



BENTON CITY COUNCIL

SEPTEMBER 28, 2020

REGULAR SESSION

7:00 PM

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AGENDA MEETING

6:30 PM

BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

TOM FARMER, MAYOR

BENTON CITY COUNCIL
September 28, 2020
7:00 PM
AGENDA

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| I. | CALL TO ORDER | Mayor Tom Farmer |
| II. | INVOCATION | Pastor Cody Calhoun |
| III. | PLEDGE OF ALLEGIANCE | Council Member Donnor |
| IV. | ROLL CALL | City Clerk |
| V. | APPROVAL OF MINUTES | August 24, 2020
Regular Meeting |
| VI. | APPROVAL OF MINUTES | September 3, 2020
Special Called Meeting |
| VII. | SERVICE AWARD - Jacob Harlen – 10 years of service | Mayor Farmer |
| VIII. | RESOLUTION NO. 76 OF 2020
A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH _____ FOR CONSTRUCTING BASKETBALL COURTS AT TYNDALL PARK AT A COST OF \$ _____; AND FOR OTHER PURPOSES | |
| IX. | RESOLUTION NO. 77 OF 2020
A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH _____ FOR CONSTRUCTION OF PICKLEBALL COURTS AT TYNDALL PARK AT A COST OF \$ _____; AND FOR OTHER PURPOSES | |
| X. | ORDINANCE NO. 49 OF 2020
AN ORDINANCE APPROVING THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALINE COUNTY, ARKANSAS AND THE CITY OF BENTON TO FORM THE SALINE COUNTY EMERGENCY COMMUNICATIONS CENTER; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES | |
| XI. | ORDINANCE NO. 50 OF 2020
AN ORDINANCE TEMPORARILY SUSPENDING THE RENTAL RATES FOR THE CITY OF BENTON FARMERS MARKET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES | |
| XII. | COMMITTEE REPORTS & MOTIONS | |
| 1. | PERSONNEL/HEALTH & SAFETY COMMITTEE | Council Member Donnor |
| | A.) ORDINANCE NO. 51 OF 2020
AN ORDINANCE AMENDING ORDINANCE 45 OF 2020; AUTHORIZING LOPFI TO MAKE A COST OF LIVING ADJUSTMENT FOR RETIREES PARTICIPATING IN THE BENTON FIRE RELIEF AND PENSION FUND; AND OTHER MATTERS PERTAINING THERETO | |

2. FINANCE COMMITTEE

Council Member Cash

A.) RESOLUTION NO. 65 OF 2020

A RESOLUTION AMENDING THE 2020 PUBLIC SAFETY FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING FUNDS IN THE AMOUNT OF \$82,650.00 FROM THE SALE OF REAL PROPERTY TO ARDOT FOR THE WIDENING OF HIGHWAY FIVE; AUTHORIZING THE USE OF FUNDS TO PURCHASE EQUIPMENT FOR THE FIRE DEPARTMENT; AND FOR OTHER PURPOSES

B.) ORDINANCE NO. 52 OF 2020

AN ORDINANCE PERMITTING BILL ELDRIDGE TO CONDUCT BUSINESS WITH THE CITY OF BENTON AND PRESCRIBING THE EXTENT OF SUCH AUTHORITY; AND FOR OTHER PURPOSES

C.) RESOLUTION NO. 78 OF 2020

A RESOLUTION AMENDING THE 2020 BUDGET FOR THE GENERAL FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING PROCEEDS FROM THE SALE OF A POLICE CRUISER PREVIOUSLY DECLARED AS SURPLUS PROPERTY; AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT; AND FOR OTHER PURPOSES

D.) RESOLUTION NO. 79 OF 2020

A RESOLUTION AMENDING THE 2020 BUDGET FOR THE GENERAL FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING FUNDS FROM THE STATE OF ARKANSAS CARES ACT EMT FUND IN THE AMOUNT OF \$127,827.00 FROM THE WORKER PAYMENT PROGRAM; AUTHORIZING THE USE OF FUNDS TO PAY SIXTY-THREE FIRE DEPARTMENT EMPLOYEES; AND FOR OTHER PURPOSES

3. COMMUNITY SERVICES/ANIMAL CONTROL

Council Member Reed

A.) ORDINANCE NO. 53 OF 2020

AN ORDINANCE PROVIDING FOR A CONDITIONAL USE FOR A SINGLE-FAMILY RESIDENCE LOCATED AT 605 GREENHILL ROAD; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

B.) ORDINANCE NO. 54 OF 2020

AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY ARKANSAS LOCATED AT TRACT 3 OF THE WOODLANDS SUBDIVISION FROM R-8 TO R-2; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

C.) ORDINANCE NO. 55 OF 2020

AN ORDINANCE ADOPTING THE MOVING BENTON FORWARD COMPREHENSIVE DEVELOPMENT PLAN AS ADOPTED BY THE CITY OF BENTON PLANNING AND ZONING COMMISSION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

D.) RESOLUTION NO. 80 OF 2020

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE LAWSUITS IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE PUBLIC NUISANCES LOCATED AT FIFTEEN PROPERTIES INSIDE THE BENTON CITY LIMITS; AND FOR OTHER PURPOSES

4. STREET & DRAINAGE COMMITTEE

Council Member Hamm

A.) ORDINANCE NO. 56 OF 2020

AN ORDINANCE ACCEPTING THE PUBLIC STREETS AND STORM DRAINAGE FOR MAINTENANCE WITHIN THE WOODLANDS SUBDIVISION, PHASES THREE AND FIVE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

B.) ORDINANCE NO. 57 OF 2020

AN ORDINANCE ACCEPTING THE PUBLIC STREETS AND STORM DRAINAGE FOR MAINTENANCE WITHIN THE PRESERVES SUBDIVISION, PHASE ONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

C.) RESOLUTION NO. 81 OF 2020

A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF CAMP B, LLC AND THE PHILLIP AND CAROL BROWN LIVING TRUST TO ABANDON A PORTION OF A ROAD RIGHT OF WAY LOCATED AT THE END OF ARCH STREET IN THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES

D.) RESOLUTION NO. 82 OF 2020

A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF TONA JOLLY TO ABANDON A PORTION OF AN ALLEYWAY LOCATED ALONG 519 FIRST STREET WHICH IS WITHIN BLOCK 8 OF THE (A.C.) SPEERS ADDITION TO THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES

E.) RESOLUTION NO. 83 OF 2020

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING CITY OF BENTON PROJECT: THE CONGO SHENANDOAHG ROUNDABOUT PROJECT

F.) RESOLUTION NO. 84 OF 2020

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING CITY OF BENTON PROJECT: THE RIVER STREET COMPLETE STREET PROJECT

5. PARKS COMMITTEE

Council Member Hart

6. PUBLIC UTILITIES COMMISSION

Council Member Herzfeld

7. A&P COMMISSION

Council Members Baptist & Brown

XIII. Unfinished Business

XIV. New Business

XV. Old Business

XVI. Public Comments

XVII. Announcements

XVIII. Adjourn

MINUTES OF THE BENTON CITY COUNCIL
Regular Session
August 24, 2020
Benton Municipal Complex

The Benton City Council was called to order at 7 pm.

Chris Richey, Boys & Girls Club gave the invocation.

Council Member Cash led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

**Council Member Frank Baptist
Council Member Jocelyn Cash
Council Member Bill Donnor
Council Member Jeff Morrow
Council Member Steve Lee
Brent Houston, City Attorney
Tom Farmer, Mayor**

**Council Member Steve Brown
Council Member Evelyn Reed
Council Member Judd Hart
Council Member James Herzfeld
Council Member Jeff Hamm
Cindy Stracener, City Clerk**

When roll was called ten (10) council members were present. A quorum was declared.

The Mayor stated that Resolution 65 of 2020 – A Resolution Amending the 2020 Budget for the General Fund as Adopted in Resolution 82 of 2019; Recognizing \$82,650 the City Received in Revenue From the Sale of Certain Land to ARDOT Which Will be Used to Widen Highway 5; and For Other Purposes was tabled in the agenda meeting.

Council Member Lee Hart made a motion to approve the minutes from the June 22, 2020 public hearing. Seconded by Council Member Lee. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Council Member Morrow made a motion to approve the minutes from the June 22, 2020 council meeting. Seconded by Council Member Lee. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Council Member Hart made a motion to approve the minutes from the July 13, 2020 special called meeting. Seconded by Council Member Morrow. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Council Member Reed made a motion to approve the August 3, 2020 public hearing minutes. Seconded by Council Member Hart. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Council Member Cash made a motion to approve the August 4, 2020 public hearing minutes. Seconded by Council Member Lee. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Council Member Baptist made a motion to approve the August 5, 2020 special called meeting minutes. Seconded by Council Member Hart. The Mayor called for a voice vote. All council members replied in the affirmative, motion was approved with 10 affirmative votes.

Daniel Baxley was recognized for being named Professional of the Year by the Arkansas Recreation and Parks Association.

Darrell Wood was recognized for placing American Flags downtown and in his neighborhood and encouraging others to do the same.

Service Awards were announced for James Helton, 10 years of service, Bruce Armstrong, 30 years of service, William Mahan, 25 years of service, William Townsend, 15 years of service and Bryan Ware, 25 years of service.

Council Member Donnor made a motion to adopt Resolution 74 of 2020 – A Resolution Expressing the Willingness of the City of Benton to Work in Mutual Cooperation with Saline County to Study the Viability of Implementing, Operating, and Maintaining a Combined Public Safety Answering Point for Saline County and the City of Benton. Seconded by Council Member Lee. The resolution was read by the city clerk. The Mayor asked for any comments, none. The Mayor stated that this is a matter of safety and we hope it will cut down on transferring calls which will make response time quicker. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 74 of 2020 was adopted with 10 affirmative votes.

Council Member Cash was recognized for a report from the Finance Committee. Council Member Cash made a motion to suspend the rules for Ordinance 38 of 2020 – An Ordinance Levying a Tax on All Real and Personal Property in the City of Benton, Arkansas for City General and For the Fireman's Pension and Relief Fund; Declaring an Emergency; and For Other Matters Pertaining Thereto to be read by title only. Seconded by Council Member Baptist. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was adopted with 10 affirmative votes. Council Member Cash made a motion to adopt Ordinance 38 of 2020. Seconded by Council Member Hart. The ordinance was read by title only. Council Member Hamm asked about the tax. One mill is going to the Fireman's Pension and Relief Fund and 2.8 mills is going to general. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 38 of 2020 was adopted with 10 affirmative votes. Council Member Cash made a motion to approve the emergency clause. Seconded by Council Member Donnor. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council

Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Member Cash made a motion to suspend the rules for Ordinance 39 of 2020 – An Ordinance Permitting Jordan Woolbright to Conduct Business with the City of Benton and Prescribing the Extent of Such Authority; and For Other Purposes to be read by title only. Seconded by Council Member Lee. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was adopted with 10 affirmative votes. Council Member Cash made a motion to adopt Ordinance 39 of 2020 by title only. Seconded by Council Member Donnor. The ordinance was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 39 of 2020 was adopted with 10 affirmative votes. Council Member Cash made a motion to approve the emergency clause. Seconded by Council Member Reed. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 60 of 2020 – A Resolution Authorizing the Mayor and the Fire Chief and Police Chief to Apply for Grant Funding Through FEMA Seeking Funds for the Purchase of Personal Protective Equipment; and For Other Purposes by title only. Seconded by Council Member Reed. The resolution was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 60 of 2020 was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 61 of 2020 – A Resolution Authorizing the Mayor and the Chief of Police to Apply for Grant Funding Through the Edward Byrne Memorial Justice Assistance Grant Program; and For Other Purposes by title only. Seconded by Council Member Lee. The resolution was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 61 of 2020 was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 62 of 2020 – A Resolution Amending the 2020 Budget for the General Fund as Adopted in Resolution 82 of 2019; Authorizing the Purpose of Purchasing Certain Equipment and Software to Improve Security of the City's Computer System; and For Other Purposes by title only. Seconded by Council Member Lee. The resolution was read by title only. The Mayor asked for any

comments. Council Member Hart asked for the total cost. He was told it was broken down by departments and the breakdown was attached to the resolution. This was for G-Suites software and equipment to make it work. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 62 of 2020 was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 63 of 2020 – A Resolution Amending the 2020 Budget for the General Fund as Adopted in Resolution 82 of 2019; Recognizing Certain Unbudgeted Revenue the City Has Received for the Operation of the City's 911 System; Authorizing the Purchase of Certain Equipment for the Communications Department; and For Other Purposes by title only. Seconded by Council Member Baptist. The resolution was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 63 of 2020 was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 64 of 2020 – A Resolution Authorizing the City to Enter into A Contract with Saline County for the Funding of the Saline County District Court – Benton Division; and For Other Purposes by title only. Seconded by Council Member Baptist. The resolution was read by title only. The Mayor asked for any comments. Mr. Houston stated that this was an annual expense and we are splitting the cost with the county 50/50. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 64 of 2020 was adopted with 10 affirmative votes.

Resolution 65 of 2020 - A Resolution Amending the 2020 Budget for the General Fund as Adopted in Resolution 82 of 2019; Recognizing \$82,650 the City Received in Revenue From the Sale of Certain Land to ARDOT Which Will be Used to Widen Highway 5; and For Other Purposes was tabled in the agenda meeting.

Council Member Cash made a motion to adopt Resolution 66 of 2020 – A Resolution Authorizing the City to Enter into a Contract with Boyles Construction for Construction of the East Lakeview Roadway and Drainage Improvements at a Cost of \$1,773,634.50; and For Other Purposes by title only. Seconded by Council Member Baptist. The resolution was read by title only. The Mayor asked for any comments. Council Member Baptist asked if this was the lowest bid. The Mayor stated no it was the second lowest bid because the lowest bid had miscalculated and they withdrew. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 66 of 2020 was adopted with 10 affirmative votes.

Council Member Cash made a motion to adopt Resolution 67 of 2020 – A Resolution Amending the 2020 Budget for the General Fund as Adopted in Resolution 82 of 2019; Recognizing \$4,471 the City Received in Insurance Proceeds From a Damaged Trailer; Authorizing the Purchase of Certain Equipment for the Police Department; Authorizing the Use of Restricted Funds for the Purchase; and For Other Purposes by title only. Seconded by Council Member Morrow. The resolution was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 67 of 2020 was adopted with 10 affirmative votes.

