

BENTON CITY COUNCIL REGULAR SESSION

JULY 24, 2017

7:00 PM

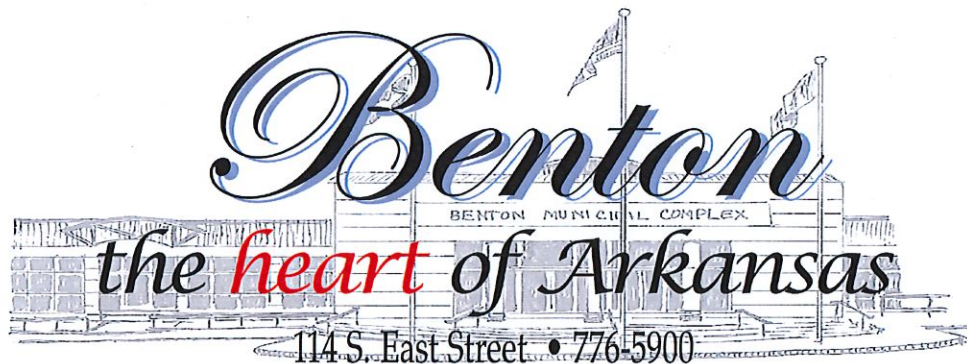
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AUDITED FINANCIAL REPORT 5:45 PM

A&P REPORT 6:00 PM

PUC REPORT 6:15 PM

AGENDA MEETING 6:30 PM



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

DAVID MATTINGLY, MAYOR

**July 24, 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 | June 26, 2017
Regular Meeting |
| VI. | Service Award Presentation
<i>Jennifer Picklesimer, 10 years of service
Matthew McGinty, 10 years of service
Joseph Botter, 10 years of service
Sgt. Ronald Davidson, 10 years of service</i> | Mayor Mattingly |
| VII. | ORDINANCE NO. 26 OF 2017
<i>AN ORDINANCE AMENDING ORDINANCE 56 OF 2016; CORRECTING THE LEGAL DESCRIPTION OF PROPERTY WHICH WAS ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | Mayor Mattingly |
| VIII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | A.) RESOLUTION NO. 59 OF 2017
<i>A RESOLUTION RECOGNIZING THE SERVICES OF CHIEF KIRK LANE TO THE CITIZENS OF BENTON AND AWARDING HIM HIS BADGE AND SERVICE WEAPON IN RECOGNITION OF THOSE SERVICES</i> | |
| | B.) ORDINANCE NO. 27 OF 2017
<i>AN ORDINANCE WAIVING CONSTRUCTION RELATED FEES FOR THE CONSTRUCTION OF THE DOWNTOWN BENTON FARMERS MARKET; AND FOR OTHER PURPOSES</i> | |
| | C.) ORDINANCE NO. 28 OF 2017
<i>AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; REALLOCATING FUNDS FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | D.) ORDINANCE NO. 29 OF 2017
<i>AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; ACCEPTING GRANT FUNDS FROM CAPDD; APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |

E.) RESOLUTION NO. 60 OF 2017

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON, ARKANSAS TO UTILIZE FEDERAL-AID AND SURFACE TRANSPORTATION ATTRIBUTABLE PROGRAM FUNDS; AND FOR OTHER PURPOSES

F.) ORDINANCE NO. 30 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; ACCEPTING GRANT FUNDS FROM CAPDD; APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

2. Community Services/Animal Control Alderwoman Reed

A.) RESOLUTION NO. 61 OF 2017

A RESOLUTION NAMING THE PAVILION AT RALPH BUNCHE PARK THE CHARLES S. CUNNINGHAM, SR. PAVILION IN RECOGNITION OF ALDERMAN CUNNINGHAM'S SERVICES TO THE CITY; AND FOR OTHER PURPOSES

B.) RESOLUTION NO. 62 OF 2017

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS VACATING A UTILITY EASEMENT LOCATED ALONG THE EAST PROPERTY LINE OF LOT 102, AUBURN HILLS SUBDIVISION, PHASE 3 (1803 AUBURN HILLS DRIVE)

C.) ORDINANCE NO. 31 OF 2017

AN ORDINANCE ESTABLISHING A NINETY (90) DAY MORATORIUM ON THE PERMITTING AND LICENSING OF ANY MARIJUANA DISPENSARY OR CULTIVATION FACILITY WITHIN THE CITY OF BENTON, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

D.) RESOLUTION NO. 63 OF 2017

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED CONVEYING CERTAIN PROPERTY TO THE PUBLIC UTILITY COMMISSION FOR THE CONSTRUCTION OF AN ELECTRICAL SUBSTATION; AND FOR OTHER PURPOSES

3. Streets & Drainage Committee Alderman Baptist

4. Personnel/Health & Safety Committee Alderman Donnor

5. Parks Committee Alderman Hart

A.) ORDINANCE NO. 32 OF 2017

AN ORDINANCE AMENDING ORDINANCE 25 OF 2017; RESTATING THE RATES FOR ALL ACTIVE DUTY AND RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES AT RIVERSIDE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

B.) RESOLUTION NO. 64 OF 2017

A RESOLUTION EXEMPTING THE AMPLIFY CONCERT FROM ORDINANCE 29 OF 2007; AND FOR OTHER PURPOSES

C.) ORDINANCE NO. 33 OF 2017

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

D.) ORDINANCE NO. 34 OF 2017

AN ORDINANCE ADOPTING CERTAIN SAFETY POLICIES FOR RIVERSIDE PARK; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

E.) RESOLUTION NO. 65 OF 2017

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF AN ADDITIONAL PARKING LOT AT RIVERSIDE PARK; APPROPRIATING FUNDS FOR THIS CONSTRUCTION; AND FOR OTHER PURPOSES

6. Public Utilities Commission

Alderman Herzfeld

A.) ORDINANCE NO. 35 OF 2017

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING AND RATIFYING THE PURCHASE OF ALL PARTS AND EQUIPMENT TO REPLACE TWO DECANT CLARIFIERS LOCATED AT THE WASTEWATER TREATMENT PLANT OF BENTON UTILITIES WASTEWATER TREATMENT DEPARTMENT; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

B.) ORDINANCE NO. 36 OF 2017

AN ORDINANCE AMENDING ORDINANCE 71 OF 2015; CORRECTING A SCRIVENER'S ERROR IN SECTION 1 OF THE ORDINANCE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

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
June 26, 2017
Benton Municipal Complex

The Benton City Council was called to order at 7:02 pm.

The Mayor gave the invocation.

Alderman Hamm led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

**Alderman Frank Baptist
Alderman Evelyn Reed
Alderman Jerry Ponder
Alderman James Herzfeld
Brent Houston, City Attorney
David Mattingly, Mayor**

**Alderman Kerry Murphy
Alderman Bill Donnor
Alderman Judd Hart
Alderman Jeff Hamm
Cindy Stracener, City Clerk**

When roll was called eight (8) council members were present. Alderman Lee was absent. Alderman Cunningham's position will be filled tonight. A quorum was declared.

The Mayor requested approval for the June 12, 2017 city council meeting minutes. Alderman Hart made a motion to approve the minutes, seconded by Alderman Reed. The Mayor called for a voice vote on the approval of the minutes. All aldermen present replied in the affirmative. The minutes for the June 12, 2017 council meeting were approved with 8 affirmative and 2 absent votes.

Jennifer Picklesimer was not present for her service award for 10 years with the city.

The next item on the agenda was Resolution 58 of 2017 – A Resolution Ratifying and Confirming the Appointment of Jocelyn Cash to Fill the Vacancy in Benton City Council Position Ward Two, Position One; and for Other Purposes. Alderman Donnor made a motion to adopt Resolution 58 of 2017, seconded by Alderman Ponder. The resolution was read by the city clerk. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham absent, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Resolution 58 of 2017 was approved with 8 affirmative and 2 absent votes.

The Mayor swore in Jocelyn Cash for the vacancy left by Alderman Cunningham.

Alderman Reed made a motion for Alderman Cash to serve on the same committees as Alderman Cunningham, the parks committee and the finance committee. Seconded by Alderman Donnor. A voice vote was taken on the motion. All aldermen present replied in the affirmative, motion was approved with 9 affirmative and 1 absent vote.

The next item on the agenda was committee reports and motions.

Alderman Ponder was recognized for a report from the Finance Committee. Alderman Ponder made a motion to suspend the rules to read Ordinance 24 of 2017 – An Ordinance Authorizing the Issuance of a General Revenue Promissory Note (Farmers Market Project), Series 2017; Providing for the Payment of the Principal of and Interest on the Note; Declaring an Emergency; and Prescribing Other Matters Relating Thereto by title only, seconded by Alderman Donnor. The Mayor asked that the roll be called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Motion to read by title only was approved with 9 affirmative and 1 absent vote. Alderman Ponder asked for the first reading of Ordinance 24 of 2017 by title only, seconded by Alderman Murphy. The ordinance was read by title only. Alderman Ponder stated that he would be abstaining on the vote because his employer was the successful bidder. Alderman Ponder made a motion to suspend the rules for the second and third readings of Ordinance 24 of 2017, seconded by Alderman Hart. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Motion to suspend was approved with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt Ordinance 24 of 2017 on its second and third readings, seconded by Alderman Donnor. The ordinance was read by title only. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder abstained, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Ordinance 24 of 2017 was adopted with 8 affirmative, 1 abstained, and 1 absent vote. Alderman Ponder made a motion to adopt the emergency clause, seconded by Alderman Reed. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. The emergency clause was adopted with 9 affirmative and 1 absent vote.

