mr. Dirksen then stated he is wondering if it's possible to get the property cleaned up or if this was an ongoing vendetta against property owners who stand up for their property rights. Mr. Dirksen then stated the City created this mess and the City should clean it up.

Dave Thompson, La Cuesta Drive, Benson, stated people have the freedom of choice; the choice of moving to a community or not, adding people can choose to live in a community, whether family, religion or town and be with other people or have their own acreage and be away from noise and advancement. Mr. Thompson then stated this choice is usually based on character, needs or wants and comes with responsibilities, adding the responsibility is to look at facets, such as the Villages at Vigneto project and the animal shelter and make decisions on those issues. Mr. Thompson stated the same is true for a business, decisions have to be made every day and a business either moves forward or moves backwards and dies, but it can't stand still and neither can the City of Benson. Mr. Thompson then stated Benson is at that point and decisions need to be made and be based on the best information, character, integrity and performances. Mr. Thompson then stated the Council should ask if this is a good move for Benson and if it is, they make a decision and go forward. Mr. Thompson then stated people will ask what happens if the project falls apart, what if the interest rates change, what if in 10 years, it's found out there is not enough water or too much water, adding at that point, the Council then makes another decision and moves forward, watching what happens and making new decisions as needed. Mr. Thompson then stated that is part of the responsibilities of being citizens of Benson and people need to realize that if they are going to have kids and want a future in the City of Benson, they cannot sit back and do nothing, they have the responsibility to move forward.

CITY MANAGER REPORT:

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

Tuesday, November 10, 2015	–	Library Advisory Board, 4:00 p.m., City Library
Tuesday, November 17, 2015	–	Planning & Zoning Commission Pubic Hearing, 7:00 p.m., City Hall
Wednesday, November 18, 2015	–	Community Watershed Alliance, 6:30 p.m., City Hall
Saturday, November 21, 2015	–	Historic Preservation Commission, 9:00 a.m., City Hall
Monday, November 23, 2015	–	City Council Meeting, 7:00 p.m., City Hall
Wednesday, November 11, 2015	–	Veterans Day – City Offices Closed Veterans Day Memorial Service, hosted by the VFW, 10:30 a.m., Veterans Memorial Park
Thursday and Friday, November 26 & 27, 2015	–	Thanksgiving Holiday – City Offices Closed
Saturday, December 12, 2015	–	Festival of Lights – Light Parade, Floats that best represent the theme "The Musical Magic of Christmas" will be awarded 1st, 2nd and 3rd place prizes! This year's theme was chosen by the Congregate Meals Program participants. The Parade starts at 6:30 p.m. Following the parade, Santa will be attending the Tree Lighting Ceremony at the Benson Museum located at 180 S. San Pedro Street in Benson.

Mr. Stephens then stated for more events in Benson, the public could visit the City's website: www.cityofbenson.com under "What to do Today." Vice Mayor McGoffin then stated the Benson High School football team, which has had some great recognition and has been on the news several times will be playing their second game in the State championship playoffs on November 14 at 6:00 p.m. Vice Mayor McGoffin noted the quarterback won player of the week and the team is doing a fabulous job and won their first playoff game 58-14, adding the only reason the opposing team scored was that the JV was playing the entire 4th quarter. Vice Mayor McGoffin then stated the team is awesome to watch and encouraged the public to bring a friend and come out to support our young men on the football team this weekend.

NEW BUSINESS:

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

1a. Minutes of the September 28, 2015 Regular Meeting
1b. Invoices processed for the period from October 17, 2015 through October 30, 2015

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

2. **Discussion and possible action regarding Railroad Quiet Zones for the Patagonia Street, San Pedro Street and Ocotillo Street crossings**

City Manager Bill Stephens stated this item was on the agenda at the request of Councilmember Boyle. Mayor King stated he would like to invite the Benson Economic Development Committee (BEDC) Chairman, Mike Berryhill to come to the podium. Councilmember Boyle then stated this item is based on a lot of work by the BEDC, with Mr. Berryhill spearheading the matter. Councilmember Boyle then stated Mr. Berryhill was available to answer any questions the Council may have. Mr. Berryhill then addressed Council regarding the matter and stated the BEDC looked for communities resembling Benson that had quiet zones and then went to visit Willcox and learn how that town achieved the quiet zones. Mr. Berryhill then gave Council pictures of one of the railroad crossings in Willcox to show what was done to bring the crossing up to required standard for a quiet zone, noting all Willcox had to do was install some additional curbing to prevent people from driving into the crossing area and install signs, noting there were 3 railroad crossings updated in Willcox and the cost was about $4,000. Mr. Berryhill then stated the BEDC gathered the information on how to achieve quiet zones from Willcox and includes explanations from the railroad on what needed to be done. Mr. Berryhill then stated he was told once Willcox got the ball rolling; it only took 6 months to get it done. Councilmember Boyle then stated the information also contains a chronological list of what was done and contact information that was needed, adding the list of what was done and when it was done should be self-explanatory and if Willcox was able to complete this task, Benson should be able to do the same. Mr. Berryhill stated he would like to publicly thank the Public Works Department in Willcox for being extremely helpful, giving him a prioritized list with contact names, titles and phone numbers, adding with the Council's approval, the BEDC would like to turn this information over to the City Manager in hopes of having quiets zones established in Benson.

Council then discussed the quiet zones and that in the past, establishing these quiet zones would require new barriers or crossing arms and was found to cost a lot of money, but the consensus was that if it was simple and didn't cost a lot of money, they would like to move forward with the establishment of quiet zones as soon as possible. Council appreciated the BEDC completing all the legwork and gathering the information for Staff to review and utilize.

Mr. Berryhill stated he didn't want to say this project would be totally simple, but the BEDC gathered a lot of documentation and pictures of each crossing with legal descriptions that can be used as a guide and should help dramatically.

Councilmember Cook expressed concern over the costs, stating there has been probably 1 cost of living adjustment in the last 9 years and concerns about employee positions that are vacant, the extra workload those place on other employees and whether or not the additional project of establishing quiet zones could be started right away and if it would affect other projects.

Mr. Stephens stated the information that is laid out in chronological order with contact information should work fairly well, adding a call can be made to Willcox to allow Staff to have a better understanding of what was involved. Mr. Stephens then stated in the past, Staff was told the railroad crossing arms would have to be replaced and if that requirement has changed, it would make a big difference in the project. Mayor King asked if the cost to establish quiet zones could be paid with bond proceeds with Finance Director Dustin DeSpain stating it could, as the quiet zones would be considered a capital improvement.

Councilmember Konrad stated he had firsthand knowledge of Willcox and when he was there recently, he parked next to the railroad track and could hear the train turbine and wheels but that was all, adding he is all for the establishment of quiet zones. Councilmember Konrad then moved to direct Staff to begin the process of looking into quiet zones at the Patagonia Street, San Pedro Street and Ocotillo Street crossings. Seconded by Vice Mayor McGoffin. Motion passed 7-0. Mr. Berryhill then gave the information the BEDC gathered to Mr. Stephens.

3. **Discussion and possible action regarding Resolution 26-2015 of the Mayor and Council of the City of Benson, Arizona, approving a Construction Agreement with CXT Concrete Buildings, an LB Foster Company for installation of ADA-compliant restrooms at Lions Park, pursuant to CDBG Grant #129-15**

Public Works Director Brad Hamilton stated this contract is for the construction of the second set of bathrooms at the park to meet ADA requirements, noting they are the same as the current bathrooms but since there was a slight increase in the funding, these bathrooms will have a few more features, such as a drinking fountain in the front of them. Mr. Hamilton then stated the funding for the bathrooms is through the CDBG (Community Development Block Grant) program and the bathrooms will be manufactured and delivered for installation approximately 11 weeks from the approval of the contract, adding the actual installation will be done by City employees. Mr. Hamilton then stated when the next CDBG funding cycle comes up; there may be one more bathroom that will qualify.

Council discussed the location of these restrooms being at the soccer field with Councilmembers saying the bathrooms that are going to be replaced are the bathrooms they have received the most complaints on. Mayor King then moved to approve Resolution 26-2015. Seconded by Councilmember Moncada. Motion passed 7-0.

4. **Discussion and possible action regarding additional time off for the holidays in recognition of City Employee Service**

City Manager Bill Stephens stated in recent years, the City Council has recognized Staff's excellent service to the community with an additional day off at Christmas and New Year's, adding as normal, the essential services would still be covered. Mr. Stephens then stated both holidays fall on Fridays this year and a possibility would be to approve Christmas Eve (Thursday, December 24) and New Year's Eve (Thursday, December 31) as additional time off. Councilmember Moncada stated he would be abstaining. Vice Mayor McGoffin stated her husband had retired from the Benson Police Department but has been reemployed as a part-time employee who would not receive this benefit and verified with City Attorney Gary Cohen that she did not need to abstain. Mayor King then stated this is something the Council has done for several years and is something he supports, adding after going through a year like last year, this would help with employee morale and let the employees know the Council appreciates them and the job they do. Mayor King then stated the employees are also grateful for the time off.

Councilmember Konrad asked if the day after Thanksgiving was a paid holiday with Mr. Stephens stating it is, noting the paid holiday for Columbus Day was moved to the day after Thanksgiving many years ago.

Vice Mayor McGoffin moved to give employees Thursday, December 24 and Thursday, December 31 off for their services. Seconded by Councilmember Lambert. Motion passed 6-0 with Councilmember Moncada abstaining. City Attorney Gary Cohen stated the record would reflect an abstention due to an actual perceived conflict of interest. Mayor King and Vice Mayor McGoffin then expressed thanks to the employees for their work and dedication.

5. **Review of City Finance with emphasis on September financial results and the City's financial position at September 30, 2015**

Finance Director Dustin DeSpain reviewed Citywide financial highlights for the month of September stating the City's unrestricted cash sits at $1.2 million and the bond proceeds are still at $1.07 million. Mr. DeSpain then stated the City's revenues did not exceed the expenditures and were short about $50,000 for the month, but stated

the loss was primarily due to grants the City is reimbursed for, adding the City actually made money in September and will be receiving those reimbursements shortly. Mr. DeSpain then stated the City's fund balance was $48,000 for the fiscal year compared to the -$2,000 last year at this time. Mr. DeSpain then stated monthly revenues citywide were $677,000 and are $2.2 million year-to-date, which is a $157,000 increase from last year through September, 2014. Mr. DeSpain then stated citywide monthly personnel costs for September were $344,000, which is a decrease of $1,000 compared to September of last year and other citywide expenditures were $300,000 for the month which is an increase of $82,000 compared to last September.

Mr. DeSpain then reviewed the General Fund stating revenues for the month of September were $384,000 and were $1.1 million year-to-date which is an increase of $36,000 from last year. General Fund personnel costs for September were $222,000 which is a decrease of $7,000 from last September and other General Fund expenses for the month of September were $131,000 which is an increase of $74,000 from September, 2014. Mr. DeSpain then stated General Fund revenues did not exceed expenditures and were short $31,000 for the month and the General Fund year-to-date fund balance was -$153,000, compared to a -$134,000 fund balance in September of last year.

Mr. DeSpain then reviewed Enterprise Funds stating the Gas Fund revenue for the month of September was $34,000 and year-to-date was $110,000 and the fund balance was $5,000; the Water Fund revenue for the month of September was $55,000 and year-to-date was $183,000 and the fund balance was $53,000; the Wastewater Fund revenue for the month of September was $56,000 and year-to-date was $174,000 and the fund balance was $71,000; the Sanitation Fund revenue for the month of September was $49,000 and year-to-date was $148,000 and the fund balance was $49,000. Mr. DeSpain then stated the Golf Course Operations fund balance was -$48,000 for the month of September and was -$67,000 year-to-date, compared to the -$60,000 year-to-date last September and the Golf Course Food & Beverage fund balance was -$6,000 for the month of September and was -$10,000 year-to-date, compared to -$9,000 year-to-date last September. Vice Mayor McGoffin asked if the golf course was closed for 2 weeks with Mr. DeSpain stating the course was closed for 2 weeks for overseeding, fertilizing and other repairs.

Mr. DeSpain then reviewed sales tax stating the City retail sales tax included the 1% increase and increased almost $100,000 for the month of September, noting the collection amount was almost equal to October, 2013 before everything decreased. Mr. DeSpain then stated bed tax stayed the same and will hopefully show improvement with winter visitors and construction sales tax did have a peak. Mr. DeSpain then stated the total City sales tax amount for September is about $275,000. Mr. DeSpain then stated the State tax collections also jumped, noting the City's portion of that is up about $5,000 and a slight trend can be seen. Mr. DeSpain then noted the increase over the previous year and stated this shows consumers are becoming more confident in the economy. Vice Mayor McGoffin noted the State giving municipalities less money and asked if that funding would be swept throughout the year with Mr. DeSpain stating the State did sweep funding, but the amount the City received was still an increase from the previous year. Mr. DeSpain then stated the increase and the City sales tax increase of 1% exceeded his expectations. Councilmember Moncada asked if the increase would still be there without the 1% increase with Mr. DeSpain stating the collection would have increased but the increase wouldn't be as great, again, stating the increased collections indicate increasing consumer confidence.

Councilmember Cook stated the financial report the Council received gave a breakdown and indicated capital projects at the golf course in the amount of $9,550 with Mr. DeSpain stating some upgrades were done to the building at the golf course including carpet and paint, which are considered capital improvements. Councilmember Cook then noted there were no capital improvements at the golf course last September and stated without the improvements, the golf course would look about $10,000 better. Director of Golf Operations Joe DelVecchio stated the capital improvements that were done in the building cost approximately $2,000. Mr. DeSpain then stated the $9,500 should also include about $1,500 for a mower the golf course purchased and he would have to research the rest. Councilmember Konrad then thanked Mr. DelVecchio for the update on the golf course. Mr. DelVecchio then addressed Council stating when comparing this September to last September with the same line items, it can be seen that the golf course is doing better than last year, noting last September the course had no cost for seed, fertilizer or sand and then stated this even includes the course being closed an extra 3 days this September for the reseeding and fertilizing. Mr. DelVecchio then stated the golf course also had two

cart payments made this September for some reason, which is the amount Councilmember Cook is questioning with Mr. DeSpain stating that was correct and golf carts are physical assets that are considered capital improvements. Mr. DelVecchio stated he was trying to find out why two payments were made in one month, adding in 3 months, the golf course has made 5 cart payments instead of the routine monthly lease payment, noting October should look even better because of this. Councilmember Cook then stated he wouldn't expect Mr. DeSpain to have all the information immediately and knew it would have to be researched with Mr. DeSpain stating he would do so and email the information to the Council. Councilmember Moncada asked where the seed costs were budgeted last year with Mr. DelVecchio stating the cost of the seed was in October last year.

Mayor King then stated the golf course looks great right now and it's doing a lot better than last year. Mayor King then stated Mr. DelVecchio is bringing people in to play golf and is doing a great job, adding he stands behind Mr. DelVecchio and asked him to keep doing what he's doing. Mayor King then stated if a question comes up, the Councilmembers should contact Mr. DeSpain during his working hours and not wait to address it during a Council meeting, adding Mr. DeSpain's door is always open to Councilmembers.

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03 (A)(3) and/or (4), discussion or consultation for legal advice with the attorney(s) of the public body, and/or discuss or consult with said attorney(s), about its position and instructing its attorneys about contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions to avoid or resolve litigation involving operations at the Benson Municipal Airport.

Councilmember Moncada moved to enter into an executive session with Mayor and Council, the City Manager, the City Attorney, the Public Works Director and the City Clerk at 8:23 p.m. Seconded by Councilmember Konrad. Motion passed 6-1 with Councilmember Lambert voting nay.

Council reconvened at 9:07 p.m.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Vice Mayor McGoffin moved to adjourn the meeting at 9:07 p.m. Seconded by Councilmember Moncada. Motion passed 7-0.

_____
Toney D. King, Sr., Mayor

ATTEST:

_____
Vicki L. Vivian, CMC, City Clerk

THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD JANUARY 25, 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 7:03 p.m. with the Pledge of Allegiance. Mayor King then introduced Pastor Blair from the First Baptist who offered the invocation.

ROLL CALL:

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

EMPLOYEE RECOGNITION: None

PROCLAMATION:

Mayor King read a proclamation of the Mayor and Council declaring the month of February, 2016 as "Love of Reading Month." Mayor King then presented the proclamation to the Library Manager, Kelli Jeter. Councilmember Cook stated many people don't know the library had a magician come in for kids and expressed appreciation for the library staff and all they do.

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Tricia Gerrodette, Eagle Ridge Drive, Sierra Vista, spoke about New Business Item 7 stating she was sorry to see the policies as written mean the City has decided not to have reimbursable Staff expenses, adding this is a brand new venture for the City that has been expensive so far. Ms. Gerrodette then urged the Council to consider a lower than $50,000 fixed fee, but to put Staff costs into a reimbursable account since this is a new process and no one has any idea of how much time and energy it's going to take, adding it could be a black hole for taxpayers. Ms. Gerrodette then spoke about district boards for any special taxing district, stating if the Council is not the board of directors and a board is appointed, the subsequent members of that board will be elected and the Council will have no further control, noting the only voting members of the district for some time will be the landowners. Ms. Gerrodette then stated the language of the policies is in large part, based on A.R.S. §48-6801 and that statute defines a district board and the governing body clearly, but in the proposed policies in paragraphs 1.3 and 1.5 and the introduction to Article 2, a mixed use phrase of "governing board" is used. Ms. Gerrodette stated she thinks that language is unclear since the choices in state law are a district board or governing body and urged the Council to choose the correct term to avoid confusion.

Alex Binford-Walsh, Cascabel Road, Benson, gave a handout to Council stating it didn't contain everything he wanted to give out, but it did talk about the history of the valley and the role we play in the continent. Mr. Binford-Walsh asked the Council to disregard the archeological survey. Mr. Binford-Walsh then stated for the biodiversity section, he looked at google earth and found the San Pedro River corridor is the only intact river corridor between the Sierra Madre Mountains in Mexico and the Rocky Mountains, adding all other rivers across the border have been developed or dried up, and ours is the only functional ecosystem left. The handout will be retained with the Council packet.

Stephen Insalaco, Pinto Place, J6 Ranch, spoke regarding a recent commentary he had in the newspaper titled, "Benson's 2015 Economic Banner Year," and the economic conditions in Benson. Ms. Insalaco mentioned there were 15 businesses that collapsed in 2015, a lack of building permits in 2015, developers are not breaking ground and existing businesses continue to collapse. Mr. Insalaco stated Benson needs new

businesses to bring higher paying jobs, jobs with benefits and jobs that will bring an infusion of federal and state dollars into this community. Mr. Insalaco then stated the BEDC (Benson Economic Development Committee) is doing a fabulous job and he commended them for their efforts and commitment to the community, but noted they are limited in their abilities to achieve true economic reform because they lack the type of empowerment required to achieve this. Mr. Insalaco then stated the BEDC doesn't have the empowerment to identify and offer incentives to respective developers, they can't barter or represent the city in negotiations, and while they can identify prospective business opportunities, they cannot directly contact them on the City's behalf nor communicate the community's invitation to establish themselves in the community. Mr. Insalaco then stated the Villages can be a good thing for the community, and the Council should nurture the development, but they should also provide a separate and unique economic development plan that is independent of this housing effort, noting the success of the project should be an addendum to the economic development plan; not the plan itself. Mr. Insalaco then stated the Council should form a new committee made entirely of Council and Staff members, establish the charter of the committee, define limitations of it autonomy, empowerment and identify what incentives the City can offer new businesses and developers. Mr. Insalaco then stated a committee of this kind should not have to wait for future Council meetings to ask permission to do things, should require few Council agenda items and should have the autonomy to execute negotiations with developers in real time. Mr. Insalaco then stated most importantly, this committee needs to be aggressive in getting out there and finding perspective developers and contacting existing service providers to come to Benson.

Arlene Larson, Green Street, Benson, stated she has lived in Benson for 10 years and feels that the quiet zones would be to the advantage of the businesses and community at large, therefore, she would like to see the quiet zones established.

Lupe Diaz, Post Rd, Benson, stated he was a Pastor and was the President of the Chamber of Commerce and that he and the business community were in favor of quiet zones. Mr. Diaz stated some concerns over the quiet zones is that they would diminish Benson being a railroad town, but he disagreed, stating the train bells will still ring, the arms will still come down and people will still be able to hear the train. Mr. Diaz stated the quiet zones will add to quality of lifestyle for citizens and especially for businesses on 4th Street and asked Council to push this through. Mr. Diaz then stated he was also in favor of the Vigneto project and he would like to see the policies and procedures move forward as soon as it can. Mr. Diaz then spoke about the district board and that he would like to see an independent board because the Council could change at any time, adding this is an election year and a new Council might not have the same vision and could stop the project from moving forward at any time. Mr. Diaz stated another reason to have an independent board is that there could be a conflict of interest with the attorneys who are working on the project and he can see where this becomes attorney run rather than committee run. Mr. Diaz then stated he read through the policies and he thinks they are great the way they are, adding he understand this was the responsibility of the Council, but he would like to see those responsible changed from the Council to an independent board. Mr. Diaz then spoke about events in Benson and asked the Council to begin to examine some of the new regulations from the events coordinators and talk to those putting events on. Mr. Diaz then asked the Council to start asking questions about that, adding there are insurance and activity regulations which are stifling some of the growth and he feels Benson has more restrictions than other communities which has resulted in some plans being shut down due to the restrictive requirements in Benson. Mr. Diaz stated the Council could contact him if they had any questions.

CITY MANAGER REPORT:

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

Wednesday, February 3, 2016	–	Benson Economic Development Committee, 6:00 p.m., City Hall
Monday, February 8, 2016	–	City Council Meeting, 7:00 p.m., City Hall
Wednesday, February 17, 2016	–	Community Watershed Alliance, 6:00 p.m., City Hall
Monday, February 15, 2016	–	Presidents' Day – City Offices Closed

Mr. Stephens then stated for more events in Benson, the public could visit the City's website: www.cityofbenson.com under "What to do Today."

NEW BUSINESS:

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

1a. Minutes of the November 23, 2015 Regular Meeting
1b. Invoices processed for the period from December 18, 2015 through January 15, 2016

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

2. **Discussion and possible action regarding the request from All the King's Horses Children's Ranch to access the City's wastewater system**

Public Works Director Brad Hamilton stated All the King's Horses Children's Ranch has been working to connect to the wastewater system for several years and recently got through a big hurdle and has the needed railroad easement. Mr. Hamilton then stated all the lines would still belong to All the King's Horses Children's Ranch; they would simply tie in to the City system and pay a connection fee as well as monthly fees. Councilmember Konrad asked if the treatment plant and lines have the capacity to accommodate the request with Mr. Hamilton confirming they did. Vice Mayor McGoffin asked how rates would be calculated since wastewater fees are based on water consumption with Mr. Hamilton stating there is a separate calculation used to determine the fees for wastewater users who don't have City water, adding it adjusts and is based on the citywide average.

City Attorney Paul Loucks then addressed Council stating if the Mayor and Council consider the approval of the direction to move forward, he would suggest the direction be to bring a contract back to the Council or to authorize Mr. Stephens to enter into an agreement. Mayor King stated he thought it was just as easy for Mr. Stephens to do so. Councilmember Konrad asked if the rate would be adjusted upward for build out at the ranch with expanded units with Mr. Hamilton stating more units would result in an increased rate.

Councilmember Konrad moved to direct Mr. Stephens to take care of this. Seconded by Councilmember Boyle. Motion passed 6-0.

3. **Discussion and possible action regarding Resolution 2-2016 of the Mayor and Council of the City of Benson, Arizona, authorizing the Recreation Coordinator to apply for a grant for a shade canopy at the pool from Cenpatico's Community Reinvestment Fund and to accept it if awarded**

City Manager William Stephens stated Recreation Coordinator Laura Parkin is here should Council have specific questions on this item. Ms. Parkin addressed Council stating she is currently working on a Parks, Trails and Open Spaces Master plan for the City and part of the planning process is to identify stakeholders and establish partnerships, adding those people attend meetings, provide input and act as the steering committee for the Master Plan. Ms. Parkin then stated the comments from those continuously say that shade is very important to them when looking for and participating in recreational opportunities. Ms. Parkin then stated Cenpatico is a stakeholder and they suggested applying for these grants, adding the City can apply for numerous grants for up to $25,000 and the applications are due by January 29. Ms. Parkin then stated she was asking for direction to be able to apply for the grants. Councilmember Boyle asked if matching funds were required with Ms. Parkin stated the City did not have to provide matching funds, however, back in September 2014, she requested a cost estimate for a shade canopy and received an estimate of $33,000. Ms. Parkin then stated if the City is awarded $25,000 for this grant, the project may cost up to $8,000 based on that 2014 estimate, but noted she would follow the procurement code and put out an RFP (Request for Proposals) for the project. Ms. Parkin then stated the current budget includes $15,000 for the Parks, Trails and Open Spaces

Master plan, which is not costing anything, so she would ask to reallocate that money to these grant projects she was presenting.

Councilmember Konrad stated he was a cancer survivor and as such, was sensitive to all cancers, including the silent killer melanoma, adding he is all for the canopy. Councilmember Konrad then stated his question relates to a year ago when the Council received complaints about the water temperature of the pool. Ms. Parkin stated the biggest question is if it is possible to get gas to the building for a heating system for the pool, adding she is still working on that, but basically the recommendation is gas heating and she needs to find the time to get together with the Public Works Director to see if it's feasible. Councilmember Konrad stated his question was how the shade will affect the water temperature with Ms. Parkin stating ideally, she wouldn't want to cover the entire body of water, because the water in the pool is incredibly cold.

Councilmember Lambert stated New Business Items 3, 4 and 5 are the same and asked if the $25,000 grant award would be split between the 3 projects with Ms. Parkin stating she is asking permission to apply for 3 grants, adding each grant application could be awarded up to $25,000. Vice Mayor McGoffin asked if the $33,000 estimate included installation with Ms. Parkin stating it did. Ms. Parkin then stated she was hoping an RFP will result with something substantially cheaper. Council discussed the size and height of the proposed canopy with Ms. Parkin stating it would be similar to the one at Lions Park, which she estimates to be 20' x 30' and that it would be generally high enough that vandalism would not be a problem. Mayor King stated some people will always try to do damage, but it's a risk the Council should take.

Vice Mayor McGoffin moved to approve Resolution 2-2016. Seconded by Councilmember Lambert. Motion passed 6-0.

4. **Discussion and possible action regarding Resolution 3-2016 of the Mayor and Council of the City of Benson, Arizona, authorizing the Recreation Coordinator to apply for a grant for a shade canopy at Union Street Park from Cenpatico's Community Reinvestment Fund and to accept it if awarded**

Mayor King stated this was basically the same as the previous item. Councilmember Lambert moved to approve Resolution 3-2016. Seconded by Mayor King. Motion passed 6-0.

5. **Discussion and possible action regarding Resolution 4-2016 of the Mayor and Council of the City of Benson, Arizona, authorizing the Recreation Coordinator to apply for a grant for the Skate Park from Cenpatico's Community Reinvestment Fund and to accept it if awarded**

Mayor King stated this was basically the same as the first grant application, but was for the skate park. Councilmember Konrad stated Ms. Parkin had communicated that the existing park equipment eliminates other user groups and asked Ms. Parkin to tell the Council what alternate physical activities would be provided. Ms. Parkin stated the grant would allow expansion of the current equipment to include BMX bikes and scooters. Vice Mayor McGoffin moved to approve Resolution 4-2016. Seconded by Councilmember Konrad. Councilmember Lambert asked if something could be done about the lighting at the skate park so it could be used until 10:00 p.m. with Ms. Parkin stating the skate park needs a lot of improvement and noted once the master plan is drafted and approved by Council, it will open up more grant opportunities, adding the lighting is something she needs to look at. Motion then passed 6-0.

6. **Discussion and possible action regarding Resolution 5-2016 of the Mayor and Council of the City of Benson, Arizona, approving a Mutual Aid Agreement with a number of Cochise County based Fire Districts, Fire Departments, Fire and Rescue Agencies, Law Enforcement Agencies, and Public Works Departments**

Chief of Police Paul Moncada stated this item is a mutual aid agreement that Cochise County sent to all agencies, asking them to participate in the agreement, adding he has been working with City Attorney Gary Cohen on the agreement. Chief Moncada stated Mr. Cohen had expressed some concerns over the agreement, but there had already been some revisions made by other entities and the County then decided not to revise the

agreement further, adding Mr. Cohen can address his concerns with the Council should they decide to discuss them. Chief Moncada then stated Staff is asking to be authorized to enter into the agreement. Council then discussed the agreement with Chief Moncada and Fire Chief Keith Spangler indicating the agreement was formalizing what has been understood and was the non-written, verbal agreement in place for fire, police, public works or any other city resources to be called upon in case of an emergency. Mr. Cohen addressed the Council stating his concerns were procedural and were not substantive, adding he had no concerns that would cause him to make a recommendation that outweighs Staff's request to have this agreement in place to work with other communities in times of need and to have other communities to serve Benson should such an emergency occur.

Councilmember Konrad and Councilmember Lambert both noted some agencies had not signed the agreement with Chief Moncada stating the information was sent quite a while ago and may not be up-to-date with Chief Spangler stating he was informed that Benson was the only municipality left to enter into the agreement, adding there may be 1 or 2 districts and some private companies, but he talked to County and they did tell him that Benson is the last municipality to step up and sign this.

Mayor King stated he wanted it to be clear for the public, that if there is a huge emergency, such as a train wreck, this agreement means Benson can bring in others to help and that Benson can also assist others. Chief Spangler stated the agreement would be utilized not only for big incidents, adding Benson utilizes the services of the surrounding fire departments on a regular basis and this agreement maintains that assistance. Chief Moncada agreed, stating Benson has always partnered if needed and this agreement is just formalizing what has been understood and what has been in practice in the past.

Councilmember Lambert moved to approve Resolution 5-2016. Seconded by Councilmember Konrad. Motion passed 6-0.

7. **Discussion and possible action regarding Resolution 6-2016 of the Mayor and Council of the City of Benson, Arizona, adopting Policies for the Consideration of Formation of Special Taxing Districts within the City's Jurisdictional Boundaries**

City Manager William Stephens stated the Council has held several worksessions and a lot of work between the City Attorneys and the attorney the City hired as the CFD expert, Mr. Guckenberger, has been done to come up with these policies for the City to use not just for El Dorado but for any developer who would like to form a CFD or special district. City Attorney Paul Loucks stated Mr. Guckenberger is available by phone if the Council needs to speak with him. Mayor King then confirmed the City Attorneys and City Staff are comfortable with the proposed policies.

Vice Mayor McGoffin stated comments from the Call to the Public indicated the City lost reimbursement for Staff costs and asked if that was the case with Finance Director Dustin DeSpain stating Staff costs would be included in the $50,000 application fee. Vice Mayor McGoffin then asked if the language regarding the governing body or district board that Ms. Gerrodette pointed out needed to be clarified with Mr. Loucks stating he didn't think it needed clarification. Mr. Loucks then stated he would suggest other amendments, noting Ms. Gerrodette found a typo in Article 4.1 in the third line, stating the duplicated word "covering" at the end of the line needed to be removed. Mr. Loucks then Article 4.8 has different fonts, which should be corrected, the document number in the footer of each page should be removed, and formatting issues including numbering and spacing issues needed to be corrected. Vice Mayor McGoffin then moved to approve Resolution 6-2016 with the corrections as requested by City Attorney Paul Loucks. Seconded by Mayor King.

Councilmember Lambert stated Ms. Gerrodette brought up reimbursable Staff time and noted the $50,000 application fee would pay for Staff time until the CFD was created, but would end at that point, regardless of their being an independent board or the Council serving as the district board. Councilmember Lambert then stated another thing Ms. Gerrodette brought up was that that CFD board is elected, and stated that was not the case, adding the CFD board would be appointed by the Council; 5 members would be appointed with 3 serving a 6-year term and 2 serving a 4-year term.

Councilmember Konrad thanked the attorneys for their work, adding the Council was disappointed 2 weeks ago, but the attorneys did a fine job bringing it back before the Council. Mayor King agreed, stating everyone has been pushing to have this done and thanked the attorneys and Staff for all their work on this.

Councilmember Cook stated the proposed document was titled the "City of Benson, Arizona Policy Guidelines and Application Procedures for Special Tax Districts" which includes Revitalization Districts (RD). Councilmember Cook then stated RD boards are not appointed by Council, adding in the event they are, only the original board is appointed; then the landowners have an election and put their own people on the board, adding he thinks that is what Ms. Gerrodette was talking about. Councilmember Cook then stated Article 3.2 caused him the most grief, noting the first sentence is very long and extremely complex, adding line 4 talks about a non-refundable application fee of $50,000 and describes what it is to pay for, which is "…all internal staff time and expenses" then goes onto to bring up the refundable deposit of $50,000 and doesn't necessarily say what that is to pay for, although, it does say "a refundable deposit of $50,000, including the costs incurred by the City for any third-party review of the application, including its consultants, financial advisors, and legal advisors." Councilmember Cook then stated when he reads the words "refundable deposit including the costs incurred…", he thinks including is tagging onto the line above it, which is the non-refundable fee to pay for all City Staff, time, expenses and refundable deposits. Councilmember Cook then stated he thinks for the average person, whether they are on the board or are a successive Councilmember, the more self-explanatory this is, the better it will be for the community. Councilmember Cook then stated he thinks the language regarding the refundable deposit; "including the costs incurred by the City…." should be changed to the same language used for the non-refundable application fee and read "to pay the costs incurred by the City…". Councilmember Cook then stated he spoke to Mr. Loucks about this and thinks changing the word "including" and making it read "to include" would be clearer, adding attorneys make their living arguing small details.

Councilmember Cook then stated second half of that paragraph says whenever the refundable deposit of $50,000 is expended, an additional $25,000 would apparently be requested from the applicant, adding he thought original discussions the Council had months ago, was that if the first $25,000 additional reimbursable funds were exhausted, there would be an additional deposit of $25,000 until all costs were covered. Councilmember Cook then stated the proposed policies gives the City only one shot at any additional funds beyond the original $50,000, and he thinks this was just unintentionally overlooked. Councilmember Cook then continued stating the last sentence reads "The unexpended balance of the Reimbursement Funds will be transferred to the District following its formation as a basis for its operating fund" but doesn't say when after the formation of the districts or who will make the determination that there are any unexpended funds. Councilmember Cook then stated the language doesn't seem to be legal language and asked Mr. Loucks for his comments.

Mr. Loucks stated he would defer to Mayor and Council regrading Councilmember Cook's first suggestion of changing the word "including" to read "to include." Mr. Loucks then spoke about the suggestion regarding the additional deposit of $25,000, stating at the end of the first sentence there is a definition of the term "reimbursement funds" and it carries through the rest of the paragraph, adding the initial payment for the reimbursement funds is the second payment of $50,000, or in other words, is the payment for third-party expenses. Mr. Loucks then stated when the additional $25,000 is requested and paid, that money is paid as additional reimbursement funds, noting the definition at the beginning of that sentence, reads "when the reimbursement funds are expended…another $25,000 is required" so he thinks it is consistent to say that as long as expenses are incurred by the City in review of the application on the third-party side, the developer would still be responsible for those.

Mr. Loucks then addressed Councilmember Cook's questions about the last sentence in Article 3.2, stating the only party who would be reviewing the charges against the reimbursement funds would be the City, adding it would be the City's responsibility to maintain that accounting and determine what the unexpended balance of the reimbursement fund is. Mr. Loucks then spoke about transferring those funds back to the district, stating if the City was dilatory in making that transfer to the district, the district would have the ability to make a demand on the City, adding he didn't think it would be an issue, but if it were, it could be remedied quickly.

Mr. Loucks then stated he didn't see any problem with the policies as drafted, although he would defer to Mayor and Council regarding Councilmember Cook's first suggestion.

Councilmember Cook stated he feels the language needs to be self-explanatory and if he had trouble with it and it took that much of an explanation, he thinks others will have trouble also and maybe the paragraph could be rewritten. Mayor King stated he felt it was good the way it was, adding if something does come up the Council would seek their attorney's advice and take action if necessary.

Councilmember Konrad stated this item is simply dealing with application process at this point in time and doesn't even get into the finance or the board or any of that, adding he is happy with the way it is.

Councilmember Cook stated Mr. Loucks agreed to change some of the wording behind the refundable deposit, and suggested the words "to include" with Mr. Loucks stating that change was Councilmember Cook's suggestion. Mr. Loucks then stated he didn't see a problem with the suggested change and the change was at the pleasure of the Mayor and Council.

Mayor King stated there was a motion on the floor with Councilmember Cook stating he would like to propose changing word "including" to the words "to include" so the language would read "to include the costs incurred by the City….." on the 5th line in Article 3.2. Mayor King stated there was already a motion and second on the floor with Mr. Loucks stating he construed Councilmember Cook's statement was a motion to amend Vice Mayor McGoffin's motion. After a brief moment, City Clerk Vicki Vivian stated if there was no second on Councilmember Cook's motion to amend Vice Mayor McGoffin's motion, Councilmember Cook's motion would die and the Council would then act on the original motion made by Vice Mayor McGoffin. Councilmember Cook's motion died for lack of a second. The motion made by Vice Mayor McGoffin then passed 5-0 with Councilmember Cook abstaining.

8. **Update on the Railroad Quiet Zones for the Patagonia Street, San Pedro Street and Ocotillo Street crossings**

City Manager William Stephens stated Public Works Director Brad Hamilton would address Council with a presentation and update regarding the movement to try and create a quiet zone here in Benson. Mr. Hamilton stated the information an engineering style presentation, then stated he went through the information the Benson Economic Development Committee gave to Mr. Stephens regarding the quiet zones recently established in Willcox. Mr. Hamilton stated he contacted Union Pacific (UP) and noted they are not fans of quiet zones, but did direct him to the Federal Railroad Administration, which is the entity he dealt with years ago when the City looked into establishing quiet zones. Mr. Hamilton then stated the Federal Railroad Administration has guidance documents and he went through those, adding stated Council could see the chart on creating new quiet zones and the list of supplemental safety measures, noting the site also provides a calculator for the process. Mr. Hamilton then stated he completed the necessary information on the site with the data he has for the crossings, noting the data is supposed to be from the last 6 months, but he used the data he had to get an idea for the project and run different scenarios to see how to qualify for quiet zones. Mr. Hamilton then stated the Council could see the first scenario was with existing conditions, traffic counts, trains counts, number of school buses that cross a day, etc. again, noting he used the latest data he had without spending money to capture new data. Mr. Hamilton then stated the Council could see each crossing's risk factor, stating the higher that number, the higher the risk. Mr. Hamilton then stated to establish a quiet zone, all 3 crossings have to have a risk factor below the national significant risk threshold, adding the current risk index is approximately 60,000 and needs to be under 14,000. Mr. Hamilton then stated the Patagonia crossing risk index is 95,000, almost 3 times higher than the San Pedro crossing, which has a risk index of 31,000. Mr. Hamilton then stated different scenarios give choices of supplemental safety measures that can be put in place to lower the risk index, and include everything from temporary and permanent road closures, curbing and channelization devices, adding Council could see the list of safety measures, adding the farther down on the list of safety measures; the lower it's cost.

Mr. Hamilton then stated he ran the next scenario with the least amount of changes, which brought the risk index down under the national significant risk threshold, but not by much, adding when the data is updated, he doesn't know if the traffic count or the numbers of trains that travel through Benson will have increased and that may change the result. Mayor King asked if the estimated cost was for all 3 crossings or each individual crossing with Mr. Hamilton stating he didn't know if the cost shown was a national average for each crossing or all 3 crossings at this point. Mr. Hamilton then stated he wanted to show Council the least amount of work that could be done to get the risk index low enough and then stated one thing the Council needed to be aware of and remember was that the quiet zones established under this basis are subject to an annual review and if the numbers go up, the Federal Railroad Administration can come back and disqualify them.