Council Member Hamm was recognized for a report from the Streets and Drainage Committee. Council Member Hamm made a motion to adopt Resolution 68 of 2020 – A Resolution Expressing the Willingness of the City of Benton to Utilize Federal-Aid Transportation Alternatives Program Funds; and For Other Purposes by title only. Seconded by Council Member Herzfeld. The resolution was read by title only. The Mayor asked for any comments. He stated that it was an 80/20 split. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 68 of 2020 was adopted with 10 affirmative votes.

Council Member Hamm made a motion to suspend the rules for Ordinance 40 of 2020 – An Ordinance Accepting the Pubic Streets and Storm Drainage for Maintenance within Terrace Hill Subdivision; Declaring an Emergency and for Other Purposes by title only. Seconded by Council Member Lee. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion to read by title only was approved with 10 affirmative votes. Council Member Hamm made a motion to adopt Ordinance 40 of 2020. Seconded by Council Member Brown. The ordinance was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 40 of 2020 was adopted with 10 affirmative votes. Council Member Hamm made a motion to approve the emergency clause. Seconded by Council Member Reed. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

The council took a recess and reconvened at 7:46 pm.

Council Member Reed was recognized for a report from the Community Services/Animal Control Committee. Council Member Reed asked for the first reading of Ordinance 41 of 2020 – An Ordinance To Establish and Lay Off Benton Municipal Property Owners'

Multipurpose Improvement District #118 (Woods at Hurricane Lake Estates), and for Other Purposes. Seconded by Council Member Cash. The ordinance was read by the city clerk. The Mayor asked for any comments, none. Council Member Reed made a motion to adopt Ordinance 41 of 2020 on its second and third readings by title only. Seconded by Council Member Frank. The ordinance was read by title only. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 41 of 2020 was adopted with 10 affirmative votes. Council Member Reed made a motion to adopt the emergency clause. Seconded by Council Member Donnor. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Reed made a motion to adopt Resolution 69 of 2020 – The City of Benton is Essential: In Support of Fair, Direct Federal Emergency Support to Reopen and Rebuild Local American Economies. Seconded by Council Member Cash. The resolution was read by the city clerk. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 69 of 2020 was adopted with 10 affirmative votes.

Council Member Reed made a motion to have the first reading of Ordinance 42 of 2020 – An Ordinance Adopting New Outdoor Sign Regulations for the City of Benton; Repealing Ordinance 46 of 2009 and Its Amendments; Declaring an Emergency; and For Other Purposes. Seconded by Council Member Cash. The ordinance was read by the city clerk. Council Member Reed made a motion to adopt Ordinance 42 of 2020 on its second and third readings by title only. Seconded by Council Member Donnor. The ordinance was read by title only. The Mayor asked for any comments. Council Member Hart asked if changes were made from the last public hearing. Mr. Houston stated the LED signs already on Military remain. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 42 of 2020 was adopted with 10 affirmative votes. Council Member Reed made a motion to adopt the emergency clause. Seconded by Council Member Donnor. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Reed asked for the first reading of Ordinance 43 of 2020 – An Ordinance Providing for a Conditional Use for a Baseball/Softball Training Facility Located at 1319 River Street, Declaring an Emergency; and For Other Purposes. Seconded by Council Member Cash. The ordinance was read by the city clerk. The Mayor asked for any

comments, none. Council Member Reed made a motion to adopt Ordinance 43 of 2020 on its second and third readings by title only. Seconded by Council Member Cash. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 43 of 2020 was adopted with 10 affirmative votes. Council Member Reed made a motion to adopt the emergency clause. Seconded by Council Member Cash. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Donner was recognized for a report from the Personnel/Health & Safety Committee. Council Member Donnor made a motion to suspend the rules for Ordinance 44 of 2020 – An Ordinance Creating the Position of Communications Manager for the City; Amending the Wage Scale for Public Safety Fund Employees of the City of Benton to Include this Position; Amending Ordinances 15 of 2019 and 79 of 2019; Declaring an Emergency; and For Other Purposes to be read by title only. Seconded by Council Member Herzfeld. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was approved with 10 affirmative votes. Council Member Donnor made a motion to adopt Ordinance 44 of 2020. Seconded by Council Member Cash. The ordinance was read by title only. The Mayor asked for any comments. Council Member Lee asked if we are combining why do we need to expense of another employee now. Chief Hodges stated that we need someone who can run the department. Right now, we have a police lieutenant that oversee the personnel and we need a communication person to run the facility. The police person doesn't know communications or dispatching. Under the police reform, we have to become accredited to receive federal funding and I have moved the lieutenant to become the accreditation manager. So now, communications are being run by a captain who has too much on his plate to run it efficiently. We are only looking at timesheets and depending on the supervisors for each shift. This position would take care of what is lacking. We currently have a quality assurance coordinator position that has not been filled and we want to convert that position to a civilian communications manager position. The person will be in charge of room and also be required to do supervisor type things like quality assurance. This is a much-needed position. This means nothing toward consolidation. It is us doing what is right for the city now. Chief Bill Ford stated that this is being transitioned into a civilian position and will transition well when we consolidate. Council Hart asked when will the recommendation be ready for consolidation. Chief Hodges stated we took care of the first step tonight by presenting the resolution. It is going to be a while. Chief Ford stated the goal was March 1st of next year. We need the position now. Council Member Baptist asked if this person would report to both the Police Chief and Fire Chief. Chief Hodges stated yes. Council Member Hart stated that he thinks this position should be left up to the 911 Board when it is established. Chief Hodges stated that this position is in the best interest of the citizens for now not wait until consolidation. The Mayor asked that roll be called. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council

Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 44 of 2020 was adopted with 10 affirmative votes. Council Member Donnor made a motion to adopt the emergency clause. Seconded by Council Member Lee. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Donnor made a motion to suspend the rules for Ordinance 45 of 2020 – An Ordinance Transferring Administration of Retirement Coverage for Eligible Members of the Benton Fire Relief and Pension Fund to the Arkansas Local Police and Fire Retirement System (LOPFI) and Authorizing the Chief Administrative Officer to Enter into an Irrevocable Agreement with LOPFI to be read by title only. Seconded by Council Member Morrow. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was approved with 10 affirmative votes. Council Member Donnor made a motion to adopt Ordinance 45 of 2020. Seconded by Council Member Baptist. The ordinance was read by title only. The Mayor asked for any comments. Chief Bill Ford thanked this administration and the previous administration for getting the fund to this point. He thanked David Clark for his assistance. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee abstained, and Council Member Hamm yes. Ordinance 45 of 2020 was adopted with 9 affirmative votes and 1 abstaining. Council Member Donnor made a motion to adopt the emergency clause. Seconded by Council Member Reed. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee abstaining, and Council Member Hamm yes. The emergency clause was adopted with 9 affirmative votes and 1 abstained.

Council Member Donnor made a motion to suspend the rules for Ordinance 46 of 2020 – An Ordinance Amending Ordinance 15 of 2019; Adjusting the Pay Rates for Employees Within the Police Department; Declaring an Emergency; and For Other Purposes to be read by title only. Seconded by Council Member Cash. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was approved with 10 affirmative votes. Council Member Donnor made a motion to adopt Ordinance 46 of 2020. Seconded by Council Member Cash. The ordinance was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 46 of 2020 was adopted with 10 affirmative votes. Council Member Donnor made a motion to adopt the emergency

clause. Seconded by Council Member Reed. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Donnor made a motion to suspend the rules for Ordinance 47 of 2020 – An Ordinance Amending Ordinance 79 of 2019; Adjusting the Pay Rates for Employees Within the Fire Department; Declaring an Emergency; and For Other Purposes to be read by title only. Seconded by Council Member Lee. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Motion was approved with 10 affirmative votes. Council Member Donnor made a motion to adopt Ordinance 47 of 2020. Seconded by Council Member Reed. The ordinance was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 47 of 2020 was adopted with 10 affirmative votes. Council Member Donnor made a motion to adopt the emergency clause. Seconded by Council Member Reed. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Hart was recognized for a report from the Parks Committee. Council Member Hart made a motion to adopt Resolution 70 of 2020 – A Resolution Authorizing the City to Apply for a Grant with the Arkansas Department of Parks and Tourism and For the Expansion of the Inclusive Playground at Tyndall Park; and for Other Purposes. Seconded by Council Member Cash. The resolution was read by the city clerk. The Mayor asked for any comments. Council Member Donnor asked what was the cost. Council Member Hart stated \$318,824. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 70 of 2020 was adopted with 10 affirmative votes.

Council Member Hart made a motion to adopt Resolution 71 of 2020 – A Resolution Authorizing the Mayor and City Clerk to Execute an Agreement with the Benton School District for the Operation of the High School Swim Team at Riverside Park; and For Other Purposes by title only. Seconded by Council Member Lee. The resolution was read by title only. The Mayor asked for any comments. Council Member Donnor asked if we receive any money from the school district. Council Member Hart stated yes, \$1,000 per year. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council

Member Lee yes, and Council Member Hamm yes. Resolution 71 of 2020 was adopted with 10 affirmative votes.

Council Member Hart made a motion to adopt Resolution 72 of 2020 – A Resolution Authorizing the Mayor and City Clerk to Execute an Agreement with the Benton School District for the Operation of the High School Tennis Team at Tyndall Park; and For Other Purposes by title only. Seconded by Council Member Cash. The resolution was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 72 of 2020 was adopted with 10 affirmative votes.

Council Member Hart made a motion to adopt Resolution 73 of 2020 – A Resolution Authorizing the Mayor and City Clerk to Execute an Agreement with Healthy Contributions, LLC Which is Associated with United Healthcare for Accepting Their Members at Riverside Park; and For Other Purposes. Seconded by Council Member Cash. The resolution was read by the city clerk. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 73 of 2020 was adopted with 10 affirmative votes.

Council Member Hart asked for the first reading of Ordinance 48 of 2020 – An Ordinance Modifying the Pay Scale for Members of the Grounds Crew in the Parks Department; Giving an Incentive to Complete Certain Turf Management Training at North Arkansas College; Amending Ordinances 10 of 2014 and 71 of 2011; Declaring an Emergency; and For Other Purposes. Seconded by Council Member Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments, none. Council Member Hart made a motion to adopt Ordinance 48 of 2020 by title only for the second and third readings. Seconded by Council Member Herzfeld. The ordinance was read by title only. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 48 of 2020 was adopted with 10 affirmative votes. Council Member Hart made a motion to adopt the emergency clause. Seconded by Council Member Cash. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was adopted with 10 affirmative votes.

Council Member Herzfeld was recognized for a report on the Public Utilities Commission. He stated that he had nothing to report.

Council Member Baptist was recognized for a report on the A&P Commission. He stated that the commission did not meet in July and that the next meeting would be Thursday August 27th at 3:30 pm.

The Mayor asked if there was any unfinished business, new business or old business. None. He asked for any public comments. David Vondran stated that the next Public Utility Commission meeting would be on Tuesday September 8th because of the Labor Day holiday.

The Mayor stated that the Boys and Girls Club would have a scramble on August 28th. Also, on the 28th is a retirement reception for Bruce Armstrong. The Salt Bowl is on August 29th. City Hall will be closed on September 7th for Labor Day. September 12th, we are partnering with the Food Bank for a Drive-in Movie. Another Drive-in movie will be on September 26th and we will be showing Frozen 2. The next council meeting will be September 28th.

Council Member Donnor made a motion to adjourn, seconded by Council Member Lee. The meeting adjourned at 8:39 pm.

Cindy Stracener, City Clerk

Tom Farmer, Mayor

MINUTES OF THE BENTON CITY COUNCIL
Special Called Meeting
September 3, 2020
Benton Municipal Complex

The Benton City Council was called to order at 5 pm.

Roll was called.

The following persons were in attendance:

Council Member Steve Brown
Council Member Evelyn Reed
Council Member Judd Hart
Council Member Steve Lee
Brent Houston, City Attorney
Tom Farmer, Mayor

Council Member Jocelyn Cash
Council Member Bill Donnor
Council Member James Herzfeld
Council Member Jeff Hamm
Cindy Stracener, City Clerk

When roll was called eight (8) council members were present. Council Member Baptist and Council Member Morrow were absent. A quorum was declared.

The Mayor gave the invocation.

Council Member Reed led the pledge of allegiance.

Council Member Cash made a motion to adopt Resolution 75 of 2020 – A Resolution Authorizing the City to Enter into a Contract with Edafio Technologies, LLC for Providing IT Services to the City; and For Other Purposes. Seconded by Council Member Reed. The resolution was read by the city clerk. The Mayor asked for any comments. Bret Stracener clarified some questions or statements that were made at the committee meeting. He was never consulted on what was needed for the phone system. He does have quotes for the switches and routers. The system has been mapped by Allied. Mr. Houston stated that the last sentence in section 1 is there because we executed a contract with UCI for providing services to the police department in 2019 and that contract has not yet expired however it is the position of the city and the city administration that UCI has terminated that contract and not provided services under it and therefore that is why that sentence is there. In case UCI wants to make a legal issue out of this contract overlapping with their contract. Council Member Hart stated that it was mentioned last night about other companies using our servers was that true. Mr. White, Edafio stated that their assessment was submitted to city but we were not allowed access to the police department. Council Member Hart asked if access was asked for. Mr. White said yes. I will make sure you get that information. Mr. Houston stated that the Police Chief contacted UCI about us having a third party audit of our system and UCI deemed that to be a breach of the contract because they felt like they could perform an audit on themselves as opposed to us having a third party independently review it and that is part of the issue here. Council Member Hart stated that he spoke to someone last night and they said there were no other outside people on our servers. Mr. White stated that would have been from the vantage point that we had. Council Member Hamm asked what the contract entailed. Mr. White stated it was a full-service managed provider contract which includes cyber security and backups. We will be monitoring the systems, checking equipment and making sure all of the city's technology infrastructure is

being maintained. Council Member Brown stated that he has experience with this company and they are very timely on their responses. Council Member Lee asked about the 2020 rates that were listed in the contract because he thought it was all inclusive. Mr. White stated that they committed to the monthly rate and the rates are for out of scope items. He stated that they would like to set up quarterly meetings with the department heads to make sure they are addressing all our needs.

The Mayor asked that the roll be called which resulted in Council Member Baptist absent, Council Member Brown yes, Council Member Cash yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow absent, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 75 of 2020 was approved with 8 affirmative votes and 2 absent.