Alderman Murphy asked that the information presented to the finance committee be included for the record. See attached. There were 31 donors or sponsors for the Farmers Market. The amount is \$396,000 in commitments.

The groundbreaking for the Farmers Market will be tomorrow at 10 am.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. She stated that she had nothing to report.

Alderman Baptist stated that there was not a report from the Streets and Drainage Committee.

Alderman Donnor stated that the Personnel/Health & Safety Committee met on June 22nd and conducted interviews of the applicants for Alderman Cunningham's vacancy. See attached minutes.

Alderman Hart was recognized for a report from the Parks Committee. Alderman Hart asked for the first reading of Ordinance 25 of 2017 – An Ordinance Setting Rates for All Active Duty and Retired Members of the United States Armed Forces at Riverside Park; Amending Ordinance 30 of 2016; Setting An Effective Date; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Murphy. The ordinance was read by the city clerk, the Mayor asked for any comments; none. Alderman Hart made a motion to suspend the rules for the second and third readings; seconded by Alderman Herzfeld. Roll was called on the motion to suspend which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Motion to suspend the rules was approved with 9 affirmative and 1 absent vote. Alderman Hart made a motion to adopt Ordinance 25 of 2017 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 Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. Ordinance 25 of 2017 was adopted with 9 affirmative and 1 absent vote. Alderman Hart made a motion to adopt the emergency clause; seconded by Alderman Herzfeld. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cash yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee absent, and Alderman Hamm yes. The emergency clause was adopted with 9 affirmative and 1 absent vote.

There was not a report from the Public Utility Commission.

Alderman Ponder stated that there was not a report from the Advertising and Promotion Commission. See attached minutes from the June 15, 2017 commission meeting.

There was not any unfinished, new or old business. The Mayor asked if anyone wished to address the council. No one came forward.

The Mayor stated that the Independence's Day Bash will be this Saturday starting at 5:30 pm. Stephanie Jones has been named the new assistant parks director. Only one council meeting will be held in July, on July 24th.

The meeting adjourned at 7:21 pm.

Cindy Stracener, City Clerk

David Mattingly, Mayor

**City of Benton, Arkansas
Farmers Market Project - Donations**

6/20/2017 9:32 AM

	Vendor Name	Scope of Work	Expenditures		
			Total Pledge	Annual Due Date	Yearly Pledge Recd
1	Everett Buick & GMC	Sponsor-4 years @ \$31,250	125,000.00	-	31,250.00
2	Summerwood Partners	Sponsor-4 years @ \$31,250	125,000.00	-	31,250.00
3	Lib & Sandra Carlisle	Sponsor-\$10,000 initial, 2 years @ \$7,500	25,000.00	-	10,000.00
4	Curtis & Vera Ferguson	Donor-\$15,000 initial, 2 years @ \$5,000	25,000.00	-	15,000.00
5	Farm Credit of Western Ark	Sponsor-4 years @ \$3000	12,000.00	-	3,000.00
6	Bank of the Ozarks	Sponsor-\$10,000, 1 time	10,000.00	-	10,000.00
7	Smith Family Funeral Home	Sponsor-3 years @ \$3,333	10,000.00	-	3,333.00
8	Roberson & Associates Insurance	Sponsor-2 years @ \$3,000	6,000.00	-	3,000.00
9	Terry & Paula Benham	Sponsor-2 years @ \$2,500	5,000.00	-	2,500.00
10	Ashby Funeral Home	Sponsor-2 years @ \$2,500	5,000.00	-	2,500.00
11	Roller Ballard Funeral Home	Sponsor-\$5000, 1 time	5,000.00	-	5,000.00
12	Stilwell Insurance & Financial Services, Inc	Sponsor-5 years @ \$1,000	5,000.00	-	1,000.00
13	McClendon Appliance	Sponsor-4 years @ \$1000	4,000.00	-	1,000.00
14	KFC of Benton	Sponsor-\$3000, 1 time	3,000.00	-	3,000.00
15	Yoakum & Lovell	Sponsor-3 years @ \$1,000	3,000.00	-	1,000.00
16	ACDI	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
17	Arvest	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
18	Downtown Benton Business Owner's Association	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
19	First Security Bank	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
20	Benton Firefighters Local 2765	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
21	Regions Bank	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
22	Smith Caldwell Drug	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
23	Ken Young	Sponsor-\$2500, 1 time	2,500.00	-	2,500.00
24	Benton Area Chamber of Commerce	Sponsor-\$2000, 1 time	2,000.00	-	2,000.00
25	Baxley Real Estate	Sponsor-\$1500, 1 time	1,500.00	-	1,500.00
26	Jeff Mattingly Foundation	Donor-\$1000, 1 time	1,000.00	-	1,000.00
27	Mayor & Nancy Mattingly	Donor-\$1000, 1 time	1,000.00	-	1,000.00
28	Del & Peggy Roberson	Donor-\$1000, 1 time	1,000.00	-	1,000.00
29	111 N. Main Events Venue	Donor-\$500, 1 time	500.00	-	500.00
30	Tim Symons	Donor-\$500, 1 time	500.00	-	500.00
31	Posey's Service	Donor-\$500, 1 time	500.00	-	500.00
	TBD		4,000.00	-	
Total 2017			400,000.00		150,833.00

1	Everett Buick & GMC	Sponsor-4 years @ \$31,250		5/1/2018	31,250.00
2	Summerwood Partners	Sponsor-4 years @ \$31,250		5/1/2018	31,250.00
3	Lib & Sandra Carlisle	Sponsor-\$10,000 initial, 2 years @ \$7,500		5/1/2018	7,500.00
4	Curtis & Vera Ferguson	Donor-\$15,000 initial, 2 years @ \$5,000		5/1/2018	5,000.00
5	Farm Credit - Kevin Barham	Sponsor-4 years \$3000		5/1/2018	3,000.00
7	Smith Family Funeral Home	Sponsor-3 years @ \$3,333		5/1/2018	3,333.00
8	Roberson & Associates Insurance	Sponsor-2 years @ \$3,000		5/1/2018	3,000.00
9	Terry & Paula Benham	Sponsor-2 years @ \$2,500		5/1/2018	2,500.00
10	Ashby Funeral Home	Sponsor-2 years @ \$2,500		5/1/2018	2,500.00
12	Stilwell Insurance & Financial Services, Inc	Sponsor-5 years @ \$1,000		5/1/2018	1,000.00
13	McClendon Appliance	Sponsor-4 years @ \$1000		5/1/2018	1,000.00
15	Yoakum & Lovell	Sponsor-3 years @ \$1,000		5/1/2018	1,000.00
Total 2018			0.00		92,333.00

1	Everett Buick & GMC	Sponsor-4 years @ \$31,250		5/1/2019	31,250.00
2	Summerwood Partners	Sponsor-4 years @ \$31,250		5/1/2019	31,250.00
3	Lib & Sandra Carlisle	Sponsor-\$10,000 initial, 2 years @ \$7,500		5/1/2019	7,500.00
4	Curtis & Vera Ferguson	Donor-\$15,000 initial, 2 years @ \$5,000		5/1/2019	5,000.00
5	Farm Credit - Kevin Barham	Sponsor-4 years \$3000		5/1/2019	3,000.00
7	Smith Family Funeral Home	Sponsor-3 years @ \$3,333		5/1/2019	3,334.00
12	Stilwell Insurance & Financial Services, Inc	Sponsor-5 years @ \$1,000		5/1/2019	1,000.00
13	McClendon Appliance	Sponsor-4 years @ \$1000		5/1/2019	1,000.00
15	Yoakum & Lovell	Sponsor-3 years @ \$1,000		5/1/2019	1,000.00
Total 2019			0.00		84,334.00

1	Everett Buick & GMC	Sponsor-4 years @ \$31,250		5/1/2020	31,250.00
2	Summerwood Partners	Sponsor-4 years @ \$31,250		5/1/2020	31,250.00
5	Farm Credit - Kevin Barham	Sponsor-4 years \$3000		5/1/2020	3,000.00
12	Stilwell Insurance & Financial Services, Inc	Sponsor-5 years @ \$1,000		5/1/2020	1,000.00
13	McClendon Appliance	Sponsor-4 years @ \$1000		5/1/2019	1,000.00
	TBD	Sponsors TBD totaling \$4,000 for year 2020		5/1/2020	4,000.00
Total 2020			0.00		71,500.00

11	Stilwell Insurance & Financial Services, Inc	Sponsor-5 years @ \$1,000		5/1/2021	1,000.00
Total 2021			0.00		1,000.00

400,000.00



PERSONNEL/HEALTH & SAFETY MEETING

Thursday, June 22, 2017

THOSE IN ATTENDANCE:

Alderman Bill Donnor
Alderman Frank Baptist
Alderman Kerry Murphy
Alderwoman Evelyn Reed
Alderman Jerry Ponder
Alderman Judd Hart
Alderman James Herzfeld
Alderman Steve Lee
Alderman Jeff Hamm
City Attorney Brent Houston
Kathy Kirk, Human Resources Manager
Brent Davis
Elisha Morrison

Chairman Bill Donnor called the meeting to order.

