

BENTON CITY COUNCIL AGENDA

April 25, 2022

IMMEDIATELY FOLLOWING AGENDA MEETING

- | | |
|---|---------------------------------------|
| I. CALL TO ORDER | Mayor Tom Farmer |
| II. INVOCATION | Pastor Johnathon Pope |
| III. PLEDGE OF ALLEGIANCE | Council Member Hart |
| IV. ROLL CALL | City Clerk |
| V. APPROVAL OF MINUTES | March 28, 2022 Regular Meeting |
| VI. APPROVAL OF MINUTES | April 12, 2022 Public Hearing |
| VII. CIVIL STATEMENT | Mayor Tom Farmer |
| VIII. STREET DEPARMENT
AWARDS PRESENTATION | Jay Whisker |
| IX. COMMITTEE REPORTS & MOTIONS | |

- | | |
|-----------------------------|------------------------------|
| a. FINANCE COMMITTEE | Council Member Morrow |
|-----------------------------|------------------------------|

RESOLUTION NO. 54 OF 2022

**A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS;
AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT
AUCTION**

RESOLUTION NO. 55 OF 2022

**A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS;
AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY TO
ACCREDITED SAFETY, AND FOR OTHER PURPOSES**

RESOLUTION NO. 56 OF 2022

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN
AGREEMENT WITH EVOGOV FOR A WEBSITE REFRESH; AND
FOR OTHER PURPOSES**

RESOLUTION NO. 57 OF 2022

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A
CONTRACT WITH THE BENTON SCHOOL DISTRICT FOR THE
PLACEMENT OF SEVEN SCHOOL RESOURCE OFFICERS WITHIN
THE DISTRICT; AND FOR OTHER PURPOSES**

RESOLUTION NO. 58 OF 2022

**A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE THE
REVENUE IN POLICE FEDERAL TREASURY FUND FOR THE
ACCEPTANCE OF FUNDS FROM AN INSURANCE SETTLEMENT;
AND FOR OTHER PURPOSES**

RESOLUTION NO. 59 OF 2022

A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE THE REVENUES AND EXPENDITURES IN GENERAL FUND FOR THE ACCEPTANCE OF GRANT FUNDS TO PURCHASE NARCAN; AND FOR OTHER PURPOSES

RESOLUTION NO. 60 OF 2022

A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE THE APPROPRIATION AMOUNT IN STREETS & DRAINAGE FUND FOR THE ACCEPTANCE OF FUNDS FROM AN AUCTION OF SURPLUS ASSETS AND FOR THE PURCHASE OF NEW ASSETS; AND FOR OTHER PURPOSES

b. PARKS COMMITTEE

Council Member Hart

RESOLUTION NO. 45 OF 2022

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE WOLVES FOR USE OF C.W. LEWIS IN EXCHANGE FOR PROVIDING SERVICES TO THE CITY; AND FOR OTHER PURPOSES

**c. COMMUNITY SERVICE/
ANIMAL CONTROL**

Council Member Reed

RESOLUTION NO. 61 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 708 REED STREET AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

RESOLUTION NO. 62 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 2007 WRIGHT AVENUE AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

RESOLUTION NO. 63 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 2011 WATTS ROAD AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

RESOLUTION NO. 64 OF 2022

A RESOLUTION EXEMPTING SATURDAY, JULY 2ND, SUNDAY, JULY 3RD, AND MONDAY, JULY 4TH FROM ORDINANCE 29 OF 2007; PROVIDING FOR FIREWORKS DISPLAYS BY PUBLIC PURSUANT TO ORDINANCE 32 OF 2013 ON THE SAME DATE; AND FOR OTHER PURPOSES

d. STREET & DRAINAGE COMMITTEE Council Member Hamm

e. PERSONNEL/HEALTH &
SAFETY COMMITTEE

Council Member Donnor

ORDINANCE NO. 15 OF 2022

AN ORDINANCE ESTABLISHING THE CITY OF BENTON
INFORMATION SECURITY POLICY

RESOLUTION NO. 65 OF 2022

A RESOLUTION AUTHORIZING THE MAYOR AND THE CHIEF OF
POLICE TO APPLY FOR FUNDING THROUGH THE ARKANSAS
FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND
ACT OF 2022; AND FOR OTHER PURPOSES

RESOLUTION NO. 66 OF 2022

A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO
ORDER ELEVEN POLICE VEHICLES IN THE ESTIMATED AMOUNT
OF \$620,000; AND FOR OTHER PURPOSES

f. PUBLIC UTILITIES COMMISSION Council Member Lee

ORDINANCE NO. 14 OF 2022

2ND READING

AN ORDINANCE FIXING RATES FOR WATER AND WASTEWATER
UTILITY SERVICES; PRESCRIBING OTHER MATTERS RELATING
THEREO; REPEALING ALL PRIOR WATER AND WASTEWATER
ORDINANCES; AND FOR OTHER PURPOSES

g. P&Z COMMISSION

Council Member Freeman

- X. Old Business
- XI. Public Comments
- XII. Adjourn

MINUTES OF THE BENTON CITY COUNCIL
Regular Session
March 28, 2022
Benton Municipal Complex

The Benton City Council was called to order at 5:42 p.m.

The invocation was given by Pastor Chris Floyd.

Council Member Morrow led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

**Council Member Frank Baptist
Council Member Evelyn Reed
Council Member Bill Donnor
Council Member Judd Hart
Council Member Jeff Hamm
Cindy Stracener, City Clerk**

**Council Member Steve Brown
Council Member Robin Freeman
Council Member Jeff Morrow
Council Member Shane Knight
Baxter Drennon, City Attorney (via phone)
Tom Farmer, Mayor**

When roll was called nine (9) council members were present. Council Member Lee was absent. A quorum was declared.

Council Member Morrow made a motion to approve the February 28, 2022, city council meeting minutes. Seconded by Council Member Hart. The Mayor called for a voice vote. All council members present voted in the affirmative. The minutes were approved with 9 affirmative votes and 1 absent.

The Mayor read the statement that Resolution 1 of 2022 states should be read before council and committee meetings. As representatives of the citizens of Benton, we need to always be aware of our responsibility and our mannerism as we fulfill our obligations to the citizens. During this meeting each of us are to conduct ourselves in a professional manner that allows every person to be treated with respect and dignity. As representatives, we will never berate, harass, intimidate, or admonish any individual that comes before us.

The next item on the agenda was committee reports and motions. Council Member Morrow was recognized for a report from the Finance Committee. Council Member Morrow made a motion to read and adopt Ordinance 12 of 2022 – An Ordinance Amending Ordinance 10 of 1994; Concerning Excess False Alarms in the City of Benton, Arkansas, Providing Definitions and Penalties for Enforcement Against Businesses Causing Excess Responses to False Alarms, and For Other Purposes. Seconded by Council Member Reed. The ordinance was read. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Ordinance 12 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Morrow made a motion to read by title only and adopt Resolution 40 of 2022 – A Resolution Authorizing the City to Enter into a Contract with Pierce Manufacturing for the Purchase of a Pierce Saver Fire Truck at a Cost of \$594,922; and For Other Purposes. Seconded by Council Member Brown. The resolution was read by title only. The Mayor stated that this will lock us in at today's prices. It does take 22 months to receive a fire truck. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 40 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Morrow made a motion to read and adopt Resolution 41 of 2022 – A Resolution Amending the 2022 Budget to Increase the Appropriation Amount in Streets for the East Lakeview Drive Project; and For Other Purposes. Seconded by Council Member Freeman. The resolution was read. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 41 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Morrow made a motion to read by title only and adopt Resolution 42 of 2022 – A Resolution Authorizing the City to Award RFP 2022-05 Kubota Zero Turn Mower to River Valley Tractor; and For Other Purposes. Seconded by Council Member Brown. The resolution was read by title only. The Mayor stated that this was the lowest bid. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 42 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Morrow made a motion to read by title only and adopt Resolution 43 of 2022 – A Resolution Authorizing the City to Award RFP 2022-04 For the Main Street Rehabilitation Sidewalk Project to Berry Concrete Construction; and For Other Purposes. Seconded by Council Member Reed. The resolution was read by title only. The Mayor stated that this was to redo the sidewalk from the Farmers Market all the way up. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 43 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Morrow made a motion to read and adopt Resolution 44 of 2022 – A Resolution Amending the 2022 Budget to Increase the Appropriation Amount in General Fund for a Redundant Firewall; and For Other Purposes. Seconded by Council Member Brown. The resolution was read. The Mayor stated that this was recommended by Edafio for a second firewall to protect the city. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council

Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 44 of 2022 was adopted with 9 affirmative and 1 absent vote.

Council Member Hart was recognized for a report from the Parks Committee. Council Member Hart made a motion to read and adopt Ordinance 13 of 2022 – An Ordinance Waiving Competitive Bidding; Approving the Purchase of a 2022 Chevrolet Truck; Declaring an Emergency; and For Other Purposes. Seconded by Council Member Knight. The ordinance was read. The Mayor stated that the reason for this is that we have been waiting on a truck for some time since COVID and this is the first one that has come available. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent and Council Member Hamm yes. Ordinance 13 of 2022 was adopted with 9 affirmative and 1 absent vote. Council Member Hart made a motion to adopt the emergency clause for Ordinance 13 of 2022. Seconded by Council Member Morrow. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent and Council Member Hamm yes. The emergency clause was adopted with 9 affirmative and 1 absent vote.

Council Member Reed was recognized for a report from the Community Services/Animal Control Committee. Council Member Reed made a motion to read and adopt Resolution 46 of 2022 – A Resolution Providing the Mayor and City Attorney Limited Authority to Settle Lawsuits; For Other Purposes. Seconded by Council Member Donnor. The ordinance was read. The Mayor asked for any questions or comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 46 of 2022 was adopted with 9 affirmative votes, and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 47 of 2022 – A Resolution To Condemn the Structure Located at 1012 Reed Street, For Code Enforcement to Raze Said Property in Accordance with Arkansas State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Brown. The resolution was read. The Mayor asked if anyone was present to speak concerning this property. No one came forward. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 47 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 48 of 2022 – A Resolution To Condemn the Structure Located on Reed Street, Parcel 805-20585-000, For Code Enforcement to Raze Said Property in Accordance with Arkansas State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Donnor. The resolution was read. The Mayor asked if anyone was present to speak concerning this property. No one

came forward. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 48 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 49 of 2022 – A Resolution To Condemn the Structure Located at 417 S First Street, For Code Enforcement to Raze Said Property in Accordance with Arkansas State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Donnor. The resolution was read. The Mayor asked if anyone was present to speak concerning this property. No one came forward. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 49 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 50 of 2022 – A Resolution to Request the Saline County Tax Collector Place a Certified Lien Against Real Property Located at 513 W Ashley Street as a Result of Incurred Expenses by the City of Benton in Accordance with State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Morrow. The resolution was read. The Mayor asked if anyone was present to speak concerning this. No one came forward. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 50 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 51 of 2022 – A Resolution to Request the Saline County Tax Collector Place a Certified Lien Against Real Property Located at 618 S Market Street as a Result of Incurred Expenses by the City of Benton in Accordance with State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Donnor. The resolution was read. The Mayor asked if anyone was present to speak concerning this. Judith Reed stated that she was the owner of this property. She stated that she thought the charges were excess. They did not do anything to it but to drive off a container. They did not do any work. I would like to see the bills on it. Mr. Bruce Thomas showed her the invoices. Ms. Reed stated that she does not get things in the mail, she has to read the stuff in the newspaper that my property is going to be discussed at a city council meeting. This is wrong. I went to the code enforcement officer and told him to send it to my post office box. Ms. Reed asked why is it so much? The Mayor stated that it is what it cost us. Mr. Thomas stated that it was two 30-yard dumpsters, one for \$579.47 and the other for \$579.48 and then there was street department time and machinery. Council Member Knight asked if this was the same property that has been under notice of violations since November of 2018. Ms. Reed stated no. Mr. Thomas said yes, we have had issues. Ms. Reed stated her tenant did the cleaning up. Council Member Hart asked her how long she has owned the house. She stated 25 years or so. Council Member Hart stated so you are not aware of these issues back to 2018. She stated James would have told me. The Mayor asked if she came up

her on Friday and paid a lien? How did you get notification? Ms. Reed stated that they mailed that one to her. The Mayor asked at the PO box or the address that this one was sent to? Ms. Reed said registered mail and I had to go to the Post Office and pick it up. The Mayor stated that this one was also sent registered mail. She stated that she did not pick up any others. Council Member Freeman asked if we had before and after pictures of the cleanup that occurred? Mr. Thomas stated that he has before but not after because after is clean. She stated that the city did not do anything but drop two dumpsters off. The tenant stated that she put the stuff in the dumpsters and at the end all they cleaned up was the tarps. The Mayor asked Mr. Richey if he had personnel go to this address and clean up. Mr. Richey stated that they were instructed by code enforcement to help. The Mayor asked how many men? Mr. Richey stated equipment and four guys. The Mayor stated that is cost to the city. Council Member Morrow asked how many hours were spent on this property. Mr. Thomas stated that the tenant did clean up some but the street department did come in and finish up the job. Probably two hours with a mini excavator, dump truck and four men. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 51 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Reed made a motion to read and adopt Resolution 52 of 2022 – A Resolution to Request the Saline County Tax Collector Place a Certified Lien Against Real Property Located at 923 W Hazel Street as a Result of Incurred Expenses by the City of Benton in Accordance with State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Morrow. The resolution was read. The Mayor asked if anyone was present to speak concerning this. No one came forward. The Mayor asked for any comments, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 52 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Hamm was recognized for a report from the Street and Drainage Committee. He stated that he had nothing to report. He stated that with the rain event we had and the areas that have had major cleanup and repairs, we had zero problems. He commended the street department for the great job that they are doing.

Council Member Donnor was recognized for a report from the Personnel/Health & Safety Committee. Council Member Donnor made a motion to read by title only and adopt Resolution 53 of 2022 – A Resolution Authorizing the City Enter into an Acceptance of Responsibility Agreement with Local Police and Fire Retirement System (LOPFI) for Withholding an Authorized Benefit Recipient's Monthly Payment to be Used for Insurance; and For Other Purposes. Seconded by Council Member Knight. 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 Freeman yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee absent, and Council Member Hamm yes. Resolution 53 of 2022 was adopted with 9 affirmative votes and 1 absent.

Council Member Brown was recognized for a report from the Public Utility Commission. Council Member Brown made a motion for the first reading of Ordinance 14 of 2022 – An Ordinance Fixing Rates for Water and Wastewater Utility Services; Prescribing Other Matters Relating Thereto; Repealing All Prior Water and Wastewater Ordinances; and For Other Purposes. Seconded by Council Member Freeman. The ordinance was read. The Mayor stated that a public hearing would be held April 12th after the Community Services Committee meeting. Council Member Hamm asked how will this be presented on the utility bill? Will it be broken out by water, sewer and electric? Mr. Vondran stated yes, the bills will look the same, just the unit charges out by each line item will be changed to reflect the increases. Council Member Hamm asked will the citizens be able to understand what is going into the water bucket and sewer bucket and electric bucket? Mr. Vondran stated yes it will.

Council Member Freeman stated that the Planning and Zoning Commission minutes were in the packet. See attached.

The Mayor asked for any comments from the public. None.

The Mayor stated that Third Thursday's start April 21st. The Bike Race will be this Saturday. On April 23rd a Spring Market at the Farmers' Market will be held. The week of the 11th committee meetings will take place and the Advertising and Promotion Commission will meet on April 13th at 3:30 pm. A 501 Celebration will be April 30th.

The Mayor stated that we are honored to have the semi pro soccer team, The Wolves to now play at CW Lewis.

The meeting adjourned at 6:45 pm.

Cindy Stracener, City Clerk

Tom Farmer, Mayor

**Public Hearing Minutes
City of Benton
April 12, 2022
Benton Municipal Complex**

Ordinance 14 of 2022 – An Ordinance Fixing Rates for Water and Wastewater Utility Services; Prescribing Other Matters Relating Thereto; Repealing all Prior Water and Wastewater Ordinances; and For Other Purposes.

The Mayor called the public hearing to order at 6:30 p.m. The purpose of the hearing was to give citizens an opportunity to speak concerning Ordinance 14 of 2022. The first reading of the ordinance was at the last council meeting, the second reading will be at the next council meeting on April 25th and in May the ordinance will go before the council for the vote. The ordinance is available in the back and Mr. Vondran has a trifold that he has handed out. See attached. Mr. Vondran, Director of the Public Utility Commission stated that they were here tonight to continue to provide information to the public and open the floor to them so we can get the information that they are looking for. Council Member Knight asked the City Attorney, Baxter Drennon to give an overview of the annotated code and how that impacts this decision. Mr. Drennon stated that under Arkansas law the utility is required to charge rates and the council is required to set rates that are sufficient to cover the operations and maintenance of the utility as well as any indebtedness, cover the cost of the payments of the bonds, then to cover the cost of replacement for the infrastructure that is already in use. The commission is charged with charging those rates and the council in setting those rates.

Doug Olson stated that this says it will establish rates into the future and the only rate it quotes is \$20.37, is that on top of current rates or the total rate for water and sewer? Mr. Vondran stated that what is being proposed will be an average of \$16 per month per customer increase and that is combined with water and sewer. So, the expected increase for a minimum quantity user for water, the base rate will go from \$11.10 to \$15.00 for our minimum use customer. Which is 2000 gallons, the first 2000 gallons of water used. The minimum bill for sewer will go from \$12.37 to \$20.37, an \$8 increase for our minimum user for wastewater. There are some water customers who use more than the 2,000 and their bill will go up more than \$16 per month but our minimum will go up less than \$16.00 per month. That \$16 represents an average across all of our users. Council Member Hart asked when the last time was we increased those rates. Mr. Vondran stated that the previous water increase was staggered, an initial increase then subsequent ones per calendar year for about three years. That last increase in water, I think was 2017. The last increase for sewer was 2018. One year after the last water increase. Council Member Morrow stated that the rates that Mr. Vondran just quoted are the first phase, there are two phases to this. This is for water and sewer phase 1 and then there will be another increase later in the year. Mr. Vondran stated yes, that is what is proposed. What caused all this is that in the past our electric utility subsidized our water and sewer. June 1st our purchase power cost for electricity is going up 37%. We can raise our electric rates and continue to allow electric to subsidize our water and sewer or we can do the proper thing according to the new state law and go ahead and raise water and sewer and get them off the back of the electric rate. So that is why even though the electric is going up we are raising water and sewer rates.

Council Member Hamm asked if that would show up on the balance sheet with electric being separate, water being separate, and sewer separate with them all having their own bucket. Mr. Vondran stated yes, and those buckets currently show electric in the black and water and sewer in the red. These increases in water and sewer rates are the first step in getting the water and sewer buckets in the black.

Council Member Morrow asked if the electric was a three-year wholesale contract. Mr. Vondran stated yes, the wholesale price for electricity begins June 1 and is a three-year contract. It fluctuates a little due to the future price of natural gas but our price to our customers will not fluctuate. Council Member Morrow stated we have a three-prong thing, separating out the accounting so we can better trace and follow the operations and maintenance of water, sewer and electric, then we have the wholesale price the second thing then we have the operation and maintenance of 100-year-old pipes. So, the rate increase we are not only addressing the wholesale price increase but also the longer-term operation and maintenance of deteriorated infrastructure. Mr. Vondran stated that is correct but also at this time, this rate increase will not do anything to address any issues with electric. This rate increase is only addressing issues with water and wastewater. The Mayor stated that it is still not doing everything we need to do. Mr. Vondran stated that is correct, numbers have been shared of that total number to accomplish our nine-year master plan for projects. That is in the area of \$48 per customer per month, but tonight's legislation is only addressing \$16. So, the first step of \$16 is the step that is needed to account for the increase in electric cost to offset the increase in the electric cost. We currently have a rate study underway that will also provide additional data and reassurance for whatever step may come next. Council Member Donnor asked how old are the waterlines downtown and what size are they? Mr. Vondran stated that some of the challenges most recently have been down on Cody Lane. We recently found that there were 20 houses on Cody Lane that were on a 2-inch line. That is not a large enough line to provide portable water for domestic use much less fire protection. That has nothing to do with growth or age, it is just something that we inherited and needed to upgrade to protect those citizens who live on Cody Lane. They are not isolated that problem exists citywide in other locations. Another example is when we built the Farmers Market, we tapped a cast iron line that was dated 1906. So, we have some waterlines in the city that are over 100 years old. The rule of thumb is if a water line is supposed to last you 100 years and you have 100 miles of line then you better be replacing one mile per year, or you are getting behind. We have not been replacing our waterlines and sewer lines that quickly. Council Member Donnor asked how big the waterlines are downtown. Mr. Vondran stated 2 to 16 inches. A lot of that piping is asbestos cement, which is no longer allowed, a lot of the private connections are using lead fittings. So, when we work on a waterline, we are not just working on the 16-inch main, we are also having to bring all of the connections up to code. Council Member Donnor stated so using a 2-inch waterline downtown to fight a fire is wasting your time.

