

**BENTON CITY COUNCIL AGENDA**

**April 22, 2024**

**IMMEDIATELY FOLLOWING AGENDA MEETING**

- |             |   |   |
|-------------|---|---|
| <b>I.</b>   | <b>CALL TO ORDER</b>  | <b>Mayor Tom Farmer</b>                   |
| <b>II.</b>  | <b>INVOCATION</b>   | <b>Pastor Chris Threatt</b>               |
| <b>III.</b> | <b>PLEDGE OF ALLEGIANCE</b>   | <b>Council Member Knight</b>              |
| <b>IV.</b>  | <b>ROLL CALL</b>  | <b>City Clerk</b>                         |
| <b>V.</b>   | <b>APPROVAL OF MINUTES</b>  | <b>March 25, 2024<br/>Regular Meeting</b> |
| <b>VI.</b>  | <b>AWARDS</b>   |   |
| <b>VII.</b> | <b>COMMITTEE REPORTS &amp; MOTIONS</b>  |   |
| 1.          | <b>A&amp;P COMMISSION COMMITTEE</b>   | <b>Council Member Brown/Baptist</b>       |
|             | <b>RESOLUTION NO. 41 OF 2024</b>  |   |
|             | <b>A RESOLUTION AMENDING THE 2024 ADVERTISING &amp; PROMOTION SMALL PROJECT BUDGET TO INCREASE THE APPROPRIATION OF EXPENDITURES IN THE AMOUNT OF \$120,000; AND FOR OTHER PURPOSES</b> |   |
| 2.          | <b>ANIMAL SERVICES COMMITTEE</b>  | <b>Council Member Knight/Morrow</b>       |
| 3.          | <b>COMMISSIONS COMMITTEE</b>  | <b>Council Member Spencer-Cole/Reed</b>   |
| 4.          | <b>COMMUNITY SERVICE</b>  | <b>Council Member Reed/Spencer-Cole</b>   |

**ORDINANCE NO. 17 OF 2024**

**EXEMPTING CITY-SPONSORED EVENTS FROM NOISE ORDINANCE; AMENDING ORDINANCE NO. 20 OF 2007 AND ORDINANCE NO. 41 OF 2022; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 42 OF 2024**

**A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 151 BORDER CIRCLE AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 43 OF 2024**

**A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 1821 PINECROFT STREET AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 44 OF 2024**

**A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 1111 DALE STREET AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE; AND FOR OTHER PURPOSES**

**5. FINANCE COMMITTEE**

**Council Member Brown/Morrow**

**RESOLUTION NO. 45 OF 2024**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH JONES HEATING AND AIR TO PROVIDE HVAC PREVENTATIVE MAINTENANCE AND REPAIR SERVICES TO THE CITY IN THE AMOUNT OF \$23,287.50 ANNUALLY; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 46 OF 2024**

**A RESOLUTION DECLARING CERTAIN PROPERTY & EQUIPMENT AS SURPLUS; AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT AUCTION; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 47 OF 2024**

**A RESOLUTION AMENDING THE 2024 BUDGET TO UTILIZE A GRANT RECEIVED IN 2023 AND TO INCREASE THE APPROPRIATION OF EXPENDITURES IN THE AMOUNT OF \$5,057 FOR THE PURCHASE OF A KVIC WHICH IS A NO-TOUCH VACUUM CLEANING SYSTEM FOR THE KENNELS; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 48 OF 2024**

**A RESOLUTION AMENDING THE 2024 PARKS BUDGET TO INCREASE THE APPROPRIATION OF GRANT REVENUES IN THE AMOUNT OF \$200,000 FOR THE GREENWAY PHASE TWO TAP GRANT AND \$245,000 FOR THE RALPH BUNCHE CONNECTOR FROM ARDOT; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 49 OF 2024**

**A RESOLUTION AMENDING THE 2024 STREETS BUDGET TO INCREASE THE APPROPRIATION OF GRANT REVENUES IN THE AMOUNT OF \$120,000 FOR THE AIRLANE SIDEWALK PROJECT FROM METROPLAN; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 50 OF 2024**

**A RESOLUTION RECOGNIZING THE SERVICES OF SERGEANT ZACHARY MCANALLY TO THE CITIZENS OF BENTON AND AWARDED HIM, HIS BADGE IN RECOGNITION OF THOSE SERVICES**

**RESOLUTION NO. 51 OF 2024**

**A RESOLUTION RECOGNIZING THE SERVICES OF SERGEANT DOUGLAS SPEER TO THE CITIZENS OF BENTON AND AWARDING HIM, HIS BADGE AND DUTY WEAPON IN RECOGNITION OF THOSE SERVICES**

**RESOLUTION NO. 52 OF 2024**

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

- 6. PARKS COMMITTEE** **Council Member Hart/Brown**
- 7. PERSONNEL/HEALTH & SAFETY COMMITTEE** **Council Member Donnor/Baptist**

**ORDINANCE NO. 18 OF 2024**

**AN ORDINANCE ADOPTING A CERTAIN POLICY FOR THE CITY OF BENTON POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES**

**ORDINANCE NO. 19 OF 2024**

**AN ORDINANCE CREATING A POLICE LIEUTENANT'S POSITION; AND FOR OTHER PURPOSES**

**ORDINANCE NO. 20 OF 2024**

**AN ORDINANCE MODIFYING THE CITY OF BENTON PAY STRUCTURE FOR ALL GENERAL FUND, STREET, ANIMAL CONTROL, AND PARKS DEPARTMENT OFFICIALS & EMPLOYEES; AND FOR OTHER PURPOSES**

- 8. P&Z COMMISSION** **Council Member Spencer-Cole**  
**ORDINANCE NO. 21 OF 2024**  
**AN ORDINANCE REZONING #805-17686-000, #805-17688-000, #805-17689-000, AND #805-17699-000 IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, FROM R2 SINGLE FAMILY DISTRICT DETACHED HOUSING AND TC1 TOWN CENTER ZONE TO C2 GENERAL COMMERCIAL AND FOR OTHER PURPOSES**

- 9. PUC COMMISSION** **Council Member Knight**

**ORDINANCE NO. 22 OF 2024**

**AN ORDINANCE AMENDING ORDINANCE 29 OF 2022, BENTON UTILITIES CUSTOMER SERVICE RULES, REGULATIONS, AND FEES; AND FOR OTHER PURPOSES**

**10. STREETS COMMITTEE**

**Council Member Baptist/Morrow**

**ORDINANCE NO. 23 OF 2024**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN LANDS BY EMINENT DOMAIN OWNED BY RJ PROPERTIES, LLC., FOR THE CONGO ROAD AND SHENANDOAH ROAD INTERSECTION IMPROVEMENTS; AND FOR OTHER PURPOSES**

**ORDINANCE NO. 24 OF 2024**

**AN ORDINANCE TO APPROVE AND ADOPT A VISION ZERO POLICY IN THE CITY OF BENTON; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 53 OF 2024**