The purpose of the meeting was to conduct interviews with the nine citizens who had expressed interest in filling the vacant seat for Ward 2, Position 1. Interview times were set at 20 minute intervals with each candidate allowed 15 minutes to answer 6 questions and remainder of timeframe for candidates' personal comments or elaboration. Kathy Kirk served as moderator and read the questions agreed on by the committee at the May 30th meeting.

The schedule set up by random selection was as follows:

6:00 P.M.	Willie H. Floyd
6:20 P.M.	Robin Freeman
6:40 P.M.	Jocelyn Cash
7:00 P.M.	Shane Knight
7:20 P.M.	Martha Slaughter
7:40 P.M.	Patricia Ashley
8:00 P.M.	Quinn Marshall
8:20 P.M.	Glynda Brinsfield
8:40 P.M.	Leslie Kowalski

Quinn Marshall and Leslie Kowalski did not appear for their interviews.

At 8:44 P.M. Chairman Donnor announced that the Aldermen would go into Executive Session. The Committee Meeting was resumed at 9:11 p.m. Alderman Judd Hart made a motion that a resolution be brought to the next City Council meeting on June 26th to name Jocelyn Cash to fill the vacancy. Alderman Jeff Hamm seconded the motion. The motion passed with a unanimous vote. Mrs. Kirk was asked to notify the candidates of the Committee decision.

With no further business, the meeting was adjourned.

BENTON ADVERTISING & PROMOTION COMMISSION

Minutes

June 15, 2017

I. CALL TO ORDER

Acting Chairman Bill Eldridge called the regularly scheduled meeting of the Benton Advertising & Promotion Commission to order on June 15, 2017 at 4:08 pm in the board room of the Benton Area Chamber of Commerce.

II. ROLL CALL

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

III. Luke Moody made the motion to approve the minutes of the May 18, 2017 meeting. Alison Burch seconded. Motion carried.

IV. REPORT FROM BENTON EVENT CENTER

Director Nikki Chumley reported that several health conferences have been held in the Event Center since her last report. All the painting and carpet installations are complete. Tonight there is a comedian with an expected attendance of 1400.

V. OLD BUSINESS

Early Bond Retirement Payment

Jerry Ponder reported that the City Council approved the resolution that had resulted from the A&P request that 1 million 750 thousand dollars be used for early retirement of Event Center bonds in August. He noted that this payment will result in an approximate savings of \$702,000 on the Event Center. Early retirement can only occur on August 1 and February 1. He presented information about the various accounts from which the August 1 payment could be secured. He made the motion that the money be secured as follows:

- Use all CD's \$313,004.20*
- Use Bond Account #2047031592 (except for \$1) \$591,747.71*
- Use General Account #2047031584 (except for \$1000) \$718,705.62*
- Take remaining needed from Operating Account (#2047032640) \$126,542.47*

*He noted that account balances could vary some due to change in accounts on date the funds are withdrawn. Luke Moody seconded the motion. Motion carried.

VI. NEW BUSINESS

None

VII. FUNDING REQUESTS

2017 Update on Funding:

An update on 2017 Funding Requests and Payments was presented to the commissioners.

Funding Request 1: Farmers' Market

Mayor Mattingly spoke to a request from the City for funding for the proposed Farmers' Market. Placement of the Farmers' Market will be on property that has been secured with a 10-year lease. The proposed cost of the structure is now \$450,000 because of the cost of adding a bathroom. At this time \$394,000 has been raised through sponsorships and donations. First Security will be the lender on the project. Some donors will pay their pledged amount over a 2-or-3 year period. Approximately \$150,000 of the project is through pro bono (city only pays for materials; labor will be donated). Some off-street parking has been secured.

City Attorney Brent Houston informed the commission that in order for it to give money toward the building, the city "would have to own an interest" in the building. The money must "go into the city-owned structure." He also said there would have to be two motions for the A&P to offer any funding-- Motion 1. Recognize the Farmers' Market as a public building; Motion 2. State the amount to be funded to the building.

Official vote on the request will be done at the July meeting.

Funding Request 2: Amplify

Josh Turner, co-chairman of Amplify spoke to the request for funding for the 2017 Amplify Festival. He shared a video of the 2016 event. He indicated this is the largest state festival held. A new addition this year will be a conference for youth to be held in River Center on Saturday. Advertising is planned to cover the state with television coverage and billboards. Social media will be used. Some out-of-state advertising will be done. A proposed budget for the 2017 event was attached to the funding request.

Commissioners stated that according to our A&P guidelines, event spending should be with Benton businesses when possible.

City Attorney Brent Houston stated that if funding is given, the motion should include that the money is being given for advertising and economic impact for the City.

Official vote on the request will be done at the July meeting.

VIII. ADMINISTRATIVE

Industry Comparison

None

Past Dues

Jerry Ponder informed the group that delinquencies have improved. From financials reports, revenue from A&P tax has been rising. Past-Due Offenders' names have appeared in the newspaper.

IX. FINANCIAL REPORTS

The financial reports were presented by Gary James. Total assets as of May 31, 2017 for the A&P Commission and the Event Center in the Operating Account is \$512,409.68. A&P shows a net income of \$2,719.10 for the month and a loss of \$238.42 for the year. The Event Center shows a net income of \$16,606.20 for the month of May; the yearly net income is \$83,502.13. Without A&P tax deposits, the Event Center's net income for the year is \$35,369.56.

X. OTHER BUSINESS

None

XI. Adjournment

The meeting was adjourned on the motion of Luke Moody at 5:15pm.

Bill Eldridge
Presiding Chairman

Jerry Beaty
Recording Secretary

ORDINANCE NO. 26 OF 2017

AN ORDINANCE AMENDING ORDINANCE 56 OF 2016; CORRECTING THE LEGAL DESCRIPTION OF PROPERTY WHICH WAS ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 56 of 2016 annexed certain property into the corporate limits of the City of Benton, Arkansas which belonged to Fred Swaim and Edith Mae Swaim Trustees of the Fred Swaim and Edith Mae Swaim Joint Revocable Trust; and

WHEREAS, the City Council has been advised that the legal description which was provided to the City had errors within it which have since been corrected; and

WHEREAS, the County Court of Saline County on or about May 11, 2017 entered an Amended and Supplemental Order authorizing the annexation and correcting the legal description; and

WHEREAS, more than thirty (30) days has expired since entry of said amended decree 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: Ordinance 56 of 2016 is amended and the property hereinafter described is hereby annexed and made a part of the City of Benton, Saline County, Arkansas, and being more fully described as follows, to wit:

All that part of the Southeast Quarter of the Northeast Quarter of Section 30, Township 1 South, Range 14 West, Saline County, Arkansas, more fully described as follows:
Commencing at a ½" diameter rebar marking the Southwest corner of said Southeast Quarter of the Northeast Quarter; thence North 01 deg. 15 min. 44 sec. East, along the West line thereof for 562.39 feet to rebar with cap #568; thence North 53 deg. 52 min. 24 sec. East, leaving said West line for 290.46 feet to a ½" diameter rebar with cap #1199 and the point of beginning of the property to be described herein; thence continue North 53 deg. 52 min. 24 sec. East for 60.19 feet to a ½" diameter rebar with cap #1199; thence North 09 deg. 20 min. 39 sec. West for 170.99 feet to the centerline of State Highway No. 5; thence North 55 deg. 51 min. 34 sec. East, along said centerline for 145.16 feet; thence South 10 deg. 42 min. 35 sec. East, leaving said centerline for 315.96 feet; thence North 83 deg. 02 min. 41 sec. West for 200.84 feet to the point of beginning, containing 0.85 acre, more or less.

Section 2: Said property shall be zoned as Highway Commercial.

Section 3: Because of the need to proceed with development of the property which will be of benefit to the local community and economy, an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage and approval. The effective date of the annexation is November 14, 2017, the date of passage of Ordinance 56 of 2017.

PASSED AND APPROVED this _____ day of July, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

RESOLUTION NO. 59 OF 2017

**A RESOLUTION RECOGNIZING THE SERVICES OF
CHIEF KIRK LANE TO THE CITIZENS OF BENTON AND
AWARDING HIM HIS BADGE AND SERVICE WEAPON IN
RECOGNITION OF THOSE SERVICES**

WHEREAS, Chief Kirk Lane has served the citizens of Benton for approximately eleven years as a police officer, eight of those as the police chief; and

WHEREAS, Chief Lane has been appointed by Governor Asa Hutchinson to serve as the State Drug Director; and

WHEREAS, during his tenure as police chief, Chief Lane successfully created the city's Prescription Drug Take Back Program which became a model for other such programs in the state; and

WHEREAS, Chief Lane worked to secure numerous grants for the police department which provided necessary equipment for the officers and which saved tax dollars for the City; and

WHEREAS, the city wishes to thank Chief Lane for his dedicated service to our community by presenting him with his service weapon and badge in recognition of those outstanding services.