Council Member Baptist asked is this for residential customers only. Mr. Vondran stated not, it is across the board for all customer classes. Council Member Hart asked if the initial \$16 a month will that still place us below our competitors in the area on water and sewer? Mr. Vondran stated yes. Council Member Hamm asked if there was a list projects to understand when they will be addressed with the funds that are derived from this or from the funds that you presently have? Mr. Vondran stated yes, we have that list of projects arranged by calendar year. Each project has a cost associated with it. Council Member Hamm stated with these rate increases coming as they are and some people thinking that the

numbers are going to go crazy, nobody likes a raise, if we can't tell any of our constituents that this project is going to be started so and so and following that down the line another one the cost is not known at this point because it is unknown. We need some information to share with these people because when you mention 16 then 48, well they have heard that. They are going to want to know since we are doing this, where is the money going to go. Mr. Vondran stated that we have that list prepared so that we can be held accountable. The only modification to the list is the timeframe that those projects get done based on the cost of the project. Based on the \$16, the new money in revenue that the \$16 will generate, we look at project one on the list to see if it can be done, if not move to the next on the list. Council Member Lee stated that regardless of what projects you have, as it stands today electric is subsidizing sewer and water. Sewer and water are in the red and we need to get them out of the red. So, this has nothing to do with future projects, it is getting in line with the state statute. Mr. Vondran stated that another driving factor is that there are parts of the city where we don't provide electric, only water and sewer so on those areas we are losing money. So that is another reason each utility needs to be self-supporting.

Council Member Knight stated looking at the trifold, knowing some of the situations we are dealing with especially as it pertains to our reservoir. Are the utilities facing any type of corrective action plans from DEQ? Mr. Vondran stated yes, we are currently under a consent administrative order with DEQ on our wastewater collection system, pipes and manholes. Council Member Knight asked if there was a dollar amount of cost savings once the corrections have been made and the initial cost to address the issue. Mr. Vondran stated no, we have two more years on the CAO but we are a year ahead of schedule so they should be completed this calendar year to the tune of about \$250,000. Council Member Donnor asked how long the water and sewer has been in the red. Mr. Vondran stated forever, I began in October of 2016, and it was in the red but previously electric had subsidized water and sewer. Council Member Donnor stated so since we have an increase in electric cost, we can no longer subsidize water and sewer, this has been a long time in coming.

Council Member Morrow stated that this has been a problem for a while and could not have come at a worse time with inflation and cost of gas. The public elected us to solve problems, to make as smart of decisions as we can. As Finance Chair, I have had conversations with the Mayor on how we can lessen the burden that we are putting on our citizens. We are discussing ideas, we do have American Rescue Act money, can we start paying for city services, can we rearrange our franchise fees, we are looking at ideas on how we can absorb some of the costs to put our utilities department in a better position. You do have some control over your usage. We realize that these are tough times and do recognize that. The Mayor stated that we have had discussions about all those things and our city attorney is working directly with Mr. Vondran to formulate a proposed plan.

The Mayor asked if there was anyone else out there who had any questions or comments. Ann Webb stated that she knows the infrastructure has to be fixed. She asked if we sold water to anyone else in the county? She was told yes. Ms. Webb asked if we were making anything off that? Mr. Vondran stated yes, we are a wholesale water provider to Salem Water Association, Southwest Water Association, and the city of Bauxite. In 2018, we had a cost-of-service study and that study recommended that our price be increased 21%. So, in accordance with those contracts, we have raised our prices already on our wholesale customers. Council Member Knight asked if we were losing some of them and what about Bauxite? Mr. Vondran stated that the current contract with the city of Bauxite differs from

the others. We are waiting for that contract to reach its term and we will take that increase to them. Council Member Hart asked if there was a certain amount that we are able to charge or that we can't excessively charge them? Mr. Drennon stated we can charge them whatever they will reasonably pay. Ms. Webb asked who are the solar panel on Edison for? The Mayor stated for the Saline County Jail. Ms. Webb asked did I not read something that stated if I got solar panels, then the cost savings would not be great or very good? Could solar panels not help offset our electricity? Mr. Drennon stated the cost of the solar, the only money that they get back is based on their usage they generate. If they don't also buy a generator, then they have to use it as it is generated. If you don't stay home during the day to use the power that is generated, you haven't done a lot. You still have to stay connected to the utility. If you generate more than you use and have a battery, then you are able to sell it back to the utility. Most people don't save a whole lot by switching to solar. It reduces some of the amount of power that the utility has to buy but we don't have enough solar that it doesn't make a real reduction. It doesn't save us any money; it gives us fewer customers to spread the cost out. Ms. Webb asked how the jail solar panels will affect us? Mr. Vondran stated any solar customer that installs solar panels, any kwh that they generate and consume, they are saving themselves from having to buy that power from us. Our retail rate is 9 cents per kwh so whatever power that generate and use they are saving 9 cents per kwh. Anything that they generate that they don't use, that they push back onto the grid, we credit them for what is called a voided cost, and that is the same price that we buy our power from our wholesale provider. That way it does not matter if they produce it or if we buy it from our wholesale provider. It is valued at the same price. The reason that we do that is because it would not be fair for our non-solar customers to subsidize our solar customers. So, Benton Utilities is indifferent, we just want the solar customers to know what they will be credited for what they push back on the grid.

Mr. Olson stated that the question was never answered whether the water we sell wholesale is in the red or black. Mr. Vondran stated in the black.

Angeline Duvall stated that you mentioned that with the increase there will be pipes that will be replaced that are too small. How long will it take to generate the money to start replacing those pipes? The Mayor stated that this first increase is the cost to offset electricity, so it does not allow for replacement of pipes to take place. They still have other issues to address first. Mr. Vondran stated that the first \$16 is just to keep us from going backwards. The Mayor stated that the city is going to allocate \$3 million in ARPA funds for utilities. The city has had utilities given to them and now we are looking at picking up the utility bills and this will help offset some of this cost. The city is working toward the goal of keeping the price down for the citizens. At this time this \$16 increase if the council votes it in just covers the 37% increase that electricity is costing.

David McCollum stated he just wanted to make sure that we were just dealing with water and wastewater increase. Are we doing this, so we don't have to increase our electric rates? The Mayor stated yes. Mr. McCollum stated so we are not going to get a surprise three or four months down the road? The Mayor stated that this takes effect the month of June and after the rate study comes in, then the utilities department will have a better handle on what actually needs to be done from that point forward. We are locked in at the three-year contract to buy that electrical rate. When the rate study comes back, they will come to us and say this is what it shows.

Mr. Vondran stated that they are available any time and please contact us with any questions you may have. The \$3 million in ARPA money will be spent on projects, it will not be spent on employee raises, benefits, it will go straight to projects.

The Mayor closed the public hearing at 7:11 pm.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



Electric

- Purchased Power costs will increase 37.7% effective June 1, 2022.
- Base-load coal plants are being shuttered in-state and nationwide.
- Renewable energy sources are not always available (solar/wind).
- Natural gas plants are the short-term solution.

How are we affected?

- To avoid an increase in electric rates, Water/Wastewater utilities must support themselves.

Electric Distribution Projects

- Converting overhead to underground to increase reliability and resiliency.
- Planning for load growth (Exit 114 and others)
- Preparing for any electrification of transportation sector. (EVs)

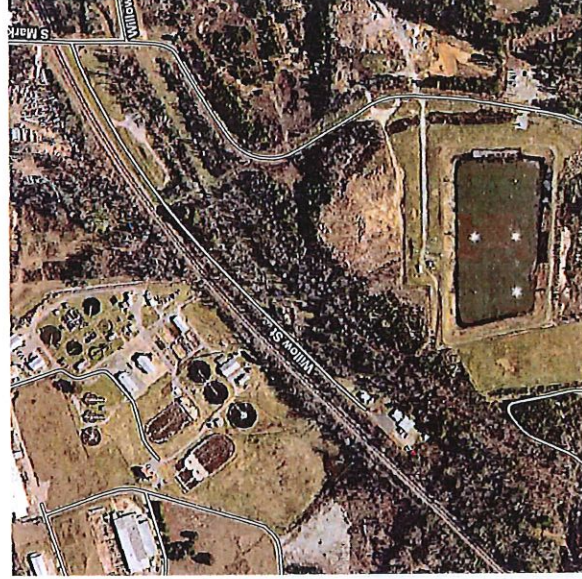


2



Wastewater Treatment (EQ Basin/Plant)

- EQ Basin Sludge Removal
- Aerator replacement
- Return pumps and flowmeter
- Primary Pump Station
- Process flow redundancy
- SCADA controls
- Ultraviolet Disinfection
- Repair/replacement
- Future wastewater plant (north of I-30)



6

April 12th, 2022

Utility

Rate

Public

Hearing





Water Purification (Source & Plant)

- Saline River intake.

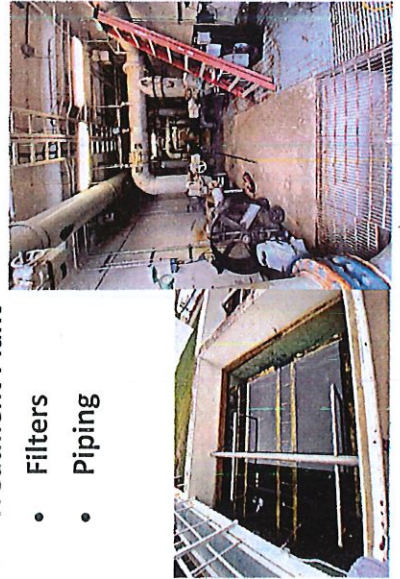


- Chenault Reservoir levee/liner.



- Treatment Plant

- Filters
- Piping

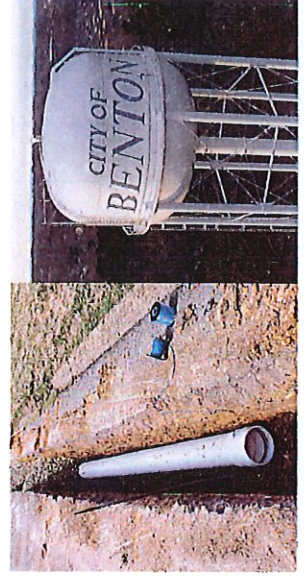


3



Water Distribution (Tanks & Pipes)

- 420,624 linear feet of asbestos-cement pipe city-wide (2"-16") to be removed/replaced
- Water lines in excess of 100 years old (downtown)
- Water lines now too small due to increased demand from growth
- Improve fire protection
 - i.e. 20+ houses on 2" line
 - Multi-story development
- Storage tank at Exit 114 and Carpenter Street locations
- Removal of lead-based service line connections

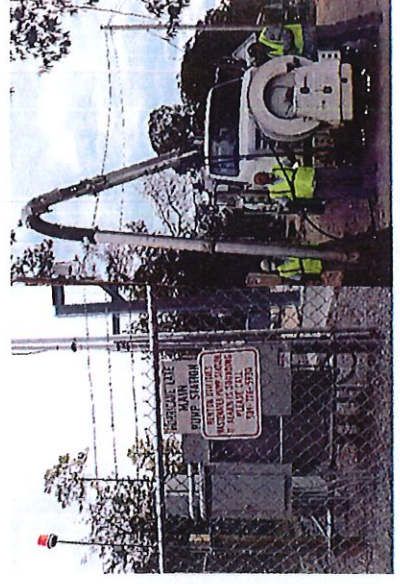


4



Wastewater Conveyance (Pipes/Manholes/ Pump Stations)

- Currently under a Consent Administrative Order (CAO) with the Arkansas Energy & Environment Division of Environmental Quality (DEQ)
- Inflow/Infiltration (I&I)
 - When surface water from storms leaks INTO the sanitary sewer system
- Manholes and sewer lines must be repaired:
 - 400+ miles of pipe
 - 5,000+ manholes
- Conveyance lines must also be upsized to handle growth.



5

RESOLUTION NO. 54 OF 2022

**A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS;
AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT
AUCTION**

WHEREAS, the Benton Police Department owns certain equipment, which is no longer needed; and

WHEREAS, the City Council desires to declare the property, which is itemized in Exhibit "1" as surplus and to authorize it be sold at public auction.

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

SECTION 1: The property listed in Exhibit "1" is hereby declared surplus property and shall be sold at public online auction in accordance with any applicable state or federal law.

SECTION 2: The Police Chief is authorized to set the terms and conditions for the auction with respect to the amount of the deposit required on the day of sale, closing and all other necessary terms for the sale, including the date for when the surplus property shall be delivered to the successful bidder.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



Exhibit "1" Tahoes

YEAR	MAKE	MODEL	UNIT	VIN	MILEAGE
2012	DODGE	CHARGER	201	263CDXAG4CH180528	131,622
2012	DODGE	CHARGER	202	2C3CDXAG2CH180527	121,747
2012	DODGE	CHARGER	204	2C3CDXAGXCH209014	117,639
2014	DODGE	CHARGER	663	2C3CDXAGXEH312663	98,708

RESOLUTION NO. 55 OF 2022

**A RESOLUTION DECLARING CERTAIN PROPERTY AS
SURPLUS; AND AUTHORIZING THE SALE OF THE
SURPLUS PROPERTY TO ACCREDITED SAFETY; AND
FOR OTHER PURPOSES**

WHEREAS, the Benton Police Department owns certain equipment,
which is no longer needed; and

WHEREAS, the City Council desires to declare the property, which is
itemized in Exhibit "1" as surplus and to authorize it be sold to the company
Accredited Safety.

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

SECTION 1: The property listed in Exhibit "1" is hereby declared
surplus property and shall be sold to the company Accredited Safety.

SECTION 2: The Police Chief is authorized to negotiate the sale
of the tasers listed in Exhibit "1" to the company Accredited Safety for an
estimated price of \$50 per taser depending on the operational ability of each
item.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

RESS

Item Make	Item Model	Serial #
TASER	X-26P	X120010W8
TASER	X-26P	X120010XT
TASER	X-26P	X120010XW
TASER	X-26P	X120010XX
TASER	X-26P	X120010Y9
TASER	X-26P	X120010YA
TASER	X-26P	X120010YE
TASER	X-26P	X120010YM
TASER	X-26P	X120010YN
TASER	X-26P	X120010YR
TASER	X-26P	X120010YW
TASER	X-26P	X120010YY
TASER	X-26P	X12001101
TASER	X-26P	X12001103
TASER	X-26P	X12001104
TASER	X-26P	X12001106
TASER	X-26P	X12001107
TASER	X-26P	X12001114
TASER	X-26P	X12001115
TASER	X-26P	X12001118
TASER	X-26P	X12001119
TASER	X-26P	X1200111D
TASER	X-26P	X1200111E
TASER	X-26P	X1200111F
TASER	X-26P	X1200111H
TASER	X-26P	X1200111M
TASER	X-26P	X1200111N
TASER	X-26P	X1200111P
TASER	X-26P	X1200111R
TASER	X-26P	X12001122
TASER	X-26P	X1200112A
TASER	X-26P	X1200112F
TASER	X-26P	X1200112W
TASER	X-26P	X12001133
TASER	X-26P	X12001135
TASER	X-26P	X12001136
TASER	X-26P	X1200113H

Item Make	Item Model	Serial #
TASER	X-26P	X1200113P
TASER	X-26P	X12001149
TASER	X-26P	X12001152
TASER	X-26P	X12001153
TASER	X-26P	X1200115D
TASER	X-26P	X1200115E
TASER	X-26P	X12001163
TASER	X-26P	X12001164
TASER	X-26P	X1200116R
TASER	X-26P	X12001179
TASER	X-26P	X1200117A
TASER	X-26P	X12001187
TASER	X-26P	X1200118F
TASER	X-26P	X1200118R
TASER	X-26P	X1200118Y
TASER	X-26P	X12001191
TASER	X-26P	X1200119D
TASER	X-26P	X1200119H
TASER	X-26P	X120011AC
TASER	X-26P	X120011AK
TASER	X-26P	X120011C7
TASER	X-26P	X120011CW
TASER	X-26P	X120011D4
TASER	X-26P	X120011DT
TASER	X-26P	X120011DV
TASER	X-26P	X120011EN
TASER	X-26P	X12001RHE
TASER	X-26P	X120046AY
TASER	X-26P	X120046ME
TASER	X-26P	X120046PH
TASER	X-26P	X120046PM
TASER	X-26P	X120046T8
TASER	X-26P	X12004R0R
TASER	X-26P	X120076D7
TASER	X-26P	X120077R3
TASER	X-26P	X1200783T

RESOLUTION NO. 56 OF 2022

**A RESOLUTION AUTHORIZING THE CITY TO ENTER
INTO AN AGREEMENT WITH EVOGOV FOR A WEBSITE
REFRESH; AND FOR OTHER PURPOSES**

WHEREAS, the City of Benton, Arkansas, wishes to enter into an agreement with EVOGOV for a website refresh; and

**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, an agreement with EVOGOV for a website refresh. A copy of the agreement is attached hereto as Exhibit 1 and incorporated now by reference as if stated word for word.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



Website Upgrade Proposal

Prepared for:

Benton, Arkansas

Prepared By: John McKown

Proposal ID: 1565565

Expires on: June 01, 2022

EvoGov, Inc.
PO Box 3614
Parker, CO 80134

April 07, 2022

Mandy Spicer
Benton, Arkansas

bentonar.org

Mandy,

Thank you for being an existing customer, and thank you for the opportunity to provide you with a proposal to bring your website up to speed with the latest technologies, methods, and design trends.

Your current website has been a terrific value, and has outlived its originally anticipated lifespan since it began life in 2016. In this proposal, we review the benefits of upgrading the website. Since you are an existing customer, the pricing is reduced significantly to reward your loyalty to our company.

As your CFO Mandy Spicer is aware, your company was mistakenly not billed the agreed-to hosting fees since your website went live in 2017. This amounts to \$9450 in lost revenue to our company. Your hosting fees are now increased slightly to bring them closer to our current rates, and the first monthly invoice of \$200 was just sent to you. Our upgrade proposal has also been modified slightly due to the billing situation. We are still offering a discount on these services as we wish to retain you as a loyal, paying customer. Please make sure that hosting fees are paid on time to avoid a disruption of service. If you are interested in an annual discount for those services, please contact our billing department.

Please let me know if you have any feedback on this proposal, our services, or future services.

Thank you again for the opportunity to serve the City of Benton.

A handwritten signature in black ink, appearing to read "John McKown". The signature is fluid and cursive, with the first name "John" and last name "McKown" clearly distinguishable.

John McKown, President
EvoGov, Inc.

855-386-4681 x100
jmckown@evogov.com
www.evogov.com

Project Benefits

Here are the benefits of this project for your organization.

- **New, discounted website design for Your City.**
 - All new design, using updated design elements and working with your team.
 - No content migration required, design work applied to existing content.
 - 1/3rd the cost of a new website design.
 - New Home page layout design and modules
 - New mass texting feature
 - three email newsletter templates
 - new mobile and tablet framework for design.
- **New, discounted website design for Your Police Department**
 - New recruitment feature and information to help hire more officers.
 - Integratipon with your Police Facebook account.
 - New forms and reports.
 - Job application form - private to police department.
 - Migration of all website content from the old website to the new website.
 - "Message from the Chief" section.
 - Property Wellness Check signup and application.
- **Video Home Pages**
 - Video work included, as we did for Oceanview, Delaware for both of your website. Credit will remain valid if you wish to wait for warmer weather to shoot your videos.
- **Interactive Home Page Modules**
 - See below for more information.
- **SMS Applications**
 - Mass text messaging for specific topics and groups.
- **Email Newsletter Templates**
 - Three new email newsletter template designs.
- **Employee CMS Training**
 - Most municipalities have had staff turnover during the pandemic. This will be a good opportunity to train any staff that will be working with the website.
- **Application Training**
 - Evo311 Request tracking system setup and training can work with the new Police website.
 - EvoBids bid system setup and training.

Design Features

- **Updated Website Design with New Covid-Era Features**

The Covid-19 pandemic forever changed how most local government agencies provide information and services to their residents and customers. The pandemic required that in-person office interactions move online so that digital transactions keep government employees and the public

safe. This in turn required an adjustment in how government websites are designed so that information is easy to find and act on. Here are some of the improvements and trends that EvoGov has developed with customers from across the country.

- **Forms, Applications, and Permits Mega-Menus**

As more permits, applications, and forms move online, it becomes more important to make sure that they are easy to find. Instead of expecting the public to know what department to visit for a specific form, we recommend creating a new forms mega-menu, where all of your important digital forms are one click away.

Administration Employment Application Shade Tree Commission Tree Removal Application List of Approved Trees Water/Sewer Address Change Request Form Municipal Court Parkmobile Information Plea By Mail Form Bail Waiver Form Establish Indigency Municipal Court Records Request	Parking Permits Active Duty Military Tags Veteran Tags Private Driveway Parking On Street Parking Application Patio Permit Packet Clerks Office OPRA Request Form REG-37 Certified Copy Application Public Records Request (FOIA) Contractors License Application Dog License Application Dog Park Application Landlord Registration Mall Performer Application Mercantile License Application	Applications Tent Application Yard Sale Permit Construction Office Fire Subcode Dumpster Permit Tent Permit Application Construction Permit Application Building Subcode Electrical Subcode Plumbing Subcode Zoning Office Zoning Compliance Application Flood Plain Management Flood Development Permit Flood Damage Prevention Compliance Application	Fire Prevention Bureau Commercial Fire Application Residential Rental Application Application for Permit Sale of Property Application Tax Assessor Senior Citizens Tax Deduction Form Veteran's Tax Deduction Form
---	---	---	---

- **Services Panels**

Incorporating these panels into your home page design can offer visitors rich link menus, without the need for large button stacks or lists of links that are hard to scan visually. "Chunking" these action links into these panels makes your home page easier to scan and find popular information.

