

**BENTON CITY COUNCIL
REGULAR SESSION
OCTOBER 22ND, 2018
7:00 PM**

•

AGENDA MEETING 6:30 PM



**BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS**

DAVID MATTINGLY, MAYOR

BENTON CITY COUNCIL
October 22nd, 2018
7:00 PM
AGENDA

- | | | |
|-------------|--|---|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Presentation of Flags | Boy Scouts of America |
| | Pledge of Allegiance | |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | October 8th, 2018
<i>Public Hearing</i>
<i>Regular Meeting</i> |
| | | |
| VI. | Service Awards | Mayor Mattingly |
| | Justin Gregory – Fire Engineer 15 Years | |
| | Lt. Don Robertson – Police 20 Years | |
| | | |
| VII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Council Member Ponder |
| | A.) ORDINANCE NO. 49 OF 2018 | |
| | <i>AN ORDINANCE AMENDING THE 2018 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2017; ACCEPTING FUNDS FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | B.) RESOLUTION NO. 49 OF 2018 | |
| | <i>A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS; AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT AUCTION</i> | |
| | | |
| | 2. Community Services/Animal Control | Council Member Reed |
| | A.) RESOLUTION NO. 50 OF 2018 | |
| | <i>A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 2304 SILICA HEIGHTS ROAD, BENTON, ARKANSAS; AND FOR OTHER PURPOSES</i> | |
| | B.) RESOLUTION NO. 51 OF 2018 | |
| | <i>A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 2312 EAST LAKEVIEW, BENTON ARKANSAS; AND FOR OTHER PURPOSES</i> | |
| | | |
| | 3. Streets & Drainage Committee | Council Member Baptist |
| | A.) ORDINANCE NO. 50 OF 2018 | |
| | <i>AN ORDINANCE ACCEPTING CERTAIN PUBLIC STREETS, DRAINAGE, AND UTILITIES FOR MAINTENANCE WITHIN THE WOODLANDS SUBDIVISION; AND FOR OTHER PURPOSES.</i> | |

B.) ORDINANCE NO. 51 OF 2018

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE, AND UTILITIES FOR MAINTENANCE FOR COLD WATER CREEK PHASE 2E DEVELOPMENT IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, DECLARING AN EMERGENCY; AND OTHER PURPOSES

4. Personnel/Health & Safety Commission Council Member Donnor

A.) ORDINANCE NO. 52 OF 2018

AN ORDINANCE ADOPTING REVISED RULES AND REGULATIONS FOR THE CITY OF BENTON FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

5. Parks Committee Council Member Hart

A.) ORDINANCE NO. 53 OF 2018

AN ORDINANCE SETTING THE EVENT AND PROGRAM SPONSORSHIP RATES FOR THE PARKS AND RECREATION DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

B.) ORDINANCE NO. 54 OF 2018

AN ORDINANCE AMENDING THE 2018 BUDGET FOR THE PARK FUND AS ADOPTED IN ORDINANCE 62 OF 2017; APPROPRIATING FUNDS FOR AN INCLUSIVE PLAYGROUND AT TYNDALL PARK; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

6. Public Utilities Commission Council Member Herzfeld

**7. A & P Commission Council Member Donnor
Council Member Baptist**

8. OTHER BUSINESS

- VIII. Unfinished Business**
- IX. New Business**
- X. Old Business**
- XI. Announcements**
- XII. Adjourn**

**Public Hearing Minutes
City of Benton
October 8, 2018
Benton Municipal Complex**

The Mayor called the public hearing to order at 6:52 p.m. The purpose of the hearing was to give citizens an opportunity to speak concerning Ordinance 47 of 2018 – An Ordinance Abandoning the City’s Interest in a Certain Utility Easement Located in Northshore at Hurricane Lane Estates Subdivision, Phase 3; Authorizing the Mayor to Execute Documents Necessary to Abandon the Easements; Declaring an Emergency and For Other Purposes. The Mayor asked if there was anyone who wanted to speak for the abandonment of this easement. No one came forward to speak. The Mayor asked if there was anyone who wanted to speak against the abandonment of the easement. No one came forward to speak. The Mayor asked again if anyone wanted to speak for or against. No one came forward.

The Mayor closed the public hearing at 6:53.

Cindy Stracener, City Clerk

David Mattingly, Mayor

MINUTES OF THE BENTON CITY COUNCIL

Regular Session

October 8, 2018

Benton Municipal Complex

The Benton City Council was called to order at 7:00 pm.

The Mayor gave the invocation.

Council Member Murphy led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

Council Member Frank Baptist

Council Member Evelyn Reed

Council Member Judd Hart

Council Member Jeff Hamm

Cindy Stracener, City Clerk

Council Member Kerry Murphy

Council Member Jerry Ponder

Council Member James Herzfeld

Brent Houston, City Attorney

David Mattingly, Mayor

When roll was called seven (7) council members were present. A quorum was declared. Council Member Cash, Council Member Donnor and Council Member Lee were absent.

The Mayor requested approval for the September 24, 2018 city council meeting minutes. Council Member Herzfeld made a motion to approve the minutes, seconded by Council Member Hamm. The Mayor called for a voice vote on the approval of the minutes. All council members present replied in the affirmative. The minutes for the September 24, 2018 council meeting were approved with 7 affirmative votes and 3 absent.

The Mayor read a proclamation declaring the month of October as “Go Pink for the Cure” month in the city of Benton. See attached.

The city clerk read a proclamation declaring the month of October as “Civitan Services Month” in the city of Benton. See attached.

The next item on the agenda was committee reports and motions. Council Member Ponder was recognized for the Finance Committee report. He stated that a committee meeting would be held this Thursday, October 11 immediately following the Street Committee meeting.

Council Member Reed was recognized for a report from the Community Service/Animal Control Committee. Council Member Reed asked for the first reading of Ordinance 47 of 2018 – An Ordinance Abandoning the City’s Interest in Certain Utility Easements Located in Northshore at Hurricane Lake Estates Subdivision, Phase 3; Authorizing the Mayor to Execute Documents Necessary to Abandon the Easements; Declaring an Emergency and For Other Purposes. Seconded by Council Member Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments, none. Council Member Reed made a motion to suspend the rules for the second and third readings. Seconded by Council Member Ponder. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes.