Mr. Hamilton then stated he then ran a scenario using quad gates at the Patagonia crossing, adding the Council could see the projected cost would be up to $128,000, but it does bring that crossing back under the risk index. Mr. Hamilton then stated the risk index of the Patagonia crossing was significantly higher (3 times) than that of the San Pedro crossing, which is only 1,000' away without much difference in traffic, but that he found the problem is that the Patagonia crossing has fatalities associated with it, adding it has a very poor safety record for pedestrian vs. train interaction, which is a big factor that drives the estimated cost of the project up. Mayor King asked if those records included cars vs. train interaction with Mr. Hamilton stating he wasn't sure if the records were kept 5 or 10 years, but he knew records were kept differently for different types of incidents and he knew there had been fatalities in the last 10 years that attributed to the risk index at the Patagonia crossing being significantly higher than the other crossings. Vice Mayor McGoffin stated there had been at least 2 suicides committed on the railroad tracks and it wasn't fair that the taxpayers now have to pay the price for that. Mr. Hamilton then stated he did discuss the crossings with Willcox staff, adding Willcox didn't have any fatalities associated with their crossings so their risk index was significantly less. Mayor King stated the fatalities in Benson would stay on the record regardless of Council action.

Councilmember Konrad asked Mr. Hamilton to address the State highway crossing the tracks with Mr. Hamilton stating in Willcox, their major railroad crossing is at Maley, which is also State Route 186, noting a lot of the improvements were done as part of an ADOT project to improve State Route 186. Mr. Hamilton stated this resulted in Willcox having to do a lot less than would be required in Benson. Mr. Hamilton then stated in Benson, the largest railroad crossing is at Ocotillo, adding there has been some discussion about the ownership of Ocotillo, so he researched back to 1973 and found it belongs to the City.

Mayor King asked if there would be any way to reduce the cost by having City employees do some of the work with Mr. Hamilton stating he wasn't sure how the Federal Railroad Administration calculates the cost, adding it may be a nationwide average, but he know some crossings have more work and some crossings have less work, noting it would seem premature to come up with an exact cost. Mayor King then stated he would like to see if Mr. Hamilton could get some breakdowns on the project and see if the City could do some of the work or if it all had to be contracted out, adding he would like to know the costs savings that may be possible using City employees. Mr. Hamilton then stated at this point, he would need updated data, adding a lot of the costs would come out in the design guidelines and design of the crossings, adding one of the suggested safety measures is 100' of median before the crossing and he is not sure 100' of median is possible at the Patagonia or San Pedro crossings, noting there are certain things that need to be worked out to see exactly what will be needed. Mayor King then asked when Mr. Hamilton might be bringing this issue back to Council with Mr. Hamilton stating it depends on his workload, but one thing he noticed was that the more money the City put in the project; the lower the risk factor. Mr. Hamilton then stated he would imagine this would be discussed further during budget discussions, which will start shortly, adding he will ask Council for funds to move forward with design.

Councilmember Konrad asked if the traffic light at Patagonia Street had any bearing with Mr. Hamilton stating it didn't seem to make a difference, noting on the list of possible safety measures, there was nothing listed about light controls. Council then discussed barriers and fences with Mr. Hamilton stating the goal of the Federal Railroad Administration was to make the crossing safer in their index than what it is with horns. Councilmember Cook stated he didn't think UP would want their east and west running road that lies north of the tracks blocked off with a fence or curbing and that Amtrak, which is located on the south side of the tracks

wouldn't like those either. Mr. Hamilton stated those are some of the discussions that will be required, noting he did contact UP and they are opposed to quiet zones altogether, adding UP doesn't think quiet zones are safe and it's tough to get through UP to get quiet zones established. Mr. Hamilton then stated he will have to see what can be done. Council then thanked Mr. Hamilton and Mr. Stephens for their work.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Konrad moved to adjourn the meeting at 8:26 p.m. Seconded by Vice Mayor McGoffin. Motion passed 6-0.

_____
Toney D. King, Sr., Mayor

ATTEST:

_____
Vicki L. Vivian, CMC, City Clerk

THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD APRIL 11, 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 7:03 p.m. with the Pledge of Allegiance.

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: See the minutes after New Business Item 2.

PROCLAMATION:

Mayor King read a proclamation of the Mayor and Council declaring the 21st of April as "PowerTalk 21® Day."

PUBLIC HEARING:

City Clerk Vicki Vivian stated the public hearing was being held to receive comments from the public regarding a project for which financial assistance is being sought from the U.S. Department of Transportation, adding grant funds will be used to provide general public transit to the residents and visitors of the City of Benson and the surrounding communities.

Mayor King opened the public hearing at 7:07 p.m. Mayor King stated there was one person signed up to speak and invited Paul Lotsof to address the Council.

Paul Lotsof, a non-resident and business owner of the CAVE FM radio station in Benson, stated he thought it was significant that he was the only one signed up to speak at the public hearing and he feels the reason is that the purpose for the public hearing was not clear on the agenda. Mr. Lotsof stated the notice said funding had to be used for transit of some sort, but maybe it didn't. Mr. Lotsof then asked if there was only one possible use for the funding or if it was possible to use it for something else and if so, what it could be used for. Mr. Lotsof stated if the reason for the public hearing was clear and not so vague, there may be a better turnout.

Mayor King then asked if there was anyone else present who wished to speak. After receiving no requests to speak, Mayor King closed the public hearing at 7:09 p.m.

CALL TO THE PUBLIC:

Jim Thelander, La Mesa Drive, Benson, stated he has lived in Benson for 51 years and over the years, he has watched a lot of proposals come and go about increasing Benson's population, adding today the proposal is for the Villages at Vigneto and the Golf Course is being discussed. Mr. Thelander stated about 10 years ago when the economy was good, a lot of development was being proposed in Benson, but in 1965, the population in Benson was about 3,000 people and in 2015, the population was about 7,000. Mr. Thelander then stated the increase in population over 50 years is about 4,000 people which averages out to 80 people per year or 20 families per year. Mr. Thelander then stated that is important to know when the Council is looking at where the future is going, adding Benson gets a lot of talk about developments, but not a lot of results. Mr. Thelander then spoke about local and surrounding employer's increased employment, but that those hadn't really affected the population at any staggering rate. Mr. Thelander then

stated his point was that there is talk about development coming, but for 50 years it hasn't happened and asked where it would be coming from now.

Dan Barrera, a non-resident and owner of the Quarter Horse Motel in Benson, stated he and his wife own 10 acres in Benson with about 600 frontage feet and he has been asked by winter residents who own homes in his park to come to Council meetings to get them information regarding the quiet zones. Mr. Barrera stated the Council has directed Staff to follow up on the quiet zones and he hopes the study is being done. Mr. Barrera then stated he hoped as the Council gets ready to look at the budget, they please plan for upcoming expenditures related to the quiet zones, adding it is important to work with organizations, such as the Chamber and other businesses and to contact them to see what they think about the noise and the negative impact the train horns make. Mr. Barrera stated the train horns are inconsistent, sometimes being 2 horns or a continuous horn all throughout town and asked the Council to please continue to pursue the study to get the costs of establishing the quiet zones. Mr. Barrera then asked the Council to see what some of the businesses might be able to do, adding if the Council needs businesses to work as an ad hoc committee, they would be more than happy to work with Staff.

George Scott, Director of Southeast Arizona Economic Development Group (SAEDG), W. 4th Street, Benson, stated he was representing SAEDG regarding New Business Item 3; the golf course ponds and the possibility of an agreement with Arizona Game & Fish. Mr. Scott then stated he spent time at the Golf Course and has played golf, adding the Golf Course is one of the best assets the City owns. Mr. Scott then stated he knows the Golf Course Manager has done a lot of improvements and there are still some improvements needed and then stated a rezoning request (for property around the Golf Course) is going to be presented so the owner can possibly look at building homes around the Golf Course. Mr. Scott then stated he had an experience working with Arizona Game & Fish on ponds and the experience was not a good one. Mr. Scott then stated after the Council vote was tied on this issue, he did some research, adding if the Council wants fish or improvements to the ponds, which he thinks are needed, and they don't approve the agreement, he thinks donations can be gathered and he would be glad to help the Golf Course Manager and the City to put the money together to buy fish for the pond. Mr. Scott again stated if the Council doesn't approve the agreement, he would be glad to help put together a group of people and see it the improvements could still be done.

Tricia Gerrodette, Eagle Ride Drive, Sierra Vista, stated she was present to speak briefly about HB2568, which was proposed by State Representative David Gowan, adding she knew some of the Councilmembers were familiar with the bill's proposals as they had been quoted in the newspaper. Ms. Gerrodette then stated she was here to urge Councilmembers, individually since they couldn't do it collectively as a Council, to continue to speak with the State Representative and State Senator if Councilmembers were concerned about the proposals of the bill. Ms. Gerrodette then stated the terms of the bill would completely take away the Council's ability to put people on the governing board of a new (community facilities) district, adding she knows the Arizona League of Cities & Towns is concerned about the bill as well as some of the Council and she hopes the Councilmembers will stay engaged.

Paul Lotsof, a non-resident and owner of the CAVE FM radio station in Benson, stated there was a big change in the configuration of the traffic light at Wal-Mart, adding it used to be that the traffic was only stopped when someone wanted out of Wal-Mart, but now everyone gets stopped. Mr. Lotsof stated there is only 20 seconds of green light which results in wasting time, brake lining, fuel and when cars are stopped at the light instead of moving, it causes additional pollution. Mr. Lotsof then stated he would like the City Council to pass a resolution urging ADOT to go back to the old system of only stopping cars when someone is trying to get out of Wal-Mart. Mr. Lotsof then spoke about quiet zones, stating one of the three intersections/crossings is extremely problematic compared to other 2 and suggested the Council immediately try to reduce the noise of the 2 intersections/ crossings that are easy to do and let the other one go for a while. Mr. Lotsof stated this would reduce the noise by 2/3, which would be extremely significant and he hoped the Council would consider that approach.

Don Buchanan, River Road, St. David, stated he was glad to see the quiet zones on the agenda, but he was expecting Staff to say the budget won't handle the costs of the quiet zones. Mr. Buchanan then stated he also sees the agenda has proposals to hire Staff that will cost between $106,000 and $160,000, adding he understands 1 position is already filled and this would just be making it official at the Library, but the other 2 positions are not filled. Mr. Buchanan then spoke about the Council being aware of filling those 2 positions with non-exempt personnel, who would get paid overtime. Mr. Buchanan then spoke about concern over spending money on these positions and then not being able to spend money to establish quiet zones. Mr. Buchanan then stated he only hears the train horns when he gets up in the middle of the night, but he disagrees with Mr. Lotsof, adding that doing only part of the job isn't right. Mr. Buchanan then stated he has been in the State Senator's face over the changes in State law that State Representative David Gowan is pushing and Mr. Buchanan intends to keep pushing against that kind of change, adding it is foolish to take rights away from the people and give them to developers. Mr. Buchanan then asked the Council to not let rights regarding water of financial districts be taken away from citizens. Mr. Buchanan stated the Council needs to keep its power and fight against anyone who is attempting to take those rights.

Barbara Nunn, La Questa Drive, Benson, stated she hadn't attended several Council meetings due to a family death, but she had been following the usual suspects, who were doing everything in their power to stop any improvement to the City, including having Vigneto railroaded out of town. Ms. Nunn then stated a letter to the editor in last week's paper read that the Stagecoach Trails debacle cost the City $1 million, which is not true. Ms. Nunn stated by spending a little time, she was able to discern the out of pocket cost was $340,000. Ms. Nunn then stated the person who wrote the letter was able to vilify one of the Councilmembers, his entire family, his girlfriend, her brother and had the time to research the matter. Ms. Nunn then stated $340,000 is an ugly number, but it certainly is not $1million. Ms. Nunn then stated not many people come to Council meetings, but a lot of people read the paper and those people will never hear a rebuttal to that $1million because Mr. Lotsof will not put her comments on the radio, adding Mr. Lotsof picks and chooses from the Call to the Public whatever favors the agenda he is backing, so again, no one will know the truth. Ms. Nunn then thanked the City for hiring Paul Teza back as the Animal Control Officer, adding he did a terrific job before and she thinks he will do so again. Ms. Nunn then stated when she leaves the San Pedro Clinic; she is thrilled to have the light in front of Wal-Mart because she needs to get across the lanes of traffic. Ms. Nunn then stated she would also buy some fish if the Council wants fish in the ponds at the Golf Course.

Dave Thompson, La Questa Drive, Benson, stated a lot of environmentalists are throwing things out there that are not true, adding a recent article said the area of the proposed Vigneto development is in a major flyway for millions of birds, but if that were the case, the sky would be black with millions of birds. Mr. Thompson stated he is out every day and doesn't see millions of birds, adding the number "millions" bothered him so he started looking at things people are concerned about. Mr. Thompson then stated people are concerned about the yellow-breasted cuckoo, adding the yellow-breasted cuckoo on the west coast migrates about 22,000 miles a year or 65 miles per day, they roost in trees, noting the word "tree" is important because there is not a tree in the area of the Vigneto project; there are mesquite bushes, but there are no trees. Mr. Thompson then stated the yellow-breasted cuckoo probably roosts in the riparian area because there are trees there. Mr. Thompson then stated when Vigneto builds, they will put in water features and trees, which will be creating a habitat for the yellow-breasted cuckoo, adding that bird is pretty rare on west coast, but there were 9.2 million on the east coast as of last year, noting they like that environment. Mr. Thompson then stated another concern is the northern Mexican garter snake, which grows up to about 4 feet long, likes water and trees and its main food is bird eggs, other snakes and mice. Mr. Thompson stated the northern Mexican garter snake lives in a water and tree environment, adding there are no water and trees in the development area now, but the developer says they will be putting those in, which will also be creating the environment the northern Mexican garter snakes like. Mr. Thompson then stated the article regarding the millions of birds in the sky, said groups were moving ahead with a lawsuit to stop all this stuff, adding all this stuff is the creation of a habitat so the yellow-breasted cuckoo and northern Mexican garter snake can live there. Mr. Thompson then stated he would also like to address another article he found written by someone in town, saying the article read that in 1978, that person did a Benson community survey of the kids at the high school and asked seniors what they planned to do when

they graduated with almost all of them saying they were leaving Benson. When they were asked why, the typical answer was there was nothing to do in Benson as far as being able to earn a decent income to support themselves and their families. There were no opportunities in Benson, unless it was working in fast food for minimum wage and 38 years later, very little has changed; in 1980, Benson had about 4,000 people and the economy was similar to now, servicing the snowbirds who are gone 7 months of the year. The article then read that today, Benson has over 5,000 people and there is still no good reason for young people to remain in Benson; Benson is one of the slowest growing communities and also one of the poorest because there isn't any opportunity. Mr. Thompson then stated the proposed development would bring opportunity and the Council should consider that. Mr. Thompson then stated the article was written by Paul Lotsof.

CITY MANAGER REPORT:

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

Tuesday, April 12, 2016	–	Library Advisory Board, 4:00 p.m., City Library
Tuesday, April 12, 2016	–	Planning & Zoning Commission Public Hearing, 7:00 p.m., City Hall
Tuesday, April 19, 2016	–	Parks, Trails, Open Spaces Master Plan Public Open House, hourly presentations beginning at 3:00 p.m. to 7:00 p.m., Community Center, 705 W. Union Street
Wednesday, April 20, 2016	–	Community Watershed Alliance, 6:00 p.m., City Hall
Monday, April 25, 2016	–	City Council Meeting, 7:00 p.m., City Hall

Mr. Stephens then stated for more events in Benson, the public could visit the City's website: www.cityofbenson.com under "What to do Today."

NEW BUSINESS:

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

1a. Minutes of the March 28, 2016 Regular Meeting
1b. Invoices processed for the period from March 21, 2016 through April 1, 2016

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

Mayor King then stated he was going to address New Business Item 8 next.

8. **Discussion and possible direction to Staff to spend up to $1,000.00 out of the Community Enrichment Fund to host three additional evening activities at the pool this summer**

Recreation Coordinator Laura Parkin stated she and Cate Bradley with the National Parks Service met with Ms. Ragsdale and some of the students at the Benson Schools to talk about their ideas for the Parks, Trails and Open Spaces Master Plan, adding she had also been looking to expand some of the programs at the pool this summer. Ms. Parkin stated during the meeting, Ms. Ragsdale stated the kids need community service hours and the City needs volunteers, so they are partnering to do 3 additional activities at the pool. Ms. Parkin then stated she would let the students address the Council. Chloe Reynolds and Venessa Ramero from the Benson Middle School National Junior Honor Society took turns speaking and stated Ms. Parkin has been working with Ms. Ragsdale, the Middle School principal, to form a working relationship with the Benson Middle School National Junior Honor Society and this year, Staff would like to work with the students in planning and hosting a Family Swim & Dinner, a Teen Night and a Game Night at the pool, adding these events will all take place on a Friday night from 6-9 pm. On June 3, they would like to have a Family Swim & Dinner night, inviting families to come to the pool and be provided dinner; for this event they would need funding for food. On June 10, they would like to have a neon pool night for Teens

between the ages of 12 and 15; at this event, they would like to have music, snacks, neon products and raffle prizes and would need funding to do so. On June 24, they would like to have a Game Night open to families and have water games such as volleyball or water polo and would need money for game equipment and raffle prizes. The National Junior Honor Society would provide assistance with advertising and helping work the events. Councilmember Moncada stated the students gave a good presentation and answered all his questions. Councilmember Boyle asked where the proceeds from the raffle would go with Ms. Parkin stating the only charge will be the admission to the event and the prizes would be door prizes.

Councilmember Cook stated there is another agenda item which is an amendment to the budget to transfer money from the contingency fund and asked if an amendment to the budget was needed for this action with City Manager Bill Stephens stating the funding was not coming from the contingency fund, but would be coming from the Community Enrichment fund, should Council decide to approve the request. Finance Director Dustin DeSpain stated there was funding available in the Community Enrichment fund. Mayor King then thanked the students from the middle school, adding it takes courage to come forward and he appreciates their involvement. Mayor King then stated it would be great to have the City and the school working together to do this and then moved to approve the donation of $1,000 from the Community Enrichment fund to host 3 evening activities at the pool this summer. Seconded by Councilmember Konrad. City Attorney Gary Cohen stated he believes based on the conversation and the agenda language that the record correctly reflects that this item is not a donation, but is an expenditure out of the Community Enrichment fund. Mayor King then amended his motion to clarify the expense was an expenditure and not a donation. Amended motion was seconded by Councilmember Konrad. Motion passed 7-0.

EMPLOYEE RECOGNITION:

Mayor King recognized Elisia Rodriguez for her 5 years of service with the City. Ms. Rodriguez was unable to attend the meeting; her supervisor, Director of Golf Operations Joe DelVecchio accepted the plaque on her behalf.

2. **Discussion and possible action regarding Resolution 11-2016 of the Mayor and Council of the City of Benson, Arizona, amending the Fiscal Year 2015-2016 Budget**

Public Works Director Brad Hamilton stated as he was directed at the last Council meeting, he has brought forward this resolution to transfer funding from the contingency reserve to CIP 07-02 to start the quiet zone study. Mr. Hamilton then stated he would like to point out that Staff is not against this project at all. Mayor King stated it would be $16,000 for the required study and asked how long it would take with Mr. Hamilton stating he didn't know, but he could let the Council know after he issued the notice to proceed. Mayor King stated Staff has been working on this, starting with the information on the study and Mr. Hamilton can keep Mr. Barrera informed if he wishes. Mayor King then stated it's a good idea to get the study started. Councilmember Boyle asked what the parameters of the study would be with Mr. Hamilton stating the study will address the safety indexes being low enough to make sure the Federal Railroad Administration will issue quiet zones at all 3 crossings. Councilmember Boyle then asked if the study would tell what we needed to be done with Mr. Hamilton stating it would tell what needs to be done to bring the indexes down. Councilmember Boyle then stated the Council could then look at the physical things that need to be done. Mayor King asked if the study would be completed in time to address the issues in the upcoming budget with Mr. Hamilton stating he would know more in a week or two. Councilmember Konrad stated this is a pretty popular topic around town and he would like to ask if it were possible to have an update with every other City Manager's report with Mr. Stephens confirming he would do so.

Councilmember Cook stated he was in favor of spending money to pursue a quiet zone for all 3 crossings, however, the timing is bad, adding if this were to be considered in the upcoming fiscal year, he would be completely in favor of it, but right now, he sees making up at least some of the COLAs that have been denied to City employees 8 of the past 9 years, as well as the step-plan and merits. Councilmember Cook then stated again, he is completely in favor of this, except for the timing.

Councilmember Lambert stated he wanted to make it clear that the Council had this project as a CIP slotted for the Fiscal Year 2018-2019 and all the Council was doing now, was moving up the study into the current budget, which is why the Council needs to take the money from the contingency fund. Councilmember Lambert then restated the Council has been looking into the quiet zones and is now just moving the study up.

Vice Mayor McGoffin stated she didn't believe the City could only address 2 of the 3 railroad crossings with Mr. Hamilton confirming the quiet zone has to be at least ½ mile long, so it was an all or nothing proposition. Mayor King stated he believed that if the expense for the study would hurt the City right now, Finance Director Dustin DeSpain would let the Council know. Mayor King then stated the fiscal year is coming to an end and the Council will be studying the next budget, adding he thinks it's right to get the study started. Mayor King then moved to approve Resolution 11-2016. Seconded by Vice Mayor McGoffin. Motion passed 6-1 with Councilmember Cook voting nay.

3. **Discussion and possible action regarding Resolution 7-2016 of the Mayor and Council of the City of Benson, Arizona, approving the Safe Harbor Agreement for Topminnows and Pupfish in Arizona between the Arizona Game and Fish Department and the U.S. Fish and Wildlife Service and the City of Benson**

Mayor King moved to table this at this time, stating the City Attorney had requested information from the Arizona Game & Fish Department, but had not gotten any answers yet, adding since the Council doesn't have that information, the timing is not right to bring this issue back up. Mayor King repeated his motion to table the item. Seconded by Councilmember Moncada. City Attorney Gary Cohen then addressed Council stating he had questions concerning material terms of the Safe Harbor Agreement Landowner Certificate of Includement, adding he had reached out to the State to get that information but the State hasn't gotten back to him, noting it was his recommendation to table the item and once he received the information, he would notify Council. Mr. Cohen then stated the Council could then address this item on a future agenda, if they chose to do so. Motion passed 7-0.

4. **Discussion and possible action regarding the job description for an Executive Assistant to the City Manager**

City Manager Bill Stephens stated Council brought up the subject of Mr. Stephens needing additional assistance in the office so he could do other things and asked him to incorporate the requirements in a job description, adding the proposed job description stood out the most in regards to those tasks and was being brought forward for consideration, as requested. Mr. Stephens then stated the Council can discuss the proposed salary range is adjustable depending on Council, but noted the salary range was arrived at after looking at other municipalities that have this position.

Councilmember Konrad stated when the Council discussed this earlier in the year, he did talk about Mr. Stephens needing some assistance, but had remarked at that time that there is quite a difference between an administrative assistant and an executive assistant, adding after looking at the pay grade and what the duties may or may not be, he is more in favor of an administrative assistant rather than an executive assistant. Councilmember Konrad then stated if an executive assistant is needed, the position once existed in City Hall and it was held by a current employee, then stated some shifting of responsibilities could be done and the position could be filled internally without the need to create another job description at the proposed higher salary range. Councilmember Konrad then stated the Council just raised the sales tax rate by 1% last year and the City hasn't experienced any growth since that time, adding while he agrees Mr. Stephens needs help, he doesn't think an executive assistant is prudent at this time.

Councilmember Moncada stated he agreed with Councilmember Konrad and that the proposed job description is for a City that is a lot larger than Benson is at this point, but may be used in the future. Councilmember Moncada then stated Mr. Stephens does need help, but he thinks an administrative

assistant is more proper than an executive assistant. Councilmember Moncada then stated everyone will hear him say a lot that the .5% sales tax will be going away in 2018, adding it seems far away, but it will affect the next budget, noting $500,000 of revenue will be going away and the Council needs to be careful how money is spent. Councilmember Moncada then stated Mr. Stephens has done without help for so long and he agrees Mr. Stephens does need help, but the Council needs to be careful about what positions are filled, again stating a year from now, the Council will be trying to find $500,000 in revenue to make up for the decreased sales tax rate at that time. Councilmember Moncada then stated the assistance needs to be a different position, adding the proposed salary range is probably appropriate for the proposed job description, but he doesn't think the proposed job description is needed.

Mayor King stated Mr. Stephens needs help, whether it is from an administrative assistant or an executive assistant, adding between development and other things going on, Staff in the Administrative office needs help and the Council needs to come up with a solution and get it done, adding he can tell the Council that Mr. Stephens spends quite a bit of time at work and is there sometimes until 6 or 7 p.m. Mayor King then stated the Council can ask Mr. Stephens to rewrite the job description and bring it back to Council as soon as possible, but something needs to be done.

Councilmember Moncada stated he agreed something needed to be done, but that the Council has other positions that need to be filled, such as a Planning & Zoning Director and a Building Official, adding those positions are going to have to be hired soon and the Council needs to be cautious about where they spend money.

Councilmember Konrad then stated he would recommend an administrative assistant with a salary grade of 24 versus an executive assistant with a salary grade of XX. Councilmember Moncada stated if that was a motion, he would second it. Councilmember Cook stated that action was not on the agenda for Council to consider.

Mr. Stephens then stated the Council is proposing a different job description, then stated the executive assistant job description that is on the books is not what he needs, adding that job description was created years ago and is not effective for what is being done today. Mr. Stephens then stated he would have to go back and rewrite the proposed job description, but it wouldn't come before Council soon. Mr. Stephens then stated for $25,000, he would prefer to transfer the position that was already in the Administrative Office back from the Fire Department, adding there would be no reason to spend $25,000 to get someone who wouldn't be able to do some of the things he needs done. Mr. Stephens then stated he doesn't need someone who can just answer phones and type letters and stated there is more to the position. Mr. Stephens then stated the City is about to grow and already, he is very busy with meetings with El Dorado, adding he can't attend those meetings and attend to City business at the same time. Mr. Stephens then stated he needs someone who has a little more skill and ability, so he can give them direction and have them handle the project and get back to him, adding this multiplies his ability to get things done and again stated a $25,000 administrative assistant isn't going to fulfill that task. Mr. Stephens then stated again, he would prefer to transfer the administrative assistant back from the Fire Department if that is what the Council is proposing or if the Council wants a different position, he can go back to the drawing board and create a different position that would encompass some of the duties the current position doesn't; then noted the current position was written to actually work for and serve the Council.

Councilmember Konrad stated the agenda item is for discussion and possible action regarding the job description and asked if a motion to not pursue the proposed job description was needed since it was already developed. Mayor King stated the Council could amend the job description or direct Mr. Stephens to amend it to fit the needs of the City at this time. Councilmember Konrad stated he didn't think there was a problem in creating the proposed job description, but as far as Mr. Stephens rearranging Staff to suit the needs of the City, it was well within Mr. Stephens' ability to do that, adding there doesn't need to be any Council action to direct Mr. Stephens to do so, again noting, Mr. Stephens is free to move people around as needed to make the City more efficient. Mr. Stephens confirmed this, then stated he would do so in concert with the City Council, adding he takes direction from the Council and would not arbitrarily make that

decision without Council knowing it. Mayor King then stated his only concern with moving an employee from the Fire Department to City Hall was the duties of the assistant at the Fire Department with Mr. Stephens stating the position at the Fire Department would have to be replaced because in the not too distant future, when development grows, the City will be creating a full-time Fire Department. Mayor King then expressed concern over moving the Fire Department assistant to City Hall, if the job descriptions would be changed from executive assistants to administrative assistants and what the process would be to replace the position at the Fire Department. Councilmember Boyle then stated the situation wasn't so complicated, adding he thought the Council should just deny the proposed job description and direct Mr. Stephens to come up with a new job description for their consideration.

Mayor King asked if anyone would like to make such a motion.

Councilmember Cook stated 4 of the Councilmembers had not weighed in on the issue yet. Councilmember Cook then stated he has watched Mr. Stephens in action for a couple hours at a time and can see that an administrative assistant is absolutely out of the question, adding that would be like hiring someone, putting them in an office, locking them in there 8 hours a day and expecting some kind of production out of them. Councilmember Cook stated Mr. Stephens does not have any work for an administrative assistant. Councilmember Cook then stated he has seen Mr. Stephens over and over with a need for the job functions outlined in the proposed job description and has seen Mr. Stephens' frustration when Councilmember Cook asks him about different things because he's trying to put out many different fires at once, is trying to gather as much information as he can and is trying to disseminate that information to a minimum of 7 Councilmembers and to other Staff members. Councilmember Cook then stated when he reads the proposed job description, he thinks Mr. Stephens knows completely what he needs and how the proposed job description would help City staff functions in the administrative office, which would benefit Council also. Councilmember Cook then stated he was wondering if the major problem was not so much the duties, as the proposed salary range and stated he thinks Mr. Stephens knows very well what he needs and maybe the Council could simply adjust the salary range down to make it work for all of the Council. Mayor King asked if Councilmember Cook would like to give an example of a salary range with Councilmember Cook stating there was already opposition to the proposed salary range, but maybe the Council could start the position at a lower pay grade and then as more development comes in, the Council could look at the additional responsibilities this person will have taken on and could then reclassify the position to a different pay grade. Councilmember Cook then stated he believes a lot of the proposed job description duties need to be done and with development coming, he sees the needs to have someone in the office help with the administrative part of that also. Councilmember Cook stated the Town of Buckeye has had a lot of development and has a person that deals with it, adding he thinks an administrative assistant would be doing a lot of that. Councilmember Cook then stated he knows development is still a little out, but development issues are going to start rolling in. Councilmember Cook then restated that the Council could lower the pay grade and then raise it as needed for the increased workload that will be coming with development, adding this person will be doing a lot of this, which will give Mr. Stephens a chance to do other things. Councilmember Cook then asked how much the salary should be adjusted and stated one possibility was to drop the minimum, mid-range and maximum salary by $10,000 and then see if the Council agrees or not and Mr. Stephens could get his direction from the Council's comments and suggestions.

Councilmember Lambert stated he felt this was putting the cart before the horse, noting the Council is making it sound like Mr. Stephens is going to go out and hire someone right away, but all the Council is doing is looking at a job description at this point. Councilmember Lambert then stated he thinks an executive assistant is needed so when Mr. Stephens is away from the office, the executive assistant would be able to step into his shoes and do almost everything the City Manager can do instead of having to pull someone from somewhere else to be the Acting City Manager and not being able to do their job because they are wearing too many hats. Councilmember Lambert then stated the City would be better off if the Council approved this job description, adding the minimum salary is $47,000 and the maximum salary is $70,000, but that a higher salary would be due on experience and it would be up to the City Manager to come back to the Council and say that he wanted to hire someone for this position and that he found

someone with qualifications and because of those qualifications, Mr. Stephens feels that person is worth a higher salary. Councilmember Lambert then stated if Mr. Stephens can't find someone that fits the description, he would have to lower his standards and at that time, the Council can address the issue, but he thinks the Council needs to set the bar high because the City is going to need someone with the experience and the knowhow to run a city in the absence of the City Manager.

Councilmember Moncada stated he doesn't think the City is at the place or has the population where an assistant City Manager is needed. Councilmember Lambert then stated at this point, no one is being hired, adding it's not in the budget or anywhere else.

Vice Mayor McGoffin stated she has received several complaints that Mr. Stephens can't get back to people because he is very busy and unavailable, adding Staff has been cut to the bone everywhere and everyone is doing everything. Vice Mayor McGoffin then stated every position really needs to be considered. Vice Mayor McGoffin then asked if an assistant City Manager was needed and stated at this time, she didn't think so. Vice Mayor McGoffin then asked if development was coming; then stated she didn't know, adding development has been coming ever since she has been on the Council and still isn't here. Vice Mayor McGoffin then stated she hates hiring for things that are going to be coming and then are stuck with the positions because the Council doesn't want to lay anyone off, but she knows Mr. Stephens has a lot going on and he is trying to get everything done, noting Mr. Stephens manages his time very well for the time he has. Vice Mayor McGoffin then stated she thinks the Council should approve the job description so it will be ready for if and when it will be needed; then stated just because the job description is approved doesn't mean someone will be hired and noted there are a lot of positions that people haven't been hired for. Vice Mayor McGoffin then restated that she thinks the Council should approve the job description, but she didn't think someone should be hired at this time.

Councilmember Boyle then stated with the last financial presentation from the Finance Director, the Council discussed the amount of money brought in with the sales tax rate increase and that the City was doing better with the increase, but if the increase was subtracted back out, the result was that there was no growth and the only reason extra money was brought in was due to the increased rate. Councilmember Boyle then stated as Councilmember Moncada mentioned earlier, in a year and a half, .5% sales tax collections will be going away and the Council will have to choose to keep that .5% in place because of everything going on, but he felt the citizens would be better served by the little inconvenience caused by the time it takes things to get done as opposed to continue raising taxes in the future.

Councilmember Konrad stated he was looking at the budget approved last July and it contained a line item for an executive assistant for the City Manager with a pay grade of 30 with a minimum salary of $31,864 and a maximum salary of $47,797, but the proposed job description has a minimum salary of $47,000. Councilmember Konrad then stated the Council needed to talk about this, adding he agrees we are not in a position to do this and there hasn't been any growth since last year, noting he knows Mr. Stephens needs help, but the City hasn't grown to the point of needing another position at that level in the Administration office.

Mayor King stated the last budget had the position at $31,000 and asked if the Council could send this back to Mr. Stephens to have him adjust the pay to whatever is comparable. Mayor King then stated , approving this and hiring someone are two different things. Mayor King then stated the pay range could be changed to be from $25,000 to $40,000, if that was something that would satisfy Council as far as money. Mayor King then stated he hated to see wasted work on the job description, adding he knows Mr. Stephens put a lot of time and effort on this and if it's just the salary that is an issue, the Council can say what salary range they would like to see and the job description could then be presented to the Council again for consideration with a different pay grade.

Councilmember Konrad asked if it wouldn't be wise to look at the job description that goes with the current salary range already in the budget and see how it differs. Mayor King then asked Mr. Stephens to give each Councilmember the previous job description and asked each Councilmember to review both job

descriptions and meet with Mr. Stephens and give him ideas on what they were looking for, adding this would give each Councilmember the chance to say what they think the pay grade should be and then the revised job description could be brought back to Council. Mayor King then directed Mr. Stephens to get copies of the proposed job description along with the previous job description to the Council and in the next couple of weeks, each Councilmember could meet with Mr. Stephens in the next couple of weeks to discuss possible changes.

Mr. Stephens stated he would do that and would also provide Council a copy of the administration assistant position so they could see what that was as well. Mr. Stephens then stated he wanted the Council to understand that at the last meeting, the auditor commented that two years ago the City was on the verge of bankruptcy. Mr. Stephens then stated that was because the City's reserve fund had been depleted as a result of some unsustainable expenses, adding the way the reserve was built back up was literally on the backs of the employees, who were furloughed and through hiring and spending freezes, which is why there are positions that aren't filled now. Mr. Stephens then stated since then, the hiring freeze and the spending freeze is over and Staff is no longer on furloughs. Mr. Stephens then stated the sales tax increase helps to sustain the reserve at an acceptable level, adding each year, the City spends about $1 million in the bond payment and the payment to Wal-Mart so the City needed to get back to a point where it wasn't on the verge of bankruptcy. Mr. Stephens then stated the sales tax increase not only keeps that sustainable amount in the reserve, but it also provides a little extra to do some other things and provide services to citizens. Mr. Stephens then stated some of the positions that aren't filled are actually on the books and funded, adding it wasn't a matter of being a newly created position; he just didn't fill them and wanted to make sure the Council knew that.

Councilmember Cook then spoke about the Council comparing the two job descriptions Mayor King asked Mr. Stephens to distribute to the Council and stated he didn't want Mr. Stephens to think the Council expects Mr. Stephens to compromise and give the Council some kind of a patchwork job description to consider that is such a horrible compromise that no one will be happy with it. Councilmember Cook then stated he thought Mr. Stephens had given the Council what was needed in the proposed job description, but he did see some validity in the concerns over the pay scale and what would happen if the development didn't happen. Councilmember Cook then stated if the development doesn't happen, it might be a problem keeping this person busy or productive and then asked the City Attorney if there was any way to make this position a temporary position for 1 or 2 years so the City wouldn't be stuck with a permanent position and be faced with possible lawsuits for eliminating the job after some time. City Attorney Gary Cohen stated it was possible to do so. Mayor King then confirmed the job could be a temporary job or possibly be renewed every 6 months or every year with Mr. Cohen stating there were ways to do so, but it was too complicated to discuss tonight. Mr. Cohen then stated for the record to be clearer, he would appreciate a motion to table this item until such time as information is provided back to the Council as directed. Councilmember Konrad then moved to table New Business Item 4 until such time as Mr. Stephens comes back to the Mayor and Council with the information the Council asked for. Seconded by Vice Mayor McGoffin. Motion passed 6-1 with Councilmember Lambert voting nay.

5. **Discussion and possible action regarding the job description for a Library Branch Manager**

City Manager Bill Stephens noted the former Library Director retired and then stated the position of the Library Director requires a college degree and in most cases Library Directors manage Library Branches, adding Library Branches have Branch Managers. Mr. Stephens then stated the City currently has 1 Library and it is more appropriate to have a Branch Manager, adding at some point in the future, when development occurs and population increases, there will be additional Library Branches and at that time, it would be appropriate to have a Library Director. Mr. Stephens then stated this new position also allows him to utilize current staff and make some adjustments which will result in having all library positions filled enabling Staff to reopen the library on Tuesday nights, Thursday nights and part of the day on Saturday.

Councilmember Cook asked what the former Library Director payscale was with Finance Director Dustin DeSpain stating the Library Director salary grade was 40, which has a salary range of $40,789 to $61,184.

Councilmember Konrad asked who the Branch Manager would report to with Mr. Stephens stating the Branch Manager would report to the City Manager. Vice Mayor McGoffin moved to approve the Library Branch Manager job description. Seconded by Mayor King. Motion passed 7-0.

6. **Discussion and possible action regarding the job description for a Human Resource Assistant**

City Manager Bill Stephens noted the former Human Resource Coordinator resigned and the position has been vacant mostly due to budget issues, adding those duties have been dispersed to 3 different people, but 1 person is really needed to consolidate those duties and have a cohesive process in Human Resources. Mr. Stephens then stated Staff looked at the Human Resource Coordinator position and is now bringing up the job description for a Human Resource Assistant, with a lower salary range, which saves the City some money and then added the proposed position is sufficient because the City Manager is the Human Resource Director with oversight of the Human Resources functions.

Councilmember Moncada stated he knew that Finance Director Dustin DeSpain and City Clerk Vicki Vivian were splitting the Human Resource duties and asked if they would still be doing that and the Human Resource Assistant would be assisting Mr. DeSpain and Ms. Vivian with Mr. Stephens stating they would not. Mr. Stephens stated the Human Resource Assistant would perform all the Human Resource duties and would report directly to the City Manager. Vice Mayor McGoffin moved to approve the Human Resource Assistant job description. Seconded by Councilmember Moncada. Motion passed 7-0.

7. **Discussion and possible action regarding the Greyhound Contract**

City Manager Bill Stephens stated some requirements of the Greyhound contract, such as handing errant luggage, freight and problems are taking a lot of Staff time, which is basically an expenditure of resources, noting Staff operates the Visitor Center, but instead are working as de facto Greyhound employees because they spend a lot of their time on Greyhound issues. Mr. Stephens then stated in addition, part of the reason the City entered into the contract was the potential revenue the City would gain from ticket sales at the Visitor Center, but most Greyhound customers purchase tickets online, which means Staff does the work for those ticket sales, but the City gets nothing for those. Mr. Stephens then stated Staff was also told that the Greyhound contract would suffice for certain requirements the City needed to meet in order to get and maintain a higher level of the transportation grant, but that is not the case, adding the City will not get the mileage credit from the Greyhound ticket sales. Mr. Stephens then stated it boils down to City employees doing Greyhound work, but not getting a fair exchange for the City, adding the recommendation is to terminate the contract, which is actually expired. Mr. Stephens then stated Staff has met with Greyhound leadership and Greyhound has alternatives in place at this moment, adding he hasn't had any negative feedback in regards to cancelling the contract.

Mayor King stated he has been at the Visitor Center when Staff has been working on Greyhound issues, such as trying to fix passenger ticket errors, adding it can take hours to try and fix things and it's taking its toll on Staff. Mayor King then stated terminating the contract will give Staff time to do their jobs. Mayor King then stated the City entered into the agreement for something that didn't work out and he thinks the Council should terminate the contract.

Mr. Stephens stated the recommendation was to terminate the agreement and give Greyhound a 30-day notice to allow them time to adjust to that change. Mr. Stephens then stated he didn't get into details, but Staff does spend a lot of time dealing with travelers, who, in some cases, are not very savory and are unfriendly, adding there have even been some hostile customers and Staff has needed Police Officers sent to the Visitor Center to handle the situation.

Councilmember Moncada asked if Staff explained that the City wasn't making money and if Greyhound offered more or if they offered assistance with Mr. Stephens stating the only thing offered was changing the computer system a bit to allow a little more convenience, but that change still wouldn't eliminate some of the issues mentioned. Councilmember Moncada then asked about staffing levels at the Visitor Center and

if it would change as a result of terminating the contract with Mr. Stephens stating the current Staff were already in place and weren't predicated on the Greyhound contract. Mr. Stephens then stated Staff saw the Greyhound contract as an opportunity to recreate what Benson already was, which was a central hub for transportation, noting Staff was simply trying to pull together a multi-connective transportation process where people could get off an Amtrak train, for example, and get on a Greyhound bus to go somewhere further in the County or they could come by bus and take local transportation to get to other locations in the County, creating multiple transportation opportunities. Mr. Stephens stated Staff was simply trying to facilitate that and at that time Greyhound was also looking for someone to contract with for bus service. Mr. Stephens then stated Greyhound would pursue other options, adding the bus service will still be available and Greyhound is looking to keep the bus service in the downtown area for travelers.

Vice Mayor McGoffin moved to cancel the Greyhound contract with a 30-day notice. Seconded by Mayor King.

Councilmember Cook stated most everything has been eluded to, but noted the present Council may not be here in the future and Greyhound may come back, so he wanted his comments on record. Councilmember Cook then stated he spends a lot of time at the Visitor Center using the internet service and he gets to see a lot of things that go on there, adding he was there when Staff had to call the Police on a Greyhound customer or when there have been customers with some sort of mental disturbance and City Staff handles those situations very well. Councilmember Cook then stated he had watched a Staff member stay at the Visitor Center until 6:50 p.m. on a Saturday evening after the Visitor Center closed at 5:00 p.m., just to babysit a Greyhound customer and be able to explain to the bus driver what went wrong with the customer's ticket and be able to get the customer on the bus. Councilmember Cook then stated he has also listed to a Staff member who was mentally and emotionally wringing her hands and wanting to dig into her own pocket to buy someone a ticket to get them out of the Visitor Center. Councilmember Cook then stated too many of these passengers are gaming the system and City employees for their own benefit, adding he thinks many of the customers have the money, but they want someone else to help them, then stated he knows some of the Greyhound customers would sleep overnight at the Visitor Center. Councilmember Cook then stated he was saying all of this because he wanted it to be on record for future Councils who may consider entering into another Greyhound contract, adding he wanted future Councils to know when this contract was going to be terminated and that he wasn't just saying these things as a citizen who watched these things happen, but as a Councilmember who could step in and be a witness regarding issues that happened. Councilmember Cook then stated too many times, he has heard employees say it took them 2 hours to get a customer a ticket and when he asks those employees what the City gets for that, he is told the customer bought their ticket online and the employee wasn't able to view or print the ticket, but they gladly worked on the problem to resolve it, but the City gets nothing for doing so. Councilmember Cook then stated Staff goes far above and beyond to serve Greyhound, who offers so little to the City and its residents.

Mayor King then called for a vote. The motion passed 7-0.

8. **Discussion and possible direction to Staff to spend up to $1,000.00 out of the Community Enrichment Fund to host three additional evening activities at the pool this summer**

This item was addressed after New Business Item 1.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Lambert moved to adjourn the meeting at 8:37 p.m. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

_____
Toney D. King, Sr., Mayor

ATTEST:

_____
Vicki L. Vivian, CMC, City Clerk

THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD OCTOBER 24, 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.

ROLL CALL:

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

EMPLOYEE RECOGNITION: Mayor King recognized Chester Hoover for 5 years of service with the City.

PROCLAMATION:

Councilmember Konrad read a proclamation of the Mayor and Council declaring November 1, 2016 as "Extra Mile Day."

Mayor King then read a proclamation of the Mayor and Council urging all citizens of our community to commend America's veterans and to observe with solemn pride November 11, 2016 as Veterans Day and to take part in as many ceremonies and events as possible to honor these men and women. Mayor King then stated there would be a ceremony at the Veterans Park on November 11 at 10:30 a.m. and encouraged those present to attend. Councilmember Lambert stated the ceremony will include the dedication of Benson being proclaimed a Purple Heart City.

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Dave Thompson, La Cuesta Drive, Benson, spoke about an incident at the airport, stating an aircraft landed with the gear up and it turned out to be very minor incident, with no injuries, no fuel spill and no property damage. Mr. Thompson then stated he wanted to thank the City for the way everyone responded, adding it could have been a bad situation, but it turned out to be a very positive situation. Mr. Thompson then stated the runway was closed until the aircraft could be taken off the runway and everything was handled very well.

Greg Hall, Mesquite Drive, St. David, spoke about Post Ranch Road, stating he was here to educate people about the situation. Mr. Hall then stated he went through Cochise County files and found that color codes for road signs are becoming a nationwide thing, adding the green signs are municipality maintained roads and the red signs indicate more private roads. Mr. Hall then stated he had a picture of a green Post Ranch Road sign, but the road has been gated off at both ends. Mr. Hall stated Post Ranch Road is a public road and obviously has been publicly maintained as indicated by the County's color codes. Mr. Hall then stated he had been trying to drum up support for this and asked those present to raise their hands if they wanted the gates at Post Ranch Road taken down so the road could be used.

Scott Sinclair, S. Lee Street, St. David, stated he also owned property in Whetstone Ranch in Benson. Mr. Sinclair then spoke about Post Ranch Road and asked if the Council and Staff if they knew what the National Environmental Policy was, stating it is a federal level policy and is the driving force behind all environmental documents on any major federal undertaking. Mr. Hall then stated he was not for or against the big development that El Dorado has going on, noting the issue is in court at the federal level with the Core of Engineers and the US Fish and Wildlife Service being sued by a number of environmental organizations for failing to comply with existing environmental laws. Mr. Hall then stated it takes years for these things to work

their way through federal court, especially if it goes up to the appeals court level. Mr. Hall then stated his point was that it may take up to a decade or more before the developer satisfies all the requirements and is allowed to break ground, adding the requirements are for the permit from the Core of Engineers and the Endangered Species Act (ESA) of the US Fish and Wildlife. Mr. Hall stated the ESA drives everything and because the Core of Engineers and the US Fish and Wildlife are both involved, this is considered a federal action. Mr. Hall then stated the US Fish and Wildlife will probably issue a biological opinion on the matter that will be appealed and an Environmental Impact Statement will have to be put together, adding at the federal level, it could very well take 4 or 5 years before any appeals are heard and a record of decision is signed. Mr. Hall then stated he wanted the Council to know what is going on and the fact that it could take a long time before the developer is allowed to break ground. Mr. Hall stated he doesn't know if this applies to the 1,000 lots the developer bought at Whetstone, adding he thinks those lots can be developed, but they may be tied to the other property. Mr. Hall then encouraged the Council to look up the National Environmental Policy Act and educate themselves on it, adding it will be a driving force in whether the development progresses or not.

Stephen Insalaco, W. Pinto Place, J6, addressed the Council concerning the incident at the airport and the Airport Services Coordinator (ASC) position, stating Mr. Thompson, the lead candidate for the ASC position, contacted the newspaper about the landing event and justified his actions to the airport community member by claiming his need to beat Mr. Insalaco to the punch. Mr. Insalaco stated he didn't report the incident to the newspaper and it was never his intention to do so. Mr. Insalaco then stated he feels Mr. Thompson is an opportunist. Mr. Insalaco then stated he was pursuing a 2-year degree in journalism and that while this incident may be a newsworthy story, he already understands the pitfalls of exploiting an unfortunate situation of a fellow pilot for personal gain, adding Mr. Thompson doesn't seem to understand this. Mr. Insalaco stated the pilot of the aircraft felt bad enough, adding the pilot damaged the plane with his daughter aboard, he had to contact the co-owner of the aircraft, many of his fellow pilots witnessed a portion of the event, the City Manager and local police was called to the scene, a notice was issued for the airport to be closed and he had to rely on the assistance of others to recover the aircraft. Mr. Insalaco then stated the pilot didn't need any additional publicity and he thinks Mr. Thompson should apologize to the pilot for publicly exploiting the pilot's misfortune. Mr. Insalaco then stated he understands the RFP (Request for Proposals) for the ASC was on the City's website for 1 day and it was never published in the paper. Mr. Insalaco then stated the Council packet includes a contract already signed by Mr. Thompson and no information is being brought forward concerning the qualifications of other candidates. Mr. Insalaco then stated this RFP process shouts with impropriety and it is obvious that someone in City government intended to ramrod this candidate through the RFP process with a minimal amount of transparency. Mr. Thompson's bid came in at the lowest of 3 candidates at $7,332 per year and asked the Council if they weren't embarrassed at the idea of hiring an airport manager for an annual salary that is equal to a part-time high school dishwasher position, adding the Council will look silly if Mr. Thompson fails in this endeavor. Mr. Insalaco then stated Mr. Thompson was instrumental in the destruction of the previous airport advisory committee and refused to work with the economic development committee in hosting a joint airport open house event, adding Mr. Thompson and the former airport advisory committee chairperson publicly attacked no less than 2 City Councilmembers, once with a camera to exploit emotional responses and once for personal gain in securing his seat on the Council. Mr. Insalaco then suggested the Council discontinue further embarrassment to themselves by aborting the agenda item as flawed and relabel the position as an airport manager, post a new RFP on the City's website for no less than 2 weeks, spend municipal funds proportionate to the seriousness of this position by advertising both in the local and regional newspaper and get a properly vetted candidate with real credentials behind him to perform this important job.

Cynthia Sinclair, S. Lee Street, St. David, stated she also owns property in Whetstone Ranch. Ms. Sinclair then spoke about Post Ranch Road, stating she represents multitudes of citizens who have questions, adding she has been contacted over and over by many people in town and by business owners asking her how a road can go from a public access road to a private road denying people access to 2,000 acres of state trust land and how a road can have City and County maintenance, City and County signs and then someone can come in and put gates up. Ms. Sinclair then stated the road is a public road and is shown on the City of Benson's General Development Plan and the Department of Transportation's Kartchner Corridor Plan. Ms. Sinclair then stated

the Department of Transportation told the City to record the road as an easement. Ms. Sinclair then stated in Arizona, there is statutory and common law; no one has recorded the road and no one owns the road, except by common law, the people and asked the City to get the gates off the road.

CITY MANAGER REPORT:

Public Works Director Brad Hamilton addressed Council, giving the dates of upcoming meetings and events.

Tuesday, October 25, 2016	–	Community Watershed Alliance, 6:30 p.m., City Hall
Tuesday, November 1, 2016	–	Planning & Zoning Meeting, 7:00 p.m., City Hall
Tuesday, November 8, 2016	–	Library Advisory Board, 4:00 p.m., City Library
Monday, November 14, 2016	–	City Council Meeting, 7:00 p.m., City Hall
The Lighting Code Task Force	–	The task force held two meetings in October, with further meetings planned for November; for details please contact Michelle Johnson at City Hall.
Friday, November 11, 2016	–	Please join us at Veterans Park, 249 E. 4th Street at 10:30 a.m. for the unveiling of the City's Purple Heart sign and the Veterans Day Ceremony
Friday, November 11, 2016	–	Veterans Day – City Offices Closed
Thursday and Friday, November 24 and 25, 2016	–	Thanksgiving Holiday – City Offices Closed

Mr. Hamilton then stated for more information on City events can be found at the City's website at www.cityofbenson.com. Mayor King reminded those present to vote on November 8. Councilmember Konrad then stated he wanted to express his appreciation for the Lighting Task Force and the work that has been put into it and asked that it be passed onto Ms. Johnson.

NEW BUSINESS:

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

1a. Minutes of the August 8, 2016 Regular Meeting
1b. Invoices processed for the period from September 17, 2016 through October 1, 2016
1c. Invoices processed for the period from October 2, 2016 through October 16, 2016

Vice Mayor McGoffin moved to approve the Consent Agenda. Seconded by Councilmember Lambert. Motion passed 5-0. Councilmember Konrad asked if the ADEQ certifications were obtained by new employees with Mr. Hamilton stating the certifications were obtained by both newer employees and employees who have been here awhile, noting it was a lot of work to pass the certification tests. Councilmember Konrad stated he was glad to see it happening, adding the certifications add value to Staff. Motion then passed 6-0.

2. **Discussion and possible action regarding Resolution 35-2016 of the Mayor and Council of the City of Benson, Arizona, approving Hannah's Hill Enterprises, LLC's application for a November 4, 2016 Wine Festival License/Wine Fair License at Cochise Terrace, 1030 S. Barrel Cactus Ridge, Benson, Arizona**

City Clerk Vicki Vivian Vicki Vivian stated Hannah's Hill Enterprises, LLC, has applied for a Wine Festival License/Wine Fair License, adding A.R.S. §4-203.03 reads that any domestic farm winery may apply for a wine festival license pursuant to state law, which allows a licensed domestic farm winery to serve samples of its products on the wine festival premises, the sale of such products for consumption on the wine festival premises, and the sale of such products in original containers for consumption off the wine festival premises. Ms. Vivian then stated the license is subject to the approval of the governing body of a city or town where the wine festival is to take place and up to twenty five (25) wine festival licenses for each licensed domestic farm

winery can be issued in a calendar year for up to a cumulative total of seventy five (75) calendar days. Ms. Vivian then stated Hannah's Hill Enterprises, LLC is requesting the permit for an event to be held at Cochise Terrace on Friday, November 4, 2016 from 2:00 p.m. to 6:00 p.m., adding Ann Gardner of Hannah's Hill is present should Council have any questions.

Ann Gardner, of Hannah's Hill, addressed Council stating she has a vineyard in Elgin, Arizona and has held this event in various parts of the state, but this is her first event in Cochise County. Ms. Gardner then stated the host for this event is Cochise Terrace, an RV park for 55 and older, and stated the event will be very easy to manage. Councilmember Lambert asked about the drawing of the event area with Ms. Gardner stating she brought a detailed drawing, which was distributed to the Council. City Clerk Vicki Vivian stated the additional drawing could be submitted to the state with the application.

Vice Mayor McGoffin moved to approve Resolution 35-2016. Seconded by Mayor King. Motion passed 6-0.

3. **Discussion and possible action regarding a contract with David Thompson for an Airport Services Coordinator**

Councilmember Konrad moved to table this item until the next Council meeting. Mayor King stated he also had some questions and didn't get to discuss them with the City Manager; then seconded the motion. Vice Mayor McGoffin asked how long the Request for Proposals (RFP) was advertised with Public Works Director Brad Hamilton stating it would have been advertised for a minimum of 2 weeks, but he believed this RFP was advertised for about 3 weeks and was published twice in the local newspaper. Vice Mayor McGoffin clarified that the FBO (Fixed Base Operator) is not the ASC (Airport Services Coordinator) and that they are two separate jobs with Mr. Hamilton stating the FBO, the ASC and the Airport Manager are all separate jobs, adding the Airport Manager responsibilities have a lot more to do with grants and construction. Mayor King then stated the reason he wanted to table this item is not due to the comments made at the Call to the Public, but was due to questions he had. Mr. Hamilton then stated he would get the specific advertising details to the Council. The motion passed 6-0.

4. **Discussion and possible action regarding a contract with Prologic Technology Group, LLC, an Arizona limited liability company for Information Technology Services**

Finance Director Dustin DeSpain stated the City's IT services up for renewal, adding the contract with Executech has been on a month-to-month basis through the procurement process. Mr. DeSpain then stated the City received 6 bids, adding Prologic is the most qualified within the budgeted amount and Staff is recommending approval of the contract with Prologic.

Vice Mayor McGoffin noted Prologic was local with Mr. DeSpain stating the owner lives in Benson and also has an office in Tucson. Mayor King asked about security with Mr. DeSpain stating he is very confident in Prologic, adding they have worked for the City in the past. Public Works Director Brad Hamilton stated Prologic worked for the City between RikerTek and Executech, adding Prologic previously put in a bid, but were outbid by Executech. City Attorney Paul Loucks stated Prologic also responded in an emergency IT situation when one of the City's servers crashed. Councilmember Konrad asked about Executech and the change in providers with Mr. DeSpain stating Executech was ranked second and has agreed to stay on to help with the transition.

Councilmember Cook asked about the bid amounts with Mr. DeSpain stating Prologic's bid was $4,200 a month and Executech was $4,750 with the other bids being quite a bit more. Mr. DeSpain then stated other things were taken into consideration as well, adding Prologic's bid was inclusive of some items that Executech considered extra and would result in extra charges at the rate of $120 per hour.

Vice Mayor McGoffin moved to approve the contract with Prologic Technology Group, LLC, an Arizona limited liability company for Information Technology Services. Seconded by Councilmember Lambert. Motion passed 6-0.

5. **Discussion and possible action regarding Resolution 36-2016 of the Mayor and Council of the City of Benson, Arizona, authorizing execution of a Water Facilities Development Agreement between the City of Benson and Mark Kartchner for the project known as Ranchitos Los Alamos**

Public Works Director Brad Hamilton stated this item is a development agreement for the City to provide water to lots just outside the City limits, adding the property owner will build the needed infrastructure and then turn it over to the City and in turn, the property owner will give the City his well that the City is currently using. Mr. Hamilton then stated the well is a backup for irrigation at the golf course. Councilmember Konrad asked if the well had been tested for arsenic levels with Mr. Hamilton stating it hasn't been tested. Mr. Hamilton then stated the property owner has let the City use the well for the golf course irrigation for several years, adding a few years ago, the City did some work to the well, but it's a good well and is definitely needed.

Councilmember Konrad moved to approve Resolution 36-2016. Seconded by Mayor King. Motion passed 6-0.

6. **Discussion continued from the October 24 Worksession, if needed, regarding City Hall facility issues; this will include a site inspection to view and discuss structural and other building issues**

Mayor King stated he would like Staff to look at the cost of building and possible locations, including the current City Hall location and stated he was hoping to tie this item and the next item together. Councilmember Konrad stated something else the Council may wish to be informed of are any short-term interim solutions to the building issues, such as rental properties to get the City by for a brief period with Public Works Director Brad Hamilton stating Staff can look at those possibilities.

Vice Mayor McGoffin agreed and stated she knows how long things can take and that the Council needs to move forward while the current building was still standing.

Councilmember Cook stated the Council was suggesting that Staff move forward with a site study and all the other issues connected with it and asked how much it would cost and where the funding would come from. Mr. Hamilton stated he didn't have an estimate yet, adding Staff will put that information together for Council. Mr. Hamilton then stated the funding would have to come from the contingency funds since it was not budgeted for and Council would have to approve using contingency funds to proceed with the study. There was no further discussion.

7. **Discussion and possible action regarding the Railroad Quiet Zone; discussion to include the review of the City of Benson Railroad Quiet Zone Feasibility Study prepared by Kimley-Horn and Associates, Inc.**

Mayor King stated he wanted to have Staff look at funding options, including combing loans for the previous item and this item, the CDBG (Community Development Block Grant) and asked Councilmember Boyle to ask Annette Buechel to look at other grant opportunities. Mayor King then stated the quiet zones don't all have to be done at once, adding the Council can look at addressing individual crossings or maybe do them all over 2 years or so, adding he would like Staff to present options to Council. Public Works Director Brad Hamilton asked if the Council wanted him to come back with a quote for design and construction documents with the Council indicating they did. Mayor King then stated he wanted to have all the information brought to Council with nothing held back, adding the more information the Council had, the better they would be able to make a decision.

Councilmember Boyle stated he had been to all the RV parks in the last month or so talking to the managers and different staff people on another matter, but all of the people he spoke to think the quiet zone is the most important thing the City can do and that it would make a huge difference in the number of people who would come to Benson in the wintertime and they all said it would help them immensely. Mayor King stated he had been approached by downtown business owners telling him the same thing.

Councilmember Konrad asked if anyone had reached out to the railroad, where they stand on the issues of quiet zones and if they offered any assistance with Mr. Hamilton stating railroads do not like quiet zones as they feel quiet zones are very unsafe.

Mayor King then stated he has heard a lot about how easy and cheap Willcox achieved their quiet zone and that Councilmember Cook had actually spoken to the City Manager in Willcox and found out that the railroad owed Willcox about $85,000, which was taken into consideration in obtaining their quiet zone. Mayor King then stated Willcox's quiet zone didn't come as cheap as people think and people need to understand that Benson has 3 railroad crossings to address for a quiet zone, adding before people start complaining, they need to find out the facts. Mayor King then stated the Council is working on the quiet zone, but it may take a little longer to accomplish.

8. **Review of City Finances with emphasis on September financial results, and the City's financial position as of September 30, 2016**

Finance Director Dustin DeSpain reviewed Citywide financial highlights focusing on September, stating historically, September is usually one of the City's worst months, adding this September was a 3-payroll month and the City paid a large portion of our insurance policies, including workers' compensation, but noted the City has been able to increase its cash reserves to $1.9 million up from $1.7 million in July. Mr. DeSpain then stated the bond proceeds remain at $1.07 million, which are available for emergency infrastructure repairs, adding payments would not be extended should the City have to utilize the proceeds. Mr. DeSpain stated citywide revenues did not exceed expenditures for the month of September and were short $304,000 and were down $92,000 year-to-date, noting last year at this time, the fund was at $50,000. Mr. DeSpain then stated monthly revenues citywide were $690,000 for September and were $2.3 million year-to-date, which is a $124,000 increase from September, 2015. Mr. DeSpain then stated citywide monthly personnel costs for September was $340,000, which is an increase of about $4,000 from September of last year. Mr. DeSpain stated other citywide expenditures were $649,000 for September which is an increase of $439,000, due to some serious maintenance issues at the wastewater treatment plant and other things that had to be done. Mayor King noted the Council was aware of the maintenance issues and had budgeted for such and then noted September is usually one of the worst months for the City. Mayor King then stated as the holidays approach, the City usually bounces back. Mr. DeSpain then stated September represents revenues from July, adding June, July and August are the City's worst months for revenue.

Mr. DeSpain then reviewed the General Fund stating revenues for the month of September were $412,000 and were $1.4 million year-to-date which is an increase of $237,000 million from last year. General Fund personnel costs for September were $220,000, which is a $1,000 decrease from last September. Mr. DeSpain then stated other General Fund expenses for the month of September, which include all of the City's insurance for employees as well as workers' compensation, was $334,000 which is an increase of $203,000 from last September. Mr. DeSpain then stated General Fund revenues did not exceeded expenditures by $142,000 for the month of September and the General Fund year-to-date fund balance was down $156,000, compared to being down $153,000 last year at this time.

Mr. DeSpain then reviewed Enterprise Funds stating the City had to spend a significant amount of money on utilities. Mr. DeSpain then stated due to the warm weather, the Gas Fund revenue for the month of September was $37,000; the year-to-date revenue was $104,000 and the fund balance was down $44,000, noting the City did purchase a new on-call truck and part of the cost came from the gas reserves. Mr. DeSpain then continued stating the Water Fund revenue for the month of September was $66,000; the year-to-date revenue was $200,000 and the fund balance was holding at $38,000. Mr. DeSpain stated the Wastewater Fund revenue for the month of September was $57,000; the year-to-date revenue was $181,000 and the fund balance was down $3,000, adding this is due to the budgeted maintenance issues the City had to perform at the wastewater treatment plant to function correctly and stay in compliance. Mayor King asked about the utility rate studies and when they would be coming to the Council with Mr. DeSpain stating the gas, water and wastewater rate studies are being reviewed and will be brought to Council in the near future. Mr. DeSpain then stated the sanitation rate study has not been completed due to the not knowing what the increased charges from the

County will be, noting the County will implement those changes in November and the Council will see the fund balance start to decrease very quickly due to the County's new fee structure. Mr. DeSpain then stated in addition to these new County fees, the County will implement another new fee structure next year. Mr. DeSpain then continued, stating the Golf Course Operations lost $38,000 the month of September and was down $75,000 year-to-date, compared to last September when the Golf Course operations lost $48,000 and was at a year-to-date balance of -$69,000; the Golf Course Food & Beverage was down $810 for the month of September, the year-to-date balance was $1,000, compared to last September when they lost $6,000 and year-to-date last September was -$10,000.

Mr. DeSpain then reviewed sales tax stating the City is just above September in 2015 and 2016, adding the City did not drop as far as it has in the past in August and September, which means the City is doing better. Mr. DeSpain then stated Bed Tax is down from last year by about $1,000 and Construction Sales Tax was down in September, noting the collection was only $1,841.00 due to very little construction happening in Benson. Mr. DeSpain then stated Total City Sales tax collection is about $20,000 higher than last September, which does still show a little recovery in the economy, adding the City should hold steady and even with last year. Mr. DeSpain then stated the State retail tax shows a slight decrease from the 14-15 collection, which indicates the State is not showing as much strength in the retail area as the City is.

Vice Mayor McGoffin stated she attended the recent economic luncheon where Mr. Carreira reported the City's revenues were down 12% and asked how that could be with Mr. DeSpain stating Mr. Carreira doesn't include the City's biggest months, which are November and December, adding unfortunately Mr. Carreira gets his information from the State of Arizona as a general inquiry. Mayor King then thanked Mr. DeSpain for the presentation Mr. DeSpain gave at the economic luncheon and stated he is glad the Council has realistic information.

Councilmember Cook stated he spoke to both Mr. DeSpain and Mr. Carreira and that they both are using the same information year-to-year, so even if Mr. Carreira left out 2 months, his presentation would be consistently leaving out the same 2 months and shouldn't show a 12% decrease. Councilmember Cook then stated it was still confusing. Mr. DeSpain then stated his understanding was that Mr. Carreira was taking out the big months, adding the State can give Mr. Carreira the amount that is to be deposited, but the City reports to Council what actually was deposited, adding there have been some cases in the past of the State not depositing what the City was owed or the State taking back money that was overpaid to the City, noting Mr. Carreira's information could have included those instances.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Councilmember Konrad moved to adjourn at 8:18 p.m. Seconded by Vice Mayor McGoffin. Motion passed 6-0.

_____
Toney D. King, Sr., Mayor

ATTEST:

_____
Vicki L. Vivian, CMC, City Clerk

THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD NOVEMBER 28, 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 had those present observe a moment of silence for the students who were attacked at the Ohio State University.

ROLL CALL:

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

EMPLOYEE RECOGNITION: None

PROCLAMATION: None

PUBLIC HEARING: None

CALL TO THE PUBLIC:

Stephen Insalaco, Pinto Place, J6, addressed the Council on the Call to the Public protocol, stating during the previous meeting 2 people wanted to yield their time to him, but the City Attorney issued an edict that they couldn't do so and that Council policy did not allow someone being granted extra time. Mr. Insalaco then said the City Code allows the Council to grant additional time for speakers to address the Council, should they choose to do so. Mr. Insalaco then stated the City Attorney is to provide legal advice and not make Council decisions or set Council policy in defiance of the City Code and that the City Attorney was out of order regarding the matter. Mr. Insalaco then spoke about the Airport Services Coordinator (ASC) stating he made his case clear that the ASC contract award was conducted both unfairly and illegally, but it was not his desire to challenge the City or destroy his working relationship with the City over the matter. Mr. Insalaco maintained that the City's Request for Proposals (RFP) process remains seriously broken and there remains concern over the legitimacy of the contract award. Mr. Insalaco then stated one of the responsibilities of the ASC is to conduct an open house fly-in event during the next 12 months, adding the previous airport advisory committee also discussed holding such and event and agreed it should be held sometime in March of each year to avoid April winds, the summer heat and conflicts with other events. Mr. Insalaco then stated it takes a large team of community participants several months to organize and plan a safe and productive event, adding the event should be conducted not only as community outreach effort, but to draw the attention of future airport businesses and developers. Mr. Insalaco then stated it would be up to the ASC to determine the date of the event and his team of assistance, but he would think the event should be open to all willing community members. Mr. Insalaco then stated the same event held in 2005 was a big success and he would be happy to share the information with the ASC to see what was done right and what could have been done better. Mr. Insalaco then stated a March 2017 event is not an unreasonable target date for such an event and if the ASC chooses to hold it then, it should be the first order of business the ASC dedicates his time to.

Mayor King stated he did look into the RFP process and he feels it was done properly.

Tricia Miller, Foothill Drive, Benson, addressed the Council regarding the conduct exhibited at the last Council meeting by the City Attorney during the Call to the Public. Ms. Miller stated she watched in dismay as the City Attorney seemed to dictate to not only people who wished to speak but also the proceedings of how the Council should conduct the session, adding the City Attorney's role is to provide legal advice on legal matters and not how the Council runs the meeting. Ms. Miller then stated if the Council wishes to no longer allow the donation of time to a speaker, the Council needs to address this instead of the City Attorney and this can be accomplished by creating or updating what is commonly known as rules and procedures. Ms. Miller stated a clear set of rules and

procedures would alleviate any confusion at future meetings and would provide advice for everyone, including Council, City Staff and citizens of the community who speak during the Call to the Public and more specifically, would provide guidelines on how individuals speak not only to Council but to one another during the Call to the Public. Ms. Miller then stated it's quite shameful to see how some individuals conduct themselves during the Call to the Public and use their time to attack not only the Council, but other community members. Ms. Miller then stated people who address the Council should act accordingly and it is apparent some would benefit from a clear set of guiding principles, adding this is precisely why many local governments have adopted rules and procedures. Ms. Miller then stated those governing bodies also typically remind citizens wishing to speak on how to behave and conduct themselves in Council meetings.

Paul Lotsof, a non-resident and business owner of the CAVE FM radio station in Benson, stated the Benson newspaper doesn't cover all the Benson Council meetings anymore, even though they used to at least since the 1970s and very likely, before then. Mr. Lotsof then stated the change may be a cost savings measure due to sagging revenues, which is a problem all newspapers across the nation face. Mr. Lotsof stated the newspapers' own websites further hurt their circulation and the papers end up raising their price, which again, lowers their circulation even more. Mr. Lotsof then stated there is also some formidable competition to the Benson newspaper that is able to offer far cheaper advertising, because they only print advertising cover and cover and have very little overhead. Mr. Lotsof then stated if the City only places print advertisements in the newspaper, they are only reaching a fraction of the newspaper readers, and even though the Council may think publishing items in the paper will reach everyone, they are only complying with antiquated state law pertaining to informing the public, at best, adding they need to update their thinking and face today's reality. Mr. Lotsof then stated CAVE FM has been covering Council meetings for the last 30 years and he would like everyone to know he will continue to cover Council meetings as long as he is in charge, adding he knows of no other radio station in Arizona that provides news reports on its local City Council meetings, even in Phoenix or Tucson. Mr. Lotsof then stated he also placed a question on his website asking if listeners were interested in what the Council did and found that he had listeners as far away as Sierra Vista say they are interested and are glad he reports on the meetings.

Scott Sinclair, Lee Street, St. David, stated he owns property in Benson and he hopes everyone had a great Thanksgiving, adding it is a time to stop and reflect on what we do, what we've done and where we're going. Mr. Sinclair then stated he was wading through all the general plans of the City and found an item about bringing Amtrak into the Visitors Center to get rid of the shack people have to wait in for the trains and praised the Council for that, adding he hopes it happens in the near future. Mr. Sinclair then stated he received a letter from Cochise County regarding Post Ranch Road and he wanted to share it with the Council, Staff and the public. Mr. Sinclair noted the letter was addressed to Mayor King. Mr. Sinclair then read the letter, which urged "the City of Benson to work with the private owners in this area to resolve the closure of this road in the short term, and to coordinate the future alignment and construction of this connecting corridor in order to integrate into the downtown Benson area in the longer term." The letter will be retained with the Council packet.

Cindy Sinclair, Lee Street, St. David, stated she also owns a home in Whetstone Canyons in Benson. Ms. Sinclair then spoke about Post Ranch Road being not only an issue in Benson, but in St. David, Sierra Vista and Cochise County, stating these areas and the community are all interdependent. Ms. Sinclair stated people come from all over to use the State Trust land and thousands upon thousands of people are from out of State and are familiar with that road. Ms. Sinclair stated of their 700 signatures on the petition to open Post Ranch Road, about 2/3 are Benson specific. Ms. Sinclair then stated St. David is very well aware of the proposed development, adding 95% of the property is in the St. David school district. Ms. Sinclair then stated there is nothing Benson does that doesn't affect St. David and stated people from outside the City shop, eat and spend money in Benson and care about Benson. Ms. Sinclair then asked the Council to please give them some weight. Ms. Sinclair then stated Post Ranch Road is imbedded in the City's GDP (General Development Plan) and Arizona has a statute which says there can be no agreement with a developer that is in violation of a City's GDP. Ms. Sinclair then stated no one is arguing the developer can improve the road, but nowhere in anyone's plans does it say the developer can close the road. Ms. Sinclair then stated her understanding of Arizona law is that if a road has been used more than 50 years, which this road clearly has, and is documented, the road is now a public right-of-way, adding people can own land on either side, but can't own the public right-of-way. Ms. Sinclair then stated she is no attorney, but she knows the Arizona Supreme Court just made a ruling in Pleak vs. Entrada, and it says the same thing: if a road has been used by the public for 50 years or longer, the road is a public right-of-way.

Greg Hall, Mesquite, St. David, stated this is all one big community, adding he got a card for the Cascabel Fair, which is being held the same day as the Benson fair and instead of the events competing with each other, he thinks people will go to both. Mr. Hall then stated a petition was started 4-6 weeks ago regarding Post Ranch Road and the thing everyone had in common was that they wanted the road opened. Mr. Hall then noted there could be people who don't want it opened and just approach the people gathering petition signatures. Mr. Hall then stated some of the comments he heard from people on the issue were that they used to drive to work on the road every day, but now they have to go around the road; questions on why the road was closed; they learned to drive on that road; their boy scout troop used to camp on the land and people can drive from Highway 80 to Highway 90 with their car in neutral. Mr. Hall then stated he knew the Council didn't really care about St. David and the surrounding communities, but he thinks that is wrong, adding people from St. David shop in Benson. Mr. Hall then stated so far, they have collected 723 signatures and of those, 416 were from Benson addresses and there were a lot from out of State, representing the winter visitors. Mr. Hall then stated everyone used to think the winter visitors brought the financial boon in the winter , which helped get everyone through the hard times, but then everyone got sight of El Dorado's golden carrot and just don't care about anything else anymore.

Mayor King stated he and the Council do care about the surrounding areas and they know the decisions they make do affect them. Mr. Hall then stated he had a Benson fireman tell him that unless Mr. Hall was a Benson resident, Mr. Hall had no right to go to a Council meeting. Mayor King then reiterated that the Council does care about the surrounding areas.

Sam Miller, Foothill Drive, Benson, stated he spoke at the last Council meeting not about the ASC (Airport Services Coordinator) or the RFP (Request for Proposals), but about the airport. Mr. Miller stated he just wanted to give the Council information on how airports can be a financial engine for a small city and examples in how they can add to the gross domestic product of the State of Arizona, the U.S. and the jobs they create; however, the newspaper article that was written only mentioned that he was against Mr. Dave Thompson being the ASC, which is not what he said. Mr. Miller then stated again, he just wanted to bring to light that the airport could be used for the benefit of Benson and thanked the Council for taking a step forward to help improve the airport and possibly City finances by growing the airport. Mr. Miller then stated he also understands the Council may be supporting the Benson Shop with a Cop program and that if the Council does, he wanted to thank them for their support. Mr. Miller then stated the program is a great thing and he has participated every year except for 1 year when he was out of town, adding his wife also volunteers. Mr. Miller then stated the program brings joy to every single trooper, deputy, officer and federal agent who participates and gives them something to look forward to in addition to benefitting all the children who participate. Mr. Miller then stated it is great to have this interaction between law enforcement and children, especially, when some of the children come from a situation where they have seen one of their parents being arrested and that negative interaction has been the only interaction with law enforcement they have had.

CITY MANAGER REPORT:

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

Tuesday, December 6, 2016	–	Planning & Zoning Commission, 7:00 p.m., City Hall
Monday, December 12, 2016	–	City Council Meeting, 7:00 p.m.
Tuesday, December 13, 2016	–	Library Advisory Board, 4:00 p.m., City Library
Tuesday, December 27, 2016	–	Community Watershed Alliance, 6:00 p.m., City Hall
Saturday, December 3, 2016	–	Christmas on Main Street and at the Benson Museum 10:00 a.m.– 4:00 p.m.

Festival of Lights – Light Parade, Floats that best represent the theme, "A Christmas Wish" will be awarded 1st, 2nd and 3rd place prizes! Win prizes by donating non-perishable food items for the Benson Food Bank, drop off items at City Hall, Visitors Center, Community Center and the Tree Lighting. The Light Parade starts at 6:00 p.m.

Santa will be attending the Tree Lighting at Benson City Hall, 120 W. 6th Street. The Tree Lighting starts at 7:30 p.m.

Saturday, December 10, 2016	–	Benson Shop with a Cop event Benson Basketball Tournament at the High School
Monday, December 26, 2016	–	Christmas Holiday – City Offices Closed

Mr. Stephens stated the Lighting Code Task Force continues to meet on regular basis as set up by the Task Force, adding anyone who would like to participate can contact Michelle Johnson for details. Mr. Stephens then stated for more events in Benson, the public could visit the City's website: www.cityofbenson.com under "What to do Today."

Mayor King encouraged everyone to show up for the Christmas events. Mayor King then encouraged people to think of those less fortunate during the holiday season and donate to the food bank.

NEW BUSINESS:

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

1a. Minutes of the September 12, 2016 Worksession
1b. Minutes of the September 12, 2016 Regular Meeting
1c. Invoices processed for the period from November 1, 2016 through November 18, 2016

Vice Mayor McGoffin moved to approve the Consent Agenda. Seconded by Councilmember Lambert. Motion passed 6-0 as Councilmember Moncada was not present for the vote.

2. **Discussion and possible action regarding sponsorship of the Benson Shop with a Cop program**

City Manager Bill Stephens stated each year the City has been a sponsor of this event, adding during the Fiscal Year 16-17 budget process, the Council included a line item in the Community Enrichment fund for the Shop with a Cop program in the amount of $500. Mr. Stephens then stated the item before Council is the sponsorship and distribution of this expenditure. Vice Mayor McGoffin stated this was an excellent program she whole-heartedly supports and moved to approve the $500 sponsorship of the Shop with a Cop program for the community. Seconded by Mayor King. Councilmember Konrad stated Denise Celentano was present and he wanted to recognize everything not only she, but her husband has done for the community, adding they are retiring and moving along, but have done a lot for Benson. Ms. Celentano thanked the Council for their support over the last 7 years, adding the Shop with a Cop program will still continue with someone else taking over it for her. Ms. Celentano received applause from all those present. Motion passed 7-0.

3. **Presentation and possible discussion of the Certified Audit Report for the City of Benson for the fiscal year ended June 30, 2016**

Finance Director Dustin DeSpain stated the financial audit for the last fiscal year has been completed and Mr. Jim Usevitch from Colby & Powell was here to present the findings. Mr. Usevitch addressed Council stating the audit went very well, adding one indication was that he was addressing the Council in November instead of February or March. Mr. Usevitch then stated he would address the basic points, stating last year, the City had a significant finding regarding some reconciliation of accounts, but this year, there were no significant findings even with the City having over $1,000,000 in federal funds, which were used to buy some buses and a fire truck. Mr. Usevitch then stated the biggest point he wanted to make is that the City had about 4 years of losses, noting the City has had some rough years with the economy being down, but last year, the City broke even and this year made almost $600,000 in governmental funds, which was seriously needed, adding cities need funds on hand for unexpected emergencies. Mr. Usevitch then stated this increased the City's cash by over $400,000, which is a good thing, adding cities can't operate at a loss and continue doing so each year. Mr. Usevitch then reiterated that the audit went really well and that he appreciates the Council. Mr. Usevitch stated the tone really starts at the top, adding some Councils don't take a lot of interest and it reflects in the work that happens in the accounting department, but in Benson, the accounting reflects the Council's interest. Mr. Usevitch then stated the accounting department does a good job and has a lot of controls in place, adding when the audit is performed, a lot of testing is done,

noting again, the audit went very well. Mr. Usevitch then stated the audit report before Council is noted as a draft, adding auditors are now required to insert Public Safety Retirement and State Retirement information in the report, but those reports had not been issued when the audit was complete. Mr. Usevitch then stated those reports were just issued on Wednesday and his firm would be finalizing the City's audit, adding the only change would be the removal of the "Draft" annotation and then thanked Council for their time.

4. **Discussion and possible action regarding Resolution 37-2016 of the Mayor and Council of the City of Benson, Arizona, canvassing, declaring and adopting the results of the General Election held on November 8, 2016**

City Clerk Vicki Vivian stated this resolution is a requirement that must be completed no later than 20 days after the election, adding Resolution 37-2016 officially approves the canvass of the votes cast in the November 8, 2016 General Election. Ms. Vivian stated the only issue the City had on the ballot was Proposition 418, which was the resolution proposing an extension of the Alternative Expenditure Limitation (AEL) for the City of Benson for the next 4 years, which allows the City Council to determine the amount of the alternative expenditure limitation for the fiscal year and replaces the state-imposed expenditure limitation. Ms. Vivian then stated AEL, also known as Home Rule, passed 1,166 to 823, with 1 over-vote and 114 under-votes, adding this means 114 people did not vote on the issue at all.

Vice Mayor McGoffin stated a lot of people didn't understand Home Rule, adding some people read the ballot and thought the Council was imposing another tax. Vice Mayor McGoffin then stated the City can't promote Home Rule, but asked if there were any suggestions on getting information out so people could understand it. Ms. Vivian stated the language on the ballot complies with state law, adding she agrees that it's not the easiest to understand, but it was required. Ms. Vivian then stated she did speak to the Finance Director about holding workshops on Home Rule to distribute information, noting Vice Mayor McGoffin was correct that the City can't promote Home Rule, but can explain it. Ms. Vivian then stated the premise people need to understand is that it's like going back to 1979-80 and limiting a person's spending amount to the amount they were paid in that time. Ms. Vivian then stated since then, a person's paycheck or income may have increased, but their spending limit has not, adding the extra income can be put into a savings account, but they can't do anything else with it, even if their living expenses have increased since then. Ms. Vivian then stated Home Rule allows the Council to exceed that limitation and can set limitations based on the City's revenue. Vice Mayor McGoffin then stated people need to understand this before the next Home Rule election in 4 years.

Councilmember Konrad moved to approve Resolution 37-2016. Seconded by Councilmember Boyle. Motion passed 7-0.

5. **Discussion and possible action regarding Resolution 38-2016 of the Mayor and Council of the City of Benson, Arizona, prescribing standards of Financial Disclosure for Local Elected Officials**

City Clerk Vicki Vivian stated recently passed House Bill 2429 amended the financial disclosure statement required for candidates and public officers, adding the primary change was a new category on the statement that requires reporting of certain travel-related expenses, which when reported, are exempt as a "gift" under the law. Ms. Vivian then stated another change is that the law no longer requires the specific names of the public officer's spouse or children to be included on the statement as long as a general description is provided and allows the public officer to provide a home or work address. Ms. Vivian then stated the last change is that the Secretary of State is now authorized to prescribe the electronic format for the local public officer's financial disclosure statements. Ms. Vivian then stated the law is effective January 1, 2017.

Ms. Vivian then spoke about the new financial disclosure statement that was provided to the City Clerks last week through the League's Municipal Election Manual, stating the new statement reflects all the changes from House Bill 2429 in addition to the removal of the notarization requirement, which is due to the Secretary of State's Office interpreting the law requiring a "verification" on the statement to mean that notarization is not required on this form. Ms. Vivian then stated after the campaign finance training session, the issue was raised that the current financial disclosure resolution adopted several years ago by cities and towns no longer reflects the current law and the League agrees that the recent legislation necessitates an update to previously adopted resolutions, noting

Benson adopted Resolution 108-83, in 1983. Ms. Vivian then stated the proposed resolution before Council contains revised language reflecting all statutory changes enacted since 2011. Ms. Vivian then stated the Secretary of State's Office is working on an electronic format and she anticipates that it may be a fillable pdf version of the current form, but for now, to comply with electronic filing requirements, Councilmembers may fill out the form, scan it and email it to the Clerk's office, adding she would let the Council know when an electronic form becomes available, but it's not likely it will happen in the next 2 months.

Councilmember Konrad moved to approve Resolution 38-2016. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

6. **Discussion and possible direction to Staff regarding the Railroad Quiet Zone Improvements Final Design - Scope for Professional Services and Fees**

Public Works Director Brad Hamilton stated he requested a scoping fee from the on-call engineering firm that did the initial study, adding the scoping fee is $105,000 and is not something the Council has in the current budget. Mr. Hamilton then stated the upcoming budget process begins in approximately 60 days and that Staff was looking for direction from the Council on whether they wanted to move forward and transfer funding for the study from the current budget contingency fund or wait on the study and put the cost in the upcoming budget.

Councilmember Boyle asked about the price increasing should the Council decide to wait with Mr. Hamilton stating he didn't feel any price change would be significant. City Attorney Gary Cohen stated if the Council decided to move forward, Staff would move through the formal bid process, but he also agreed any price change would probably not be significant. Councilmember Boyle then asked about using the contingency now and putting that money back in the next budget process with Finance Director Dustin DeSpain stating money isn't put back into a contingency fund. Mr. DeSpain then stated should the Council decide to move forward now, he would need to check on it to make sure the City stayed within the current expenditure limitation set by the current budget or the Council could build this expense into the upcoming budget.

Vice Mayor McGoffin and Councilmember Konrad both asked Staff preference and about the downside of waiting to move forward with Mr. DeSpain stating the price could be slightly different, but he feels it would be more advantageous not to pull funding out of the contingency fund.

Councilmember Moncada spoke about he and another Councilmember leaving the Council in January and that he felt the new Councilmembers should be part of the decision, stating he felt the leaving Councilmembers shouldn't push the decision to move forward and then not have to deal with the problems it may create in the new budget process.

Councilmember Lambert stated he always hated to use contingency funds, which the Council needs to maintain for emergencies or a catastrophe, adding he would rather hold off and put the project in the upcoming budget. Councilmember Lambert then stated the Council could also choose to put the project in the CIP fund over several years, if they chose, enabling the project to be done over several years instead of having to spend half a million dollars at one time.

Councilmember Cook stated moving forward would commit spending $100,000, which is 20% of the half million cost of the project and then agreed with Councilmember Cook that the new Councilmembers should be part of this decision.

Mayor King stated he wanted the quiet zone, but the Council has to be diligent with the spending and the budget process, adding he agrees that the project should be addressed in the upcoming budget. Mayor King then stated he thinks the Council should look at other projects as well, funding options and the possibility of tying them together as the Council discussed at a previous meeting. Mayor King then stated the only thing he worried about was increasing interest rates, but noted the budget process will be starting soon.

Councilmember Boyle then moved to postpone this expenditure until the next budget. Seconded by Councilmember Konrad. Vice Mayor McGoffin stated the Council was basically just pushing the project back

about 6 months. Councilmember Cook stated there were 2 incoming Councilmembers in attendance and he wanted them to know that they would have to consider some of the things the current Council has, which is what the best way is to spend the City's money. Councilmember Cook then stated the condition of the Council chambers and the City Hall building is an issue, adding it may hold together another 5 or 10 years and the Council can move forward with the quiet zone, but on the other hand, the Council chamber wall may lean further over and come down before the end of the year and a tremendous amount of money may have to spent on the building. Councilmember Cook then stated if the Council committed $100,000 to the quiet zone and then had to repair or rebuild the building, it may be years before anything more could be done on the quiet zone and as a Councilmember, they each must consider what the highest priorities are. Motion passed 7-0.

EXECUTIVE SESSION: Pursuant to A.R.S. §38-431.03 (A)(3)& (4); Discussion or consultation with the attorneys of the public body for legal advice and to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation regarding Post Ranch Road.

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, regarding the property known as the west Benson wellsite.

Councilmember Konrad moved to enter into executive sessions for the two topics listed on the agenda with the Council, City Manager, City Attorney, City Engineer and the City Clerk at 8:03 p.m. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

Council reconvened at 8:50 p.m.

DEPARTMENT REPORTS: No comments from Council.

ADJOURNMENT:

Vice Mayor McGoffin moved to adjourn at 8:50 p.m. Seconded by Councilmember Boyle. Motion passed 7-0.

_____
Toney D. King, Sr., Mayor

ATTEST:

_____
Vicki L. Vivian, CMC, City Clerk

Petition to establish a "Quiet Zone" in Benson

The train horns sounded at the rail crossings in Benson are disrupting the quality of life in our city. The increasing use of the rail has led to train horns being sounded day and night interrupting sleep, lowering home values and negatively affecting the quality of life. We are petitioning the Benson City Council to establish a quiet zone as allowed by the Federal Railroad Administration by installing alternative safety devices. This will bring significant benefits from downtown redevelopment and other development purposes that may not move forward if a quiet zone is not pursued.

Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	PAMELA MASTERS	Pamela Masters	251 S. Ocotillo Ave #165	Rattles our closet doors	5/3/18
2	STEPHEN VANDER LEEST	Steph Vander Leest	251 S. OCOTILLO AVE 164	Bothers Sleep at NIGHT	5/3/18
3	Barbara VanderLeest	Barbara VanderLeest	251 So Ocotillo #164	wakes me up - hurts my ears	5-3-18
4	Michael Meyer	Michael Meyer	2128 W. Glorious St. 85602	Interrups Conversatio	5-3-18
5	Elton Bowman	Elton Bowman	251 S Ocotillo, 85602	Ear Shattering when you are nearby very annoying	5-4-18
6	James N Hill	James Hill	251 S. Ocotillo 85602	Very annoying	5/4/18
	Sandra Hill	Sandra Hill	251 S. Ocotillo 85602	Wakes me up	5/4/18
8	Beau Wilson	Beau Wilson	251 S Ocotillo	Too Loud	5/4/18
9	Beth Wilson	Beth Wilson	251 S. Ocotillo Ave	constant Horns!	5/4/18
10	Stephanie R Gunter	Stephanie R. Gunter	251 So Ocotillo Ave	loud-loud-loud-	5-4-18
11	EDWARD GUNTER	Edward Gunter	251 S. OCOTILLO AVE	VERY ANNOYING	5-4-18
12	Jane Engelmann	Jane Engelmann	251 S Ocotillo Ave	too loud!	5-5-18
13	Angie Lang	Angie Lang	251 S. Ocotillo Ave	Too Loud - too long	5/5/2018
14	Kathryn O'Connell	Kathryn O'Connell	251 S. Ocotillo Ave	Sleep Problems	5/5/2018
15	Tina Meeks	Tina Meeks	114 Osage Cir	Keep to a Minimal	5/5/18
16	Sheri Santiago	Sheri Santiago	1148 S Big Bear Rd	minimize horns	5/5/18
17	Daniel Santiago	Daniel Santiago	1148 S Big Bear Rd	No horns	5/5/18

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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	CRAIG THORNBERG	[illegible]	PO BOX 788 VENETA OR 97487	QUIET WOULD BE NICE!	5/6/18
2	BRIAN BOISCLAIR	[illegible]	13861 N 108TH DR SUN CITY	TOO LONG TOO FREQUENT	5/6/18
3	SUZANNE BOISCLAIR	[illegible]	13861 N 108TH DR SUN CITY	WHISTLE TOO LONG, TOO OFTEN	5/6/18
4	RUTH THORNBERG	Ruth Thornberg	PO BOX 788 Veneta OR 97487	QUIET FOR NIGHT WOULD BE GOOD	5-6-18
5	Susan Zell	[illegible]	301 [illegible]	[illegible]	5-6-18
6	Loren Zell	[illegible]	301 [illegible]		5/6/18
7	Jennette Silva	[illegible]	[illegible]	[illegible]	5/6/18
8	James Silva	[illegible]	2516 [illegible]	Quiet [illegible]	5/6/18
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Petition to establish a "Quiet Zone" in Benson

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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Susan Cox	Susan Cox	797 E. McNeil	Very Disruptive	5/7
2	Cassie Paine	Cassie Paine	PO Box 91 St David AZ 85630	Hurts my ears!	5/7/18
3	Lora Mitchell	Lora J. Mitchell	P.O. Box 856 St. David AZ 85630	Too Loud	5/7/18
4	Lenore Kester	Lenore Kester	P.O. Box 2091		
5	PATRICK HERBERT	Patrick Herbert	402 E PATRICK DR BENSON	KILLS ANY CHANCE OF NEW BUSINESS ON 4TH ST AREA	5/7/18
6	Perla Herbert	Perla Herbert	402 E Patrick Dr Benson	WAY TOO Loud	5/7/18
7	Marge Ellmaker	Marge Ellmaker	1110 S. Hwy 80 #15 Benson		5/7/18
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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Bridget M Schubert	Bridget M Schubert	133 N. Well Drilling Rd		5/8/18
2	Rachelle R Hughes	Rachelle R Hughes	171 W. Hillside Ln Benson		5-8-18
3	Jeff D. Mardle	Jeff Mardle	149 W. 4th St. Benson		5/8/18
4	Doug Vivian	Doug Vivian	203 W. 4th Benson		5/8/18
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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Dottie Brown	Dottie Brown	4115 W Aerie Dr. #8	I Support	6 May 18
2	Harry Mudgett	Harry Mudgett	870 Carr St. Lakewood CO 80214	I Support	6 May 18
3	Kaym Konkel	Kaym Konkel	922 Sherwood Ave SS106	I support	6 May 18
4	ROBERT BINGHAM	[illegible]	13941 E. SUNRISE BLVD USA, AZ	I SUPPORT	6 May 18
5	Richard Brenton	[illegible]	3045 Coppertree Cr Merced CA	I Support	5/6/18
6	Diana L Kolb	Diana L Kolb	251 S. Patillo #60 Benson AZ	I Support	5-7-18
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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	REGINA JOHNSTON	Regina Johnston	15806 N. 110th Ave, Sun City AZ	TRAIN HORN SOUNDED 5 TIMES!	5-5-18
2	Jan Murphy	Janet Murphy	9635 W Spanish Moss Sun City	5 times awakened!	5/5/
3	Greg & Wendy Otte	Wendy Otte	9101 W Willow Haven Ct Sun City AZ	Train sounded 5+	5/5/18
4	Nick Cooper		4693 W Ione St, Bellingham WA 98226		5/5/18
5	Daryl Laube		10316 W Cumberland Dr	Sun City, AZ	5/5/18
6	Candis Laube	Candis Laube	10316 W Cumberland Dr	Sun City AZ	85351
7	Ellie Connelly	Ellie Connelly	11017 W Camden Circle	Sun City AZ	85351
8	Jim Hamelin	Diane Hamelin	11823 N. 97TH Ave	Sun City AZ	85351
9	Pat Recore	Patricia Recore	9915 W. Bell Rd #407	Sun City AZ	85351
10	Paul Recore		9915 W. Bell Rd #407	Sun City AZ	85351
11	LYNN TURGEON	Lyn Turgeon	9117 W WILLOW HAVEN CT	SUN CITY AZ	85351
12	STEVE TURGEON	Steve Turgeon	9117 W WILLOW HAVEN CT	SUN CITY AZ	85351
13	Merton Wheeler	Merton Wheeler	351 W Main Vidal AZ 85369	Train sounded	5-11-18
14	Joann Wheeler	Joann Wheeler	351 W Main Vidal AZ 85369	Trains often too long	5-11-18
15	Joan Lang	Joan Lang	1080 S Lee St St David 85630		5-11-18
16	Linda Judd	Linda Judd	275 N 6th St Benson		5-11-18
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Petition to establish a "Quiet Zone" in Benson

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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Pamela Smith	Pamela Smith	635 E Pearl St		5-3-18
2	Walter Smith	Walter Smith	635 E Pearl St		5-3-18
3	Marsha Foley	Marsha Foley	1572 6th ST		5-3-18
4	Belle Jones	Belle Jones	522 6th St		5-3-18
5	Dorothy Lange	[illegible]	PO Box 1038		5/4/18
6	Thomas Caprarella	Thomas Caprarella	763 W. FOURTH ST. #B		5/4/18
7	Don Page	Don Page	2001 N Red Rock Tanque		5/4/18
8	Linda & Joe Nemeyer	Linda Nemeyer	16762 S. Cherokee Ln		5/9/18
9	KAREN FLORES	Karen Flores	206 W. 6TH ST.		5/9-18
10	ANDREW D BITGOOD	Andrew D Bitgood	J-6 Ranch Estates	It's gones too far-	5-9-18
11	Brad Cooper	Brad Cooper	298 E. 4th Street		5-9-18
12	ELSIE KRAMER	Elsie Kramer	107 Radisland	to Land	5 10 18
13	Tony Meza	[illegible]	215 N Mescal Rd	—	5-10-18
14	Carol Mapes	Carol Mapes	P.O. Box 237 St. David		5-10-18
15	Jason Poulsen	[illegible]	293 E. La Cuesta Dr.		5-10-18
16	Kathleen B Jan	Kathleen B. Jan	063 W Hardy Empire		5-10-18
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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	[illegible]	[illegible]	251 W 4th St		5/2/18
2	Tammy Lawson	Tammy Lawson	[illegible] N Bonanza Rd		5/2/18
3	Melissa D. Perez	[illegible]	14890 San Pedro Ranch, Benson		5/2/18
4	Kayli White	[illegible]	800 N. Mesquite St. Benson		5/2/18
5	Victoria Spears	[illegible]	358 E 6th St, Benson		5/2/18
6	Paulette A. McLain	Paulette A. McLain	1195 N. Mill Iron Ln, St. David		5/2/18
7	BRADLEY BLASCHKE	[illegible]	1375 N OLD POMERENE RD		5/2/18
8	Chris Spears	C. Spears	358 E. 6th St, Benson	Definite necessity	5/8/18
9	K.M. Kirkpatrick	K.M. Kirkpatrick	1201 S. Buckhorn Dr.		5.9.18
10	M.G. Kirkpatrick	M.G. Kirkpatrick		Too Much Noise	5.9.18
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Quiet Zone Petition

	Name	Signature	Address	Comment	Date
1	Mary DeWolf	Mary DeWolf	181 W. Mark St Benson	To ~~Loud~~ loud	5-7-18
2	Jeff DeWolf	[illegible]	181 W. Mark St, Benson		5/7/18
3	Charles S Reece	[illegible]	730 S Kachina		5/8/18
4	Amber Gardner	[illegible]	189 N Park Ln Benson	Neighbors suck!	5/8/18
5	Timothy Rattie	[illegible]	269 N. Scott AVE.		5/10/18
6	Michael Gray	[illegible]	879 E McNeil		5/10/18
7	CHRIS Sawyer	[illegible]	222 N Warren rd		5/11/18

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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Layne D. Nelson		721 S. Osage Dr. Benson 85602		5/1/18
2	Nayayyah Manyhorses		258 N. Dusty Tyler RD 85602		5/1/18
3	Carol Treuber		P.O. Box 475, Benson, AZ 85602		5/1/18
4	George Scott		Box 907 Benson Az		5/1/18
5	Cindy Allen		PO Box 278 Pomerene AZ 85627		5/1/18
6	Daniel D Ball		PO Box 278 Pomerene	AZ 85627	5/1/18
7	DARRYN CRAY		PO Box 387 St. DAVID	AZ 85630	5/1/18
8	SANDRA HARDY		307 E. 5th St Benson	AZ 85602	5/1/18
9	Fallon St. Clair		P.O. Box 425 Benson AZ 85602		5/1/18
10	Amanda Crawford		214 E Seth Benson 85602		5/1/18
11	TIM FOSTER		214 E Seth Benson 85602		5/1/18
12	Eric Tixter		660 W cactus street		5/1/18
13	Daniel Clark		P.O. Box 425 Benson	AZ 85602	5/1/18
14	BONNIE STAGGS		P.O. Box 176 St. DAVID AZ	AZ 85630	5/2/18
15	RONALD A. BROOKS		647 S. HUACHUCA ST. BENSON AZ	GET ER DONE	5/2/18
16	William Vorhees		214 E Seth Ln Benson 85602		5/4/18
17	LORENE WHALEY		1641 S. WHALEY RD, Benson 85602		5/7/2018

Quiet Zone Petition

	Name	Signature	Address	Comment	Date
18	Lisa D Hill	Lisa D Hill	PO Box 1615, Benson		5/8/18
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Petition to establish a "Quiet Zone" in Benson

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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	Calvin Wood	[illegible]	24600 E. Shawnee Tr		5/3
2	Susan Neunzer	Susan D. Neunzer	750 W. Union #607		5/4
3	Paulette A McLain	Paulette A McLain	1195 N. Mill Iron Ln, St. David		5/8
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Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

Name	Signature	Address	Comment	Date
Reagan Wilworth	Reagan Wilworth	202 W Rincon Peak	Trains are bad for business	5/3/18
Susan Pease	Susan Kay Pease	15550 S. Empire Rd. Benson, AZ.	Noise polution!	5-3-18
Steven Wilworth	[illegible]	202 W Rincon Peak	Trains are [illegible] Business	5/3/18
Jaeden Wilworth	[illegible]	290 E. 8th St.	Trains are bad for business	5/4/18
Ronnie Pittman	[illegible]	540 E. Fremont Catalina	The FOR business train horn [illegible]	5-4-18
Tina Contreras	[illegible]	723 W. Cactus St Benson		5/4/18
Patricia Marquez	[illegible]	471 N. Mesquite Rd, Benson		5/4/18
Tifani Saunders	Tifani Saunders	1165 Foothills Dr. Benson		5/7/18
Levi VanWormer	Levi VanWormer	2082 W. Glorious Dr. Benson	Trains sucks	5-7-18
Miguel Ruiz	Miguel Ruiz	245 North Cuchillo Hill	I hate the train when it comes to town	5-7-18
Shannon Chaplin	Shannon Chaplin	2532 SE Comanche Trl		5-8-18
Rhonda Grady	Rhonda Grady	550 E. Hillcrest Dr Benson		5-8-18
Gabriel Chavez	[illegible]	112 E. Honeywood		5-8-18
Jessica Crawford	[illegible]	1018 S. Yucca Rd St David		5-9-18
Kathy Greene	Kathy Greene	156 S Hwy 80 Benson		5-9-18
Tom Williams	[illegible]			5-10-18
Michael Sellers	[illegible]	222 N Brandt Ave		5/10/18
Elizabeth	[illegible]	325 14th Street	its to loud	5/10/18
[illegible]	[illegible]	[illegible] Ave	its to loud	5-14-2018

Petition to establish a "Quiet Zone" in Benson

The train horns sounded at the rail crossings in Benson are disrupting the quality of life in our city. The increasing use of the rail has led to train horns being sounded day and night interrupting sleep, lowering home values and negatively affecting the quality of life. We are petitioning the Benson City Council to establish a quiet zone as allowed by the Federal Railroad Administration by installing alternative safety devices. This will bring significant benefits from downtown redevelopment and other development purposes that may not move forward if a quiet zone is not pursued.

Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	AMANDA SALAS		2072 CAVE COTTON LP	Benson AZ 85602	5/3/18
2	ELIZABETH SALAS	Elizabeth Salas	391 W. HICKORY RD.		5/3/18
3	Melissa Harrington	Melissa Harrington	268 N Scott Ave	Benson AZ 85602	5/3/18
4	Mahlon MacKenzie		642 W. 4th St.	Benson 85602	5/3/18
5	MORGAN SALAS		2072 CAVE COTTON LP	Benson AZ 85602	5/3/18
6	Nicole Mota	Nicole Mota	1001 S. Dungan St	Benson, Az	5/3/18
7	Rob. W Roberts		642 W. 4th St.	Benson, AZ	5-3-18
8	Daniel Dungan	Daniel Dungan	178 Shady lane	Benson AZ	5-4-18
9	IRMA BERNAL	Irma Bernal	114 E SETH LN.	BENSON, AZ	5-4-18
10	David Hummel		865 S Post rd	Benson AZ	5-4-18
11	Craig Thum		1023 S Thom Road	Benson	5/4/18
12	MICHAEL WRIGHT		650 N. ADAMS ST	Benson, AZ	5/4/18
13	Dennis Hough	Dennis Hough	135 E Mark ST		5-4-18
14	[illegible]		1018 S. Yucca St		5/4/2018
15	Jessica Crawl	Jessica Crawl	1018 S. Yucca St.	St. David AZ 85630	5/4/18
16	Greg HALL		994 Catclaw	Benson AZ 85602	5-4-18
17	MARGENE MACKENZIE	Margene MacKenzie	2510 N. Mescal Rd.	Benson, AZ 85602	5-4-18

Quiet Zone Petition

	Name	Signature	Address	Comment	Date
	Sam Wise	[illegible]	5214 W Deer Run Rd		
	Sandra Weldy	Sandra Weldy	431 N Easy St Benson	Too Long + Too Loud	5/2/18
	DALE HAGGARD	Dale Haggard	163 2nd St Benson		
	Steve Nix		950 W 4 St	Too Long + Too Loud	5/2/18
	Kevin Vaughan	KVL	243 W. Arizona St	Too Load	
	Vicky Bergfeld	Vicky J Bergfeld	774 S Ridge	Too Loud	5/2/18
	Patricia Hall	Patricia Hall	172 N Shady Ln #4	About time!	5/2/18
	Pam Heaton	Pam Heaton	573 N Corina Cir.		5/2/18
	[illegible]	[illegible]	PO Box 215 Strand	[illegible]	5/2/18
	Phillip Sholin	Phillip Sholin	1539 E. Benson Apache		5/2/18
	Phyllis Pralgo	Phyllis Pralgo	680 S. Valley Viw. # 3		5/2/18
	Linda Hayden	Linda Hayden	13500 S. Ball Rd.	too Load + Long	5/2/18
	Dennis R Babb	Dennis R Babb	461 E MARK ST Benson		5-2-18
	Jolene Conn	Jolene Conn	825 E. 4th St Benson	too loud!!	5-2-18
	CAROL GREEN	Carol Green	" " " Benson	too loud!!	5-2-18
	LUCILLE M MCFFETT	Lucille M Mcffett	PO BOX 191 BENSON		5-2-18
	Felicia Lustenino	Felicia Lustenino	656 S. Hwy 80 Apt. # 302, Benson AZ 85602	way too loud, for way too long unnecessary!!!	5-2-18
	Chris Maresh	[illegible]	185 Mescal Rd	too loud	5-2-18
	Wilma Cunningham	Wilma Cunningham	205 S Prickly Pear	short toots or none	5-2-18
	Bruce Seager	Bruce Seager	P.O. Box 176 S. David Av	Limit noise	5/2/18
21	Johnie Wood	Johnnie Wood	251 W 4th St Benson	Limit Noise	5/3/18

Petition to establish a "Quiet Zone" in Benson

The train horns sounded at the rail crossings in Benson are disrupting the quality of life in our city. The increasing use of the rail has led to train horns being sounded day and night interrupting sleep, lowering home values and negatively affecting the quality of life. We are petitioning the Benson City Council to establish a quiet zone as allowed by the Federal Railroad Administration by installing alternative safety devices. This will bring significant benefits from downtown redevelopment and other development purposes that may not move forward if a quiet zone is not pursued.

Action Petitioned For: Establish a quiet zone for railroad crossings in Benson

	Name	Signature	Address	Comment	Date
1	JAMES HOWARD	Jim Howard	247 EVART Benson	QUIET PLEASE	2 MAY 18
2	Rowell Stickler	Rowell Stickler	191 N Ruth Rd	" "	5-2-18
3	MARCIAL GALLEGOS	Marcial Gallegos	510 Pearl Street	Quiet Please	5-2-18
4	MARILY FOX	Marilyn Fox	190 S. BROKEN ARROW LN.	" "	5-2-18
5	Renee Alexopoulos	[illegible]	865 Coffee DR Benson	No Need to LAY on Horn	5/2/2018
6	POLLY A. SWAYZE	Polly A. Swayze	1110 S. Hwy 80, #25	noisy	5-2-18
7	Mary FRAZIER	Mary Frazier	595 E 4th St #12 Benson	Do Not push on Horn	5-2-18
8	FRANK LANE	Frankie Lane	3220 W. NAVAJO Rd.		5-3-18
9	Gary Kaiser	Gary Kaiser	2023 W Cave Cotton Lane	Quiet Please	5-3-18
10	EDWARD T. RYAN	Edward T. Ryan	825 E 4th ST. #10, BENSON	AZ 85602	5/2/18
11	Karen Janssen				
12	[illegible]	DENNIS LITAH	150 S LOVEDAYS	LIGHT CON IT	2 MAY 2018
13	Sharon Quarles	Sharon Quarles	605 S Catarina Pl Benson	Too loud All over	May 2-2018
14	Andrea Tuzzolino	ANDREA TUZZOLINO	608 S CATARINA PL	Too Loud wakes up kids	MAY 2-2018
15	[illegible]	[illegible]	999 S St David Dr	—	5/2/18
16	Jennifer Wells	Jennifer Wells	234 N. Brand	too loud	5-2-18
17	Janet Martin	Janet Martin	885 E 4th	LOUD	5-2-18

Quiet Zone Petition

	Name	Signature	Address	Comment	Date
	Joe	Joe	135 Flint St		5/3/18

U.S. Department of Transportation
Federal Railroad Administration

OTHER REPORTS

Quiet Zone Locations by City and State

14 SEP 2016

OFFICE: RRS
SUBJECT: Highway-Rail Grade Crossings, Train Horn Noise

Download PDF Document [150.2 KB]

Find the latest version of the list here.

	Total: 3			
AL	AL	Mobile	New	CSX
	AL	Decatur	New	NS
	AL	Madison	New	NS
	Total: 3			
AZ	AZ	Gila Bend	New	UP
	AZ	Maricopa	New	BNSF
	AZ	Wellton	New	UP
	AZ	Wilcox	New	UP
	AZ	Kingman	New	BNSF
	AZ	Phoenix	New	UP
	AZ	Chandler	New	UP
	AZ	Chandler	New	UP
	AZ	Clifton	New	UP
	AZ	Maricopa	New	UP
	AZ	Marana	New	UP
	AZ	Yuma	New	UP

Quiet Zone FRAWeb Report

Report Date: 9/14/2016

AZ	AZ	Flagstaff	New	BNSF
	AZ	Tempe	New	UP
	Total: 14			
CA	CA	Pomona	New	UP
	CA	Richmond	New	BNSF
	CA	Rocklin	New	UP
	CA	Tustin	New	SCAX
	CA	Sacramento	Pre-Rule	UP
	CA	Sacramento	New Partial	UP
	CA	San Clemente	New	BNSF
	CA	Santa Ana	New	BNSF
	CA	West Sacramento	New	UP
	CA	San Diego	New	SDNX
	CA	Santa An		
	CA	Fresno		
	CA	Atherton		
	CA	Placentia	New	BNSF

Page 2 / 37

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Butterfield
RV Resort & Observatory
251 S Ocotillo Ave Benson, Arizona 85602
www.butterfieldrvresort.com - Email: info@rv-resort.com
1-800-863-8160 / 520-586-4400

5/7/18

RE: Benson Arizona Quiet Zone

Dear Vicki Vivian,

I, Regina A Johnson and Elwood R Johnson residing and Managing, Butterfield RV Resort & Observatory at 251 South Ocotillo Ave, Benson Arizona 85602 am sending this letter to show support for the initiation of the Quiet Zone. My Reason for support is because of the amount of complaints we get from guests at the resort, and the reviews that have had a negative financial results on the Resort business. Even the **Good Sam Club** which is an international organization of recreational vehicle (RV) owners and the largest organization of RV owners in the **world** has docked our rating because of the train noise. We strongly feel something has to be done to stop this. And for that reason we wholeheartedly support the initiation of the Quiet Zone.

Respectfully,

From our Campground Masters program here in the Resort.

Bob and Lace are the dogs 2.11.17 Mrs. Browne notified office in writing they well be departing on 3.1.17 due to train noise. Canceling block thru for site #89 they were due to move to on 3.1.17. BW

3/5/16 Guest had to shorten stay - special needs child could not handle the trains SG

10/22/17 Cancelled reservations because they did not like trains. Refund was issued. RJ

Only staying one night to see if trains are going to disturb them, will let us know 1.4.18 for sure. They Left BW 1.31.18

Robere has moved to Cochise Terr. due to noise factor with train etc. However he will be back often to visit sister Barbara Gardner in Pm 166. Please hold on to his mail until he lets us know otherwise. Bw 11.25.16

Robere has moved to Cochise Terr. due to noise factor with train etc.

However he will be back often to visit sister Barbara Gardner in Pm 166. Please hold on to his mail until he lets us know otherwise. Bw 11.25.16

These people reserved for a week and then changed their mind because we had trains. Bjm 11/11/17

Mrs. Soucy was very very picky, I had to change her 3 times and she was still very ugly. She didn't want to see buildings, or hear any train noise or be by anyone etc... Dennis was a witness. BW 8.30.17

Too much road noise, couldn't get all info 2.15.17 BW

Good Sam

RV TRAVEL & SAVINGS GUIDE

2019 RATING GUIDELINES

CAMPGROUND NAME: Butterfield RV Resort + Observatory STATE: AZ ZIP:

CITY: Benson DATE: 4/5/18

CONTACT:

pretty park - we had a nice stay, thank you!

Love the pool area + the landscape around the pool

IMPORTANT NOTICE: Good Sam's exclusive triple rating is copyrighted and may not be used on any other promot material, including billboards, signs, brochures and the like without written permission from the publisher. If pe sion is granted, the rating must be used in its entirety. When the conditions at the park warrant a rating chang park is responsible for any and all costs involved in posting the corrected rating, which must correspond to the published in the most current edition of the Good Sam RV Travel & Savings Guide.

In order to maintain Good Sam status, campground rates must be posted and clearly visible or provided on pre-p rate sheets.

These are only rating guideline excerpts. Your Consultant's determination of your rating is final. Good Sam Park tion is a privilege, not a right, and membership is the sole decision of the consultant.

Allstays

https://www.allstays.com/Campgrounds-details/11698.htm

Excellent park. Big rig friendly even though the site entries and exits are not angled. The paved streets are just wide enough to make the "swings". All short-term sites are near the very modern office/clubhouse. The facilities in that building are akin to a five star hotel. Parking is on paved pads, and gravel is between the sites. No dust. Each site has at least one medium sized pine tree, and a picnic table. Ample room to park a towed vehicle after unhooking. All utilities are in good condition. Cable TV has 18 channels including local. This park is the only one we have found that has a real astronomy observatory complete with astronomer

The park is situated behind a strip shopping mall with a nice Safeway grocery store and an Ace Hardware among other shops. Easy and short walk to this shopping strip. Benson is an interesting town and a good base to use while visiting other tourist attractions. Don't miss the opportunity to travel down to Sierra Vista. The view of the valley is breathtaking. **As all parks in Benson, Butterfield RV Park gets train noise from the very active double tracks going through the center of town. They are loud,** but I did not find them bad enough to ruin a good nights sleep. We camped here in a 40' motorcoach, and will do so every time we are traveling though Benson, AZ.

Posted Jan 15, 2013 by Moonrover from Dublin, OH. This is the subjective opinion of a traveler and not of AllStays LLC.

Allstays

https://www.allstays.com/Campgrounds-details/11698.htm

I do agree with the other reviews regarding the appearance of the RV park. The laundry, restrooms are very clean and they do have lots of fun activities going on almost every day. **I must comment about the amount of TRAIN activity during the night hours. Seems that each night they start at one end of the city and then try to out do each other as they pass. Dueling train horns is not uncommon. We stayed for 2 weeks and had maybe 4 nights when we got 6 hours of no horns. I realize it's not an issue for some, but if you are not a super sound sleeper you will hear them. Unfortunately it was enough of an issue that we won't return**

Posted Mar 13, 2017 by Reditch from New Mexico . This is the subjective opinion of a traveler and not of AllStays LLC.

Allstays

https://www.allstays.com/Campgrounds-details/11698.htm

Great park. They offer a free nightly star gazing opportunity in their very own observatory featuring at 16 inch telescope. Our entire family loved it. I learned more in an hour than I have up to this point in my life about astronomy. You won't be disappointed. We saw galaxies, a collapsing star, etc.

They even have a ham radio shack you can use if you show them your license.

The park is very clean. Staff are very friendly. It gets high marks from us.

Only downside is the very noisy trains all night long! I'll bring ear plugs next time.

Posted Nov 12, 2017 by AMS from CA. This is the subjective opinion of a traveler and not of AllStays LLC.

Allstays

https://www.allstays.com/Campgrounds-details/11698.htm

Ok we stayed 2 nights mid-November 2017.
Pros: super clean (almost too clean), pool was nice, very level spacious paved sites, nice trees, lots of amenities, laundry room is amazing, not too far from tombstone, and then the observatory of course.
Cons: stuffy staff, strong bleach odor in pet area, staff says make sure you walk dog in middle of road for hygiene issues, and then my biggest con of all... **trains!!! Each one blasting horn 3 long times as they went through town, very close to park, and coming through at least every 30-45 minutes ALL NIGHT LONG!!! Worst sleep ever!!**

But yeah, super clean gorgeous park with amazing amenities.... **if you can deal with trains... then it's great!**

Posted Nov 28, 2017 by Alaskansonya from Palmer, Ak . This is the subjective opinion of a traveler and not of AllStays LLC

Allstays

https://www.allstays.com/Campgrounds-details/11698.htm

This park is everything an RV Park should be and then some. Very Clean, level spaces with enough room to park your stuff unless your a super big rig then the staff will work with you to accommodate your needs. Lots of activities within the park and plenty of attractions nearby. Amenities galore and the observatory is a very nice bonus. **Benson does have a train track as mentioned in other reviews but a pair of soft ear plugs will ensure a pleasant nights sleep.** This is one of the best parks we've visited and the snowbirds here are extremely nice. We would definitely recommend this park for short or long stays.

Posted Jan 02, 2018 by Rockyhyder from NC. This is the subjective opinion of a traveler and not of AllStays LLC.

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+resort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAAQIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Cathy Adler
Local Guide · 60 reviews · 195 photos
4 months ago
Nice park. Paved roads & good FHU sites. WiFi was good. Nightly star programs in the on site observatory. Offers a laundry, fenced in dog runs, woodworking shop, ham radio area and daily opportunities such as Wii bowling. **Down-side is the passing train whistles & the medical helicopter.**

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+re
sort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAA
QIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Lehnanne Gibbs Kidd

Local Guide · 277 reviews · 152 photos

4 weeks ago-

Were it not for the train noise we would still be there. Great site, astronomy geeks on site, walking distance to Mi Casa restaurant. Lovely place.

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+re
sort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QloAHoFCAA
QlgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Land Shark

Local Guide · 217 reviews · 91 photos

a year ago-

Observatory lecture makes this park worthwhile. Shopping within walking distance . Trains going by several times a night.

L J Lepage
3 reviews
4 years ago-
Exceptionally clean park with an efficient and always available staff. **On the downside, there are the trains at all hours of the night sounding their warnings as they go through the grade crossing 100 yards away.** The park is laid out on the square with sites at right angles to the road which makes for a tight turn for a large rig and makes the standard-size sites seem smaller and more cramped than a diagonal layout.

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+re
sort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAA
QIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Pamela Carlson
18 reviews
a month ago
Really nice. Trains are a bit koud
Like

Rick Hjelm
Local Guide · 28 reviews · 11 photos
a month ago
Loved the park. Too many trains.

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+resort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAAQIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Elise Smith
3 reviews
3 years ago

Ok, the resort is clean and well kept. The observatory experience was awesome. The huge downside were the trains that blasted their horns 3 times coming through town every 30-45 minutes 24 hours a day. Can you say the worst sleep ever! The pool and hot tub were clean, as were the grounds, the staff friendly. No refunds, If you book for multiple days your stuck. We left after two nights of no sleep! We had booked for 4 nights, could not leave fast enough! I still hear the train horns when I close my eyes....

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+resort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAAQIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

Sonya Andreanoff
5 reviews
5 months ago
Ok we stayed 2 nights mid-November 2017.
Pros: super clean (almost too clean), pool was nice, very level spacious paved sites, nice trees, lots of amenities, laundry room is amazing, not too far from tombstone, and then the observatory of course.
Cons: stuffy staff, strong bleach odor in pet area, staff says make sure you walk dog in middle of road for hygiene issues, **and then my biggest con of all... trains!!! Each one blasting horn 3 long times as they went through town, very close to park, and coming through at least every 30-45 minutes ALL NIGHT LONG!!! Worst sleep ever!!**

But yeah, super clean gorgeous park with amazing amenities.... if you can deal with trains... then it's great!