POPULAR SERVICES



Trash, Recycling, & Bulk Pickup

- Request Bulk Item Pickup
- Trash Container Services
- Recycling Container Services



Property Info. & Permits

- Flood Zone Look-up
- Find Your Storm Surge Zone
- Property Quick Search
- Rehabilitated Real Estate Partial Tax Exemption
- Assessments Lookup
- GIS Map Gallery



Payments & Taxes

- Taxes, Utilities, Traffic Tickets
- Treasurer's Payment Center
- Real Estate Taxes Paid Look-Up



Government Resources

- Meetings and Agendas
- Department Directory
- Commissions, Boards, and Committees

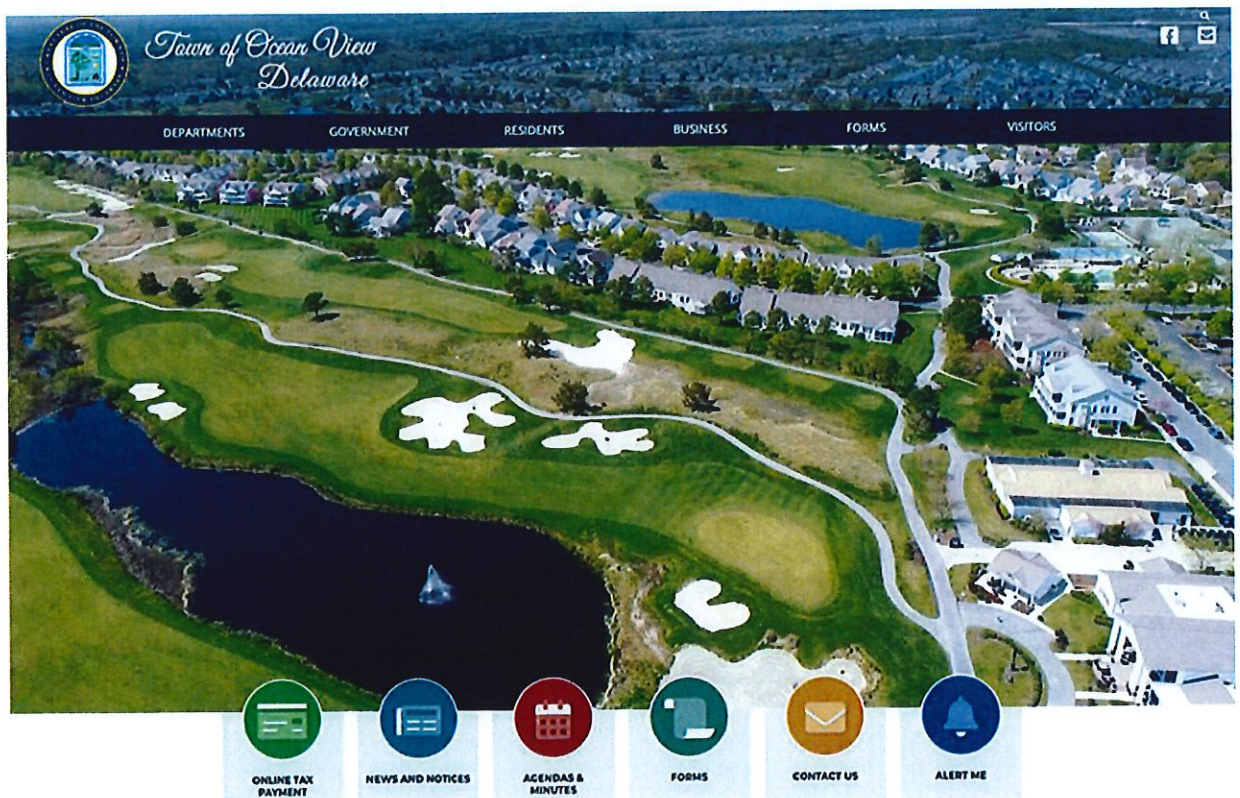


Public Safety

- Covid-19 Resources
- Police Department
- Fire Department
- National Night Out

• Video Home Page

The image and tourism of a destination municipality can benefit by having an immersive video home page. EvoGov includes video editing and hosting with this project for your websites. [The Town of Ocean View Delaware's website](#) is a good example of how this video can really transform a website. Many Police website designs also include videos as well. Examples include <https://police.cityofmattawa.com> and <https://www.dixonpolice.org>.



- **Police Department Design**

EvoGov works with law enforcement agencies from across the USA to support their websites and applications. We will work with your police department to create a website that not only looks good, but will help with recruitment and offer residents new features that improve their quality of life.

COVID-19

EFFECTIVE JUNE 15, 2020, THE LOBBY WILL BE OPEN
TO THE PUBLIC MONDAY THROUGH THURSDAY
FROM 9:00 AM to 4:00 PM.



San Bernardino, California Police Department



Follow Us

Public Safety Traffic Emergency Management District Commands SB978 Careers About Us

Online
Services

Crime
Mapping

Offender
Watch

4 women in top management roles at San Bernardino Police Department
San Bernardino Police officers Lt. Jennifer Kohrell, (L), Lt. Michele Mahan, acting Chief of Police Eric McBride, (C), Capt. Vicki Cervantes, and Lt. Shauna Gates, (R), pose for a photo at the department's central station in San Bernardino, Ca., May 20, 2019. All four women are in management, a first for the San Bernardino Police Department.



Crime Statistics



Report a Crime



Stolen Vehicle
Hotsheet



Pay a Fine



Register
a Camera



Join SBPD

Police News

[View All News](#)



National Night Out Moved to October
September 20, 2020

This is some sample text showing how a news preview would work. The entire news item is available when they click...

[read more](#)



SBPD Announces Approval of Covid-19 Patrol Vehicles
September 20, 2020

Officers from the San Bernardino Police Department are excited about the approval of five new...

[read more](#)



John Prostitution Operation August 17, 2020
September 4, 2020

On Monday, August 17, 2020, at approximately 12:00 PM, the San Bernardino Police Department's Vice...

[read more](#)



Arrest Warrants for Looting Suspects 2020
July 23, 2020

A Task Force was formed in order to identify, locate, and arrest all suspects responsible for the...

[read more](#)

FOR EMERGENCIES CALL 911

Contact Info

City of San Bernardino
Police Department
710 North "D" Street San
Bernardino, CA 92401 T.
909-384-5742

Office Hours:
Monday-Thursday
7 a.m. to 6 p.m.

Get Involved

Coffee with a Cop
Submit a Crime Tip
Volunteer
Civic Groups and Organizations

Follow Us

Facebook @
Twitter: @
Instagram: @
YouTube: @

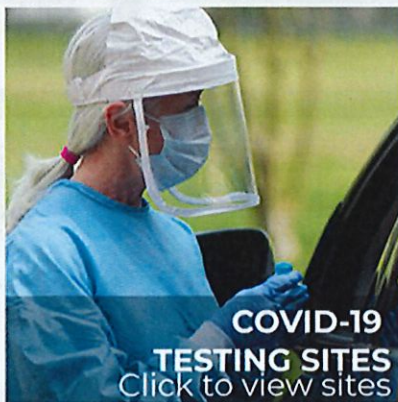


[City Website](#) - [Privacy Policy](#) - [Accessibility Statement](#) - [Employee Email Access](#)

- **Spotlight Areas**

The pandemic highlighted the need for home pages to have an area for sticky news items that have a longer shelf life than a Facebook post or a regular news post that might get pushed off of your home page. In some cases, municipal websites actually need several of these areas on the home page so that important information stays visible. These areas are useful for; City programs, Important health and safety information, seasonal events and programs, and hiring events.

COMMUNITY SPOTLIGHT



CITY STRONG PROGRAM

Our city's "buy local" program is designed to help our local businesses and economy. Click the link to learn more about how you can take part in this program.



SCHOOLS RE-OPENING

Click for more information from the local school board on re-opening schedules and new safety procedures for students, facilities, and events. Distance learning information is also available with this link.



FOOD SHARE PROGRAM

Find local food resources and food box pickup locations and schedules.

- **Action Buttton Grids**

These button grids can help mobile users find popular resources more quickly. Inspired by the City of Boston (boston.gov), and Riverside County California (rivcoacr.org) these are now easy to add to your website.

COMMON RESOURCES



Report a Crime



Mosquito Related
Services



Request a Service
or Report an Issue



Pay Bills, Taxes,
and Fees



Pay Your Water
and Sewer Bills



Real Estate
Assessments



Personal and
Business Property
Tax Assessments



Property
Quick Search



Forms and
Applications



Apply for Home
Water and Sewer
Services



Sign-Up for
Chesapeake Alert



Reserve a Campsite
or Cabin at
Northwest
River Park



Forms and
Applications



City Jobs



Bulk Trash
Pickup



Evacuation
Routes

Help Center

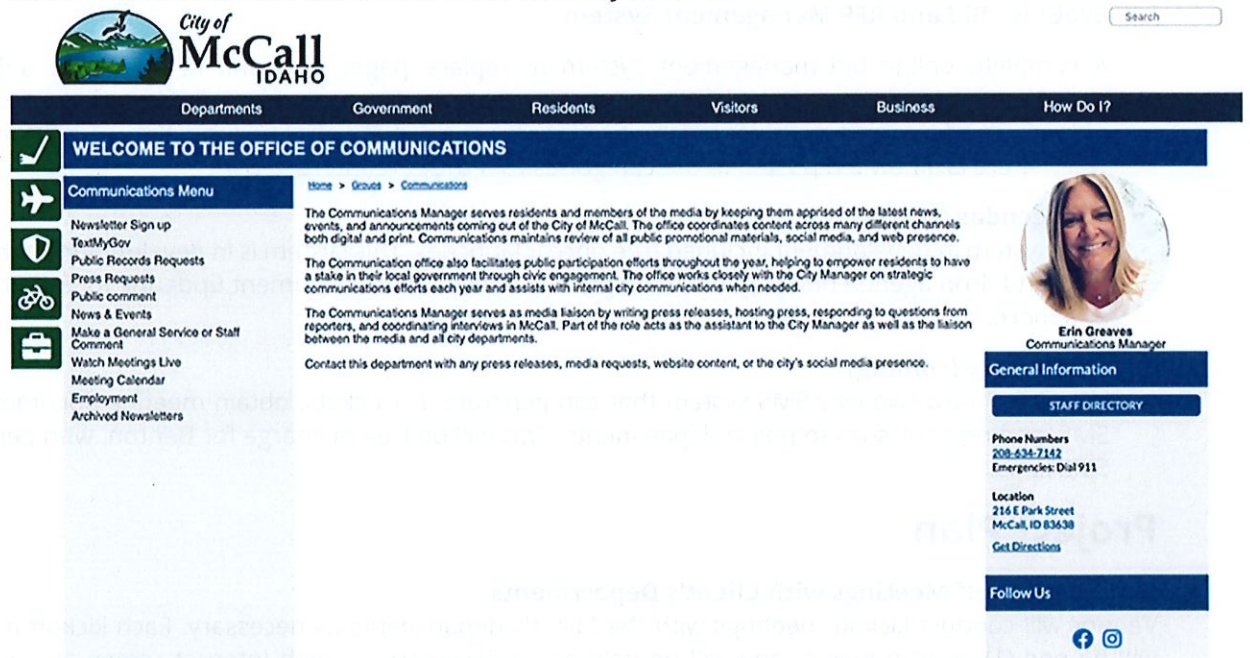


- **A Better Mobile Design Framework**

We have improved the mobile experience with our latest designs and modules. Your website will be refreshed and checked at all screen sizes for devices of all types.

- **Updated Department Pages**

Department pages will be upgraded with a responsive 3-column layout that includes action button menus and other interactive mobile-friendly features.



- **Department Pages Action Buttons**

Where needed, we will assist your departments in setting up action buttons for their most popular services.

UTILITIES AND BILLING



VIEW & PAY YOUR BILL
Easy, convenient 24-hour access to check your bill, view your balance and pay. See 12 months of bills as well as payment and usage history.



START/STOP SERVICE
Moved to our city? Moving out? Want to add Bank draft? Find out how to do all that when it comes to electric, water/sewer, garbage/recycling & leave/limits services.



WEEKLY RECYCLING LEAFS & LAGO
When is my recycling day? What can I recycle? Do you pick up large items? Will there be a change in pick up because of the holiday? When is leaf collection?



SAVE MONEY
Find out ways to reduce your bill, watch short videos of money saving tips, learn how to get a free home energy audit and much more.



HELPFUL TIPS & RESOURCES
Find out how to read your bill, how to pay the same bill amount every month, learn about the local power company and more.

Integrate Applications

- **Evo311 - 311 Citizen Request Tracking System**

Your citizens can now submit requests or complaints through your website using a mobile phone or computer, and these requests are routed automatically to the correct department or group of authorized staff members. The 311 system is in use by very large cities right now, and it comes free with our new platform. It integrates tightly with the CMS, the website, and also the citizen portal. Information and screen shots are available online here: <https://www.evogov.com/applications/311>

- **EvoBids - Bid and RFP Management System**

A complete online bid management system to replace paper bids and RFPs. Create unlimited categories and bids in your website, and track the entire process online. Send addendums to all bidders. Vendors can sign up for bid notifications through your website so that they receive an email when there is a new bid posted in the categories that they are interested in.

- **EvoAgendas (coming)**

New system in development included free once it launches. This system is in development right now. drag and drop agenda building and management. Online Word document updating for staff reports and more.

- **TextMyCity (coming)**

This is our new two-way SMS system that can generate 311 tickets, obtain meeting documents via SMS, and report issues to police departments. This will be free of charge for Benton, with generous SMS limits.

Project Plan

Conduct Kickoff Meetings with Client's Departments

Vendor will conduct kickoff meetings with the Client's departments as necessary. Each kickoff meeting will be one (1) hour in length, and will be held as a teleconference with Internet screen sharing. Live in-person meetings are available for the Client from the Vendor, but those travel meetings are quoted outside of this proposal's scope of services.

Project Guides

Our exclusive project guides are now online at <https://www.evogov.com/welcome>. These guides will assist your teams and departments to get the most of your new website.

Develop interactive navigation megamenus

Developer will consult with Benton, Arkansas to organize the navigation systems of the web site and to develop a site structure for organizing the site data. This organization step will be done to improve the usability of the web site for site visitors. Website content (provided by the Client) will then be integrated into the new design of the web site when the site structure is complete.

Design mobile-friendly graphic interfaces for the new website

Our design team will work with your organization to create a custom website which will look great and work on all modern devices. We have many layouts to help the process move along more quickly, and there are many elements of our applications that are interchangeable. These include; calendars, news areas, alert areas, slideshows, video, action buttons, and more.

Department Meetings

Meet with departments to ensure that content is updated and that action items are addressed for department home pages.

Content Migration

We will migrate ALL of the content that you deem current and valid that is within your current website, into the new website. All updated content provided to us by your team will also be integrated into the new website.

Integrate Applications

The CMS platform, and all of its applications will be setup as part of this project. See the features and tools section to learn more about what our CMS has to offer. We include all applications with our hosting fee.

Training

Training to manage the website using all the included applications and systems is included free of charge. We will provide up to five live meetings. Live web training requires a phone, computer, and broadband Internet connection. Meetings may be recorded so that you can use them to train additional staff.

Timeline

Our goal is to have both websites upgraded in less than four weeks. This timeline could change based on timely delivery of content and availability for progress meetings.

Basecamp Project Management Portal

Evogov provides you with access to a web-based project management and time tracking system called Basecamp. Once you log into the system, your team would have access to all notes, and files that are associated with your project. The system makes it easy to send us large files to be used in your project, without the need to send them as email attachments. This is one of the ways that we keep projects moving along quickly.

Development Milestones

To ensure that the new website is everything that the municipality needs it to be, we must look at WHY the current website is unattractive and not performing well. From our experience, we know why. Many design firms tend to create boxes on a screen, and fill them with content. This is how the current website was built. The result is a website that is made up of boxes, within boxes, within boxes, without regard to the overall interface design and usability for citizens. Our solution to this and other design problems is straightforward and proven. It is listed below.

- Stage 1: Project Startup
- Stage 2: Wire Framing and Theme Planning
- Stage 3: Design Theme Setup
- Stage 4: Content Migration and Site Build
- Stage 5: Customer Training
- Stage 6 Quality Control Check and Site Launch

Cost Proposal

Developer is being hired on a fixed-price basis to perform the Services and provide the Deliverables described above. Any material change in the Services or Deliverables described above requires a written change order signed by the parties to the Agreement. Such change order may include an adjustment to the price or delivery dates. The first payment installment is required to begin work.

Website Development Fees:

- Retail Cost of Municipal Website Upgrade: \$8850
- City of Benton's discounted one-time cost: \$6400

Payment Terms:

Two equal payments, will be invoiced at the following milestones.

- Initial Kickoff Payment: \$3200 - invoiced when work begins.
- Final Launch Payment: \$3200 - invoiced after both websites launch.

Recurring Service Fee (Hosting)

Website Hosting Fee:

- Hosting fees are separate from this proposal and are not affected by this proposal.

Potential Additional Fees:

- Mass email delivery Fee: 1 per 1,000 emails sent.*
30,000 emails per month are included with paid hosting services.

Optional Services

Custom Department Website - These are websites for police departments, police recruitment,

libraries, economic development, parks and recreation, etc. These are custom-quoted, but are typically about \$6300 each with a hosting fee starting at \$50/month.

Secure Staff Portal (Intranet) - These are secure staff websites for Human Resources to manage. They are useful as a place for secured documents, shared calendars, and staff benefit information. These are \$4800 to build, and \$75 per month to host.

EvoBids™ - Currently included with your website hosting plan.

Evo311™ - This is our resident request tracking system. It can be added now as an add-on service for a small monthly fee and no setup charges.

Service Options Coming Soon

EvoAgendas™ - This system is for agenda management and will be released in 2022 as an add-on service fee.

TextMyCity™ - Mass SMS messaging and two-way service ticket creation.

WorkFlow™ - Permit and licensing workflow with mobile application.

*The mass email delivery fee is charged only for broadcast newsletter emails that are sent from the newsletter module. This fee is required because we must pay a third-party vendor ([SendGrid.com](https://sendgrid.com)) to deliver bulk email messages quickly and reliably so that your messages are not blocked by email providers (like Gmail).

RESOLUTION NO. 57 OF 2022

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH THE BENTON SCHOOL DISTRICT FOR THE PLACEMENT OF SEVEN SCHOOL RESOURCE OFFICERS WITHIN THE DISTRICT; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton, Arkansas, and Benton School District decided to enter into an agreement for the placement of seven (7) school resource officers for the 2022-2023 school year; and

WHEREAS, it has been determined that it is in the best interest of the city and the local students to enter into this agreement.

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

SECTION 1: The Mayor or his designee is hereby authorized to execute, on behalf of the City of Benton, a contract with the Benton School District for the placement of seven school resource officers for the 2022-2023 school year. The contract is attached hereto as Exhibit 1.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



Benton School District & Benton Police Department

(Memorandum of Understanding for School Resource Officer Staffing)

A. Purpose:

The purpose of this Memorandum of Understanding (hereinafter "MOU") is to establish an agreement between the Benton Police Department (hereinafter "BNPD") and the Benton School District (hereinafter "BSD") on the collaborative funding of School Resource Officers (hereinafter "SRO") for the 2022 – 2023 school year.

B. Objectives:

It is intended that the BNPD and BSD will work together to provide seven (7) SRO's yearly for the school district. These Officers are a tremendous benefit to both parties. The SRO's out of school assigned duties, when needed, will be tailored to provide services to students of the school district outside of the school setting.

C. Funding:

Effective July 1, 2022; BSD agrees to refund a total of \$340,704 to the BNPD yearly, which will help to offset the cost to the BNPD to provide seven (7) SROs to the BSD per year at 178 days each during this agreement. The BSD requests that the BNPD bill the district quarterly, beginning in July of each year.

D. Hiring Process:

The superintendent of schools will accept recommendations from the BNPD Chief of Police for candidates to hire for each SRO position. The BSD will work in conjunction with the BNPD Chief of Police to select final candidates for recommendation to the school board. Upon final candidate selection, the Director of Human Resources will make a recommendation to the superintendent and the board for hiring approval.

E. Points of Contact:

BNPD – Chief of Police at 501-776-5983

BSD – Superintendent of Schools 501-776-5717

F. Term of Agreement:

The terms of this agreement are from the date of execution listed below to be revisited in April of each year in the future. Cancellation of this agreement must be given in writing by either party a minimum of thirty (30) days in advance. Failure of either party to fulfill the terms of this MOU would result in immediate termination of the agreement. If funding is eliminated or reduced by state or federal reductions, or unforeseen circumstances, the last SRO position added and each position subsequently, would be reduced accordingly. Notification of any funding reductions would be given by the BSD thirty (30) days prior to any positions being eliminated when possible.