Motion to suspend the rules was approved with 7 affirmative and 3 absent votes. Council Member Reed made a motion to adopt Ordinance 47 of 2018 on its second and third readings by title only. Seconded by Council Member Murphy. The ordinance was read by title only. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes. Ordinance 47 of 2018 was adopted with 7 affirmative votes and 3 absent. Council Member Reed made a motion to adopt the emergency clause, seconded by Council Member Ponder. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes. The emergency clause was adopted with 7 affirmative and 3 absent votes.

Council Member Baptist was recognized for a report from the Streets and Drainage Committee. He requested Mr. Houston explain the purpose of this ordinance. Mr. Houston stated that in 2005 the city abandoned an interest in a street by the hospital on South McNeil. The purpose of this was for the hospital to be able to expand facilities in particular the emergency room. It was determined in 2005 that the city would retake that section of the street once it was reconfigured and built in another place. That never happened for some reason so what we have been asked to do in order to remove a cloud on the hospital's title is to accept that section of McNeil Street which the hospital built in 2005. It has been reviewed by the Street Department and determined that the street was built to our standards and I think that we need to keep the agreement that we made in 2005 and accept the streets.

Council Member Baptist asked for the first reading of Ordinance 48 of 2018 – An Ordinance Accepting Streets and Drainage for South McNeil Street Located Within the City of Benton, Saline County, Arkansas, Declaring an Emergency and For Other Purposes. Seconded by Council Member Murphy. The ordinance was read by the city clerk. The Mayor asked for any comments, none. Council Member Baptist made a motion to suspend the rules for the second and third readings. Seconded by Council Member Murphy. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes. Motion to suspend the rules was approved with 7 affirmative and 3 absent votes. Council Member Baptist made a motion to adopt Ordinance 48 of 2018 on its second and third readings by title only. Seconded by Council Member Ponder. The ordinance was read by title only. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes. Ordinance 48 of 2018 was adopted with 7 affirmative and 3 absent votes. Council Member Baptist made a motion to adopt the emergency clause, seconded by Council Member Herzfeld. Roll was called which resulted in Council Member Baptist yes, Council Member Murphy yes, Council Member Cash absent, Council Member Reed yes, Council Member Donnor absent, Council Member Ponder yes, Council Member Hart yes, Council Member Herzfeld yes, Council Member Lee absent, and Council Member Hamm yes. The emergency clause was approved with 7 affirmative and 3 absent votes.

There was not a report from the Personnel/Health & Safety Committee.

Council Member Hart was recognized for a report from the Parks Committee. Council Member Hart stated that a committee meeting would be held on October 15th at 5:30 pm regarding an adaptive playground.

Council Member Herzfeld was recognized for a report from the Public Utility Commission. He did not have a report.

Council Member Baptist was recognized for a report from the Advertising and Promotion Commission. He stated no report.

The Mayor asked if there was any unfinished business or if anyone wished to address the council. No one came forward.

The Zombie Parade and Coffin Races will be held on October 20th and Old Fashioned Day is this Saturday. The Street Committee will meet this Thursday at 4:00 pm.

The meeting adjourned at 7:16 p.m.

Cindy Stracener, City Clerk

David Mattingly, Mayor

PROCLAMATION

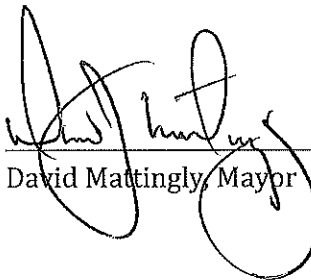
Whereas, The Pink Ribbon reminds us that breast cancer is the most common cause of cancer and the second most common cause of cancer deaths in the United States. However, when breast cancer is detected in its earliest stages, there can be a 95% survival rate; and

Whereas, According to the Arkansas Affiliate of Susan G. Komen Breast Cancer Foundation, one in three counties in Arkansas does not have a fixed mammography facility and this creates a barrier for many women to easily access mammography, thereby possibly increasing their mortality rate; and

Whereas, October is National Breast Cancer Awareness Month, and the Arkansas Affiliate of Susan G Komen is designating October as Go Pink for the Cure month to bring about awareness of the importance of mammography and to renew its commitment to removing obstacles that prevent women from seeking mammograms;

NOW, THEREFORE, I DAVID MATTINGLY, ACTING UNDER MY AUTHORITY AS MAYOR OF THE CITY OF BENTON, ARKANSAS, by virtue of the authority invested in me by the laws of the State of Arkansas, do hereby proclaim the month of October, as Go Pink for the Cure month in the City of Benton and urge all my fellow citizens to join me in helping to promote efforts for the prevention and treatment of this deadly disease.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Benton to be affixed this 8th day of October, in the year of our Lord 2018.



David Mattingly, Mayor



WHEREAS, Civitan Services provides quality educational and life skills training for men, women, and children in Central Arkansas with developmental disabilities. They strive to make a positive impact in the lives of those they serve and their families through specialized services and support offered in a safe, compassionate environment. They are committed to providing a facility and staff that will always meet the needs of people with disabilities and their loved ones in our community. Their ultimate objective is to help each person they serve maximize their potential for independence and become productive members of society, and;

WHEREAS, Civitan Services currently provides services to over 300 individuals every day in our community and has over 125 employees, and;

WHEREAS, Civitan Services' Adult Day Habilitation program allows adults with developmental disabilities to maximize their abilities, gain further education, and focus on functional life skills. The clients are learning to meet and exceed their own expectations and live productively within our community due to this essential training, and;

WHEREAS, the mission of Civitan Services' Preschool program is providing opportunities to allow children to meet their full potential in all areas of development in preparation for entrance into the public school system. The program focuses on the academic and social education of children with diverse backgrounds, delays and disabilities with curriculums that are uniquely designed for each individual student, and;

WHEREAS, Civitan Services has some of the most dedicated volunteers and community partners in the state of Arkansas. They provide opportunities for leadership, civic engagement and community building. These volunteers continually devote hundreds of hours of service each year in service to the clients of Civitan Services and their families, and;

WHEREAS, from its inception in 1958 Civitan Services has made it our priority to show love to those who, historically, were marginalized and overlooked. Civitan Services began when one man, Noel Deer, noticed a young man who had been told he could not attend school with his peers because he "could not learn". Little did Mr. Deer know that his encounter with this one man, and the act of compassion shown by himself and the local Civitan Club, would be the beginning of a life changing organization that would impact thousands of lives and be celebrating 60 years of continuing that love and compassion that he showed to just one.

NOW, THEREFORE, in honor of their tremendous service to those with developmental disabilities in Saline County and across the state of Arkansas provided by Civitan Services, I, David Mattingly, Mayor of the City of Benton, do hereby proclaim October, 2018 to be Civitan Services Month. Accordingly, I encourage our citizens to join with their neighbors in participation in Civitan Services Month activities.

Signature

10-5-18
Date

ORDINANCE NO. 49 OF 2018

AN ORDINANCE AMENDING THE 2018 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2017; ACCEPTING FUNDS FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council previously authorized the sale of a 1985 Chevrolet 5/4 CUCV which was used by the fire department; and

WHEREAS, the City Council needs to amend the 2018 General Fund budget to allocate funds received from this sale.

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

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2018 City of Benton Budget as adopted in Ordinance 62 of 2017. The revised expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 2: The Mayor is authorized to accept \$5,488.00 for the sale of the 1985 Chevrolet 5/4 CUCV which was used by the fire department. All actions of the mayor in selling the vehicle are hereby deemed ratified and approved.

SECTION 3: It is hereby found and determined that there is an immediate need to amend the budget to accept funds from the sale of the vehicle for the fire department. Therefore, an emergency exists and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this the _____ day of October, 2018.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



EXHIBIT "1"

FY2018 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2018. 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 that make up this Fiscal Year 2018 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2018

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$17,198,061	\$ 5,488	\$17,203,549
Personnel	\$13,475,855	-0-	\$13,475,855
Operations & Maintenance	\$ 2,921,794	-0-	\$ 2,921,794
Capital Items	\$ 902,222	\$5,488	\$ 907,710

Section 2: Funding & Disbursements - Fiscal Year 2018

General Fund

Funding

The budget amendment authorizes the acceptance of the proceeds from the sale of the 1985 Chevrolet 5/4 CUCV pickup truck in the amount of \$5,488 in the line item (680.06.10.00).

Capital

This budget amendment increases line item (850.900.13.19) in the Fire Department \$5,488.

RESOLUTION NO. 49 OF 2018

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

WHEREAS, the city owns a 2010 Chevrolet Tahoe VIN#1GNMCA07AR2212252 and a 2013 Chevrolet Tahoe VIN #1GNLC2E02ER158150 both of which have outlived their useful lives to the City; and

WHEREAS, the City Council desires to declare the two vehicles as surplus property and to authorize both be sold at public auction.

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

SECTION 1: The City's 2010 Chevrolet Tahoe VIN#1GNMCA07AR2212252 and 2013 Chevrolet Tahoe VIN #1GNLC2E02ER158150 are both hereby declared surplus property and shall be sold at public 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.

SECTION 3: All net proceeds from the sale shall be deposited into the police department facility maintenance fund, line item #730.32.13.17.

PASSED AND APPROVED this the _____ day of October, 2018.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 50 OF 2018

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A
LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING
TO ABATE A NUISANCE LOCATED AT 2304 SILICA HEIGHTS
ROAD, BENTON, ARKANSAS; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton has been presented with photographs of the conditions of the property located at 2304 Silica Heights Road in Benton, these photographs are attached hereto as Exhibit "1" collectively; and

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

WHEREAS, the City Council finds and declares that this property is a nuisance to the public which should be abated; and

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

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

SECTION 1: For the reasons stated above, the City Attorney is hereby authorized to bring a cause of action in the Saline County Circuit Court seeking a court order to abate a public nuisance located at 2304 Silica Heights Road, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of October, 2018.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



CITY OF BENTON

Community Development P.O. Box 607
Benton, Arkansas 72018
Community Development
Code Enforcement

October 4, 2017

Russell Huckaby
4201 Garrison Rd.
Little Rock, AR. 72223

RE: 2304 Silica Heights
Benton, AR. 72015

Dear Property Owner,

Real estate records indicate that you are the owner of the property located at the above address. Property owners are responsible for maintaining their property in accordance with city ordinances and regulations and building codes.

The Building on this property is substandard and unfit for human habitation. Declared a nuisance under Article VI section 45 Benton City Ordinance 47 of 2010 and Articles I, II of Ordinance 23 of 1978 Housing Code.

- (1) The structure is damaged, decayed, dilapidated, unsanitary, unsafe or vermin –infected that creates a health and safety hazard to the public in accordance with § 14-56-203 ACA.
- (2) One which lacks illumination, utilities, ventilation or sanitation facilities. That protects the health and safety of the occupants or the public.
- (3) The cost of repair is in excess of fifty percent of the physical value of the building to conform with current building codes requirements.

The owner must present plans for repairs, reconstruction or demolition and removal schedule to Community Development office within two weeks of this notice. Failure to comply can result in legal proceedings being instituted for violation of this code and condemnation procedures initiated through Benton City Council.

Sincerely,

James A. Helton 2165
Code Compliance Administrator
cc: file

7016 2140 0000 3283 8405

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

10-5-17

Postmark Here

17

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To Russell Huckaby

Street and Apt. No., or PO Box No. 4201 Garrison Rd

City, State, ZIP+4® Little Rock, AR 72223

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

REC 10-24-17

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:

Russell Huckaby
4201 Garrison Rd
Little Rock, AR 72223

2. Article Number (Transfer from service label)

7016 2140 0000 3283 8405

9590 9402 2432 6249 8327 44

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [Signature] ☐ Agent ☐ Add

B. Received by (Printed Name) PO Box Thompson C. Date of 10/2/17

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

3. Service Type

☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☒ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☐ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
☐ Insured Mail ☐ Signature Confirmation Restricted Delivery (over \$500)

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



CITY OF BENTON

Community Development

P.O. Box 607
Benton, Arkansas 72018

CODE ENFORCEMENT

Telephone 776-5938

NOTICE OF VIOLATION

Address: 2304 SILICA HEIGHTS Rd.
BENTON, AR. It is with this

notice that you are being made aware of violation of City of Benton
Ordinance(s) # 48 OF 2012

A copy of this ordinance is being made available to you along with
portions pertaining to your Residence or business.