The meeting adjourned at 5:28 pm.

Cindy Stracener, City Clerk

Tom Farmer, Mayor

RESOLUTION NO. 76 OF 2020

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH _____ FOR CONSTRUCTING BASKETBALL COURTS AT TYNDALL PARK AT A COST OF \$ _____; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton published a Request for Bids for constructing Basketball Courts at Tyndall Park; and

WHEREAS, after a review of the bids it has been determined that the contract should be awarded to _____ which is the lowest acceptable bid; and

WHEREAS, the City wishes to enter into an agreement with _____ for constructing Basketball Courts at Tyndall Park for the sum of \$ _____.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, a contract with _____ for constructing Basketball Courts at Tyndall Park and to pay the agreed upon compensation when due.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 77 OF 2020

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH
_____ FOR CONSTRUCTION OF PICKLEBALL COURTS AT TYNDALL PARK
AT A COST OF \$ _____; AND FOR OTHER PURPOSES**

WHEREAS, the City of Benton published a Request for Bids for the construction of Pickleball Courts at Tyndall Park; and

WHEREAS, after a review of the bids it has been determined that the contract should be awarded to _____ which is the lowest acceptable bid; and

WHEREAS, the City wishes to enter into an agreement with _____ for the construction of Pickleball Courts at Tyndall Park for the sum of \$ _____.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, a contract with _____ for the construction of Pickleball Courts at Tyndall Park and to pay the agreed upon compensation when due.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 49 OF 2020

AN ORDINANCE APPROVING THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALINE COUNTY, ARKANSAS AND THE CITY OF BENTON TO FORM THE SALINE COUNTY EMERGENCY COMMUNICATIONS CENTER; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Arkansas Public Safety Communications and Next Generation 911 Act of 2019 authorizes each chief executive to direct the establishment and operation of public safety answering points in their political subdivisions and to designate the location of a public safety answering point and agency which is to operate the center; and

WHEREAS, Saline County and the City of Benton have determined that it is in the best interests of their citizens to implement, operate, and maintain a combined public safety answering point for Saline County and the City of Benton to better provide for the health, safety and physical and economic welfare of the citizens and residents, and to receive emergency calls which may result in dispatch of the appropriate response for fire suppression and rescue, emergency medical service or ambulance, hazardous material, disaster or major emergency occurrences, and law enforcement activities.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Benton, Arkansas that:

Article 1. Pursuant to Ark. Code Ann. §14-14-910, the Saline County Judge and Mayor of the City of Benton have the authority to enter into an interlocal cooperative agreement ("agreement") subject to the approval of the respective legislative bodies.

Article 2. The purpose of the agreement is to establish a combined communications network, which shall be known as the Saline County Emergency Communications Center, to better provide for the health, safety and welfare of all citizens of Saline County. The further purpose is to streamline the dispatching of non-emergency and emergency calls as received over the 911 telephone system and by other means. The location of the public safety answering point shall be determined by the 911 Governing Board. The combined PSAP would serve the areas of, but not limited to, the unincorporated areas of Saline County, Arkansas and the incorporated areas of Benton, Haskell, Shannon Hills, Bauxite, Traskwood and Alexander, Arkansas.

Article 3. Be it further understood that the City Council, by passage of this Ordinance, approves the agreement, which is attached hereto as Exhibit "1", and that the terms and conditions of Ark. Code Ann. § 14-14-910 have been met and complied with. The agreement establishes a perpetual relationship between Saline County and the City of Benton.

Article 4. Should any word, phrase, or section of this ordinance be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the force and validity of the remaining portion of sections of this ordinance.

Article 5. Because of the need to provide emergency services efficiently within the City and to commence with the transition, an emergency is hereby declared to exist, and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

Passed and approved this the _____ day of September, 2020

Tom Farmer
Mayor, City of Benton

ATTEST: _____
Cindy Stracener
City Clerk

DESIGNATED FOR PUBLICATION

INTERLOCAL COOPERATION AGREEMENT

SECTION 1: PARTIES TO AGREEMENT

This agreement is entered into by and between the County Court of Saline County, acting through the County Judge, and the City of Benton, acting through its Mayor, pursuant to A.C.A. § 14-14-910.

SECTION 2: PURPOSE OF AGREEMENT

The purpose of this agreement is to establish a combined communications network, which shall be known as the Saline County Emergency Communications Center, to better provide for the health, safety and welfare of all citizens of Saline County. The further purpose is to streamline the dispatching of non-emergency and emergency calls as received over the 911 telephone system and by other means. The location of the public safety answering point ("PSAP") shall be determined by the 911 Governing Board. The combined PSAP would serve the areas of, but not limited to, the unincorporated areas of Saline County, Arkansas and the incorporated areas of Benton, Haskell, Shannon Hills, Bauxite, Traskwood and Alexander, Arkansas.

SECTION 3: ORGANIZATION, STRUCTURE & PURPOSE

The City of Benton designates Saline County, and Saline County hereby agrees to accept, the responsibility for serving as the public safety answering point for the City of Benton.

The "911 Governing Board" is hereby created consisting of the Saline County Judge, Mayor of the City of Benton, Saline County Sheriff, Benton Police Chief, Benton Fire Chief, OEM Director, Ambulance Service Manager, and Fire Service Coordinator. Said Board shall meet at a minimum of quarterly to review the operations of the Saline County Emergency Communications Center (hereinafter "Center"), and discuss any changes or issues. The Board will review and approve an annual budget of costs. A.C.A. § 12-10-323 sets forth the authorized expenditures for 911 revenue. Any capital expenditures for the Center must be approved by a majority of the members of the Board before said expenditure is authorized. The above membership will serve by virtue of their term in office or employment with local government. From time to time, or as may be necessary, any of the above membership may select their own designee to attend business and other matters of the 911 Governing Board.

SECTION 4: PURPOSE OF THE 911 GOVERNING BOARD

The purpose of the 911 Governing Board shall be to assure that the Center is at all times properly funded. The further purpose of the Board shall be to hire a "Communications Director" to manage the system, and to establish policies and procedures and adopt necessary guidelines for efficient operation of the system.

SECTION 5: MANNER OF FINANCING CENTER

The Benton City Council and the Saline County Quorum Court shall be responsible for financing the operation of the Center. All monies appropriated for the Center shall be paid into a fund and managed by the Communications Director within specific guidelines as established by the County budget

process and the 911 Governing Board. All procurement for the system shall be governed by the County purchasing and procurement procedures.

All monies generated from emergency telephone service charges and funds received or allocated by the Arkansas 911 Board to the City and County shall go to the operation of the Center. In the event that those funds are insufficient to meet the operating expenses of the system, the City of Benton and Saline County shall share the shortfall costs based upon the percentage of their population according to the most recent Census. The City of Benton's percentage will be based on the population of the incorporated areas of the City of Benton. Saline County's percentage will be based on the population of the unincorporated areas of the county as well as the incorporated areas of Haskell, Shannon Hills, Bauxite, Traskwood and Alexander.

SECTION 6: TITLES TO EXISTING AND FUTURE PROPERTY

The title to fixed assets held by both participants at the time of this agreement shall remain unchanged. Future property and additional assets may be acquired by the Center, provided that the County or City purchasing and procurement procedures have been met, and these new assets shall be held in the name of the Center.

SECTION 7: DUTIES OF COMMUNICATIONS DIRECTOR

First and foremost, the Communications Director shall coordinate the services of the system to serve the needs of the Center in delivering a high level of service to protect the citizens of Saline County. The Director's duties shall include, but are not limited to, the following:

- a. Employ the staff and oversee all aspects of personnel management; this includes the authority to promote, discipline, and terminate employment pursuant to County policies.
- b. Provide training and maintain quality control for the staff and others who use the system. Develop methods to certify that the staff is proficient and capable.
- c. Manage the day-to-day fiscal affairs of the system which includes, but is not limited to, purchasing, providing for maintenance of equipment, etc., within the budget set forth by the 911 Governing Board and approved by the Benton City Council and Saline County Quorum Court. The Director shall comply with all of the County purchasing and procurement procedures and exercise good judgment and sound business practices in execution of these duties.
- d. The Director shall work closely with the 911 Governing Board and plan and execute a budget. The Director shall be required to render reports and make necessary appearances before the Board, the Benton City Council, and the Saline County Quorum Court.
- e. The Director shall investigate all complaints and other matters as set forth by citizens, officers in the field, the Board, and the City or County.
- f. The Director shall be the custodian of the records for 911 and for the communications system.
- g. Any other duties as determined by the 911 Governing Board.

SECTION 8: DURATION OF ENTITY

The duration of this agreement is intended by the parties to be perpetual in nature. However, this agreement may be terminated, provided that written notice thereof shall have been given by the respective governing body to the other party at least one year in advance of the proposed date of withdrawal.

SECTION 9: EMPLOYEE BENEFITS AND PERSONNEL POLICY

The 911 Governing Board will be responsible for setting the pay scale of employees within the combined PSAP.

SECTION 10: ADDITIONAL PARTIES AND AREA SERVED

The combined PSAP would serve the unincorporated areas of Saline County, Arkansas and the incorporated areas of Benton, Haskell, Shannon Hills, Bauxite, Traskwood and Alexander, Arkansas. Services will be provided to the police and fire departments of the respective municipalities, as well as the volunteer agencies who have been duly recognized by the 911 Governing Board. Other municipalities are invited to fund and participate in this agreement if they so desire by giving a written notice to the 911 Governing Board.

SECTION 11: EFFECTIVENESS

This agreement shall become effective on the _____ day of _____, 2020, provided that prior to said date, it has been submitted to the legal counsel for each party and a determination rendered as to whether it is in proper form and compatible with all applicable laws. An agreement of this type must be authorized by the ordinances of the respective legislative bodies before it is effective. Therefore, a copy of the respective ordinances are made a part of this document by incorporation, SEE EXHIBITS A and B.

This agreement shall become effective on the date when the last of the above specified acts shall have been accomplished and at that time it shall be duly recorded and filed with the Saline County Clerk.

Jeff Arey
Saline County Judge

Tom Farmer
Mayor, City of Benton

Approved as to form:

Clay Ford
County Attorney

Brent Houston
City Attorney

Attestation:

Exhibit "1"

Doug Curtis
Saline County Clerk

Date Entered by Clerk

Ordinance No. 50 of 2020

AN ORDINANCE TEMPORARILY SUSPENDING THE RENTAL RATES FOR THE CITY OF BENTON FARMERS MARKET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council has determined it is in the best interest of the city to temporarily suspend the rental rates for the use of the Farmers Market until the end of 2020.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, that:

SECTION 1. The City Council does hereby suspend the rental rates for the City of Benton Farmer's Market. This ordinance does not however in any way modify the City's established regulations concerning the usage of the facility.

SECTION 2. The suspension of the rates shall remain in effect until January 1, 2021. All ordinances in conflict herewith are repealed to the extent of the conflict but not otherwise.

SECTION 3. Because of the need to suspend the rental rates for the Farmers Market, an emergency is hereby declared and this ordinance shall be in full force and effect from an after its passage and approval.

PASSED AND APPROVED this _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 51 OF 2020

AN ORDINANCE AMENDING ORDINANCE 45 OF 2020; AUTHORIZING LOPFI TO MAKE A COST OF LIVING ADJUSTMENT FOR RETIREES PARTICIPATING IN THE BENTON FIRE RELIEF AND PENSION FUND; AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Benton, Arkansas approved Ordinance 45 of 2020 authorizing LOPFI to administer the Benton Fire and Relief Pension Fund; and

WHEREAS, it has been determined that Ordinance 45 of 2020 needs to be amended to include language authorizing LOPFI to pay a cost of living adjustment to plan participants on an annual basis.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Benton, Arkansas.

Section 1. The City Council hereby amends Section 3 of Ordinance 45 of 2020 to include the following additional language at the end of the section:

“With the passage of this Ordinance, a three percent (3%) compound Cost of Living Adjustment (COLA) shall be added to the benefit program of the Local Plan. This COLA will be awarded each July 1st according to LOPFI guidelines.”

PASSED THIS THE _____ DAY OF SEPTEMBER, 2020.

ATTEST:

APPROVED:

City Clerk

Mayor

(SEAL)

RESOLUTION NO. 65 OF 2020

A RESOLUTION AMENDING THE 2020 BUDGET FOR THE PUBLIC SAFETY FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING FUNDS IN THE AMOUNT OF \$82,650.00 FROM THE SALE OF REAL PROPERTY TO ARDOT FOR THE WIDENING OF HIGHWAY FIVE; AUTHORIZING THE USE OF FUNDS TO PURCHASE EQUIPMENT FOR THE FIRE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City Council adopted the 2020 Public Safety Fund in Resolution 82 of 2019; and

WHEREAS, the City Council previously authorized the Mayor to enter into a contract with ARDOT for the sale of real property located at the Highway Five Fire and Police Sub-Station as part of the state's expansion of Highway Five; and

WHEREAS, the City Council needs to amend the 2020 Public Safety Fund in order to accept funds from ARDOT from the sale and to authorize the funds to be used for equipment purchases for the Fire Department as set forth in Exhibit "1" to this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2020 City of Benton Budget as adopted in Resolution 82 of 2019. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this resolution and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation of city funds. The Chief of the Fire Department is authorized to purchase the equipment as set forth in Exhibit "1".

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

City of Benton, Arkansas

General Fund
Budget Amendment
FY 2020



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2020. This submittal includes a revision for the Public Safety I

Section 1 defines the dollar amount of the amendments contained in this exhibit.

Section 2 is a detailed explanation of the amended Funding and Disbursements.

Section 1: Amended Appropriations – Fiscal Year 2020

Public Safety Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$3,882,500	\$82,650	\$3,965,150
Personnel	\$3,203,006		\$3,203,006
O&M, Other, etc	\$149,278	\$64,517	\$213,795
Capital Items	\$502,152	\$18,133	\$520,285
Total Budget	\$3,854,436		\$28,064

Section 2: Funding & Disbursements – Fiscal Year 2020

Public Safety Fund

Funding

This budget amendment authorizes the acceptance of funds from the sale of property for highway right of way into 680.06.30.00 Asset Disposition Gain.