G. Signature Section:

Benton School District, School Board President

Printed Name: _____

Signature: _____

Benton School District, Superintendent of Schools

Printed Name: _____

Signature: _____

Benton Police Department, Chief of Police

Printed Name: _____

Signature: _____

City of Benton, Mayor

Printed Name: _____

Signature: _____

Date of Agreement Execution: _____

RESOLUTION NO. 58 OF 2022

**A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE
THE REVENUE IN POLICE FEDERAL TREASURY FUND FOR
THE ACCEPTANCE OF FUNDS FROM AN INSURANCE
SETTLEMENT; AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Benton, Arkansas, needs to amend the 2022 City of Benton Budget in order to increase the appropriation of revenue by \$13,925 associated with an insurance settlement for an asset purchased using the Police Federal Treasury Fund.

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

SECTION 1: Pursuant to the authority granted in Ark. Code §§ 14-58-202 and 14-58-203 the City Council does hereby amend the FY2022 City of Benton Budget as adopted in Resolution 104 of 2021. The budget revisions are attached hereto as Exhibit "1" to this resolution and are more fully described.

PASSED AND APPROVED this the ____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



City of Benton, Arkansas

Police Federal Treasury Fund
Budget Amendment
FY 2022



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2022. This submittal includes a revision for the Special 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 2022

Police Federal Treasury Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$150,000	\$13,925	\$163,925
Expenditures	\$114,000	\$0	\$114,000
Total Budget	\$36,000		\$49,925

Section 2: Funding & Disbursements – Fiscal Year 2022

Special Fund

Revenues

This budget amendment increases the appropriation amount of revenue associated with an asset purchased with Police Federal Treasury funds.

Police Federal Treasury Fund	4952.00	\$13,925
------------------------------	---------	----------

RESOLUTION NO. 59 OF 2022

**A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE
THE REVENUES AND EXPENDITURES IN GENERAL FUND
FOR THE ACCEPTANCE OF GRANT FUNDS TO PURCHASE
NARCAN; AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Benton, Arkansas, needs to amend the 2022 City of Benton Budget in order to increase the appropriation of revenue and expenditures both by \$2,000 associated with acceptance of a Blue and You Foundation grant to be used to purchase Narcan.

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

SECTION 1: Pursuant to the authority granted in Ark. Code §§ 14-58-202 and 14-58-203 the City Council does hereby amend the FY2022 City of Benton Budget as adopted in Resolution 104 of 2021. The budget revisions are attached hereto as Exhibit "1" to this resolution and are more fully described.

PASSED AND APPROVED this the ____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



City of Benton, Arkansas

General Fund
Budget Amendment
FY 2022



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2022. 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 2022

General Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$19,922,546	\$2,000	\$19,924,546
Personnel	\$15,941,585	\$0	\$15,941,585
O&M, Other, etc	\$3,357,137	\$2,000	\$3,359,137
Capital Items	\$631,788	\$0	\$631,788
Total Budget	(\$7,964)		(\$7,964)

Section 2: Funding & Disbursements – Fiscal Year 2022

General Fund

Funding

This budget amendment authorizes the acceptance of funds received from the Blue & You Foundation grant in the amount of \$2,000 into line item 4956.00 Other Police Revenue.

O&M, Other, etc

This budget amendment authorizes the increase in expenditures of \$2,000 for the purchase of Narcan out of line item 6001.06 Safety Supplies within the Police Budget.

RESOLUTION NO. 60 OF 2022

A RESOLUTION AMENDING THE 2022 BUDGET TO INCREASE THE APPROPRIATION AMOUNT IN STREETS & DRAINAGE FUND FOR THE ACCEPTANCE OF FUNDS FROM AN AUCTION OF SURPLUS ASSETS AND FOR THE PURCHASE OF NEW ASSETS; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton, Arkansas, needs to amend the 2022 City of Benton Budget in order to increase the appropriation of revenue and expenditures associated with the Streets & Drainage Fund both by \$43,041.

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

SECTION 1: Pursuant to the authority granted in Ark. Code §§ 14-58-202 and 14-58-203 the City Council does hereby amend the FY2022 City of Benton Budget as adopted in Resolution 104 of 2021. The budget revisions are attached hereto as Exhibit "1" to this resolution and are more fully described.

PASSED AND APPROVED this the ____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



City of Benton, Arkansas

Parks Fund
Budget Amendment
FY 2022



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2022. This submittal includes a revision for the Streets & Drainage 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 2022

Streets & Drainage Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$3,486,112	\$43,041	\$3,529,153
Personnel	\$1,063,603	\$0	\$1,063,603
O&M, Other, etc	\$2,208,725	\$0	\$2,208,725
Capital Items	\$1,342,500	\$43,041	\$1,385,541
Operating Transfers	\$200,000	\$0	\$200,000
Total Budget	(\$1,328,716)		(\$1,328,716)

Section 2: Funding & Disbursements – Fiscal Year 2022

Streets Fund

Funding

This budget amendment authorizes the acceptance of funds received from the sale of surplus funds in the amount of \$43,041 into line item 4952.00 Asset Disposition Gain within the Streets & Drainage Department

Capital Items

This budget amendment authorizes the increase in expenditures of \$43,041 for additional equipment out of line item 8004.02 Misc Equipment Capital Outlay within the Streets & Drainage Department.

RESOLUTION NO. 45 OF 2022

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE WOLVES FOR USE OF C.W. LEWIS IN EXCHANGE FOR PROVIDING SERVICES TO THE CITY; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton, Arkansas, has determined that it is in the best interest of the citizens to enter into an agreement with the Wolves providing use of C.W. Lewis stadium in exchange for the Wolves providing program administration and operation of a youth soccer program.

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, the agreement with the Wolves that is attached hereto as Exhibit "1" and to execute such other documents as may be necessary or convenient to accomplish the purpose of this resolution.

PASSED AND APPROVED this the ____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



**Benton Parks Department
2022-2024 Program Agreement**

THIS AGREEMENT made and entered into on _____, ___, 2022 by and between the CITY OF BENTON, (hereinafter called "THE CITY"), and the _____ a non-profit corporation, [entity address] (hereinafter called "WOLVES/BENTON FC").

WITNESSETH

WHEREAS, THE CITY owns property at C.W. Lewis Stadium in Benton, Arkansas;

WHEREAS, the use of a portion of said property for the purpose of a youth soccer program has been considered the best use of this property to better serve the citizens of Benton, Arkansas. Said property consists of which of the football field, press box, restrooms, and dressing rooms, as needed (the "C.W. Lewis Space");

WHEREAS, THE CITY provides RECREATIONAL facilities in Benton;

WHEREAS, WOLVES/BENTON FC provides program administration and operation of a youth soccer program in Benton;

WHEREAS, providing recreational activities and services for the youth of THE CITY is an appropriate governmental function;

WHEREAS, giving the WOLVES/BENTON FC access to the C.W. Lewis Space to provide youth soccer services on behalf of the City of Benton is an appropriate and beneficial use of that space and facilities to further the City's youth programs;

WHEREAS, the C.W. Lewis Space provided for under this Program Agreement will be for a period of three years, and covers the term of fiscal year 2022, 2023, and 2024;

WHEREAS, it is anticipated that youth services will be needed within the City of Benton beyond fiscal year 2024, and assuming that THE CITY has a need to provide recreational youth soccer services and assuming that the use of the C.W. Lewis Space by the WOLVES/BENTON FC is in the best interest of THE CITY at the end of the three year term, it is anticipated that this Program Agreement be renewed by Resolution duly passed by the City Council during fiscal 2024;

WHEREAS, Benton City Council anticipates needing youth soccer services within the City of Benton and anticipates reviewing the provision of those services by the WOLVES/BENTON FC on at least an every three year term hereafter; and

WHEREAS, the WOLVES/BENTON FC and the City's utilization and maximization of the C.W. Lewis Space benefits the City by maximizing youth access and youth activities with the least economic costs to the City.

NOW, THEREFORE, in consideration of mutual covenants and promises set forth herein, the parties agree as follows:

THE CITY agrees to grant use of the C.W. Lewis Space as outlined herein to WOLVES/BENTON FC for the operation of youth soccer services. The C.W. Lewis Space will be used by WOLVES/BENTON FC for soccer programs and events provided for youth of THE CITY.

I. Areas allowed for WOLVES/BENTON FC use, Terms affecting such use and Relationship of the Parties:

1. During the time periods described herein, WOLVES/BENTON FC shall be permitted to use, upon payment of a fee of \$3.00 per participant, per season, and 10% of the gross amount of the gate collected for matches, said facilities in sole consideration for the soccer programs and services the WOLVES/BENTON FC provides to the City's youth. Such programs and services shall be operated in accordance with such guidelines as shall be deemed appropriate. THE CITY will assist in the marketing and promotions for the season. THE CITY will provide maintenance of the C.W. Lewis Space in like manner and consistent with the support extended to other associations operating on City property, including normal wear and tear. The City agrees to allow WOLVES/BENTON FC use of the C.W. Lewis Space. Maintenance by the City does not include repairs for property damage caused by WOLVES/BENTON FC or its members. Regular maintenance for items that break due to normal wear will be replaced or repaired by the City, but if the damage is created or caused by abuse, neglect, or other human activity by the members or volunteers of the WOLVES/BENTON FC, the WOLVES/BENTON FC will be responsible for the costs of such repairs or replacement. Improvements made or installed by the WOLVES/BENTON FC are the WOLVES/BENTON FC responsibility to maintain, repair and/or replace.

2. The parties agree that THE CITY shall have no authority to direct the day-to-day activities of any WOLVES/BENTON FC's employees, shall have no authority over WOLVES/BENTON FC's personnel decision, or the day-to-day conduct of the services and programs provided to the youth of Benton.

3. It is agreed that THE CITY has no financial interest in the business of WOLVES/BENTON FC and shall not be liable for any debts or obligations incurred by

WOLVES/BENTON FC, nor shall THE CITY be deemed or construed to be a partner, joint venture or otherwise interested in the assets of the WOLVES/BENTON FC, or profits earned or derived by the WOLVES/BENTON FC, nor shall WOLVES/BENTON FC at any time or times use the name or credit of THE CITY in purchasing or attempting to purchase any equipment, supplies, or other thing or things whatsoever.

4. WOLVES/BENTON FC, in the performance of its operation and obligations hereunder, shall be deemed to be an independent contractor in every respect and shall take all steps at its own expense as THE CITY may from time to time request to indicate that WOLVES/BENTON FC is an independent contractor. THE CITY does not and will not assume any responsibility for the means by which or manner in which by WOLVES/BENTON FC shall be wholly responsible therefore.

5. THE CITY shall have the right to use the C.W. Lewis Space at its discretion upon sixty (60) days notification to WOLVES/BENTON FC. Any request of THE CITY to use the C.W. Lewis Space with less than a sixty (60) day notice shall be at the discretion of WOLVES/BENTON FC to grant. WOLVES/BENTON FC agrees and understand that First Baptist Church owns the parking lot adjacent to C.W. Lewis and because of that, it has priority in booking the C.W. Lewis Space. Any conflicts on dates must be resolved in favor of the Church. THE CITY will make best efforts to avoid conflicts.

6. But for when the WOLVES/BENTON FC is playing a scheduled match for which there is a charge, the C.W. Lewis Space shall be open to the public and access to the recreational soccer services provided herein shall be restricted only in ways THE CITY might if it were providing the services itself.

7. WOLVES/BENTON FC will operate programs in accordance to nondiscrimination and requirements of Title VI of the 1964 Civil Rights Act. WOLVES/BENTON FC will comply with all federal, state and local laws, including but not limited to the Arkansas Nonprofit Act of 1993. WOLVES/BENTON FC will also abide by the rules and regulations which are adopted or may be adopted by The City for its parks and recreation areas.

8. It is agreed that the program for which this agreement is written must be made available to the general public to join and participate in and shall be restricted only in ways THE CITY might if it were providing the services itself. WOLVES/BENTON FC will operate by their organization rules and regulations. It is also agreed that the party sponsoring any community recreation program will furnish and supply all expendable materials necessary for conducting the program.

9. It is further agreed that program personnel must adhere to all provisions of the Americans with Disabilities Act (ADA) that apply to a particular program.

10. Program personnel and participants agree to abide by all Federal, State, and Local laws in addition to the policies of THE CITY pertaining to parks and facilities.

11. It is agreed that the WOLVES/BENTON FC Space may not be assigned, sub-leased, rented, reserved or loaned to any other group, business, individual, or entity by WOLVES/BENTON FC. However, without the prior approval of THE CITY, WOLVES/BENTON FC may rent the WOLVES/BENTON FC Space on an hourly basis, in blocks of time which shall not exceed eight (8) consecutive hours. The rate charged by WOLVES/BENTON FC must be no less than the hourly rate charged by THE CITY for comparable space within Riverside Park. All hourly rentals shall be the sole property of WOLVES/BENTON FC.

12. No alterations, changes, or modifications to change the intended use may be made to facilities by WOLVES/BENTON FC, without first receiving written approval from THE CITY. The WOLVES/BENTON FC must submit a detailed request in writing to THE CITY.

13. WOLVES/BENTON FC must inspect facilities prior to each use. If damage is discovered to equipment of the facility that poses an immediate hazard or danger, then WOLVES/BENTON FC must immediately notify THE CITY. Damaged equipment or facility that does not pose a danger or hazard should be discussed with THE CITY. WOLVES/BENTON FC must report any vandalism or theft to THE CITY within 24 (twenty-four) hours or next business day.

14. WOLVES/BENTON FC will control all litter by picking up litter their program creates. The litter must be placed in the proper receptacle by WOLVES/BENTON FC and then be removed on a regular basis by a contracted trash service. If excessive litter must be picked up after 24 hours of the program by THE CITY, WOLVES/BENTON FC will be charged \$10 for each individual man hour worked.

15. THE CITY is responsible for costs of repair and/or replacement of facilities or infrastructure due to weather damage to water lines, pumps, etc. Any damages caused by participants, spectators, volunteers, etc. would be the responsibility of the WOLVES/BENTON FC.

16. At the request of CITY, WOLVES/BENTON FC will remove all their equipment that is not a fixture to the premises, at the termination of this agreement. The Parties may agree to extend the time for removal of non-fixture type items by separate written instrument.

17. Two keys to the WOLVES/BENTON FC Space will be given to the Director of the WOLVES/BENTON FC. Duplicate keys shall only be given to employees.

18. Permanent improvements to facilities will become property of THE CITY. Permanent fixtures include, but are not limited to all: concrete work, fences, underground installations, sprinkler heads, structural work, lighting fixtures, and drinking fountains.

19. Non-permanent improvements purchased by WOLVES/BENTON FC will be retained by WOLVES/BENTON FC and include: appliances, equipment, electronic devices, trade fixtures, and other removable items.

20. THE CITY shall be responsible for the grounds maintenance of the C.W. Lewis Space, which shall include, but is not necessarily limited to, mowing, trimming, watering, mulching, and replacing any dead plants or grass within the property. If the property needs any maintenance, including watering, the WOLVES/BENTON FC shall notify THE CITY.

21. If the WOLVES/BENTON FC desire for alcohol to be sold or otherwise distributed, the WOLVES/BENTON FC are required to obtain all proper city and state permits or licenses needed for the sale of alcohol through selected vendors. Further, all appropriate taxes must be paid. All alcohol sales or distribution must take place within the field complex of the C.W. Lewis Space. All alcohol consumption associated with these sales or distribution must remain inside the soccer complex. If the WOLVES/BENTON FC cause the sale or distribution of alcohol within the C.W. Lewis Space, a police officer or other similarly qualified security is required onsite during all events where alcohol sales are present. A failure to abide by this provision will result in the immediate cancellation of events.

II. Verification and Correspondence Requirements:

1. WOLVES/BENTON FC shall upon request verify its programs to THE CITY to insure that it is operating a youth soccer program within the C.W. Lewis Space in fulfillment of WOLVES/BENTON FC's obligations which are more fully stated herein. This verification may include, but is not limited to, inspection of the C.W. Lewis Space during WOLVES/BENTON FC's hours of operation.

2. Notices and reports required or permitted herein shall be in writing and shall be deemed delivered when actually received by the parties at the addresses described below:

- i. Mayor, City of Benton, 114 South East Street, Benton, AR 72015

ii. Wolves/Benton FC

III. Insurance and Liability Requirements:

1. WOLVES/BENTON FC shall maintain insurance in amounts required by federal or state laws and hereby agrees to indemnify and hold harmless The City from any claims, lawsuits, judgments, or settlements brought as a result of the performance of this Agreement or WOLVES/BENTON FC's provision of services hereunder. The City hereby agrees to indemnify and hold harmless WOLVES/BENTON FC from any claims, lawsuits, judgments, or settlements brought as a result of the performance of this Agreement.

2. WOLVES/BENTON FC assumes full responsibility and liability for damage caused by participants of their programs. Any damage caused will be fixed by WOLVES/BENTON FC. If the repair is neglected for a long period of time THE CITY will make the necessary repairs and bill WOLVES/BENTON FC.

3. It is understood that THE CITY will not be liable for any injuries incurred by participants who are participating in activities on or in the WOLVES/BENTON FC Space. WOLVES/BENTON FC shall indemnify and hold THE CITY, the City of Benton, and all of its employees harmless against losses, claims, causes of action, and liabilities on account of damage to property or injury to or death of persons arising out of negligent acts by WOLVES/BENTON FC, its agents, employees, or programs participants.

IV. Severability, Authorization, and Enforceability:

1. In the event any clause, phrase, provision, sentence or part of this Contract or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Use Agreement as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional.

2. In the event of any ambiguity in any of the terms of this Agreement, it shall not be construed for or against any party hereto on the basis that such party did or did not author the same.

3. THE CITY may terminate this agreement with 90 days' notice upon a finding, by a 2/3 vote by City Council, that the consideration provided by WOLVES/BENTON FC in regards to provision of youth services is not being adequately fulfilled, adequately met, or otherwise adequately accomplishing the goals of this program agreement. To effectuate this paragraph's provision, the City Council shall during a regular or special meeting adopt a

Resolution of Intent to terminate this program agreement by a 2/3 vote of the Council. The City agrees that any such vote must occur before the 90 day written notice can be submitted. The City agrees that for the City Council to take such an action, all notice provisions under Arkansas Law for regular or special meetings must be complied with prior to any such meeting calling for such Resolution to exercise this paragraph's provision. Further, the City shall notify, via the notification provisions within this agreement, the Director of the WOLVES/BENTON FC of the Resolution of Intent to terminate this program agreement at least 48 hours before any Council Meeting to vote on such Resolution of Intent to terminate.

4. If WOLVES/BENTON FC violates any provision of this agreement, this agreement may be terminated with 30 days' notice; however the City reserves the right to provide 30 days for WOLVES/BENTON FC to correct the violation at the City's reasonable discretion. If City funds or facilities are used fraudulently, fraudulently accounted for, fraudulently spent, or otherwise illegally disposed of, the City may terminate this agreement with 30 days' notice. The City reserves the right to provide WOLVES/BENTON FC 30 days to remedy the illegal or fraudulent use of City funds, but the City has no obligation to allow such remedy period. Any termination or opportunity to remedy under this paragraph shall occur after the City Council votes to terminate or allow remedy of the violation. Any Council action will be at a regular or special called meeting and only after appropriate notice of such Council meeting is provided for under Arkansas Code and City Resolutions governing the calling of meetings.

5. This Program Agreement will be in effect from its date of execution through the fiscal 2022, 2023, and 2024 and terminating on December 31, 2024. Assuming that THE CITY has a need to provide youth soccer services and assuming that the use of the C.W. Lewis Space by the WOLVES/BENTON FC is in the best interest of THE CITY at the end of a three year term, it is anticipated that the Program Agreement will be renewed for an additional three year term by Resolution of the City Council to continue allowing the WOLVES/BENTON FC to provide youth services in THE CITY through utilization of the C.W. Lewis Space as defined herein. Nothing herein shall be construed as legally obligating THE CITY to renew the Program Agreement for an additional three-year term.

6. Any changes in programs or uses by WOLVES/BENTON FC will be provided to THE CITY via a written notice provided at least 30 days prior to any such change in program or use of the facilities governed under this Use Agreement.

7. Any amendment, alteration or change in this agreement, other than as provided for in paragraph IV.(3) and (4) above will only be effective by the mutual assent of both parties and will be effective when reduced to writing signed by both parties and attached to this original agreement.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed in their behalf and supersede any and/or all previous agreements, contracts, or leases.

Dated this ____ day of _____, 2022

City of Benton,
A municipal Corporation, First Party,

_____, Mayor Tom Farmer

Attest:

_____, City Clerk, Cindy Stracener

[SEAL]

WOLVES/BENTON FC
User Organization, Second Party,
Authorized Signature

_____, _____, Director

RESOLUTION NO. 61 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 708 REED STREET AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

WHEREAS, the structure located at 708 Reed Street, Benton, Arkansas, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, and detrimental to the public safety, health, and welfare by Code Enforcement Officials for the City of Benton;

WHEREAS, the structure appears to be a single-story white structure, which is approximately 1668 square feet;

WHEREAS, from County Assessor documents, Rosie Griffin has owned the property for an indeterminant period of time;

WHEREAS, the structure has been inspected and issues thoroughly documented by Benton Code Enforcement, and a copy of their inspection findings is attached hereto as Exhibit 1; and

WHEREAS, after giving the owner and any mortgage or lienholder an opportunity to be heard in the presence of the City Council of the City of Benton, Arkansas, and in accordance with Ordinance No. 20 of 2021 and Arkansas State law, the City Council has determined this structure should be condemned.