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

SECTION 1: The equipment listed on the attached document, Exhibit "1" is hereby declared surplus and shall be presented to Chief Kirk Lane in recognition of his services to this community.

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"

Glock Model 21 Handgun, Serial Number SWH 777
City of Benton Police Badge, Number - 2112

ORDINANCE NO. 27 OF 2017

AN ORDINANCE WAIVING CONSTRUCTION RELATED FEES FOR THE CONSTRUCTION OF THE DOWNTOWN BENTON FARMERS MARKET; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Benton, Arkansas has assessed certain fees which are to be charged for the issuance of building permits, conducting inspections, and storm-water fees which are associated with the construction of buildings; and

WHEREAS, the City of Benton has been collecting donations from the public for the construction of a Farmers Market in the downtown area and is now proceeding with this project; and

WHEREAS, the City Council, in order to reduce the cost of the construction, desires to waive the hereto for stated fees which are associated with this project.

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

SECTION 1. All building permit fees, inspection fees, and storm-water fees which are assessed by the City for the construction of the Farmers Market are hereby waived. The contractor and all subcontractors must obtain the permits and call for all required inspections. All surcharge fees charged by the state of Arkansas must however be paid in full at the time the permits are issued.

SECTION 2. All other ordinances in conflict with this Ordinance are hereby repealed to the extent that such a conflict exists, but not otherwise.

PASSED and APPROVED this the _____ day of _____, 2017.

David J. Mattingly
Mayor

Attest:

Cindy Stracener
City Clerk

Estimated Farmers Market Permit Fee
(Based off an estimated cost of \$475,000)

Building Permit

Estimated Fee = \$460.00

State Surcharge = \$225.00

Plumbing Permit

Estimated Fee = \$250.00 (Flat Fees + project cost)

State Surcharge = 0.0005 x value of work or materials

Electrical Permit

Estimated Fee = \$250.00

State Surcharge = 0.0005 x value of work or materials

Parking Lot Permit

Estimated Fee = \$65.00

State Surcharge = 0.0005 x value of work or materials

Sign Permit

Estimated Cost = \$75.00

State Surcharge = 0.0005 x value of work or materials

Other Possible Fees

Sewer connection = \$1000.00

Water meter & connection = \$500.00

Street cut permit = \$250.00 Per Cut

Curb cut permit = \$25.00 per opening

ORDINANCE NO. 28 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; REALLOCATING FUNDS FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 51 of 2016 adopted the 2017 General Fund Budget; and

WHEREAS, the City Council needs to amend the 2017 General Fund budget to reallocate funds to pay for the purchase of communication equipment upgrades and portable radios.

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

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2017 City of Benton Budget as adopted in Ordinance 62 of 2016. The revised expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 2: The Mayor is authorized to pay the sums when due for the purchases contemplated herein.

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

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION

**MOTOROLA SOLUTIONS**

Quote Number: QU0000408574

Effective: 10 JUL 2017

Effective To: 08 SEP 2017

Bill-To:

BENTON POLICE DEPT
100 S EAST ST
BENTON, AR 72015
United States

Ultimate Destination:

BENTON POLICE DEPT
100 S EAST ST
BENTON, AR 72015
United States

Attention:

Name: Lt. Curtis Wood
Email: ltwood@bentonpd.org
Phone: 501-778-1171

Sales Contact:

Name: Dusty Calhoun
Email: dusty@grace-communications.com
Phone: 5013725235

Contract Number: NASPO ValuePoint**Freight terms:** FOB Destination**Payment terms:** Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	12	PMNN4485A	BATT IMPRES 2 LIION R IP68 2550T	\$127.00	\$92.71	\$1,112.52
(Notes)BATT IMPRES 2 LIION R IP68 2550T						
2	1	NNTN8844A	CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR	\$1,250.00	\$912.50	\$912.50
(Notes)CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR						

Estimated Tax Amount

\$197.44

Total Quote in USD**\$2,222.46**

12 - APX6000 Batteries and 1 - Multi-Unit Charger

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

770.72



GRACE
COMMUNICATIONS INC.
RADIOS • LIGHTING • SOLUTIONS

AA ELECTRONIC INSTALLATIONS
THE UK'S BEST KEPT SECRET
Manufacturers Representatives
P25 Systems Elite Specialist
Professional & Commercial Radio Elite Specialist

Customer	BENTON POLICE DEPT.	Contact Name	LT. CURTIS WOOD		
Address	114 South East Street, Suite 100		Email	ltwood@bentonar.org	
City	BENTON	State	AR	Zip	72015
Phone	501-776-5978 Ext. 207			Fax	

[illegible]

Equipment Total	\$ 3,200.00
Installation Total	
FCC License	

\$ 3,200.00

920.24

Independent Audio, Inc.

43 Deerfield Road
Portland, ME 04101-1805

Tel. (207) 773-2424

Email info@independentaudio.com

QUOTE

Date	Invoice No.
07/11/17	QUOTE

Bill To:
Benton AR Police Department Attn: Lt. Wood 114 S. East St., Ste 100 Benton AR 72015

Ship To
Benton AR Police Department Attn: Lt. Wood 114 S. East St., Ste 100 Benton AR 72015

P.O. Number	Terms	Rep	Ship Date	Ship Via	FOB	Project
QUOTE	Prepaid	JJ	07/11/17	UPS Ground	Portland, ME	

Item	Description	Quantity	Price Each	Amount
RB-DS2	Sonifex RB-DS2 Stereo Audio Delay Synchronizer	1	1,610.00	1,610.00
Freight	Shipping & Insurance Charges	1	27.00	27.00
	Sales Tax		0.00%	0.00
			Total	\$1,637.00

850.90

**MOTOROLA SOLUTIONS**

Quote Number: QU0000408311
Effective: 06 JUL 2017
Effective To: 04 SEP 2017

Bill-To:

BENTON POLICE DEPT
100 S EAST ST
BENTON, AR 72015
United States

Ultimate Destination:

BENTON POLICE DEPT
100 S EAST ST
BENTON, AR 72015
United States

Attention:

Name: Lt. Curtis Wood
Email: ltwood@bentonpd.org
Phone: 501-778-1171

Sales Contact:

Name: Dusty Calhoun
Email: dusty@grace-communications.com
Phone: 5013725235

Contract Number: NASPO ValuePoint
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	1	T7664A	DIGITAL SMARTZONE	-	-	-
(Notes)APX6000						
1a	8	QA00583AE	ADD: MISSION CRITICAL WIRELESS BLUETOOTH	\$173.00	\$126.29	\$1,010.32
2	8	RLN6554A	APX WIRELESS RSM W/ DUC US/NA/JP/TW	\$300.00	\$219.00	\$1,752.00
(Notes)ACCESSORY KIT,APX WIRELESS RSM W/ DUC US/NA/JP/TW						
Estimated Tax Amount						\$269.33
Total Quote in USD						\$3,031.65

8 - APX6000 Bluetooth flash upgrade and remote speaker mic

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

850.90



EXHIBIT "1"

FY2017 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2017. This submittal includes a revision for the General Fund.

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

Section 2 is a detailed explanation of the amended Funding and Disbursements that make up this Fiscal Year 2017 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2017

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$19,080,404	-0-	\$19,080,404
Personnel	\$12,727,030	-0-	\$12,727,030
Operations & Maintenance	\$3,153,574	\$5,423	\$3,158,997
Capital Items	\$3,194,290	\$4,669	\$3,198,959

Section 2: Funding & Disbursements - Fiscal Year 2017

General Fund

Funding

This budget amendment authorizes a transfer from the restricted Communications Facility Equipment Fund in the amount of \$10,092 (130.570.10.00).

O&M

This budget amendment allows for software upgrades in the Communications Center and portable radios expenditure in the amounts of \$2,223 (770.720.13.17), \$3,200 (820.240.13.17), and \$4,669 (850.900.13.17) in the Police Department.

ORDINANCE NO. 29 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; ACCEPTING GRANT FUNDS FROM CAPDD; APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 62 of 2016 adopted the 2017 General Fund Budget; and

WHEREAS, the City Council needs to amend the 2017 General Fund budget to accept grant funds from CAPDD and to appropriate these funds for the purchase of equipment for the police department.

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

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2017 City of Benton Budget as adopted in Ordinance 62 of 2016. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 2: The Mayor is authorized to accept \$11,585.00 from CAPDD for the purchase of certain equipment for the police department. The police department is also authorized to purchase the equipment requested within the grant application.

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

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



EXHIBIT "1"

FY2017 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2017. This submittal includes a revision for the General Fund.