You are in specific violation of section(s) OVERGROWN YARD TALL
WEEDS AND GRASS FRONT/BACK YARD CONDITIONS THAT
MAY BECOME HARMFUL TO THE PUBLIC HEALTH & SAFETY

A violation of this ordinance is a misdemeanor punishable by a fine of
not more than 500.00. Each day that any offending conditions
are permitted to exist shall be a separate offense.

You have 5 days to comply from the date of this notice.

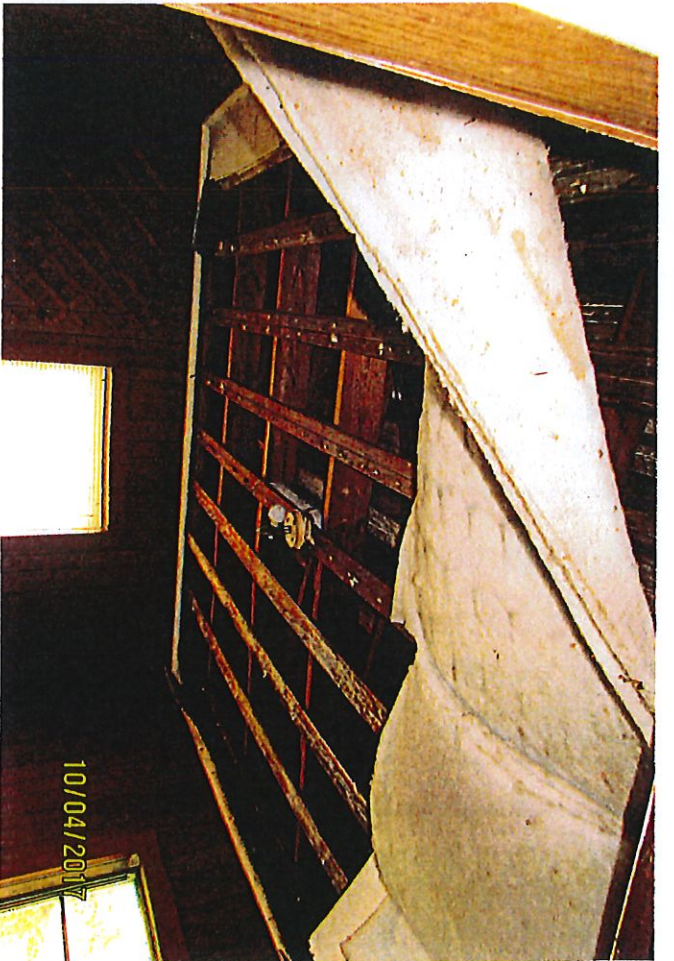
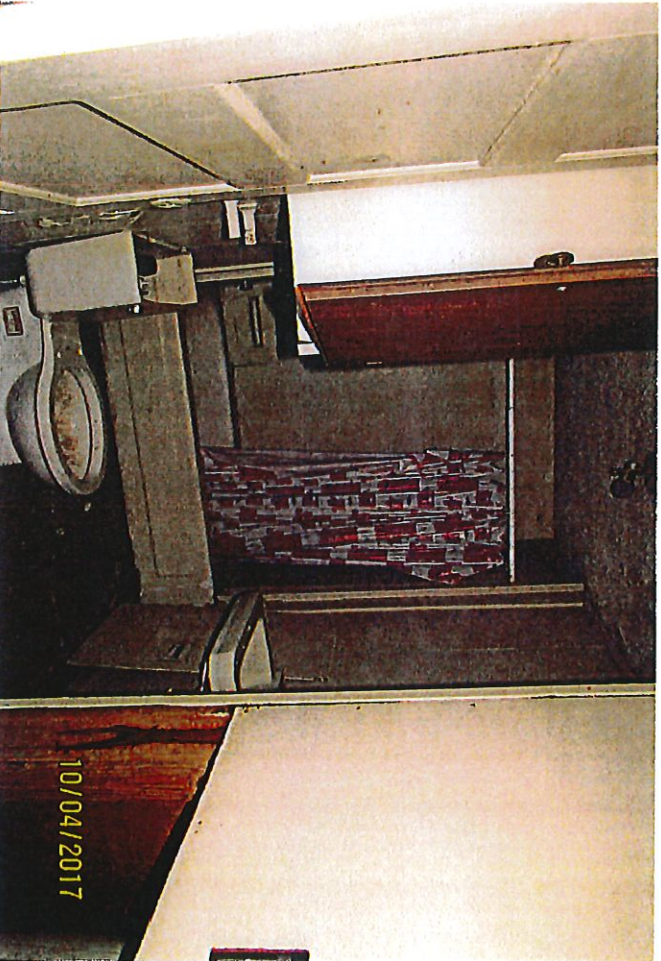
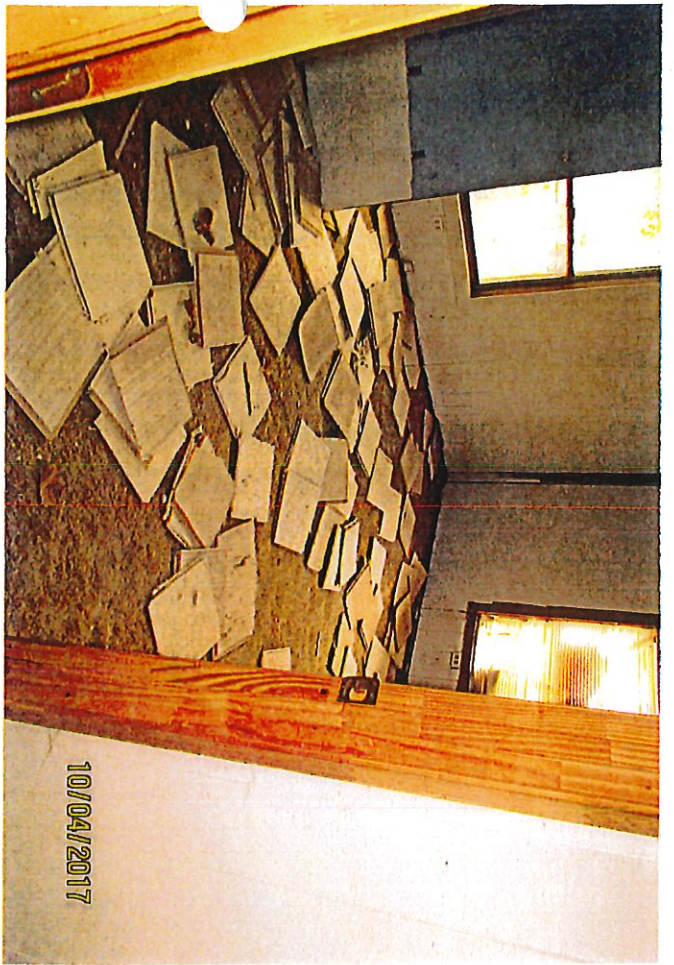
Delivered this date: 10/4/17

Code Enforcement Officer: J. HEUTOR

Owner/Occupant Signature: _____ Tel# _____

☐ Left Notice On Door - No One Home MAILED





RESOLUTION NO. 51 OF 2018

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A
LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING
TO ABATE A NUISANCE LOCATED AT 2312 EAST LAKEVIEW,
BENTON, ARKANSAS; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton has been presented with photographs of the conditions of the property located at 2312 East Lakeview in Benton, these photographs are attached hereto as Exhibit "1" collectively; and

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

WHEREAS, the City Council finds and declares that this property is a nuisance to the public which should be abated; and

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

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

SECTION 1: For the reasons stated above, the City Attorney is hereby authorized to bring a cause of action in the Saline County Circuit Court seeking a court order to abate a public nuisance located at 2312 East Lakeview, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of October, 2018.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

"Exhibit 1"



CITY OF BENTON

Community Development

P.O. Box 627
Benton, Arkansas 72018

Community Development Code Enforcement

May 14, 2018

Baseline Capital Investment LLC
4335 Van Nuys, Suite 207
Sherman Oaks, CA. 91403

RE: 2312 E. Lakeview Dr.
Benton, AR. 72015

Dear Property Owner,

This office has received complaints regarding the above referenced property. Real estate records indicate that you are the owner of the property located at the above address. Property owners are responsible for maintaining their property in accordance with city ordinances and regulations.

This property is in violation of the City of Benton Ordinance 48 of 2012 section 3A, 3B and 3I. I have enclosed a copy of the ordinance for your records, along with the violation notice. This property have become overgrown with tall grass/weeds, has brush piled next to street, Dead tree and trash in carport, that has created an unsightly and unsanitary condition that could be harmful to the public health and safety. The roof has a large hole that is allowing rain water into the house a violation of minimum Housing standards 23 of 1978. This property needs your attention! You have 7 days from the date of this letter to take corrective action to eliminate the violation. If you have not voluntarily corrected the violation within the time set forth on the notice or contacted this office. The City of Benton will take the necessary action to bring this property in compliance and may institute legal proceeding per A.C.A §14-54-901 and Ordinance 48 of 2012, that will be dealt with through the court system. You can contact our office between the hours of 8:00am and 4:00pm (501) 776-5938 if you have any questions. Thank you.

Sincerely,

James A. Helton 2165
Code Compliance Administrator
cc: file

7006 1140 0003 1520 0510

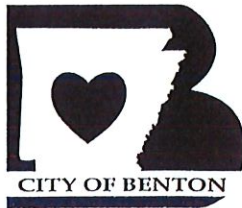
U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

6.88

Postmark
Here

Sent To Baseline Capital Inv. LLC
Street, Apt. No.,
or PO Box No. 4335 Van Nuys, Suite 207
City, State, ZIP+4 Sherman Oaks CA 91403
PS Form 3800, August 2006 See Reverse for Instructions



CITY OF BENTON

Community Development

P.O. Box 607
Benton, Arkansas 72018

CODE ENFORCEMENT

Telephone 776-5938

NOTICE OF VIOLATION

Address: 2312 E. FAKEVIEW
BENTON It is with this

notice that you are being made aware of violation of City of Benton

Ordinance(s) # 48 OF 2012

A copy of this ordinance is being made available to you along with portions pertaining to your Residence or business.

You are in specific violation of section(s) OVERGROWN YARD FRONT & BACK
SIDE OF BRUSH IN FRONT YARD. CONDITIONS THAT MAY
BECOME A HABITAT & BREEDING PLACE FOR INSECT, MOSQUITOES
RAT, MICE AND SNAKES THAT MAY BE HARMFUL TO THE PUBLIC

A violation of this ordinance is a misdemeanor and may be punishable by a fine of not more than 500.00. Each day that any offending conditions are permitted to exist shall be a separate offense.

You have 7 days to comply from the date of this notice.

Delivered this date: 5-7-18

Code Enforcement Officer: T. HEETON

Owner/Occupant Signature: _____ Tel# _____



Left Notice On Door - No One Home

FILED
JAN 11 2015
CIRCUIT CLERK

2015 JUN -1 AM 9:36

BY: MS

After Recording Mail To:
Baseline Capital Investments LLC
4335 Van Nuys, Suite 207
Sherman Oaks, California 91403

This Instrument Prepared By:
Matt Bishop
Bishop Law Firm
P.O. Box 189
105B West Van Buren
Eureka Springs, Arkansas 72632
ph: (479) 363-6171

QUITCLAIM DEED

TITLE OF DOCUMENT

KNOW ALL MEN by these presents:

That The Bank of New York Mellon fka The Bank of New York, as Successor Trustee for JPMorgan Chase Bank, N.A., as Trustee for NovaStar Mortgage Funding Trust, Series 2005-2 NovaStar Home Equity Loan Asset-Backed Certificates, Series 2005-2, By Owen Loan Servicing, LLC, as Attorney-In-Fact, GRANTOR(S)

FOR THE CONSIDERATION of the sum of EIGHTEEN THOUSAND AND 00/100 DOLLARS (\$18,000.00), and other good and valuable consideration, in hand paid by

Baseline Capital Investments LLC, GRANTEE(S)

THE RECEIPT of which is hereby acknowledged, does grant, sell and quitclaim unto the said GRANTEE(S) and unto the said GRANTEE(S) heirs and assigns forever the following described land, situated in the County of Saline, State of Arkansas, to wit:

LOT 32, BLOCK 4, BEAUTIFUL LAKEVIEW SUBDIVISION, SALINE COUNTY, ARKANSAS.

Tax Map Reference: N/A

MORE commonly known as: 2312 East Lakeview Drive, Benton, Arkansas 72015

Prior Recorded Doc. Ref.: Deed: Recorded February 4, 2014; BK 2014, PG 7801

SUBJECT TO: Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record, if any

15 039305



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp
Proof of Tax Paid



Grantee: BASELINE CAPITAL INVESTMENTS LLC
Mailing Address: 2312 EAST LAKEVIEW DRIVE
BENTON AR 72015

15 039308 Grantor: US BANK NATIONAL ASSOCIATION
Mailing Address: 1661 WORTHINGTON ROAD STE 100
WEST PALM BEACH FL 33409

Property Purchase Price: \$18,000.00
Tax Amount: \$59.40

County: SALINE
Date Issued: 10/14/2014
Stamp ID: 689405952

Document Filed for Record

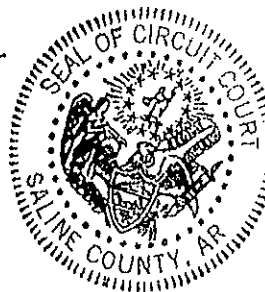
In BK 2015 PG 39305

JUN 01 2015

at 9:36 a m

Myka Sample, Circuit Clerk

By Myka Sample



I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Baseline Capital Investments LLC

Grantee or Agent Name (signature): Jessica Johnson Date: 4/27/2015

Address: 1000 Abernathy Road, Suite 200

City/State/Zip: Atlanta, GA 30350











ORDINANCE No. 50 OF 2018

AN ORDINANCE ACCEPTING CERTAIN PUBLIC STREETS, DRAINAGE, AND UTILITIES FOR MAINTENANCE WITHIN THE WOODLANDS SUBDIVISION; AND FOR OTHER PURPOSES.

WHEREAS, the City entered into an agreement with the Bosley Brothers Holdings, LLC as authorized in Resolution 6 of 2018 for the acceptance of certain streets with the Woodlands Subdivision once certain repairs were made to the streets; and

WHEREAS, the agreement stated the City would accept the presently existing streets of Nature Way, St. Francis Cove, Grand Mesa Drive and Ouachita Cove within the Woodlands subdivision once Bosley Brothers Holdings, LLC made certain repairs to these streets. These repairs have been made to the satisfaction of the city; and

WHEREAS, the City of Benton, Arkansas now desires to accept said public streets and storm drains for maintenance by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, the presently existing utilities and public streets and storm drains of Nature Way, St. Francis Cove, Grand Mesa Drive and Ouachita Cove within the Woodlands Subdivision an Addition to the City of Benton, Arkansas, be and are hereby accepted for maintenance by the City of Benton, Arkansas. This acceptance does not include any private drives or private streets on the above referenced records.

Passed and Approved this ____ day of October, 2018.

David J. Mattingly, Mayor

ATTEST

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

ORDINANCE NO. 51 OF 2018

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE, AND UTILITIES FOR MAINTENANCE FOR COLD WATER CREEK PHASE 2E DEVELOPMENT IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, DECLARING AN EMERGENCY; AND OTHER PURPOSES

WHEREAS, Cold Water Creek Phase 2E Development in the City of Benton was dedicated to the City of Benton, Arkansas on the 23rd day of October, 2017, and is recorded in the deed records of Saline County, Arkansas, document No. 17-020003. Streets were constructed as specified by the City, and more than one (1) year has elapsed since the construction of the streets, storm drains, water lines, and sewer mains in said development, and

WHEREAS, the City of Benton, Arkansas now desires to accept said streets, storm drains, water lines, and sewer mains for maintenance.

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

SECTION 1. The streets, storm drains, water lines and sewer mains of Cold Water Creek Phase 2E, an addition to the City of Benton, Arkansas, are hereby accepted for maintenance by the City of Benton, Arkansas.

SECTION 2. It is hereby found and determined that there is an immediate need to authorize the acceptance of the streets, storm drains, water lines, and sewer mains. Therefore an emergency exists and this ordinance is necessary for the preservation of the public peace, health, and safety. It shall be in full force and effect immediately from and after its passage.

PASSED AND APPROVED, this ___ day of _____, 2018

David Mattingly, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 52 of 2018

AN ORDINANCE ADOPTING REVISED RULES AND REGULATIONS FOR THE CITY OF BENTON FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, The City of Benton adopted the "2013 Rules and Regulations for the Benton Fire Department" manual by Ordinance 37 of 2013, which was passed and approved on June 24 2013; and,

WHEREAS, The City Council desires to revise the rules and regulations for the fire department by adopting the "2018 Rules and Regulations for the Benton Fire Department"; and

WHEREAS, at least three (3) copies of the rules and regulations have been filed with the City Clerk of the City of Benton and available for public inspection since or about August 27, 2018; and,

WHEREAS, a public notice was published in the Saline Courier, a newspaper of general circulation in the community, on or about September 22, 2018, advising the public that three (3) copies of the "2013 Rules and Regulations for the Benton Fire Department" were available for public examination at the office of the City Clerk, City Hall, 114 South East Street, Benton, Arkansas.

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

SECTION 1. The City of Benton does hereby adopt, by reference, the "2018 Rules and Regulations for the Benton Fire Department" manual which is attached to this ordinance as Exhibit 1.

SECTION 2. All City of Benton Ordinances and Resolutions and parts thereof, in conflict with the "2018 Rules and Regulations for the Benton Fire Department" as adopted by this ordinance, including Ordinance 37 of 2013, are hereby repealed to the extent of such conflict, but not otherwise.

SECTION 3. The City Clerk shall, upon the passage and approval of this ordinance, maintain and keep on file at least three (3) copies of the "2018 Rules and Regulations for the Benton Fire Department" manual as adopted by this ordinance; and at least three (3) copies of the text of this Ordinance for use and examination by the public.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 5. There is an immediate need to adopt the "2018 Rules and Regulations for the Benton Fire Department" manual in order to assist with the ongoing operations of the department. Therefore, an emergency exists, and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this _____ day of October, 2018.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

TO BE PUBLISHED

ORDINANCE NO. 53 2018

AN ORDINANCE SETTING THE EVENT AND PROGRAM SPONSORSHIP RATES FOR THE PARKS AND RECREATION DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council has determined it is in the best interest of the city to set event and program sponsorship rates which will help fund the programs of the Parks and Recreation Department.