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

SECTION 1: That after said opportunity to be heard the structure located at 708 Reed Street, Benton, Arkansas, has been condemned by vote of the City Council.

SECTION 2: That this decision is in the best interest of the public health, safety, and welfare.

SECTION 3: That it is the will of the Benton City Council that the structure located at 708 Reed Street, Benton, Arkansas, be razed thirty (30) days from posting this Resolution if it is still standing per the authority granted by Arkansas State law and any costs of the demolition be assessed to the property owner.

PASSED AND APPROVED this the ____ day of April 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



CITY OF BENTON

Community Development
PO Box 607
Benton, Arkansas 72018



March 2, 2022

Rosie Griffin
316 Johnson St.
Benton, AR 72015

Re: 708 Reed St. Benton, AR 72015 (parcel 800-68911-000)

Dear Property Owner,

Real estate records indicate that you are the owner of the above listed property. The building on this property is substandard and unfit for human habitation.

On April 25, 2022 at 6:00 p.m., the City Council of Benton, Arkansas will address final approval for condemnation of this structure, per City Ordinance 20 of 2021, section 10. This Ordinance states that any house, building and/or structure that is found and declared to be a nuisance by resolution will be condemned to insure the removal thereof as herein provided. As the owner, you are being notified of your right to be heard at the City Council meeting on the proposed Resolution declaring this house, building and/or structure to be a nuisance.

If the house, building and/or structure is condemned, the owner will have 30 days after Resolution is posted to tear down and remove all debris from the property. Failure to comply will result in the City of Benton, Arkansas removing the structure at the owner's expense.


Bruce Thomas
City of Benton, Code Compliance
Cc: file

7017 2680 0000 5105 9517

U.S. Postal Service TM	
CERTIFIED MAIL [®] RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com [®] .	
OFFICIAL USE	
Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage and Fees	
\$	
Sent To	Rosie Griffin
Street and Apt. No., or PO Box No.	316 Johnson St.
City, State, ZIP+4 [®]	Benton, AR 72015
PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions	

Postmark Here

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rosie Griffin
316 Johnson St.
Benton, AR 72015



9590 9402 2432 6249 8342 29

2. Article Number (Transfer from service label)

7 2680 0000 5105 9517

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Rosie Griffin
Rosie Griffin

☐ Agent

☐ Addressee

C. Date of Delivery

B. Received by (Printed Name)

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

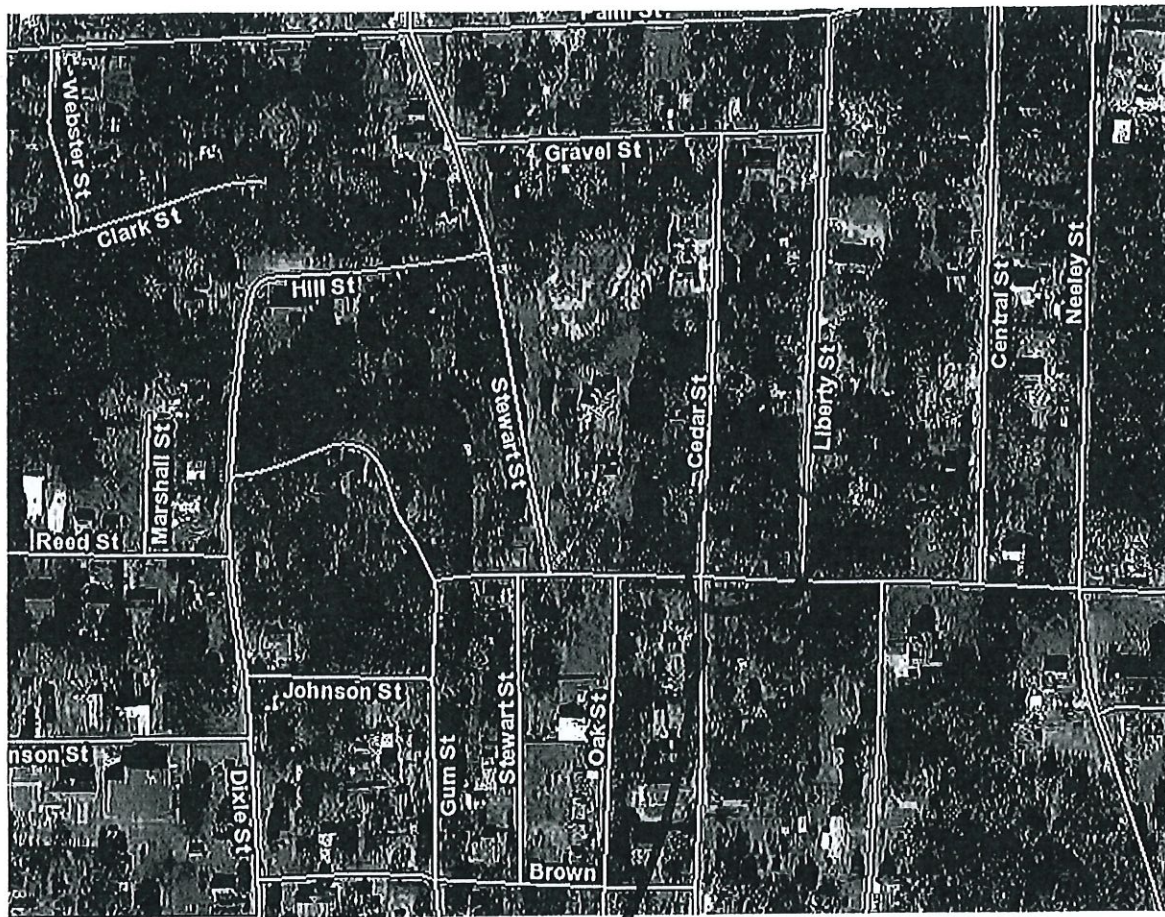
☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

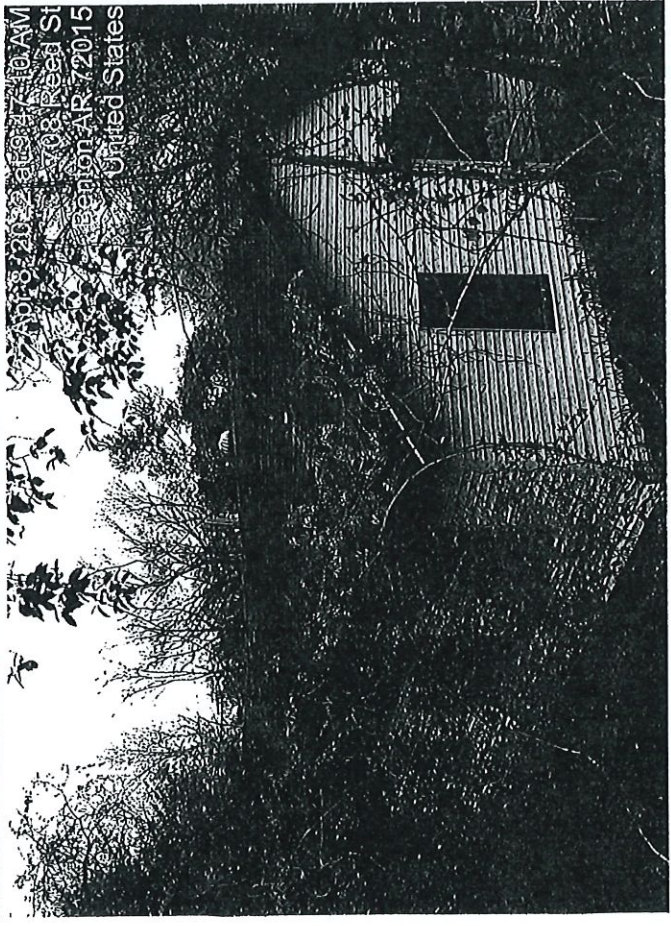
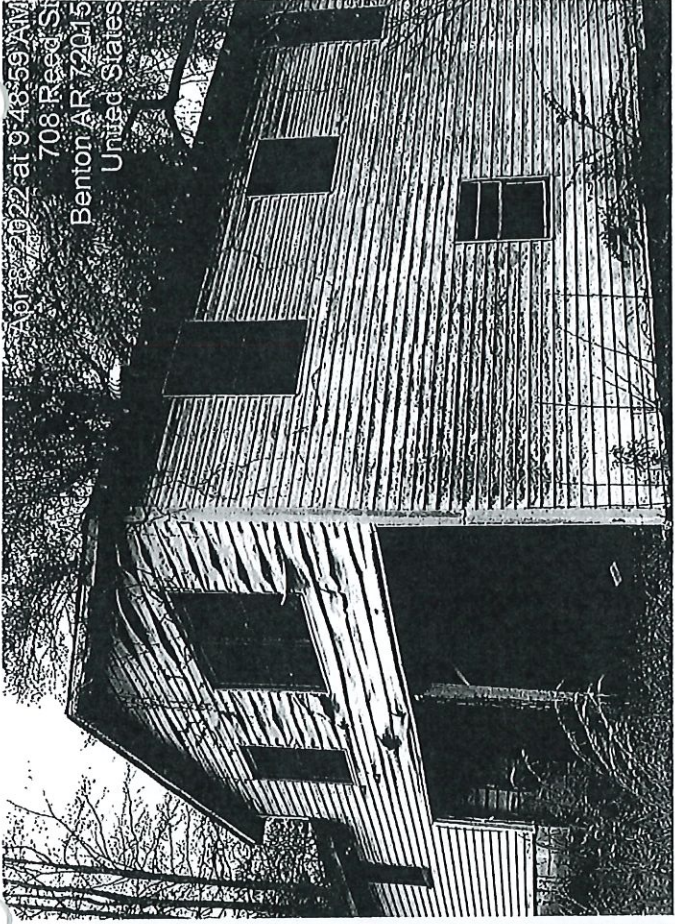
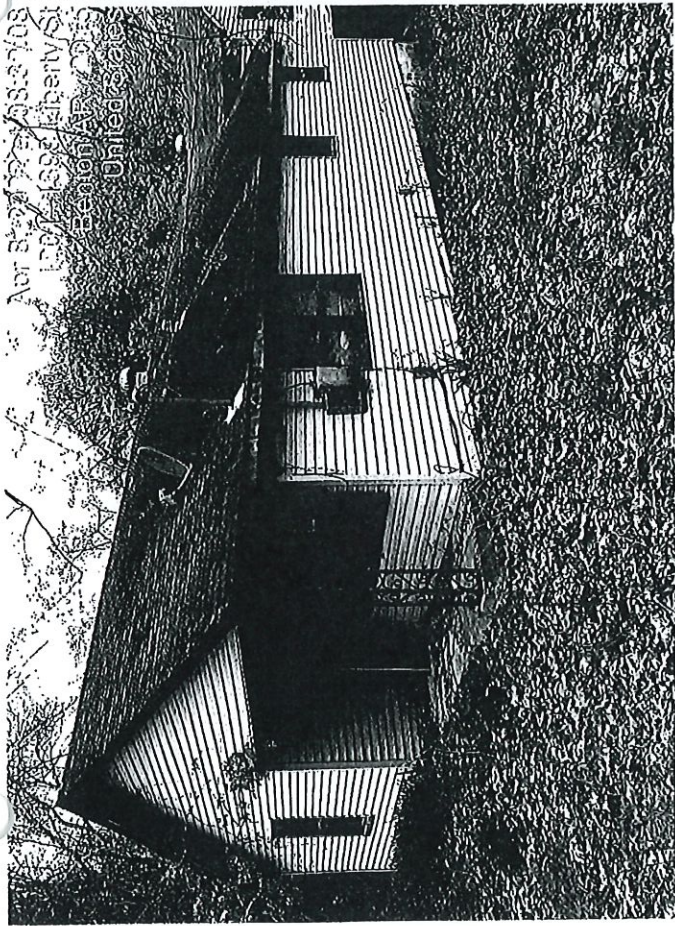
☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt



708 Reed St.



RESOLUTION NO. 62 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 2007 WRIGHT AVENUE AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

WHEREAS, the structure located at 2007 Wright Avenue, Benton, Arkansas, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, and detrimental to the public safety, health, and welfare by Code Enforcement Officials for the City of Benton;

WHEREAS, the structure appears to be a single-story white structure, which is approximately 980 square feet;

WHEREAS, from the County Assessor's records, Clint Johnson has owned the property for an indeterminant period of time;

WHEREAS, the structure has been inspected and issues thoroughly documented by Benton Code Enforcement, and a copy of their inspection findings is attached hereto as Exhibit 1; and

WHEREAS, after giving the owner and any mortgage or lienholder an opportunity to be heard in the presence of the City Council of the City of Benton, Arkansas, and in accordance with Ordinance No. 20 of 2021 and Arkansas State law, the City Council has determined this structure should be condemned.

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

SECTION 1: That after said opportunity to be heard the structure located at 2007 Wright Avenue, Benton, Arkansas, has been condemned by vote of the City Council.

SECTION 2: That this decision is in the best interest of the public health, safety, and welfare.

SECTION 3: That it is the will of the Benton City Council that the structure located at 2007 Wright Avenue, Benton, Arkansas, be razed sixty (60) days from posting this Resolution if it is still standing per the authority granted by Arkansas State law and any costs of the demolition be assessed to the property owner.

PASSED AND APPROVED this the ____ day of April 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



CITY OF BENTON

Community Development
PO Box 607
Benton, Arkansas 72018



March 29, 2022

Clint Johnson
1227 N Parker St.
Haskell, AR 72015

Re: 2007 Wright Ave. Benton, AR 72015
Parcel(s): 800-45302-000

Dear Owner or Resident,

Real estate records indicate that you are the owner of the above listed property. The building on this property is substandard and unfit for human habitation.

On April 25, 2022, at 6:00 p.m., the City Council of Benton, Arkansas will address final approval for condemnation of this structure, per City Ordinance 20 of 2021, section 10. This ordinance states that any house, building and/or structure that is found and declared to be a nuisance by resolution will be condemned to ensure the removal thereof as herein provided. As the owner, you are being notified of your right to be heard at the City Council meeting on the proposed Resolution declaring this house, building and/or structure to be a nuisance. The Community Services Committee meeting of Benton, Arkansas is scheduled for April 12, 2022.

If the house, building and/or structure is condemned, it will be recommended the owner have 60 days after Resolution is posted to tear down and remove all debris from the property. Failure to comply will result in the City of Benton, Arkansas removing the structure at the owner's expense.


Bruce Thomas
Code Compliance
City of Benton
501-776-5938
Tyler.Ritchie@bentonar.org
Cc: file

7017 2680 0000 5105 9555

U.S. Postal Service [®]	
CERTIFIED MAIL [®] RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee to postage)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (e-mail)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	Clint Johnson
Street and Apt. No. or P.O. Box No.	1227 N Parker St.
City, State, ZIP+4	Haskell, AR 72015
PS Form 3800, April 2019 PSN 7530-02-000-9001 See Reverse for Instructions	

 **USPS Tracking®**[FAQs >](#)**Track Another Package +****Tracking Number:** 70172680000051059555[Remove X](#)

Your item was delivered to an individual at the address at 2:54 pm on March 31, 2022 in BENTON, AR 72015.

USPS Tracking Plus® Available ✓ **Delivered, Left with Individual** March 31, 2022 at 2:54 pm
BENTON, AR 72015