Google Reviews

https://www.google.com/search?rlz=1C1PRFC_enUS703US706&q=butterfield+rv+resort+reviews&sa=X&ved=2ahUKEwiR5Mz8uPHaAhVE3mMKHYzEA5kQ1QIoAHoFCAAQIgE&biw=1058&bih=489#lrd=0x86d702ea94d5fcc7:0xff4426331c96a855,1,,,

MATTHEW SMITH

2 reviews

3 years ago

Can you say train horns! 24 hours a day, every 25 to 45 minutes the trains blast their horns 3 times! No sleep! Ruined our stay and the rest of our vacation, ended up up coming home 2 days early....To rest!

Roverpass

https://www.roverpass.com/c/butterfield-rv-resort-observatory-benson-az/

4.0

Benson, AZ – Butterfield RV Resort and Observatory 251 South Ocotillo Avenue Benson, AZ 85602; 520-586-4400 or 800-863-8160. All sites are FHU including Cable. Some of the Cable channels were sort of less than crisp (it is analog cable) but we got plenty of choices. There are 173 sites with many park models and seasonal sites, but there also several rows of sites for short term visitors as well. The park is very neat; the blacktop roads are wide, and the sites are mostly blacktop, though one row I saw was gravel. Each site has a picnic table. Since this is the desert, the areas between sites are gravel but unlike some desert parks we have visited, this one has lots of pine trees, so there is some shade and it is not dusty. I found it very attractive and thought the sites were far enough apart I did not feel my neighbors were on top of me like some of the parks we have visited this trip. One note – our long pull through site went down on each end and was higher in the middle so we had to use blocks under our stabilizing jacks to get the 5th wheel level. WiFi is provided free through Tengo Internet - we were given 3 codes so we could use the WiFi on 3 different devices. We stayed 3 nights and the WiFi worked every time – I was very happy! There is a very nice heated pool, a spa large enough for 8 people, a putting green, 2 golf driving cages, a pickleball court, a very clean laundry with 8 washers and 8 dryers ($1.50 wash, $1.25 dry), very clean restrooms and showers, a work out room, craft room, ham radio shack, a wood shop, community kitchen and clubhouse, BBQ grills, a library room with a computer area. The park has an observatory but it was cloudy each night we were there so we did not get to enjoy that unusual amenity. **One caution – if you are sensitive to railroad noises, there is a track a few blocks from the park and we could hear the train whistles from time to time.** They didn't bother us, but they might some people. The park offers Good Sam, Passport America, Escapees, AAA, military, and Family Motor Coach Association discounts. I would definitely return here. - Review provided by RV Park Recommendations & Reviews Facebook Group

October 25, 2016

Roverpass

https://www.roverpass.com/c/butterfield-rv-resort-observatory-benson-az/

4.0
On one hand, this is a spotlessly clean park with a great observatory, beautifully maintained pool and a few other facilities you will seldom see... like a wood shop you can use! And they have a 5 star Woodalls rating! On the other hand...there is not a blade of grass in site, just pavement and stone, even in the dog run. There are a few decorative plants and trees but don't expect any shade. **Another big negative is that there are railroad tracks only a block away and these tracks are very busy...like one train every 45 minutes or so...and these are huge trains with 3 engines pulling and 2 more pushing! Very noisy all the time! All in all we didn't care for it very much.** - Review provided by RV Park Recommendations & Reviews Facebook Group
January 30, 2017

Yelp

https://www.yelp.com/biz/butterfield-rv-resort-benson

1/23/2014

Really clean and reasonably priced. Tons of amenities and activities. Our kids are not going to want to leave. -1* because they didn't write down the bathroom code and we were all desperate for a (non cramped rv) shower. **AND the worst is the train goes by blaring its horn every few minutes ALL. NIGHT. LONG.**

Yelp

https://www.yelp.com/biz/butterfield-rv-resort-benson

2/21/2016

The noisiest RV park in the country! The park is a nice park but with the rail road tracks less than 1/2 mile away and helicopters flying low all night we didn't get any sleep

Yelp

https://www.yelp.com/biz/butterfield-rv-resort-benson

4/1/2017

This is a very nice park. The people are exceptionally friendly, the grounds well maintained, showers and laundry room very clean. I'm thinking that everyone here owns at least one dog, if not 3 or 4 as they came by our space to use the dog park! Kudos to them for the motion sensor light as our dog needs to go during the night. The pool is a bit on the smaller side, but I didn't get to use it because it was quite windy and cool outside for the beginning of April. **The only thing that warranted 4 instead of 5 stars was the train that came by a few blocks away about every half hour or so**.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: November, 2015 - $40.00
Overall Rating:

This is your typical big RV park with long gravel pull throughs lined up in row upon row. **Unfortunately, it is very near the train tracks and the trains roar through blowing their whistles all night long - bring your earplugs!** We dealt with two different women in the office and one was very nice and helpful and one was quite a sourpuss. Wifi did not work for us. We camped at Butterfield RV Resort & Observatory in a Travel Trailer.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: January, 2016 - $15.00
Overall Rating:

We stayed for the month of January 2016 in our motorhome, our friends stayed in their 5th wheel. The park accommodated us very well in allowing us to have our doors face each other, making for a nice arrangement.

This park is extremely clean, all blacktop roads, blacktop short stay sites, gravel sites for longer stays. In addition it is completely enclosed by a brick wall. They have park volunteers on golf carts constantly picking up or sweeping stones off the roadways. The staff was very friendly as well, and we had a nice enjoyable stay.

Only down side was pet areas are all gravel, and the **train horns can be heard very frequently as Benson his a major thoroughfare,** but you can get used to it. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: January, 2016 - $15.00
Overall Rating:

This is a very nice and well kept park with wide streets and spacious lots. Sites are gravel with some trees and level. WiFi is extra and poor. Cable is poor as well. Very friendly staff. Excellent facilities, club house, pool and hot tub. **This park would rate a "10" if not for the constant train noise. Tracks are a block away and VERY busy over night and early morning. Not the parks fault, but annoying just the same.** We camped at Butterfield RV Resort & Observatory in a Fifth Wheel

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: January, 2016 - $38.00
Overall Rating:

Spent night on my way home to Phoenix. Great staff in office. My sister went to the observatory and thought it was great. Well presented and answered all questions and all had a chance to look thru telescope. The park itself was very clean and well maintained with about 30 pull thru spots and the balance back-in. **As others have mentioned, you can hear the train at night and early morning. I kind of liked it and my sister thought it was too much**. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: April, 2016 - $21.00
Overall Rating:

Another nice park for Passport America. Can not beat the price for what you get here. Would have gave it a 10 but for the short RV sites for pull-through. There is train noise also. Power great. Pool and hot tub. Would stay again if in the area. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: June, 2016 - $21.00
Overall Rating:

Stayed here for an overnight while passing through from West to East. We called several hours in advance and were greeted warmly on the phone and promised a site. When we arrived after the office had closed, we found an envelope on the door with our name on it, encouraging us to just pick a site and settle up in the morning. As other reviewers have mentioned, most sites are gravel and pretty level. There are a few paved sites. We put our 40' toyhauler in a back in site with no problem. Utilities were clean and worked correctly. Wifi was free, present, and pretty typical these days - slow. Site was clean and had a picnic table. When we checked out, the staff was also excellent and friendly. **The only thing that didn't show up in any of the previous reviews is the train! A major train line runs through Benson and passes several blocks from the park. You can't here the trains, but you can definitely hear the train air horns as they sound for the grade crossings. Staff said 'you get used to it'. I suppose so. It wasn't a major problem for us, but if you're a light sleeper, you should be aware.** We would return again if in the area. We camped at Butterfield RV Resort & Observatory in a Fifth Wheel.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: April, 2018 - $30.00
Overall Rating:

Very clean and maintained park. Only **downside we're the trains at night**. Very loud but if you can deal with it it's worth staying. Very close to many fun places to visit. Bisbee and Tombstone. The city golf course was also well maintained and we golfed 18 holes. We camped at Butterfield RV Resort & Observatory in a Fifth Wheel.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: April, 2018 - $29.00
Overall Rating:

We stayed for a week and were able to get the summer rate of only $29 a night, park is mostly seniors but lots of transients come through - lots to do, heated pool, wood shop, Ham radio station, putting green, golf driving cage, two fenced dog areas. Full calendar of snow bird activities, the club house had computers, great laundry and tv area and pool table The observatory program was well done - it lasted about 2 1/2 hours and each person got to look through the telescope about 6-8 times - the program was free Limited tv stations and **the trains tracks being so close were strong negatives**. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: March, 2018 - $35.00
Overall Rating:

This park would be a 9 if the trains do not bother you or a 7 if they do. The train noise is loud with the horns blasting all night. When sitting outside it is hard to carry on a conversation. The park is extremely clean with a nice but small pool. The roads are wide and access is easy. The sites are too small to keep your tow car attached with a larger rig (+40 ft.). A well maintained park with lots to do in the area, we will return. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: March, 2018 - $35.00
Overall Rating:

Very nice park, good condition and well managed. Benson is a good location to tour the local area. Tombstone, caravans, wineries and buffalo solder area all close within a hour. Benson itself not much to talk about. Plan on eating at the camper. **Only one issue, bring your ear plugs as the trains run all night.** We camped at Butterfield RV Resort & Observatory in a Fifth Wheel.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: May, 2017 - $20.00
Overall Rating:

Nice park. Paved road, paved sites. Very well maintained. With trees and **quite a bit of train noise**. But great for the price in this area. We would definitely stay again. We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: March, 2017 - $38.00
Overall Rating:

Very nice clean park, the paved pads are domed, which is weird and hard to level a large rig. The doggie runs are gravel, my dogs like grass.....even fake would be nice. The pool was wonderful except it needed skimming a few times a day as there were a lot of dead bugs on the surface. **The trains are insane! Every 15 mins during the night all night, and blow the whistles all through town, nothing they can help but if your a light sleeper like me I didn't get any sleep!** The WIFI only worked at the club house. The Observatory was very nice, I read some reviews after the fact that said you had to have a reservation, we didn't, we just walked in with our dogs , the guy welcomed us and we sat down, timed it right I guess. It was very informative. I was only there 2 nights. **It really is a nice place for the money, but because of trains and WIFI issues I won't be back**... We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: February, 2017 - $38.00
Overall Rating:

Garmin GPS took us directly to the CG. Campground is just off the Benson 4th street, behind the Safeway grocery store on South Ocotillo Avenue. Front desk and staff very friendly and helpful. Credit cards accepted. No tent camping, cabins, or yurts. CG roads are asphalt in excellent condition, wide with gentle turns and no overhead obstacles. FHU-20/30/50. Short-term visitors get asphalt, pull-thru sites but "arched" making leveling tricky. Longer term visitors get gravel, back-in sites. Comfortable space between sites, gravel with token landscaping. Pedestal at rear of sites with 4" threaded sewer connection just above ground level. Picnic tables but no patios. Numerous tall trees make satellite antenna placement tricky. No fires permitted. Good water pressure with "ok" taste. No office store. Restrooms/showers look brand-new, clean and modern (score "A"). Propane sales. Laundry has smaller, front-loading machines. No playground. Cable TV has limited channels. Tengo Wi-Fi free for short-term visitors with good speed and ample bandwidth. Verizon coverage at "5-bars"; 4G coverage at "4-bars". Fitness room, pool, spa, putting green, pickleball court, ham radio room with equipment (must be licensed), and a TELESCOPE OBSERVATORY. **Loud, irritating railroad whistles "constantly" but minimal traffic noise.** No recycle bins. Bug Report: no notable insect issues in February. We camped at Butterfield RV Resort & Observatory in a Fifth Wheel.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: January, 2017 - $15.00
Overall Rating:

Very nice park, level gravel large sites, but WiFi very spotty **and lots of train whistles.** Had to pay $30/mo as we were on monthly rate. Very friendly staff. We camped at Butterfield RV Resort & Observatory in a Travel Trailer.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: December, 2016 - $45.00
Overall Rating:

The reason I gave this a low rating is the noise from the train. You will hear 10-20 horn blasts at least 4-5 times a night. The tracks are less than a mile away. It's a shame otherwise I would give it an 8. Nice pool and jacuzzi. Small dog park. Telescope was closed. Close to town, but would never stay there again! We camped at Butterfield RV Resort & Observatory in a Motorhome.

RV Park Reviews

http://www.rvparkreviews.com/regions/arizona/benson/butterfield-rv-resort-observatory-103

Date of Stay: November, 2016 - $42.00
Overall Rating:

This is a really nice clean park. The rock sites are all back-ins and they are level but the paved pull thru sites aren't level and seem really short so if you've got a long rig you may want to ask for a back in. The people in the office are really nice and there is a nice heated pool, hot tub, very nice clubhouse with everything you'd need or want, and nice laundry room with lots of washer's and dryer's. It would be nice if there were a sink in the laundry room and also a change machine. You can walk to Safeway, Ace Hardware, and a few restaurants within minutes which is really nice. You can also walk to Walmart. This is a very safe park too. **The only downside are the trains! They are very loud and run 24/7 and blow their horns at all hours.** We camped at Butterfield RV Resort & Observatory in a Motorhome.

trip

< Butterfield RV Resort

James R
Yorba Linda, United States

Great place

Review of **Butterfield RV Resort**

Reviewed 2 weeks ago

Very friendly staff, clean pool area also. Loved the observatory in the park. There is a bit of train noise but I would stay here again in a heartbeat. We would definitely recommend this place to anyone. Debbie R. Yorba Linda CA

Stayed: April 2018, traveled with family

Ask James R about Butterfield RV Resort

Thank James R

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

See all 33 reviews

Butterfield RV Resort

May 20 - May 21

1 2

Our online travel partners don't provide prices for this accommodation but we can search other options in Benson

See available hotels

Nearby Hotels

Quality Inn
543 reviews
$63
$48
Booking.com
View Deal

Motel 6 Benson
91 reviews
$53
Motel 6
View Deal

Comfort Inn
270 reviews
$89
ComfortInn
View Deal

trip

< Butterfield RV Resort

chinookgeo
Evergreen CO

Really good for an RV park

Review of **Butterfield RV Resort**

Reviewed January 14, 2017

We stayed here for just 2 nites, to visit friends who were at the resort. The sites are large, staff friendly, good services, nice pool and spa, good BBQs near the pool for all to use, and reasonable price
Park wifi just ok so used Verizon phones as hot spots most of the time
Dish works good altho they have free cable but limited channels
Only downside is train noise at nite - lots of trains and the 'whistle' or horn blasts.
Reasonable price.
Good place to stay for a nite or two but there are a lot of full-timers here
Lots of dogs - and two dog runs.

Stayed: January 2017, traveled with friends

Location

Rooms
Service

Ask chinookgeo about Butterfield RV Resort

Thank chinookgeo

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

See all 33 reviews

Butterfield RV Resort

May 20 - May 21

1 2

Our online travel partners don't provide prices for this accommodation but we can search other options in Benson

See available places

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~~$63~~
$48
Booking.com
View Deal

Motel 6 Benson
91 reviews
$53
Motel 6
View Deal

trip

< Butterfield RV Resort

ymceight
Santa Cruz, California

Great Park, Super Deal

Review of **Butterfield RV Resort**

Reviewed April 12, 2017 via mobile

What a pleasure it was to stay here, especially at the off season Good Sam rate of $29/night (starting April 1) for a wide gravel spot on a lot comfortable enough for a car and tow dolly in addition to the RV. A hot tub kept at 103F, a pool with water in the low 80's, pickle ball court, free morning coffee, a nice laundry, and centrally located in Benson. The worst thing I could say is a train runs through town a few times a day but the noise is diminished by a wall and, I suspect no matter where one lives in Benson, the sound would be the same. After a couple of times passing, I stopped hearing the steady, lulling sound of the trains. Every corner of this park is spotless and up to date, from the community bathrooms to the community center. A first for me is that, while in the laundry, without exception every user cleaned the dryer lint traps when finished. Which brings me to the the fact the park seemed filled with respectful, happy, friendly people, including staff. The back of the park has Park homes for rent and purchase. A multitude of activities are available seasonally, including wood shop, dances, ATV club, etc for those interested but especially staying for awhile. Lots of seniors but did see families and groups come in for the weekend. I enjoyed the full hook ups and... More

See all 33 reviews

Butterfield RV Resort

May 20 - May 21

1 2

Our online travel partners don't provide prices for this accommodation but we can search other options in Benson

See available hotels

Nearby Hotels

Quality Inn
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View Deal

Motel 6 Benson
91 reviews
$53
Motel 6
View Deal

Comfort Inn

trip

< Butterfield RV Resort

Kgray308
Camp Verde, Arizona

Beautiful park! Horrible noise level

Review of **Butterfield RV Resort**

Reviewed January 5, 2015 via mobile

This park would be a perfect find if not for the trains that go past all night long blowing their horns! Do not come here if you want a good nights sleep! The staff is excellent and the grounds are great! The only issue is the noise level. We just won't be back!

Stayed: January 2015, traveled as a couple

Ask Kgray308 about Butterfield RV Resort

1 Thank Kgray308

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

See all 33 reviews

Butterfield RV Resort

May 20 - May 21

1 2

Our online travel partners don't provide prices for this accommodation but we can search other options in Benson

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ComfortInn
View Deal

Good Sam

RV TRAVEL & SAVINGS GUIDE

2019 RATING GUIDELINES

CAMPGROUND NAME: Butterfield RV Resort + Observatory

CITY: Benson STATE: AZ ZIP:

CONTACT: DATE: 4/5/18

pretty park - we had a nice stay, thank you!

Love the pool area + the landscape around the pool

IMPORTANT NOTICE: Good Sam's exclusive triple rating is copyrighted and may not be used on any other promotional material, including billboards, signs, brochures and the like without written permission from the publisher. If permission is granted, the rating must be used in its entirety. When the conditions at the park warrant a rating change, the park is responsible for any and all costs involved in posting the corrected rating, which must correspond to the rating published in the most current edition of the Good Sam RV Travel & Savings Guide.

In order to maintain Good Sam status, campground rates must be posted and clearly visible or provided on pre-printed rate sheets.

These are only rating guideline excerpts. Your Consultant's determination of your rating is final. Good Sam Park affiliation is a privilege, not a right, and membership is the sole decision of the consultant.

VISUAL APPEARANCE/ ENVIRONMENTAL QUALITY

A full point should be awarded in a category only if the amenity is outstanding. If not best in each category, rate down 1/2 point.

	0 Points	1/2 point	1 point
1	**FUNCTION & IDENTIFICATION OF SIGNAGE AND ENTRANCE TO PARK (Assessing sign and entrance to access the park):**		
	Entrance is difficult to see. Access into or out of the park is dangerous. No sign or sign difficult to identify, poorly maintained or difficult to read. Not illuminated and not readable at night.	Entrance is clearly visible with safe access into and out of park. Sign that is well-maintained, easily seen and read from distance and at night, illuminated by street lights or reflective material.	Entrance is clearly visible with safe wide easy access in and out of park. Well maintained professional quality sign that is easily seen and read from distance and is illuminated with flood lights or back lights.
1	**APPEARANCE OF ENTRANCE AREA (An assessment of the area and frontage extending 50' each side of entrance way):**		
	Park entrance is not landscaped, or landscaping is minimal and/or poorly maintained with excessive litter or roadside debris is present.	Park entrance is reasonably landscaped with a ground cover (grass, decorative rock or bark) **plus one of the following**: trees, shrubs, flowers, landscaping timbers, or ornamental vegetation appropriate to climate, free of most litter and/or roadside debris and well-maintained.	Park entrance has an invitingly landscaped appearance with a ground cover (grass, decorative rock or bark) **Plus at least two of the following:** trees, shrubs, flowers, landscaping timbers, or ornamental vegetation appropriate to climate, free of litter and roadside debris and carefully manicured.
1	**APPEARANCE OF PARK GROUNDS (An assessment of common areas excluding RV Sites):**		
	Common areas (non-campsite) of park sporadically landscaped or poorly landscaped. Not maintained or overgrown with weeds or other vegetation.	Landscaping of common areas (non-campsite) is consistent throughout the park, includes a ground cover (grass, gravel, decorative rock or bark), and a **limited quantity** of trees, shrubs, flowers, landscaping timbers, or ornamental vegetation appropriate to climate. Landscaping is well-maintained (grass mowed, leaves raked, trees trimmed).	Landscaping of common areas (non-campsite) is consistent throughout the park, includes a ground cover (grass, gravel, decorative rock or bark), and a **significant** quantity of trees, shrubs, flowers, landscaping timbers, or ornamental vegetation appropriate to climate. Landscaping is carefully manicured (trees and plants trimmed and pruned, grass is mowed, edged and weeded, leaves raked; no grass, weeds or ground cover growing or creeping onto RV parking area).
1	**APPEARANCE OF SITES (An assessment of overnight RV sites only):**		
	Sites not landscaped or poorly or minimally landscaped, or unmaintained (overgrown with weeds or other vegetation).	Site landscaping is consistent throughout the park in all overnight-type sites. Landscaping is regularly scheduled and maintained (grass mowed or between regular cuttings, leaves raked, trees trimmed). And includes a ground cover (grass, gravel, pavement, decorative rock or bark) **plus one of the following:** trees, shrubs, flowers, landscaping timbers, privacy screens, or ornamental vegetation appropriate to climate.	Site landscaping is consistent throughout the park in all overnight-type sites and includes a ground cover (grass, gravel, pavement, decorative rock or bark) and **at least two of the following:** trees, shrubs, flowers, landscaping timbers, privacy screens, ornamental vegetation appropriate to climate, patio, table or fire pit (all in good condition). Landscaping shows evidence of constant maintenance and is carefully manicured (trees and plants trimmed and pruned, grass is mowed, edged and weeded, leaves raked; no grass, weeds or ground cover growing or creeping onto RV sites).
1	**LITTER AND DEBRIS AROUND PARK GROUNDS AND SITES, INCLUDING FIRE PITS (An assessment of litter and debris around entire park and sites):**		
	Park grounds area around buildings and/or sites (including fire pits) are littered with refuse, clutter, or debris. Seasonal or long term sites are in view of overnight sites and have an unacceptable amount of refuse, clutter & debris.	Park grounds area around buildings and/or sites (including fire pits) are reasonably free of refuse, clutter, or debris. Seasonal or long term sites are in view of overnight sites are reasonably free of refuse, clutter & debris.	Park grounds area around buildings and/or sites (including fire pits) and RVs are free of all refuse, clutter and debris. Seasonal or long term sites are in view of overnight sites are free of refuse, clutter & debris.
1	**OVERALL EXTERIOR BUILDING MAINTENANCE (An assessment of all buildings except bathroom buildings):**		
	Buildings including doorways and windows require major repair or painting or web removal or cleaning or maintenance. Roof and gutters require major repair. Walkways around buildings are unsafe and require major repair.	Some or all buildings including doorways and windows require some cleaning or web removal or painting or minor repair. Roof and gutters require some minor repair. Walkways around buildings safe but require some minor repair.	All buildings including doorways and windows, clean in appearance, free of webs and in good repair. No repair required to roof or gutters. Walkways around buildings, safe and no repair required.
1	**TRASH DISPOSAL:**		
	No trash receptacles or trash receptacles overflowing. Receptacles not regularly emptied.	Trash receptacles of ample capacity, well maintained, regularly emptied, located more than 500' from 50% of overnight sites.	Trash pickup at site daily and/or receptacles of ample capacity, well-maintained, regularly emptied, located less than 500' from 50% of overnight sites.
1/2	**NOISE:** Trains		
	Park is located in flight path of nearby major airport or active military airstrip. It borders an active railroad track, interstate or heavily traveled major highway or industrial or commercial area which results in frequent, major noise pollution.	Park is close enough to the following: airport, active railroad track, interstate or heavily traveled major highway or industrial or commercial area which results in occasional, moderate noise pollution.	Park is distant enough from the following: airport, active railroad tracks, interstate or other heavily traveled major highways, industrial or commercial areas which results in minimal noise pollution. People are able to converse in a normal tone of voice.
1	**PARK SETTING:**		
	Park and sites have no natural or man-made visual barrier that shield park from commercial, industrial, or residential surroundings on all four sides and is a major detraction from the parks setting.	Park and sites are shielded from commercial, industrial or residential surroundings by a manmade or natural visual barrier on at least two sides and has some impact on the parks setting.	Park and sites are shielded from commercial or industrial or residential surroundings by a manmade or natural visual barrier on all four sides and does not detract the parks setting.
1	**SITE LAYOUT:**		
	Greater than 50% of sites have side-by-side hookups. Sites measure less than 20 feet between RV parking space from pedestal to pedestal, perpendicular to the site. Entry and exit into and from the site is difficult with some obstacles such as rocks or trees.	Less than 50% of sites have side-by-side hookups. Distance between the majorities of parking space from pedestal line to pedestal line, perpendicular to the site is a minimum of 20 feet. Entry and exit into and from the site allows easy access but with some obstacles such as rocks or trees.	There are no side-by-side hookups. All sites measure 30 feet or greater between parking space from pedestal to pedestal, perpendicular to the site. Entry and exit into and from the site allows easy access with minimum obstacles such as rocks or trees.
9.5	**TOTAL RATING**		

GS-21

MUST HAVE 5 POINTS OVERALL TO QUALIFY FOR GOOD SAM PARK AFFILIATION.

5 Mayo 2018

Mayor King & Council Members
120 W. 6th Street
Benson, AZ 85602

RE: Benson Arizona Quiet Zone

Dear Mayor toney King Council

I Daniel Santiago residing at 1148 S Big Beard Rd
am sending this letter to show support to the
inotration of Quiet Zone. My reason for support
is because the noise disrupt My Peace and affect
My eart and audition.

respectfully,

Dm

5/5/18

Mayor King & Council Members
120 W 6th St
Benson, AZ 85602

Re- Benson AZ, Quiet Zone

To whom it may concern;
Showing support for a "Quiet Zone" in the City of Benson Regarding the constant noise from the trains (Specifically the Horns Blowing all hours of the night.) Yes, Public Safety is a concern, However, the noise has escalated Beyond what should be necessary. thank you for your consideration in this matter.

Respectfully,
Dina Wells
Residing @ 114 Osage Cir
Benson Az 85602

May 8, 2018

Mayor King & Council Members
120 W. 6TH Street
Benson, AZ 85602

Re: Benson Arizona Quiet Zone

Dear Mayor Tony King and Council Members,

My name is Diana Kolb and I've lived at 251 S. Ocotillo seven years now. I am sending this letter to show my support for the initiative of the Quiet Zone.

My reason for support is because I have epilepsy. The constant loud blasts seriously effects my difficulty blocking the screaming noise. Screaming kids & sudden loud noises all disturb me. The trains passing through day and night, sounding all those horns is the worst. They cause sleep disturbance and pain in my head at all hours.

Stop the Noise!

Respectfully,

Diana C Kolb, Registered Voter

MAY 7, 2018

R.E BENSON, ARIZONA QUIET ZONE

Dear Vickie Vivian,

I James N. Hill residing at 251 S Ocotillo Ave #167 am sending this letter to show support for the initiative of the Quiet Zone. My reason for support is that I feel it disrupts sleep, conversation and general peace and quiet. I also feel it would be a plus for the Benson area as far as bringing in more residents and business. Thank you for your consideration.

James N Hill

5/6/18
Re: Benson Arizona Quiet Zone

Dear Vivian

I Sandra J. Gill residing at 251 S Ocotillo Ave. #167 am sending this letter to show support for the initiation of the Quiet Zone. My reason for support is because the whistle disrupts my conversations, T.V. viewing, reading a book etc. Its impossible to sleep with the window open because of the excessive horn honking. It wakes me up and keeps me from getting a full night sleep. Sometimes it sounds like two trains are having a contest who can honk the longest. This problem is keeping some people from making Benson their home.

Please help, Thank you

Sandra Gill
251 So. Ocotillo Ave #167
Benson, Arizona
85602

May 6, 2018

Dear Mayor King & Council,

I, Ruth Thornberg residing at PO Box 788 Veneta, Or 97488, am sending this letter to show support for the initiation of the Quiet Zone. My reason for support is because while camping at the Butterfield RV Park I woke up repeatedly by the loud noises.

Respectfully,

Ruth Thornberg

5.6.18

TO: Mayor King & Council Members.

Re: Benson AZ Quiet Zone

Dear Mayor King & Council-

I, Suzanne Boisclair, recently stayed at the Butterfield RV Resort in Benson. and am writing this in support of initiation of the Quiet Zone. Benson is a lovely community and I would enjoy staying, but the frequency & duration of the train whistle 24/7 gives me pause to stay there again.

Thank you for your consideration,

Respectfully,

Suzanne Boisclair

SAMPLE: LETTER OF SUPPORT FOR THE BENSON ARIZONA QUIET ZONE

Date:

Mayor King & Council Members
120 W. 6th Street
Benson, AZ 85602

RE: Benson Arizona Quiet Zone

Dear Mayor Toney King and Council,

I Dottie Brown residing at 4115 W Aerie Dr. #8 Tucson Arizona 85741 am sending this letter to show support for the initiation of the Quiet Zone. My reason for support is *because (some choices may be annoying, effecting business, health, etc.)* I feel putting safety should always be first however we can compromise with aquiring peace within the community due to sound polution.

Respectfully,
Dottie Brown

May 4, 2018

Re: Benson, Arizona Quiet Zone

Dear Vicki Vivian,

I, Elton Bowman am sending this letter to show support for the acquition for a quiet zone in our city to stop the incessant train whistles. It is extremely annoying, disruptive to coversation and is louder than legally acceptable decibels in our community. Visitors to our community actually leave after a day because they cannot stand it.

Respectfully,

Elton Bowman

Elton Bowman

Date May 3, 2018

Re: Benson Arizona Quiet Zone

Dear Vicki Vivian

We are risiding at 251 So Ocotillo Ave space 164, am sending this letter to show our support for the Quiet Zone.
My reasons for this support is because not only is the train whistles annoying, they wake us up even with the windows closed.

It seems like the whistles are having a contest to see who can blow the whisle the longest and loudest.

Sincerly
The VanderLeest family

P.S. We had friends who were staying at the park and ended up leaving because they couldn't get any rest.

Butterfield Resort, 251 S Cautillo Ave, have heard complaints from newcomers to the resort about the loud trains. When we ourselves are outside we have had to stop conversations until the train has passed.

Jane Engelmann

5/5/2018

Mayor King & Council Members
120 W. 6th St.
Benson AZ 85602

Re: Benson Arizona Quiet Zone

Dear Mayor Tony King and Council,

I, Angie Jones residing at 251 S. Ocotillo Ave, am sending this letter to show support for the Initition of the Quiet Zone. My reason for support is because the whistles are too loud, too long. It is very annoying to enjoy the out of doors.

Respectfully,

Angie Jones

Section I. Pre-Rule Quiet Zones: Qualifying for Automatic Approval (Chart 1A)

1. Identify all the crossings you wish to include as part of the proposed Quiet Zone (QZ).

2. Check whether each crossing qualifies as a pre-rule crossing (horns not sounding on October 9, 1996 and December 18, 2003 because of state/local law or community agreement with the railroads). If all crossings do not qualify as pre-rule crossings, then the proposed quiet zone does not qualify as a Pre-Rule QZ, and you should refer to *Section III, New Quiet Zones*.

3. Determine whether you wish to eliminate any crossings from the proposed QZ. The length of a Pre-Rule QZ may continue unchanged from that which existed on October 9, 1996. If, however, you choose to eliminate a crossing, the QZ must be at least ½ mile in length along the railroad tracks.

4. A QZ may include highway-rail grade crossings on a segment of rail line crossing more than one political jurisdiction, or there may be roads within a particular area that are the responsibility of different entities (State or county roads within a town, for example). If the selected crossings are the responsibility of more than one entity, obtain the cooperation of all relevant jurisdictions.

5. Update the USDOT Grade Crossing Inventory Form to reflect conditions at each public and private crossing; this update should be complete, accurate, and be dated within 6 months prior to the QZ implementation. For instructions on how to complete the update, see the FRA website at http://www.fra.dot.gov/eLib/details/L02730.

6. If each public crossing in the proposed QZ is equipped with one or more Supplementary Safety Measures (SSMs) as defined in Appendix A of the Rule, the QZ qualifies for Automatic Approval. To complete the process of creating the QZ, notify the parties listed in rule section 222.43 by December 18, 2004.

   Note: Once the QZ has been created, install the required signage by December 18, 2006. (Refer to rule sections 222.25 and 222.35 for details.)

   Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 4.5-5 years. (Refer to rule section 222.47 for details.)

7. If every public crossing is not equipped with at least one SSM, then the QZ can automatically qualify by comparing its Quiet Zone Risk Index (QZRI) with the Nationwide Significant Risk Threshold (NSRT). However, these QZs are subject to annual review by the FRA.

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8. Using the FRA's Quiet Zone Calculator, a web-based tool that can be found at http://safetydata.fra.dot.gov/quiet/ , determine whether the QZRI of the proposed QZ is less than or equal to the NSRT. If the QZRI is less than or equal to the NSRT, the QZ qualifies for Automatic Approval. Notify the parties listed in rule section 222.43 by December 18, 2004.

   Note: Once the quiet zone has been created, install the required signage by December 18, 2006. (Refer to rule sections 222.25 and 222.35 for details.)

   Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

9. If the QZRI is greater than the NSRT, use the FRA's Quiet Zone Calculator to check whether it is less than twice the NSRT. If the QZRI is more than twice the NSRT, the QZ cannot qualify for Automatic Approval. For information on how to proceed, see *Section II, Pre-Rule Quiet Zones Not Qualified for Automatic Approval*.

10. If the QZRI is greater than the NSRT, but less than twice the NSRT, determine whether any of the public crossings have experienced a "relevant collision" on or after December 18, 1998. (See rule section 222.9 for the definition of a "relevant collision.") If there have not been any "relevant collisions" at any public crossing since December 18, 1998, the QZ qualifies for Automatic Approval. Notify the parties listed in rule section 222.43.

    Note: Once the quiet zone has been created, install the required signage by December 18, 2006. (Refer to rule sections 222.25 and 222.35 for details.)

    Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

11. If the QZRI is greater than the NSRT, but less than twice the NSRT, and there has been a "relevant collision" at a public crossing within the proposed QZ, the QZ cannot qualify for Automatic Approval. For information on how to proceed, see *Section II, Pre-Rule Quiet Zones Not Qualified for Automatic Approval*.

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Section II. Pre-Rule Quiet Zones Not Qualified for Automatic Approval (Chart 1B)

1. Review *Section I, Pre-Rule Quiet Zones: Qualifying for Automatic Approval,* to confirm that the proposed Pre-Rule Quiet Zone does not qualify for Automatic Approval.

2. If each crossing qualifies as a pre-rule crossing (horns not sounding on October 9, 1996 and December 18, 2003 because of state/local law or community agreement with the railroads), send notice of continuation of the quiet zone to all parties by December 18, 2004. (Refer to rule section 222.43 for details.)

   Note: If you eliminated any pre-rule crossings to create the proposed Quiet Zone, the Quiet Zone must be at least ½ mile in length along the railroad tracks.

3. Submit to FRA a detailed plan for establishing a quiet zone before December 18, 2006. This plan should include a timetable for the implementation of safety improvements. If you intend to implement ASMs, the plan should include a completed application for FRA approval of their use. If a detailed plan is not been submitted by December 18, 2006, the quiet zone will terminate. (Refer to rule section 222.41 for details.)

   Note: Since the proposed quiet zone does not qualify for Automatic Approval, any SSMs and ASMs used must be implemented in accordance with rule section 222.39.[1]

   Note: For guidance on ASM use, see *Section IV, Creating Quiet Zones using Engineering Alternative Safety Measures (modified SSMs)* and *Section V, Creating Quiet Zones using Non-engineering Alternative Safety Measures.*

   Note: Required signage must also be installed by December 18, 2006. (Refer to rule sections 222.25 and 222.35 for details.)

4. Install SSMs and/or traffic control device upgrades as necessary to reduce risk within the proposed quiet zone.

5. If every public crossing in the proposed Quiet Zone is equipped with one or more SSMs as defined in Appendix A of the Rule, you can establish the proposed Quiet Zone through public authority designation by completing the following steps:

---

[1] Although the requirements for implementation of SSMs and ASMs must be in accord with rule section 222.39, the Pre-Rule Quiet Zone requirements covering minimum length and traffic control devices remain in effect for these crossings.

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a. Complete the planned improvements by December 18, 2008,[2]

b. Update the USDOT Grade Crossing Inventory Form.

c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 4.5-5 years. (Refer to rule section 222.47 for details.)

6. Using the FRA's Quiet Zone Calculator, a web-based tool that can be found at http://safetydata.fra.dot.gov/quiet/, determine whether the implementation of SSMs, ASMs, and/or traffic control devices will reduce the QZRI of the proposed Pre-Rule Quiet Zone to the level of risk that would exist if the train horns were still sounded (RIWH). If the QZRI will be less than or equal to the RIWH, you can establish the Quiet Zone through public authority designation by completing the following steps:

   a. Complete the planned improvements by December 18, 2008,[2]

   b. Update the USDOT Grade Crossing Inventory Form.

   c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

   Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

7. Using the FRA's Quiet Zone Calculator, a web-based tool that can be found at http://safetydata.fra.dot.gov/quiet/, determine whether the implementation of SSMs, ASMs, and/or traffic control devices will reduce the QZRI of the proposed Pre-Rule Quiet Zone to the Nationwide Significant Risk Threshold (NSRT). If the QZRI will be less than or equal to the current NSRT, you can establish the Quiet Zone through public authority designation by completing the following steps:

   a. Complete the planned improvements by December 18, 2008.[2]

   b. Update the USDOT Grade Crossing Inventory Form.

---

[2] If the State is involved in the development of Quiet Zones, then the date for completion is extended an additional 3 years.

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c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

Note: Quiet Zones established by comparison to the NSRT are subject to annual FRA review. (Refer to rule section 222.51 for details.)

Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

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Section III. Creating a New Quiet Zone Using SSMs (Chart 2)

1. Select the crossings to be included in the New Quiet Zone.

2. A Quiet Zone may include highway-rail grade crossings on a segment of rail line crossing more than one political jurisdiction, or there may be roads within a particular area that are the responsibility of different entities (State or county roads within a town, for example). If the selected crossings are the responsibility of more than one entity, obtain the cooperation of all relevant jurisdictions.

3. A New Quiet Zone must be at least ½ mile in length along the railroad tracks.

4. A New Quiet Zone must have, at a minimum, flashing lights and gates in place at each public crossing. These must be equipped with constant warning time devices where reasonably practical, and power out indicators. Any necessary upgrades must be completed before calculating risk for the quiet zone.

5. Are there any private crossings within the proposed Quiet Zone? If any private crossings allow access to the public or provide access to active industrial or commercial sites, you must conduct a diagnostic team review of those crossings. Following the diagnostic review, you must comply with the diagnostic team's recommendations concerning those crossings.

6. Update the USDOT Grade Crossing Inventory Form to reflect conditions at each public and private crossing; this update should be complete, accurate, and dated within 6 months prior to the Quiet Zone implementation[3]. For instructions on how to complete the update, see the FRA website at http://www.fra.dot.gov/Content3.asp?P=801.

7. Using the FRA's Quiet Zone Calculator, a web-based tool that can be found at http://safetydata.fra.dot.gov/quiet/ , determine whether the Quiet Zone Risk Index (QZRI) of the proposed Quiet Zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT). If the QZRI is less than or equal to the NSRT, you can establish the Quiet Zone through public authority designation by completing the following steps:

    a. Install required signage at each crossing. (Refer to rule sections 222.25 and 222.35 for details.)

    b. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

[3] For New Quiet Zones, the baseline conditions for calculating risk require that the minimum required traffic control devices are in place. This first Inventory update, therefore, must be completed after the gates, lights, and signs are in place, but before the SSMs and other measures are implemented.

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Note: Quiet Zones established by comparison to the NSRT are subject to annual FRA review. (Refer to rule section 222.51 for details.)

Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

8. The step described above involves qualifying a quiet zone without implementing any Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs). If FRA's Quiet Zone Calculator indicates that the proposed quiet zone will not qualify on that basis, install any measures that are needed. To qualify for Public Authority Designation, you must implement SSMs, build grade separations, close crossings, or install wayside horns.