\$82,650

O&M, Other Items

This budget amendment allows for the increase in Public Safety expenditures for the purchase of various public safety items from line item 750.67.30.19

Safety	750.67.30.19	\$64,517
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Capital Items

This budget amendment allows for the increase in Public Safety expenditures for the purchase of various public safety items from line item 850.90.30.19

Non-depreciable assets	850.90.30.19	\$18,133
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ORDINANCE NO. 52 OF 2020

AN ORDINANCE PERMITTING BILL ELDRIDGE TO CONDUCT BUSINESS WITH THE CITY OF BENTON AND PRESCRIBING THE EXTENT OF SUCH AUTHORITY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, Bill Eldridge presently serves as a Commissioner on the Advertising and Promotion Commission which is an unpaid position in which Mr. Eldridge has generously donated his time to the City without any form of compensation; and

WHEREAS, the City of Benton does business with Bank OZ who also employs Mr. Eldridge; and

WHEREAS, in the 2019 preliminary audit the Bureau of Legislative Audit has recommended passage of this Ordinance pursuant to Section 14-42-107 of Arkansas Code Annotated, otherwise the Commission and the City would be prohibited from obtaining services from Bank OZ and/or Bill Eldridge as its' employee; and

WHEREAS, the City Council finds it is in the best interest of the City and the Commission to do business with both Bank OZ and Bill Eldridge for obtaining these banking services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: Bill Eldridge shall be permitted to conduct business and to furnish banking services to the City of Benton to the full extent that he could have conducted business with the City of Benton, but for the effect of Arkansas Code Annotated §14-42-107 prior to the adoption of this Ordinance.

SECTION 2: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3: Because of the immediate need to have continued banking services for the City of Benton and the City of Benton Advertising and Promotion Commission, an emergency is hereby declared and this ordinance shall come into effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION

RESOLUTION NO. 78 OF 2020

A RESOLUTION AMENDING THE 2020 BUDGET FOR THE GENERAL FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING PROCEEDS FROM THE SALE OF A POLICE CRUISER PREVIOUSLY DECLARED AS SURPLUS PROPERTY; AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City previously authorized the sale of a surplus police cruiser which has been sold for \$4,050.00; and

WHEREAS, the City Council adopted the 2020 General Fund Budget in Resolution 82 of 2019; and

WHEREAS, the City Council needs to amend the 2020 General Fund budget in order to accept \$4,050.00 in sale proceeds as additional income and for the purpose of authorizing the purchase of equipment for the Police Department using these funds as set forth in Exhibit "1" to this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2020 City of Benton Budget as adopted in Resolution 82 of 2019 for the purpose of accepting \$4,050.00 in sale proceeds referenced above. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this resolution and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation of city funds.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

City of Benton, Arkansas

General Fund Budget Amendment FY 2020



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2020. This submittal includes a revision for the General Fund.

Section 1 defines the dollar amount of the amendments contained in this exhibit.

Section 2 is a detailed explanation of the amended Funding and Disbursements.

Section 1: Amended Appropriations – Fiscal Year 2020

General Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$17,049,459	\$4,050	\$17,053,509
Personnel	\$14,656,493		\$14,656,493
O&M, Other, etc	\$2,161,578		\$2,161,578
Capital Items	\$337,347		\$337,347
Total Budget	(\$105,959)		(\$101,909)

Section 2: Funding & Disbursements – Fiscal Year 2020

General Fund

Funding

This budget amendment authorizes the acceptance of funds from the sale of a Police vehicle

Asset Disposition & Gain	680.06.10.00	\$4,050
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RESOLUTION NO. 79 OF 2020

A RESOLUTION AMENDING THE 2020 BUDGET FOR THE GENERAL FUND AS ADOPTED IN RESOLUTION 82 OF 2019; ACCEPTING FUNDS FROM THE STATE OF ARKANSAS CARES ACT EMT FUND IN THE AMOUNT OF \$127,827.00 FROM THE WORKER PAYMENT PROGRAM; AUTHORIZING THE USE OF FUNDS TO PAY SIXTY-THREE FIRE DEPARTMENT EMPLOYEES; AND FOR OTHER PURPOSES

WHEREAS, the City Council adopted the 2020 General Fund Budget in Resolution 82 of 2019; and

WHEREAS, the City Council needs to amend the 2020 General Fund budget in order to accept funding from the State of Arkansas CARES Act EMT worker payment program and to utilize the funds for its intended purposes to pay 63 employees within the Fire Department as set forth in Exhibit "1" to this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2020 City of Benton Budget as adopted in Resolution 82 of 2019. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this resolution and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation of city funds. The Chief of the Fire Department is authorized to utilize the funds in accordance with the program directives.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

City of Benton, Arkansas

General Fund
Budget Amendment
FY 2020



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2020. This submittal includes a revision for the General Fund.

Section 1 defines the dollar amount of the amendments contained in this exhibit.

Section 2 is a detailed explanation of the amended Funding and Disbursements.

Section 1: Amended Appropriations – Fiscal Year 2020

General Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$16,921,632	\$127,827	\$17,049,459
Personnel	\$14,528,666	\$127,827	\$14,656,493
O&M, Other, etc	\$2,161,578		\$2,161,578
Capital Items	\$337,347		\$337,347
Total Budget	(\$105,959)		(\$105,959)

Section 2: Funding & Disbursements – Fiscal Year 2020

General Fund

Funding

This budget amendment authorizes the acceptance of funds from the EMS CARES Act Worker Payment Program in line item 680.18.10.00

Grants - States	680.18.10.00	\$127,827
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Personnel Items

This budget amendment allows for the increase in Personnel expenditures to distribute to 63 employees within the Fire Department.

Additional Salary expense	700.02.13.19	\$126,000
FICA	720.21.13.19	\$1,827

ORDINANCE NO. 53 OF 2020

AN ORDINANCE PROVIDING FOR A CONDITIONAL USE FOR A SINGLE-FAMILY RESIDENCE LOCATED AT 605 GREENHILL ROAD; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, an application for a Conditional Use Permit was filed with the Planning Commission of the City of Benton, Arkansas, by Jack and Sharon Keathley requesting that property at 605 Greenhill Road be issued a Conditional Use Permit for the purpose of utilizing an existing structure as a single family residence in a C1 Zone; and

WHEREAS, the Planning Commission ordered a public hearing to be held on the 8th day of September, 2020 at 6:00 o'clock P.M., for the purposes of hearing said application, that notice of said hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, evidence having been submitted that all property owners or lessees within 300 feet of the property hereinafter described having either consented to or been notified of said hearing and at said hearing the Planning Commission resolved to approve the Application for a Conditional Use Permit; and

WHEREAS, the City Council of the City of Benton desires to grant a Conditional Use Permit to Jack and Sharon Keathley for using the property as a single family residence in a C1 Zone.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Benton:

Section 1. Jack and Sharon Keathley are hereby granted a Conditional Use Permit for having a single family residence at the following location:

605 Greenhill Road, Benton, Arkansas

Section 2. It is hereby found and determined that there is an immediate need to authorize the conditional use of the property in order to allow residential use of the structure situated thereon and provide needed housing in the community. Therefore, an emergency exists and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED, this ____ day of September, 2020.

Mayor, Tom Farmer

Attest: _____
City Clerk, Cindy Stracener

Designated for Publication

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

Jessica Teague
Planner
Phone: (501) 776-5938
Email: jessica@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

MEMORANDUM

TO: Robin Freeman/Brian Black
Planning Commission

FROM: Jessica Teague
Community Development

DATE: September 4, 2020

RE: Conditional Use Request for 605 Greenhill Road

The applicant is requesting a conditional use of 605 Greenhill Road. The property is zoned C1. The previous use of the property was office space for a construction company. The applicant is currently trying to purchase the property as a single-family residence. All requirements have been met in accordance with City Ordinance. City and Benton Utilities Staff comments have been provided in the packets and recommend approval.

Please contact the Community Development Office if we may be of further assistance.

Y
THH I

N



Jessica Teague <jessica@bentonar.org>

DRC Comments for Conditional Use for 605 Greenhill Road

4 messages

Jessica Teague <jessica@bentonar.org>
To: Tim Bennett <timbennett@bpmrealtors.com>
Cc: Brad Jordan <Brad@bentonar.org>

Fri, Aug 28, 2020 at 2:10 PM

Good afternoon Tim,

Below are comments I have received regarding Conditional Use for 605 Greenhill Road. Please address all comments and corrections and resubmit revised plans to the Community Development Office. Also, please let me know if you have any questions or concerns.

Community Development:

- approves
- This will be on the Planning Commission agenda for September 8th at 6:00pm. Please have a representative present.

Electric Department:

- Benton Electric approves

Fire Marshal:

- fire is ok with this

Street Department:

- Streets and Drainage approves

Wastewater Conveyance Department:

- Wastewater Conveyance approves the conditional use for 605 Greenhill rd.

Water Department:

- Water department approves this request.

Thank you.

--

Sincerely,

Jessica Teague

Planner

Community Development

114 South East Street

Benton, AR 72015

Office: 501-776-5938, ext. 116

Cell: 501-249-8218

Staff Use:
DATE SUBMITTED _____
DATE OF NEXT MEETING _____
AD MUST RUN NOT LATER THAN _____

Application and Procedural Requirements for Conditional Use Permit

Applicant's Name Jack and Sharon Keathley

Address of Subject Property 605 Greenhill Road, Benton, Arkansas 72019

Legal Description of Subject Property (may be attached on separate sheet)

Lot 5 & East 25' of 6/001, Green Hills Subdivision, City of Benton, Saline Co AR

Assessor's Parcel Number of Subject Property 800-28788-000

Zoning District of Subject Property C1

Proposed Use Single Family Residence

Please attach vicinity map of the property, 8.5 x 11 inch size. Additional required information is detailed on p. 2.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of _____, who is the owner of said property; or that I am the employee or agent of _____, which is a public utility company or other agency with the powers of eminent domain, and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Signed 

Mailing Address 19 Gusta Lane

Hot Springs Village, Arkansas 71909

Phone Number (870) 530-2288

Subscribed and certified to me this ____ day of _____, 2006.

Community Development Dept Representative

Proof of Publication

STATE OF ARKANSAS
County of Saline

I, Bailey Huxley, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 8.23.20, and the last insertion on 8.23.20.

Billed Account Jack Keathley

Ad Number 108587
[Signature]
Legal Advertising Clerk

Sworn to and subscribed before me on 8.24.20

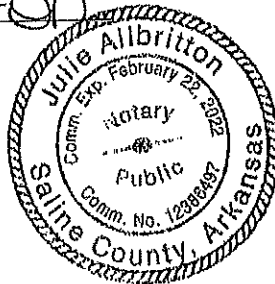
Julie Albritton
Notary Public

FEE FOR PRINTING

\$ 24.70 Cost of Notice

\$ 2.60 Cost of Proof

\$ 27.30 Total



Purpose of the Application: Conditional Use Permit for property to be used as a Single Family Residence.

Location of the property involved: 805 Greenhill Road, Benton, Arkansas 72019
Date: Sept. 8th, 2020

Time: 5:30 PM
Place of public hearing: 114 South East Street, Benton, Arkansas 72015

Advertising Receipt

Saline Courier
PO Box 207
Benton AR 72018

Phone: (501) 315-8228
Fax: (501) 315-1920

Jack Keathley

Benton , AR

Acct #: 04108854

Ad #: 00108587

Phone:

Date: 08/24/2020

Ad taker: JAA **Salesperson:**

Sort Line: Purpose of the Application: Co

Classification 710

Description	Start	Stop	Ins.	Cost/Day	Total
01 The Saline Courier AFFI Affidavit	08/23/2020	08/23/2020	1	24.70	24.70 2.60

Ad Text:

Purpose of the Application: Conditional Use Permit for property to be used as a Single Family Residence.

Location of the property involved: 605 Greenhill Road, Benton, Arkansas 72019

Date: September 8th, 2020 Time: 5:30 PM

Place of public hearing: 114 South East Street, Benton, Arkansas 72015

Payment Reference:

Jack Keathley CC NO. 6763 02/23
-27.3 Auth:

Total: 27.30

Tax: 0.00

Net: 27.30

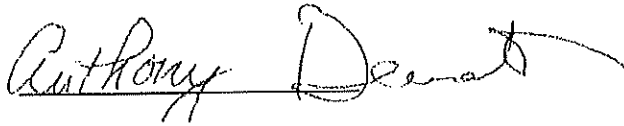
Prepaid: -27.30

Total Due: 0.00

Notification of Application for a Conditional Use Permit

I received notification on August 23, 2020 that the property at 605 Greenhill, Benton, AR is requesting a Conditional Use Permit for property to be used as a Single Family Residence.

I am the neighbor located to the left of this property located at 607 Greenhill Road, Benton, AR 72019 and I have no opposition to this conditional use.

Handwritten signature of Anthony Denat in cursive script.

Notification of Application for a Conditional Use Permit

I received notification on August 23, 2020 that the property at 605 Greenhill, Benton, AR is requesting a Conditional Use Permit for property to be used as a Single Family Residence.

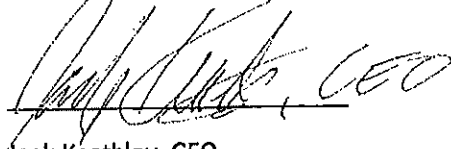
Farm Bureau's property is adjacent to 605 Greenhill and I have no opposition to this conditional use.

Kim Modes, office manager

Notification of Application for a Conditional Use Permit

I received notification on August 23, 2020 that the property at 605 Greenhill, Benton, AR is requesting a Conditional Use Permit for property to be used as a Single Family Residence.

I am the CEO at Birch Tree Communities and my company's property is directly behind 605 Greenhill and I have no opposition to this conditional use.

A handwritten signature in black ink, appearing to read "Jack Keathley, CEO", written over a horizontal line.

Jack Keathley, CEO
Birch Tree Communities

No. 46118

DATE 8.24 2020

CITY OF BENTON, ARKANSAS

GENERAL FUND

RECEIVED OF Jack & Sharrn Keathley \$ 3000

FOR 605 Greenhill Road - Conditional Use

CASL

To

RECEIVED BY:

Google Maps 605 Greenhill



Imagery ©2020 Maxar Technologies, State of Arkansas, Map data ©2020 50 ft



605 Greenhill

Benton, AR 72019



Directions



Save



Nearby



Send to your
phone



Share



HCH5+Q4 Benton, Arkansas

Photos

Title

805-15748-000
1.71

805-15752-000
0.72

800-28789-000
0

800-28788-000
0

Section

800-28787-000
0

Not A Legal Survey



County Disclaimer: This map was created by the Saline County Assessor's office and in accordance with Arkansas Code 15-21-502 (2) (B), which states, The digital cadastre manages and provides access to cadastral information. The digital cadastre does not represent legal property boundary descriptions, nor is it suitable for boundary determination of the individual parcels included in the cadastre. Arkansas Code 15-21-502 (6) indicates that 'Digital cadastre' means the storage and manipulation of computerized representations of parcel maps and linked data bases. The parcel lines shown are considered a graphical representation of the actual boundaries. The Assessor's office is in no way responsible for or liable for any misrepresentation or re-use of this map.

0.00 0.003 0.006 0.009 0.012
mi

ORDINANCE NO. 54 OF 2020

**AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY
ARKANSAS LOCATED AT TRACT 3 OF THE WOODLANDS SUBDIVISION FROM R-8 TO
R-2; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, an application for rezoning was filed with the Planning Commission of the City of Benton, Arkansas by Bosley Brothers Holdings, LLC requesting that the land hereinafter described located at Tract 3 in the Woodlands Subdivision to the City of Benton be zoned from R-8 to R-2; and

WHEREAS, the Planning Commission ordered a Public Hearing be held on September 8, 2020 at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and

WHEREAS, the City Council of the City of Benton, Arkansas desires to rezone the following property from R-8 to R-2.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS;

SECTION 1: The following described property is hereby rezoned from R-8 to R-2:

See attached legal description.

SECTION 2: The City Council, having found that the immediate rezoning of this property will allow residential construction to commence on the property which will be of benefit to the local economy and housing needs of the community, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

CITY OF BENTON
COMMUNITY DEVELOPMENT DEPARTMENT

Jessica Teague
Planner
Phone: (501) 776-5938
Email: jessica@bentonar.org



114 South East Street
Benton, Arkansas 72015
Fax: (501) 776-5922
Web: www.bentonar.org

MEMORANDUM

TO: Robin Freeman/Brian Black
Planning Commission

FROM: Jessica Teague
Community Development

DATE: September 4, 2020

RE: Rezone Request for Tract 3 The Woodlands

The applicant is requesting a rezone of Tract 3 The Woodlands from R8 Multi-Family Residential to R2 Single-Family Residential. All requirements have been met in accordance with City Ordinance. City and Benton Utilities Staff comments have been provided in the packets and recommend approval.

Please contact the Community Development Office if we may be of further assistance.

X
THH

N



Jessica Teague <jessica@bentonar.org>

DRC Comments for Rezone of Tract 3 The Woodlands

1 message

Fri, Aug 28, 2020 at 1:46 PM

Jessica Teague <jessica@bentonar.org>
To: Chip <chipbosley@ymail.com>
Cc: Brad Jordan <Brad@bentonar.org>

Good afternoon Chip,

Below are comments I have received regarding Rezone of Tract 3 The Woodlands. Please address all comments and corrections and resubmit revised plans to the Community Development Office. Also, please let me know if you have any questions or concerns.

Community Development:

- Approves

Electric Department:

- Benton Electric approves

Fire Marshal:

- fire is ok with this

Street Department:

- Streets and Drainage approves

Wastewater Conveyance Department:

- Wastewater Conveyance department approves this rezone, any sewer utility extension or upgrade will be at the property owners cost.

Water Department:

- Water department approves this rezone, any water utility extension or upgrade will be at the property owners cost.

Thank you.

--

Sincerely,

Jessica Teague

Planner

Community Development

114 South East Street

Benton, AR 72015

Office: 501-776-5938, ext. 116

Cell: 501-249-8218

REZONE APPLICATION

TO THE BENTON, ARKANSAS PLANNING COMMISSION:

Applicant's Name Bosley Brothers Holdings, LLC
Address of subject property Tract 3 - The Woodlands Subdivision
Legal description of subject property See attached

Parcel Number _____

It is requested that the above described property, currently in a Commercial Zone District, be changed to a Residential Zone District. Attached hereto as a part of this application is an accurate scale drawing of the site and the surrounding area for a minimum distance of three hundred (300) feet from each boundary of the site showing locations of existing streets, property lines and the name and last known address of the recorded legal owners of all properties shown on the drawing. I hereby certify that I am the owner of the property identified in this application and to the best of my knowledge and belief, is true and correct.

Signed [Signature]

Email bosleyhomes@stcglobal.net

Address _____

Phone 502-804-6657

Subscribed and certified to me this _____ day of _____, 20____

Receipt Number _____

Planning Department Representative _____

NOTE: THIS APPLICATION NEED NOT BE FILED IN PERSON AT THE OFFICE OF THE PLANNING COMMISSION; HOWEVER, WHEN FILING BY MAIL OR SECOND PARTY, THE SIGNATURE MUST BE NOTARIZED.

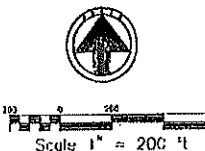
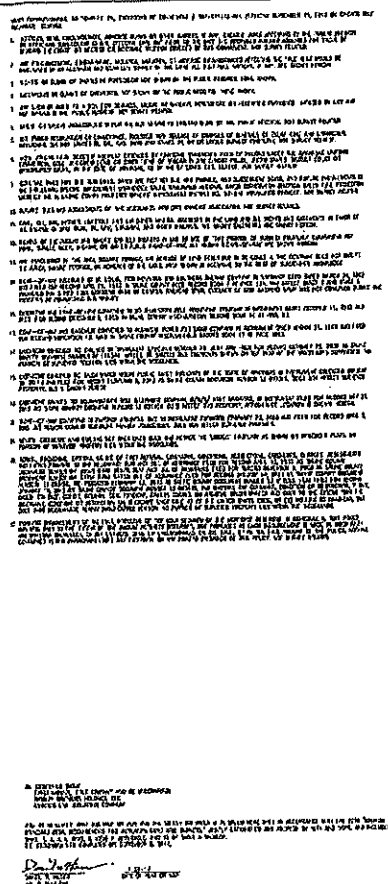
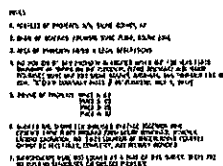
TRACT 3

PART OF THE NE1/4 SW1/4, AND PART OF THE NW1/4 SE1/4, ALL IN SECTION 26, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4 SW1/4; THENCE N02°13'59"E, A DISTANCE OF 451.78 FEET TO THE SOUTHWEST CORNER OF TRACT 1, THE WOODLANDS, PHASE 2, SALINE COUNTY, ARKANSAS; THENCE ALONG THE SOUTHERLY LINE OF THE WOODLANDS, PHASE 2, THE FOLLOWING COURSES: (1) S74°21'53"E, 122.45 FEET; (2) S69°40'34"E, 339.93 FEET; (3) S78°16'35"E, 165.74 FEET; (4) ALONG THE ARC OF A 76.29 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N65°56'31"E, 82.58 FEET; (5) ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N26°37'17"E, 54.91 FEET; (6) N33°37'47"E, 16.06 FEET; (7) ALONG THE ARC OF A 124.51 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N32°54'05"E, 3.17 FEET; (8) S56°25'23"E, 90.04 FEET; (9) ALONG THE ARC OF A 555.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S70°05'41"E, 262.36 FEET; (10) ALONG THE ARC OF A 345.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF S70°37'57"E, 157.15 FEET; (11) S57°35'46"E, 110.47 FEET; (12) N85°35'21"E, 57.83 FEET; (13) S32°31'39"W, 142.58 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NW1/4 SE1/4; THENCE N86°39'55"W, ALONG SAID SOUTH LINE, A DISTANCE OF 109.44 FEET TO THE SOUTHEAST CORNER OF THE SAID NE1/4 SW1/4; THENCE N87°14'11"W, ALONG THE SOUTH LINE OF THE SAID NE1/4 SW1/4, A DISTANCE OF 1269.38 FEET TO THE POINT OF BEGINNING. CONTAINING 10.2029 ACRES, MORE OR LESS.

NOTICE

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 8th day of September, 2020 at 6:00 pm at 114 South East Street on the petition of Bosley Brothers Holdings, Inc for rezoning to a residential property on Tract 3 of The Woodlands Property on the following lands to wit: TRACT 3 in the City of Benton, Saline County, Arkansas.

PART OF THE NE1/4 SW1/4, AND PART OF THE NW1/4 SE1/4, ALL IN SECTION 26, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4 SW1/4; THENCE N02°13'59"E, A DISTANCE OF 451.78 FEET TO THE SOUTHWEST CORNER OF TRACT 1, THE WOODLANDS, PHASE 2, SALINE COUNTY, ARKANSAS; THENCE ALONG THE SOUTHERLY LINE OF THE WOODLANDS, PHASE 2, THE FOLLOWING COURSES: (1) S74°21'53"E, 122.45 FEET; (2) S69°40'34"E, 339.93 FEET; (3) S78°16'35"E, 165.74 FEET; (4) ALONG THE ARC OF A 76.29 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N65°56'31"E, 82.58 FEET; (5) ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N26°37'17"E, 54.91 FEET; (6) N33°37'47"E, 16.06 FEET; (7) ALONG THE ARC OF A 124.51 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N32°54'05"E, 3.17 FEET; (8) S56°25'23"E, 90.04 FEET; (9) ALONG THE ARC OF A 555.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S70°05'41"E, 262.36 FEET; (10) ALONG THE ARC OF A 345.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF S70°37'57"E, 157.15 FEET; (11) S57°35'46"E, 110.47 FEET; (12) N85°35'21"E, 57.83 FEET; (13) S32°31'39"W, 142.58 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NW1/4 SE1/4; THENCE N86°39'55"W, ALONG SAID SOUTH LINE, A DISTANCE OF 109.44 FEET TO THE SOUTHEAST CORNER OF THE SAID NE1/4 SW1/4; THENCE N87°14'11"W, ALONG THE SOUTH LINE OF THE SAID NE1/4 SW1/4, A DISTANCE OF 1269.38 FEET TO THE POINT OF BEGINNING. CONTAINING 10.2029 ACRES, MORE OR LESS.



ATA/JSPS LAND TITLE SURVEY		Amount	
		Percent	
PART OF SECTION 26		Date SEPT. 23, 2017	
T 1 S, R 15 W		Acres	Net
		Share	4 2
Saine County, Arkansas		File No. 17-1350	

WHITE-DATERS & ASSOCIATES, INC.
ONE HUNTERTON, LONG BEACH, & D.M. OFFICE, ST. LOUIS
24 BARRAGE COURT, ST. LOUIS, MISSOURI 63102
TEL 501-211-1581 FAX 501-571-114

No. 46102

DATE 8.20 2020

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF B.M. Electric \$37.50
FOR Meter Upgrade - 1726 Dunwood
81-043/820 TO

RECEIVED BY:

No. 46103

DATE 8.20 2020

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF Morehart Heating & Air \$130.00
FOR 712 Westar Drive - HVAC Remit
14447 TO

RECEIVED BY:

No. 46104

DATE 8.20 2020

CITY OF BENTON, ARKANSAS
GENERAL FUND

RECEIVED OF Booley Construction \$80.00
FOR Rezone tract 2
19259 CM

RECEIVED BY:

Baxley-Penfield-Moudy
REALTORS[®]

THE WOODLANDS

3 Acre (+/-) Tracts

Mark Chilton 317-2299

315-5000

www.bpmrealtors.com

**THIS PROPERTY
IS SUBJECT TO
RE-ZONING
CITY OF BENTON**

Proof of Publication

STATE OF ARKANSAS
County of Saline

I, Bailey Huxley, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 8/22/20, and the last insertion on 8/22/20.

Billed Account

Ad Number

Legal Advertising Clerk

Sworn to and subscribed before me on

Notary Public

FEE FOR PRINTING

\$ 109.20 Cost of Notice

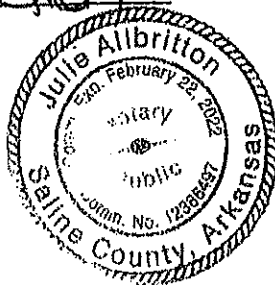
\$ 2.60 Cost of Proof

\$ 111.80 Total

NOTICE

NOTICE is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 8th day of September, 2020 at 6:00 pm at 114 South East Street on the petition of Bosley Brothers Holdings, Inc for rezoning to a residential property on Tract 3 of The Woodlands Property on the following lands to wit: TRACT 3 in the City of Benton, Saline County, Arkansas.

PART OF THE NE1/4 SW1/4, AND PART OF THE NW1/4 SE1/4, ALL IN SECTION 26, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4 SW1/4; THENCE N02°13'59"E, A DISTANCE OF 451.78 FEET TO THE SOUTHWEST CORNER OF TRACT 1, THE WOODLANDS, PHASE 2, SALINE COUNTY, ARKANSAS; THENCE ALONG THE SOUTHERLY LINE OF THE WOODLANDS, PHASE 2, THE FOLLOWING COURSES: (1) S74°21'53"E, 122.45 FEET; (2) S69°40'34"E, 339.93 FEET; (3) S78°16'35"E, 165.74 FEET; (4) ALONG THE ARC OF A 76.29 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N65°56'31"E, 82.58 FEET; (5) ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N26°37'17"E, 54.91 FEET; (6) N33°37'47"E, 16.06 FEET; (7) ALONG THE ARC OF A 124.51 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N32°54'05"E, 3.17 FEET; (8) S56°25'23"E, 90.04 FEET; (9) ALONG THE ARC OF A 555.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S70°05'41"E, 262.36 FEET; (10) ALONG THE ARC OF A 345.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF S70°37'57"E, 157.13 FEET; (11) S57°35'46"E, 110.47 FEET; (12) N85°35'21"E, 57.83 FEET; (13) S32°31'49"W, 142.58 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NW1/4 SE1/4; THENCE N86°39'55"W, ALONG SAID SOUTH LINE, A DISTANCE OF 109.44 FEET TO THE SOUTHEAST CORNER OF THE SAID NE1/4 SW1/4; THENCE N87°14'11"W, ALONG THE SOUTH LINE OF THE SAID NE1/4 SW1/4, A DISTANCE OF 1269.38 FEET TO THE POINT OF BEGINNING. CONTAINING 10.2029 ACRES, MORE OR LESS.



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Any questions may be directed to Benton Planning and Development (501) 776-5938.