Feedback

Get Updates ✓

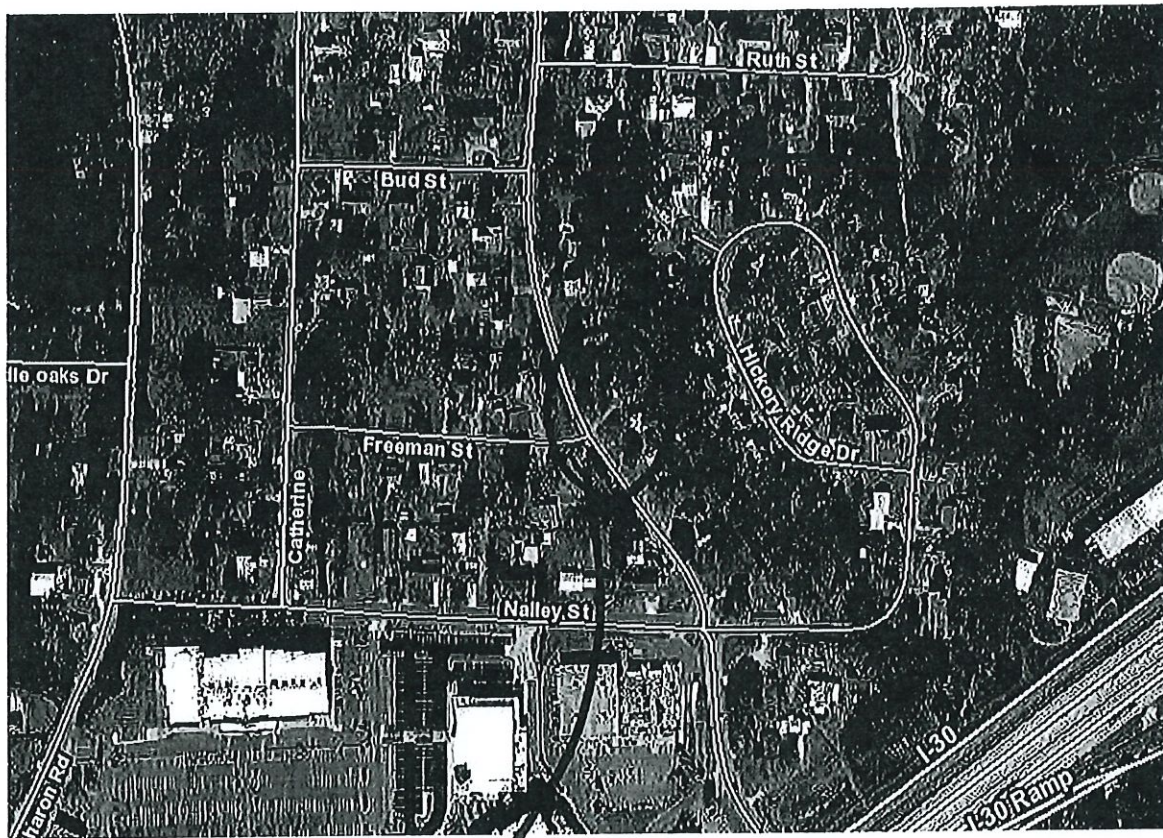
Text & Email Updates

Tracking History

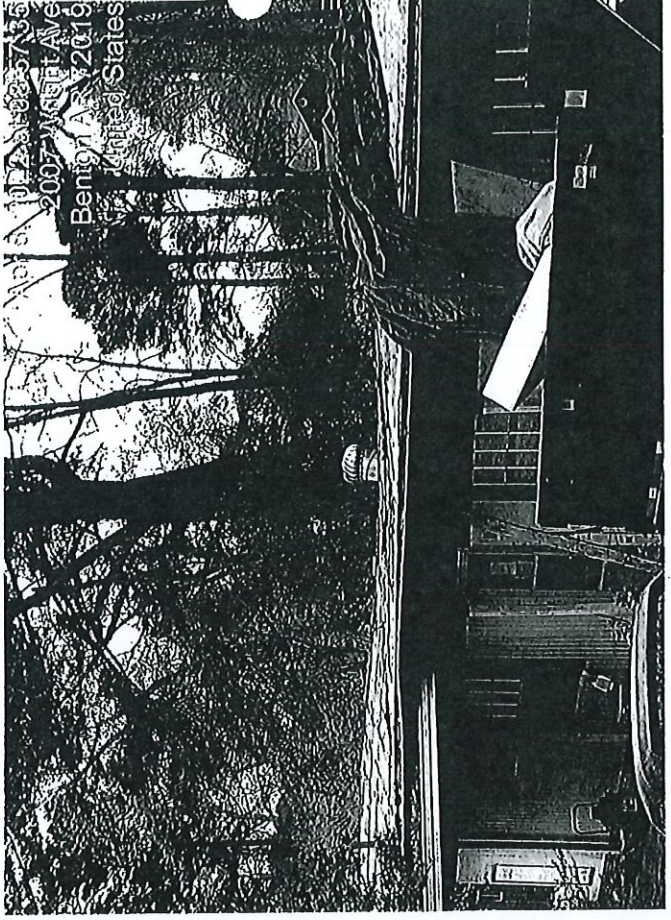
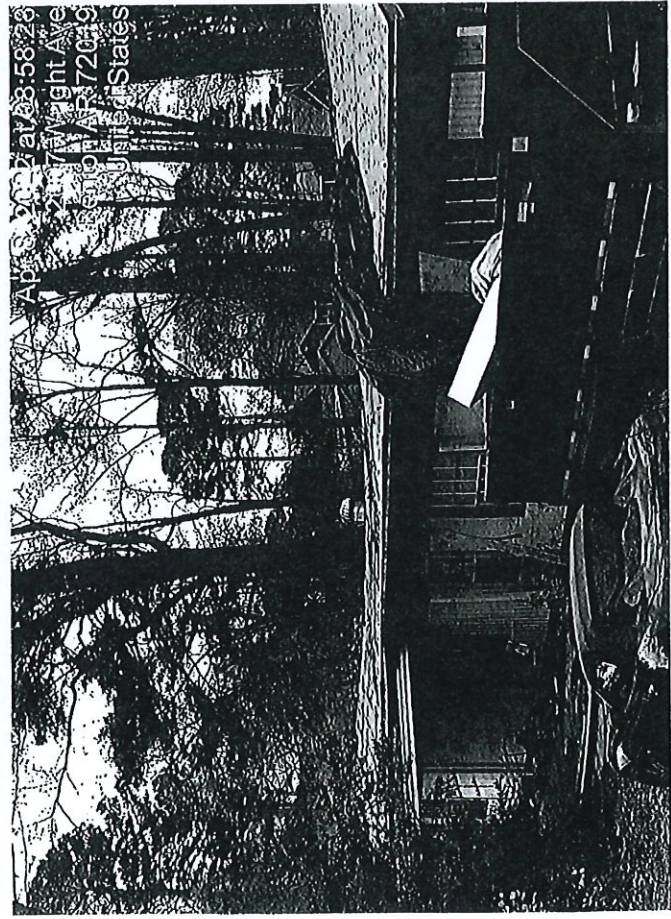
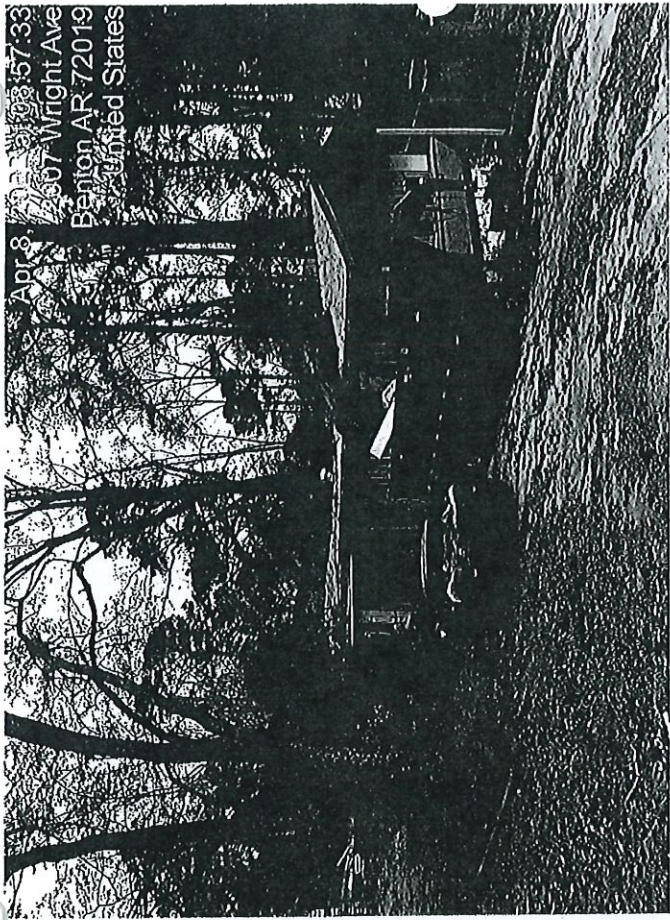
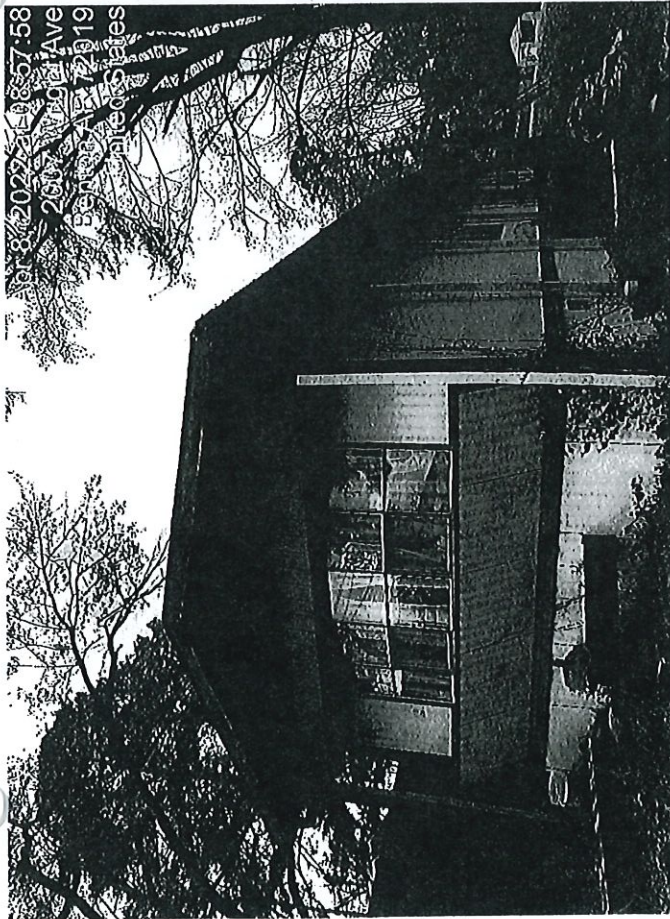
USPS Tracking Plus®

Product Information

See Less ^



2007 Wright Ave.



RESOLUTION NO. 63 OF 2022

A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 2011 WATTS ROAD AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES

WHEREAS, the structure located at 2011 Watts Road, Benton, Arkansas, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, and detrimental to the public safety, health, and welfare by Code Enforcement Officials for the City of Benton;

WHEREAS, the structure appears to be a single-story brown structure, which is approximately 864 square feet;

WHEREAS, from County Assessor records, Christopher Dyer has owned the property for an indeterminant period of time;

WHEREAS, the structure has been inspected and issues thoroughly documented by Benton Code Enforcement, and a copy of their inspection findings is attached hereto as Exhibit 1; and

WHEREAS, after giving the owner and any mortgage or lienholder an opportunity to be heard in the presence of the City Council of the City of Benton, Arkansas, and in accordance with Ordinance No. 20 of 2021 and Arkansas State law, the City Council has determined this structure should be condemned.

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

SECTION 1: That after said opportunity to be heard the structure located at 2011 Watts Road, Benton, Arkansas, has been condemned by vote of the City Council.

SECTION 2: That this decision is in the best interest of the public health, safety, and welfare.

SECTION 3: That it is the will of the Benton City Council that the structure located at 2011 Watts Road, Benton, Arkansas, be razed thirty (30) days from posting this Resolution if it is still standing per the authority granted by Arkansas State law and any costs of the demolition be assessed to the property owner.

PASSED AND APPROVED this the ____ day of April 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk



CITY OF BENTON

Community Development
PO Box 607
Benton, Arkansas 72018



March 14, 2022

Christopher W or Tausha Dyer
316 Turtle Creek Rd.
Benton, AR 72015

Re 2011 Watts, Benton, AR. 72015 (parcel 805-14909-000)

Dear Property Owner,

Real estate records indicate that you are the owner of the above listed property. The buildings on this property are substandard and unfit for human habitation.

On April 25, 2022 at 6:00 p.m., the City Council of Benton, Arkansas will address final approval for condemnation of these structures, per City Ordinance 20 of 2021, section 10. This Ordinance states that any house, building and/or structure that is found and declared to be a nuisance by resolution will be condemned to insure the removal thereof as herein provided. As the owner, you are being notified of your right to be heard at the City Council meeting on the proposed Resolution declaring this house, building and/or structure to be a nuisance.

If the house, building and/or structure is condemned, the owner will have 30 days after Resolution is posted to tear down and remove all debris from the property. Failure to comply will result in the City of Benton, Arkansas removing the structure at the owner's expense.

Bruce Thomas
Bruce Thomas
City of Benton, Code Compliance
Cc: file

7017 2680 0000 5105 9654

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage and Fees	
\$	
Sent To	Christopher or Tausha Dyer
Street and Apt. No., or PO Box No.	316 Turtle Creek Rd.
City, State, ZIP+4®	Benton, AR 72015
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark
Here

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Christopher / Tausha Dyer
316 Turtle Creek Rd.
Benton, AR 72015



9590 9402 6107 0209 1547 66

2. Article Number (Transfer from service label)

017 2400 0000 5105 9654

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X/R R RB

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Dyer

C. Date of Delivery

3-21-22

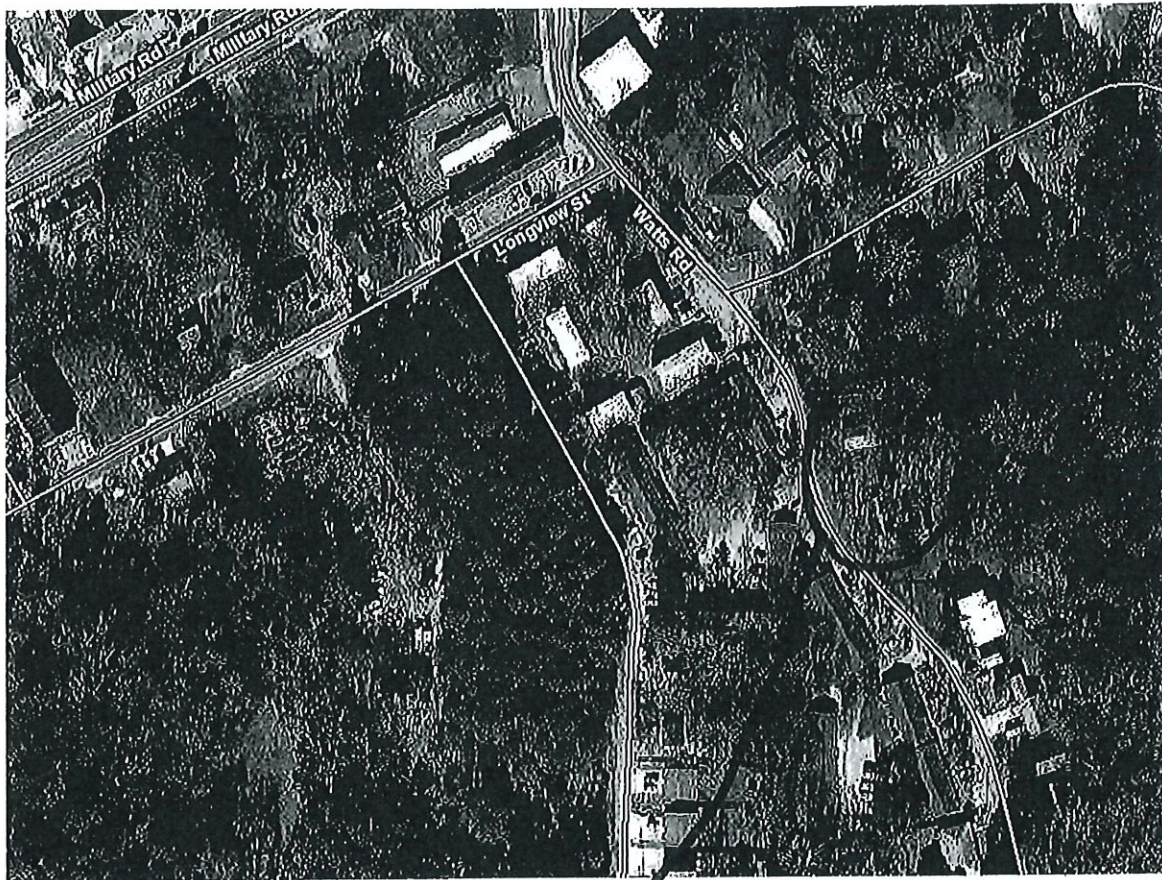
D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

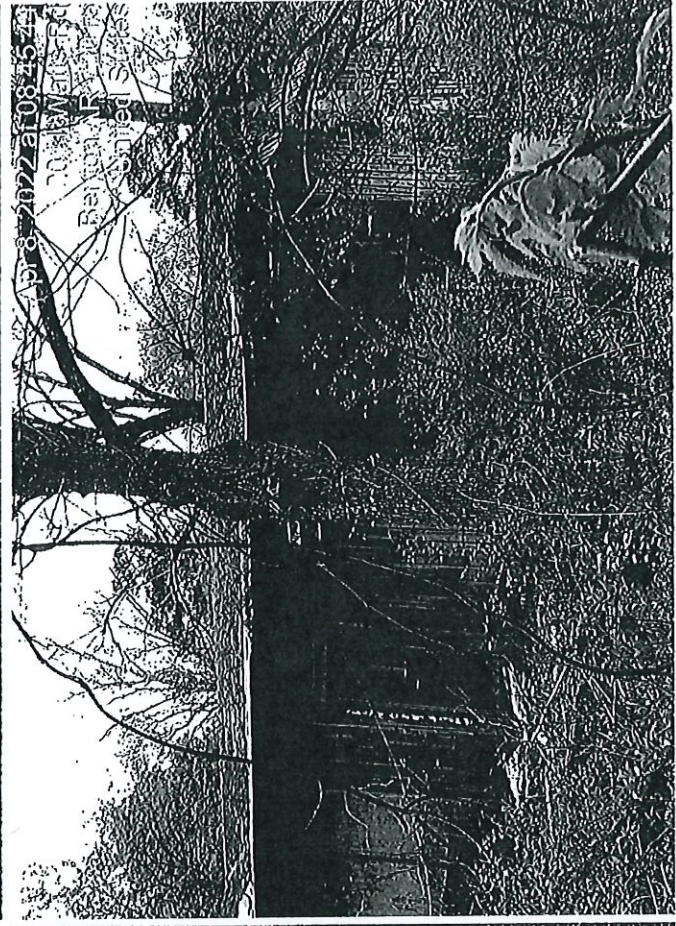
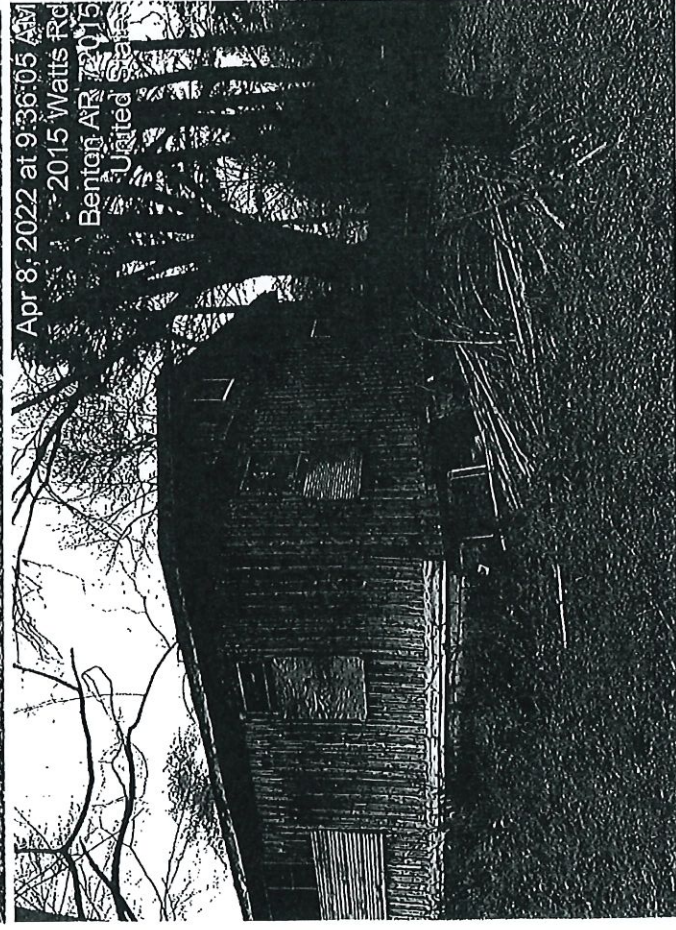
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt



2011 Watts Rd.



RESOLUTION NO. 64 OF 2022

A RESOLUTION EXEMPTING SATURDAY, JULY 2, SUNDAY, JULY 3, AND MONDAY, JULY 4 FROM ORDINANCE 29 OF 2007; PROVIDING FOR FIREWORKS DISPLAYS BY PUBLIC PURSUANT TO ORDINANCE 32 OF 2013 ON THE SAME DATE; AND FOR OTHER PURPOSES

WHEREAS, Ordinance 29 of 2007 prohibits excessive noises within the City of Benton, but authorizes the City Council to pass resolutions from time to time authorizing public activities which are exempted from the ordinance; and

WHEREAS, Ordinance 32 of 2013 authorizes the City Council to allow fireworks displays within the city; and

WHEREAS, Independence Day will celebrate our national pride and heritage and many individuals within the city desire to have fireworks displays on Saturday, July 2, Sunday, July 3, and Monday, July 4 as part of the holiday celebration; and

WHEREAS, the City Council wishes to designate these activities, which occur within the city as a public activity as defined in Ordinance 29 of 2007, Section 4, paragraph 3; and

WHEREAS, the City Council also wishes to authorize the fireworks displays to occur during this time pursuant to Ordinance 32 of 2013.

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

SECTION 1: The City Council, pursuant to Ordinance 29 of 2007, Section 4, paragraph 3, designates all fireworks displays on July 2, 2022, July 3, 2022, and July 4, 2022, as being exempted from the city's noise ordinance. This designation is only from 10:00 am until 10:00 pm.

SECTION 2: The City Council, pursuant to Ordinance 32 of 2013, does hereby authorize fireworks displays by the public on July 2, 2022, July 3, 2022, and July 4, 2022, from 10:00 am until 10:00 pm.

PASSED AND APPROVED this the ____ day of April 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 15 OF 2022

**AN ORDINANCE ESTABLISHING THE CITY OF BENTON
INFORMATION SECURITY POLICY**

WHEREAS, it is necessary that the City of Benton protect the confidentiality, integrity, and availability of data within technology systems while also supporting the operational needs of each City department, elected officials and employees, and

WHEREAS, these information security policies provide value to the way the City conducts business and supports institutional objectives by complying with all regulatory and legal requirements, aligning with the Arkansas Legislative Audit IS Best Practices guidance and providing a security framework against which the organization can evaluate program effectiveness.

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

SECTION 1: The City Council does hereby adopt the City of Benton, Arkansas, Information Security Policy which is attached hereto as Exhibit 1 which is incorporated now by reference as if stated word for word as the Information Security Policy for the City.

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.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

INFORMATION SECURITY POLICY

INTRODUCTION

Information security is a holistic discipline, meaning that its application, or lack thereof, affects all facets of an organization or enterprise. The goal of the City of Benton Information Security Program is to protect the Confidentiality, Integrity, and Availability (CIA) of data within technology systems while also supporting the operational needs of the City.

Protection of the Confidentiality, Integrity, and Availability are basic principles of information security, and can be defined as:

Confidentiality – Ensuring that information is accessible only to those entities that are authorized to have access, many times enforced by the classic “need-to-know” principle.

Integrity – Protecting the accuracy and completeness of information and the methods that are used to process and manage it.

Availability – Ensuring that information assets (information, systems, facilities, networks, and computers) are accessible and usable when needed by an authorized entity.

City of Benton has recognized that information is a critical asset and the ability to manage, control, and protect this asset will have a direct and significant impact on future success.

This document establishes the framework from which other information security policies may be developed to ensure that the City can efficiently and effectively manage, control, and protect information assets entrusted to City of Benton by its stakeholders, partners, customers, and other third-parties.

The City of Benton Information Security Program is built around the information contained within this policy and its supporting policies.

CONTENTS

Information Security Policy	1
Introduction	1
Purpose	4
Audience	4
Responsibilities	4
Executive Officer	4
Information Security Officer	4
Cybersecurity Steering Committee.....	5
All Employees, Contractors, and Other Third-Party Personnel	5
Policy	6
Acceptable Use	6
Change Control	6
Buisness Continuity and Disaster Recovery	6
Asset Management	6
Identity and Access Management.....	7
Information Classification and Management.....	7
Third Party Information Security Risk Management.....	7
Vulnerability Management	7
Network Management.....	8
Encryption Management	8
Log Management	8
Physical Access	8
References	8

Waivers	8
Enforcement	8

DRAFT

PURPOSE

The purpose of the City of Benton Information Security Policy is to describe the actions and behaviors required to ensure that due care is taken to avoid inappropriate risks to City of Benton, its business partners, and its stakeholders.

AUDIENCE

The City of Benton Information Security Policy applies equally to any individual, entity, or process that interacts with any City of Benton Information Resource.

RESPONSIBILITIES

EXECUTIVE OFFICER

The Executive Officer is the individual responsible for establishing, empowering, and funding the cybersecurity efforts for The City of Benton. As of the time of writing, this responsibility lies with the office of The Mayor. Below is a listing of responsibilities unique to the Executive Officer:

- Ensure an appropriate risk-based Information Security Program is implemented to protect the confidentiality, integrity, and availability of Information Resources collected or maintained by or on behalf of City of Benton.
- Ensure information security processes are integrated with strategic and operational planning processes to secure the organization's mission.
- Ensure adequate financial and personnel resources are included in the budgeting and/or financial planning process to support Cybersecurity Program initiatives.
- Ensure the Cybersecurity Program is given the necessary authority to secure the Information Resources under their control within the scope of the City of Benton Information Security Program.
- Designate an Information Security Officer and delegate authority to that individual to ensure compliance with applicable information security requirements.
- Ensure the Information Security Officer reports annually to Executive Management on the effectiveness of the City of Benton Information Security Program.