**A RESOLUTION AUTHORIZING CONTRACT WITH BRYANT SCHOOL DISTRICT NO. 25; AND FOR OTHER PURPOSES**

**RESOLUTION NO. 54 OF 2024**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH OAK GROVE MISSIONARY BAPTIST CHURCH FOR THE PURCHASE OF CERTAIN REAL PROPERTY TO BE USED FOR THE CONGO/SHENANDOAH ROUNDABOUT; AND FOR OTHER PURPOSES**

- VIII. Old Business**
- IX. Public Comments**
- X. Adjourn**

**MINUTES OF THE BENTON CITY COUNCIL**  
**Regular Session**  
**March 25, 2024**  
**Benton Municipal Complex**

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

**The invocation was given by Pastor Scott Purkey.**

**Council Member Hart led the pledge of allegiance.**

**Roll was called.**

**The following persons were in attendance:**

<b>Council Member Frank Baptist</b>	<b>Council Member Steve Brown</b>
<b>Council Member Ann Spencer-Cole</b>	<b>Council Member Evelyn Reed</b>
<b>Council Member Bill Donnor</b>	<b>Council Member Jeff Morrow</b>
<b>Council Member Judd Hart</b>	<b>Council Member Shane Knight</b>
<b>Council Member Steve Lee</b>	<b>Council Member Jeff Hamm</b>
<b>Cindy Stracener, City Clerk</b>	<b>Baxter Drennon, City Attorney</b>
<b>Tom Farmer, Mayor</b>	

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

**Council Member Morrow made a motion to approve the February 26, 2024, city council meeting. Seconded by Council Member Hamm. The Mayor called for a voice vote. All council members voted in the affirmative. The February 26, 2024, minutes were approved with 10 affirmative votes.**

**Hero awards were given to Sergeant Mason Curtis, Officer Mikhail Dukes, Officer Jacob Griffith and Officer Matthew Kuntz. These police officers rescued an individual who was unconscious in a burning vehicle.**

**The next item on the agenda was committee reports. There was not a report from the A&P Commission, Animal Services Committee or Commissions Committee.**

**Council Member Reed was recognized for a report from the Community Service Committee. Council Member Reed made a motion to read and adopt by title only Resolution 27 of 2024 – A Resolution To Condemn the Structure Located at 6601 Alcoa Road and 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 by title only. The Mayor asked if anyone was present concerning this property, no one came forward. The Mayor asked for any questions from the council, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 27 of 2024 was adopted with 10 affirmative votes.**

Council Member Reed made a motion to read and adopt by title only Resolution 28 of 2024 – A Resolution To Condemn the Structure Located at 2001 Edison Ave and For Code Enforcement to Raze Said Property in Accordance With Arkansas State Law and City Ordinance; and For Other Purposes. Seconded by Council Member Baptist. The resolution was read by title only. The Mayor asked if anyone was present for this property, but no one came forward. The Mayor asked for any questions from the council, none. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 28 of 2024 was adopted with 10 affirmative votes.

Council Member Reed made a motion to read and adopt by title only Resolution 29 of 2024 – A Resolution To Condemn the Structure Located at 518 S Market Street A&B and 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 by title only. The Mayor recognized Ms. Reed who stated that she would like to repair the plumbing and electrical and a city inspector to reevaluate what is wrong with the floor. The floor is solid, I just want to repair it. I will fix it up, whatever needs to be done I will do it, if I can get the permits and the approval of code enforcement. The Mayor asked if she had submitted for the permits. She stated that she has but she has been rejected, because the building is unsafe. There is nothing wrong with the roof or the concrete foundation. My electrician wants to upgrade, whatever needs to be done he will do it. I want it reconsidered so I can fix it up. I would like 3 months to get it fixed up. Council Member Hart asked how long has it been since you have worked on any renovations. Ms. Reed stated that she was working on it last summer. The back apartment is very good. Council Member Hart asked if the pictures were current. Ms. Reed stated no, she has been painting. The pictures are of the front apartment, and I am ready to work on the front apartment. The back apartment all it needs is the electric on, a new toilet has been put in. But they never took pictures of what I have done. Council Member Morrow stated that you, Ms. Reed, have been to us several times and you know how the process works, we are going to more than likely vote to condemn this property and if you show good progress, then code enforcement will work with you. The ball is in your court, and you know this by now, show progress and code enforcement will work with you. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 29 of 2024 was adopted with 10 affirmative votes.

Council Member Reed made a motion to read and adopt by title only Resolution 30 of 2024 – A Resolution Accepting the Lowest Acceptable Bid for a 2024 Chevrolet Silverado 1500 Community Development Work Truck from Everett Chevrolet; and For Other Purposes. Seconded by Council Member Donnor. The resolution was read by title only. Council Member Brown stated the amount of the truck was \$37,500. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council

Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 30 of 2024 was adopted with 10 affirmative votes.

Council Member Brown was recognized for a report from the Finance Committee. Council Member Brown made a motion to read and adopt Resolution 31 of 2024 – A Resolution Accepting the Response From Moser Construction for Construction Manager Services to Remodel the River Street Complex into the New City Hall and Amending the 2024 Budget to Appropriate ARPA Expenditures in the Amount of \$2,200,000; and For Other Purposes. Seconded by Council Member Morrow. The resolution was read. The Mayor stated that this was posted for three weeks, twelve people picked up packets, eight responded, we interviewed all eight respondents. Moser Construction came in at the price of \$2.182 million and guaranteed that they could do that plus save more money. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor no, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee abstained, and Council Member Hamm no. Resolution 31 of 2024 was adopted with 7 affirmative votes and 2 negative and 1 abstaining.

Council Member Brown made a motion to read and adopt by title only Resolution 32 of 2024 – A Resolution Amending the 2024 Police Equipment Grant Fund Budget to Utilize \$7,800 Received from Proceeds Received from Auctioned Items and Increase the Appropriation to Purchase Computers for the Police Department; and For Other Purposes. Seconded by Council Member Hamm. The resolution was read by title only. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 32 of 2024 was adopted with 10 affirmative votes.

Council Member Brown made a motion to read and adopt by title only Resolution 33 of 2024 – A Resolution Accepting the Lowest Acceptable Bid for West Cross Street Drainage Improvements Phase 1 Project from Township Builders, Inc. in the Amount of \$904,170; and For Other Purposes. Seconded by Council Member Baptist. The resolution was read by title only. The Mayor stated this is phase 1 of the project for the downtown flooding situation. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 33 of 2024 was adopted with 10 affirmative votes.

Council Member Brown made a motion to read and adopt by title only Resolution 34 of 2024 – A Resolution Authorizing the City To Enter Into a Contract With OJ's Service Two, Inc. to Provide Janitorial Services to the City in the Amount of \$79,516.56; and For Other Purposes. Seconded by Council Member Hamm. The resolution was read by title only. The Mayor stated that we put specs out, showed them all around to the different facilities, which we added a few facilities to this contract. This was not the lowest bid but was the best company to meet the needs of the city. Council Member Brown stated the price is for one year of service. The Mayor asked for any questions or comments, no. Roll was called which resulted in Council

**Member Baptist yes, Council Member Brown yes, Council Member Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 34 of 2024 was adopted with 10 affirmative votes.**

**Resolution 35 of 2024 – A Resolution Approving an HVAC Preventative Maintenance Contract with Jones Heating & Air; and For Other Purposes was pulled from the agenda.**

**Council Member Hart was recognized for a report from the Parks Committee. Council Member Hart made a motion to read and adopt Ordinance 14 of 2024 – An Ordinance Waiving Competitive Bidding; Approving the Purchase of a Stageline SL100 Mobile Stage; and For Other Purposes. Seconded by Council Member Morrow. The ordinance was read. The Mayor stated that this is a portable 20-foot stage. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 14 of 2024 was adopted with 10 affirmative votes.**

**Council Member Hart made a motion to read and adopt by title only Resolution 36 of 2024 – A Resolution Accepting the Lowest Acceptable Bid For the 2024 Chevrolet Silverado 1500 Parks Work Truck From Everett Chevrolet; and For Other Purposes. Seconded by Council Member Knight. The resolution was read by title only. The Mayor stated the cost is \$42,500, this is a crew cab instead of a 2 door like Community Developments truck. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 36 of 2024 was adopted with 10 affirmative votes.**

**Council Member Hart made a motion to read and adopt Resolution 37 of 2024 – A Resolution Authorizing the City to Enter into a Contract with Skate Room Inc. D/B/A Ice Rink Rentals for Providing Synthetic Ice Rink Rentals to the City; and For Other Purposes. Seconded by Council Member Reed. The resolution was read. The Mayor stated that specs were written and sent out to bid and this was the low bid and just happens to be the same company that we have been using. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 37 of 2024 was adopted with 10 affirmative votes.**

**Council Member Hart made a motion to read and adopt Resolution 38 of 2024 – A Resolution Accepting the Lowest Acceptable Bid for Sunset Lake Pedestrian Bridge Rebuild From JCON, Inc.; and For Other Purposes. Seconded by Council Member Morrow. The resolution 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member**



**Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 38 of 2024 was adopted with 10 affirmative votes.**

**Council Member Hart made a motion to read and adopt Resolution 39 of 2024 – A Resolution Accepting the Lowest Acceptable Bid for Sunset Lake Park Perimeter Fence Installation from Fort Smith Fence; and For Other Purposes. Seconded by Council Member Reed. The resolution 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 39 of 2024 was adopted with 10 affirmative votes.**

**Council Member Donnor was recognized for a report from the Personnel/Health and Safety Committee. He presented Mayor Farmer with a five-year service award. Mayor Farmer presented Council Member Morrow with a five-year service award.**

**Council Member Spencer-Cole was recognized for a report from the Planning and Zoning Commission. Council Member Spencer- Cole made a motion to read and adopt Ordinance 15 of 2024 – An Ordinance Accepting the Annexation of Certain Territory to the City of Benton, Arkansas; Approving Territory to the City of Benton, Arkansas; Approving the Schedule of Services to be Extended to the Said Area; Assigning Such A Ward; and For Other Purposes. Seconded by Council Member Brown. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 15 of 2024 was adopted with 10 affirmative votes.**

**Council Member Knight was recognized for a report from the Public Utility Commission. Council Member Knight made a motion to read and adopt Ordinance 16 of 2024 – An Ordinance Waving Competitive Bidding and Authorizing Benton Utilities To Purchase the Necessary Equipment and Services to Remove, Rebuild, and Reinstall Drive One on a 100-Foot Clarifier; Declaring an Emergency; and For Other Purposes. Seconded by Council Member Morrow. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Ordinance 16 of 2024 was adopted with 10 affirmative votes. Council Member Knight made a motion to approve the emergency clause. Seconded by Council Member Lee. Roll was called which resulted in Council Member Baptist yes, Council Member Brown yes, Council Member Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. The emergency clause was approved with 10 affirmative votes.**

**Council Member Knight made a motion to read and adopt by title only Resolution 40 of 2024 – A Resolution Ratifying and Confirming the Appointment of Jana Hogue as a Commissioner to the Public Utilities Commission; and For Other Purposes. Seconded by Council Member Spencer-Cole. The resolution was read by title only. The Mayor stated she was replacing Gary Ferrell. 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 Spencer-Cole yes, Council Member Reed yes, Council Member Donnor yes, Council Member Morrow yes, Council Member Hart yes, Council Member Knight yes, Council Member Lee yes, and Council Member Hamm yes. Resolution 40 of 2024 was adopted with 10 affirmative votes.**

**There was not any old business.**

**The Mayor stated that the first Third Thursday will be April 18<sup>th</sup>. This year we will have 2 stages, 2 different performances and 2 food truck areas. The theme will be 3<sup>rd</sup> Paws Day with a dog show. Tomorrow night a Vietnam veteran's ceremony will be held on the courthouse lawn. The May council meeting will be held on Tuesday May 28<sup>th</sup> at the National Guard Armory. Farmer Market will open on April 6<sup>th</sup>. The Mountain Bike grand opening will be May 24<sup>th</sup> at 10am. On the 8<sup>th</sup> and 9<sup>th</sup> committee meetings will occur. The next council meeting is April 22nd.**

**The Mayor asked for any comments from the public, none.**

**The meeting adjourned.**

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**Tom Farmer, Mayor**

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**Cindy Stracener, City Clerk**

# **Benton Advertising & Promotion Commission**

## **Agenda**

**March 13, 2024**

**3:30 pm at the Benton Municipal Complex in Council Chambers**

### **I. Call to Order**

<b>II. Roll Call</b>	<b>Present</b>	<b>Absent</b>
Frank Baptist	_____	_____
Steve Brown	_____	_____
Alison Burch	_____	_____
Bill Eldridge	_____	_____
Elgin Hamner IV	_____	_____
Luke Moody	_____	_____
Greg Shinn	_____	_____

### **III. Minutes from February Meeting**

### **IV. Financial Reports**

A. Profit and Loss Reports – Jordan Woolbright

B. Bank Balances and Collections Report – Mandy Spicer

### **V. Administrative**

Delinquency Report – Mandy Spicer

### **VI. Funding**

1. Request from Saline County Fair Association – 2<sup>nd</sup> Reading and Vote

2. Request from Venix Rising, LLC – 2<sup>nd</sup> Reading and Vote

3. Request from Saline County Comic Expo – 1<sup>st</sup> Reading

### **VII. Report from Benton Event Center – Nikki Chumley**

### **VIII. Report on the Development of Exit 114 Property – Bill Eldridge**

### **IX. Old Business**

### **X. New Business**

1. Advertising and promoting Benton

a) City

b) Sporting Events

### **XI. Other Business**

### **XII. Adjournment**

## **BENTON ADVERTISING & PROMOTION COMMISSION**

### **Minutes**

**February 14, 2024**

**I. CALL TO ORDER**

Chairman Bill Eldridge called the meeting of the Benton Advertising & Promotion Commission to order on February 14, 2024 at 3:31 pm at the Benton Municipal Complex in Council Chambers.

