

BENTON CITY COUNCIL MEETING

JANUARY 9, 2017

7:00 PM



AGENDA MEETING 6:30 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
January 9, 2017
7:00 PM
AGENDA

- | | | |
|--------------|--|--|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Baptist |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | December 19, 2016
<i>Regular Meeting</i> |
| VI. | RESOLUTION NO. 1 OF 2017
<i>A RESOLUTION ESTABLISHING THE TIME OF THE COUNCIL MEETINGS, SETTING ITS MEETING AGENDA AND ESTABLISHING RULES FOR CONDUCTING COUNCIL, AND COMMITTEE MEETINGS; AND FOR OTHER PURPOSES</i> | Mayor Mattingly |
| VII. | RESOLUTION NO. 2 OF 2017
<i>A RESOLUTION AUTHORIZING CONTINUATION OF EMPLOYEE BENEFIT OF ESTABLISHED DEFERRED COMPENSATION PLAN WITH SECURITY BENEFIT GROUP; AND FOR OTHER PURPOSES</i> | Mayor Mattingly |
| VIII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | 2. Community Services/Animal Control | Alderwoman Reed |
| | A.) ORDINANCE NO. 1 OF 2017
<i>AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | B.) RESOLUTION NO. 3 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH CDI CONTRACTORS, LLC FOR PROVIDING CONSTRUCTION MANAGEMENT SERVICES FOR THE CONSTRUCTION OF THE HIGHWAY 5 FIRE AND POLICE SUBSTATION; AND FOR OTHER PURPOSES</i> | |
| | C.) RESOLUTION NO. 4 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1325 PINWOOD CIRCLE, BENTON, ARKANSAS; AND FOR OTHER PURPOSES</i> | |
| | D.) RESOLUTION NO. 5 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1316 LIBERTY STREET, BENTON, ARKANSAS; AND FOR OTHER PURPOSES</i> | |

E.) RESOLUTION NO. 6 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 404 SECOND STREET, BENTON, ARKANSAS; AND FOR OTHER PURPOSES

F.) RESOLUTION NO. 7 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 922 REED STREET, BENTON, ARKANSAS; AND FOR OTHER PURPOSES

G.) RESOLUTION NO. 8 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 4202 EDISON AVENUE, BENTON, ARKANSAS; AND FOR OTHER PURPOSES

H.) RESOLUTION NO. 9 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1208 S. SUMMIT ROAD, BENTON, ARKANSAS; AND FOR OTHER PURPOSES

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|-----------|--|----------------------------|
| 3. | Streets & Drainage Committee | Alderman Baptist |
| 4. | Personnel/Health & Safety Committee | Alderman Donnor |
| 5. | Parks Committee | Alderman Cunningham |

A.) RESOLUTION NO. 10 OF 2017

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ACE SIGN COMPANY TO PROVIDE SIGNAGE AT RIVERSIDE PARK; AND FOR OTHER PURPOSES

B.) RESOLUTION NO. 11 OF 2017

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH McCLURE FITNESS, LLC FOR PROVIDING FITNESS MANAGEMENT SERVICES TO THE CITY; AND FOR OTHER PURPOSES

C.) RESOLUTION NO. 12 OF 2017

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR THE CONSTRUCTION OF RIVERSIDE PARK TRAIL PENDING THE APPROVAL OF THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES

E.) ORDINANCE NO. 2 OF 2017

AN ORDINANCE SETTING THE 2017 RENTAL RATES AND PARTICIPATION FEES FOR THE CITY OF BENTON PARKS AND RECREATION DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

- | | | |
|-----------|------------------------------------|-------------------------------|
| 6. | Public Utilities Commission | Alderman Herzfeld |
| 7. | A & P Commission | Alderman Donnor/Ponder |

IX. Unfinished Business

X. New Business

- XI. Old Business**
- XII. Announcements**
- XIII. Adjourn**

MINUTES OF THE BENTON CITY COUNCIL

Regular Session

December 19, 2016

Benton Municipal Complex

The Benton City Council was called to order for a regular session at 7:01 pm.

The Mayor gave the invocation.

Alderman Donnor led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

**Alderman Frank Baptist
Alderman Charles Cunningham
Alderman Bill Donnor
Alderman Judd Hart
Alderman Steve Lee
Brent Houston, City Attorney
David Mattingly, Mayor**

**Alderman Kerry Murphy
Alderman Evelyn Reed
Alderman Jerry Ponder
Alderman James Herzfeld
Alderman Lori Terrell
Cindy Stracener, City Clerk**

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

The Mayor requested approval for the November 14, 2016 city council meeting minutes. Alderman Ponder made a motion to approve the minutes, seconded by Alderman Hart. The Mayor called for a voice vote on the approval of the minutes. All aldermen replied in the affirmative. The minutes for the November 14, 2016 council meeting were approved with 10 affirmative votes.

Lila Buchanan was honored as the December MYAC Youth of the Month.

Reserve Officer Mike Holt was named the November employee of the month.

Anthony Branch was recognized for 10 years of service with the city.

The Mayor presented Lori Terrell with an appreciation plaque for her 4 years on the council.

The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for the Finance Committee report. Alderman Ponder asked for the first reading of Ordinance 62 of 2016 – An Ordinance Adopting the 2017 Budget for the General Fund, Animal Control, Parks and Street Funds; Establishing a Procedure for Revising Same; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Donnor. The ordinance was read by the city clerk. The Mayor asked for any questions. None. Alderman Ponder made a motion to suspend the rules. Seconded by Alderman Cunningham. The roll was called on the motion to suspend and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend the rules was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 62 of 2016 on its second and third

readings. Seconded by Alderman Herzfeld. The ordinance was read by title only. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 62 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause. Seconded by Alderman Lee. The roll was called and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes. The Mayor stated that the budget process was started the end of August. Three years ago we were dealing with a \$22 million budget so to give you an example of how Benton is growing we are dealing with \$36 million this year. Four years ago we were at \$17 million. You should be proud of all the things going on, mostly because we have the revenue and expenses under control and we know that we have a balanced budget.

Alderman Ponder asked for the first reading of Ordinance 63 of 2016 – An Ordinance Amending Ordinance 7 of 2005 Setting the Salary of the City Attorney; Amending Ordinance 57 of 2008 and Ordinance 84 of 2008 Setting the Amount of Allowance for Office Expenses and Overhead for the City Attorney; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Donnor. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules which was seconded by Alderman Baptist. The roll was called on the motion to suspend which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 63 of 2016 on its second and third readings. Seconded by Alderman Herzfeld. The ordinance was read by title only. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 63 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause. Seconded by Alderman Herzfeld. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 10 affirmative votes.

Alderman Ponder asked for the first reading of Ordinance 64 of 2016 – An Ordinance Setting the Salary for the Office of City Clerk; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules; seconded by Alderman Hart. Roll was called and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 64 of 2016 on its second and third readings by title only; seconded by Alderman Donnor. The ordinance was read by title only. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes,

Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 64 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause which was seconded by Alderman Lee. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 10 affirmative votes.

Alderman Ponder asked for the first reading of Ordinance 65 of 2016 – An Ordinance Accepting the Lowest Bid from Voice Products Inc. for the Purchase of 911 Communications Hardware and Software Upgrades; Amending the 2016 Budget for the General Fund as Adopted in Ordinance 64 of 2015; Declaring an Emergency; And For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules which was seconded by Alderman Lee. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 65 of 2016 on its second and third readings which was seconded by Alderman Donnor. The ordinance was read by title only. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 65 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause. Seconded by Alderman Murphy. Roll was called which resulted Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 10 affirmative votes.

Alderman Ponder asked for the first reading of Ordinance 66 of 2016 – An Ordinance Amending the 2016 Budget for the General Fund as Adopted in Ordinance 64 of 2015; Accepting the Community Policing Grant From Walmart for the Purchase of Equipment for the Police Department; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The equipment is a video camera. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules; seconded by Alderman Hart. Roll was called on the motion to suspend which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 66 of 2016 on its second and third readings; seconded by Alderman Herzfeld. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 66 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause; seconded by Alderman Donnor. The Mayor asked that the roll be called for the emergency clause which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld

yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 10 affirmative votes.

Alderman Ponder asked for the first reading of Ordinance 67 of 2016 – An Ordinance Amending the 2016 Budget for the General Fund as Adopted in Ordinance 64 of 2015; Authorizing the Receipt of Funds from the DEA HIDTA Program for the Reimbursement of the Purchase Costs of Naloxone Kits for the Police Department; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Terrell. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules which was seconded by Alderman Hart. The roll was called on the motion to suspend which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend the rules was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 67 of 2016 on its second and third readings which was seconded by Alderman Terrell. The ordinance was read by title only. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 67 of 2016 was adopted with 10 affirmative votes. Alderman Ponder made a motion to adopt the emergency clause; seconded by Alderman Donnor. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed made a motion to adopt Resolution 70 of 2016 – A Resolution Thanking the Lion's Club for Its Donation to Refinish and Repair the City's Clock; and For Other Purposes. Seconded by Alderman Murphy. The resolution was read by the city clerk. The Mayor asked for any comments. None. The roll was called and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 70 of 2016 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 71 of 2016 – A Resolution Authorizing the City to Create a Program Allowing Citizens to "Adopt a Street" for the Purposes of Keeping the Streets Clean and Free of Litter; And For Other Purposes. Seconded by Alderman Murphy. The resolution was read by the city clerk. The Mayor asked for any comments. None. The roll was called and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 71 of 2016 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 72 of 2016 – A Resolution Authorizing the Mayor and City Clerk to Execute an Agreement with Powers of Arkansas to Provide Maintenance HVAC Services and to Upgrade Certain HVAC Equipment at City Hall; and For Other Purposes. Seconded by Alderman Baptist. The resolution was read by the city clerk. The Mayor stated that this is to just maintain what we have. We have had a compressor go out; this system is 18 years old. We are budgeting and working on a new

system over a two year period. The roll was called and resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 72 of 2016 was adopted with 10 affirmative votes.