   Note: If you would like to implement any ASMs, their use must be approved in advance by FRA, in accordance with Appendix B of the rule. For guidance on ASM use, see *Section IV, Creating Quiet Zones using Engineering Alternative Safety Measures (modified SSMs)* or *Section V, Creating Quiet Zones using Non-engineering Alternative Safety Measures.*

9. If every public crossing in the proposed Quiet Zone is equipped with one or more SSMs, you can establish the Quiet Zone through public authority designation by completing the following steps:

   a. Install required signage at each crossing. (Refer to rule sections 222.25 and 222.35 for details.)

   b. Update the National Grade Crossing Inventory to reflect current conditions at each public and private crossing within the Quiet Zone.

   c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

   Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 4.5-5 years. (Refer to rule section 222.47 for details.)

10. If every public crossing is not equipped with an SSM, use FRA's Quiet Zone Calculator to determine whether enough SSMs have been implemented to reduce the QZRI to the level of risk that would exist if the train horns were still sounded (RIWH). The Quiet Zone Calculator can be found at http://safetydata.fra.dot.gov/quiet/. If the QZRI is less than or equal to the RIWH, you can establish the Quiet Zone through public authority designation by completing the following steps:

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a. Install required signage at each crossing. (Refer to rule sections 222.25 and 222.35 for details.)

b. Update the National Grade Crossing Inventory to reflect current conditions at each public and private crossing within the Quiet Zone.

c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

11. Use FRA's Quiet Zone Calculator to determine whether enough SSMs have been implemented to reduce the QZRI to the Nationwide Significant Risk Threshold (NSRT). The Quiet Zone Calculator can be found at http://safetydata.fra.dot.gov/quiet/. If the QZRI is less than or equal to the current NSRT, you can establish the Quiet Zone through public authority designation by completing the following steps:

a. Install required signage at each crossing. (Refer to rule sections 222.25 and 222.35 for details.)

b. Update the National Grade Crossing Inventory to reflect current conditions at each public and private crossing within the Quiet Zone.

c. Notify the parties listed in the rule. (Refer to rule section 222.43 for details.)

Note: Quiet Zones established by comparison to the NSRT are subject to annual FRA review. (Refer to rule section 222.51 for details.)

Note: Periodic updates, including updated USDOT Grade Crossing Inventory Forms, must be submitted to FRA every 2.5-3 years. (Refer to rule section 222.47 for details.)

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Chart 1A - Pre-Rule Quiet Zones: Qualifying for Automatic Approval

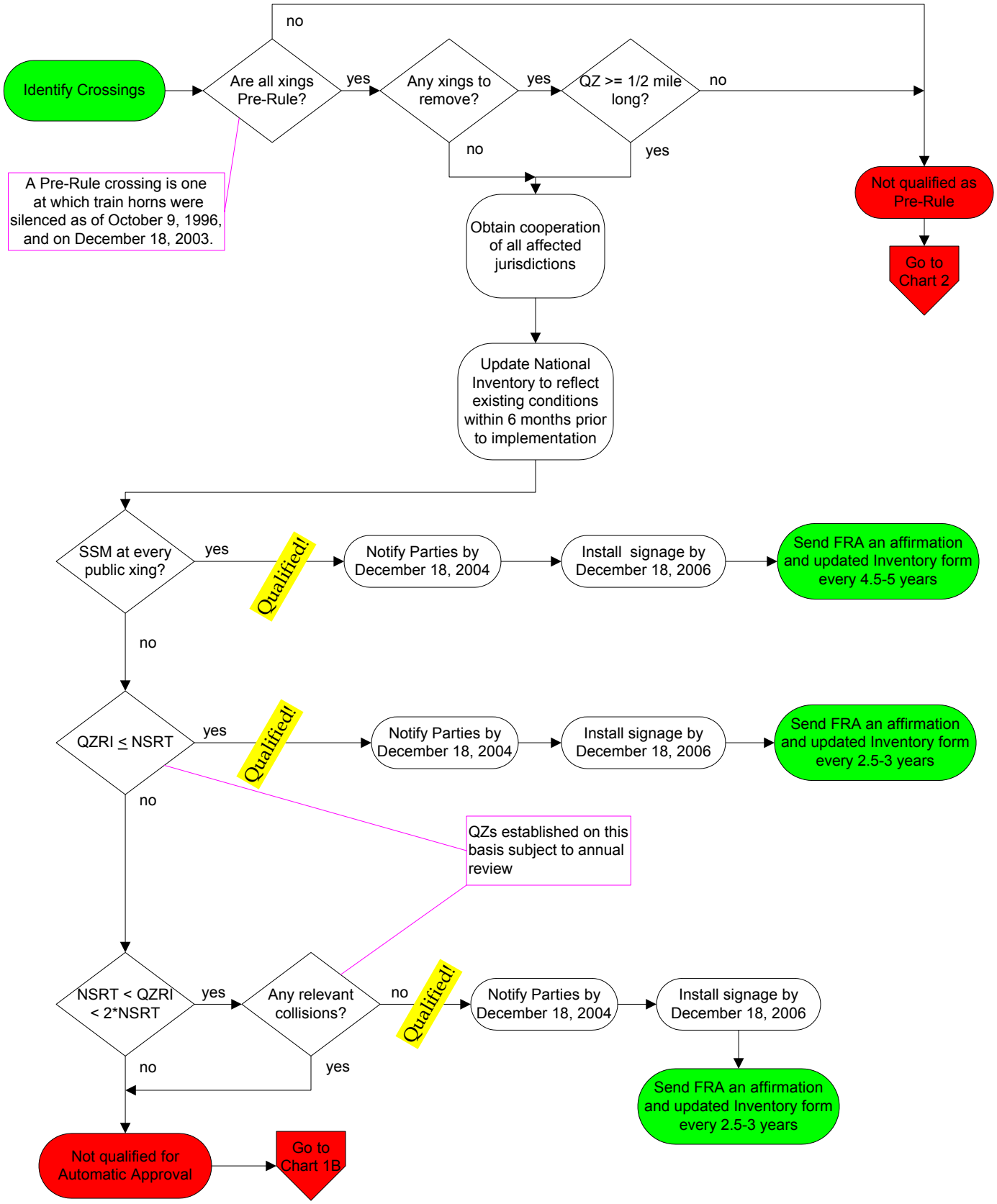

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Chart 1B - Pre-Rule Quiet Zones: Not Qualified for Automatic Approval

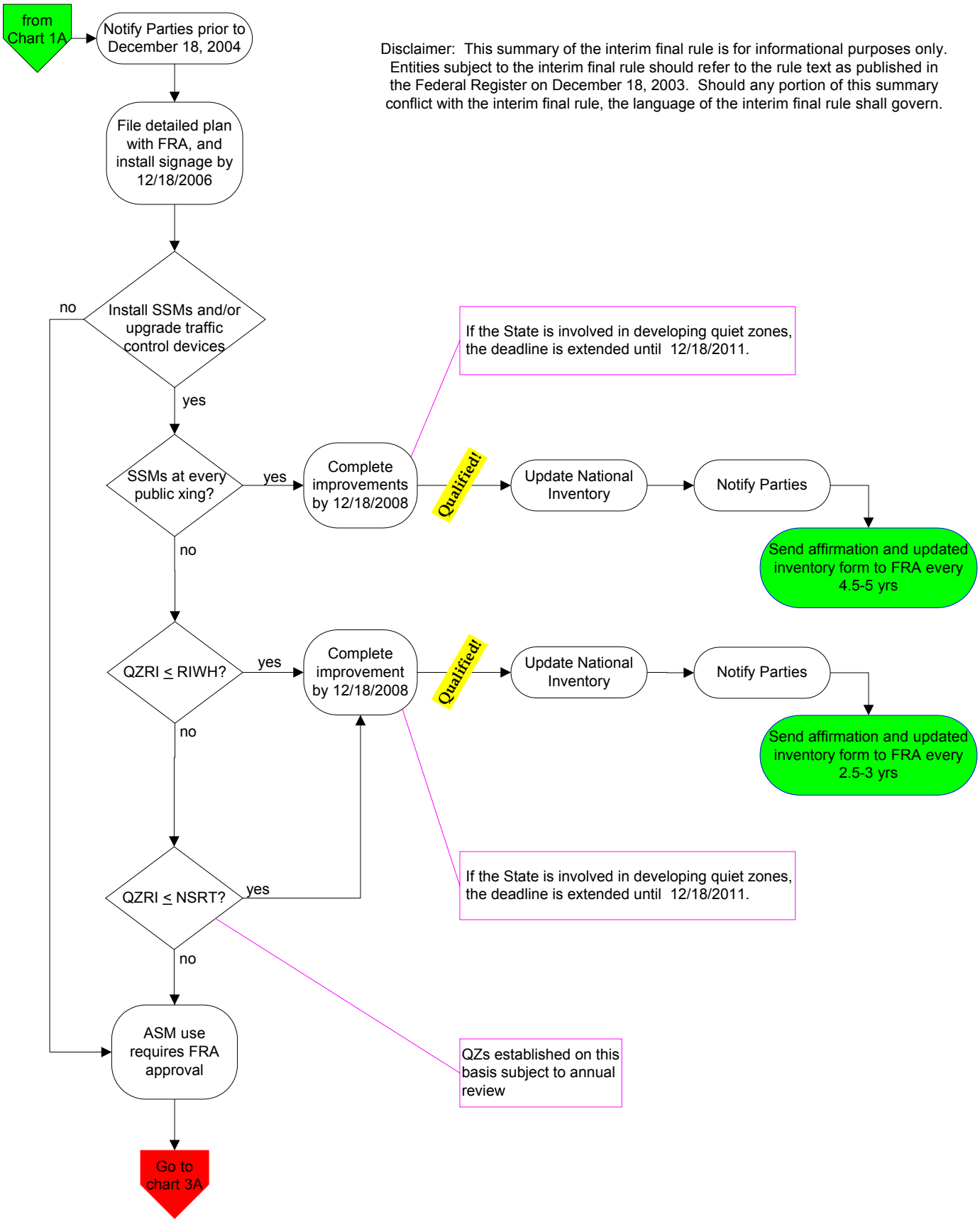

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Chart 2 - Creating a New Quiet Zone using SSMs

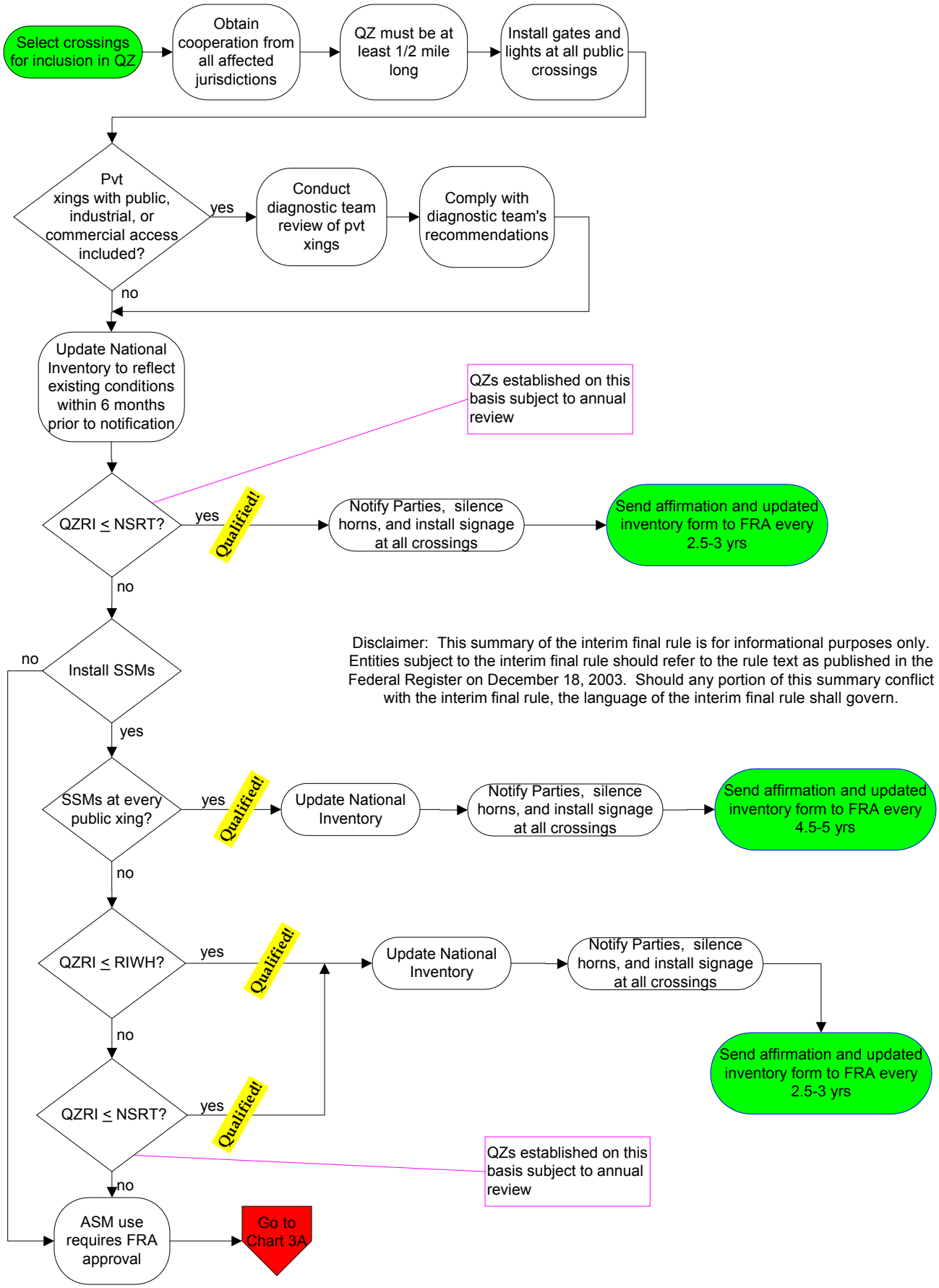

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Chart 3A - Creating a Quiet Zone using Engineering ASMs (Modified SSMs)

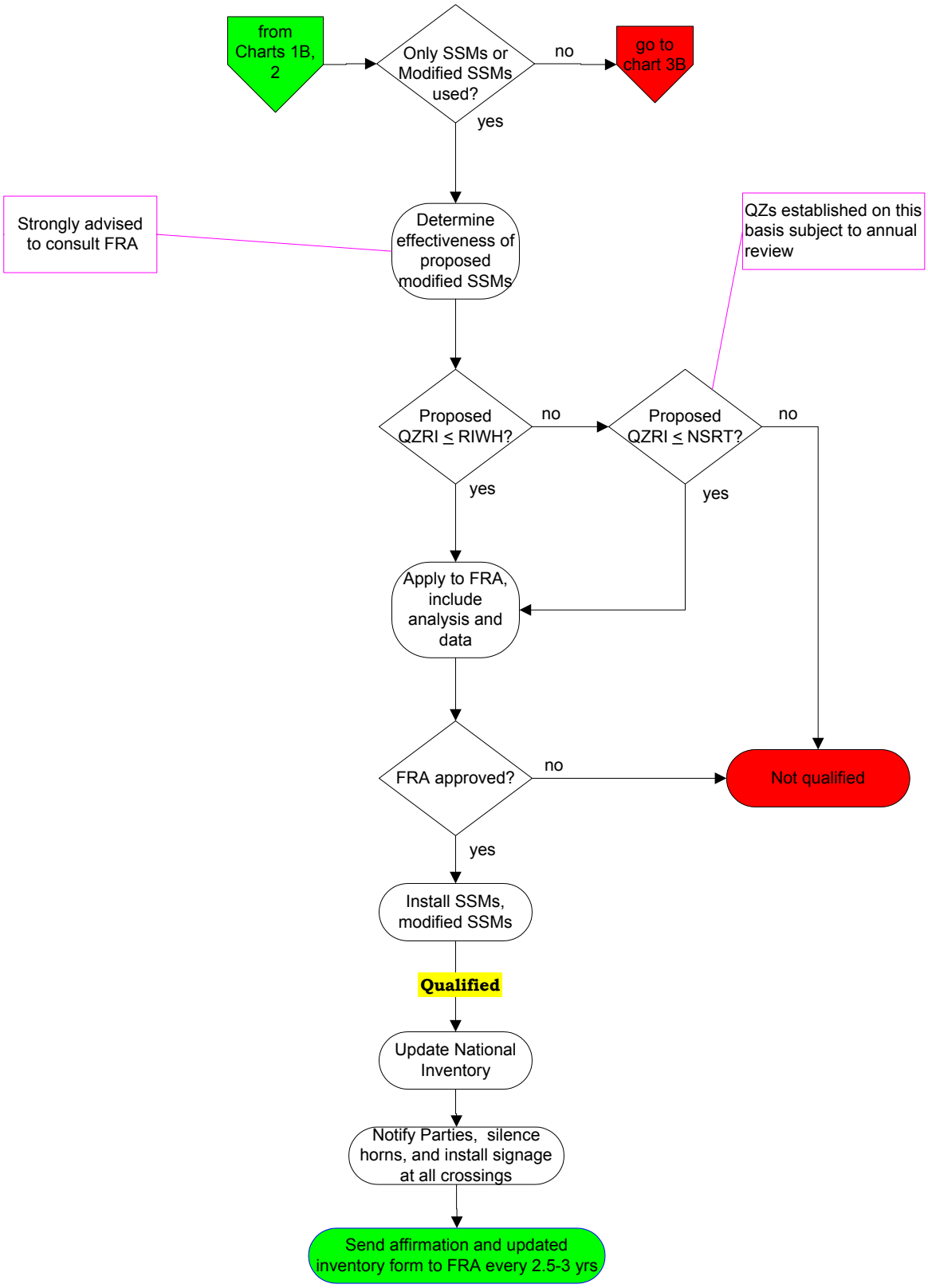

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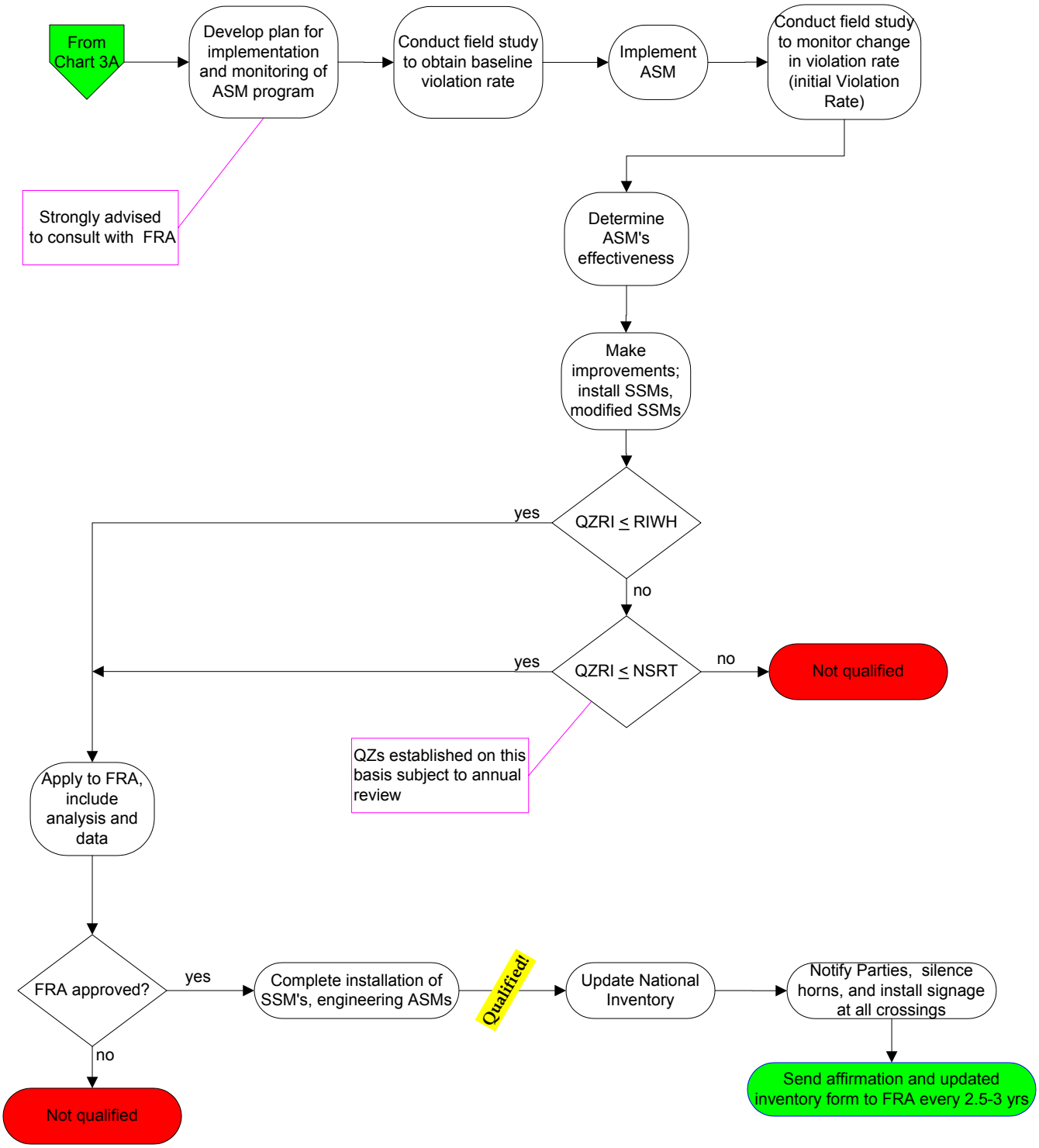
Chart 3B: Creating a Quiet Zone using Non-engineering ASMs



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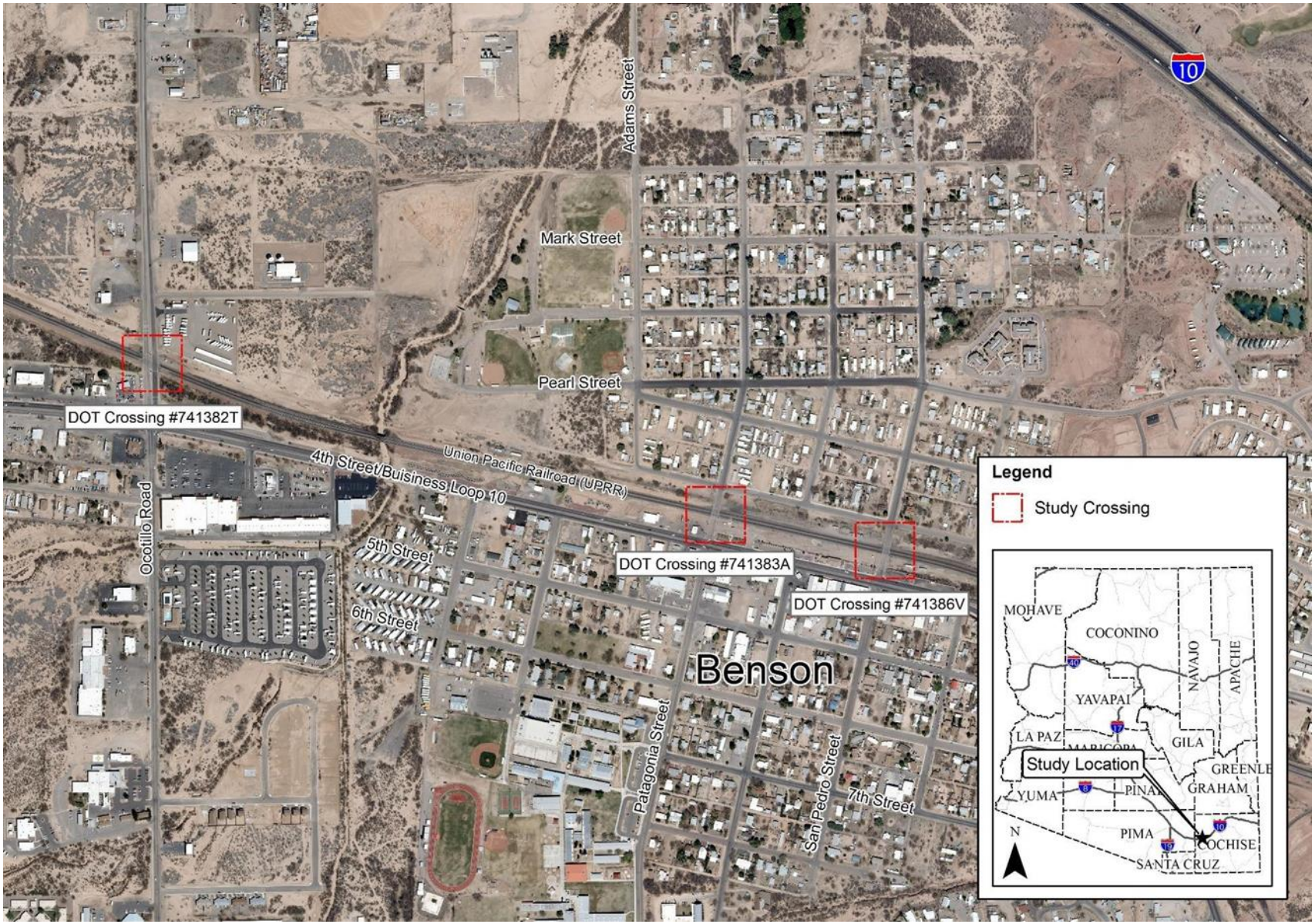
Benson Arizona Founded 1880

Gateway to the San Pedro Valley

Railroad Quiet Zone

Feasibility Study


Adams Street
Mark Street
Pearl Street
DOT Crossing #741382T
Union Pacific Railroad (UPRR)
4th Street/Buisiness Loop 10
Ocotillo Road
5th Street
6th Street
DOT Crossing #741383A
DOT Crossing #741386V
Benson
Patagonia Street
San Pedro Street
7th Street
10
Legend
Study Crossing
MOHAVE
COCONINO
NAVAJO
APACHE
YAVAPAI
LA PAZ
GILA
Study Location
GREENLE
GRAHAM
YUMA
PINAL
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COCHISE
SANTA CRUZ
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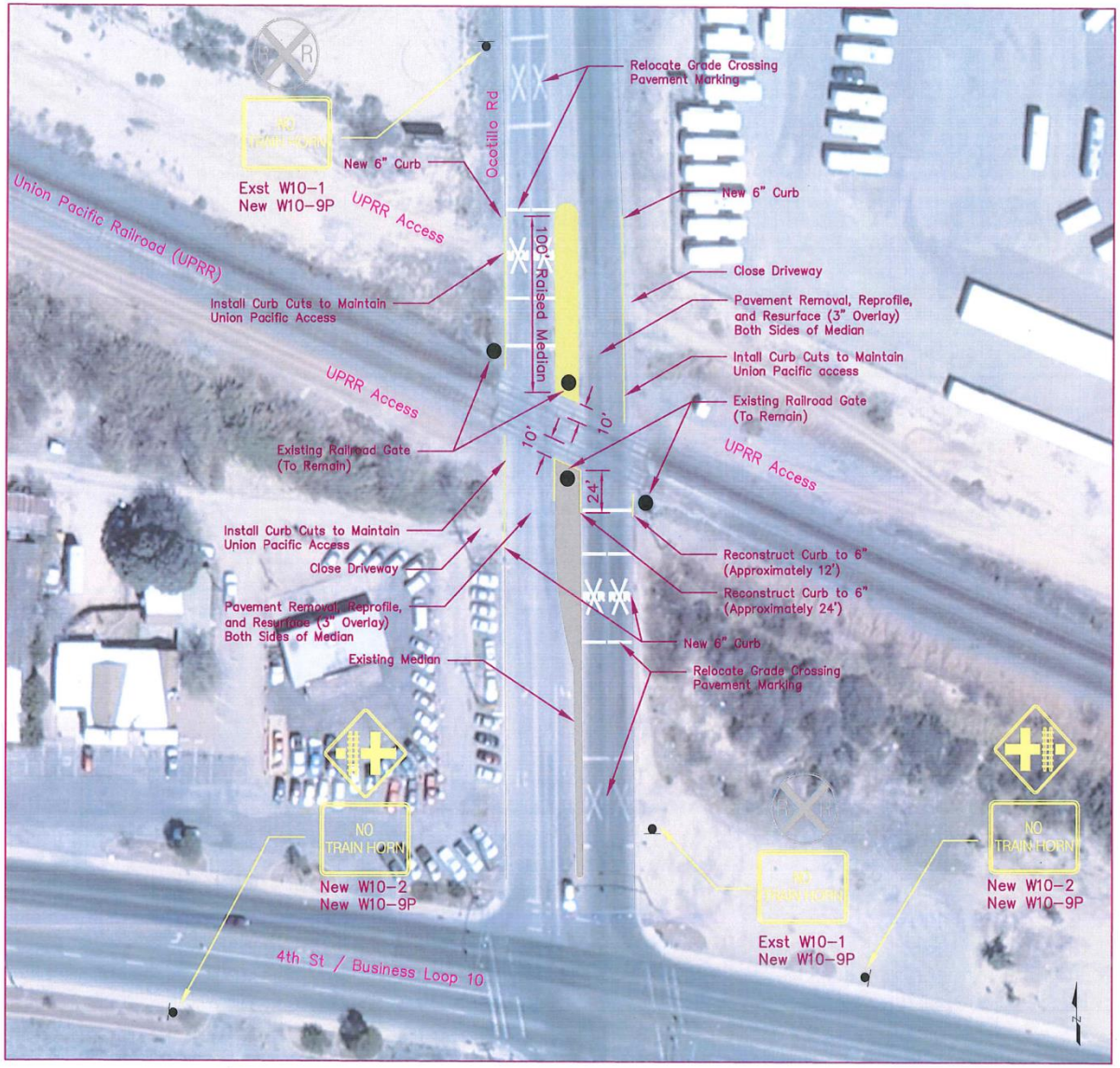

Ocotillo Road / Union Pacific Railroad Crossing
(DOT Crossing #741382T)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work — $ 2,000
   - Install (2) W10-9P plaques under existing W10-1 signs
   - Install (2) W10-2 signs with (2) W10-9P plaques
2. Median/Channelization Work — $ 17,360
   - 6" Vertical Curb – 580 L.F.
   - Concrete Median Pavement
3. Pavement Work — $ 71,951
   - Pavement Marking (4" Equiv,) 1540 L.F.
   - Pavement Removal, Reprofile, and Resurface (3" Overlay) Both Sides of Median
4. Other Construction Costs: — $ 87,144
   - Design
   - Railroad Coordination
   - Mobilization
   - Traffic Control
   - Contingencies

Total Preliminary Opinion of Probable Cost: $ 178,455

Exhibit A:
Ocotillo Road

Scale: 1"=60'

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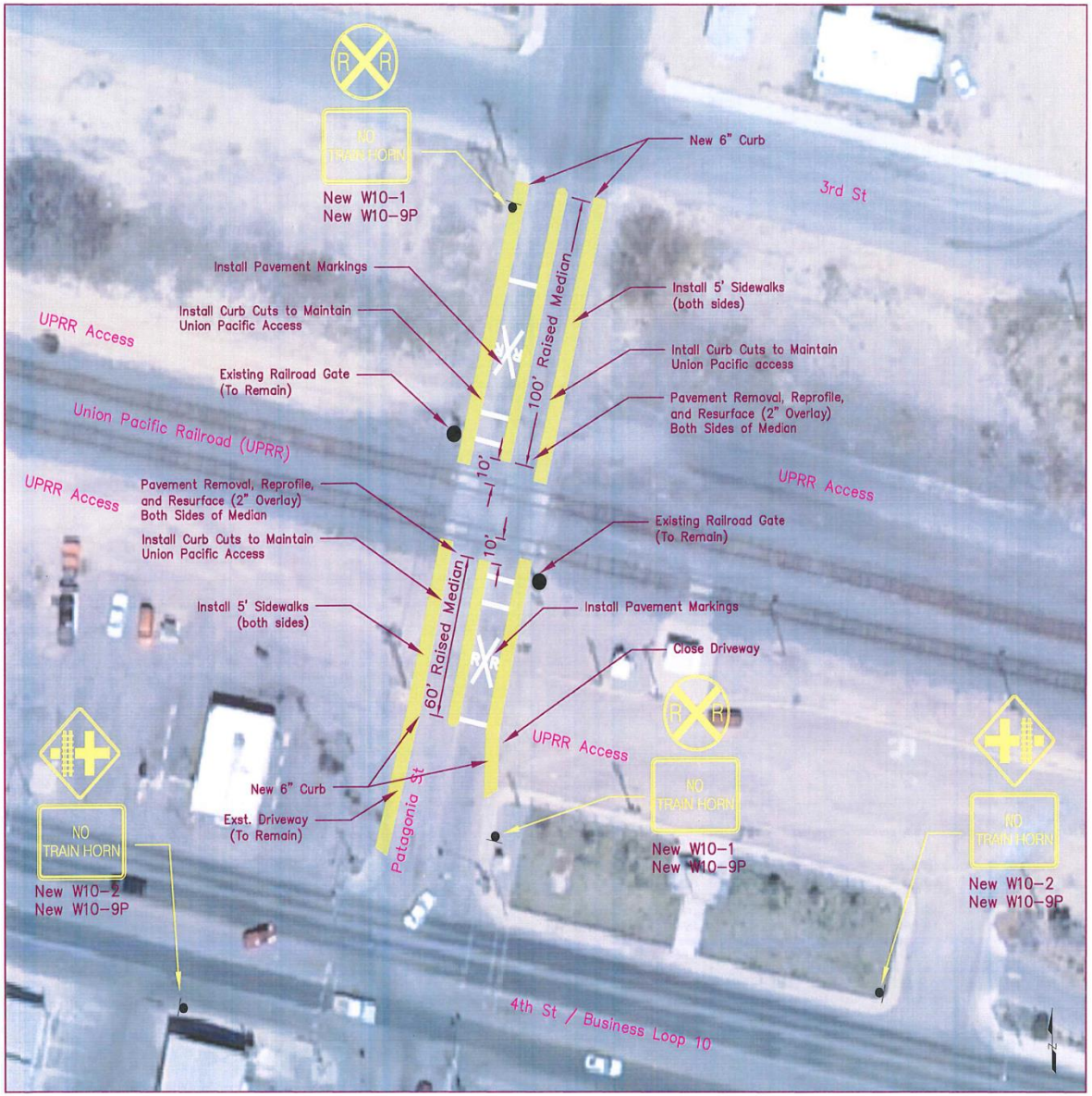

Patagonia Street / Union Pacific Railroad Crossing (DOT Crossing #741383A)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work

– Install (2) W10-1 signs with (2) W10-9P plaques – Install (2) W10-2 signs with (2) W10-9P plaques	$ 3,200

2. Median/Channelization Work

6" Vertical Curb – 705 L.F. Concrete Median Pavement	$ 16,890

3. Pavement Work

– Pavement Marking (4" Equiv,) 1,072 L.F. – Pavement Removal, Reprofile, and Resurface (2" Overlay) Both Sides of Median	$ 48,912

4. Miscellaneous Work

Sidewalk Installation 2,080 S.F.	$ 12,480

5. Other Construction Costs: $ 79,153

– Design
– Railroad Coordination
– Mobilization
– Traffic Control
– Contingencies

Total Preliminary Opinion of Probable Cost:	$ 160,635

Exhibit B:
Patagonia Street

Scale: 1"=40'

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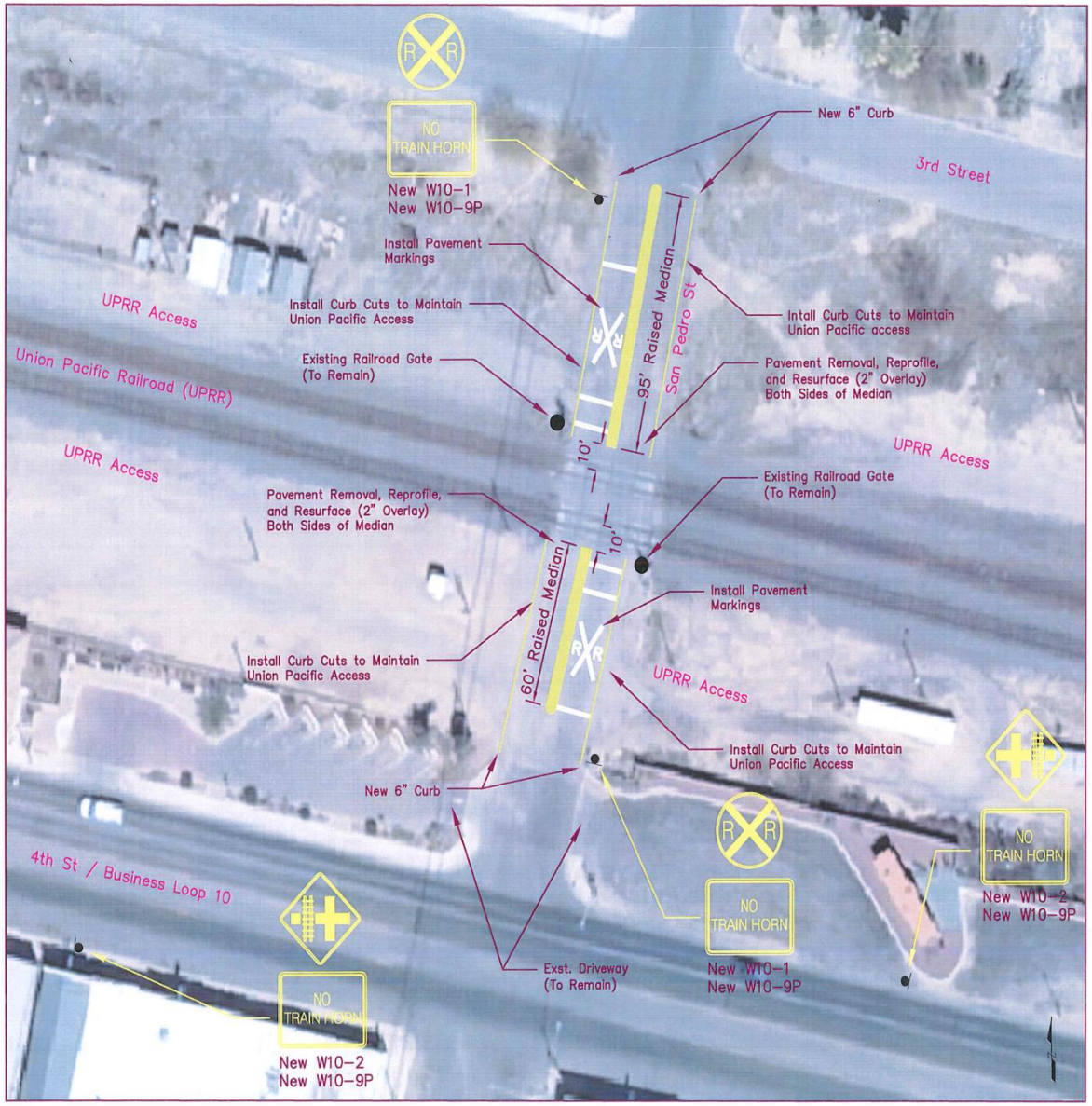

San Pedro Street / Union Pacific Railroad Crossing (DOT Crossing #741386V)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work

- Install (2) W10-1 signs with (2) W10-9P plaques — $ 3,200
- Install (2) W10-2 signs with (2) W10-9P plaques

2. Median/Channelization Work — $ 16,290

6" Vertical Curb – 675 L.F.
Concrete Median Pavement

3. Pavement Work — $ 48,912

- Pavement Marking (4" Equiv.) 1,072 L.F.
- Pavement Removal, Reprofile, and Resurface (2" Overlay) Both Sides of Median

4. Miscellaneous Work — $ 5,000

Utilities Relocation

5. Other Construction Costs: — $ 68,239

- Design
- Railroad Coordination
- Mobilization
- Traffic Control
- Contingencies

Total Preliminary Opinion of Probable Cost: $ 141,641

Exhibit C:
San Pedro Street

Scale: 1"=40'

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Tucson, Arizona 85705 (520) 615-9191

Railroad Quiet Zone

- Preliminary Cost Estimate
  - Ocotillo Rd $178,455
  - Patagonia St $160,635
  - San Pedro St $141,641

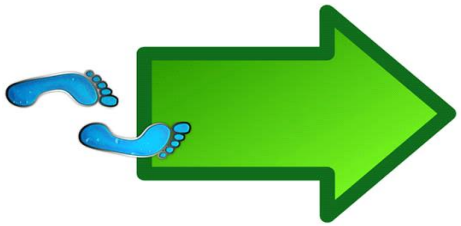
    Total $480,731

- Quiet Zone vs. Delayed Maintenance

  QZ $310,956 DM $169,775

Railroad Quiet Zone

- Next Steps
  - Design SSM Improvement (Construction Plans)
  - Construct SSM Improvement (Construction)
- Funding
  - Grants ?
  - Phased Construction?
  - Financing ?
  - We don’t need an answer on Funding yet.