**II. ROLL CALL**

Commissioners in attendance included: Bill Eldridge, Steve Brown, Luke Moody, Frank Baptist and Greg Shinn who arrived after roll call. Alison Burch and Elgin Hamner IV were absent.

**III. MINUTES**

Luke Moody made a motion to approve the minutes of the January 10, 2024 meeting. Frank Baptist seconded. Motion carried.

**IV. FINANCIAL REPORTS**

**A. Profit & Loss Reports**

Financial reports were presented by Jordan Woolbright. The A&P Commission bank accounts show the following balances as of January 31, 2024:

Bank OZK – Focus Group Project	\$432,718.80
Bank OZK – A&P	\$101,038.80
Bank OZK – Event Center	\$365,551.36
Bank OZK – Savings	<u>\$380,188.99</u>
Total Checking/Savings	\$1,279,497.95

There is a liability of \$486.99 owed to the Arkansas Department of Finance for sales tax and to the City of Benton for sales tax.

A&P profit and loss statement: for the month of January 2024 and year to date as of January 2024 total income of \$18,673.76 and total expenses of \$13,475.54 resulting in net income of \$5,198.22.

Event Center profit and loss statement: for the month of January 2024 and year to date as of January 2024 total income of \$73,897.26, total operating expenses of \$30,639.92 and capital expenditures of \$7,638.51 resulting in net income of \$35,618.83.

Focus Group profit and loss statement: for the month of January 2024 and year to date as of January 2024 total income of \$19,926.40 and total expenses of \$0 resulting in net income of \$19,926.40.

## B. Bank Balances and Collections Report

City of Benton Financial Officer Mandy Spicer presented the bank account report with the following balances as of January 31, 2024:

	Statement Balance	Prev. Month's Balance
A&P Collections General (clearing account)	\$3,863.28	\$5,900.29
Bond Account	Closed	Closed
A&P Large Project Checking (50% distribution)	\$793,934.45	\$1,619,402.75
A&P Small Project Checking (20% distribution)	\$829,244.10	\$789,531.45
A&P General Operating Checking (10% distribution)	\$105,150.80	\$95,840.58
Benton Focus Group Checking (10% distribution)	\$432,718.80	\$412,792.40
Benton Event Center Gen Operating Checking (10% distribution)	\$366,521.45	\$333,254.69
Benton Event Center Savings	<u>\$380,188.99</u>	<u>\$378,716.66</u>
	<u>\$2,911,621.87</u>	

Mandy added that the large decrease in the balance of the large project checking account is because of the purchase of tract number 2 in January as planned.

Luke Moody made a motion to accept the financial reports as presented. Frank Baptist seconded. Motion carried.

Collections received in the month of January 2024 were \$1,182,613.39 which is 17% higher than collections in January 2023. Below are the amounts collected in January of this year along with January of the previous five years:

January 2024 Collections	\$182,613.39
January 2023 Collections	\$155,553.56
January 2022 Collections	\$154,095.92
January 2021 Collections	\$136,911.96
January 2020 Collections	\$127,256.22
January 2019 Collections	\$117,759.17

Mandy Spicer directed the commissioners to the list of delinquent businesses that include: Al's Minnows, Benton Food & Gas, Benton Express LLC, Bullock's Benton, Extra Stop, Eye Catcher, Koffee with a Kause, Niecy's, Pasta J's, Pizza Inn, Vibrant Nutrition and Zaxby's. One of them is 2-months past due and the others are 1-month past due. All of them have been contacted and are expected to bring their accounts current soon.

### C. 2024 Budgets

Bill Eldridge stated that the budget committee met several times and provided the following information. The budgets include a projected 2% increase in sales tax revenue, a quarterly fee for maintenance of the downtown lights, funding of \$50,000, capital expenditures for the Benton Event Center for additional outside security cameras, a handicap ramp accessing the plaza, reprogramming the ballroom lighting and painting the green room and service corridor. Nikki included that the rental rates have increased for the first time in seven years but previous renters are grandfathered in for 2024.

Jordan Woolbright presented a summary of the 2024 budgets. The detailed budgets that were presented are attached to these minutes.

Benton Focus Group: Budgeted income of \$221,752.38 and expenses of \$0 with a budgeted net income of \$221,752.38.

Benton A&P Commission: Budgeted income of \$210,352.38 and expenses of \$168,099.96 with a budgeted net income of \$42,252.42.

Benton Event Center: Budgeted income of \$729,898.80, expenses of \$502,969.51 and capital expenditures of \$93,358.51 with a budgeted net income of \$133,570.78.

Luke Moody made a motion to approve the 2024 budgets as presented. Steve Brown seconded. Motion carried.

### V. FUNDING

- A. Feedback from Literacy Action of Central Arkansas – Bill Eldridge directed the commissioners to an overview in their packet provided by Literacy Action of Central Arkansas regarding its pickleball tournament held at the River Center in January. The event was very successful with 158 players from Benton, Bryant, Hot Springs, Little Rock, Conway and Fayetteville and bleachers full of spectators. The organizers thanked the A&P Commission for the funding and support.
- B. Saline County Fair Association – 1<sup>st</sup> Reading – The Saline County Fair Association is requesting \$6,500 for the Saline County Fair & Rodeo to be held September 3-7, 2024 at the Saline County Fairgrounds. The funds would be used for advertising via Facebook \$1,000, Clear Channel Radio \$3,000, MySaline.com \$1,000 and the Benton Courier \$1,500. Bill Eldridge stated that A&P funding has been approved in the past for the fair and rodeo. This is the first reading and the request will be voted on at the next meeting.
- C. Venix Rising, LLC – 1<sup>st</sup> Reading – Venix Rising, LLC is requesting \$2,000 for the Enchanted! Metaphysics & Mystics Market to be held June 22-23, 2024 at the

Benton Event Center. The funds would be used for flyers, posters and print and online ads. Chelsea Snyder was recognized and addressed the commission. This will be the third year for the event. It was previously held in Clarksville and Conway. She's moving it to Benton because there is a need for a larger venue and to be more centrally located. There has been growth in attendance each year with 550 people in 2022 in Conway. The event includes vendors, entertainment, clinics, workshops, live music, food, discussions and book signings. This is the first reading and the request will be voted on at the next meeting.

VI. REPORT FROM BENTON EVENT CENTER

Nikki Chumley reported that there have been 13 events since the last A&P meeting with several events rescheduling due to the snow and ice. Total estimated attendance since the date of opening (October 1, 2013) is 888,147.

VII. REPORT ON THE DEVELOPMENT OF EXIT 114 PROPERTY

Bill Eldridge reported that progress is being made and representatives from FTN Associates will be at the next meeting with a report.

Bill gave an update on the fencing constructed around Jim Thomas' land that he retained for his personal use. Bill reminded the commissioners that part of the agreement to purchase the other land owned by Mr. Thomas was for A&P to pay for the construction of the fence. It has come to his attention that there is a problem with the new fence. The rails are too far apart and small calves are able to escape. McDonald Fence built the fence and has submitted an invoice in the amount of \$4,081.43 to add additional rails. Luke Moody made a motion to approve the payment of \$4,081.43 to add additional rails to the fence. Steve Brown seconded. Motion carried.

IIIX. OLD BUSINESS

None.

IX. NEW BUSINESS

None.


X. OTHER BUSINESS

None.

XI. ADJOURNMENT

Luke Moody made a motion to adjourn the meeting. Frank Baptist seconded. Motion carried. The meeting was adjourned at 4:00 pm.

  
Bill Eldridge, Chairman

  
Amy McCormick, Recording Secretary

**Benton Advertising & Promotion Commission Bank Account Balances**  
**February 29, 2024**

Account Name		Acct #	Statement Balance	Previous Month's Balance
<b>Cash Accounts:</b>				
A&P Collections General		***1584	3,055.85	3,863.28
Bond Account		***1592	CLOSED	CLOSED
				0.00
A&P Large Project Checking	50%	***0318	866,287.88	793,934.45
A&P Small Project Checking	20%	***0348	859,818.04	829,244.10
A&P General Op Checking	10%	***3297	107,324.85	105,150.80
Benton Focus Group Checking	10%	***2274	449,485.93	432,718.80
				0.00
Benton Event Center General Op Checking	10%	***2640	383,546.98	366,521.45
Benton Event Center Savings		***9832	381,487.88	380,188.99

**TOTAL OPERATING CASH & INVESTMENTS**

**3,051,007.41**



## ING & PROMOTION COLLECTIONS -

[illegible]

**Benton A&P Commission**  
**Statement of Assets, Liabilities & Equity-Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**As of February 29, 2024**

	<u>Feb 29, 24</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank OZK - Focus Group Project	449,485.93
Bank OZK - A&P	107,260.55
Bank OZK - Event Center	379,890.65
Bank OZK - Savings	381,487.88
<b>Total Checking/Savings</b>	<u>1,318,125.01</u>
<b>Total Current Assets</b>	<u>1,318,125.01</u>
<b>TOTAL ASSETS</b>	<u><u>1,318,125.01</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
Sales Tax Payable	140.00
<b>Total Other Current Liabilities</b>	<u>140.00</u>
<b>Total Current Liabilities</b>	<u>140.00</u>
<b>Total Liabilities</b>	140.00
<b>Equity</b>	
Retained Earnings	1,218,267.51
Net Income	99,717.50
<b>Total Equity</b>	<u>1,317,985.01</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>1,318,125.01</u></u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - A&P - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**February 2024**

	<u>Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	322.41	250.00	72.41	128.96%
Sales Tax Revenue	15,286.97	16,698.80	(1,411.83)	91.55%
<b>Total Income</b>	<u>15,609.38</u>	<u>16,948.80</u>	<u>(1,339.42)</u>	<u>92.1%</u>
<b>Gross Profit</b>	<u>15,609.38</u>	<u>16,948.80</u>	<u>(1,339.42)</u>	<u>92.1%</u>
<b>Expense</b>				
Accounting Services	715.00	550.00	165.00	130.0%
Advertising Expense	64.30	420.00	(355.70)	15.31%
Comp. for Commissioners	750.00	750.00	0.00	100.0%
Funding	0.00	4,166.67	(4,166.67)	0.0%
Legal Counsel	1,200.00	1,200.00	0.00	100.0%
Service Agreement	6,658.33	6,658.33	0.00	100.0%
<b>Total Expense</b>	<u>9,387.63</u>	<u>13,745.00</u>	<u>(4,357.37)</u>	<u>68.3%</u>
<b>Net Ordinary Income</b>	<u>6,221.75</u>	<u>3,203.80</u>	<u>3,017.95</u>	<u>194.2%</u>
<b>Net Income</b>	<u>6,221.75</u>	<u>3,203.80</u>	<u>3,017.95</u>	<u>194.2%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - A&P - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through February 2024**

	<u>Jan - Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	676.73	500.00	176.73	135.35%
Sales Tax Revenue	33,606.41	32,306.38	1,300.03	104.02%
<b>Total Income</b>	<u>34,283.14</u>	<u>32,806.38</u>	<u>1,476.76</u>	<u>104.5%</u>
<b>Gross Profit</b>	<u>34,283.14</u>	<u>32,806.38</u>	<u>1,476.76</u>	<u>104.5%</u>
<b>Expense</b>				
Accounting Services	1,215.00	1,100.00	115.00	110.46%
Advertising Expense	128.60	840.00	(711.40)	15.31%
Comp. for Commissioners	1,500.00	1,500.00	0.00	100.0%
Funding	4,237.25	8,383.34	(4,096.09)	50.85%
Legal Counsel	2,400.00	2,400.00	0.00	100.0%
Postage	65.66	40.00	25.66	164.15%
Service Agreement	13,316.66	13,316.66	0.00	100.0%
<b>Total Expense</b>	<u>22,863.17</u>	<u>27,530.00</u>	<u>(4,666.83)</u>	<u>83.05%</u>
<b>Net Ordinary Income</b>	<u>11,419.97</u>	<u>5,276.38</u>	<u>6,143.59</u>	<u>216.44%</u>
<b>Net Income</b>	<u>11,419.97</u>	<u>5,276.38</u>	<u>6,143.59</u>	<u>216.44%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Event Center - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**February 2024**

	<u>Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	2,546.52	2,300.00	246.52	110.72%
<b>Sales-Revenue</b>				
Alcohol Sales-Mixed Drinks	0.00	971.70	(971.70)	0.0%
Refunds/Returns	(160.00)	0.00	(160.00)	100.0%
Sales-Revenue - Other	38,130.30	36,829.00	1,301.30	103.53%
<b>Total Sales-Revenue</b>	<u>37,970.30</u>	<u>37,800.70</u>	<u>169.60</u>	<u>100.45%</u>
Sales Tax Revenue	15,286.97	16,698.80	(1,411.83)	91.55%
<b>Total Income</b>	<u>55,803.79</u>	<u>56,799.50</u>	<u>(995.71)</u>	<u>98.25%</u>
<b>Gross Profit</b>	55,803.79	56,799.50	(995.71)	98.25%
<b>Expense</b>				
Alcohol Expense	722.20	0.00	722.20	100.0%
Bank Service Fees	187.77	274.93	(87.16)	68.3%
Building Alarm System	147.61	147.61	0.00	100.0%
Cable TV	184.22	184.22	0.00	100.0%
Cleaning Service	957.58	1,441.00	(483.42)	66.45%
Contract Labor	1,817.50	3,706.00	(1,888.50)	49.04%
Dues & Memberships	175.00	325.00	(150.00)	53.85%
Health Insurance	1,213.43	1,213.43	0.00	100.0%
Internet	323.95	333.45	(9.50)	97.15%
Labor Expenses	13,413.69	13,436.67	(22.98)	99.83%
Laundry Expense	2,814.15	4,500.00	(1,685.85)	62.54%
Linen & Supplies	345.83	0.00	345.83	100.0%
Mileage Reimbursement	117.79	36.63	81.16	321.57%
Office Expense	265.56	587.53	(321.97)	45.2%
Pest Control Expense	131.26	65.63	65.63	200.0%
Repairs & Maintenance	8,862.98	10,200.00	(1,337.02)	86.89%
Supplies	1,726.61	1,909.67	(183.06)	90.41%
Telephone Expense	256.23	106.18	150.05	241.32%
Trash Pickup	0.00	373.06	(373.06)	0.0%
Utilities	6,095.31	2,644.72	3,450.59	230.47%
Website	59.95	59.95	0.00	100.0%
<b>Total Expense</b>	<u>39,618.62</u>	<u>41,545.68</u>	<u>(1,727.06)</u>	<u>95.84%</u>
<b>Net Ordinary Income</b>	<u>15,985.17</u>	<u>15,253.82</u>	<u>731.35</u>	<u>104.8%</u>
<b>Net Income</b>	<u>15,985.17</u>	<u>15,253.82</u>	<u>731.35</u>	<u>104.8%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Event Center - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through February 2024**

	<u>Jan - Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	5,321.93	4,600.00	721.93	115.69%
<b>Sales-Revenue</b>				
Alcohol Sales-Beer/Wine	1,581.71	0.00	1,581.71	100.0%
Alcohol Sales-Mixed Drinks	419.87	971.70	(551.83)	43.21%
Refunds/Returns	(160.00)	0.00	(160.00)	100.0%
Sales-Revenue - Other	88,931.13	86,829.00	2,102.13	102.42%
<b>Total Sales-Revenue</b>	<u>90,772.71</u>	<u>87,800.70</u>	<u>2,972.01</u>	<u>103.39%</u>
Sales Tax Revenue	33,606.41	32,306.38	1,300.03	104.02%
<b>Total Income</b>	<u>129,701.05</u>	<u>124,707.08</u>	<u>4,993.97</u>	<u>104.01%</u>
<b>Gross Profit</b>	<u>129,701.05</u>	<u>124,707.08</u>	<u>4,993.97</u>	<u>104.01%</u>
<b>Expense</b>				
Alcohol Expense	1,759.84	1,000.00	759.84	175.98%
Bank Service Fees	1,543.99	1,102.93	441.06	139.99%
Building Alarm System	295.22	295.22	0.00	100.0%
Cable TV	368.44	368.44	0.00	100.0%
Cleaning Service	1,780.08	2,882.00	(1,101.92)	61.77%
Contract Labor	4,865.50	7,706.00	(2,840.50)	63.14%
Dues & Memberships	176.00	325.00	(150.00)	53.85%
Health Insurance	2,426.86	2,426.86	0.00	100.0%
Internet	647.90	666.90	(19.00)	97.15%
Labor Expenses	26,716.99	26,965.66	(248.67)	99.08%
Laundry Expense	2,814.15	4,500.00	(1,685.85)	62.54%
Linen & Supplies	572.58	217.00	355.58	263.86%
Mileage Reimbursement	117.79	73.26	44.53	160.78%
Office Expense	925.87	1,087.53	(161.66)	85.14%
Pest Control Expense	131.26	131.26	0.00	100.0%
Repairs & Maintenance	11,033.67	12,500.00	(1,466.33)	88.27%
Supplies	2,708.08	4,390.36	(1,682.28)	61.68%
Telephone Expense	363.98	213.04	150.94	170.85%
Trash Pickup	0.00	646.12	(646.12)	0.0%
Utilities	11,091.44	15,172.52	(4,081.08)	73.1%
Website	119.90	119.90	0.00	100.0%
<b>Total Expense</b>	<u>70,458.54</u>	<u>82,790.00</u>	<u>(12,331.46)</u>	<u>85.11%</u>
<b>Net Ordinary Income</b>	<u>59,242.51</u>	<u>41,917.08</u>	<u>17,325.43</u>	<u>141.33%</u>
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
Capital Expenditures	7,638.51	7,638.51	0.00	100.0%
<b>Total Other Expense</b>	<u>7,638.51</u>	<u>7,638.51</u>	<u>0.00</u>	<u>100.0%</u>
<b>Net Other Income</b>	<u>(7,638.51)</u>	<u>(7,638.51)</u>	<u>0.00</u>	<u>100.0%</u>
<b>Net Income</b>	<u>51,604.00</u>	<u>34,278.57</u>	<u>17,325.43</u>	<u>150.54%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Focus Group - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**February 2024**

	<u>Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	1,480.16	1,200.00	280.16	123.35%
Sales Tax Revenue	15,286.97	16,698.80	(1,411.83)	91.55%
<b>Total Income</b>	<u>16,767.13</u>	<u>17,898.80</u>	<u>(1,131.67)</u>	<u>93.68%</u>
<b>Gross Profit</b>	<u>16,767.13</u>	<u>17,898.80</u>	<u>(1,131.67)</u>	<u>93.68%</u>
<b>Net Ordinary Income</b>	<u>16,767.13</u>	<u>17,898.80</u>	<u>(1,131.67)</u>	<u>93.68%</u>
<b>Net Income</b>	<u>16,767.13</u>	<u>17,898.80</u>	<u>(1,131.67)</u>	<u>93.68%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Focus Group - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through February 2024**

	<u>Jan - Feb 24</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	3,087.12	2,400.00	687.12	128.63%
Sales Tax Revenue	33,606.41	32,306.38	1,300.03	104.02%
<b>Total Income</b>	<u>36,693.53</u>	<u>34,706.38</u>	<u>1,987.15</u>	<u>105.73%</u>
<b>Gross Profit</b>	<u>36,693.53</u>	<u>34,706.38</u>	<u>1,987.15</u>	<u>105.73%</u>
<b>Net Ordinary Income</b>	<u>36,693.53</u>	<u>34,706.38</u>	<u>1,987.15</u>	<u>105.73%</u>
<b>Net Income</b>	<u>36,693.53</u>	<u>34,706.38</u>	<u>1,987.15</u>	<u>105.73%</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.



# **Benton Event Center-Event Report**

February 13, 2024 to March 12, 2024

October 1, 2013 to February 12, 2024

**888,147**

	<b>Date(s)</b>	<b># of Attendees</b>
Rhea Lana's Consignment Sale	2/11-2/25/2024	3,000
AR Connections Academy	2/27-2/29/2024	60
Saline County Gun & Knife Show	3/1-3/3/2024	2,500
Benton Chamber Banquet	3/4-3/5/2024	900
Benton Home Show	3/7-3/9/2024	1400
Key Surprise Party	3/10/2024	90
New Beginning Banquet	3/11/2024	730
Entergy Safety Meeting	3/12/2024	200
Paradigm Pipeline Safety Class	3/12/2024	40

# of Events: 9

**TOTAL: 8,920**

**TOTAL: 897,067**

CITY OF BENTON UTILITY COMMISSIONERS MEETING  
MONDAY, FEBRUARY 5, 2024, 6:00 P.M.,  
ELECTRIC UTILITY BUILDING  
1827 DALE AVENUE

The City of Benton Utility Commissioners met in regular session Monday, February 5, 2024, at the Electric Utility Building, 1827 Dale Avenue.

The meeting was called to order at 6:00 p.m. by Commission Chairman Johnston.

The invocation was given by Commission Member Ponder.

Commission Member Stott led the Pledge of Allegiance.

When the roll was called, 5 Commissioners were present:

Brad Johnston, Commission Chairman  
Gary Ferrell, Commission Member  
Skylyr Stott, Commission Member  
Jerry Ponder, Commission Member  
David McCollum, Commission Member

quorum was declared with 5 members present.

Commission Chairman Johnston asked if everyone had read the regular meeting minutes of January 2nd and if so, is there a motion. Commission Member McCollum made a motion to accept the minutes as presented and be filed for future reference. The motion was seconded by Commission Member Stott. Commission Chairman Johnston called for a voice vote. All commission members present voted in the affirmative. The minutes were approved with 4 affirmative votes.

#### Departmental Reports

##### A. Safety/Personnel Update

Mrs. Terrie Sossamon, HR, gave a monthly update on employee numbers, both budgeted and actual, workers' comp claims, safety classes and new employees. She was also congratulated on completing a class for 12 weeks and receiving her SHRM-CP Certificate.

##### B. December Financials

Mr. Jimmy Garrett, CFO, went through the financials for December. Last month we had a large amount of revenues over expenditures but we didn't this month. Part of that was

that we were converting to the NISC software and couldn't pay some expenses for a period or time. Several of those were November expenses so they are actually in December instead of November. It's kind of skewed. In November our revenues were over expenses by \$610,000 and if you average that out with Decembers totals it is \$122,000 revenues over expenses. He then went through the cash balances, franchise fees, revenues versus expenditures by department and bad debts. He talked about the construction work in. Commission Member Ferrell made a motion to approve the December financials as presented. Commission Member McCollough seconded the motion. Commission Chairman Johnston called for a voice vote. All commission members present voted in the affirmative. The December financials were approved with four affirmative votes.

## Old Business

### A. Update on Saline Regional Public Water Authority (SRPWA)

Mr. Todd Pedersen turned the floor over to Mr. Jason Carter, Attorney and Mr. Carter went through the areas of the contract. He said they have agreed on all material terms in principal. There could be some changes in the wording and we are still dickering around with some of that but the fundamentals of the agreement will not be changed from what he is presenting tonight. All of the other utilities involved have a different contract from Benton because they are taking treated water and we are taking raw water. He thinks this is a good project and the resolution that is being presented is to recommend this agreement to City Council, to direct the General Manager to refer it to City Council in substantial form and content as to what is being presented to you right now. After much discussion, Mr. Pedersen said he was asking for their approval to send the contract through to City Council and City Council will give approval for him to sign. Commission Member McCollum made a motion to accept the Saline Regional Public Water Authority and to give Mr. Pedersen the authority to sign. Commission Member Ponder seconded the motion. Commission Chairman Johnston called for a voice vote and all members voted in the affirmative. The motion was approved with 4 affirmative votes.

### B. Salem and Southwest Contracts

Mr. Carter went through the proposed Salem and Southwest contracts. He said they are based on the same forms. He went through the high points with one being the expiration date of December 31, 2028. Commission Member Ponder made a motion to authorize Mr. Pedersen and Mr. Carter to move forward with the Salem and Southwest Water agreements and presented in principal to be effective April 1st. Commission Member Ferrell seconded the motion. Commission Member Johnston

called for a voice vote and all 4 members voted in the affirmative. The contracts were approved with 4 affirmative votes.

### C. Update on CAO& CAP

Mr. Greg Becker, Wastewater Plant Manager, said he just wanted to give them a quick update. DEQ is requiring them to come up with a correction action plan (CAP). It was developed with McClelland Engineering. A lot of the stuff on there is already being done at the plant. DEQ accepted the plan with a couple of comments in regard to any kind of construction. We do have to get permits for construction and have to do a quarterly report, with the first one being March 15<sup>th</sup>. We will be working with McClelland on writing the report. Mr. Pedersen said the CAP that was approved will see no impact on our expenses this year. Mr. Becker also explained that the original CAO (Consent Administrative Order) had an expiration date of December 2023 and they did ask for a 2 year extension which has been approved but it is still working its way through DEQ. Everything in the original CAO has been addressed with the exception of one item.

## New Business

### A. Approval of New Underground Truck for Electric Department

Mr. Darren Prysock, Electric Department Manager, explained the need for this new truck. This is just for the cab and chassis. They are going to remove the bed from the current truck and put it on the new truck. They got two quotes for the truck, one from Superior who say they can't even get the truck and Landers who said they have one on the lot. He would like approval to buy the one from Landers for \$72,957.00. Commission Member Stott made a motion to approve the purchase of this truck and Commission Member Ferrell seconded the motion. Commission Chairman Johnston called for a voice vote and all members voted in the affirmative. The request to purchase the truck was approved with 4 affirmative votes.

## Announcements

Commission Chairman Johnston stated the next regular meeting date would be Monday, March 4th at 6:00 p.m. Commission Member Ferrell said he would not be able to attend. All others in attendance said they would.

## Executive Session


### A. Personnel Matters

Commission Member Ferrell made a motion to adjourn into executive session at 7:03 p.m. Commission Member McCollum seconded the motion.

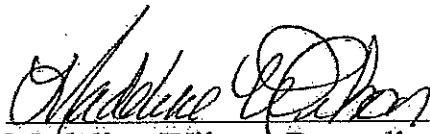
The meeting reconvened at 7:47 pm

Commission Member Stott made a motion after Mr. Pedersen's annual review to raise his salary by \$6,500. Commission Member McCollum seconded the motion. Commission Chairman Johnston called for a voice vote. All commissioners voted in the affirmative. Motion was approved with 4 affirmative votes.

Commission Member Ponder made a motion to adjourn with a second by Commission Member Ferrell. Commission Chairman Johnston called for a voice vote. All commission members present voted in the affirmative. The meeting was adjourned at 8 p.m.



Brad Johnston, Commission Chairman



Madeline Wilson, Recording Secretary

CITY OF BENTON, ARKANSAS  
**Board of Adjustments/Planning & Zoning Meeting**  
Tuesday, March 5<sup>th</sup>, 2024  
6:00 P.M.

Chairman Stilwell called the meeting to order. Roll call resulted in 2 member[s] being absent.

Members Present	Members Absent
	Carl West
Brett Chumley	
Lois Burks	
	Darrell Wood
John Clements	
Pamela Gibson	
James Stilwell	
Andy Warford	
Mark Chilton	
John Parton, Comm. Development Director	
Chelsea Matthews, City Planner	

*Approval of the Minutes of the February 6<sup>th</sup>, 2024, Planning Commission Meeting*

Chairman Stilwell asked if there were any additions, deletions, or corrections to the minutes. Commissioner Gibson makes a motion to approve the minutes as is. Commissioner Burks second. Motion carried.

**Board of Adjustments**

*1651 Highway 5 [Variance for O'Reilly Auto Parts Sign Height]*

Chairman Stilwell asked Ms. Matthews to introduce the Variance request for 1651 Highway 5. Ms. Matthews reads the memorandum that states that O'Reilly Auto Parts is requesting a variance for a sign at 1651 Highway 5. The purpose of this variance is to allow the sign to be 15' in height instead of 8' [sign ordinance maximum]. Chairman Stilwell calls for any questions or comments regarding this request. Commissioner Chilton makes a motion to table this request until a representative is present to answer any questions. Commissioner Burks second. **Item tabled 6-0.**

**Planning Commission**

*6623 Alcoa Road [Site Plan for C-Store]*

Chairman Stilwell asked Ms. Matthews to introduce the Site Plan at 6623 Alcoa Road. Ms. Matthews reads the memorandum that states that Holloway Engineering and Civil Design, on behalf of C-Store, [gas station] is requesting approval of a Site Plan located at 6623 Alcoa Road. Chairman Stilwell calls for any comments or questions regarding this request. Mark Rudder with Holloway Engineering speaks in favor of this item. Commissioner Gibson makes a motion to approve this request with the promise to have more landscaping added. Commissioner Chilton second. **Motion carried 6-0.**

CITY OF BENTON, ARKANSAS  
**Board of Adjustments/Planning & Zoning Meeting**

Tuesday, March 5<sup>th</sup>, 2024  
6:00 P.M.

*Kenwood Creek [Site Plan for Duplex Development]*

Chairman Stilwell asked Ms. Matthews to introduce the Site Plan for Kenwood Creek. Ms. Matthews reads the memorandum that states that Eric Richardson, on behalf of Richardson Engineering is requesting approval of Duplex Development called "Kenwood Creek" located at 214 Kenwood Rd. This property is currently zoned C3 [Service Commercial], and multi-family developments are a permitted use. Chairman Stilwell calls for any comments or questions regarding this request. Eric Richardson speaks in favor of this request. Commissioner Burks makes a motion to approve this item. Commissioner Warford second. **Motion carried 6-0.**

*1096 Troy Drive [Site Plan for Arbors @ McNeil Creek]*

Chairman Stilwell asked Ms. Matthews to introduce the Site Plan for Arbors @ McNeil Creek. Ms. Matthews reads the memorandum that states that Eric Richardson, on behalf of Richardson Engineering, is requesting approval of a multi-family development called "Arbors @ McNeil Creek" located at 1096 Troy Drive. This property was annexed into Benton City Limits in 2022 [Ordinance 36 of 2022] and was annexed as R8 [multi-family]. Chairman Stilwell calls for any comments or questions regarding this request. Eric Richardson speaks in favor of this request. Commissioner Warford makes a motion to approve this site plan. Commissioner Chilton second. **Motion carried 6-0.**

*Cottage Walk [Annexation]*

Chairman Stilwell asked Ms. Matthews to introduce the Annexation for Cottage Walk. Ms. Matthews reads the memorandum that states that Jonathan Hope, on behalf of Hope Consulting Inc. and Rausch Coleman Homes, is requesting approval of the annexation for Cottage Walk. This would be a 410-lot subdivision [it has not been built yet]. Chairman Stilwell calls for any comments or questions regarding this request. Jonathan Hope speaks in favor of this request. Commissioner Gibson makes a motion to approve this item. Commissioner Warford second. **Motion carried 6-0.**

**ORDINANCE NO. 17 OF 2024**

**EXEMPTING CITY-SPONSORED EVENTS FROM NOISE  
ORDINANCE; AMENDING ORDINANCE NO. 20 OF 2007 AND  
ORDINANCE NO. 41 OF 2022; AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Benton, Arkansas, from time to time hosts or otherwise sponsors events, including events promoted by the Advertising and Promotions Commissions ("City-Sponsored Events"); and

**WHEREAS**, these City-Sponsored Events have included concerts, parades, and other events designed to promote the quality of life within the City and to attract other individuals to the City to draw customers to City businesses; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City to exempt these City-Sponsored Events from the prohibitions or limitations set out in Ordinance No. 29 of 2007 and Ordinance No. 41 of 2022.

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

**SECTION 1:** All City-Sponsored Events are hereby exempted from the prohibitions related to noise as set out in Ordinance No. 29 of 2007, Ordinance No. 41 of 2022, and any other Ordinance applicable to noise.

**SECTION 2:** Ordinance No. 29 of 2007 and Ordinance No. 41 of 2022 are hereby amended consistent with this Ordinance but not otherwise.

**SECTION 3:** 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 sections, phrases, or provisions.

**PASSED AND APPROVED** this \_\_\_\_\_ day of April 2024.

\_\_\_\_\_  
Tom Farmer, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk



**RESOLUTION NO. 41 OF 2024**

**A RESOLUTION AMENDING THE 2024 ADVERTISING & PROMOTION SMALL PROJECT BUDGET TO INCREASE THE APPROPRIATION OF EXPENDITURES IN THE AMOUNT OF \$120,000; AND FOR OTHER PURPOSES**

**WHEREAS**, the Benton Advertising & Promotion Commission and City Council of the City of Benton, Arkansas have determined that it is in the best interest of the City to appropriate \$120,000 out of the Advertising & Promotion Small Project fund for purposes of promoting the City.

**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 FY2024 City of Benton Budget as adopted in Resolution 110 of 2023. 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 2024.

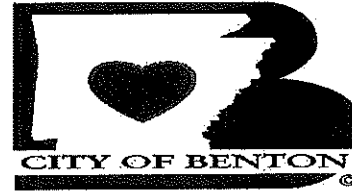
\_\_\_\_\_  
Tom Farmer, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk



## City of Benton, Arkansas

Special Revenue Fund  
Budget Amendment  
FY 2024



The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2024. This submittal includes a revision for the Special Revenue

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 2024

#### Special Revenue Fund

	Beginning Approved Budget	Budget Amendment	Revised Budget
Receipts	\$1,872,000	\$0	\$1,872,000
Personnel	\$0	\$0	\$0
O&M, Other, etc	\$400,000	\$120,000	\$520,000
Capital Items & Transfers	\$915,000	\$0	\$915,000
Total Budget	\$557,000		\$437,000

### Section 2: Funding & Disbursements – Fiscal Year 2024

#### Special Revenue Fund

#### Expenditures

This budget amendment approves the increase in line item 7040.01 Advertising for the purposes promotion of the City of Benton.