INFORMATION SECURITY OFFICER

The Information Security Officer is the individual responsible for implementing and overseeing the cybersecurity program. As of the time of this writing, the following responsibilities lie with the Information Security Officer:

- Chair the Cybersecurity Steering Committee and provide updates on the status of the Information Security Program to the Executive Officer.
- Manage compliance with all relevant statutory, regulatory, and contractual requirements.
- Participate in security related forums, associations, and special interest groups.
- Facilitate the assessment of risks to the confidentiality, integrity, and availability of Information Resources collected or maintained by or on behalf of City of Benton.

- Facilitate development and adoption of supporting policies, procedures, standards, and guidelines for providing adequate information security and continuity of operations.
- Ensure that City of Benton has trained all personnel to support compliance with information security policies, processes, standards, and guidelines. Train and oversee personnel with significant responsibilities for information security with respect to such responsibilities.
- Ensure that appropriate information security awareness training is provided to City of Benton personnel, including contractors.
- Implement and maintain a process for planning, implementing, evaluating, and documenting remediation actions to address any deficiencies in the information security policies, procedures, and practices of City of Benton.
- Develop and implement procedures for testing and evaluating the effectiveness of the City of Benton Information Security Program in accordance with stated objectives.
- Develop and implement a process for evaluating risks related to vendors and managing vendor relationships.
- Report annually, in coordination with the Cybersecurity Steering Committee, to Executive Management on the effectiveness of the City of Benton Information Security Program, including progress of remedial actions.

CYBERSECURITY STEERING COMMITTEE

The Cybersecurity Steering Committee (CSC) is a collection of accountable leaders, including the Chief Financial Officer, Chief Security Officer, City Clerk, Police Chief, Parks & Recreation Director, and the Mayor's Assistant, from within the City of Benton. These leaders represent a cross-functional group with quorum requirements and mandatory participation from each functional area of City administration as defined by the Executive Officer. The CSC is chaired by the Information Security Officer, which is a non-quorum role with final decision-making responsibility and authority. The following contains a list of responsibilities of the CSC:

- Ensure compliance with applicable information security requirements.
- Formulate, review, and recommend information security policies.
- Approve supporting procedures, standards, and guidelines related to information security.
- Provide clear direction and visible management support for information security initiatives.
- Assess the adequacy and effectiveness of the information security policies and coordinate the implementation of information security controls.
- Ensure that ongoing security activities are executed in compliance with policy.
- Review and manage an information security policy waiver request process.
- Review information security incident information and recommend follow-up actions.
- Promote information security education, training, and awareness throughout the City of Benton, and initiate plans and programs to maintain information security awareness.
- Report annually, in coordination with the Security Officer, to Executive Management on the effectiveness of the City of Benton Information Security Program, including progress of remediation activities.

ALL EMPLOYEES, CONTRACTORS, AND OTHER THIRD-PARTY PERSONNEL

As an employee of the City of Benton the following are essential responsibilities:

- Understand the responsibilities for complying with the City of Benton Information Security Program
- Complete periodic security awareness and associated remediation training in a timely manner
- Seek guidance from their immediate supervisor or chain of command to address questions or issues related to information security
- Maintain situational awareness and follow the mantra of "If I see something, I must say something."

POLICY

City of Benton maintains and communicates an Information Security Program consisting of topic-specific policies, standards, procedures, and guidelines that serve to protect the Confidentiality, Integrity, and Availability (CIA) of Information Resources maintained within the organization using administrative, physical, and technical controls.

Information security policies provide value to the way the City conducts business and supports institutional objectives. By complying with all regulatory and legal requirements, aligning with the Arkansas Legislative Audit IS Best Practices guidance, and providing a security framework against which the organization can evaluate program effectiveness.

The information security policy and supporting security program are reviewed no less than annually or upon significant changes to the information security environment.

ACCEPTABLE USE

The City will establish acceptable practices regarding the use of City of Benton Information Resources to protect the CIA of information created, collected, and maintained. City equipment, facilities, and Internet access may only be used for official City business. The Acceptable Use Standards contains specific requirements for how City of Benton will conduct acceptable use.

CHANGE CONTROL

The City will establish the rules for the creation, evaluation, implementation, and tracking of changes made to City of Benton Information Resources. Material changes to the function of any production system will follow a defined change control process, will be sufficiently documented, and will contain a rollback plan in the event of a negative change outcome. The Change Control Standards contains specific requirements for how City of Benton will manage change control.

BUISNESS CONTINUITY AND DISASTER RECOVERY

The City will provide direction and general rules for the creation, implementation, and management of the City of Benton Business Continuity and Disaster Recovery Plan (BCDR). Critical operational and information technology solutions will be considered within the BCDR and periodic testing of the plan will be performed. The BCDR standards contains specific requirements for how the City of Benton will implement a BCDR.

ASSET MANAGEMENT

The City will establish the rules for the control of hardware, software, applications, and information used by City of Benton. Business Continuity and Disaster Recovery considerations including, but not limited to criticality appropriate data backup methods, frequency, and retention that are compliant with City identify laws and regulations must include all in scope devices and application data. Regular full capability restore testing will be performed at least annually. An asset inventory of City technology assets will be maintained as "in-scope" for policy and standards alignment. All decommissioned assets will be removed from inventory and securely decommissioned and/or destroyed. The Asset Management Standards contains specific requirements for how the City of Benton will manage assets.

IDENTITY AND ACCESS MANAGEMENT

The City will establish the requirements necessary to ensure that access to and use of City of Benton Information Resources is managed in accordance with business requirements, information security requirements, and other City of Benton policies and procedures. Changes to remote access entry points to City resources will be reviewed prior to implementing said changes. Risk based access controls will be developed and maintained to establish and govern user identification, authentication, and accounting record keeping. Systems administration tools will be periodically reviewed to ensure all controls are effective and anomalous activities will be investigated. The Identity and Access Management Standards contains specific requirements for how the City of Benton will conduct identity and access management.

INFORMATION CLASSIFICATION AND MANAGEMENT

The City will provide a system for classifying and managing Information Resources according to the risks associated with its storage, processing, transmission, and destruction. The CSC will develop and maintain standards for appropriate data classification and will provide governance and oversight to ensure appropriate technical deployment of the same. The Information Classification and Management Standards contains specific requirements for how the City of Benton will conduct information classification and management.

THIRD PARTY INFORMATION SECURITY RISK MANAGEMENT

The City of Benton utilizes third-party products and services to support City mission and goals. Third-party relationships carry inherent and residual risks that must be considered as part of our due care and diligence. Risk assessments for all in-scope third-party vendors will be performed and maintained as part of the City security risk management program based on the Arkansas Legislative Audit IS Best Practices. The Third-Party Information Security Risk Management Standards contains specific requirements for how the City of Benton will conduct our third-party information security due diligence.

VULNERABILITY MANAGEMENT

The City will establish rules for the review, evaluation, application, and verification of system updates to mitigate vulnerabilities in the IT environment and the risks associated with them. All City devices capable of doing so will actively run EDR (Endpoint Detection and Remediation) aka "next-gen antivirus" software. Removable media (e.g. USB Drives) will be included in protection coverage. Periodic reviews and reports will be submitted to the City council regarding the performance of the vulnerability management program. Critical and security patches will be

applied to critical devices within sixty (60) days of release. The Vulnerability Management Standards contains specific requirements for how the City of Benton will conduct vulnerability management.

NETWORK MANAGEMENT

The City will establish the rules for the maintenance, expansion, and use of the network infrastructure. The Security Awareness Program will include City employee education acknowledgement of relevant training and acceptance of security policies. Wireless networking will be integrated with centralized authentication and authorization technology to ensure authorized only access and enforcing least privileged access. The Network Management Standards contains specific guidance for how the City of Benton will manage the network.

ENCRYPTION MANAGEMENT

The City will establish rules for acceptable use of encryption technologies relating to City of Benton Information Resources. The Encryption Management Standards contains specific language for how the City of Benton will manage encryption requirements.

LOG MANAGEMENT

The City will establish a requirement to enable and review logs on City of Benton information resources that provide authentication and authorization functions. Systems that, store, transmit, or access internal and/or confidential information will also be included in this log management. This policy also establishes a requirement to enable and review privileged account and privileged access logs on City of Benton information resources. The Log Management Standards contains specific language for how the City of Benton will manage logging.

PHYSICAL ACCESS

The City will maintain physical access controls to non-public areas including networking closets, server rooms, and other areas housing infrastructure or other critical IT assets. These controls should include access control measures such as physical keys or electronic keycards management, authorization protocols for visitors, contractors, etc. and provisions for removing access for terminated actors.

REFERENCES

Framework references between policies, standards, controls, and evidence are best maintained within a governance, risk, and compliance (GRC) solution and are considered out of scope for policy or standards definitions.

WAIVERS

Waivers from certain policy provisions may be sought following the City of Benton Waiver Process.

ENFORCEMENT

Personnel found to have violated these policies may be subject to disciplinary action, up to and including termination of employment, and related civil or criminal penalties.

Any vendor, consultant, or contractor found to have violated this policy may be subject to sanctions up to and including removal of access rights, termination of contract(s), and related civil or criminal penalties.

Version History

Version	Modified Date	Approved Date	Approved By	Reason/Comments
1.0.0	April 2022			Document Origination

RESOLUTION NO. 65 OF 2022

A RESOLUTION AUTHORIZING THE MAYOR AND THE CHIEF OF POLICE TO APPLY FOR FUNDING THROUGH THE ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022; AND FOR OTHER PURPOSES

WHEREAS, it was found and determined by the General Assembly of the State of Arkansas that the safety and security of Arkansas citizens and businesses require the presence of a trained workforce of qualified law enforcement officers; that economic conditions have impaired the ability of state and local governments to recruit and retain qualified law enforcement officers; and that Act 224 of 2022 will improve the safety of all citizens by providing immediate financial benefits to encourage the recruitment and retention of qualified law enforcement officers; and

WHEREAS, the City Council wishes to authorize the Mayor and the Police Chief to apply for such funding with the intended purpose of paying eligible full-time Law Enforcement Officers within the Police Department as set forth in Act 224 of 2022;

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

SECTION 1: The City Council does hereby authorize the Mayor and the Police Chief to make an application for the purposes stated herein. The Mayor, Police Chief, City Clerk, and the City Attorney are all authorized and directed to execute any document that may be necessary or convenient to fulfill the purposes of this Resolution.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 66 OF 2022

**A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT
TO ORDER ELEVEN POLICE VEHICLES IN THE ESTIMATED
AMOUNT OF \$620,000; AND FOR OTHER PURPOSES**

WHEREAS, the City Council has previously authorized the purchase of vehicles for the Police Department but because of delayed build times, the City has been behind on the purchases of vehicles over the last couple years; and

WHEREAS, the City Council desires to authorize the Police Department to place an order for these vehicles now, or when they become available to order, which the City anticipates will be fulfilled and paid for in 2023.

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

SECTION 1: The Police Department is authorized to order eleven (11) Police Vehicles, at an estimated cost of \$620,000 utilizing state bid pricing, once it is available. The City Council acknowledges that this purchase should be completed in 2023 and will be budgeted accordingly.

PASSED AND APPROVED this the _____ day of April, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 14 OF 2022

AN ORDINANCE FIXING RATES FOR WATER AND WASTEWATER UTILITY SERVICES; PRESCRIBING OTHER MATTERS RELATING THEREO; REPEALING ALL PRIOR WATER AND WASTEWATER ORDINANCES; AND FOR OTHER PURPOSES

WHEREAS, through Ordinance No. 46 of 2004, the City of Benton, Arkansas, established a Public Utility Commission ("PUC") to oversee the utilities that are owned and operated by the City;

WHEREAS, pursuant to Ordinance No. 46 of 2004, the City Council of the City establishes utility rates;

WHEREAS, the PUC has determined that rates for water and wastewater services should be modified in order to ensure that Benton Utilities can continue to provide adequate services to its customers, and it has requested that the City Council modify these rates;

WHEREAS, the City Council has determined it is necessary to establish the rates for water and wastewater services as set forth herein; and

WHEREAS, in accordance with Arkansas Code, the City has held a public meeting on April 12, 2022, to address the rates as set forth herein.

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

SECTION 1. Effective Date.

Effective July 1, 2022, rates for water and wastewater services provided by the Benton Utilities shall be in accordance with those set out in Exhibit 1 attached hereto.

SECTION 2. Purpose.

As set out in Exhibit 1, the City hereby establishes the rates to be charged for water and wastewater services furnished by Benton Utilities, which the City Council finds and declares to be fair, reasonable, and necessary, to be charged to all users who use water and wastewater services. The proceeds of such charges so derived will be used for the purpose of repayment of debt, operating, maintaining, and where appropriate expanding the water and wastewater systems, including replacement. Replacement is defined as expenditures for obtaining and installing equipment, accessories, or appurtenances during the useful life of equipment, accessories, or appurtenances necessary to maintain the capacity and performance for which they were designed and constructed.

SECTION 3. General Regulations.

A. Over 65.

Customers age 65 and over must present valid identification in order to receive the reduced rate and Customers on Social Security Disability must present a copy of their Social Security Disability Award or check in order to receive the reduced rate. Customers who are presently receiving a reduced rate for either

of these reasons do not have to resubmit proof to the City in order to receive the discounted rate.

B. Rules and Regulations.

The Customer Services Rules, Regulations, and Fees for the City of Benton, Arkansas Utilities attached here as Exhibit 2 is adopted and applicable.

- i. The City Clerk shall cause a copy of this ordinance, the rate schedule adopted herein, and the Customer Services Rules, Regulations, and Fees for the City of Benton, Arkansas Utilities attached here as Exhibit 2 to be published in a newspaper of general circulation in Saline County, Arkansas.

C. Monthly Billing.

Users of water and wastewater services will be billed on a monthly basis with payment due 21 days after the date of billing. Users on metered water service will be billed on the same notice for water wastewater charges, which will designated separately. Users not on metered water service will be billed monthly on an individual notice for service based upon the water consumption established by the City.

D. Delinquent Accounts.

Users with delinquent accounts of 10 days will be notified in writing by Benton Utilities where, during which hours of the day, and before whom disputed bills appropriately may be considered. If the user waives the opportunity to be heard and the bill is not paid within 30 days after the date of billing, the water and/or wastewater service will be disconnected until such bill is paid.

E. Accounting.

A financial management system shall be established and maintained by Benton Utilities to document compliance with federal regulations pertaining to the City's public utility revenue bonds. Such system will account for all of Benton Utilities' revenues and expenditures.

SECTION 4. Wastewater Charge Specifications.

A. Wastewater Charge Calculations.

- i. **City Water.** As set out in Exhibit 1, all users of the System shall be charged monthly for the first 2,000 gallons or portion thereof of average monthly water consumption and per 1,000 gallons or portion thereof of average monthly water consumption thereafter. Determination of water consumption by residential customers shall be based upon the average monthly water consumption of the customer for the preceding months of October, November, December, January, February, and March. A re-computation of the average monthly water consumption of all residential customers, in the manner specified above, shall be made in May in each year for the forthcoming yearly rate to be charged. In the case of residential customers who do not have an established usage for the six months stated above, a monthly charge of \$30.00 shall be made until a six-month-winter-time frame is established. All

commercial and industrial customers will be billed on actual water consumption or as determined pursuant to this Ordinance unless a leveled bill is requested and approved by the utilities manager based on a 12-month average.

- ii. **Non-City Water.** In the case of customers obtaining water exclusively from the waterworks system serving the City, the computation records of the waterworks system shall apply. In the case of customers obtaining water on a metered basis from sources other than the waterworks system serving the City, there shall be determined the amount of water obtained by such customers from other sources and the amount so determined shall be used (together with the amount reflected by the waterworks system records if such customer also obtains water from the waterworks system of the City) in making said computation.
- iii. **Non-Metered Water.** In the case of customers obtaining water not on a metered basis, the City shall establish water consumption based on a comparison of the non-metered user with a metered user of similar class. Example: a non-metered family of four will be compared to a typical family of four with a water meter to establish water consumption.

B. Customer Classification.

All sewer users shall be classified by the City as residential, commercial, or industrial.

- i. A "residential user" is defined as a user whose wastewater is from residential occupancy.
- ii. A "commercial user" is defined as a user whose liquid wastewater result from commercial operations, trade, or business.
- iii. An "industrial user" is defined as a user whose liquid wastewater result from industrial, manufacturing, or processing.

C. User Charge Methodology Total.

Total annual OM&R \$ Cost in \$/1,000 gal.= No. of 1,000 gal. sold annually.

D. Excessive Strength Charges.

For any user, when the BOD exceeds * 200 mg/l, the suspended solids exceed 200 mg/l, or when other pollutant concentrations exceed the range of concentrations of these pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$C_s = (B_e(B) + S_c(S) + P_c(P)) V_u$$

Symbols and Definitions:

C_s= A surcharge for wastewaters of excessive strength

B_e= Operation and maintenance ("O&M") cost for treatment of a unit of biochemical oxygen demand ("BOD")

B= Concentration of BOD from a user above a base level

S_c= O&M cost for treatment of a unit of suspended solids("SS")

S= Concentration of SS from a user above a base level
Pc= O&M cost for treatment of a unit of any pollutant
P= Concentration of any pollutant from a user above a base level
Vu =Volume contribution from a user per unit of time
*Maximum limit for average domestic waste.

E. Charges for Extraneous Flows.

The costs of O&M for all flows not directly attributable to users (such as Infiltration/Inflow) shall be distributed among users on the same basis as operation and maintenance charges.

F. Toxic Pollutants Charges.

Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the System's treatment works shall pay for such increased costs.

G. Flat Monthly Charge.

All active users of the System shall be charged a flat monthly fee of \$20.37 including commercial customers with the exception of residential customers age 65 and older or on Social Security Disability who will pay a flat monthly fee of \$18.77. These charges represent the debt retirement for the City's indebtedness incurred for System improvements that is payable from System revenues ("Debt Service").

H. Other Service Charge Issues.

- i. It is the intent of the City to reaffirm a long-standing practice of Benton Utilities to not consider, in computing charges, water that is not returned to the sewer for treatment as substantiated by the Benton Utilities Manager ("Manager"). Any customer who feels the amount charged is unjust and inequitable may make written application to the Manager requesting a review of the charges. Review of the request shall be made by the Manager, and if substantiated, the charges for that customer shall be recomputed based on the revised flow and/or strength data and the new charges shall be applicable to the next billing cycle/period.
- ii. Any current commercial or industrial user who was authorized by the City to install one or more metering points for purposes of quantifying a volume of water that is not returned to the sewer system may continue under the prior arrangements; provided all meters are read monthly by Benton Utilities and each metering point shall be treated as a separate unit for billing purposes. Water customers having a second meter will no longer have an option of disconnecting or connecting "at will" in order to avoid a monthly minimum charge.

SECTION 5. Repealer.

All ordinances or parts of ordinances in conflict herewith are hereby repealed, including Ordinance No. 70 of 2021; Ordinance 60 of 2017; Ordinance No. 33 of 2016; Ordinance No. 25 of 2016; Ordinance No. 71 of 2015; Ordinance No. 26 of 2014; and Ordinance No. 27 of 2012.

SECTION 6. Severability Clause.

The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases, or provisions.

PASSED AND APPROVED this ____ day of May, 2022.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

WATER			
		Benton	
		Current	Proposed
Meter Size	(includes first 2,000 gallons of water used)	Ord 70 of 2021	Increase
5/8" & 3/4"	(Res. 65 & Over)	\$ 7.32	\$ 11.22
5/8" & 3/4"	(Res Soc. Sec. Dis.)	\$ 7.32	\$ 11.22
5/8" & 3/4"		\$ 11.10	\$ 15.00
1"		\$ 15.12	\$ 19.02
1-1/4"		\$ 18.71	\$ 22.61
1-1/2"		n/a	n/a
2"		\$ 23.91	\$ 27.81
3"		\$ 35.68	\$ 39.58
4"		\$ 51.27	\$ 55.17
6"		\$ 95.13	\$ 99.03
8"		-	-
10"		-	-
12"		-	-
each 1,000 gallons of water metered over and above the minimum 2,000		\$ 3.446	\$ 4.8430
WASTEWATER			
		Benton	
		Current	Proposed
Meter Size		Ord 70 of 2021	Increase
A.			
first 2,000 gallons		\$ 2.93	\$ 4.83
per additional 1,000 gallons, each		\$ 5.26	\$ 5.26
Monthly charge for customers with no prior usage		\$ 28.36	\$ 30.00
Commercial & industrial customers billed on actual water consumption		\$ 28.36	\$ 30.00
B.			
Residential	(Res. 65 & Over)	\$ 7.84	\$ 13.94
	(Res Soc. Sec. Dis.)	\$ 7.84	\$ 13.94
	All other	\$ 9.44	\$ 15.54
Minimum montly bill (A +B):			
	(Res. 65 & Over)	\$ 10.77	\$ 18.77
	(Res Soc. Sec. Dis.)	\$ 10.77	\$ 18.77
	All other	\$ 12.37	\$ 20.37
Outside City Limits charge		\$ 21.67	\$ 35.65
first 2K gallons		\$ 5.12	\$ 8.45
each additional 1,00 gallons each		\$ 9.20	\$ 9.20

EXHIBIT "A"

CUSTOMER SERVICE RULES, REGULATIONS AND FEES OF THE BENTON UTILITIES

1. NEW CUSTOMERS

1. New customers applying for utilities service must make application and sign a contract at the Benton Utilities Business Office prior to utilities service connection. The new customer must comply with all departmental policies with regard to utilities service. The new customer must provide proper identification and other required information at the time that application and contract are requested, or service will not be furnished.