Railroad Quiet Zone

City of Benson Railroad Quiet Zone Feasibility Study

September 19, 2016

Prepared for:
City of Benson
120 W. 6th Street
Benson, AZ 85602

Prepared by:
Kimley-Horn and Associates, Inc.
333 E. Wetmore Road, Suite 280
Tucson, AZ 85705

City of Benson Railroad Quiet Zone Feasibility Study

Final Report

September 2016

Registered Professional Engineer (Civil)
CERTIFICATE NO
43294
MICHAEL L.
GRANDY
Date Signed 09-19-16
ARIZONA U.S.A.
Expires 09-30-17

Prepared for:
City of Benson
120 W. 6th Street
Benson, AZ 85602

Prepared by:

Kimley»Horn

333 East Wetmore Road
Suite 280
Tucson, AZ 85705

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1 INTRODUCTION

This report documents the findings of the Benson Railroad Quiet Zone Feasibility Study performed for the City of Benson. The study locations include three at-grade Union Pacific Railroad (UPRR) crossings within the City of Benson. These railroad crossings are at:

- Ocotillo Road (DOT Crossing #741382T)
- Patagonia Street (DOT Crossing #741383A)
- San Pedro Street (DOT Crossing #741386V)

The quiet zone feasibility study involved the collaboration of the City of Benson (City), Federal Railroad Administration (FRA), UPRR, Amtrak, Arizona Corporation Commission (ACC), and Arizona Department of Transportation (ADOT).

The key tasks associated with this study are:

- Existing Condition Evaluation
  - Diagnostic team review meeting
  - Update U.S. DOT Crossing Inventory Form
- Quiet Zone Evaluation
  - Using the FRA's Quiet Zone Calculator, calculate the various risk indices/thresholds (Quiet Zone Risk Index (QZRI), Nationwide Significant Risk Threshold (NSRT), and Risk Index with Horns (RIWH))
  - As needed, identify Supplemental Safety Measures (SSMs) or Alternative Safety Measures (ASMs) to allow for the establishment of a quiet zone
  - Identify next steps for establishment of a quiet zone

1.1 Background and Study Objective

The City has expressed interest in determining if a railroad quiet zone can be established at the three aforementioned at-grade highway/railroad crossings to improve livability in the vicinity of the at-grade railroad crossings.

FRA regulations state that trains are currently required to sound horns in advance of at-grade crossings unless a "quiet zone" has been established that prohibits the sounding of train horns except in emergencies. The purpose of this study is to determine the feasibility of establishing a quiet zone and to identify what improvements and other next steps are needed to establish a quiet zone. The quiet zone establishment process is outlined in the FRA "Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings", amended August 17, 2006 (FRA Final Rule).

Under the Final Rule, an at-grade railroad crossing must meet one of the following conditions to establish a quiet zone:

1. The QZRI is less than or equal to the NSRT with or without additional safety measures.
2. The QZRI is less than or equal to the RIWH with additional safety measures.
3. Install SSMs at every public highway-rail crossing.

2 STUDY AREA AND EXISTING CONDITIONS

The three UPRR crossings included in this study are located in the City of Benson. The City of Benson is located in southeastern Arizona within Cochise County. These railroad crossings are located on Ocotillo Road, Patagonia Street, and San Pedro Street just north of 4th Street / Business Loop 10, a facility owned and maintained by ADOT. The double-track railroad runs parallel to 4th Street / Business Loop 10 through Benson and is part of UPRR's Sunset Route that carries freight between Los Angeles, California and El Paso, Texas. Amtrak has a Sunset Limited intercity passenger train route that utilizes the UPRR Sunset Route, with an Amtrak stop located near the Patagonia Street crossing in Benson.

The U.S. DOT Crossing Inventory Forms for each crossing are provided in **Appendix A**. These forms provide detailed information on the characteristics of each crossing. According to the current inventory forms, approximately 40 trains pass through the Benson area daily and the speeds of the trains typically range from 22 miles per hour (mph) to 45 mph. A map of the three study at-grade crossings is provided in **Figure 1**. More information from each crossing's inventory is provided below.

Ocotillo Road (DOT Crossing #741382T)

Ocotillo Road is classified as a Rural Major Collector north of 4th Street / Business Loop 10. Ocotillo Road provides direct access to I-10 to the north of the railroad crossing. Ocotillo Road consists of a 4-lane cross-section with a raised median south of the UPRR tracks. North of the railroad tracks, Ocotillo Road immediately tapers to a 2-lane roadway. The roadway speed limit is posted at 35 mph and average daily traffic (ADT) volumes were observed to be 2,926 vehicles per day in 2015. Based on a review of recent crash data (2011 - 2015), zero crashes occurred at the at-grade crossing that involved the railroad.

Ocotillo Road has advance warning railroad crossing striping and signage at both the north and south approaches. Two gate arms are used at each approach. One driveway (not counting UPRR access points) exists within the vicinity of the railroad track (100' or less) on the west side of the road south of the railroad. A summary of the existing conditions for Ocotillo Road is provided in **Table 1**.

Table 1: Ocotillo Road Railroad Crossing Details

Element	Description
ADT	2,926
Posted Speed Limit (mph)	35
Cross-section	Partial Raised Median (south approach)
Number of Lanes	4 (at railroad approaches)
Distance to the Closest Intersection	263'

Railroad Related Incidents (2011 – 2015)	0
# of Tracks	2
Maximum Speed (train)	55
Railroad Crossing Control	2 Gates per approach, flashing lights

Patagonia Street (DOT Crossing #741383A)

Patagonia Street is classified as a Rural Local street north of 4th Street / Business Loop 10. Patagonia Street provides a connection to neighborhoods north and south of the railroad tracks. The roadway consists of a 2-lane cross-section on both sides of the UPRR tracks. The roadway speed limit is posted at 25 mph and the ADT volumes were observed to be 1,251 vehicles per day in 2015. Based on a review of recent crash data (2011 - 2015), one crash occurred at the at-grade crossing that involved the railroad.

There are no railroad crossing advance warning striping or signage provided at the north and south approaches of the railroad crossing. Single gate arms are used at each approach. A business access driveway exists on the west side of Patagonia Street south of the railroad tracks. An Amtrak station driveway is located on the east side of Patagonia Street south of the railroad. A summary of the existing conditions for Patagonia Street is provided in **Table 2**.

Table 2: Patagonia Street Railroad Crossing Details

Element	Description
ADT	1,251
Posted Speed Limit (mph)	25
Cross-section	Undivided
Number of Lanes	2
Distance to the Closest Intersection	130’
Railroad Related Incidents (2011 – 2015)	1
# of Tracks	2
Maximum Speed (train)	55
Railroad Crossing Control	1 Gate per approach, flashing lights

San Pedro Street (DOT Crossing #741386V)

San Pedro Street is classified as a Rural Local street both north and south of 4th Street / Business Loop 10. The roadway consists of a 2-lane cross-section on both sides of the UPRR tracks. The roadway speed limit is posted at 25 mph and the ADT volumes were observed to be 984 vehicles per day in 2015. Based on a review of recent crash data (2011 – 2015), zero crashes occurred at the at-grade crossing that involved the railroad.

Similar to Patagonia Street, there are no railroad crossing advance warning striping or signage provided at both the north and south approaches of the railroad crossing. Single gate arms are used at each approach. Aside from the UPRR designated access drives, no driveways are within the vicinity of the railroad tracks. A summary of the existing conditions for San Pedro Street is provided in **Table 3**.

Table 3: San Pedro Street Railroad Crossing Details

Element	Description
ADT	984
Posted Speed Limit (mph)	25
Cross-section	Undivided
Number of Lanes	2
Distance to the Closest Intersection	130’
Railroad Related Incidents (2011 – 2015)	0
# of Tracks	2
Maximum Speed (train)	55
Railroad Crossing Control	1 Gate per approach, flashing lights

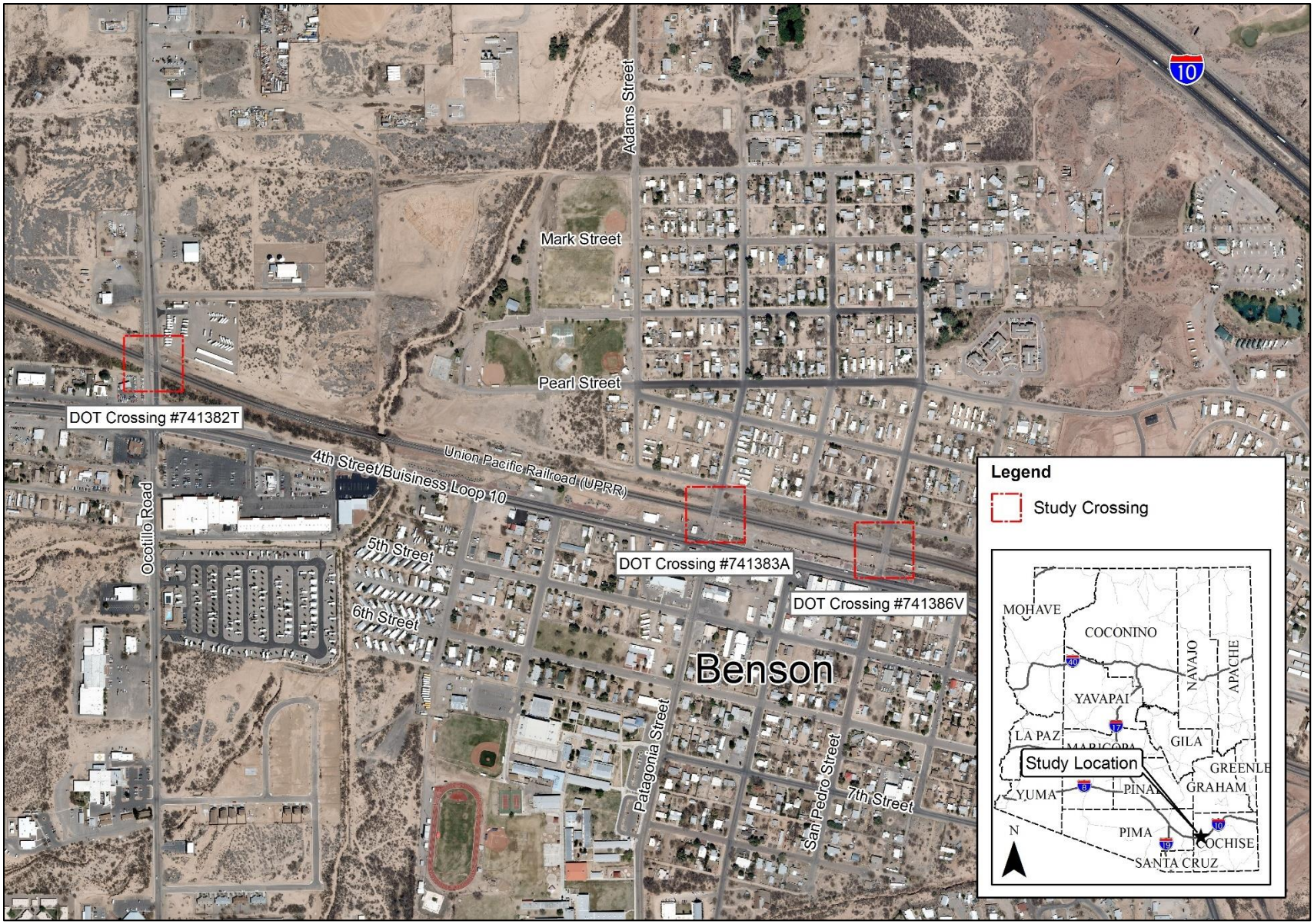


Figure 1: Study At-Grade Railroad Crossing Locations

3 QUIET ZONE EVALUATION

3.1 Diagnostic Team Review Meeting

A diagnostic team review meeting regarding existing conditions at the three study crossings was conducted on Tuesday, June 14, 2016. The meeting included an extensive review of each location. The meeting included the key stakeholders from the City, FRA, UPRR, ACC, and ADOT. The meeting provided an opportunity for the team to review existing conditions to update the U.S. DOT Crossing Inventory Forms and also to discuss the potential SSM improvements that would be required to establish a quiet zone.

The meeting minutes are provided in **Appendix B**.

3.2 Summary of Recommended SSMs and Other Improvements

It was determined by the diagnostic team that providing raised medians and closing driveways near the railroad along Ocotillo Road, Patagonia Street, and San Pedro Street in the vicinity of the railroad crossings will provide SSMs at each crossing that make the three at-grade railroad crossings eligible for the establishment of a quiet zone per the FRA Final Rule. The recommended improvements generated by the diagnostic team review meeting are summarized for each crossing below. These recommendations were further developed into conceptual drawings and a preliminary opinion of probable cost (OPC) was developed for each crossing. A conceptual drawing of each crossing location that provides more details on the SSMs and other recommended improvements are provided in **Appendix C**. The break-down of the preliminary OPC for each crossing are provided in **Appendix D**.

Ocotillo Road (DOT Crossing #741382T)

- Construct 100' median island north of the railroad tracks
- Construct 6" curb along both sides of the crossing with curb cuts for UPRR access drives as illustrated in the conceptual drawing
- Install two (2) "No Train Horn" plaques (W10-9P) under existing W10-1 signs
- Install two (2) W10-2 signs with two (2) "No Train Horn" plaques (W10-9P) on 4th Street / Business Loop 10
- Relocate existing railroad crossing striping and install new 24" stop bar striping
- Close existing driveway on the southwest side of the railroad crossing
- Other required improvements as illustrated in the conceptual drawings

While not considered a railroad crossing SSM or a Quiet Zone requirement, the City of Benson desires to also implement the following improvement to provide a smoother ride for vehicles approaching and departing from the railroad crossing:

- Pavement removal, reprofile, and resurface (3" Overlay) on both sides of existing/proposed median islands

Preliminary Opinion of Probable Cost for all improvements listed above: ***$ 178,455***

Patagonia Street (DOT Crossing #741383A)

- Construct a 95' median island north of the railroad tracks and a 60' median south of the railroad tracks
- Construct 6" curb along both sides of the crossing with curb cuts for UPRR access drives, specific locations are illustrated in the conceptual drawing
- Install two (2) W10-1 signs with "No Train Horn" plaques (W10-9P)
- Install two (2) W10-2 signs with two (2) "No Train Horn" plaques (W10-9P) on 4th Street / Business Loop 10
- Install railroad crossing and 24" stop bar striping
- Other required improvements as illustrated in the conceptual drawings.

While not considered a railroad crossing SSM or a Quiet Zone requirement, the City of Benson desires to also implement the following improvements to provide a smoother ride for vehicles approaching and departing from the railroad crossing and to provide pedestrian facilities:

- 5' sidewalk on both sides of Patagonia Street from 4th Street /Business Loop 10 to 3rd Street to accommodate high pedestrian traffic volumes.
- Pavement removal, reprofile, and resurface (2" Overlay) on both sides of proposed median islands

Preliminary Opinion of Probable Cost for all improvements listed above: ***$ 160,635***

San Pedro Street (DOT Crossing #741386V)

- Construct a 95' raised median north of the railroad tracks and a 60' median south of the railroad tracks
- Construct 6" curb along both sides of the crossing with curb cuts for UPRR access drives, specific locations are illustrated in the conceptual drawing
- Install two (2) W10-1 signs with "No Train Horn" plaques (W10-9P)
- Install two (2) W10-2 signs with two (2) "No Train Horn" plaques (W10-9P) on 4th Street / Business Loop 10
- Install railroad crossing and 24" stop bar striping
- Other required improvements as illustrated in the conceptual drawings

While not considered a railroad crossing SSM or a Quiet Zone requirement, the City of Benson desires to also implement the following improvement to provide a smoother ride for vehicles approaching and departing from the railroad crossing:

- Pavement removal, reprofile, and resurface (2" Overlay) on both sides of proposed median islands

Preliminary Opinion of Probable Cost for all improvements listed above: ***$ 141,641***

It is important to note the general design criteria for the Gate with Raised Median SSM require the squared edge be 10' from the nearest rail. Also, the median must extend 100' from the nearest gate arm unless there is a driveway or intersection, in which case the median must extend a minimum of 60'. The median must be a minimum of 3' wide with a curb of 6" in height.

According to the results of the FRA's Quiet Zone Calculator **(Appendix E)**, the average QZRI for the three crossings is **13,452.97** with the recommended SSMs. The web-based tool can be found at http://safetydata.fra.dot.gov/quiet/. The QZRI is below the NSRT of **14,347.00** which indicates that the three (3) crossings qualify as a quiet zone designation after the SSMs recommended above are installed and appropriate parties are notified as referred in *Section 222.43* of the FRA's ***Use of Locomotive Horns at Highway-Rail Grade Crossings; Final Rule*.** Note that the crossings' QZRI are below the NSRT without the SSMs; however, implementing the SSMs would provide permanent quiet zone designation.

4 QUIET ZONE IMPLEMENTATION – NEXT STEPS

The preliminary analysis, diagnostic team review (6-14-2016), update of the U.S. DOT Crossing Inventory Forms (6-15-2016) and initial railroad coordination tasks have been accomplished within this study. Once the recommended SSMs and associated improvements are installed, a quiet zone can be established for the three study railroad crossings.

The Quiet Zone Establishment process will require that a Notice of Intent (NOI) and Notice of Establishment (NOE) be issued to all parties. The NOI provides notice to the railroads and state agencies that the public authority is planning on creating a new Quiet Zone. From the time the NOI is received, the state agencies and railroads will be given 60 days to provide information and comments to the public agency (City of Benson). The NOE provides a means for the public authority (City of Benson) to formally advise affected parties that a quiet zone is being established.

The Quiet Zone Establishment Process includes the following steps:

1. Design and Implement SSM Improvements (**3 – 6 months**)
2. Issue the Notice of Intent (NOI) to establish a quiet zone (**approximately 90 days**)
    - Prepare the official quiet zone application packet to include the following:
        - Sufficient detail concerning the present safety measures at all crossings within the proposed quiet zone.
        - Detailed information on the safety improvements that are proposed to be implemented.
        - Membership and recommendations of the diagnostic team that reviewed the proposed quiet zone.
        - Statement of efforts taken to address comments submitted by affected railroads, the State agency responsible for the grade crossing safety and highway and road safety.
        - A commitment to implement the proposed safety measures. Or demonstrate that the SSMs have been installed (depends on the time frame of the SSM design and implementation)
        - Demonstrate through data and analysis that the proposed measures will reduce the QZRI to levels equal to, or less than, either the NSRT or RIWH
        - A copy of the application must be provided to: All railroads operating over the public highway-rail grade crossing (UPRR, and Amtrak); the railroad authority having jurisdiction (FRA); the highway or traffic control or law enforcement authority having jurisdiction (City of Benson Police Department), and the state agency (ADOT and ACC) overseeing at-grade railroad crossings.
3. Issue the Notice of Establishment (NOE) for the quiet zone to the entities mentioned above;
4. Send affirmation and updated inventory form to FRA every 4.5 – 5 years

The flow-chart for *Creating a New Quiet Zone using SSMs (Chart 2)* in Section III of the FRA's Final Rule is provided in **Appendix F**. The chart contains mark-ups/comments on what steps have been completed and what is pending.

APPENDIX A – U.S. DOT INVENTORY CROSSING FORMS

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)* 07 / 18 / 2016

B. Reporting Agency ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)* ☒ Change in Data ☐ New Crossing ☐ Closed ☐ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number 741382T

Part I: Location and Classification Information

1. Primary Operating Railroad Union Pacific Railroad Company [UP]

2. State ARIZONA

3. County COCHISE

4. City / Municipality ☒ In ☐ Near BENSON

5. Street/Road Name & Block Number OCOTILLO ROAD *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No. CITY

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR

8. Do Other Railroads Operate Over Your Track at Crossing? ☒ Yes ☐ No
If Yes, Specify RR ATK

9. Railroad Division or Region ☐ None SUNSET

10. Railroad Subdivision or District ☐ None Lordsburg

11. Branch or Line Name ☒ None

12. RR Milepost *(prefix)* | 1031.910 *(nnnn.nnn)* | *(suffix)*

13. Line Segment *

14. Nearest RR Timetable Station *

15. Parent RR *(if applicable)* ☒ N/A

16. Crossing Owner *(if applicable)* ☒ N/A

17. Crossing Type ☒ Public ☐ Private

18. Crossing Purpose ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position ☒ At Grade ☐ RR Under ☐ RR Over

20. Public Access *(if Private Crossing)* ☐ Yes ☐ No

21. Type of Train ☒ Freight ☐ Transit ☒ Intercity Passenger ☐ Shared Use Transit ☐ Commuter ☐ Tourist/Other

22. Average Passenger Train Count Per Day ☒ Less Than One Per Day ☐ Number Per Day

23. Type of Land Use ☐ Open Space ☐ Farm ☐ Residential ☒ Commercial ☐ Industrial ☐ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☒ No If Yes, Provide Crossing Number

25. Quiet Zone *(FRA provided)* ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established

26. HSR Corridor ID ☒ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)* 31.9713452

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)* -110.3071125

29. Lat/Long Source ☒ Actual ☐ Estimated

30.A. Railroad Use *

31.A. State Use *

30.B. Railroad Use *

31.B. State Use *

30.C. Railroad Use *

31.C. State Use *

30.D. Railroad Use *

31.D. State Use *

32.A. Narrative *(Railroad Use)* * MED N <20FT AND S >100FT 6 IN CRB

32.B. Narrative *(State Use)* * MED N <20FT AND S >100FT 6 IN CRB

33. Emergency Notification Telephone No. *(posted)* 800-848-8715

34. Railroad Contact *(Telephone No.)* 402-544-3721

35. State Contact *(Telephone No.)* 602-712-6193

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)* 20

1.B. Total Night Thru Trains *(6 PM to 6 AM)* 20

1.C. Total Switching Trains 0

1.D. Total Transit Trains 0

1.E. Check if Less Than One Movement Per Day ☐
How many trains per week?

2. Year of Train Count Data *(YYYY)* 2016

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 55
3.B. Typical Speed Range Over Crossing *(mph)* From 22 to 45

4. Type and Count of Tracks
Main 2 Siding 0 Yard 0 Transit 0 Industry 0

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐AFO ☐ PTC ☐ DC ☒ Other ☐ None

6. Is Track Signaled? ☒ Yes ☐ No

7.A. Event Recorder ☐ Yes ☒ No

7.B. Remote Health Monitoring ☐ Yes ☒ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 07/18/2016	PAGE 2	D. Crossing Inventory Number *(7 char.)* 741382T

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☒ Yes ☐ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 0

2.B. STOP Signs *(R1-1) (count)* 0

2.C. YIELD Signs *(R1-2) (count)* 0

2.D. Advance Warning Signs *(Check all that apply; include count)* ☐ None
☒ W10-1 1 ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☒ No

2.F. Pavement Markings
☐ Stop Lines ☐ Dynamic Envelope
☒ RR Xing Symbols ☐ None

2.G. Channelization Devices/Medians
☒ All Approaches ☒ Median
☐ One Approach ☐ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☒ No

2.I. ENS Sign *(I-13)* Displayed
☒ Yes
☐ No

2.J. Other MUTCD Signs ☒ Yes ☐ No
Specify Type R15-2P Count 2
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 4
Pedestrian 0

3.B. Gate Configuration
☒ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☒ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 4
☐ Incandescent ☒ LED
☒ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs 8

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☒ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☒ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)* 2

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐ Manually Operated Signals ☐ Watchman ☐ Floodlighting ☒ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☒ Yes ☐ No

4.B. Hwy Traffic Signal Interconnection
☐ Not Interconnected
☒ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☒ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☒ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☒ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad ☐ One-way Traffic ☒ Two-way Traffic ☐ Divided Traffic
Number of Lanes 4

2. Is Roadway/Pathway Paved? ☒ Yes ☐ No

3. Does Track Run Down a Street? ☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☒ Yes ☐ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* 06 / 2009 Width * 27 Length * 208
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☒ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☐ 8 Unconsolidated ☐ 9 Composite ☐ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☒ Yes ☐ No If Yes, Approximate Distance *(feet)* 200

7. Smallest Crossing Angle
☐ 0° – 29° ☐ 30° – 59° ☒ 60° - 90°

8. Is Commercial Power Available? *
☒ Yes ☐ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☒ (03) Federal AID, Not NHS
☐ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☒ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☒ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☐ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☒ No

4. Highway Speed Limit 35 MPH
☒ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* *

6. LRS Milepost *

7. Annual Average Daily Traffic *(AADT)*
Year 2015 AADT 2926

8. Estimated Percent Trucks 10 %

9. Regularly Used by School Buses?
☒ Yes ☐ No Average Number per Day 4

10. Emergency Services Route
☒ Yes ☐ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)* 07 / 18 / 2016

B. Reporting Agency ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)* ☒ Change in Data ☐ New Crossing ☐ Closed ☐ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number 741383A

Part I: Location and Classification Information

1. Primary Operating Railroad Union Pacific Railroad Company [UP]

2. State ARIZONA

3. County COCHISE

4. City / Municipality ☒ In ☐ Near BENSON

5. Street/Road Name & Block Number PATAGONIA STREET *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No. CITY

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR

8. Do Other Railroads Operate Over Your Track at Crossing? ☒ Yes ☐ No
If Yes, Specify RR ATK

9. Railroad Division or Region ☐ None SUNSET

10. Railroad Subdivision or District ☐ None Lordsburg

11. Branch or Line Name ☒ None

12. RR Milepost *(prefix)* | 1032.510 *(nnnn.nnn)* | *(suffix)*

13. Line Segment *

14. Nearest RR Timetable Station *

15. Parent RR *(if applicable)* ☒ N/A

16. Crossing Owner *(if applicable)* ☒ N/A

17. Crossing Type ☒ Public ☐ Private

18. Crossing Purpose ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position ☒ At Grade ☐ RR Under ☐ RR Over

20. Public Access *(if Private Crossing)* ☐ Yes ☐ No

21. Type of Train ☒ Freight ☐ Transit ☒ Intercity Passenger ☐ Shared Use Transit ☐ Commuter ☐ Tourist/Other

22. Average Passenger Train Count Per Day ☒ Less Than One Per Day ☐ Number Per Day_____

23. Type of Land Use ☐ Open Space ☐ Farm ☒ Residential ☐ Commercial ☐ Industrial ☐ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☒ No If Yes, Provide Crossing Number

25. Quiet Zone *(FRA provided)* ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established

26. HSR Corridor ID ☒ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)* 31.9689882

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)* -110.2972953

29. Lat/Long Source ☒ Actual ☐ Estimated

30.A. Railroad Use *

31.A. State Use *

30.B. Railroad Use *

31.B. State Use *

30.C. Railroad Use *

31.C. State Use *

30.D. Railroad Use *

31.D. State Use *

32.A. Narrative *(Railroad Use)* * 16FT CROSSING FOR AMTRACK

32.B. Narrative *(State Use)* * 16FT CROSSING FOR AMTRACK

33. Emergency Notification Telephone No. *(posted)* 800-848-8715

34. Railroad Contact *(Telephone No.)* 402-544-3721

35. State Contact *(Telephone No.)* 602-712-6193

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)* 20

1.B. Total Night Thru Trains *(6 PM to 6 AM)* 20

1.C. Total Switching Trains 0

1.D. Total Transit Trains 0

1.E. Check if Less Than One Movement Per Day ☐
How many trains per week? _____

2. Year of Train Count Data *(YYYY)* 2016

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 55
3.B. Typical Speed Range Over Crossing *(mph)* From 22 to 45

4. Type and Count of Tracks
Main 2 Siding 0 Yard 0 Transit 0 Industry 0

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐AFO ☐ PTC ☐ DC ☒ Other ☐ None

6. Is Track Signaled? ☒ Yes ☐ No

7.A. Event Recorder ☐ Yes ☒ No

7.B. Remote Health Monitoring ☐ Yes ☒ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 07/18/2016	PAGE 2	D. Crossing Inventory Number *(7 char.)* 741383A

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☒ Yes ☐ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 0

2.B. STOP Signs *(R1-1) (count)* 2

2.C. YIELD Signs *(R1-2) (count)* 0

2.D. Advance Warning Signs *(Check all that apply; include count)* ☒ None
☐ W10-1 _____ ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☒ No

2.F. Pavement Markings
☐ Stop Lines ☐ Dynamic Envelope
☐ RR Xing Symbols ☒ None

2.G. Channelization Devices/Medians
☐ All Approaches ☐ Median
☐ One Approach ☒ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☒ No

2.I. ENS Sign *(I-13)* Displayed
☒ Yes
☐ No

2.J. Other MUTCD Signs ☒ Yes ☐ No
Specify Type R15-2P Count 2
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 2
Pedestrian 0

3.B. Gate Configuration
☒ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☐ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 2
☐ Incandescent ☒ LED
☒ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs
4

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☒ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☒ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)*
2

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐ Manually Operated Signals ☐ Watchman ☐ Floodlighting ☒ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☒ Yes ☐ No

4.B. Hwy Traffic Signal Interconnection
☐ Not Interconnected
☒ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☒ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☒ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☒ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad
☐ One-way Traffic
☒ Two-way Traffic
☐ Divided Traffic
Number of Lanes 2

2. Is Roadway/Pathway Paved?
☒ Yes ☐ No

3. Does Track Run Down a Street?
☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☒ Yes ☐ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* 06 / 2009 Width * 27 Length * 80
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☒ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☐ 8 Unconsolidated ☐ 9 Composite ☐ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☒ Yes ☐ No If Yes, Approximate Distance *(feet)* 200

7. Smallest Crossing Angle
☐ 0° – 29° ☐ 30° – 59° ☒ 60° - 90°

8. Is Commercial Power Available? *
☒ Yes ☐ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☐ (03) Federal AID, Not NHS
☒ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☒ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☐ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☒ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☒ No

4. Highway Speed Limit
25 MPH
☒ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* *

6. LRS Milepost *

7. Annual Average Daily Traffic *(AADT)*
Year 2015 AADT 1251

8. Estimated Percent Trucks
05 %

9. Regularly Used by School Buses?
☒ Yes ☐ No Average Number per Day 8

10. Emergency Services Route
☐ Yes ☒ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)* 07 / 18 / 2016

B. Reporting Agency ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)* ☒ Change in Data ☐ New Crossing ☐ Closed ☐ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number 741386V

Part I: Location and Classification Information

1. Primary Operating Railroad Union Pacific Railroad Company [UP]

2. State ARIZONA

3. County COCHISE

4. City / Municipality ☒ In ☐ Near BENSON

5. Street/Road Name & Block Number SAN PEDRO STREET *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No. CITY

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR

8. Do Other Railroads Operate Over Your Track at Crossing? ☒ Yes ☐ No
If Yes, Specify RR ATK

9. Railroad Division or Region ☐ None SUNSET

10. Railroad Subdivision or District ☐ None Lordsburg

11. Branch or Line Name ☒ None

12. RR Milepost *(prefix)* | 1032.690 *(nnnn.nnn)* | *(suffix)*

13. Line Segment *

14. Nearest RR Timetable Station *

15. Parent RR *(if applicable)* ☒ N/A

16. Crossing Owner *(if applicable)* ☒ N/A

17. Crossing Type ☒ Public ☐ Private

18. Crossing Purpose ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position ☒ At Grade ☐ RR Under ☐ RR Over

20. Public Access *(if Private Crossing)* ☐ Yes ☐ No

21. Type of Train ☒ Freight ☐ Transit ☒ Intercity Passenger ☐ Shared Use Transit ☐ Commuter ☐ Tourist/Other

22. Average Passenger Train Count Per Day ☒ Less Than One Per Day ☐ Number Per Day_____

23. Type of Land Use ☐ Open Space ☐ Farm ☒ Residential ☐ Commercial ☐ Industrial ☐ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☒ No If Yes, Provide Crossing Number

25. Quiet Zone *(FRA provided)* ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established

26. HSR Corridor ID ☒ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)* 31.9683857

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)* -110.2943246

29. Lat/Long Source ☒ Actual ☐ Estimated

30.A. Railroad Use *

31.A. State Use *

30.B. Railroad Use *

31.B. State Use *

30.C. Railroad Use *

31.C. State Use *

30.D. Railroad Use *

31.D. State Use *

32.A. Narrative *(Railroad Use)* *

32.B. Narrative *(State Use)* *

33. Emergency Notification Telephone No. *(posted)* 800-848-8715

34. Railroad Contact *(Telephone No.)* 402-544-3721

35. State Contact *(Telephone No.)* 602-712-6193

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)* 20

1.B. Total Night Thru Trains *(6 PM to 6 AM)* 20

1.C. Total Switching Trains 0

1.D. Total Transit Trains 0

1.E. Check if Less Than One Movement Per Day ☐
How many trains per week? _____

2. Year of Train Count Data *(YYYY)* 2016

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 55
3.B. Typical Speed Range Over Crossing *(mph)* From 22 to 45

4. Type and Count of Tracks
Main 2 Siding 0 Yard 0 Transit 0 Industry 0

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐AFO ☐ PTC ☐ DC ☒ Other ☐ None

6. Is Track Signaled? ☒ Yes ☐ No

7.A. Event Recorder ☐ Yes ☒ No

7.B. Remote Health Monitoring ☐ Yes ☒ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 07/18/2016	PAGE 2	D. Crossing Inventory Number *(7 char.)* 741386V

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☒ Yes ☐ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 0

2.B. STOP Signs *(R1-1) (count)* 2

2.C. YIELD Signs *(R1-2) (count)* 0

2.D. Advance Warning Signs *(Check all that apply; include count)* ☒ None
☐ W10-1 _____ ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☒ No

2.F. Pavement Markings
☐ Stop Lines ☐ Dynamic Envelope
☐ RR Xing Symbols ☒ None

2.G. Channelization Devices/Medians
☐ All Approaches ☐ Median
☐ One Approach ☒ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☒ No

2.I. ENS Sign *(I-13)* Displayed
☒ Yes
☐ No

2.J. Other MUTCD Signs ☒ Yes ☐ No
Specify Type R15-2P Count 2
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 2
Pedestrian 0

3.B. Gate Configuration
☒ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☐ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 2
☐ Incandescent ☒ LED
☒ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs
4

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☒ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☒ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)*
2

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐ Manually Operated Signals ☐ Watchman ☐ Floodlighting ☒ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☐ Yes ☒ No

4.B. Hwy Traffic Signal Interconnection
☒ Not Interconnected
☐ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☐ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☒ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☒ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad ☐ One-way Traffic ☒ Two-way Traffic ☐ Divided Traffic
Number of Lanes 2

2. Is Roadway/Pathway Paved? ☒ Yes ☐ No

3. Does Track Run Down a Street? ☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☐ Yes ☒ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* 07 / 2009 Width * 27 Length * 80
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☒ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☐ 8 Unconsolidated ☐ 9 Composite ☐ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☒ Yes ☐ No If Yes, Approximate Distance *(feet)* 200

7. Smallest Crossing Angle
☐ 0° – 29° ☐ 30° – 59° ☒ 60° - 90°

8. Is Commercial Power Available? *
☒ Yes ☐ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☐ (03) Federal AID, Not NHS
☒ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☒ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☐ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☒ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☒ No

4. Highway Speed Limit
25 MPH
☒ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* *

6. LRS Milepost *

7. Annual Average Daily Traffic *(AADT)*
Year 2013 AADT 984

8. Estimated Percent Trucks
01 %

9. Regularly Used by School Buses?
☐ Yes ☒ No Average Number per Day _____

10. Emergency Services Route
☐ Yes ☒ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

APPENDIX B – DIAGNOSTIC TEAM REVIEW SUMMARY

Benson Railroad Quiet Zone Feasibility Study

Diagnostic Team Review Meeting Summary

Tuesday, June 14, 2016

1:30 PM – 3:00 PM

Attendees:

Brad Hamilton, City of Benson

LeeAnn Dickson, Federal Railroad Administration

Alex Popovici, Union Pacific Railroad

Chris Watson, Arizona Corporation Commission

Jason Pike, Arizona Department of Transportation

Michael Grandy, Kimley-Horn

Jason Freitas, Kimley-Horn

Meeting Summary

The diagnostic team began the meeting at the Ocotillo Road at-grade railroad crossing. Field review safety precautions were discussed by Alex Popovici at each site.

Site Visit to Ocotillo Avenue/Road north of 4th Street (DOT Crossing #741382T)

Improvements required to implement a Quiet Zone

North of Railroad Tracks

- A 100' raised median island with 6" curb will need to be constructed on the approach north of the railroad tracks. The end of the island should be squared and 10' from the center of the closest track. The existing median curbing near the gate arm structure needs to be removed and replaced by the aforementioned raised median island.
- The existing driveways north of the railroad tracks are more than 200' away from the tracks so no driveway closures are necessary north of the railroad tracks.
- 6" curb should be installed north of the tracks on the west and east edges of the roadway for the length of the median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be redone in accordance with the spacing shown in the Manual on Uniform Traffic Control Devices (MUTCD).
- The southbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque.

South of Railroad Tracks

- The approach south of the railroad tracks already has a raised median with 6" curb that is more than 100' in length. It was noted, however, that the raised median gradually becomes flush with the pavement as it approaches the track. The raised median will need to be reconstructed where the curb is not 6" in height. It is estimated that this will require reconstruction of approximately 24' of existing median. The end of the island should be squared and 10' from the center of the closest track.
- The driveway/alley access behind Barney's Auto Sales will need to be closed on the west side of Ocotillo Avenue south of the railroad tracks because the access point is within 60' of the railroad gate arm. This can be accomplished by installing 6" curb and gutter across the access point. Garbage containers were observed as being present along the alleyway, so it appears the driveway access point may currently be used as part of a garbage truck route. If that is the case, the garbage truck route would have to be modified to no longer include the use of that access point if it is closed off.
- The approach south of the railroad tracks already has a 6" curb on the west and east edges of the roadway for most of the length of the raised median. It was noted, however, that the 6" curb on the east side of the roadway gradually becomes flush with the pavement as it approaches the track. The curb will need to be reconstructed where the curb is not 6" in height. It is estimated that this will require reconstruction of approximately 12' of existing curb. The curb on both sides needs to be extended to match the length of the reconstructed median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be redone in accordance with the spacing shown in the MUTCD.
- The northbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque. A W10-2 sign with W10-9P plaque is also needed on both approaches of 4th Street near the Ocotillo Avenue/Road intersection warning drivers that the adjacent at-grade railroad crossing is a quiet zone.

<u>Other recommendations and comments</u>

- LeeAnn Dickson noted that the existing W10-1 sign on the southbound approach was not facing oncoming traffic. Brad Hamilton put in a request for City staff to correct the directionality of the sign. City staff was able to correct the directionality of the sign while the diagnostic team review meeting was still in progress.
- Tree/shrub maintenance is needed regularly for 250'-300' from the railroad crossing to improve visibility for both train engineers and vehicle drivers.
- Alex Popovici recommended that both approaches be re-graded by the City of Benson as they are fairly steep. Brad Hamilton noted that the approaches used to be much less steep but that the Union Pacific Railroad recently raised the elevation of the tracks at the crossing, increasing the steepness of the grade.

Site Visit to Patagonia Street north of 4th Street (DOT Crossing # 741383A)

Improvements required to implement a Quiet Zone

North of Railroad Tracks

- A 95' raised median island with 6" curb will need to be constructed on the approach north of the railroad tracks. Field measurements indicated Patagonia Street is approximately 34' wide, which is sufficiently wide for a raised median plus a through lane in each direction. The end of the raised median island should be squared and 10' from the center of the closest track. The 95' length is recommended instead of the standard 100' based on field measurements by Kimley-Horn to avoid blocking pedestrian crossings at the adjacent 3rd Street/Patagonia Street intersection.
- There are no existing driveways north of the railroad tracks (except for the Union Pacific Railroad maintenance road access point) between the railroad tracks and 3rd Street, which is approximately 100' away from the tracks, so no driveway closures are necessary north of the railroad tracks.
- 6" curb should be installed north of the tracks on the west and east edges of the roadway for the length of the median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be installed in accordance with the spacing shown in the MUTCD.
- The southbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque.

South of Railroad Tracks

- A raised median island with 6" curb will need to be constructed on the approach south of the railroad tracks. Field measurements indicated Patagonia Street is approximately 34' wide, which is sufficiently wide for a raised median plus a through lane in each direction. The end of the raised median island should be squared and 10' from the center of the closest track.
- Initially, meeting attendees discussed installing a 100' raised median island and closing off access from Patagonia Street to the Benson Ice Cream Shop on the northwest corner of Patagonia Street/4th Street. At the end of the diagnostic team review meeting, Brad Hamilton indicated the City's preference would be to continue to provide access to the Benson Ice Cream Shop from Patagonia Street so as to not impact site circulation associated with the drive-through window. Field measurements made by Kimley-Horn indicate there is adequate space to provide a driveway for the Benson Ice Cream Shop beyond the end of a new raised median island if the median island is 60' in length (the minimum allowed in a quiet zone when there are nearby driveways).
- On the east side of Patagonia Street south of the railroad tracks, the existing driveway access point to the Amtrak Station needs to be closed because it is closer than 60' to the railroad gate arm. The Amtrak Station will still have an access point on 4th Street. The closure of the Amtrak driveway on Patagonia Street can be accomplished by installing 6" curb and gutter across the

access point.

- 6" curb should be installed south of the tracks on the west and east edges of the roadway for the length of the median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be installed in accordance with the spacing shown in the MUTCD.
- The northbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque. A W10-2 sign with W10-9P plaque is also needed on both approaches of 4th Street near the Patagonia Street intersection warning drivers that the adjacent at-grade railroad crossing is a quiet zone.

<u>Other recommendations and comments</u>

- LeeAnn Dickson noted that both approaches are missing pavement markings and a W10-1 at-grade railroad crossing warning sign. These need to be installed by the City as soon as possible to conform to the MUTCD.
- Alex Popovici recommended that a sign be installed at the east end of the Amtrak Station prohibiting public use of the Union Pacific Railroad maintenance road between the Patagonia Street and San Pedro Street crossings.
- Alex Popovici recommended that both approaches be re-graded by the City of Benson as they are fairly steep. Brad Hamilton noted that the approaches used to be much less steep but that the Union Pacific Railroad recently raised the elevation of the tracks at the crossing, increasing the steepness of the grade.
- The question was asked if the Amtrak passenger platform can be relocated as Amtrak trains currently block the Patagonia Street and/or San Pedro Street crossings when loading/unloading passengers at the Amtrak Station. Brad Hamilton indicated that the City would like to relocate the platform closer to the Benson Visitor Center and that the Benson Visitor Center was designed to accommodate a platform if it can be moved there.
- LeeAnn Dickson recommended that Amtrak officials (Steve McDowes) be informed of the needed closure of the Amtrak Station access point on Patagonia Street if a railroad quiet zone is to be implemented and also of the City's desire for the passenger platform to be moved adjacent to the Benson Visitor Center.
- Brad Hamilton mentioned that the Patagonia Street crossing has high pedestrian volumes because there is a school located south of 4th Street. He asked if sidewalks are required as part of the quiet zone. LeeAnn Dickson indicated that there are no quiet zone requirements associated with sidewalks and pedestrians, but that she thought a sidewalk would help to better accommodate pedestrian movements across the railroad crossing. LeeAnn Dickson also recommended that an education campaign be conducted at the school and with neighboring businesses and residences in advance of the establishment of the quiet zone to provide information on railroad safety in a quiet zone.

Site Visit to San Pedro Street north of 4th Street (DOT Crossing # 741386V)

Improvements required to implement a Quiet Zone

North of Railroad Tracks

- A 95' raised median island with 6" curb will need to be constructed on the approach north of the railroad tracks. Field measurements indicated San Pedro Street is approximately 34' wide, which is sufficiently wide for a raised median plus a through lane in each direction. The end of the raised median island should be squared and 10' from the center of the closest track. The 95' length is recommended instead of the standard 100' based on field measurements by Kimley-Horn to avoid blocking pedestrian crossings at the adjacent 3rd Street/San Pedro Street intersection.
- There are no existing driveways north of the railroad tracks (except for the Union Pacific Railroad maintenance road access point) between the railroad tracks and 3rd Street, which is approximately 100' away from the tracks, so no driveway closures are necessary north of the railroad tracks.
- 6" curb should be installed north of the tracks on the west and east edges of the roadway for the length of the median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be installed in accordance with the spacing shown in the MUTCD.
- The southbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque.

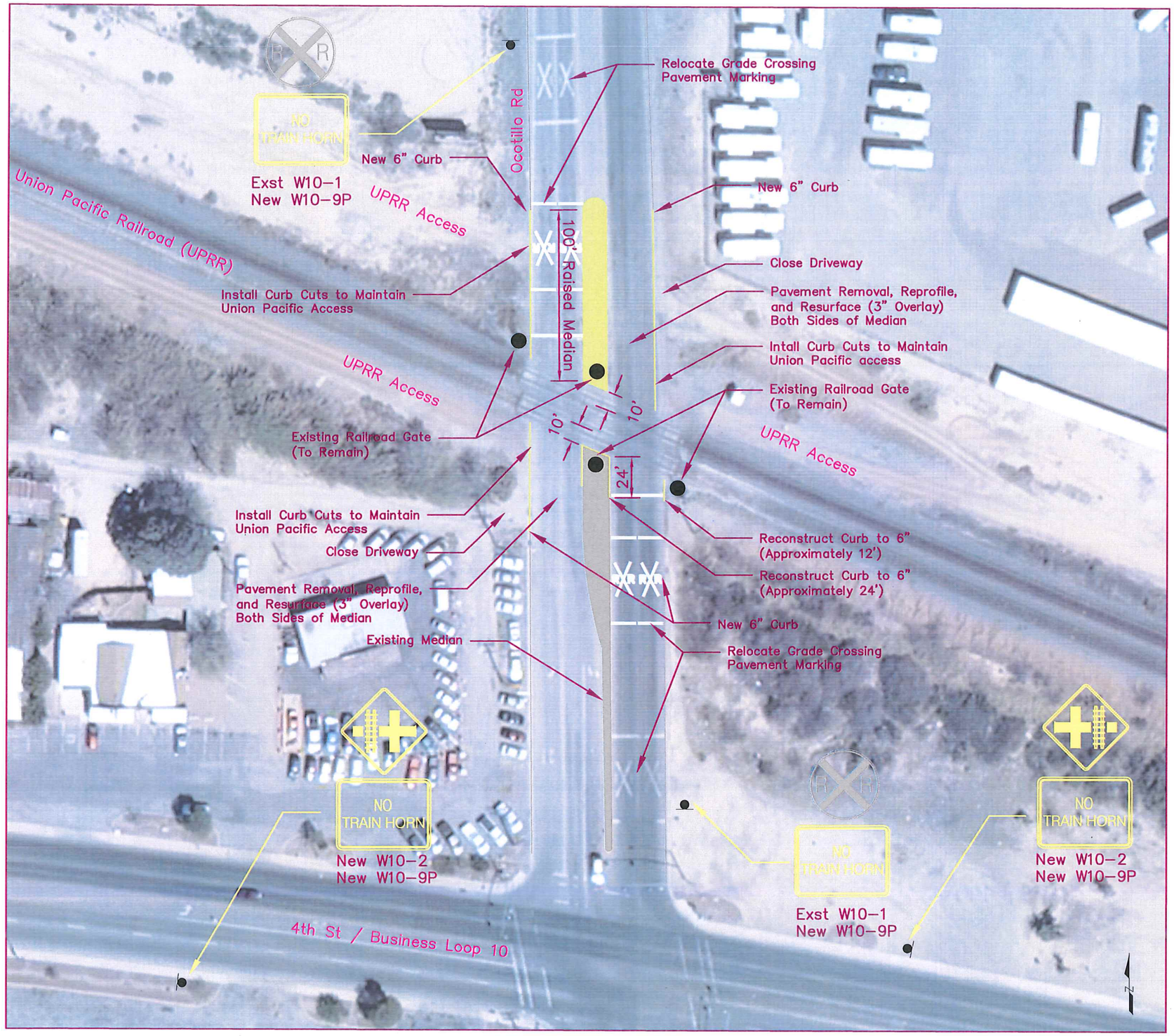
South of Railroad Tracks

- A 60' raised median island with 6" curb will need to be constructed on the approach south of the railroad tracks. Field measurements indicated San Pedro Street is approximately 34' wide, which is sufficiently wide for a raised median plus a through lane in each direction. The end of the raised median island should be squared and 10' from the center of the closest track. The length of the raised median island is recommended to be 60' (the minimum allowed in a quiet zone when there are nearby driveways) because there are existing driveways just beyond that 60' dimension. The existing driveway on the west side provides access to the Benson Visitor Center. The existing driveway on the east side provides access to the Greyhound Bus Station.
- 6" curb should be installed south of the tracks on the west and east edges of the roadway for the length of the median curb except that curb cuts should be provided to permit access by Union Pacific staff to the railroad maintenance road that parallels the railroad tracks.
- Pavement markings associated with the at-grade railroad crossing need to be installed in accordance with the spacing shown in the MUTCD.
- The northbound approach needs to include a MUTCD W10-1 at-grade railroad crossing warning sign with a "No Train Horn" W10-9P plaque. A W10-2 sign with W10-9P plaque is also needed on both approaches of 4th Street near the San Pedro Street intersection warning drivers that the adjacent at-grade railroad crossing is a quiet zone.

Other recommendations and comments

- LeeAnn Dickson noted that both approaches are missing pavement markings and a W10-1 at-grade railroad crossing warning sign. These need to be installed by the City as soon as possible to conform to the MUTCD.
- Alex Popovici recommended that both approaches be re-graded by the City of Benson as they are fairly steep and there has been a history of vehicles getting stuck on the railroad tracks at this crossing. Brad Hamilton noted that the approaches used to be much less steep but that the Union Pacific Railroad recently raised the elevation of the tracks at the crossing, increasing the steepness of the grade.
- Alex Popovici indicated the Union Pacific Railroad would like to see the San Pedro Street crossing completely closed. He indicated that if the City of Benson was amenable to closing this crossing, Union Pacific Railroad may be able to help fund some of the improvements recommended at the other two crossings in Benson, such as the installation of raised medians, curbs, sidewalk, and regraded approaches within Union Pacific Railroad right-of-way.
- Jason Pike indicated he would update the Crossing Inventory forms for the three at-grade crossings in Benson and send the updated forms out to meeting attendees.

APPENDIX C – CONCEPTUAL LAYOUTS



Ocotillo Road / Union Pacific Railroad Crossing (DOT Crossing #741382T)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work — $ 2,000
   - Install (2) W10-9P plaques under existing W10-1 signs
   - Install (2) W10-2 signs with (2) W10-9P plaques
2. Median/Channelization Work — $ 17,360
   - 6" Vertical Curb – 580 L.F.
   - Concrete Median Pavement
3. Pavement Work — $ 71,951
   - Pavement Marking (4" Equiv,) 1540 L.F.
   - Pavement Removal, Reprofile, and Resurface (3" Overlay) Both Sides of Median
4. Other Construction Costs: — $ 87,144
   - Design
   - Railroad Coordination
   - Mobilization
   - Traffic Control
   - Contingencies

Total Preliminary Opinion of Probable Cost: $ 178,455

Exhibit A:
Ocotillo Road

Scale: 1"=60'

Kimley»Horn

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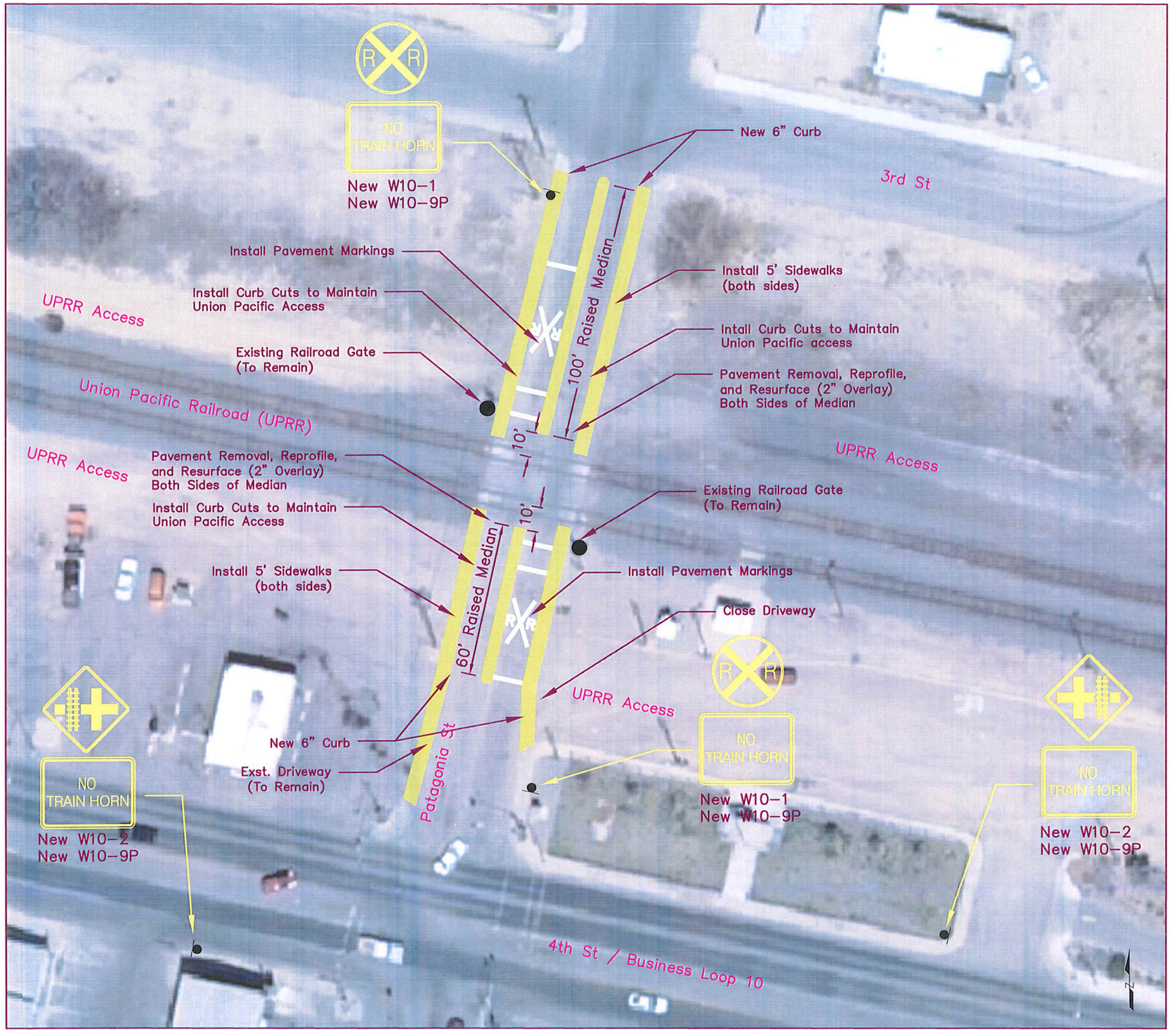
Tucson, Arizona 85705 (520) 615-9191



Patagonia Street / Union Pacific Railroad Crossing (DOT Crossing #741383A)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work

– Install (2) W10-1 signs with (2) W10-9P plaques – Install (2) W10-2 signs with (2) W10-9P plaques	$ 3,200

2. Median/Channelization Work

6" Vertical Curb – 705 L.F. Concrete Median Pavement	$ 16,890

3. Pavement Work

– Pavement Marking (4" Equiv,) 1,072 L.F. – Pavement Removal, Reprofile, and Resurface (2" Overlay) Both Sides of Median	$ 48,912

4. Miscellaneous Work

Sidewalk Installation 2,080 S.F.	$ 12,480

5. Other Construction Costs: $ 79,153

– Design
– Railroad Coordination
– Mobilization
– Traffic Control
– Contingencies

Total Preliminary Opinion of Probable Cost:	$ 160,635

Exhibit B:
Patagonia Street

Scale: 1"=40'

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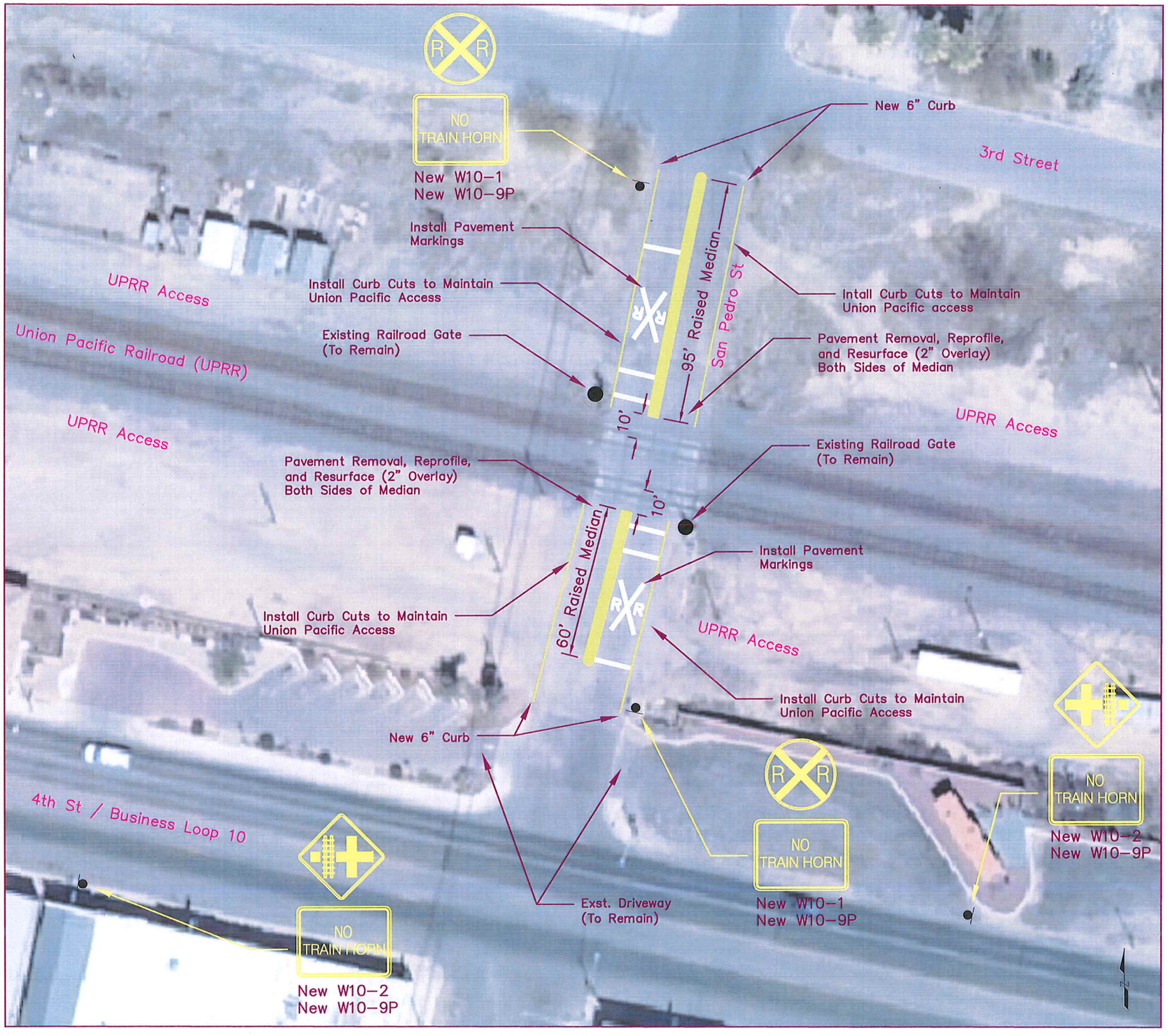
Tucson, Arizona 85705 (520) 615-9191



San Pedro Street / Union Pacific Railroad Crossing (DOT Crossing #741386V)

Quiet Zone Calculator Results

Nationwide Significant Risk Threshold:	14,347
Risk Index with Horns:	40,327
Quiet Zone Risk Index:	13,453

Supplemental Safety Measures to Implement

Median/Channelization

Recommended Improvements

1. Sign Work

– Install (2) W10-1 signs with (2) W10-9P plaques – Install (2) W10-2 signs with (2) W10-9P plaques	$ 3,200

2. Median/Channelization Work

6" Vertical Curb – 675 L.F. Concrete Median Pavement	$ 16,290

3. Pavement Work

– Pavement Marking (4" Equiv,) 1,072 L.F. – Pavement Removal, Reprofile, and Resurface (2" Overlay) Both Sides of Median	$ 48,912

4. Miscellaneous Work

Utilities Relocation	$ 5,000

5. Other Construction Costs:

– Design – Railroad Coordination – Mobilization – Traffic Control – Contingencies	$ 68,239
Total Preliminary Opinion of Probable Cost:	$ 141,641

Exhibit C:
San Pedro Street

Scale: 1"=40'

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APPENDIX D – PRELIMINARY OPINION OF PROBABLE COSTS

PRELIMINARY OPINION OF PROBABLE COST

Project Description: Benson Quiet Zone Feasibility Study

Project Location: Benson, AZ (Ocotillo Road Railroad Crossing)

DOT Crossing #: 741382T

Stage: Preliminary

Prepared By: Kimley-Horn

Date: September 19, 2016

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
9080045	CONCRETE CURB (SINGLE)	L.FT.	580	$ 20.00	$ 11,600
6080101	MISCELLANEOUS WORK (SIGNS)	L.SUM	1	$ 2,000.00	$ 2,000
7041501	PAVEMENT MARKINGS	L.SUM	1	$ 1,200.00	$ 1,200
9080150	CONCRETE MEDIAN PAVEMENT	SQ.FT.	640	$ 9.00	$ 5,760
				ROADWAY AND BRIDGE SUBTOTAL	**$ 20,560**
	MISCELLANEOUS WORK	L.SUM	1	20%	$ 4,112
	PAVEMENT REMOVAL, REPROFILE, AND RESURFACE	L.SUM	1	$ 70,751	$ 70,751
				SUBTOTAL WITH MISC WORK	**$ 95,423**
	CONSTRUCTION SURVEYING & LAYOUT	L.SUM	1	5%	$ 4,771
	EROSION CONTROL	L.SUM	1	1%	$ 954
	CONTRACTOR QUALITY CONTROL	L.SUM	1	4%	$ 3,817
	FURNISH WATER SUPPLY	L.SUM	1	1%	$ 954
	MAINTENANCE & PROTECTION OF TRAFFIC	L.SUM	1	6%	$ 5,725
				SUBTOTAL WITH GENERAL ITEMS	**$ 111,644**
	MOBILIZATION	L.SUM	1	7%	$ 7,815
				SUBTOTAL WITH MOBILIZATION	**$ 119,459**
	CONSTRUCTION ENGINEERING	L.SUM	1	15%	$ 17,919
	CONTINGENCIES	L.SUM	1	5%	$ 5,973
	CONSULTANT POST DESIGN ACTIVITIES	L.SUM	1	1%	$ 1,195
	NON-BID SUBTOTAL			$ 25,087	$ -
				CONSTRUCTION SUBTOTAL	**$ 144,546**
	INDIRECT COST ALLOCATION	L.SUM	1	0.00%	$ -
				CONSTRUCTION TOTAL COST	**$ 144,546**
CONSULTANT DESIGN AND ENVIRONMENTAL CLEARANCE		L.SUM	1	20%	$ 28,909
UP MONITOR AND RAILROAD ACCESS FEES		L.SUM	1	-	$ 5,000
UTILITY RELOCATION		L.SUM	-	-	$ -
RIGHT-OF-WAY		SQ.FT.	-	-	$ -
				TOTAL PROJECT COST	**$ 178,455**

PRELIMINARY OPINION OF PROBABLE COST

Project Description: Benson Quiet Zone Feasibility Study

Project Location: Benson, AZ (Patagonia Street Railroad Crossing)

DOT Crossing #: 741383A

Stage: Preliminary

Prepared By: Kimley-Horn

Date: September 19, 2016

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
9080045	CONCRETE CURB (SINGLE)	L.FT.	705	$ 20.00	$ 14,100
6080101	MISCELLANEOUS WORK (SIGNS)	L.SUM	1	$ 3,200.00	$ 3,200
7041501	PAVEMENT MARKINGS	L.SUM	2	$ 300.00	$ 600
9080150	CONCRETE MEDIAN PAVEMENT	SQ.FT.	310	$ 9.00	$ 2,790
				ROADWAY AND BRIDGE SUBTOTAL	**$ 20,690**
	MISCELLANEOUS WORK	L.SUM	1	20%	$ 4,138
9080242	SIDEWALK	SF	2,080	$ 6.00	$ 12,480
	PAVEMENT REMOVAL, REPROFILE, AND RESURFACE	L.SUM	1	$ 48,312.00	$ 48,312
				SUBTOTAL WITH MISC WORK	**$ 85,620**
	CONSTRUCTION SURVEYING & LAYOUT	L.SUM	1	5%	$ 4,281
	EROSION CONTROL	L.SUM	1	1%	$ 856
	CONTRACTOR QUALITY CONTROL	L.SUM	1	4%	$ 3,425
	FURNISH WATER SUPPLY	L.SUM	1	1%	$ 856
	MAINTENANCE & PROTECTION OF TRAFFIC	L.SUM	1	6%	$ 5,137
				SUBTOTAL WITH GENERAL ITEMS	**$ 100,175**
	MOBILIZATION	L.SUM	1	7%	$ 7,012
				SUBTOTAL WITH MOBILIZATION	**$ 107,187**
	CONSTRUCTION ENGINEERING	L.SUM	1	15%	$ 16,078
	CONTINGENCIES	L.SUM	1	5%	$ 5,359
	CONSULTANT POST DESIGN ACTIVITIES	L.SUM	1	1%	$ 1,072
	NON-BID SUBTOTAL			$ 22,509	$ -
				CONSTRUCTION SUBTOTAL	**$ 129,696**
	INDIRECT COST ALLOCATION	L.SUM	1	0.00%	$ -
				CONSTRUCTION TOTAL COST	**$ 129,696**
CONSULTANT DESIGN AND ENVIRONMENTAL CLEARANCE		L.SUM	1	20%	$ 25,939
UP MONITOR AND RAILROAD ACCESS FEES		L.SUM	1	-	$ 5,000
UTILITY RELOCATION		L.SUM	-	-	$ -
RIGHT-OF-WAY		SQ.FT.	-	-	$ -
				TOTAL PROJECT COST	**$ 160,635**

PRELIMINARY OPINION OF PROBABLE COST

Project Description: Benson Quiet Zone Feasibility Study

Project Location: Benson, AZ (San Pedro Street Railroad Crossing)

DOT Crossing #: 741386V

Stage: Preliminary

Prepared By: Kimley-Horn

Date: September 19, 2016

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
9080045	CONCRETE CURB (SINGLE)	L.FT.	675	$ 20.00	$ 13,500
6080101	MISCELLANEOUS WORK (SIGNS)	L.SUM	1	$ 3,200.00	$ 3,200
7041501	PAVEMENT MARKINGS	L.SUM	2	$ 300.00	$ 600
9080150	CONCRETE MEDIAN PAVEMENT	SQ.FT.	310	$ 9.00	$ 2,790
				ROADWAY AND BRIDGE SUBTOTAL	**$ 20,090**
	MISCELLANEOUS WORK	L.SUM	1	20%	$ 4,018
	PAVEMENT REMOVAL, REPROFILE, AND RESURFACE	L.SUM	1	$ 48,312	$ 48,312
				SUBTOTAL WITH MISC WORK	**$ 72,420**
	CONSTRUCTION SURVEYING & LAYOUT	L.SUM	1	5%	$ 3,621
	EROSION CONTROL	L.SUM	1	1%	$ 724
	CONTRACTOR QUALITY CONTROL	L.SUM	1	4%	$ 2,897
	FURNISH WATER SUPPLY	L.SUM	1	1%	$ 724
	MAINTENANCE & PROTECTION OF TRAFFIC	L.SUM	1	6%	$ 4,345
				SUBTOTAL WITH GENERAL ITEMS	**$ 84,731**
	MOBILIZATION	L.SUM	1	7%	$ 5,931
				SUBTOTAL WITH MOBILIZATION	**$ 90,662**
	CONSTRUCTION ENGINEERING	L.SUM	1	15%	$ 13,599
	CONTINGENCIES	L.SUM	1	5%	$ 4,533
	CONSULTANT POST DESIGN ACTIVITIES	L.SUM	1	1%	$ 907
	NON-BID SUBTOTAL			$ 19,039	$ -
				CONSTRUCTION SUBTOTAL	**$ 109,701**
	INDIRECT COST ALLOCATION	L.SUM	1	0.00%	$ -
				CONSTRUCTION TOTAL COST	**$ 109,701**
CONSULTANT DESIGN AND ENVIRONMENTAL CLEARANCE		L.SUM	1	20%	$ 21,940
UP MONITOR AND RAILROAD ACCESS FEES		L.SUM	1	-	$ 5,000
UTILITY RELOCATION		L.SUM	-	-	$ 5,000
RIGHT-OF-WAY		SQ.FT.	-	-	$ -
				TOTAL PROJECT COST	**$ 141,641**

APPENDIX E – QUIET ZONE CALCULATOR OUTPUT

Federal Railroad Administration

Quiet Zone Designation Information

Name	Job Title	Organization	
Michael Grandy	**Project Engineer**	**Kimley-Horn on behalf of City of Benson**	
Address **1855 W. Baseline Rd, Suite 200**	City **Mesa**	State **AZ**	Zip Code **85202**
Phone **480-207-2666**	Fax	Email **michael.grandy@kimley-horn.com**	

741382T **OCOTILLO ROAD**	Proposed Warning Device **Gates**	Estimated Cost **15,000.00**	Wayside Horn **No**	Risk Index **11,682.24**
Crossing Type **Public**	SSM **Non-Traversable Curb Medians with or without Channelization Devices**		Pre-Existing SSM **None**	

741383A **PATAGONIA STREET**	Proposed Warning Device **Gates**	Estimated Cost **15,000.00**	Wayside Horn **No**	Risk Index **21,089.52**
Crossing Type **Public**	SSM **Non-Traversable Curb Medians with or without Channelization Devices**		Pre-Existing SSM **None**	

741386V **SAN PEDRO STREET**	Proposed Warning Device **Gates**	Estimated Cost **15,000.00**	Wayside Horn **No**	Risk Index **7,587.15**
Crossing Type **Public**	SSM **Non-Traversable Curb Medians with or without Channelization Devices**		Pre-Existing SSM **None**	

Note: If zone is a partial new quiet zone, gates are not required if the crossing is to be closed during partial quiet zone period, permanently closed, or grade separated.

Zone ID : **38994**				Scenario ID : **48572**
Date : **8/1/2016 6:19:09 PM**				
Railroad **UP**	Pre Rule? **NO**	Partial? **NO**	Time of Partial Quiet Zone	Total Traffic **5,161**
Estimated Total Cost **$45,000.00**	Nationwide Significant Risk Threshold **14347**	Risk Index with Horns **40,326.65**	Quiet Zone Risk Index **13,452.97**	

Basis for Establishment or Continuation of Quiet Zone

This quiet zone is being established in compliance with the following (check one)

☐ § 222.39(a)(1), implementation of SSMs at every public crossing in the New Quiet Zone or New Partial Quiet Zone;

☐ §222.39(a)(2)(i), the QZRI is at or below the NSRT without installation of any SSMs at the New Quiet Zone or New Partial Quiet Zone;

☐ §222.39(a)(2)(ii), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the NSRT;

☐ §222.39(a)(3), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the RIWH; or

☐ §222.39(b), public authority application to the FRA for a New Quiet Zone or New Partial Quiet Zone.

☐ § 222.41(a)(1)(i) Pre-Rule Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,

☐ § 222.41(a)(1)(ii) Pre-Rule Quiet Zones that qualify for automatic approval because QZRI ≤ NSRT,

☐ § 222.41(a)(1)(iii) Pre-Rule Quiet Zones that qualify for automatic approval because NSRT < QZRI < 2* NSRT, and there have been no relevant collisions within the 5 years preceding April 27,2005

☐ § 222.41(a)(1)(iv) Pre-Rule Quiet Zones that qualify for automatic approval because NSRT < RIWH.

☐ § 222.41(b)(1)(i) Pre-Rule Partial Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,

☐ § 222.41(b)(1)(ii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because QZRI ≤ NSRT,

☐ § 222.41(b)(1)(iii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because NSRT < QZRI < 2* NSRT, and there have been no relevant collisions within the 5 years preceding April 27,2005.

☐ § 222.41(b)(1)(iv) Pre-Rule Partial Quiet Zones that qualify for automatic approval because NSRT < RIWH.

☐ § 222.41(c) Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones that do not qualify for automatic approval

☐ § 222.41(d) Pre-Rule Partial Quiet Zones that will be converted to 24-hour New Quiet Zones

☐ § 222.42(a) Intermediate Quiet Zones or Intermediate Partial Quiet Zones

☐ § 222.42(b) Intermediate Partial Quiet Zones that will be converted to 24-hour New Quiet Zones.

Applicant Signature _____ Date _____

Chief Executive Officer Statement.

I hereby certify that the information submitted in this notification is accurate and complete to the best of my knowledge and belief.

Signature _____ Date _____

Note: A copy of this report along with other required contents (see § 222.43(e)(2)) must be sent to all of the parties required in § 222.43(a)(4). FRA's notification should be mailed to:

Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, SE, MS-25
Washington, DC 20590

Federal Railroad Administration

Quiet Zone Designation Information

Public At-grade Open Crossing Information

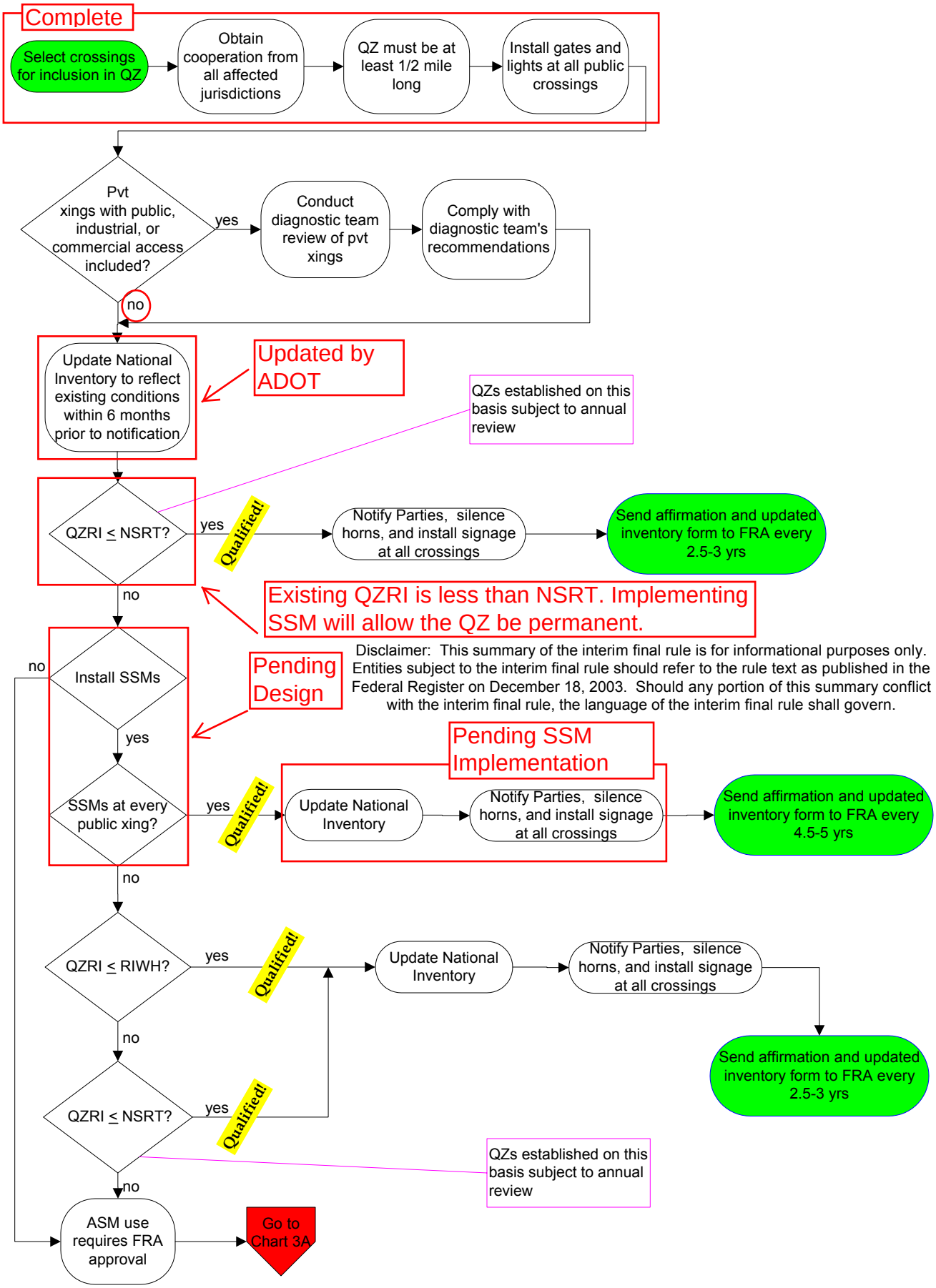
Crossing:	741382T	Urban(U)/Rural(R):	R.Major Collector
Warning Device:	Gates	Highway Paved:	yes
aadt:	2926	Maximum Timetable Speed :	55
Total Trains:	40	Highway Lanes:	4
Day Through Trains:	20	No. of Accident Data Years:	5
Main Tracks:	2	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	0

Crossing:	741383A	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	1251	Maximum Timetable Speed :	55
Total Trains:	40	Highway Lanes:	2
Day Through Trains:	20	No. of Accident Data Years:	5
Main Tracks:	2	No. of Accidents:	1
Other Tracks:	0	Total Switching Trains:	0

Crossing:	741386V	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	984	Maximum Timetable Speed :	55
Total Trains:	40	Highway Lanes:	2
Day Through Trains:	20	No. of Accident Data Years:	5
Main Tracks:	2	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	0

APPENDIX F – FRA FINAL RULE SECTION III, CHART 2

Chart 2 - Creating a New Quiet Zone using SSMs



Southeast Arizona Economic Development Group 168 East 4th St. Benson AZ

Mayor Toney King and City Council
120 W. 6th Street
Benson, AZ 85602

RECEIVED
MAY 24 2018
CITY OF BENSON

Re: Quiet Zone Project - Benson

Dear Mayor King and Council,

SAEDG believes establishing a quiet zone at the Union Pacific rail crossings in Benson is in the best interest of current and future businesses. A quiet zone will enhance the quality of life for Benson's residents who suffer daily from the excessive noise of the train whistles.

The Community realizes the necessity of the train whistles and that they have been with us since Benson was founded. Looking to the future, it is time to quiet the downtown crossings to improve Benson's chances of attracting new business and helping existing businesses. Please know that the following communities in Arizona have or are in the process of establishing quiet zones. Gila Bend, Maricopa, Wellton, Willcox, Kingman, Flagstaff, Phoenix, Chandler, Clifton, Marana, Yuma, Tempe and Dragoon. With the Community of Bowie on the list to have one.

Our proposal is to form a task force to find solutions for the requirements and funding the quiet zones. The task force would present the Mayor and Council with a plan to enact and pay for the improvements.

The Task Force will be chaired by former Benson Mayors Mark Fenn, David DiPeso and George Scott.

Additional Task Force members will come from the Benson Community and City Government. We will also use County government and other Cities that have had success in establishing quiet zones in their area.

The goals of the task force would be to bring workable solutions and funding resources to the Mayor and Council along with a plan to enact the quiet zones. The task force would report back to the Mayor and Council at a monthly Council meeting.

If this proposal is agreeable to the Mayor and Council, we are ready to start immediately. We would ask the Mayor and Council to give us written authorization to talk to the Union Pacific Railroad, Arizona Department of Transportation and other organizations. We would not commit the Mayor and Council to any plan, but would bring back workable solutions to the quiet zone from any and all agencies that would be involved. We would also ask the Mayor and Council to direct City Staff to cooperate and assist in the project.

We would like to have an agenda item placed on the City Council meeting to approve this quiet zone project.

Thanks to the Mayor and Council for working with the People of Benson to Make Benson a Great for Business and a Quieter more peaceful place to live.

Sincerely,

.

George J Scott

Mark M Fenn

David C DiPeso