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

Section 2 is a detailed explanation of the amended Funding and Disbursements that make up this Fiscal Year 2017 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2017

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$19,080,404	\$11,585	\$19,091,989
Personnel	\$12,727,030	-0-	\$12,727,030
Operations & Maintenance	\$3,158,997	\$11,585	\$3,170,582
Capital Items	\$3,198,959	-0-	\$3,198,959

Section 2: Funding & Disbursements - Fiscal Year 2017

General Fund

Misc. Income

This budget amendment recognizes income from the CAPDD grant in the amount of \$11,585 (680.200.10.00).

O&M

This budget amendment allows for additional expenditures in the amount of \$11,585 (750.580.13.17) in the Police Department.



CENTRAL ARKANSAS

Planning & Development District, Inc.

Serving The
Counties of:
♦ FAULKNER
♦ LONOKE
♦ MONROE
♦ PRAIRIE
♦ PULASKI
♦ SALINE

June 23, 2017

David Mattingly, Mayor
City of Benton- Benton Police Department
PO Box 607
Benton, AR 72015

Re: General Improvement Funds through CAPDD Act 1146 of 2015

Dear Mayor Mattingly:

Congratulations! The Central Arkansas Planning and Development District's Board of Directors approved your grant application for General Improvement Funding in the amount of *\$11,585.00 to purchase a forensic investigative tool for automobile infotainment system analysis*. **Amanda Adaire** has been assigned as your CAPDD grant contact for the duration of this project. For grant management and communication purposes, your grant # is **CA1146-1-050**, please include this number on all correspondence.

The Grant Agreement Document of which two copies are enclosed, will serve as the basis for the management of this grant. *Please sign both copies, keep one for your records and send the other back to your CAPDD grant contact.*

The attached CAPDD General Improvement Fund Grant "Project Closeout Letter" must be dated, signed and returned to your assigned CAPDD grant contact *when your project has been completed.*

Sincerely,

Rodney Larsen
Executive Director

CC: Honorable Jeff Arey, Saline County Judge

Attachments: CAPDD GIF Grant Agreement
CAPDD GIF Grant Closeout Document

902 N. Center Street • P.O. Box 300 • Lonoke, Arkansas 72086

Phone 501-676-2721 • FAX 501-676-5020 • TDD Only: 711

"Equal Opportunity Employer / Program"

RESOLUTION NO. 60 OF 2017

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON, ARKANSAS TO
UTILIZE FEDERAL-AID AND SURFACE TRANSPORTATION ATTRIBUTABLE PROGRAM FUNDS;
AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Benton, Arkansas understands Federal-aid Transportation Alternative Funds are available at 80% federal participation and 20% local match to construct a roundabout at the intersection of Congo Road and Longhills Road, and

WHEREAS The City Council understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

SECTION I: The City of Benton will participate, in accordance with its designated responsibility, including maintenance of this project.

SECTION II: Mayor David Mattingly is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

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

THIS RESOLUTION adopted this _____ day of _____, 2017.

Signed: _____
Mayor David J. Mattingly

ATTEST: _____
Cindy Stracener, City Clerk

(SEAL)



METROPLAN

SMART PLANNING MAKES SMART PLACES.

July 10, 2017

Mayor David Mattingly
City of Benton
P.O. Box 607
Benton, AR 72018-0607

Subject: Congo/Longhills Roundabout

Dear Mayor Mattingly:

I am pleased to inform you that the Congo and Longhills Roundabout project was selected for federal funding by the Metroplan Board (Resolution 17-12). The grant amount of \$407,200 must be matched with \$101,800 in local funds. Funds expended to date, as well as any funds expended prior to a project agreement being established, are not eligible for reimbursement nor can contribute to the local match requirement.

This project is currently scheduled for obligation in FFY 2018 (by September 2017). By accepting this grant the city agrees to monitor progress of the project and ensure that the project meets this timeline.

The next steps for the city to proceed with the project are (1) pass the attached resolution indicating the city's willingness to utilize federal funds on the project and (2) submit the resolutions to Metroplan and AHTD and request that a project agreement be set up. This project agreement will set the specific responsibilities of each agency.

I look forward to working with the city on this project and please contact me should you have any questions. I have also notified AHTD of the award and you may direct questions to Daniel Siskowski on the project.

Sincerely,

Casey Covington
Deputy Director
Metroplan

cc: Daniel Siskowski
cc: Maneesh Krishnan

ORDINANCE NO. 30 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 62 OF 2016; ACCEPTING GRANT FUNDS FROM CAPDD; APPROPRIATING FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 62 of 2016 adopted the 2017 General Fund Budget; and

WHEREAS, the City Council needs to amend the 2017 General Fund budget to accept grant funds from CAPDD and to appropriate these funds for the purchase of equipment for the fire department.

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

SECTION 1: Pursuant to the authority granted in A.C.A. Sec. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2017 City of Benton Budget as adopted in Ordinance 62 of 2016. The revised income and expenditures for the operations of the city are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 2: The Mayor is authorized to accept \$7,943.00 from CAPDD for the purchase of certain equipment for the fire department. The fire department is also authorized to purchase the equipment requested within the grant application.

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

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



EXHIBIT "1"

FY2017 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2017. This submittal includes a revision for the General Fund.

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

Section 2 is a detailed explanation of the amended Funding and Disbursements that make up this Fiscal Year 2017 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2017

General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$19,091,989	\$7,943	\$19,099,932
Personnel	\$12,727,030	-0-	\$12,727,030
Operations & Maintenance	\$3,170,582	\$7,943	\$3,178,525
Capital Items	\$3,198,959	-0-	\$3,198,959

Section 2: Funding & Disbursements - Fiscal Year 2017

General Fund

Misc. Income

This budget amendment recognizes income from the CAPDD grant in the amount of \$7,943 (680.180.10.00).

O&M

This budget amendment allows for additional expenditures in the amount of \$7,943 (750.670.13.19) in the Fire Department.



CENTRAL ARKANSAS

Planning & Development District, Inc.

Serving The
Counties of:
♦ FAULKNER
♦ LONOKE
♦ MONROE
♦ PRAIRIE
♦ PULASKI
♦ SALINE

June 23, 2017

David Mattingly, Mayor
City of Benton- Benton Fire Department
PO Box 607
Benton, AR 72015

Re: Acknowledgement of receipt of disbursement check from General Improvement Funds
through CAPDD Act 1146 of 2015

Dear Mayor Mattingly:

The Central Arkansas Planning and Development District's Board of Directors approved General Improvement Funding to be used by the City of Benton- Benton Fire Department to purchase thermal imaging cameras. The enclosed General Improvement Fund grant check for \$7,943.00 is provided for implementation of the project # CA1146-1-051 as prescribed in the grant application.

Please sign the bottom of this letter acknowledging your receipt of this check and return to CAPDD promptly.

Sincerely,

Rodney Larsen
Executive Director

I have received the General Improvement Funds disbursement check through CAPDD Act 1146 of 2015.

Signature

Date

RESOLUTION NO. 61 OF 2017

**A RESOLUTION NAMING THE PAVILION AT RALPH BUNCHE
PARK THE CHARLES S. CUNNINGHAM, SR. PAVILION
IN RECOGNITION OF ALDERMAN CUNNINGHAM'S SERVICES
TO THE CITY; AND FOR OTHER PURPOSES**

WHEREAS, Alderman Charles S. Cunningham, Sr. served the City of Benton as both Mayor and as a member of the City Council; and

WHEREAS, Alderman Cunningham dedicated most of his life to educating children; helping the poor and disadvantaged; and serving his country, state, city and the Ralph Bunche Community, which he loved; and

WHEREAS, in honor of these services the City Council of the City of Benton wishes to name the pavilion at Ralph Bunche Park in his memory.

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

SECTION 1: The pavilion at Ralph Bunche Park shall be named the Charles S. Cunningham, Sr. Pavilion. The Mayor is directed to purchase signage to be placed on the pavilion for this purpose.

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 62 OF 2017

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS VACATING A UTILITY EASEMENT LOCATED ALONG THE EAST PROPERTY LINE OF LOT 102, AUBURN HILLS SUBDIVISION, PHASE 3 (1803 AUBURN HILLS DRIVE).

WHEREAS, a petition has been filed with the City Council of the City of Benton, Arkansas, by Mike Orndorff Construction, LLC to abandon a portion of the utility easement located along the east property line of Lot 102, Auburn Hills Subdivision, Phase 3 within the corporate limits of the City of Benton, Arkansas; and

WHEREAS, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the Benton City Council shall hear said petition at its regular meeting to be held at the City of Benton Council Chambers, 114 South East Street, Benton, Arkansas, on August 14th, 2017 at 6:50 P.M.

2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

PASSED this ____ day of July, 2017

Approved:

Mayor David Mattingly

ATTEST:

Cindy Stracener, City Clerk

ORDINANCE NO. 31 OF 2017

AN ORDINANCE ESTABLISHING A NINETY (90) DAY MORATORIUM ON THE PERMITTING AND LICENSING OF ANY MARIJUANA DISPENSARY OR CULTIVATION FACILITY WITHIN THE CITY OF BENTON, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the citizens of the state of Arkansas passed the Medical Marijuana Amendment in 2016 (Amendment) which allows the use of marijuana by certain persons; and

WHEREAS, the Amendment allows cities to create zoning regulations for both dispensaries and cultivation facilities; and

WHEREAS, the City Council of the City of Benton in order to properly regulate these industries desires to establish a temporary moratorium on the city licensing and permitting of any such facility within the city for a period of ninety (90) days.