28
Bosley Begone
Tract 3
The Woodlands

First National Title Company
216 West Sevier Street
Benton, AR. 72015

August 20, 2020

Bosley Brothers Holdings, LLC
9107 North Rodney Parham, Apt 12
Little Rock, AR 72015

RE: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and
Part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$,
Section 26, Township 1 South,
Range 15 West, Saline County,
Arkansas

We have searched the public records of Saline County, Arkansas, and the records and indices of First National Title Company up to August 5, 2020 at 7:00 A.M. and find the following Grantees in the last Deeds of record conveying those lands in Saline County, Arkansas, lying within 300 feet of the lands described in EXHIBIT A attached hereto and made a part hereof. We make no representations as to the status of any titles.

Aurelian Cimuca
1107 Nature Way Drive
Benton, AR 72019

James Scoggins and Amie Scoggins
1105 Nature Way Drive
Benton, AR 72019

Lisa D. Foote
1103 Nature Way Drive
Benton, AR 72019

Jannie Ann Swafford and David Wayne Swafford
1301 Sumter Cove
Benton, AR 72019

James L. Hutchings and Paulette Hutchings
1009 Nature Way Drive
Benton, AR 72019

Lance F. Dunavant and Mabel Maxwell
1007 Nature Way Drive
Benton, AR 72019

(2)

Charlton Hill
1005 Nature Way Drive
Benton, AR 72019

Linzy Jones and Shawn Jones
1003 Nature Way Drive
Benton, AR 72019

James G. Whittemore and Jamie Sue Whittemore
919 Nature Way Drive
Benton, AR 72019

William D. Powell and Lori B. Powell
917 Nature Way Drive
Benton, AR 72019

Anthony James Munter and Becky Munter
915 Nature Way Drive
Benton, AR 72019

Charles L. Marshall and Deborah P. Marshall
911 Nature Way Drive
Benton, AR 72019

Bryan M. Wingerter and Bethany G. Wingerter
914 Nature Way Drive
Benton, AR 72019

Benjamin S. Higgs and Bridget Y. Higgs
916 Caddo Drive
Benton, AR 72019

Brent Saunders and Amy Saunders
1002 Nature Way Drive
Benton, AR 72019

Richard C. Newby and Nicole E. Newby
1004 Nature Way Drive
Benton, AR 72019

Fred Ray Bean and Neelie Deshae Bean
1006 Nature Way Drive
Benton, AR 72019

(3)

Joshua D. East
1215 Beaverhead Cove
Benton, AR 72019

James M. Smith and Brenda A. Smith
1100 Nature Way Drive
Benton, AR 72019

Kaleb N. Wise and Amanda L. Wise
1102 Nature Way Drive
Benton, AR 72019

The Woodlands Property Owners Association
9107 North Rodney Parham, RD #12
Little Rock, AR 72205

Lucille Bagley and Benny Joe Bagley
1008 West Longhills Road
Benton, AR 72019

Lewis D. Mayfield and Judy Mayfield
4315 Timber Lane
Benton, AR 72019

Brook Brosi and Jacqueline Brosi
4205 Timber Lane
Benton, AR 72019

Danny A. Perryman, Trustee of the Danny A.
Perryman Revocable Trust
11703 Avilla West
Alexander, AR 72002

Jeffrey S. Gaffney and Nancy A. Marley
4461 Gabby Lane
Benton, AR 72019

Nicholas A. Gann and Kelly Michelle Gann
P.O. Box 2577
Benton, AR 72018

Charles McClure and Deborah McClure
608 Lillian Street
Benton, AR 72015

(4)

Thank you for this opportunity to be of service.

First National Title Company


BY: 
James E. Villines

EXHIBIT A

PART OF THE NE1/4 SW1/4, AND PART OF THE NW1/4 SE1/4, ALL IN SECTION 26, T-1-S, R-15-W, SALINE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4 SW1/4; THENCE N02°13'59"E, A DISTANCE OF 451.78 FEET TO THE SOUTHWEST CORNER OF TRACT 1, THE WOODLANDS, PHASE 2, SALINE COUNTY, ARKANSAS; THENCE ALONG THE SOUTHERLY LINE OF THE WOODLANDS, PHASE 2, THE FOLLOWING COURSES: (1) S74°21'53"E, 122.45 FEET; (2) S69°40'34"E, 339.93 FEET; (3) S78°16'35"E, 165.74 FEET; (4) ALONG THE ARC OF A 76.29 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N65°56'31"E, 82.58 FEET; (5) ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF N26°37'17"E, 54.91 FEET; (6) N33°37'47"E, 16.06 FEET; (7) ALONG THE ARC OF A 124.51 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N32°54'05"E, 3.17 FEET; (8) S56°25'23"E, 90.04 FEET; (9) ALONG THE ARC OF A 555.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF S70°05'41"E, 262.36 FEET; (10) ALONG THE ARC OF A 345.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF S70°37'57"E, 157.15 FEET; (11) S57°35'46"E, 110.47 FEET; (12) N85°35'21"E, 57.83 FEET; (13) S32°31'39"W, 142.58 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NW1/4 SE1/4; THENCE N86°39'55"W, ALONG SAID SOUTH LINE, A DISTANCE OF 109.44 FEET TO THE SOUTHEAST CORNER OF THE SAID NE1/4 SW1/4; THENCE N87°14'11"W, ALONG THE SOUTH LINE OF THE SAID NE1/4 SW1/4, A DISTANCE OF 1269.38 FEET TO THE POINT OF BEGINNING. CONTAINING 10.2029 ACRES, MORE OR LESS.

Advertising Receipt

Saline Courier
PO Box 207
Benton AR 72018

Phone: (501) 315-8228
Fax: (501) 315-1920

Bosley Construction, Inc.
Chip Bosley
9107 N. Rodney Parham #12
LITTLE ROCK, AR 72205

Acct #: 04108156
Ad #: 00108534
Phone: (501)804-6551
Date: 08/20/2020
Ad taker: JAA Salesperson:

Sort Line: NOTICE Notice is hereby given

Classification 710

Description	Start	Stop	Ins.	Cost/Day	Total
01 The Saline Courier	08/22/2020	08/22/2020	1	109.20	109.20
AFFI Affidavit					2.60

Ad Text:

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Payment Reference:

Total: 111.80
Tax: 0.00
Net: 111.80
Prepaid: 0.00

Total Due: 111.80

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Ordinance No. 55 of 2020

AN ORDINANCE ADOPTING THE MOVING BENTON FORWARD COMPREHENSIVE DEVELOPMENT PLAN AS ADOPTED BY THE CITY OF BENTON PLANNING AND ZONING COMMISSION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Planning Commission of the City of Benton on September 8, 2020 adopted the Moving Benton Forward Comprehensive Development Plan for the city pursuant to A.C.A. §14-56-412; and

WHEREAS, after reviewing the plan, the City Council desires to likewise adopt the Moving Benton Forward Comprehensive Development Plan for use by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, that:

SECTION 1. The City of Benton does hereby adopt by reference as if stated word for word, Exhibit "1" of this ordinance the Moving Benton Forward Comprehensive Development Plan for the City. The adoption of any prior comprehensive development plan by the City Council is hereby repealed.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. There is an immediate need to adopt a new comprehensive plan for the City of Benton. Therefore, an emergency exists, and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

Hard copies of the
COMPREHENSIVE PLAN

are available in the
Community Development Department
in the Benton Municipal Complex
114 S. East St., Benton, AR. 72015

501-776-5900

RESOLUTION NO. 80 OF 2020

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE LAWSUITS IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE PUBLIC NUISANCES LOCATED AT FIFTEEN PROPERTIES INSIDE THE BENTON CITY LIMITS; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton has been presented with photographs of the conditions of each of the properties listed below which are attached as Exhibit "1" to this Ordinance; and

WHEREAS, the City Council finds that the conditions at these properties are unsightly and pose a significant risk to the public health, safety and welfare and in particular to the neighbors who live in the vicinity of each such property; and

WHEREAS, the City Council finds and declares that these properties are a nuisance to the public which should be abated; and

WHEREAS, it has been determined that the best course of action for the city is to direct the City Attorney to file suit against each property owner(s) and anyone who maintains an interest in the property and ask the Saline County Circuit Court to also find that the property conditions constitute a public nuisance which should be abated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: For the reasons stated above, the City Attorney is hereby authorized to bring a cause of action in the Saline County Circuit Court seeking a court order to abate a public nuisance located at the following addresses in Benton:

Address

121 Bass Ln.
724 Pearl St.
1925 River St.
6521 Grayson Dr.
1605 Liberty St.
1614 Liberty St.
1520 Oak St.
1406 Dixie St.
711 N. Market St.
1402 Dixie St.
419 Hill St.
1310 Gum St.
413 Hill St.

1723 Dixie St.
6821 Grayson Dr.

PASSED AND APPROVED this the _____ day of September, 2019.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



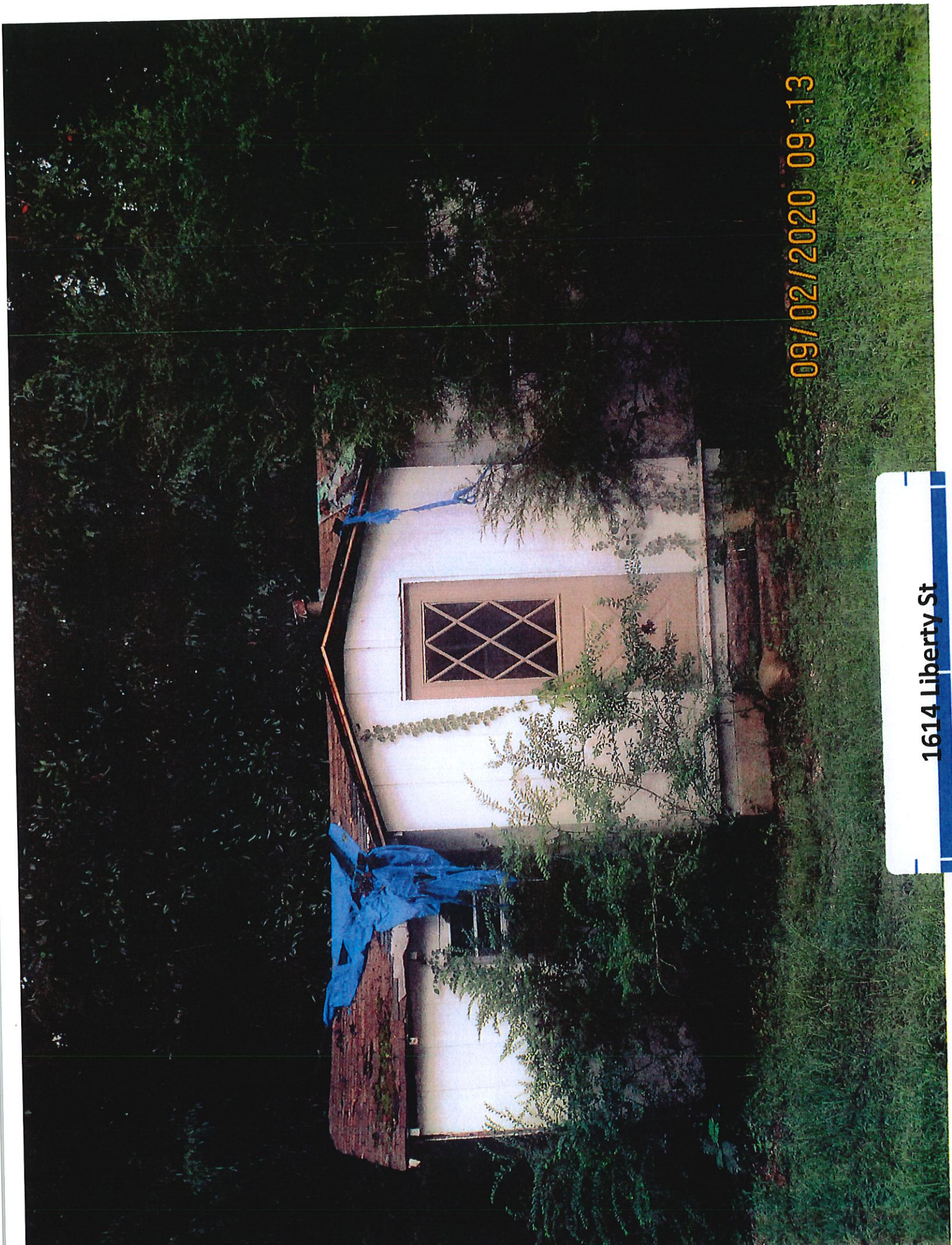
03/12/2020

1310 Gum St.



09/02/2020 08:50

413 Hill St.

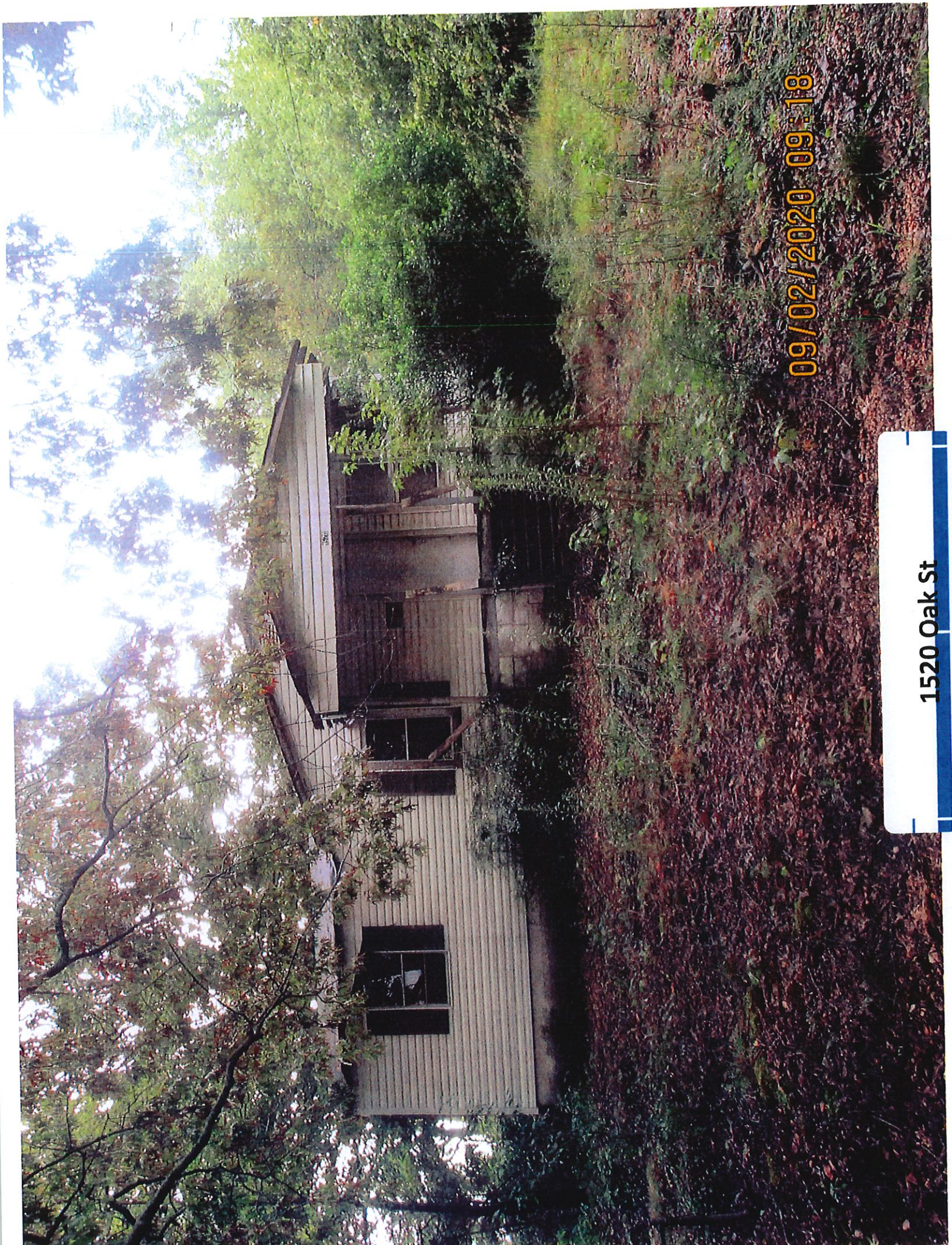


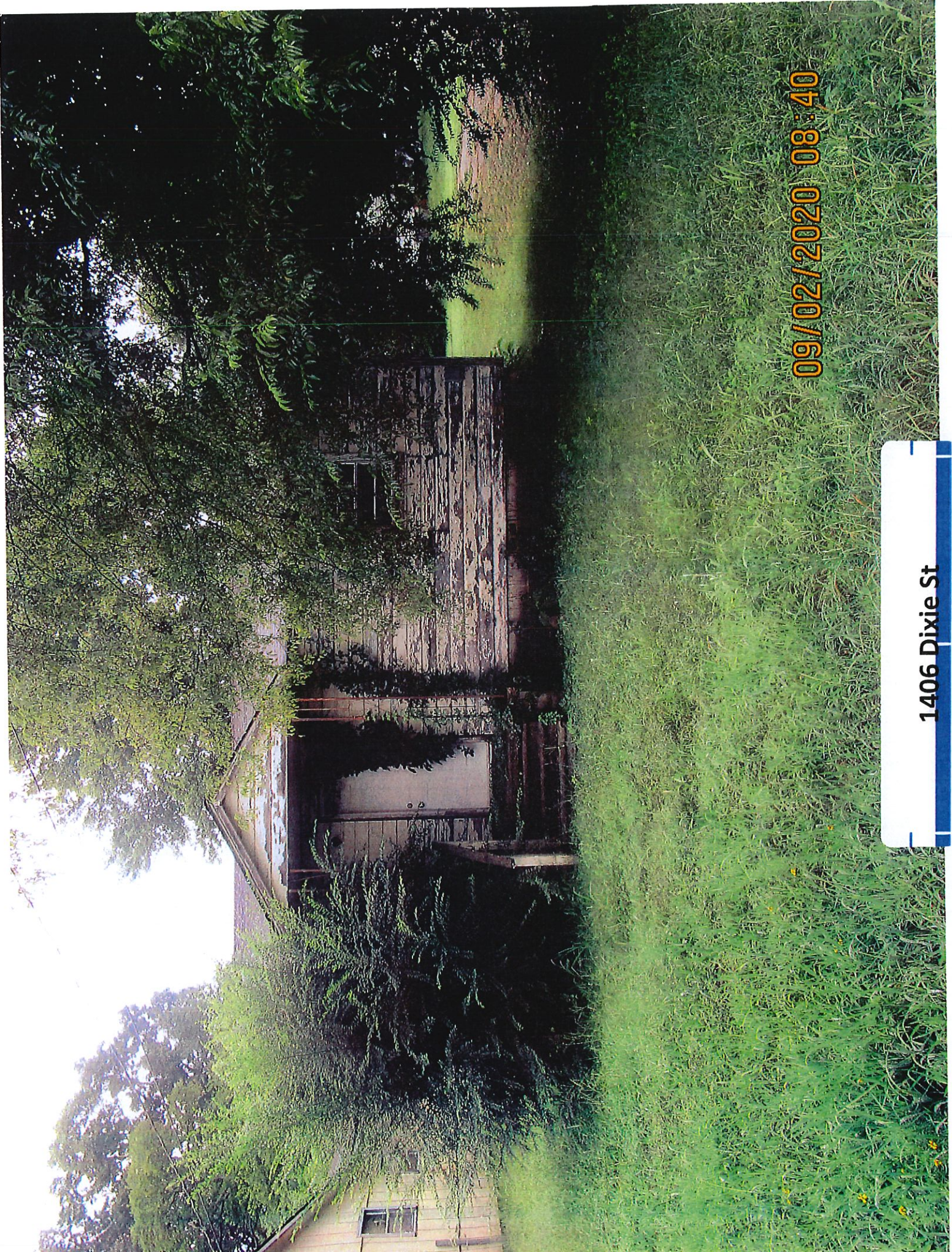
09/02/2020 09:13

1614 Liberty St

1520 Oak St

09/02/2020 09:18





09/02/2020 08:40

1406 Dixie St



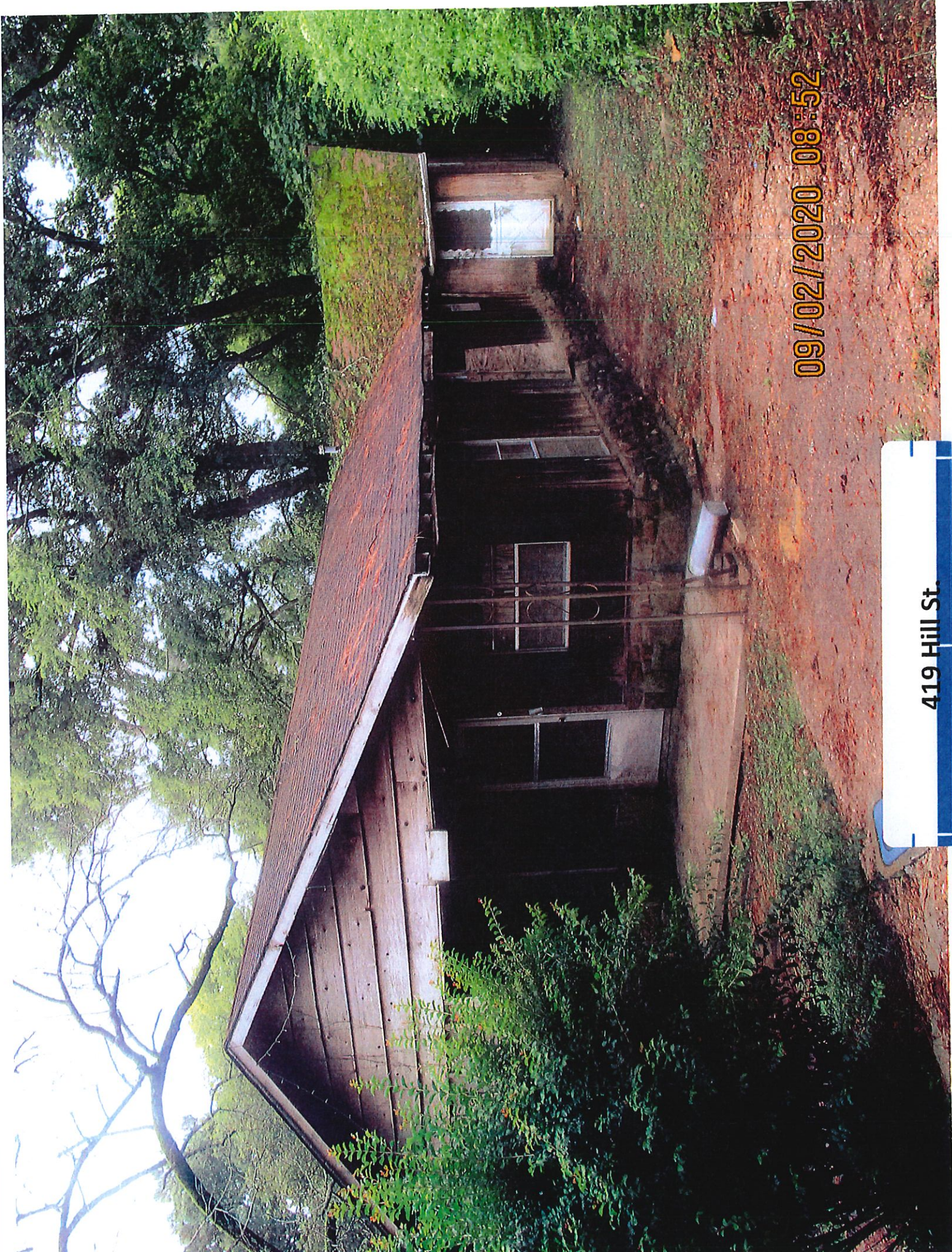
09/02/2020 08:29

724 Pearl St

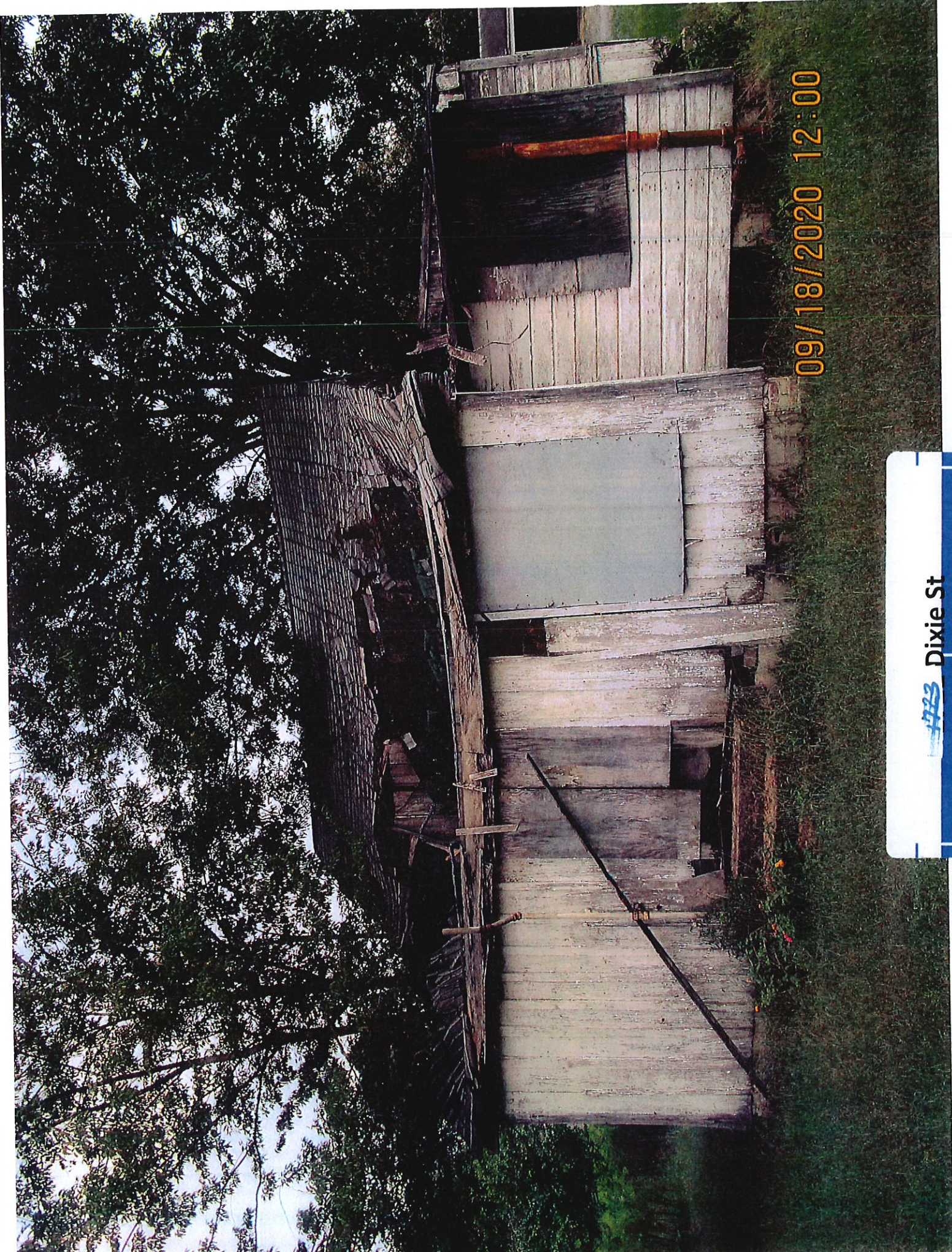


09/02/2020 10:09

711 N. Market St



419 Hill St.



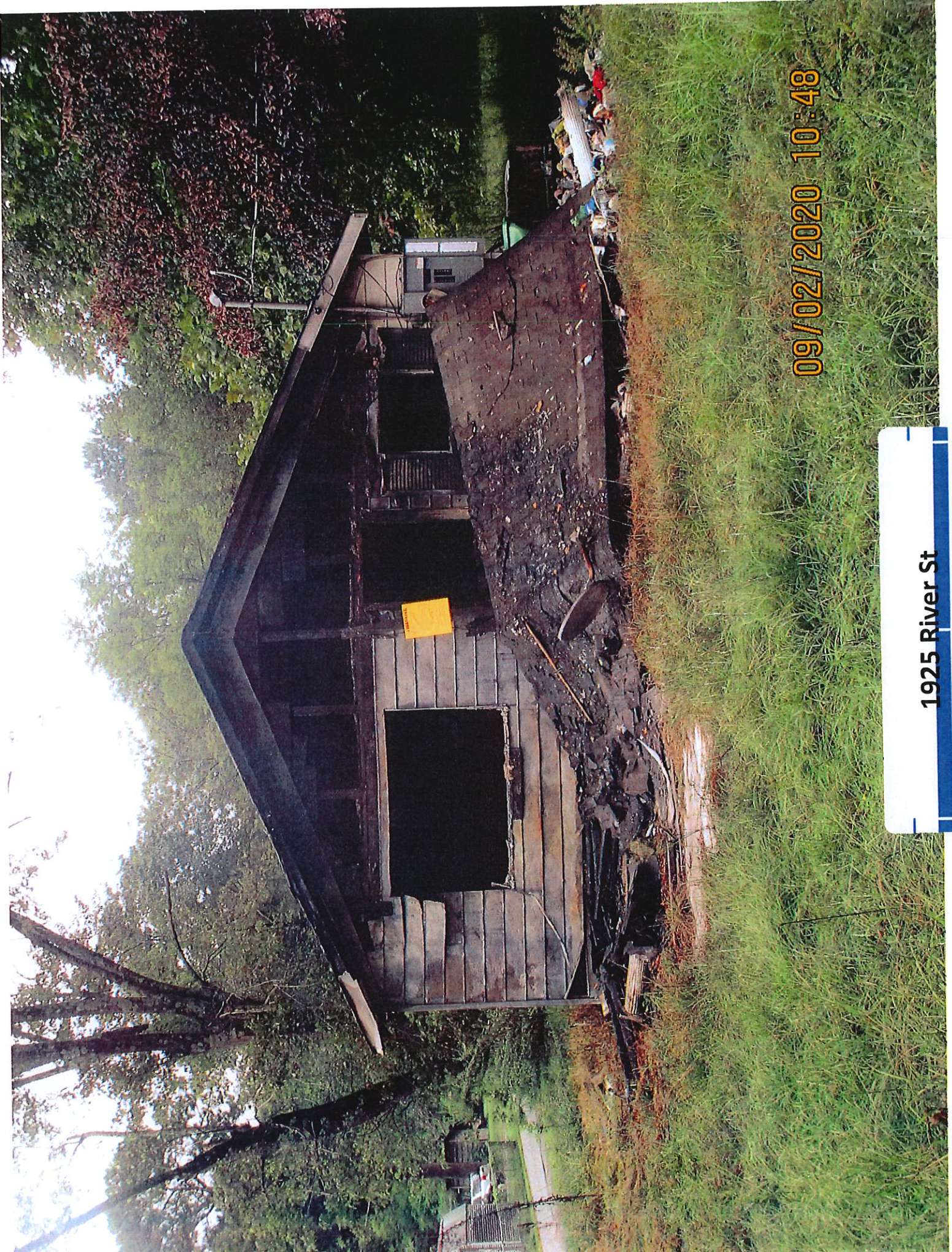
09/18/2020 12:00

423 Dixie St

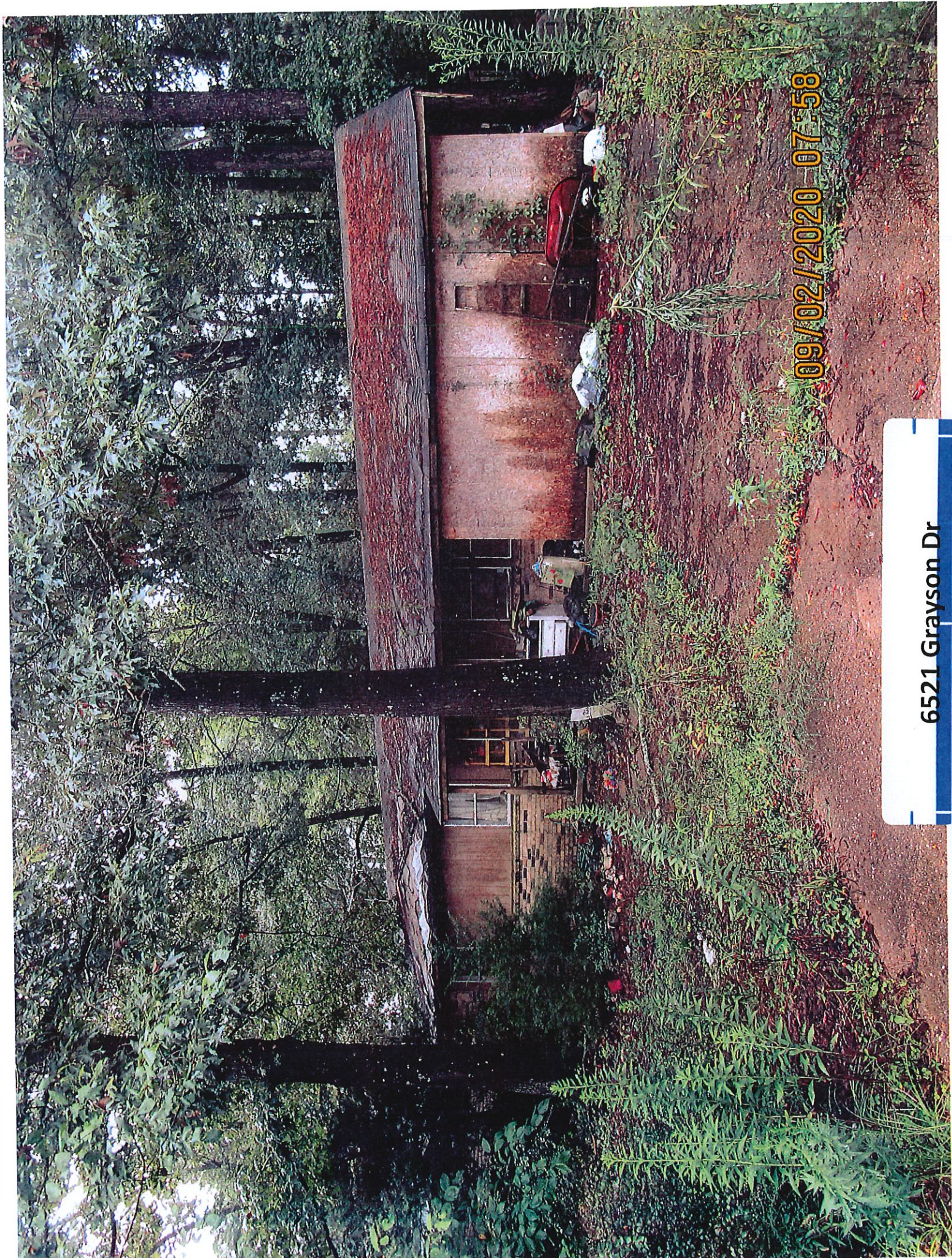


09/02/2020 11:34

121 Bass Lane



1925 River St



6521 Grayson Dr



09/02/2020 08:03

6821 Grayson Dr.



09/02/2020 09:03

1605 Liberty St.

ORDINANCE NO. 56 OF 2020

AN ORDINANCE ACCEPTING THE PUBLIC STREETS AND STORM DRAINAGE FOR MAINTENANCE WITHIN THE WOODLANDS SUBDIVISION, PHASES THREE AND FIVE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Benton, Arkansas desires to accept the public streets and storm drains of the Woodlands Subdivision, Phases Three and Five for maintenance by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, the presently existing public streets and storm drains within the Woodlands Subdivision, Phases Three and Five an Addition to the City of Benton, Arkansas, be and are hereby accepted for maintenance by the City of Benton, Arkansas.

Because of the need to accept the streets and drainage for maintenance, an emergency is hereby declared and this ordinance will be in full force and effect from and after its passage and approval.

Passed and Approved this ____ day of September, 2020.

Tom Farmer, Mayor

ATTEST

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

ORDINANCE NO. 57 OF 2020

AN ORDINANCE ACCEPTING THE PUBLIC STREETS AND STORM DRAINAGE FOR MAINTENANCE WITHIN THE PRESERVES SUBDIVISION, PHASE ONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Benton, Arkansas desires to accept the public streets and storm drains of the Preserves Subdivision, Phase One for maintenance by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, the presently existing public streets and storm drains within the Preserves Subdivision, Phase One an Addition to the City of Benton, Arkansas, be and are hereby accepted for maintenance by the City of Benton, Arkansas.

Because of the need to accept the streets and drainage for maintenance, an emergency is hereby declared and this ordinance will be in full force and effect from and after its passage and approval.

Passed and Approved this ____ day of September, 2020.

Tom Farmer, Mayor

ATTEST

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

RESOLUTION NO. 81 OF 2020

A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF CAMP B, LLC TO ABANDON A PORTION OF A ROAD RIGHT OF WAY LOCATED AT THE END OF ARCH STREET IN THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES

WHEREAS, pursuant to A.C.A. §14-301-110 states that a property owner whose lands abut a public street may petition the City Council to abandon the street or alleyway; and

WHEREAS, the City Council is required to hold a public hearing on the petition and to notify all abutting landowners of the petition; and

WHEREAS, the City Council is also required to publish notice of the public hearing in a paper of general circulation within the city; and

WHEREAS, CAMP B, LLC has a filed a petition to vacate an alleyway located at the end of Arch Street in the City of Benton and more fully described in Exhibit "1"; and

WHEREAS, in compliance with the law, the City shall hold a public hearing as forth below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: Pursuant to A.C.A. §14-301-110 the City of Benton does hereby call a public hearing which shall be held on the 26th day of October, 2020 at 7:00 pm to consider the petition filed by CAMP B, LLC. The City Clerk shall publish notice of the hearing as required by the statute which is one time per week for two consecutive weeks. The abutting land owners have all given their written consent to the petition and no direct notice to them will be necessary.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

EXHIBIT "1"

LEGAL DESCRIPTION: THE NORTH 140 FEET OF LOT 10, AND ALL OF LOTS 8, 9, 11
AND 12 OF BLOCK 8 IN THE AC. SPEERS ADDITION, SALINE COUNTY, BENTON,
ARKANSAS

RESOLUTION NO. 82 OF 2020

A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF TONA JOLLY TO ABANDON A PORTION OF AN ALLEYWAY LOCATED ALONG 519 FIRST STREET WHICH IS WITHIN BLOCK 8 OF THE (A.C.) SPEERS ADDITION TO THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES

WHEREAS, pursuant to A.C.A. §14-301-110 a property owner whose lands abut a public street may petition the City Council to abandon the street or alleyway; and

WHEREAS, the City Council is required to hold a public hearing on the petition and to notify all abutting landowners of the petition; and

WHEREAS, the City Council is also required to publish notice of the public hearing in a paper of general circulation within the city; and

WHEREAS, Tona Jolly has a filed a petition to vacate an alleyway located at 519 First Street which is within Block 8 of the (A.C.) Speers Addition to the City of Benton; and

WHEREAS, in compliance with the law, the City shall hold a public hearing as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: Pursuant to A.C.A. §14-301-110 the City of Benton does hereby call a public hearing which shall be held on the 26th day of October, 2020 at 7:00 pm to consider the petition filed by Tona Jolly. The City Clerk shall publish notice of the hearing as required by the statute which is one time per week for two consecutive weeks. The abutting land owners have all given their written consent to the petition and no direct notice to them will be necessary.

PASSED AND APPROVED this the _____ day of September, 2020.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

EXHIBIT "1"

RECORD DESCRIPTION: SALINE COUNTY INSTRUMENT #1997-20762: THE SOUTH 100 FEET OF LOT 3, AND ALL OF LOTS 4 & 5, BLOCK 8 OF (A.C.) SPEER'S ADDITION TO THE CITY OF BENTON, SALINE COUNTY, ARKANSAS

FEDERAL-AID PROJECT RESOLUTION

RESOLUTION NO. 83 OF 2020

**A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF BENTON, ARKANSAS
TO UTILIZE FEDERAL-AID FUNDS
FOR THE FOLLOWING CITY OF BENTON PROJECT:**

THE CONGO SHENANDOAH ROUNDABOUT PROJECT

WHEREAS, the Central Arkansas Regional Transportation Study, Metroplan, has issued a call for Federal-aid Surface Transportation Block Grant Program Attributable funds for the project at the following Federal and City of Benton participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	City %
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

WHEREAS, the City of Benton, intends to submit an application for the construction of a roundabout at the intersection of Congo Road and Shenandoah Road in Benton; and

WHEREAS, the City of Benton, recognizes that funding is contingent on the project's selection and award by the Metroplan Board of Directors;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION I: The City of Benton will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project.

SECTION III: The City of Benton pledges its full support and hereby authorizes the Arkansas Department of Transportation and Metroplan to initiate action to implement this project.

SECTION IV: The City of Benton is committed to providing the required match to the project and pledges to budget for this match requirement, estimated at approximately \$300,000.00.

THIS RESOLUTION adopted this _____ day of September, 2020.

Mayor Tom Farmer
Mayor of the City of Benton

ATTEST: _____
(SEAL) Cindy Stracener
City Clerk of the City of Benton

FEDERAL-AID PROJECT RESOLUTION

RESOLUTION NO. 84 OF 2020

**A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF BENTON, ARKANSAS
TO UTILIZE FEDERAL-AID FUNDS
FOR THE FOLLOWING CITY OF BENTON PROJECT:**

THE RIVER STREET COMPLETE STREET PROJECT

WHEREAS, the Central Arkansas Regional Transportation Study, Metroplan, has issued a call for Federal-aid Surface Transportation Block Grant Program Attributable funds for the project at the following Federal and City of Benton participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	City %
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

WHEREAS, the City of Benton, intends to submit an application for the upgrading of River Street in Benton; and

WHEREAS, the City of Benton, recognizes that funding is contingent on the project's selection and award by the Metroplan Board of Directors;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION I: The City of Benton will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project.

SECTION III: The City of Benton pledges its full support and hereby authorizes the Arkansas Department of Transportation and Metroplan to initiate action to implement this project.

SECTION IV: The City of Benton is committed to providing the required match to the project and pledges to budget for this match requirement.

THIS RESOLUTION adopted this _____ day of September, 2020.

Mayor Tom Farmer
Mayor of the City of Benton

ATTEST: _____
(SEAL) Cindy Stracener
City Clerk of the City of Benton