Alderman Reed asked for the first reading of Ordinance 68 of 2016 – An Ordinance Adopting the City of Benton Purchasing Policies and Procedures; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments. Alderman Reed made a motion to suspend the rules for the second and third readings. Seconded by Alderman Cunningham. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 68 of 2016 on its second and third readings by title only. Seconded by Alderman Terrell. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 68 of 2016 was adopted with 10 affirmative votes. Alderman Reed made a motion to approve the emergency clause. Seconded by Alderman Donnor. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 73 of 2016 – A Resolution Authorizing the City to Enter into a Contract with Ultimate Communications Inc. for Providing IT Services to the City; and For Other Purposes. Seconded by Alderman Cunningham. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 73 of 2016 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 74 of 2016 – A Resolution Authorizing the City to Enter into a Contract with Genesis Floor Services for Providing Floor Care Services to the City; and For Other Purposes. Seconded by Alderman Cunningham. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 74 of 2016 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 75 of 2016 – A Resolution Authorizing the City to Enter into a Contract with The Cleaning Service for Providing Janitorial Services to the City; and For Other Purposes. Seconded by Alderman Herzfeld. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes,

Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 75 of 2016 was adopted with 10 affirmative votes.

Alderman Cunningham asked for the first reading of Ordinance 69 of 2016 – An Ordinance Annexing Certain Territory into the Corporate Limits of the City of Benton, Saline County , Arkansas; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. After the reading of the ordinance, it was determined that 30 days had not expired since the release of the property by the county, thus the ordinance could not be considered. The ordinance will be placed on the agenda for the first meeting in January for consideration.

Alderman Reed asked for the first reading of Ordinance 70 of 2016 – An Ordinance Establishing a Bicycle and Pedestrian Plan Within the City of Benton, Arkansas; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Reed made a motion to suspend the rules; seconded by Alderman Herzfeld. The roll was called on the motion to suspend which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 70 of 2016 on its second and third readings by title only. Seconded by Alderman Herzfeld. The ordinance was read by title only. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 70 of 2016 was adopted with 10 affirmative votes. Alderman Reed made a motion to adopt the emergency clause; seconded by Alderman Donnor. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Cunningham was recognized for Streets and Drainage Committee report. He stated that he had nothing to report.

Alderman Donnor was recognized for a report from Personnel/Health & Safety Committee. He stated that he had nothing to report.

Alderman Lee was recognized for a report from the Parks Committee. He stated that he had nothing to report.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. Alderman Herzfeld made a motion to adopt Resolution 76 of 2016 – A Resolution Authorizing the Manager of the Sewer Department to Make Certain Sewer Connections Outside the Corporate Limits of the City of Benton, Arkansas; and For Other Purposes. Seconded by Alderman Reed. The resolution was read by the city clerk. The Mayor asked for any comments. None. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 76 of 2016 was approved with 10 affirmative votes.

Alderman Herzfeld made a motion to adopt Resolution 77 of 2016 – A Resolution Ratifying and Confirming the Reappointment of Charles Best as Commissioner to the Public Utilities Commission; and For Other Purposes. Seconded by Alderman Baptist. The resolution was read by the city clerk. The Mayor asked for any comments. None. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 77 of 2016 was approved with 10 affirmative votes.

Alderman Ponder was recognized for the Advertising and Promotion Commission report. He stated that the minutes for the November 17th and December 15th commission meeting were given to the clerk for inclusion in the minutes.

There was not any new or unfinished business.

The Mayor stated that the swearing service for aldermen will be January 3, 2017 and afterwards the council will have their organizational meeting. The Mayor thanked everyone for their hard work on getting the 2017 budget together.

The meeting adjourned at 7:54 pm.

Merry Christmas!

Cindy Stracener, City Clerk

David Mattingly, Mayor

BENTON ADVERTISING & PROMOTION COMMISSION

Minutes

November 17, 2016

I. CALL TO ORDER

Chairman Mark Fikes called the regularly scheduled meeting of the Benton Advertising & Promotion Commission to order on November 17, 2016 at 4:07 pm in the boardroom of the Benton Area Chamber of Commerce.

II. ROLL CALL

Commissioners in attendance included: Bill Donner, Bill Eldridge, Jerry Ponder, Mark Fikes, Elgin Hamner IV, Alison Burch, and Luke Moody

III. MINUTES

Luke Moody made a motion to approve the minutes of the September 15, 2016 meeting. Bill Donnor seconded. Motion carried.

IV. REPORT FROM BENTON EVENT CENTER

Director Nikki Chumley reported that 21 events have been held in the Event Center this month. Several of these were repeat events and several were events held on several days. Glitz and Garland will open tonight with Girls Night Out and will be in the building through Saturday evening. Two church events will be held on Sunday.

V. OLD BUSINESS

None

VI. NEW BUSINESS

Floor Monitors

Several renters have requested that we have floor monitors so that a speaker can see what is on the screen behind him. Three bids were presented. However, Nikki and Steve have already been able for less than \$500 put one together. Mark Fikes suggested that they go ahead and do another one so that if there are two events that need one, they will be available. No motion was required since the cost is under \$1000.

Election of Chairman

Jerry Ponder made the motion that Mark Fikes be elected to the Chairman position for 2016-17. Bill Donnor seconded. Motion carried.

VII. FUNDING REQUESTS

None

VIII. ADMINISTRATIVE

None

IX. FINANCIAL REPORTS

The financial reports were presented by Gary James. A&P shows a net income of \$8155.86 for the year rather than a \$2093.91 deficit as reflected in the 2016 budget. The Event Center shows a net income of \$177,752.95 for the year. Without tax income, Event Center profit would be \$80,000.

X. OTHER BUSINESS

Bonus for Event Center employees was set to be discussed. However, figures are not available for November. Gary James asked that he and Mark Fikes be given authority to expedite the payment of the bonuses as soon as November figures are available from the accounting firm. Bill Donnor made the motion that this be done. Luke Moody seconded. Motion carried.

XI. ADJOURNMENT

The meeting was adjourned on the motion of Jerry Ponder at 4:20.

Mark Fikes
Chairman

Jerry Beaty
Recording Secretary

BENTON ADVERTISING & PROMOTION COMMISSION

Minutes

December 15, 2016

I. CALL TO ORDER

Chairman Mark Fikes called the regularly scheduled meeting of the Benton Advertising & Promotion Commission to order on December 15, 2016 at 4:07 pm in the boardroom of the Benton Area Chamber of Commerce.

II. ROLL CALL

Commissioners in attendance included: Bill Donner, Bill Eldridge, Jerry Ponder, Mark Fikes, and Alison Burch

III. MINUTES

Alison Burch made a motion to approve the minutes of the November 17, 2016 meeting. Bill Donner seconded. Motion carried.

IV. REPORT FROM BENTON EVENT CENTER

Director Nikki Chumley reported that the last week was very busy at the Event Center. They actually had to turn over the rooms most nights; this included re-setting each time. The Department of Education held its Cadet Program which is a program for future teachers and there were 600 students in attendance. 2017 looks good; there are 4 Saturdays during the first three quarters available for rent. The staff will add another floor monitor in January.

V. OLD BUSINESS

None

VI. NEW BUSINESS

Carpet Bids

Four bids for replacing carpet had been received. Discussion resulted in the following:

- Open the bidding process back up by advertising in the newspaper
- Buy local if possible
- Use 3 x 3 carpet squares so staff can replace when needed
- Specific carpet manufacturer is not important; buy best product for best price

VII. FUNDING REQUESTS

None

VIII. ADMINISTRATIVE

Jerry Ponder reported that there are 2 delinquent accounts. Due to its past history, Tropical Smoothie will need to receive added letters. Days Inn is 90 days behind. The chairman asked Jerry to make sure that our collector addresses these issues promptly.

IX. FINANCIAL REPORTS

The financial reports were presented by Gary James. A&P shows a net income of \$9245.46 for the year rather than a \$1589.32 deficit as reflected in the 2016 budget. The Event Center shows a net income of \$190,381.99 rather than a projected \$167,160.82 for the year. Without tax income, Event Center profit would be \$83,642.00.

X. OTHER BUSINESS

Executive Session

Jerry Ponder made the motion that the commissioners go into Executive Session for the purpose of discussing personnel. Bill Donnor seconded.

Jerry Ponder reconvened the meeting and made the following report:

- Employee bonuses for 2016 based on the incentive plan originally adopted by the commissioners will provide \$5000 net to two Event Center employees.
- Beginning in January 2017, health insurance will be provided to the two employees. The cost will be \$861.36 per month. This amount will be reimbursed to the Benton Area Chamber of Commerce since the Event Center employees' insurance will be included in the Chamber group policy.
- These changes will cause no salary increase in 2017-18.

XI. ADJOURNMENT

The meeting was adjourned on the motion of Bill Donnor at 4:50.

Mark Fikes
Chairman

Jerry Beaty
Recording Secretary

RESOLUTION NO. 1 OF 2017

A RESOLUTION ESTABLISHING THE TIME OF THE COUNCIL MEETINGS, SETTING ITS MEETING AGENDA AND ESTABLISHING RULES FOR CONDUCTING COUNCIL, AND COMMITTEE MEETINGS; AND FOR OTHER PURPOSES

WHEREAS, ACA §14-43-501 requires the City Council to organize annually at its first council meeting in January to determine the rules of its proceedings, and

WHEREAS, in accordance with this statutory requirement, the City Council does hereby adopt the following rules for its proceedings for the coming year.

NOW, THEREFORE; be it resolved by the City Council of the City of Benton, Arkansas that:

SECTION 1. The City Council shall meet in regular session at 7:00 pm on the second and fourth Monday of each month, unless by a 2/3rds (7 of the 10 member council) vote, the council votes to reschedule the meeting at least 20 days prior to the normally scheduled monthly meetings. In the month of December only one council meeting may be held on a date determined by the Mayor. Should the Mayor determine that there is insufficient business for the City Council he may cancel the meeting on the Friday before the regularly scheduled date.

SECTION 2. In accordance with ACA §14-43-502(b)(2) special council meetings may be called by the Mayor or any three members of the City Council. Notice must be given at least 48 hours prior to the meeting. Emergency meetings may be called on shorter notice, provided however that at least the two (2) hour notice required by the Arkansas Freedom of Information Act is given to the representatives of the news media in accordance with ACA §25-19-106(b)(2).

SECTION 3. An agenda meeting shall be held at a time designated by the Mayor prior to the regularly scheduled council meeting to review those items on the agenda and to hear any informal reports or the Mayor, City Attorney or a Council Member. Discussion of the agenda items will be limited to the Council Members, Mayor, City Attorney, any employee of the city and any individual who has scheduled business before the council that day. Public comment concerning items on the agenda shall occur during the regularly called meeting and during any specially called meeting. Public comment is also welcome at any committee meeting of the city council on the matters before it.

SECTION 4. The agenda for any business to be considered at any regularly scheduled council meeting shall be prepared by the Mayor and available to all members of the Council and to any citizen on or about 12:00 noon on the Friday preceding any regularly scheduled council meeting or when it is otherwise complete by posting it on the city's website. The agenda may include any item sponsored by the Mayor or any member of the City Council, city commission or any member of the general public provided that such item or items have been submitted to the Mayor or the Mayor's designee no later

than 12:00 pm on the Tuesday preceding said regularly scheduled meeting. No item, whether new or old business, may be added to the agenda unless at the agenda meeting which precedes the regularly scheduled meeting, the council suspends the rule by at least a 2/3 vote of all members of the whole council to add any item or items to its agenda. Any item, whether new or old business, may also be added to the agenda by the Mayor at or before the agenda meeting. A report of any item added to the agenda during the agenda meeting shall be made during the council meeting.

SECTION 5. All ordinances and resolutions shall first be considered and approved by the appropriate committee or commission before being placed on the council meeting agenda, unless the council waives this requirement by at least a 2/3 vote of the whole council in the agenda meeting. Any item may also be placed on the council agenda if it is sponsored by the Mayor without the approval of a committee or commission. If a committee or commission determines that a matter should not be considered by the full council, it shall not be placed on the council agenda. However, during the agenda meeting, a matter which did not obtain the approval of the committee or commission, may be added to the council agenda by at least a 2/3 affirmative vote of all members of the whole council.

SECTION 6. The Mayor shall be ex-officio president of the council and shall preside at its meetings including the agenda meeting. In the absence of the Mayor, the council shall elect a president pro-tempore to preside at that meeting. All proceedings of the council shall be governed by the Procedural Rules for Municipal Officials. The order of business for all regularly scheduled meetings shall be as follows:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of previous meeting Minutes (and special meeting minutes)
6. Special presentations or proclamations
7. Approval of the financial report from the previous month (when applicable)
8. Reports of all standing committees by the committee chair
9. Reports of any special and ad hoc committees
10. Unfinished Business
11. New Business
12. Announcements
13. Adjournment

SECTION 7. All ordinances of a general or permanent nature shall be read fully and distinctly on three (3) different days. Additionally, by a 2/3 vote of the majority of the members of the whole council, it may dispense with the requirement that all ordinances of a general or permanent nature be read on three (3) different days and/or that the ordinance be read by title only as authorized by A.C.A. §14-55-202. Voting on the ordinance by the council shall not occur until after the third and final reading. Each ordinance shall designate whether or not it is being published.

SECTION 8. Any and all discussions, comments, and/or debates by any member of the council, mayor, and other interested persons shall be limited to no more than five (5) minutes per person, per measure. Extensions of this time may be granted by the city council by majority vote. Explanations of a measure as well as responses to questions about the measure, which are made by a Council Member, official, department head, employee or citizen who is bringing the measure before the council, or any advice by the City Attorney, shall not be included in the council's five (5) minute time limit.

SECTION 9. A quorum of the council members must be present for any council meeting or special council meeting to be held. Council working sessions may be called when no quorum is present, however no decisions or votes shall be taken by the members.

SECTION 10. Committee meetings may be scheduled or called on an as-needed-basis by the chair of the committee, if notice is given 48 hours prior to the meeting. Emergency committee meetings may be called on shorter notice, provided that at least the two (2) hour notice required by the Arkansas Freedom of Information Act is given to the representatives of the news media in accordance with ACA §25-19-106(b)(2). Committee chairs shall be responsible to work with the committee's staff liaison to notify the media, the public, the Mayor and all elected officials of all regular and special committee meetings.

SECTION 11. A quorum of the committee members must be present for the committee meeting. If less than a quorum of the committee members are present, the committee may discuss and take public comment but no vote shall occur on any matter before the committee. If a quorum of the committee members is present, the committee chairman shall have exclusive decision regarding the voting procedures of the committee. No committee member shall have more than one vote. Committee assignments shall take place at the organizational meeting of the city council.

SECTION 12. A brief summary of all discussions and decisions of the committee shall be reported at the following council meeting by the chair of the committee or his/her committee representative. The committee chairs shall insure that the document retention policy of the city is abided by with respect to committee meeting records.

SECTION 13. The agenda for any business to be transacted at any special meeting or committee meeting shall be limited to the purpose for which said meeting was called. The committee chair in conjunction the city administration shall set the agenda for each committee meeting. Items may be added to the agenda by the committee chair with the consent of the majority of the committee members present during the meeting.

SECTION 14. Council members shall always treat city employees with professional courtesy. Council members shall not berate, harass, intimidate, or admonish any city employee.

SECTION 15. All cell phones will be silenced during City Council meetings with the exception of public safety employees who are in attendance.

SECTION 16. The officers and the governing body of the City shall perform the following duties during the course of the year:

- a. The Mayor, pursuant to A.C.A. §14-43-504, shall serve as the Chief Executive Officer of the City and shall have all powers and duties conferred upon the office in accordance with the foregoing statute as well as any other applicable statute or ordinance in managing the business affairs of the City.
- b. The City Council as a collective body, pursuant to A.C.A. §14-43-502, shall serve as the legislative branch of the City and shall have all corporate powers and duties assigned to it, which have not otherwise been conferred upon another officer of the City or which may be prohibited by law, in accordance with the foregoing statute as well as any other applicable statute or ordinance.
- c. The City Clerk, pursuant to A.C.A. §14-43-313 and A.C.A. §14-43-506, shall maintain custody of all the laws and ordinances of the City and shall also keep a regular and correct journal of the proceedings of the City Council and shall perform such other duties as may be prescribed by the City Council by ordinance as well as such other duties which may be prescribed by statute.
- d. The City Treasurer, pursuant to A.C.A. §14-43-506 and A.C.A. §14-43-507, shall submit quarterly a full report and detailed statement of the financial condition of the City and shall perform such other duties as may be prescribed by the City Council by ordinance as well as those prescribed by statute.
- e. The City Attorney, pursuant to A.C.A. §14-43-313, shall perform such duties as may be prescribed by the City Council by ordinance and shall also perform such other duties which may be prescribed by statute.

SECTION 17. It is recommended that all committees meet no earlier than 6:00 pm or at the discretion of the committee chair. It is also recommended that committee meetings not overlap with meetings of other committees as well as the Public Utility Commission.

PASSED AND APPROVED THIS THE ____ DAY OF JANUARY, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 2 OF 2017

A RESOLUTION AUTHORIZING CONTINUATION OF EMPLOYEE BENEFIT OF ESTABLISHED DEFERRED COMPENSATION PLAN WITH SECURITY BENEFIT GROUP; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton, Arkansas has had an established benefit for employees of a 457 Deferred Compensation Plan since March 1, 2005; and

WHEREAS, periodically there is a requirement by the Internal Revenue Service that plan documents be amended and restated; and

WHEREAS, the City of Benton, Arkansas wishes to continue to allow employees the opportunity to voluntarily set aside or defer compensation under a tax-qualified status

NOT, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: The Human Resources Manager is hereby authorized to execute, on behalf of the City of Benton, the ADOPTION AGREEMENT FOR ELIGIBLE GOVERNMENTAL 457 PLAN which is attached as Exhibit "1" and the PARTICIPANT LOAN POLICY which is attached as Exhibit "2".

SECTION 2: Once approved, the signed agreement and policy will be placed on file and Notice of Adopting Resolution will be forwarded to the Compliance Department of Security Benefit Group.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 1 OF 2017

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CORPORATE LIMITS
OF THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, ABDTD LLC, as property owner, filed a petition with the County Court of Saline County, Arkansas, to annex certain contiguous property hereinafter described, into the corporate limits of the City of Benton, Saline County, Arkansas, and

WHEREAS, on the 1st day of December 2016, Jeff Arey, Saline County Judge, determined that said petition should be granted and that the property hereinafter described should be released from Saline County and annexed to the corporate limits of the City of Benton, Saline County, Arkansas; and

WHEREAS, more than thirty (30) days has expired since entry of said order and the City of Benton desires to accept said property into the City,

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

SECTION 1: The property hereinafter described be annexed and made a part of the City of Benton, Saline County, Arkansas, and being described as follows, to wit:

A part of the NW ¼ of the NW ¼ of Section 36, T-1-S, R-15-W, in Saline County, Arkansas, and being more particularly described as commencing at the NW corner of the NW ¼ of the NW ¼; thence East, along the North line of Section 36, a distance of 144.50 feet; thence South, a distance of 146.50 feet; thence S 70°56'00" E, a distance of 84.90 feet to the POINT OF BEGINNING; thence N 11°09'00" E, a distance of 145.70 feet to the South right-of-way of Longhills Road; thence S 87°13'16" E, along said right-of-way, a distance of 208.45 feet; thence S 14°12'11" E, along said right-of-way, a distance of 19.62 feet to the West right-of-way of Congo Road; thence S 31°29'49" W, along said right-of-way, a distance of 190.84 feet; thence N 70°56'00" W, a distance of 149.70 feet to the POINT OF BEGINNING; said described tract containing 0.72 Acres, more or less.

By agreement of the Petitioner, Saline County and the City of Benton, the area of annexation shall extend to the center line of West Longhills Road along the entire northern border of the property and it shall also extend to the center line of Congo Road along the entire eastern border of the property as well.

SECTION 2: It is hereby found and determined that an immediate passage of this Ordinance is necessary for commercial development, which will benefit the growth of the city and local economy; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this ____ day of _____, 2017

David Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

RESOLUTION NO. 3 OF 2017

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH
CDI CONTRACTORS, LLC FOR PROVIDING CONSTRUCTION MANAGEMENT
SERVICES FOR THE CONSTRUCTION OF THE HIGHWAY 5 FIRE AND POLICE
SUBSTATION; AND FOR OTHER PURPOSES**

WHEREAS, the City of Benton, pursuant to A.C.A. Sec. 14-58-1000, published a Request for Qualifications for a construction manager to construct the Highway 5 Fire and Police Substation; and

WHEREAS, after a review of the qualifications which were submitted it has been determined that the contract should be awarded to CDI Contractors, LLC.

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

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, the contract with CDI Contractors, LLC which is attached hereto as Exhibit "1" to provide construction management services for the construction of the Highway 5 Fire and Police Substation. The Mayor shall likewise pay all sums when due pursuant to the terms of the contract. The funds to pay the contract price are hereby deemed appropriated.

PASSED AND APPROVED this the _____ day of January, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 4 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1325 PINWOOD CIRCLE, 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 1325 Pinewood Circle 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 1325 Pinewood Circle, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



2016/11/15

RESOLUTION NO. 5 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1316 LIBERTY STREET, 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 1316 Liberty Street 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 1316 Liberty Street, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"



2017/01/05

RESOLUTION NO. 6 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 404 SECOND STREET, 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 404 Second Street 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 404 Second Street, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



RESOLUTION NO. 7 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 922 REED STREET, 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 922 Reed Street 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 922 Reed Street, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



2017/01/05

RESOLUTION NO. 8 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 4202 EDISON AVENUE, 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 4202 Edison Avenue 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 4202 Edison Avenue, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



2017/01/05

RESOLUTION NO. 9 OF 2017

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE A LAWSUIT IN THE SALINE COUNTY CIRCUIT COURT SEEKING TO ABATE A NUISANCE LOCATED AT 1208 S. SUMMIT 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 1208 S. Summit 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 1208 S. Summit Road, Benton, Arkansas.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



2017/01/05

RESOLUTION NO. 10 OF 2017

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ACE SIGN COMPANY TO PROVIDE SIGNAGE AT RIVERSIDE PARK; AND FOR OTHER PURPOSES

WHEREAS, the City Council has determined that it needs to install directional and parking signage at Riverside Park in order to provide for the proper flow of traffic; and

WHEREAS, the City has obtained competitive pricing utilizing the TIPS/TAPS program for government purchases and has determined that ACE Sign Company should be awarded a contract for this purchase.

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

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, the agreement with ACE Sign Company which is attached hereto as Exhibit "1" for the purchase of signage at Riverside Park and to execute such other documents as may be necessary or convenient to accomplish the purpose of this resolution. The funds necessary to pay in accordance with the contract terms are hereby deemed appropriated.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



11935 Interstate 30, Little Rock, AR 72209
Phone: 800-224-1366 / Fax: 800-224-0342

PROPOSAL

Proposal #: 19995

Proposal Date: 01/03/17
Customer #: 1028
Page: 1 of 3

SOLD TO:	JOB LOCATION:
CITY OF BENTON 114 S EAST ST BENTON AR 72015	Riverside Park 15520 I-30 Benton AR 72015

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
6	QUOTE #26306 Directional sign- Double sided aluminum cabinet	\$4,724.00	\$28,344.00
6	QUOTE #26307 Parking lot sign- Three sided. Installed on light poles.	\$2,530.00	\$15,180.00
SUB TOTAL:			\$43,524.00
ESTIMATED SALES TAXES:			\$3,917.16
TOTAL PROPOSAL AMOUNT:			\$47,441.16

TERMS: 50.0% DOWN, BALANCE DUE AT INSTALLATION
(INTEREST OF 1.5% PER MONTH WILL BE ADDED TO PAST DUE ACCOUNTS)

Company and Customer enter into the following customer contract ("Contract") regarding services provided for the Job Number identified above and more specifically described on the first page of this Contract (the "Project") and agree to the following terms and conditions regarding such Project:

SPECIFICATIONS: The Project shall be completed in accordance with the sign drawing and elevation specifications corresponding to the Job Number listed above which are approved by Customer. Changes to any specification must be approved by the parties in writing.

EXCLUSIONS: Proposal does not include primary electrical service or connection, data cabling, networking, permits, integration with 3rd party products, shop drawings, engineering or sales tax unless specifically stated above. Customer is to furnish all primary electrical service and/or data cabling and connection to the sign including: timers, photocells, switches, wiring and/or other controls required at Customers own expense. Customer is responsible for approvals from all governing authorities.

PROPERTY: Customer is to provide a site plan including property and right of way lines. All private lines or other underground objects must be clearly marked by the customer. Any damage to items not clearly marked is the responsibility of the customer. Company shall not be liable for damage to lawn or landscaping.

CONTRACT AMOUNT: Customer shall pay Company for the Project as invoiced by Company in the amount and in increments listed on page one of this Contract ("Contract Amount"). Time is of the essence with regard to Customer's payment obligation.

ADDITIONAL WORK: Unless stated as part of the Contract Amount on page one of this Contract, Customer shall pay an additional amount for the Project in the event that: (i) abnormal soil conditions or underground obstructions exist, including, without limitation, existence of rock, etc.; (ii) Company must perform services related to obtaining a variance; (iii) Company is required to provide documentation to obtain permits and approvals for the Project other than as described above, including, without limitation, shop drawings, samples, design layouts and modifications to architectural site plans; (iv) Company is required to remove existing items; (v) Company must obtain permits or approvals; or (vi) Company is requested or required to do any other additional work related to the Project that is not described in the description section on page one of this Contract. (vii) Inadequate access to front and/or backside of the install area or unforeseen obstacles. (viii) Additional trips to the job site are required.

INDEPENDENT CONTRACTOR STATUS: Company shall be deemed an independent contractor. It is the intention of the parties that: (i) the Company shall specifically not occupy the status of an agent, servant, or employee of the Customer; and (ii) the relationship between the Company and the Customer shall specifically not be that of a partnership, joint venture, or other similar association. During the progress of performance of the Project, Customer will not, without Company's prior written consent, direct or attempt to direct the employees, agents, or subcontractors involved in performance of services related to the Project or the installation of the Signage Property.

TAXES: Customer agrees to pay all taxes that are due or may become due by Customer or that may be levied upon Company in connection with the Project, including without limitation, all sales, use, and rental taxes levied by any federal, state, county or municipal authority or political subdivision.

LATE FEES: Customer agrees that all amounts not paid by due date stated on invoice sent by Company are subject to a late fee of 18% per annum or the maximum rate allowable by law, and Customer agrees to pay such late fee and all collection and attorney fees.

OWNERSHIP OF SIGNAGE PROPERTY: Company shall contribute parts and materials related to the Project ("Signage Property"). Customer acknowledges and agrees that all

CUSTOMER INITIALS _____



11935 Interstate 30, Little Rock, AR 72209
Phone: 800-224-1366 / Fax: 800-224-0342

PROPOSAL

Proposal #: 19995

Proposal Date: 01/03/17
Customer #: 1028
Page: 2 of 3

signage property is owned by the Company until receipt of final payment for the Project. Customer expressly agrees that title to the Signage Property is retained by Company and in Company's name until Customer's full payment for the Project is received. Customer further agrees that if Customer fails to make payment in full for the Project within 10 days of substantial completion of the Project, then Company, or Company's representative, in its sole discretion, shall have the right, and is hereby authorized and empowered to enter the property, take and remove the Signage Property from the installation site, and resume possession of the Signage Property, wherever found, without any liability for damages or other claim whatsoever, with or without process of law, and without prejudice to further enforcement of any balance of such obligation or expenses remaining due. Customer is responsible for all removal, transportation, storage, and re-installation costs.

COMPANY DESIGNS: Company may provide Customer with designs and artwork created by the Company in connection with the Project ("Company Designs"). All rights, title and interest in and to the Company Designs is owned exclusively, throughout the world, and in perpetuity by the Company (including all copyrights and patents, derivatives, renewals and extensions thereof). Any and all use of the Company Designs by Customer, its employees or agents is expressly prohibited without the written consent of the Company; and such written consent is subject to payment in full for the Project and the Company's design service. Until payment in full is received, the Company shall have the sole and exclusive right to use the Company Designs, in whole or in part, in whatever manner the Company may desire, including without limitation, the right to cut, edit, revise, alter and/or otherwise modify the Company Designs and to freely use, perform, distribute, exhibit and exploit such materials and license others to do so in any and all media now known or hereafter devised and shall have the sole and exclusive right to copyright or patent the Contractor Work Product in the Company's name, as the owner and author thereof. Art renderings and/or proofs are for visualization purposes only. Scaling, dimensions, and colors may vary from the actual product.

EXISTING STRUCTURES: Company shall not be responsible for existing walls, signage or structures. Customer is responsible for providing engineering and adequate structure of existing structures before installation. Company is not responsible for cleaning, patching, painting etc. of existing walls or structures.

CUSTOMER DELAY: Company shall not be liable for any delay in the performance of this Contract caused by or resulting from Customer's acts, omissions, or delays in its obligations under this Contract. Completion time estimate starts after all contract documents, art approvals are signed, deposit has cleared and all permits are obtained.

TERMINATION: This contract may only be terminated in the sole discretion of the Company. In the event that this Contract is terminated, Customer shall pay Company for all work in progress related to the Project up to date of termination plus a cancellation fee of 25% of the total Contract Amount.

DISCLAIMER OF WARRANTIES: This contract is made with the understanding that there are no expressed or implied warranties other than those contained in this contract and that there are no warranties of any kind, expressed or implied, that the goods shall be merchantable or fit for any particular use or purpose other than those specifically mentioned herein. All warranties will be void if any product is serviced, tampered with or modified by a party other than company.

FORCE MAJEURE: Company shall not be liable for failure of or delays in the performance of the terms of this Contract resulting from strikes, breakage, fire, labor disputes, unforeseen commercial delays, war, acts of God, or other causes beyond the control of the Company.

MECHANICS LIEN: Customer acknowledges and agrees that the Company shall provide services to furnish materials and/or labor to manufacture signage related to the Project and further agrees that such materials and/or labor is for improvement of real property. Therefore Customer authorizes Company to file a Mechanic's Lien for any amounts due under this Contract. The Customer further agrees to pay Company an administration fee for all costs incurred in filing of a Mechanic's Lien, and further agrees to pay all legal fees and court costs in connection with the enforcement of a Mechanic's Lien.

INDEMNIFICATION: The Customer shall indemnify and hold Company, and its employees and agents harmless from and against any and all claims, damages, losses and expenses, including, without limitation, attorneys' fees and court costs arising out of or resulting from the performance of the services, if any such claims, damage, loss or expense is caused in whole or in any part by any act or omission of the Customer, or Customer's agents.

MISCELLANEOUS: The parties hereby agree that: (i) This Contract shall be governed by and construed in accordance with the laws of the State of the Company's principal office without regard to choice of law principles, and Customer hereby irrevocably submits to the jurisdiction of the state and federal courts in such state for all disputes or legal claims arising from this Contract; (ii) In any legal action brought by or against the Company in relation to this Contract, the prevailing party shall be entitled to recover its costs and reasonable attorney fees in addition to any other relief that may be awarded; (iii) If a court should find one or more of the terms of this Contract unenforceable, the remaining terms will nonetheless remain binding on the parties; (iv) This Contract is the complete agreement between the parties regarding the subject matter set forth herein, and this Contract supersedes all previous oral or written agreements regarding this subject matter; (v) This Contract cannot be voided or amended without the written agreement by an officer of the Company; and (vi) Customer shall not make any assignment of this Contract, but the Company may assign this Contract in its sole discretion.

Production time estimates start after all contract documents and art approvals are signed, deposit has cleared and all required permits are obtained.

THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

ACCEPTED BY: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

CUSTOMER INITIALS _____



11935 Interstate 30, Little Rock, AR 72209
Phone: 800-224-1366 / Fax: 800-224-0342

DEPOSIT INVOICE

Invoice #: DP19995

Inv Date: 01/03/17
Customer #: 1028
Page: 3 of 3

SOLD TO:	JOB LOCATION:
CITY OF BENTON 114 S EAST ST BENTON AR 72015	Riverside Park 15520 I-30 Benton AR 72015

ORDERED BY	PO NUMBER	SALESPERSON	ORDER DATE	PAYMENT TERMS	DUE DATE
			07/27/16	50.0% Due Upon Receipt	09/01/16

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
6	QUOTE #26306 Directional sign- Double sided aluminum cabinet	\$4,724.00	\$28,344.00
6	QUOTE #26307 Parking lot sign- Three sided. Installed on light poles.	\$2,530.00	\$15,180.00
		SUB TOTAL	----- \$43,524.00
		ESTIMATED SALES TAXES	\$3,917.16
		TOTAL PROPOSAL AMOUNT	\$47,441.16

PLEASE PAY THIS DEPOSIT AMOUNT:

\$23,720.58

RESOLUTION NO. 11 OF 2017

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH
McCLURE FITNESS, LLC FOR PROVIDING FITNESS MANAGEMENT SERVICES
TO THE CITY; AND FOR OTHER PURPOSES**

WHEREAS, the City of Benton published a Request for Proposal for supplying fitness management services as part of the recreational programming for Riverside Park, which the City Council determines to be a professional service; and

WHEREAS, the RFP stated the services would begin on or about March 15, 2017 and will provide services for one year at which point the services may be renewed on a year-to-year basis, for up to four (4) additional one-year terms or a portion thereof; and

WHEREAS, after a review of the proposals it has been determined that the contract should be awarded to McClure Fitness, LLC; and

WHEREAS, the City wishes to enter into a one (1) year agreement with McClure Fitness, LLC to provide fitness management services to the City of Benton

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

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, a one (1) year contract with McClure Fitness, LLC to provide fitness management services for Riverside Park. The City Attorney will approve the contract before the execution consistent with the attached Request for Proposal and the proposal submitted by McClure Fitness, LLC.

PASSED AND APPROVED this the _____ day of January, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk



Benton Parks and Recreation
1800 Citizens Drive
Benton, AR 72015
501-776-5970

www.bentonar.org/parks-recreation

November 19, 2016

REQUEST FOR PROPOSAL FOR Fitness Management Services for the River Center

Introduction

The Benton Parks and Recreation Department (hereafter, "Department") is pleased to offer an exceptional fitness industry opportunity for a well-qualified, experienced firm to enter into a management service agreement for the management of the River Center Fitness operation located at 1800 Citizens Drive, Benton, Arkansas 72015. The Department is requesting qualified operators to submit proposals to provide fitness center management to include personal training services, group exercise instruction, aquatic exercise instruction, and oversight of equipment maintenance and selection in accordance with the specifications and conditions in this Request for Proposal (hereafter, "RFP").

The Department desires a firm that can demonstrate substantial experience in the management of fitness class operation and personal training to best serve the residents and customers of Benton Parks and Recreation. It is also the Department's desire to obtain the best financial arrangement for the Department while providing an affordable, quality experience for its constituents.

The City of Benton Purchasing Department, located at 114 S. East St., shall receive proposals at this address no later than December 20, 2016, at 2:00 p.m. A mandatory pre-proposal meeting shall take place on December 8, 2016, at 10:00 a.m. at the River Center located at 1800 S. East Street at the CDI Construction Trailer. For more information, contact John Eckart at the Department's Administration Office at 501-776-5970 or via e-mail at jeckart@bentonar.org. Please note that neither fax nor e-mail proposals will be accepted. Original proposals will either need to be mailed or hand-delivered to the Purchasing Department as noted above.

Project Description

The River Center is an 110,000 square foot multi-purpose facility that includes a gymnasium with four basketball courts, an aquatic center with two pools as well as fitness and exercise facilities. The over 2,500-square-foot fitness center along with two group exercise studios will open in March of 2017 and will be a membership based facility. The fitness floor will contain 23 pieces of cardio equipment along with individual television/cardio monitors, a full line of selectorized and hammer strength circuit equipment and a full variety of free weights, bench equipment and group exercise equipment.

Fitness Center Hours of Operation:

Monday through Friday: 5 a.m. to 9 p.m.

Saturday: 7 a.m. to 9 p.m.

Sunday: 12 p.m. to 6 p.m.

Scope of Work

The Department is seeking a fitness center operator that will embrace a high-quality public fitness experience, emphasize customer service and maintain the highest public standards for fitness operations. The Department also desires to deliver optimal value to fitness guests while improving upon its financial position. The services desired include, but are not limited to, providing cutting-edge group exercise and fitness instruction, education, personal training, and aquatic group exercise and fitness instruction.

The operator will work in conjunction with Department staff in coordinating marketing and promotional initiatives for the fitness center. The Department's desired outcome is the seamless delivery and transition of these services in a manner consistent with the Department's standards for customer service and programming.

The operator's work will be performed under a contract for services. The term of the contract shall commence on the opening day of the facility which is tentatively scheduled for March 15, 2017. The contract shall remain in effect for a period of one (1) year, unless terminated, canceled or extended as otherwise provided herein. The contractor agrees that the City shall have the right, upon mutual consent, to renew the contract for up to four (4) additional one-year periods. In the event that the City exercises such right, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period with exception of price.

The selected operator must provide a sufficient, quality staff with a demonstrated ability to work in harmony with each other, the fitness and public community, Department staff and administration, and the general public to meet facility goals and customer expectations. The operator must also provide a qualified fitness staff to stay current with fitness industry practices and trends, to implement current standards of fitness services, and to provide knowledgeable health and fitness delivery methods. The selected operator must also provide nationally certified personal trainers and group exercise staff who stay current on industry fitness standards and trends.

Specific Scope of Work

The following description is provided as a minimum guideline only. A formal written management service agreement with specifications will be entered into between parties. The proposal, submitted along with the requirements included within this RFP, shall constitute the preliminary substance of the agreement between the Department and the operator. A formal written agreement will be drawn and will not be binding until approved by both parties. All agreement provisions reasonably contemplated by the provisions herein, whether expressly stated or implied, will be included in and thus become part of the final draft of the agreement.

The proposed initial term is one (1) year with the option for up to four (4) additional one-year periods. The terms and conditions of any option period shall be subject to the mutual agreement of the parties including City Council approval of the specific additional term prior to its commencement. The initial term of the agreement is initially proposed to begin on or around March 15, 2017. Renewal terms will be considered in the initial agreement, subject to City Council approval as stated above.

The service operator shall be expected to work with the Department to clarify and finalize a detailed scope of services within an agreement to include the above description of services in addition to the following:

1. The operator must comply with any Local, State and National requirements and regulations and with all rules and regulations of the Park District. The operator must also comply with all Federal, State and Local laws and regulations pertaining to employment practices and conditions.
2. The operator must hire competent help of good moral character and adhere to customer service standards of the Benton Parks and Recreation Department. Operators' employees 17 and older must consent to a criminal background investigation paid for at the expense of the operator.
3. The Department and operator shall work together to establish rates for both classes and personal training.
4. Operator agrees to maintain regular operating hours in accordance with current hours of operation as noted in the schedule.
5. Operator agrees to coordinate with Department personnel all marketing and promotional initiatives.

Payment Terms

All fees paid for fitness classes and personal training will be paid to the Benton Parks and Recreation Department and will be tracked through the ACTIVE Network recreation management software. Sixty percent of funds collected from the operation of all classes and personal training sessions provided by operator and run through the ACTIVE Network system

will be paid to operator on a monthly basis. Checks will be mailed to operator within the first week of each month for payments received for classes and personal training in the prior month.

Insurance

- A. The Contractor shall at the time of execution of this contract, file with the City the Certificate of Insurance, which shall cover all of his insurance as required herein, including evidence of payment of premiums thereon, and the policy or policies or insurance covering said City and their officers, agents and employees. Each such policy and certificate shall be satisfactory to the City. Nothing contained in these insurance requirements is to be construed as limiting the extent of the Contractor's responsibility for payment of damages resulting from his operations under this Contract.
- B. The contractor shall maintain insurances in force at all times during the term of this agreement at the minimum amounts and types as indicated:

<u>Coverage Afforded</u>		<u>Limits of Liability</u>
Workers' Compensation:		\$100,000 or statutory limit
Commercial General Liability:	Bodily Injury	\$1,000,000 each occurrence (including XCU if appropriate)
	Property Damage	\$1,000,000 each occurrence or Combined Single Limit
		\$1,000,000
Automobile Liability:	Bodily Injury	\$300,000 each person
	Liability	\$500,000 each occurrence
	Property Damage	\$500,000 or
	Combined Single Limit	\$500,000

The City of Benton shall be listed as an additional insured on general liability coverage, and shall be provided with a Certificate of Insurance that reflects this additional insured status. A 30-day notice of cancellation or material change shall be provided to the City and so noted on the Certificate of Insurance. All certificates and notices shall be sent to City of Benton at 114 S. East Street C/O Brent Davis.

SUBMITTAL TERMS AND CONDITIONS

- A. **Basic Submittal Instructions:** Each proposal received by the City in response to this RFP becomes the property of the City and:
 1. Shall be signed by an individual authorized to bind the operator to its provisions.
 2. Shall be submitted in a tightly sealed opaque envelope/box by the due date/time listed on the front page of this RFP. Box shall be clearly identified with the RFP number and title. Operators should allow normal mail delivery time to ensure timely receipt of the proposal. Late proposals will not be accepted and will be returned to the proposer. The prevailing clock shall be www.time.gov.

3. Shall be a matter of public record available for review, unless an exemption is requested and approved, in advance, for protection of trade secrets. However, proposals shall not be considered fully received for the purpose of Freedom of Information Act requests until the City has determined that no additional clarifications or revisions of offers shall be accepted.
 4. Is an irrevocable offer and may not be withdrawn within 90 days after the deadline for submission. Requests for clarifications or revisions automatically establish a new 90-day period.
- B. **Proposal Costs:** The City is not liable for any costs incurred by contractors prior to issuance of a contract.
- C. **Exceptions to Contract Terms and Specifications:** Offeror shall clearly identify and reference by paragraphs any proposed deviations from the Contract Terms or Scope in the RFP. The exception shall include, at a minimum, the Offeror's proposed substitute language and opinion as to why the suggested substitution will provide equivalent or better service and performance. If no exceptions are noted in the Offeror's proposal, the City will assume complete conformance with this specification and the successful Offeror will be required to perform accordingly. Alternate written proposals submitted may be considered; however, the City will make final determination as to suitability and compliance with the scope of service. Proposals submitted not meeting all requirements may be rejected. Oral proposals will not be considered.

SUBMITTAL REQUIREMENTS (provide the following documents in a *SEALED* envelope/box):

- A. One (1) original, unbound, reproducible and single-sided (i.e., ready to insert into a copier with no clips, staples, bindings, cardstock, dividers, brochures, business cards, etc.) copy of the following, in this order:
 1. Your proposal, organized as requested in section below under Evaluation Criteria
 2. Complete copy of this RFP and any addenda as issued by the City
- B. Do not separate, divide, mark, staple, clip, or bind, any of the above documents.
- C. Two (2) complete and bound copies of A, above. These copies will be distributed to the selection committee, and should appear professional and organized. Organize your proposal as per section Evaluation Criteria listed on page six of this document.
- D. Proposals must be submitted to :

Brent Davis
City of Benton
114 S. East Street
Benton, AR 72015
Phone (501)776-5900

- E. The City is not responsible for proposals delivered to a person or location other than specified herein; faxed and/or emailed proposals shall not be accepted

EVALUATION CRITERIA:

All proposals received will be evaluated by the City of Benton for selection purposes. The following main categories, listed in relative order of importance, will be considered in selection. The response to this RFP shall focus on these criteria, and shall be submitted in the same order as requested and must contain, at a minimum, all of the items listed below:

A. Firm's Qualifications

1. Describe the company and provide a statement of the company's qualifications for performing requested services.

B. Experience and References

1. Provide a summary of the company's experience in providing these or similar services. Provide a minimum of three references for related projects and include date, contact person, phone number and a brief description of the services provided.

C. Project plan

1. Provide a detailed discussion of your company's approach to the successful implementation of fitness classes, aquatic classes and personal training services to Benton Parks and Recreation.

D. Pricing

1. Provide a sample class schedule as well as proposed pricing.

REQUEST FOR PROPOSAL
Fitness Management Services for the River Center

McClure Fitness, LLC
1200 Library Drive
Benton, Arkansas 72015
www.mcclurefitness.com
mcclurefitnessclub@gmail.com
(501) 269-1662

A. Firm's Qualifications

- a. McClure Fitness, LLC is a fitness company exclusively offering group exercise classes. The company has been in business at 1200 Library Drive in Benton, Arkansas since November 2013. For the past three years, McClure Fitness has offered over 60 workout classes a week ranging from beginner to advanced options. They also offer personal training, weight loss challenges, run clinics, and special weekend workout events.

While McClure Fitness, LLC has been in business at 1200 Library Drive for three years, Marietta McClure, the owner, operator and head trainer truly began the business six years ago in September of 2010 at Bishop Park as a contract worker for the City of Bryant Parks and Recreation. In six years, there has never been a delay of services, cancellation of classes or instructors' failure to show up to teach. McClure Fitness is known to offer dependable classes that are challenging and fun. The staff is encouraging and motivating to help their clients get the best workout possible.

McClure Fitness, LLC currently employs 18 fitness instructors, nine childcare workers, five front desk check-in girls, and one office manager. Marietta has an excellent people management track record, including problem solving and conflict resolution skills.

B. Experience and References

- a. Marietta McClure, the owner and operator of McClure Fitness, LLC began teaching one workout class with 15 clients in September 2010 at Bishop Park in Bryant. Over three she was able to schedule her own classes, recruit and retain clients while growing the fitness program to over 400 regular clients. She maintained a good working relationship with the Director, Derek Phillips for the entire three years. Because Bishop Park was not able to offer Marietta additional class times, she left

Bishop Park to open McClure Fitness, LLC in it's own stand alone location in Benton.

- a. Derek Phillips, (501) 213-6110. Bishop Park in Bryant, Arkansas. September 2010-October 2013. Started with one fitness class with 15 clients. Three years later ended with 14 classes all taught by Marietta McClure with over 400 regular clients.
- b. Matt McGinty, (501) 539-3836. BR McGinty Plumbing, Heating and Air. November 2012-March 2013. Leased a warehouse to hold additional workout classes because Bishop Park could not supply additional evening time slots.
- c. Emmy Rogers, (501) 317-0053. Boys and Girls Club of Saline County. May 2015 and May 2016. Held on site Kids Bootcamp at the Boys and Girls Club ages 5-12.
- d. Kacey Young, (501) 454-2888. Bryant Public Schools. May 2016. Held on site Kids Bootcamp at Hurricane Elementary for grades Kindergarten through Fifth Grade.

C. Project Plan

- a. Create and execute a competitive monthly fitness, aquatics and senior exercise class schedule. This schedule will be approved by the Director and Aquatics Director, then given to the Parks and Recreation staff to upload online.
- b. McClure Fitness will publish a new schedule every month, one week in advance to allow for sign ups.
- c. Recruit and train instructors. McClure Fitness will provide instructors for every class, event, program, and clinic. With a pool of over 25 instructors with the majority currently asking for more classes to teach.
- d. Advertise and publicize classes to encourage enrollment for fitness classes.
- e. Aggressively grow the fitness program to offer a better quality of life to Saline County and the patrons of the River Center.
- f. McClure Fitness wants to expand its impact on improving the overall health of the community by creating new programs at The River Center. Specifically: senior weight loss programs, kids classes with interactive nutrition learning, nutritional counseling with the McClure Fitness staff dietician, triathlon training, run clinics with celebratory 5K's, and weekend fun fitness events.

D. Proposed Pricing

- a. Fitness, aquatics and senior sample schedules are attached.

1. Proposed pricing

Non-Member Drop In: \$10

Member Drop In: \$6

10 Class Punch Card: \$65

Prices Per Month

1 Class Per Week: \$25

2 Classes Per Week: \$45

3 Classes Per Week: \$60

4 Classes Per Week: \$75
Unlimited Classes Per Week: \$100

15% discount for members on all classes, personal training, punch cards, clinics, weight loss challenges, etc.

Personal training:
30 minutes for \$35
45 minutes for \$45
60 minutes for \$55

8 Week Weight Loss Challenge: \$125, includes one class per week.

Attached: Fitness, aquatics and senior sample exercise class schedules. McClure Fitness, LLC Insurance Policy, copy of the RFP.

Schedule

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5:15 AM	W.A.Y.M.O		Swim & Lift		Ropes & Kettlebells		
8:00 AM						Spin	
9:30 AM	Yoga Flow		Stroller Bootcamp				
4:30 PM	Barre	Fit Kids Beginner Bootcamp	HIIT TRX				
5:30 PM	HIIT TRX	Body Pump		Spin Barre W.A.Y.M.O			
6:30 PM	Beginner Basics	Ropes & Kettlebells					
7:30 PM	Swim & Lift		Hip Hop Cardio				

SENIOR

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
7:00 AM	Low Impact Cardio	Very Beginner Workout	Yoga Balance	Strength Training	Senior Cross Training		
10:00 AM	Yoga Balance	Strength Training	Low Impact Cardio	Very Beginner Workout	Senior Cross Training		
3:00 PM	Strength Training	Low Impact Cardio	Very Beginner Workout	Yoga Balance			

Aquatics

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5:00 AM		Swim & Sculpt	Barre A Cuda				
9:00 AM	Senior Cardio	Swim & Sculpt	Senior Strength	Barre A Cuda	Senior HIIT		
9:45 AM	Senior Strength		Senior Cardio		Senior Flexability		
6:00 PM	Senior Strength	Barre A Cuda	Senior Cardio	Swim & Sculpt			

RESOLUTION NO. 12 OF 2017

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID
FOR THE CONSTRUCTION OF RIVERSIDE PARK TRAIL PENDING
THE APPROVAL OF THE ARKANSAS HIGHWAY AND
TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton, after having advertised for bids for the construction of Riverside Park Trail, the City Council has determined that the bid submitted by Redstone Construction Group, Inc. is the lowest acceptable bid for this construction project and that the City should award the contract to this lowest acceptable bidder; and

WHEREAS, the city will be utilizing federal grant funds for this project and the approval of the Arkansas Highway and Transportation Department will be required before an award of this contract may occur.

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

SECTION 1: The bid of Redstone Construction Group, Inc. in the amount of \$213,609.00 is the lowest acceptable bid for the construction of Riverside Park Trail. Pending the approval of the Arkansas Highway and Transportation Department said bid should be accepted and awarded to Redstone Construction Group, Inc.

SECTION 2: Once the contract has been approved by the Arkansas Highway and Transportation Department, the Mayor is authorized to execute, on behalf of the City of Benton a contract for the construction of Riverside Park Trail with the successful bidder and to execute such other documents as may be necessary and convenient to accomplish this purpose. The Mayor is likewise authorized on behalf of the City to pay Redstone Construction Group, Inc., those sums which become due and payable over the course of contract term.

PASSED AND APPROVED this the _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

CERTIFIED BID TAB

PROJECT: LR16-5715 Riverside Park Trail (Benton) (RTP-15) (S)
 BID LOCATION: Mayor's Conference Room, City Hall, Benton, Arkansas
 BID TIME AND DATE: 10:00 AM, January 4, 2017

Certified By:

Maneesh Krishnan 01/4/2017
 Maneesh Krishnan, P.E., License #15912

Item No.	AHTD Ref	Description	CONTRACTORS NAME		CONTRACTORS LICENSE NO.		Redstone Construction Group, Inc.		JCon, Inc.		Township Builders, Inc.		Cisneros Family Construction Corporation	
			Units	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	201	Clearing	STA	2	\$600.00	\$1,200.00	\$1,250.00	\$2,500.00	\$750.00	\$1,500.00	\$6,105.00	\$12,210.00		
2	201	Grubbing	STA	2	\$800.00	\$1,600.00	\$1,250.00	\$2,500.00	\$750.00	\$1,500.00	\$3,410.00	\$6,820.00		
3	202	Removal and Disposal of Pipe Culverts	EA	1	\$180.00	\$180.00	\$500.00	\$500.00	\$200.00	\$200.00	\$4,598.00	\$4,598.00		
4	202	Removal and Disposal of Curb & Gutter	LF	45	\$4.00	\$180.00	\$12.00	\$540.00	\$10.00	\$450.00	\$63.43	\$2,854.35		
5	621	Erosion Control - Silt Fence	LF	2,750	\$4.00	\$11,000.00	\$5.00	\$13,750.00	\$2.00	\$5,500.00	\$3.20	\$8,800.00		
6	603	Maintenance of Traffic	LS	1	\$900.00	\$900.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$3,300.00	\$3,300.00		
7	210	Unclassified Excavation	CY	1,123	\$22.00	\$24,706.00	\$35.00	\$39,305.00	\$25.00	\$28,075.00	\$18.76	\$21,067.48		
8	210	Embankment Fill	CY	172	\$27.00	\$4,644.00	\$35.00	\$6,020.00	\$12.00	\$2,064.00	\$54.36	\$9,349.92		
9	303	Aggregate Base Course Class 7	TON	1,164	\$29.00	\$33,756.00	\$39.50	\$45,978.00	\$35.00	\$40,740.00	\$33.43	\$38,912.52		
10	407	ACHM Surface Course (1/2")	TON	568	\$97.00	\$55,096.00	\$105.00	\$59,640.00	\$125.00	\$71,000.00	\$91.85	\$52,170.80		
11	606	36" RCP Culvert	LF	60	\$136.00	\$8,160.00	\$110.00	\$6,600.00	\$135.00	\$8,100.00	\$283.07	\$16,984.20		
12	606	24" RCP Culvert	LF	32	\$54.00	\$1,728.00	\$75.00	\$2,400.00	\$80.00	\$2,560.00	\$171.19	\$5,478.08		
13	606	12" HDPE Pipe Culvert	LF	20	\$30.00	\$600.00	\$20.00	\$400.00	\$45.00	\$900.00	\$105.05	\$2,101.00		
14	604	Signage	SF	170	\$163.00	\$27,710.00	\$210.00	\$35,700.00	\$198.00	\$33,660.00	\$110.52	\$18,788.40		
15	620	Seeding	ACRE	1.5	\$1,200.00	\$1,800.00	\$600.00	\$900.00	\$800.00	\$1,200.00	\$5,500.00	\$8,250.00		
16	620	Mulch Cover	ACRE	1.5	\$800.00	\$1,200.00	\$600.00	\$900.00	\$800.00	\$1,200.00	\$2,566.67	\$3,850.01		
17	641	Wheelchair Ramps (Type 2)	SY	6.2	\$220.00	\$1,364.00	\$130.00	\$806.00	\$380.00	\$2,356.00	\$1,153.05	\$7,148.91		
18	641	Wheelchair Ramps (Type 4)	SY	15.2	\$220.00	\$3,344.00	\$130.00	\$1,976.00	\$440.00	\$6,688.00	\$1,071.34	\$16,284.37		
19		Trail Head	LS	2	\$5,400.00	\$10,800.00	\$6,500.00	\$13,000.00	\$7,364.00	\$14,728.00	\$5,196.40	\$10,392.80		
20		Arkansas Code Ann. §22-9-212, Trench and Excavation Safety System.	LS	1	\$1.00	\$1.00	\$100.00	\$100.00	\$800.00	\$800.00	\$1,100.00	\$1,100.00		
21		Miscellaneous (Mobilization, Demobilization, As-Built Record Drawings)	LS	1	\$12,600.00	\$12,600.00	\$9,565.00	\$9,565.00	\$8,893.00	\$8,893.00	\$7,689.00	\$7,689.00		
22		Bollards	EA	24	\$460.00	\$11,040.00	\$300.00	\$7,200.00	\$450.00	\$10,800.00	\$370.38	\$7,689.12		
			Total Cost of Construction		\$213,609.00		* \$251,280.00		\$247,914.00		\$265,838.95			