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

SECTION 1: For a period of ninety (90) days from the passage of this ordinance, the City of Benton shall not act upon or issue any license or permit of whatever nature or type to any marijuana dispensary or cultivation facility for the establishment of such a business within the city.

SECTION 2: The administration of the city and the city attorney, in conjunction with the Planning and Zoning Commission, are directed to bring to the City Council proposed regulations which are in keeping with the Amendment prior to the expiration of this moratorium.

SECTION 3: Because of the immediate need to adopt planning and zoning regulations for the city as they pertain to marijuana dispensaries and cultivation facilities, this ordinance is deemed necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this the day ____ of July, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 63 OF 2017

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED CONVEYING CERTAIN PROPERTY TO THE PUBLIC UTILITY COMMISSION FOR THE CONSTRUCTION OF AN ELECTRICAL SUBSTATION; AND FOR OTHER PURPOSES

WHEREAS, the Public Utility Commission desires to construct an electrical substation which will utilize real property held in the name of the City of Benton; and

WHEREAS, in order to satisfy certain regulatory issues, the City Council will need to convey title to the real property to the City of Benton Public Utility Commission.

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

SECTION 1: The City Council does hereby authorize the Mayor and City Clerk to execute a deed conveying certain property to the Public Utility Commission of the City of Benton which is attached hereto as Exhibit "1" and any other document reasonably necessary to complete the transaction.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

**FIRST NATIONAL TITLE COMPANY
216 WEST SEVIER STREET
BENTON, AR 72015**

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, the City of Benton, Arkansas, by its Mayor, duly authorized by proper resolution of its City Council, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the Public Utility Commission of the City of Benton, Arkansas, Grantee, the receipt of which is hereby acknowledged, does grant, sell and quitclaim unto the said Grantee, and unto its successors and assigns forever, the following lands lying in the County of Saline and the State of Arkansas to-wit:

For legal description see EXHIBIT A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto the said Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging, subject to all existing assessments, building lines, rights-of-way, restrictions, mineral reservations and/or conveyances and easements of record.

IN TESTIMONY WHEREOF, The name of the Grantor is hereunto affixed by its Mayor, whose seal is affixed this _____ day of _____, 2017.

City of Benton, Arkansas

BY: _____
David J. Mattingly, Mayor of the City of
Benton, Arkansas

ACKNOWLEDGMENT

STATE ARKANSAS)
OF

COUNTY SALINE)
OF SS.

BE IT REMEMBERED that on this _____ day of _____, 2017, came before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, David J. Mattingly, and to me personally well known (or satisfactorily proven to be), he stated that he was the Mayor of the City of Benton, Arkansas, and was duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said City of Benton, Arkansas, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal
this _____ day of _____, 2017.

Notary Public

My commission expires:

Prepared under supervision of
James R. Pender
Attorney At Law
Little Rock, Arkansas

EXHIBIT A

TRACT A:

A part of the Southwest Quarter of the Southwest Quarter of Section 8, Township 1 South, Range 14 West, Saline County, Arkansas, and being more fully described as follows: Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 8, and run thence South 01 deg. 49 min. 57 sec. West along the East line thereof for a distance of 199.33 feet to the point of beginning of the land herein described; thence continuing South 01 deg. 49 min. 57 sec. West along said East line for a distance of 206.00 feet to a found #4 rebar with cap #1665; thence North 88 deg. 10 min. 03 sec. West for a distance of 290.40 feet to a found rebar with cap #1665; thence North 01 deg. 49 min. 57 sec. East for a distance of 75.00 feet to a found rebar with cap #1665; thence South 88 deg. 10 min. 03 sec. East for a distance of 53.39 feet; thence North 01 deg. 49 min. 48 sec. East for a distance of 221.68 feet; thence South 88 deg. 10 min. 03 sec. East for a distance of 29.70 feet; thence South 01 deg. 48 min. 59 sec. West for a distance of 90.68 feet; thence South 88 deg. 10 min. 03 sec. East for a distance of 207.30 feet to the point of beginning, containing 1.27 acres, more or less.

TRACT B:

A part of the Southwest Quarter of the Southwest Quarter of Section 8, Township 1 South, Range 14 West, Saline County, Arkansas, and being more fully described as follows: Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 8, and run thence North 88 deg. 10 min. 03 sec. West along the North line thereof for a distance of 312.77 feet; thence South 01 deg. 49 min. 57 sec. West for a distance of 108.65 feet to the point of beginning of the land herein described; thence South 88 deg. 10 min. 03 sec. East for a distance of 75.75 feet; thence South 01 deg. 49 min. 48 sec. West for a distance of 211.69 feet; thence North 88 deg. 09 min. 22 sec. West for a distance of 1091.17 feet to a found mag nail, said point also being a point in Severn Landing Road; thence North 02 deg. 04 min. 39 sec. East along said Road for a distance of 30.00 feet; thence South 88 deg. 09 min. 22 sec. East for a distance of 1015.29 feet; thence North 01 deg. 49 min. 57 sec. East for a distance of 181.68 feet to the point of beginning, containing 1.07 acres, more or less.

TRACT C:

A part of the Southwest Quarter of the Southwest Quarter of Section 8, Township 1 South, Range 14 West, Saline County, Arkansas, and being more fully described as follows: Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 8, and run thence South 01 deg. 49 min. 57 sec. West along the East line thereof for a distance of 405.33 feet; thence North 88 deg. 10 min. 03 sec. West for a distance of 210.60 feet to a point on the North right-of-way line of a transmission line, said point also being the point of beginning of the land herein described; thence South 79 deg. 55 min. 17 sec. West along said North right-of-way line for a distance of 81.56 feet; thence North 01 deg. 49 min. 57 sec. East for a distance of 16.83 feet; thence South 88 deg. 10 min. 03 sec. East for a distance of 79.80 feet to the point of beginning, containing 0.02 acres, more or less.

Ordinance No. 32 of 2017

AN ORDINANCE AMENDING ORDINANCE 25 OF 2017; RESTATING THE RATES FOR ALL ACTIVE DUTY AND RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES AT RIVERSIDE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council set rates for memberships at Riverside Park in Ordinance 25 of 2017 for active duty and retired members of the military in order to provide them with a twenty percent (20%) discount; and

WHEREAS, it has been determined that the rates set in Ordinance 25 of 2017 only revised the rates set in Ordinance 30 of 2016 and the additional rates contained set in Ordinance 2 of 2017 should have been included in the discount pricing.

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

SECTION 1. The City Council does hereby amend Ordinance 25 of 2017 and restates the rates for active duty and retired members of the United States Armed Forces effective July 1, 2017 which reflects a twenty percent (20%) discount from the regular rates:

	<u>Annual</u>	<u>Monthly</u>	<u>1 Month</u>	<u>3 Month</u>	<u>10 Visit</u>
Adult (18-59 years)	\$144.00	\$12.00	\$16.00	\$ 44.00	\$36.00
Youth (3-17 years)	\$ 96.00	\$ 8.00	\$12.00	\$ 36.00	\$24.00
Senior (60+ years)	\$ 96.00	\$ 8.00	\$12.00	\$ 36.00	\$24.00
Family	\$336.00	\$28.00		\$152.00	

SECTION 2. Ordinance 25 of 2017, Ordinance 2 of 2017 and Ordinance 30 of 2016 are hereby amended to conform to the rates being charged herein. All actions of the administration in collecting the rates stated herein, effective July 1, 2017, are hereby ratified and approved.

SECTION 3. Because of the immediate need to clarify the rates for usage at Riverside Park, an emergency is hereby declared and this ordinance shall be of full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this _____ day of July, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

RESOLUTION NO. 64 OF 2017

**A RESOLUTION EXEMPTING THE AMPLIFY CONCERT FROM
ORDINANCE 29 OF 2007; AND FOR OTHER PURPOSES**

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

WHEREAS, the Amplify Concert is occurring within the city on August 25 and 26 of 2017, which will be of benefit to the local economy; and

WHEREAS, the City Council wishes to designate these activities, which are occurring around the Riverside Park area of the city as a public activity as defined in Ordinance 29 of 2007, Section 4, paragraph 3.

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

SECTION 1: The City Council pursuant to Ordinance 29 of 2007, Section 4 paragraph 3 designates the Amplify Concert as a public activity and it is exempted from the city's noise ordinance on August 25 and 26 of 2017. This designation is from 8:00 am until 11:00 pm on each day of the concert. The activities which occur after 11:00 pm shall come into compliance with the ordinance.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

Ordinance No.33 of 2017

AN ORDINANCE SETTING THE 2017 RENTAL RATES 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 certain rental rates for the use of the park facilities which will be effective August 1, 2017.

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 which are attached hereto 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. 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 was made shall be the rate charged for the use of a facility regardless of any subsequent modification to the rate.