Commercial Accounts require Personal Indemnity agreements on all accounts not opened in name of person signing the agreement with exception of National Corporations such as Home Depot and Office Depot.

2. Refusal to Serve an Applicant for Service

(a) Reasons for Refusal to Provide Service:

- (1) Failure to pay a delinquent account for the same kind of service previously rendered by the Utility to the applicant, or any other person that is or will be a resident of the service location, or family member which also has an ownership interest at the service location, or any business in which the applicant was owner, co-owner, partner, executive officer of a Corporation, or business in which applicant had financial ownership interest. Accounts will not be opened in name of person not living or operating a business at the service location; however, owners of properties may open an account to provide services to the property for the owner's own use when a tenant is not in the unit.
- (2) Failure to comply with the terms and conditions of a settlement agreement, delayed payment agreement, with respect to service previously rendered by the Utility to the applicant.
- (3) Failure to post the required deposit for service.
- (4) Misrepresentation of identity or facts for the purpose of obtaining the service or failure to provide a minimum of two (2) acceptable items of identification upon request by the Utility.
- (5) Unauthorized or fraudulent use or procurement of service or tampering with wires, transformers, meters, pipes or other Utility equipment within the previous three (3) years. (See Section 3, Item 5)
- (6) Violation of federal, state or local laws or regulations through previous use of service
- (7) Violation of the rules and regulations of the Utility.
- (8) Inability of the Utility, due to inadequate facilities, to provide the service requested.
- (9) Potential adverse effect of the service requested on service to other customers of the Utility.
- (10) Hazards associated with the requested installation or equipment of the applicant.

- (11) Causing injury, or threatening to cause injury, to an employee of the City of Benton, the family of an employee or the property of the Utility.
- (12) Lack of safe and convenient access to the meter location for maintenance or reading of the meter, including danger, real or perceived to Utility personnel assigned to maintenance or reading by reason of an unrestrained animal.

II. METER DEPOSITS

1. The meter deposits for the indicated services shall be as shown below:

(a) WATER:

(1) ¾"by 5/8" METER	\$ 50.00
(2) 1" METER	\$ 75.00
(3) 1 ¼"	\$ 100.00
(4) 1 ½"	\$120.00
(5) 2"	\$160.00
(6) 3"	\$300.00
(7) 4"	\$600.00
(8) 6"	\$1,200.00

Applicants with Adverse Credit History will pay 2 times normal water deposit.

"Adverse Credit History" is defined by soft credit check through On Line Utility Exchange or the applicant's past credit history with the Benton Utilities.

(b) ELECTRIC:

(1) RESIDENTIAL:

New Applicant	\$100.00
Applicant with Adverse Credit History.	\$200.00

"Adverse Credit History" is defined by soft credit check through On Line Utility Exchange or the applicant's past credit history with the Benton Utilities.

- (a) Homeowners and renters shall be required to pay meter deposits at the Residential Rates shown above. Deposits will be applied to the account of all residential customers, with the exception of fraudulent users and violators of the Utility's Rules and Regulations, who have not been delinquent on payment of the preceding twelve (12) billing periods. Delinquent is defined as not paying the monthly utility bill on or before the due date printed on the aforesaid monthly utility bill. Deposits are to be reinstated if customers billing reflects three or more consecutive months of late payments or six (6) or more late payments in a 12-month period or service has been ordered for disconnect for non-pay. Repayment of the deposits shall not exceed 90-days.

- (b) Benton Utilities pays no interest on any customer deposits.

- (c) In all cases. Deposits will be refunded when service is terminated. Deposits will be applied/credited to the final billing. If a credit balance remains it will be refunded within 45 days of the final billing.

(2) SINGLE METERED MULTIPLE UNIT DWELLING:

2-UNIT COMPLEX	\$200.00
3-UNIT COMPLEX	\$300.00
4-UNIT COMPLEX	\$400.00
5-UNIT COMPLEX	\$500.00
6-UNIT COMPLEX	\$600.00
7 OR MORE UNITS:	Must be individually metered

- (3) COMMERCIAL AND INDUSTRIAL: A cash deposit amount not to exceed two estimated maximum monthly Utility bills is to be obtained prior to furnishing service to a commercial or industrial customer. Deposits of less than 2 months may be granted upon approval by Public Utilities Commission of Benton if applicant does not have an Adverse Credit History. As an alternative to a cash deposit, if the amount required exceeds three hundred dollars (\$300.00), the customer may furnish an automatically renewable surety bond, a certificate of deposit made jointly to the customer and Benton Utilities, or an irrevocable letter of credit from a local bank.
- (4) The Billing Services Manager, or his/her designee, shall review all commercial and industrial deposits at least annually to determine if the amount of deposit, surety bond, letter of credit or certificate of deposit on file is adequate in view of the then-current usage history with the customer. A record of such review is to be noted on customer account history. Before an additional deposit is imposed to the account of any Commercial or Industrial Customer the Billing Services Manager, or his/her designee will be required to send a letter to the customer indicating that they have 30 days to make arrangements to pay the additional deposit.
- (5) Commercial and Industrial customers who experience a shut-off due to nonpayment shall be considered "New Applicants" and shall be subject to the rules and regulation of such. Any deposit on file with the Benton Utilities shall be applied to the outstanding account. Any balance may be applied to the new accounts deposit requirements as defined in Section 3 above. No service shall be established without meeting all the requirements of this section.

2. RE-ORGANIZING OR BANKRUPT CUSTOMER

Customers filing proceedings pursuant to the Bankruptcy Reform Act of 1978 under either Chapter 11 or Chapter 13 will be treated in accordance with Section 366 of this act which provides:

- (a) Except as provided in subsection (b) of this section, a Utility may not alter, refuse, or discontinue service to, or discriminate against, the trustee or the debtor solely on the basis that a debt owed by the debtor to such Utility for service rendered before the order for relief.
- (b) Such Utility may alter, refuse, or discontinue service if neither the trustee nor the debtor, within 20 days after the order for relief, furnishes adequate assurance of payment, in the form of a deposit or other security, for service after such date. On request of a party in interest and after notice and a hearing, the court may order reasonable modification of the amount of the deposit or other security necessary to provide assurance of payment.

III. BILLING

1. Rendering, Form of Bills and Payments

Bills to customers shall be rendered regularly at intervals of approximately one month and shall show the meter readings and dates for the period covered by the bill, the quantity consumed, the gross and net amount of the bill, the designation of the type of service and applicable rate schedule, and other facts essential to the bill. Payment can be made in person at the Utility Customer Service Office or by mail in the form of check or money order. Credit Cards are only accepted through the online portal at www.bentonutilities.com. Payments received after 5 p.m. will not be posted until the next regularly scheduled business day.

2. Budget Billing

Budget Billing is defined as a twelve (12) month average with the settle up month being the 12 months from the date of inception. Budget Billing will be considered for residents of the City who have not been delinquent within the previous twelve (12) month period of billing history. Failure to pay the bill in full by the due date will result in termination of the billing status. Any balance owed or credited will be reflected on the next billing.

3. Estimated Meter Readings

Normally, all meters shall be read each month. However, there may be occasions, primarily due to bad weather, when it becomes impossible to read meters. When this occurs, meter readings will be estimated based upon the customer's previous use, adjusted for weather conditions. Bills for which the consumption has been estimated will clearly state that the consumption has been estimated by the use of a code on the face of the bill. Customers receiving estimated bills will then have the option of verifying the accuracy of the estimation and requesting reread and adjustment, if the estimated reading is in error to such an extent that a hardship is placed upon the customer to pay the bill.

4. Separate Billing for Each Point of Delivery

Service at separate locations or addresses will not be combined for billing. At each point of delivery, service shall be metered and billed separately for each customer served. Whenever for any reason the Utility furnishes service to a single customer at two or more points of metering, each point of metering shall be considered a separate point of delivery and shall be covered by a separate agreement for service.

5. Unauthorized Use of Utility Service

(a) If Utilities service has been suspended, or the agreement for utilities service terminated, because of unauthorized use of such service by the customer, the Utility shall be entitled to collect from the customer at the appropriate rate for any service not properly recorded on the meter (the amount of which may be estimated by the Utility from the best available data) including all expenses incurred by the Utility on account of such unauthorized act or acts.

(b) If any customer has engaged in unauthorized or fraudulent use, such as tampering with meters or other Benton Utilities property in any attempt to deprive Benton Utilities of utility service revenue, Benton Utilities shall impose an additional deposit equal to the maximum deposit required for customers with adverse credit history. Additionally, the customer must pay a non-

refundable charge for damage and losses equal to three (3) times the highest monthly billing during the preceding (1 2) months, plus proof of payment of all fees and fines assessed by the enforcement authorities.

6. Disconnects

All Customers who fail to pay the billed utilities charges by the due date will be mailed a SHUT-OFF notice to pay the total charges with a 5% penalty added to the bill. In general, a customer will be sent their utility bill and have twenty-one (21) days from the date of mailing to pay before a late fee is assessed. From the date that the late fee is assessed, the customer will have ten (10) days to pay before a disconnect order is issued. If the bill is still unpaid as of the specified SHUT-OFF date shown on the SHUT-OFF notice, the delinquent customer's utilities service will be ordered for disconnect to be discontinued as soon as the departmental work schedule permits, allowing that No service shall be disconnected on a day after which no Benton Utilities personnel will be available to reconnect the service, or on a day when the outside temperature is 32° Fahrenheit or below as officially reported by the National Weather Service at 10:00 A.M. by the North Little Rock branch station. Failure of the Utility department to act at any time after rendering SHUT-OFF notice shall not affect any of the department's rights hereunder or constitute a waiver of any remedy or defense afforded by law.

In addition to non-payment of bills by due date, utilities service will be discontinued for the following reasons:

- (a) Failure to post the required deposit for service.
- (b)) Misrepresentation of identity or facts for the purpose of obtaining service.
- (c) Fraudulent use of service by tampering with meter or other Utility property.
- (d) Refusal to allow Benton Utilities employees on the property for inspection, maintenance, replacement, or reading of the Utility equipment located on the customer's premises; or maintaining any obstruction that would deny access for these purposes.
- (e) Violation of the Utility's rules designed to prevent interference with the use of service by other customers, provided the customer first has been notified and given a reasonable opportunity to comply with these rules.
- (f) Violation of the Utility's rules pertaining to the operation of non-standard equipment or unauthorized attachments provided the customer has first been notified and given a reasonable opportunity to comply with such rules.
- (g) Violation of federal, state, or local laws through the use of utilities service.
- (h) Abandonment of the premises served.
- (i) Causing injury or threatening to cause injury to an employee of the City of Benton or to the family of the employee.

7. REGULATIONS FOR ESTABLISHING AND MAINTAINING SERVICE WITH BENTON UTILITIES

At the time that application is made for new utility service in Benton the following is required:

(A) Declaration of Occupants

- (1) Residential accounts shall be established in the names of at least one property owner or in the names of all individuals whose names appear on a rental or lease agreement if the property is being rented or leased. Each such person shall complete an application for service and shall be jointly liable for any charges to the account. As part of the application, a valid photo identification and Social Security number is required for all applicants. In addition to utilizing this information for credit and collection purposes, the city will use this information as part of the city's compliance with the Fair Credit Reporting Act as amended by the Fair and Accurate Credit Transaction Act with respect to the "Red Flag Rules" which have been created to help identify and report identity theft. The Acts requires the city to adopt procedures to help identify when identity theft may be occurring and to report those incidents to the appropriate law enforcement agency.
- (2) Copy of lease agreement listing all adult occupants of residence, signed by landlord. (Dependents or dependent students are exempt)

(B) Credit Checks

We will also use the Social Security numbers to run a soft credit check on each adult occupant to determine the amount of the deposit required depending on the risk factor. A risk factor below 10% will require the normal deposit. Risk factors 10% or above require a double deposit.

(C) Landlord Guarantor

A Landlord guarantor form may be provided, in lieu of a deposit, but services must still be in the name of the tenant(s). The landlord will then receive the bills and will be responsible for payment. If the landlord becomes delinquent, the service will be terminated and cannot be reconnected until paid in full.

(D) Outstanding Balance

- (1) If it is determined that any of the applicants have a prior unpaid balance with Benton Utilities, this must be paid to a current status. If a prior balance has been turned over to the designated Credit Bureau for collection, the balance must be paid, or satisfactory payment arrangements made. If, at any time after receiving service, payment arrangements are not kept, it is Benton Utilities' policy to disconnect services at the existing address.
- (2) If a customer that owes Benton Utilities an outstanding balance and receives utility service under a different person's name, it is our policy to first try to contact the parties involved either to have the person added to the existing account, or to establish a new account in that person's name. If this is not possible, we will disconnect service until the service is established in the name of the person(s) living in the residence. This will not apply to paternal guardians (parents) whereby their child ren may reside at their residence on a temporary basis. Temporary shall be considered anytime less than (6) six months. Should said children have an outstanding balance,

the utilities shall continue to bill to the parents address for the outstanding balance or turn the account over to the proper collection service.

8. DELAY OF TERMINATION ON GROUNDS OF SERIOUS ILLNESS

- (a) The Utilities Department shall postpone termination of service to a residential customer, for a reasonable time for up to four (4) weeks past the due date if the customer presents a certificate from a physician stating that it is likely that termination of service will give rise to a substantial risk of death or a grave impairment of the health of a customer, or a member of the customer's family or of another permanent resident of the premises where service is rendered. The certificate shall identify the medical emergency, electrical equipment required and specify the effect of termination of service and specify the duration of time that the health impairment is expected to exist. A customer's physician providing health care services must obtain from the Benton Utilities the critical status certificate which must be printed on physician's letter head, completed, and returned to the Billing Department.
- (b) The Public Utility Commission will consider further extensions after careful review and consideration has been given and physician has notified the Billing Department in writing of continued illness or impairment.
- (c) Continuation or re-connection of service under this rule shall not in any way relieve the customer of liability incurred for utility services.

9. PROVISION FOR HARDSHIP CASES

The City of Benton governing officials recognize the fact that customers are sometimes unable to pay their bills because of circumstances beyond their control. Benton Utilities will work with the bona fide hardship cases when referred by organizations recognized by the City of Benton, such as; Benton Utilities Share Program, Churches Joint Council on Human Needs (CJOHN), Central Arkansas Development Council (CADC), Arkansas Department of Social Services, etc. in arranging for payment, Benton Utilities will consider ability to pay, amount of the unpaid account, previous payment record, and the length of time and reasons the account has not been paid. This procedure will require the customer to disclose information and furnish documents necessary to determine income level and ability to pay, if the customer provides false information or fails to comply with the terms of the payment agreement; Benton Utilities may discontinue service and is not under obligation to enter into a second payment agreement.

10. METER ERRORS - CORRECTIONS TO BILLS

- (a) Conditions of bill correction:

A correction to a customer's account shall be made for meter error only when a customer's meter is tested by the Utilities Department and is found to be in error exceeding the tolerances allowed by these regulations. Provided, that if the error results in under billing, the Utilities Department may forgo the collection if, in its judgment, it would be economical or convenient to do so. When a customer requests a meter test and the meter is tested and found to be registering one hundred percent (100%) accuracy or slower, the customer will be billed the cost of such meter test.

(b) Meter Tolerances

(1) Electric Meters

(a) Watt-hour Meter

	<u>TEST EQUIPMENT</u>	<u>POWER FACTOR</u>	<u>ACCURACY</u>
Heavy Load	100% Test Amps	1.0	+/-2%
	100% Test Amps	0.5	+/-2%
Light Load	10% Test Amps	1.0	+/-2%

(b) Demand Meter

The error of the demand register shall not exceed 4% of full-scale value when tested between 25% and 100% of full-scale value.

(2) Water Meters

The error of the service water meter shall not exceed +/- 3% when registering water at, stream flow equivalent to approximately one-tenth (1/10), one-half (1/2), and full normal rating under average service pressure.

(c) Computation of billing correction

(1) If the date the meter first became inaccurate can be definitely ascertained, the correction shall be for the amount charged since that date over or below that which the billing would have been had the meter registered with one hundred percent (100%) accuracy.

(2) If the date the meter first became inaccurate cannot be definitely ascertained, the correction shall be based upon the customer's metered consumption for a period of two (2) months in cases of back billing, or six (6) months in cases of refunds. The rates effective during said period shall be applied to this adjusted consumption and the difference between the amount so obtained and the actual billing shall be credited or charged to the customer.

(d) Correction of previous over or under billing repayment

(1) Over-billing - Refund to customer where the Utilities Department has over-billed a customer, the Utilities Department shall make at the discretion of the Billing Department Manager a lump sum payment or credit the account within thirty (30) days of discovering and computing the amount of over-billing.

(2) Under-billing - Back-bill charge to customer when the Utilities Department bills the customer an amount correcting a previous under-billing, the customer shall be permitted to pay such an amount pursuant to a delayed payment agreement that provides for repayment over a period at least equal to the period during which the under-billing occurred. If the previous under-billing was the fault of the Utilities Department or it is impossible to determine whether the under-billing was the fault of the Utilities Department shall impose no finance charge on such delayed payment.

The Utilities Department is not required to enter into a delayed payment agreement to pay an amount to correct a previous under-billing if the under-billing was caused by unauthorized or fraudulent use or procurement of service or tampering with wires, pipes, meters, or other Utility equipment.

IV. GENERAL FEES AND CHARGES {GENERAL CUSTOMER ACTIVITY}

The following fees and charges will be made by the Utilities Department for the General Customer Activity indicated:

1. Reconnect Fee

During regular working hours	\$30.00
Outside regular working hours	\$80.00

2. Service Charge (Connect or Disconnect)

\$15.00

Charged on all new and final bills to cover the cost of dispatching servicemen for special trip to read meter and set up and special handling of account by office personnel.

3. Credit Reference Letter Fee

\$ 5.00

Charged to customers who request credit reference when moving to location served by another utility which requires credit reference in lieu of arterial or full deposit with service application. Covers cost of researching customer history and preparation of correspondence.

4. Returned Check Charge

\$30.00

(a) Utilities personnel shall not accept checks for payment of accounts that have been disconnected for reason of bad checks tendered in payment of bills. Before service can be turned on, payment must be paid in full by cash, cashier's check, or money order.

(b) Service personnel dispatched to disconnect service for non-payment are allowed to accept cash or checks in payment of account. Note: A Customer who is disconnected for an insufficient check will be required to pay cash, cashier's check, or money order.

(c) Customers who have three (3) insufficient checks returned from the bank to the Utilities Department in a six (6) month period shall be mailed a notice informing them that their checks will no longer be accepted in payment of their account and payment must be made by cash, cashier's check or money order.

5. New Utility Service Connection Fees for Residential Customers

(a) Electric Service – fees shall be based on Benton Utilities' actual costs, based on current market pricing and availability, and must be paid prior to installation.

(b) Water Service (Where no serviceable meter box or meter loop exists)

(1) 3/4" X 5/8" Meter	\$1,000.00 short side - \$1,500.00 long side
(2) 1" Meter	\$1,150.00 short side - \$1,600.00 long side
(3) 2" Meter	\$2,700.00 short side - \$3,300.00 long side

Water Department crew will open and close ditch on short side service installation. Water Department will provide a bore or asphalt repair on long side service installation. This does not change existing construction requirements in subdivisions.

(c) Water Service - Meter installation only

Connection fees for water service in subdivisions for residential lots where a serviceable meter box and meter loop already exists will be \$500 per meter.

(d) Wastewater Service \$1,000.00

- (1) Multi-Family Units (apartments, condos, duplexes, triplexes, etc.) \$1,000 for the first unit and \$500 for each additional unit per building for sewer connection

(e) Connection fees are to be used only for utility infrastructure improvements.

6. New Utility Service Connection Fees for Commercial and Industrial Customers

(a) Electric Service connection fees shall be \$350 + actual cost of Electrical Infrastructure to be negotiated with Benton Utility on an individual basis. The cost of service to the Industrial/Commercial business must be paid before installation.

(b) The electrical connection fee to install electrical infrastructure to and within subdivisions shall be at Benton Utilities actual costs, based on current market pricing and availability, and must be paid prior to installation.

* Developer will be responsible for opening and closing of ditch per Benton Utilities Specifications.

(c) Water Service - Cost will vary based on customers requirement and will be presented before construction plans are approved.

* Developer/Owner will be required to extend water infrastructure to the point of service at his expense

(d) Wastewater/Sewer

Motels/Hotels	\$125 per unit/room - \$1,000 min.
Institutional Care Facilities	\$150 per unit/room - \$1,000 min.
Educational Institution	\$15 per student based on designed occupancy - \$1,000 min.
Daycare Centers	\$1,500
Strip Malls and/or Multi Unit Commercial Buildings	\$1,000 for the first unit and \$500 for each additional unit per building

All Other - Connection Fees for sewer will be based on the size of the water meter and to be negotiated with Benton Utilities on an individual basis and installed as determined by Benton Utility Department.

* Developer/Owner will be required to extend wastewater infrastructure to the point of service at his expense

7. Fees, Royalties and Bonds

Any fees assessed to the City or assessed by City will be assessed to the individual customer affected on each monthly billing.

8. Meter Test Fee (Electric & Water) \$ 40.00

Fee will be waived if test reveals meters are not within tolerances allowed in Sect. III (10) (b) (1) & (2).