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

SECTION 1. The City Council does hereby adopt the event and program sponsorship rates are attached hereto collectively as Exhibit "1" to this ordinance. The fees collected from these rates shall be used by the Parks and Recreation Department to fund its operations and expenses.

SECTION 2. The rates established herein shall remain in effect until such time as the City Council modifies them by ordinance.

SECTION 3. Because of the need to set event and program sponsorship rates for the City of Benton Parks and Recreational Department, an emergency is hereby declared and this ordinance shall be in full force and effect from an after its passage and approval.

PASSED AND APPROVED this _____ day of October, 2018.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



Event & Program Sponsorship (Pricing Proposal)

The City of Benton Park and Recreation Department offers numerous opportunities for giving back to the community and making a difference in the recreational services provided to your family, friends and neighbors by providing sponsorship opportunities in special event and youth sports programming. We pride ourselves in offering quality programs but none of them would be possible without the support of our business partners.

These events and programs are held annually through out each year and the deadline to receive full sponsor benefits is 3 months prior to the scheduled event date with the following commitment options:

- 1 program sponsorship commitment - \$500
- 2 program sponsorship commitment - \$900
- 3 program sponsorship commitment - \$1,300

Special Event Program Sponsorship Benefits

- Recognition in Event Name i.e. **"Event Name, presented by..."**
- Name recognition during announcements at event and/or the inclusion of company logo and/or company name on any boards or screens at the event.
- Recognition and company logo will be utilized in all print, digital and social media where possible.
- Space provided with a 6-foot table and 2 chair setups for the distribution of sponsor related materials.
- Banner, provided by sponsor, on display at event.
- (1) One complimentary event registration, when registration is required for sponsored event.

Youth Sports Program Sponsorship Benefits

- Recognition in Program Name i.e. **"Program Name, presented by..."**
- Recognition and company logo will be utilized in all print, digital and social media where possible.
- Recognition during announcements at event and/or the inclusion of company logo and/or company name on any league schedule, brackets and/or standings.
- Inclusion of company logo on team sponsored shirts
- Space provided with a 6-foot table and 2 chair setup for the distribution of sponsor related materials and signage.
- (1) One complimentary event registration for sponsored event.

ORDINANCE NO. 54 of 2018

AN ORDINANCE AMENDING THE 2018 BUDGET FOR THE PARK FUND AS ADOPTED IN ORDINANCE 62 OF 2017; APPROPRIATING FUNDS FOR AN INCLUSIVE PLAYGROUND AT TYNDALL PARK; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 62 of 2017 adopted the 2018 Parks Fund Budget; and

WHEREAS, the City Parks Department applied for a grant to assist in the cost of constructing an inclusive playground; and

WHEREAS, the City was awarded a grant for so doing, but a condition of the grant was that the purchase be made from Cunningham Recreation; and

WHEREAS, the City desires to waive competitive bidding for the purchase for this reason; and

WHEREAS, the City Council needs to amend the 2018 Park Fund budget to appropriate funds to construct the inclusive playground at Tyndall Park.

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

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2018 City of Benton Budget as adopted in Ordinance 62 of 2017. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 2: Because the conditions of the grant require the purchase to be from Cunningham Recreation, the need for competitive bidding is not deemed feasible or necessary and is therefore waived. A copy of the purchase order is attached hereto marked as Exhibit "2".

SECTION 3: The Parks Director is authorized to proceed with construction of the inclusive playground at Tyndall Park which is the subject of this appropriation.

SECTION 4: It is hereby found and determined that there is an immediate need to amend the budget to appropriate funds for the construction of an inclusive playground at Tyndall Park. Therefore, an emergency exists and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this the _____ day of October, 2018.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



GameTime c/o Cunningham Recreation
 PO Box 240981
 Charlotte, NC 28224
 800.438.2780
 704.525.7356 FAX

QUOTE
 #135881

10/05/2018

Benton Inclusive Playground-Option 2

City of Benton
 Attn: Stephanie Jones
 913 E. Sevier Street
 Benton, AR 72015
 Phone: 501-776-5970
 sjones@bentonar.org

Project #: P94991
 Ship To Zip: 72015

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - Powerscape Modular Ramped Unit (per attached drawings)	\$112,256.00	\$112,256.00
1	5157	GameTime - Sgl Post Aad Double Bay 5"X8'	\$1,535.00	\$1,535.00
1	5165	GameTime - Expression Swing w Adaptive Seat 3 1/2	\$1,828.00	\$1,828.00
1	8558	GameTime - 3 1/2" Zero-G Chair (5-12)-Galv Chain	\$486.00	\$486.00
1	3256	GameTime - Cantata Chimes	\$4,254.00	\$4,254.00
1	3259	GameTime - Concert Trio	\$3,774.00	\$3,774.00
1	4680	GameTime - Jazz Combo	\$5,403.00	\$5,403.00
1	3205	GameTime - Spinning Sensory Wave Seat	\$1,062.00	\$1,062.00
1	RDU	GameTime - Freestanding Activity Panels	\$10,566.00	\$10,566.00
1	178749	GameTime - Owner's Kit	\$53.00	\$53.00
1	UPCHARGE	GameTime - Surface Mount Kit for PowerScape Unit	\$11,225.00	\$11,225.00
1	INSTALL	MISC - Installation of GT Equipment Above:	\$42,000.00	\$42,000.00
3925	PIP	GT-Impax - Poured in Place Safety Surfacing (per Sq. Ft.) - Includes: Materials (50% (standard) Color / 50% Black -3000 SF @ 2.5" Depth -925 SF @ 3.5" Depth Freight Installation Site Security Dumpster	\$14.00	\$54,950.00
3925	INSTALL	MISC - Provide & Install Concrete Pad	\$7.25	\$28,456.25
138	INSTALL	MISC - Provide & Install Concrete Edge	\$18.25	\$2,518.50
100	INSTALL	MISC - Provide & Install Concrete Sidewalk Replacement 20'	\$14.45	\$1,445.00
40	INSTALL	MISC - Provide & Install Concrete Ramp (1' Slope)	\$108.00	\$4,320.00
40	INSTALL	MISC - Provide & Install Concrete Wall 2' High Slope	\$145.00	\$5,800.00
1575	INSTALL	MISC - Excavation & Dirt Work	\$2.40	\$3,780.00



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10/05/2018

Benton Inclusive Playground-Option 2

Quantity	Part #	Description	Unit Price	Amount
1	Survey	MISC - Provide Survey of Area	\$4,220.00	\$4,220.00
1	2018MFGRANT	GAMETIME-MISC - 2018 Matching Funds Grant - Grant Qualification: Over \$90,000 & Cash with Order terms (100% Match). <ul style="list-style-type: none"> • Freight and applicable sales tax are extra and not included. See quote totals. • Orders accepted by GameTime must ship by December 31, 2018. • This offer expires October 31, 2018. 		

Site must be clear, level, free of obstructions, and accessible.
 Contract: USC

SubTotal: \$299,931.75
 Grant: (\$58,895.26)
 Tax: \$13,942.51
 Freight: \$2,200.00
Total Amount: \$257,179.00

GAMETIME - TERMS & CONDITIONS:

- **PRICING:** Pricing is subject to change. Request updated pricing when purchasing from quotes more than 30 days old.
- **TERMS OF SALE:** For equipment & material purchases, Net 30 days from date of invoice for governmental agencies and those with approved credit. All others, full payment for equipment, taxes and freight up front. Balance for services & materials due upon completion or as otherwise negotiated upon credit application review. Pre-payment may be required for equipment orders totaling less than \$5,000. Payment by VISA, MasterCard, or AMEX is accepted. Checks should be made payable to Playcore Wisconsin, Inc. d/b/a GameTime unless otherwise directed.
- **CREDIT APPLICATION:** Required for all non-governmental agencies and those entities who have not purchased from GameTime within the previous twelve calendar months.
- **FINANCE CHARGE:** A 1.5% monthly finance charge (or maximum permitted by law) will be added to all invoices over 30 days past due.
- **CASH WITH ORDER DISCOUNT:** Orders for GameTime equipment paid in full at time of order via check or electronic funds transfer (EFT) are eligible for a 3% cash-with-order (CWO) discount.
- **ORDERS:** All orders shall be in writing by purchase order, signed quotation or similar documentation. Purchase orders must be made out to Playcore Wisconsin, Inc. d/b/a GameTime.
- **FREIGHT CHARGES:** Shipments shall be F.O.B. destination. Freight charges prepaid and added separately.
- **SHIPMENT:** Standard Lead time is 4-6 weeks after receipt and acceptance of purchase order, credit application, color selections and approved drawings or submittals.
- **PACKAGING:** All goods shall be packaged in accordance with acceptable commercial practices and marked to preclude confusion during unloading and handling.
- **RECEIPT OF GOODS:** Customer shall coordinate, receive, unload, inspect and provide written acceptance of shipment. Any damage to packaging or equipment must be noted when signing delivery ticket. If damages are noted, receiver must submit a claim to Cunningham Recreation within 15 Days. Receiver is also responsible for taking inventory of the shipment and reporting any concealed damage or discrepancy in quantities received within 60 days of receipt.
- **RETURNS:** Returns are only available on shipments delivered within the last 60 days. A 25% (min.) restocking fee will be deducted from any credit due. Customer is responsible for all packaging & shipping charges. Credit is based on condition of items upon return. All returns must be in unused and merchantable condition. GameTime reserves the right to deduct costs associated with restoring returned goods to merchantable condition. Uprights & custom products cannot be returned.
- **TAXES:** Sales tax is shown as a separate line item when included. A copy of your tax exemption certificate must be submitted at time of order or taxes will be added to your invoice.



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#135881

10/05/2018

Benton Inclusive Playground-Option 2

INSTALLATION CONDITIONS:

- **ACCESS:** Site should be clear, level and allow for unrestricted access of trucks and machinery.
- **STORAGE:** Customer is responsible for providing a secure location to off-load and store the equipment during the installation process. Once equipment has delivered to the site, the owner is responsible should theft or vandalism occur unless other arrangements are made and noted on the quotation.
- **FOOTER EXCAVATION:** Installation pricing is based on footer excavation through earth/soil only. Customer shall be responsible for unknown conditions such as buried utilities (public & private), tree stumps, rock, or any concealed materials or conditions that may result in additional labor or materials cost.
- **UTILITIES:** Installer will contact Miss Utility to locate all public utilities prior to layout and excavation of any footer holes. Owner is responsible for locating any private utilities.
- **ADDITIONAL COSTS:** Pricing is based on a single mobilization for installation unless otherwise noted. Price includes ONLY what is stated in this quotation. If additional site work or specialized equipment is required, pricing is subject to change.

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _____ Title: _____

Telephone: _____ Fax: _____

P.O. Number: _____ Date: _____

Purchase Amount: **\$257,179.00**

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesperson's Signature

Customer Signature

Wish to pay by credit card? Please complete the following information required to authorize CC purchase:

Card Type: _____ Mastercard _____ Visa _____ AMEX

Credit Card Number: _____ Exp Date: _____

Card Security Code (CSC/CVV): _____

Card Holder Name (as it appears on card): _____

Company: _____

Billing Address (CC account): _____ City: _____ State: _____ Zip: _____

Amount to be charged to card: **\$257,179.00**

Email or Fax credit card receipt to: _____



GameTime c/o Cunningham Recreation
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Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#135881

10/05/2018

Benton Inclusive Playground-Option 2

BILLING INFORMATION:

Bill to: _____
Contact: _____
Address: _____
Address: _____
City, State: _____ Zip: _____
Tel: _____ Fax: _____
E-mail: _____

SHIPPING INFORMATION (IF DIFFERENT FROM ABOVE):

Ship to: _____
Contact: _____
Address: _____
Address: _____
City, State: _____ Zip: _____
Tel: _____ Fax: _____
E-mail: _____



EXHIBIT "2"

FY2018 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2018. This submittal includes a revision for the Parks 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 that make up this Fiscal Year 2018 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2018

Parks Budget

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$4,692,353	-0-	\$4,692,353
Personnel	\$1,830,900	-0-	\$1,830,900
Operations & Maintenance	\$1,925,997	-0-	\$1,925,997
Capital Items	\$1,036,000	\$300,000	\$1,336,000

Section 2: Disbursements - Fiscal Year 2018

Parks Fund

Capital Items:

This budget amendment allows for the expenditures associated with the construction of an inclusive playground in the amount of \$300,000 (850.400.35.00).