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

PASSED AND APPROVED this _____ day of July, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

Price Sheet: Effective August 1st, 2017

Pavilions	Rate Cost	Aquatics	Rate Cost
Tyndall Park #1	\$10/hr.	Competitive Pool	TBD
Tyndall Park #2	\$10/hr.	Leisure Pool	TBD
Tyndall Park #3	\$10/hr.		
Splash Pad #1	\$10/hr.		
Splash Pad #2	\$10/hr.		
Splash Pad #3	\$10/hr.		
Ralph Bunche #1	\$10/hr.	CW Lewis Stadium	
Ralph Bunche #2	\$10/hr.	Field	\$100/Day
Sunset Lake	\$10/hr.	Tournament Deposit	\$250
Skate Park	\$10/hr.	Tournament Trash Fee	\$250
Amphitheater		Softball Fields	
Tyndall Park	-----	Per Day/Per Field	\$150
Ralph Bunche	-----	Tournament Deposit	\$250
		Tournament Late Fee	\$30/hr.
		<u>Tournament Trash Fee</u>	
			\$250....Tyndall & Holland
			\$500....Riverside
Tennis Courts		Soccer Fields	
Court	\$25/hr.	Field	\$100/Day
River Center Gymnasium		Tournament Deposit	\$250
Full Court	\$75/hr.	Tournament Trash Fee	\$250
Half Court	\$60/hr.	Tournament Late Fee	\$30/hr.
Tournament Deposit	\$250		
Tournament Trash Fee	\$150	Gene Moss Building	\$100/Day
Tournament Late Fee	\$30/hr.		\$50 deposit
Pool Party Room (1 & 3)	\$200/2 hr.		
Pool Party Room (2)	\$150/2hr.		

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 \$17 per hour fee will be charged in addition to the facility rental fee for grounds employee(s) to be onsite for entirety of tournament. \$25 field/court prep (per day) and custodial fee will apply accordingly.

Late Fee

Tournaments that are scheduled past parks hours and/or River Center hours of operation will be charged a \$30 late fee per hour per field/court.

Field and Court Rental Comparison

Softball Fields						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-Riverside Park	\$60 per day/per field	\$100	\$0	\$0		
Benton-Tyndall	\$60 per day/per field	NA	\$0	\$0	\$15/hr per field worker for every 5 fields	
Benton-Adult Softball	\$60 per day/per field	NA	\$0	\$0		
Conway	\$100 per field per day	\$250-\$500 per complex	\$250-\$500 per complex	\$30 per hour per field	\$17 per for field Supervisor	
Springdale	\$250-\$300 per field	\$500 per complex	\$500.00 per complex	NA	\$50 prep fee each time/\$30 per field supervisor	
North Little Rock	\$175 per field	NA	\$500-\$750 per complex	NA	\$50 for striping, dragging, chalking per field per day	
Bryant	\$100 per field per day	\$200.00 Non refundable	\$150.00	NA	Wages for employees worked added to final bill	
Jonesboro	\$1500 for the day	NA	NA	NA	\$30 per hour for field supervisor	
Benton 2018	\$150 per field per day	\$250-\$500 per complex	\$250-\$500 per complex	\$30 per hour per field	\$17/hr field super, \$25 prep fee per day.	

Soccer Fields						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-Riverside	Field w/no lights \$20/hr Field w/lights \$30/hr	NA NA	NA NA	NA NA	NA	
Springdale	\$250 per field per day	\$500.00	\$500.00	NA	\$50 prep fee each time/\$30 per field supervisor	
North Little Rock	\$250 per field	\$500 per complex	\$500.00	NA	\$50 striping per field	
Jonesboro	\$1500 for the day	NA	NA	NA	\$50-\$150 per field striping fee depending on size	
Benton 2018	\$100.00 per field per day	\$250	\$250	\$30 per hour per field	\$17/hr for field supervisor	

Gymnasium Court						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-River Center	Full Court \$30/hr Half Court \$15/hr Maximum \$1,200	NA NA \$100	NA NA NA	NA NA NA	NA	
Conway	\$70 per hour per court	\$500.00	\$140.00	\$30 per hour per court	\$75 half court	
Bentonville	\$150/hr full court	NA	NA	NA	\$800 for whole facility for the day	
Jonesboro	\$40/hr full court	NA	NA	NA	NA	
Cabot	Members \$25/hr half court	NA	NA	NA		
	Members \$50/hr half court	NA	NA	NA		
	Members \$100/hr full court	NA	NA	NA	\$40/hr security for youth events	
Jacksonville	Non-Members \$125/hr full court	NA	NA	NA		
	8am-5pm \$900 for the day entire gym	\$100	NA	NA		
	After 5pm \$110 per hour entire gym					
Benton 2018	Full Court \$75/hr			\$30 per hour per court	\$25 prep fee per day	
	Half Court \$60/hr					
	Tournament	\$250	\$150	\$30 per hour per court		

CW Lewis Stadium						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-Current	Field w/no lights \$5/hr Field w/lights \$15/hr	NA NA	NA NA	NA NA	NA	
Benton 2018	\$100.00 per field per day	\$250	\$250	\$30 per hour per field	\$25 prep fee per day	

Tyndall Tennis Courts						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-Current	Field w/no lights NA Field w/lights NA	NA NA	NA NA	NA NA	NA	
Springdale	\$25 per court	NA	\$30	NA	NA	
Jonesboro	\$20 per hour	NA	NA	NA	NA	
North Little Rock	\$12 per hour per court 1.5 hr	NA	NA	NA	NA	
Benton 2018	\$25 per court	NA	NA	NA	NA	

Pavilions						
City	Current Rate	Deposit	Trash Fee	Late Fee	Additional Charges	
Benton-Current	NA NA	NA NA	NA NA	NA NA	NA	
Bryant	\$10 with 2 hour minimum	NA	\$30	NA	NA	
Springdale	\$12.50/hr with 2 hour min.	NA	NA	NA	NA	
North Little Rock	\$55-\$110	NA	NA	NA	NA	
Benton 2018	\$30	NA	NA	NA	NA	

Ordinance No.34 of 2017

**AN ORDINANCE ADOPTING CERTAIN SAFETY POLICIES FOR RIVERSIDE PARK;
DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.**

WHEREAS, the City Council desires to adopt certain policies for the safe and orderly use of Riverside Park; and

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

SECTION 1. The City Council of the City of Benton does hereby adopt certain policies for the safe and orderly use of Riverside Park by the public. These policies are attached hereto as Exhibit "1" to this ordinance.

SECTION 2. There is an immediate need to adopt the attached policies in order to provide for a safe and orderly environment for the public when using Riverside Park. Therefore, an emergency exists, and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this _____ day of July, 2017.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICAION

Safety Policies

The following behavior results in an automatic one day suspension from the River Center. Repeated violations may result in suspension or termination of privileges for guests and members.

- Any violation of the River Center policies and procedures/rules and regulations governing the conduct of members and guests.
- Verbal or physical abuse and/or the threat of verbal or physical abuse towards an employee or patron of the facility.
- Any threatening behavior (verbal and/or non-verbal) towards an employee or patron of the facility.
- Any physical contact with an employee or patron of the facility.
- Failure to cooperate by providing information requested by an employee.
- Public indecency or obscenity.
- Suspicion of consumption of alcohol/drugs.
- Damage, destruction or theft of facilities/equipment.
- The use of someone else's card to access the facility.
- Giving one's card to another individual for use to access the facility.
- Accessing the facility without a valid member card or without purchasing a day/guest pass.

RESOLUTION NO. 65 OF 2017

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF AN ADDITIONAL PARKING LOT AT RIVERSIDE PARK; APPROPRIATING FUNDS FOR THIS CONSTRUCTION; AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to construct an additional parking lot at Riverside Park on what is referred to as the Partridge property, which will be constructed using SB2 or similar materials; and

WHEREAS, the City Council wishes to authorize the Mayor to proceed with this project.