* correction due to math error

Ordinance No. 2 of 2017

AN ORDINANCE SETTING THE 2017 RENTAL RATES AND PARTICIPATION FEES FOR THE CITY OF BENTON 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 rental rates for the use of the park facilities for program year 2017 as well as establish participation fees charged by the Parks and Recreation Department, all of which will help fund the operations of the park system.

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 rental rates and participation fees which are attached hereto collectively as Exhibit "1" to this ordinance. The fees collected from these rates shall be applied to the cost of maintaining and operating the park system.

SECTION 2. Should it be determined through the course of the year that additional programs will be offered by the Parks and Recreational Department which are not included within this list, the Parks Committee may set the participation rate without further approval of the City Council. Additionally, any rental or participation rate which is marked to be determined (TBD) on Exhibit "1" shall likewise be set by the Parks Committee without further action by the City Council.

SECTION 3. The rates established herein shall remain in effect until such time as the City Council modifies them by ordinance. The rate in effect when a reservation has been completed shall be the rate charged for the use of a facility regardless of any subsequent modification.

SECTION 4. Because of the need to set rental rates and participation fees for the 2017 program year 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 and after its passage and approval.

PASSED AND APPROVED this _____ day of January, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

2017 Price Sheet

Benton Parks and Recreation Facility Rentals

<i>Pavilions</i>	<i>Rate Cost</i>	<i>Natatorium</i>	<i>Rate Cost</i>
Tyndall Park #1	-----	Competitive Pool	TBD
Tyndall Park #2	-----	Leisure Pool	TBD
Tyndall Park #3	-----		
Ralph Bunche #1	-----	<i>CW Lewis Stadium</i>	
Ralph Bunche #2	-----	Field	\$5/hr
Sunset Lake	-----	Lights	\$10/hr
Skate Park	-----		
		<i>Youth Softball Fields</i>	
		Per Day/Per Field	\$60
<i>Amphitheater</i>		Entire Weekend	\$500
Tyndall Park	-----		\$100 deposit
Ralph Bunche	-----		
		<i>Soccer Fields</i>	
		1 ½ hr practice no lights	\$20
		Lights	\$10/hr
<i>River Center Gymnasium</i>			
Full Court	\$30/hr.	<i>Gene Moss Building</i>	\$100/Day
Half Court	\$15/hr.		\$50 deposit
<i>Pool Party Room (1 &3)</i>	\$200/2 hr.	<i>Adult Softball Fields</i>	
<i>Pool Party Room (2)</i>	\$150/2hr.	Per Day/Per Field	\$60

Rental Deposit

If damages are incurred to either equipment and/or facility, renter of record on the contract will be billed accordingly. Renter will not be able to utilize parks facilities or programs until payment is made.

Tournament Grounds Maintenance Charge

A \$15/hour fee will be charged in addition to facility rental fee for grounds employee to be on-site for entirety of tournament. Fee covers field prep and custodial.

2017 Price Sheet

Benton Parks and Recreation Programming Fees

Adult Softball	\$475 Per Team
Youth Softball (Spring)	
Instructional-6U	\$40 Per Child
8U-16U	\$50 Per Child
Tournament Teams (Practice Only)	\$250
Multi-Child discount; \$10 OFF 2 nd Child, 3 rd Child Free.	
Junior Team Tennis (Spring & Fall)	\$50 Per Child
Multi-Child discount; \$10 OFF 2 nd Child, 3 rd Child Free.	
Mixed Doubles League	\$60 Per Couple, \$40 Individual
Blastball (Spring & Fall)	\$25 Per Child
Multi-Child discount; \$10 OFF 2 nd Child, 3 rd Child Free.	
Tennis for Tots	\$25 Per Child
Summer Tennis Clinics	\$40 Per Child
Multi-Child discount; \$10 OFF 2 nd Child, 3 rd Child Free.	
Youth Track	\$50 Per Child
Multi-Child discount; \$10 OFF 2 nd Child, 3 rd Child Free.	
Youth Softball (Fall)	\$100 Per Team
Early registration	\$75
Benton Park Spring League Teams	\$50
Men's Basketball League-Winter	TBD
Adult Volleyball-Winter	TBD
Men's Basketball League-Summer	TBD
Youth Volleyball-Fall	TBD
<u>SPECIAL EVENTS</u>	
Movie in the Park Series	FREE
Discovery in the Park	FREE
Santa in the Park	FREE
July 4 th Bash	FREE
March Madness	FREE
Yappy Hour	FREE
Father-Daughter Dance	\$20 Per "Couple" (EA. Additional Child \$7)
Mother-Son Dance	\$20 Per "Couple" (EA. Additional Child \$7)
Pumpkins in the Park	\$15 per person

2017 Price Sheet

FITNESS CLASSES

4 Week Fitness Class Price List

1 Class Per Week	\$25
2 Classes Per Week	\$45
3 Classes Per Week	\$60
4 Classes Per Week	\$75
Unlimited Classes Per Week	\$100

Personal Training

30 Minutes	\$35
45 Minutes	\$45
60 Minutes	\$55

8 Week Weight Loss Challenge: \$125, includes one class per week

2017 Price Sheet

RIVER CENTER MEMBERSHIPS

Membership Fee

Patron	Daily	Annual	Monthly (Draft)	1 Month	3 Month	10 Visit
Adults (18-59 yrs)	\$5.00	\$180.00	\$15.00	\$20.00	\$55.00	\$45.00
Youth (3-17 yrs)	\$4.00	\$120.00	\$10.00	\$15.00	\$45.00	\$30.00
Seniors (60 yrs +)	\$4.00	\$120.00	\$10.00	\$15.00	\$45.00	\$30.00
Family		\$420.00	\$35.00		\$190.00	

Only annual paid in-full and annual monthly draft will be accepted until April 1, 2017.

Promotion: First 1,000 annual paid in-full and annual monthly draft members will receive a lifetime rate lock.

2017 Price Sheet

AQUATICS CENTER

Pool Parties

Room 1 – \$200 for two hours

Room 2 - \$150 for two hours

Room 3 - \$200 for two hours

Special Event Rental

\$2500 for the whole facility fully staffed

Swim Lessons

Semi Private Lessons (School Year): \$70 for 12 Lessons – Two Lessons a week over 6 weeks
\$45 for 6 Lessons – One Lesson a week over 6 weeks

Semi Private Lessons (Summer): \$70 for 8 Lessons – Two Lessons a week over 4 weeks
\$45 for 4 Lessons – One Lesson a week over 4 weeks

Private Lessons : \$25 for 30 min

2017 Price Sheet

Benton Parks and Recreation

Refund/Cancellation Request Form

All refunds or membership cancellations must be approved by the Office Manager and either the Recreation Supervisor or Parks Director. Once the Refund/Cancellation Request Form is received, you will be contacted within five days with a decision. Completion of the Refund Request Form does not guarantee that the refund will be granted.

Programs:

- A \$5.00 cancellation fee per person, per activity will be charged for all refunds processed or a full credit will be assigned to the person's account for future use.
- Five full business days' notice must be given in order to receive a full refund. No refunds will be issued after the first program start date.

Room Rental:

- A \$5.00 cancellation fee will be assessed for all room rental refunds.
- Full Party Room refund will be granted if cancellation is made 30 days prior to the date of the event. If the reservation is cancelled between (29-14) days prior to the scheduled event; the renter will receive 50% of rental fee payment. All other cancellations will forfeit rental fees.

Membership Cancellation:

- I understand that if I am cancelling my membership prior to my one year contractual renewal, I am obligated to pay the remaining balance in full. Please check the reason for cancellation below, in the event of moving/relocation, death, or medical condition (must show proof) a prorated refund will be issued.
- Reason for cancellation: ☐Moving/Relocation ☐Death
☐Medical Condition ☐Non-Renewal ☐Other

NAME: _____ DATE: _____

MEMBERSHIP CARD #: _____

MEMBERSHIP PURCHASE DATE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ EMAIL: _____

REQUESTING: ☐Refund ☐Credit Account ☐Membership Cancellation

OTHER: _____

SIGNATURE: _____