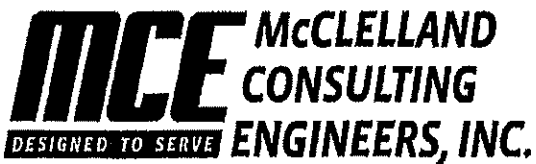
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Arkansas, that:

SECTION 1: The City Council does hereby authorize the Mayor to construct an additional parking area at Riverside Park which will be constructed with SB2 or similar materials. Funding for the construction will be from streets funds, which is authorized by Arkansas law.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk



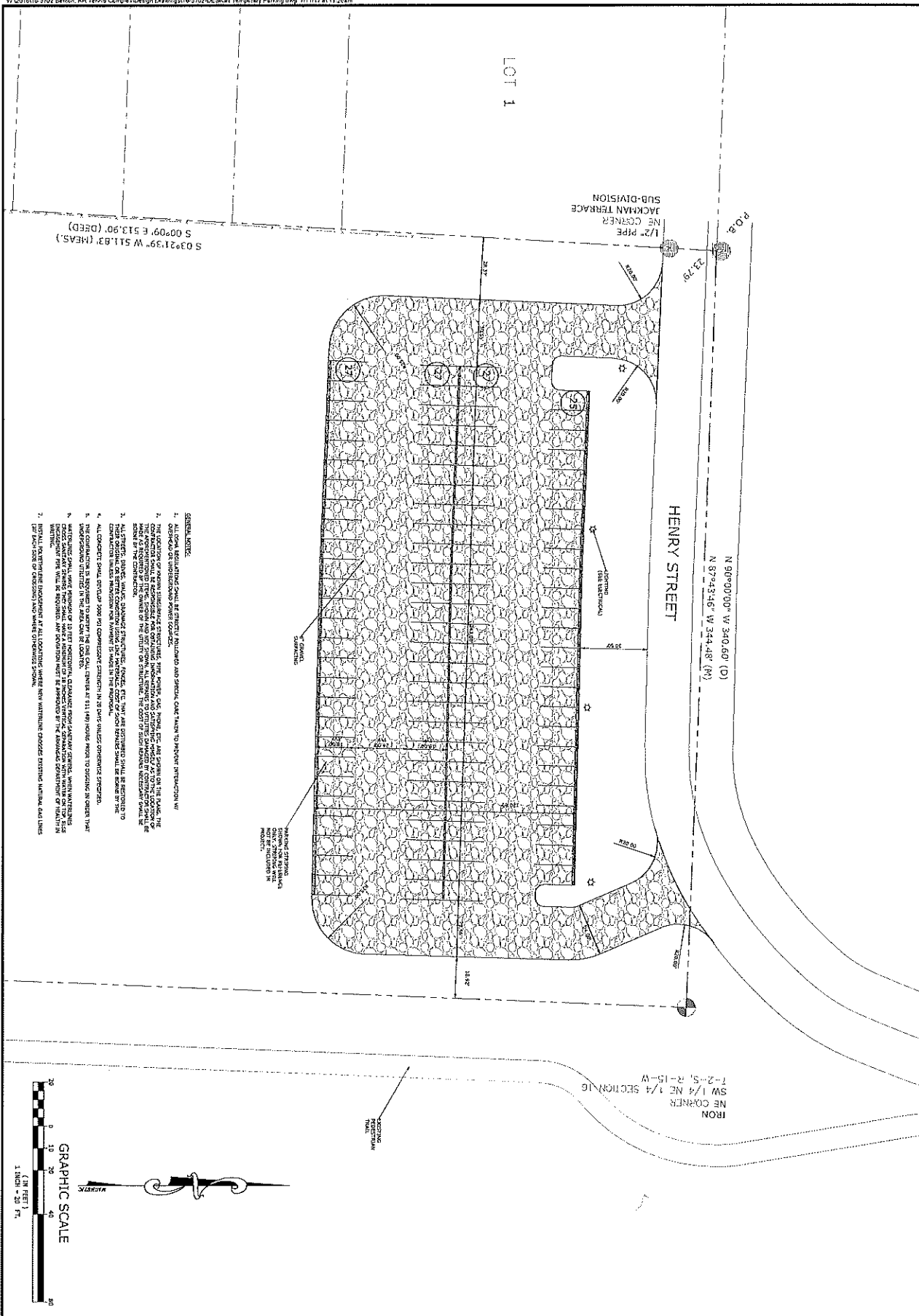
7/11/2017

Tennis Complex Phase 1

Preliminary Estimate of Design & Construction Cost

<u>Item No.</u>	<u>Item Description</u>	<u>Units</u>	<u>Estimated Quantity</u>	<u>Unit Cost</u>	<u>Total Cost</u>
1	Demolition (clearing and grubbing, and associated structures and utilities)	LS	1	\$5,000.00	\$5,000.00
2	Earthwork	CY	1400	\$12.00	\$16,800.00
3	Gravel Driveway & Parking Lot (8"depth)	TONS	1250	\$25.00	\$31,250.00
4	Lighting	LS	1	\$8,000.00	\$8,000.00
5	Wheel Stops	EA	79	\$75.00	\$5,925.00
6	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, As-Built Record Drawings, Seeding of Construction Area, and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications)	LS	1	\$6,105.00	\$6,105.00

Subtotal =	\$73,080.00
Contingency (10%) =	\$7,308.00
Estimated Construction Total =	<u>\$80,388.00</u>



ORDINANCE NO. 35 OF 2017

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING AND RATIFYING THE PURCHASE OF ALL PARTS AND EQUIPMENT TO REPLACE TWO DECANT CLARIFIERS LOCATED AT THE WASTEWATER TREATMENT PLANT OF BENTON UTILITIES WASTEWATER TREATMENT DEPARTMENT; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

WHEREAS, The Mayor and the City Council of the City of Benton, Arkansas have determined that the City should purchase all parts and equipment needed to replace digesters 1 and 2 at the Benton Utilities Wastewater Treatment Department without competitive bidding in connection therewith; and

WHEREAS, The City Council wishes to authorize and approve transaction described below;

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

SECTION 1. It is in the best interest of the City to contract with WesTech Equipment at 3665 S West Temple, Salt Lake City, UT 84115 to purchase all parts and equipment necessary to replace digesters 1 and 2 at the Wastewater Treatment Department. Copies of said quote and supporting documents are attached to this ordinance and incorporated herein by reference. The Wastewater Treatment Plant Department is authorized and directed to contract with WesTech Equipment at a total cost not to exceed \$624,502.00. All actions of the Benton Utilities Wastewater Treatment Plant Department in pursuing the contract authorized herein from WesTech Equipment prior to the formal adoption of this ordinance are hereby confirmed, ratified and approved.

SECTION 2. The requirement of competitive bidding for the purchase hereby authorized is deemed not feasible or practical due to the weather and time

restraints that limit this project as well as a limited number of companies available to do the work and, therefore, is waived.

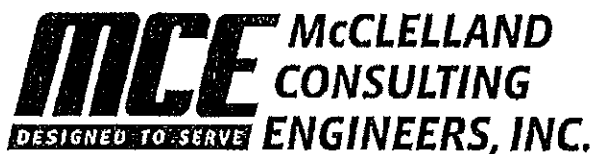
SECTION 3. The Mayor and City Clerk are hereby authorized and directed to execute such additional documentation as may be necessary or convenient to affect the purposes of this ordinance.

SECTION 4. The immediate entry into, implementation of, and payment for all labor and materials to purchase the above listed items from WesTech Equipment are authorized herein, and the ratification of actions taken to date, are necessary for the City to properly and timely perform tasks required of the Benton Utilities Wastewater Treatment Department currently underway, and any delay in the same adds intolerable inconvenience to the delivery of necessary services to the public. Therefore, an emergency exists, and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this _____ day of July, 2017.

Dave Mattingly , Mayor

Cindy Stracener, City Clerk



Benton Utilities
 WWTP Improvements
 Estimate of Probable Construction Costs
 July 17, 2017

Replace Digester 1&2

Item No.	Item Description	Units	Estimated Quantity	Unit Cost	Total Cost
1	Crane Service Remove and Install Equipment	LS	1	\$10,000.00	\$10,000.00
2	Clean Structures	LS	2	\$2,000.00	\$4,000.00
3	Landy Surface Aerators, Bridge and Stairs	LS	2	\$171,900.00	\$343,800.00
4	VFD's	LS	2	\$22,965.00	\$45,930.00
5	Decant Clarifiers	LS	2	\$75,170.00	\$150,340.00
6	Effluent Drop Boxes	LS	2	\$2,716.00	\$5,432.00
7	Painting and touch-up	LS	2	\$5,000.00	\$10,000.00
7	Electrical	LS	2	\$10,000.00	\$20,000.00
8	Miscellaneous	LS	1	\$15,000.00	\$15,000.00

Estimated Construction Total = \$604,502.00

Engineering/SDC \$20,000.00

Estimated Total Project Cost = \$624,502.00

ORDINANCE NO. 36 OF 2017

AN ORDINANCE AMENDING ORDINANCE 71 OF 2015; CORRECTING A SCRIVENER'S ERROR IN SECTION 1 OF THE ORDINANCE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton, Arkansas passed Ordinance 71 of 2015 providing a new rate structure for all water customers of the City of Benton which went into effect January 1, 2016; and

WHEREAS, it has been determined that Ordinance 71 of 2015 contained a scrivener's error and misstated the base rate for all residential customers under 65 and not on Social Security as being \$11.35 for the first two thousand (2,000) gallons when the base rate the city has been charging was \$11.75 pursuant to Ordinance 3 of 2009; and

WHEREAS, the Public Utility Commission (PUC) has requested that the City Council amend Ordinance 71 of 2015 in order to correct the scrivener's error and correctly state the base rate.

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

SECTION 1: For the reasons stated above, Ordinance 71 of 2015, Section 1 is hereby amended to state the residential base rate for all residential customers who are under age 65 and not on Social Security shall be \$11.75 for the first two thousand (2,000) gallons of water for a 5/8" and a 3/4" meter.

SECTION 2: In order to correctly state the water rates of the City, it is deemed that this ordinance is necessary to preserve the public health, safety and welfare. An emergency is therefore declared and this ordinance shall be of full force and effect from and after its passage and approval.

PASSED AND APPROVED this the ____ day of _____ 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk