

BENTON CITY COUNCIL MEETING

MARCH 13, 2017

7:00 PM



AGENDA MEETING 6:45 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
March 13, 2017
7:00 PM
AGENDA

- | | | |
|--------------|---|--|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Donnor |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | February 27, 2017
<i>Regular Meeting</i> |
| VI. | Employee Service Award Presentation
<i>Larry Applegarth, 10 years of service</i> | Mayor Mattingly |
| VII. | "STATE OF THE CITY" Address | Mayor Mattingly |
| VIII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | 2. Community Services/Animal Control | Alderwoman Reed |
| | 3. Streets & Drainage Committee | Alderman Baptist |
| | 4. Personnel/Health & Safety Committee | Alderman Donnor |
| | 5. Parks Committee | Alderman Cunningham |
| | A.) ORDINANCE NO. 8 OF 2017
<i>AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE PARKS FUND AS ADOPTED IN ORDINANCE 62 OF 2016; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF FITNESS EQUIPMENT FOR THE PARKS DEPARTMENT FROM SECOND CHANCE FITNESS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | B.) RESOLUTION NO. 27 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY TO EXTEND THE EXISTING CONTRACT WITH SCOTT HILL FOR OPERATING THE CONCESSIONS AT BERNARD HOLLAND PARK AND TYNDALL PARK; AND FOR OTHER PURPOSES</i> | |
| | C.) RESOLUTION NO. 28 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN ADDENDUM TO THE CONTRACT WITH THE CENTRAL ARKANSAS DEVELOPMENT COUNCIL FOR PROVIDING CERTAIN SERVICES TO THE SENIOR ADULTS OF BENTON; AND FOR OTHER PURPOSES</i> | |
| | D.) ORDINANCE NO. 9 OF 2017
<i>AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE PARKS FUND AS ADOPTED IN ORDINANCE 62 OF 2016; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF PROTECTIVE FLOOR COVERING FOR THE RIVER CENTER FROM BSN SPORTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |

E.) RESOLUTION NO. 29 OF 2017

A RESOLUTION EXEMPTING SATURDAY JULY 1st FROM ORDINANCE 29 OF 2007; PROVIDING FOR A FIREWORKS DISPLAYS BY THE PUBLIC PURSUANT TO ORDINANCE 32 OF 2013 ON THE SAME DATE; 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
February 27, 2017
Benton Municipal Complex

The Benton City Council was called to order for a regular session at 7:00 pm.

The Mayor gave the invocation.

Alderman Reed led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

Alderman Kerry Murphy	Alderman Charles Cunningham
Alderman Evelyn Reed	Alderman Frank Baptist
Alderman Jerry Ponder	Alderman Bill Donnor
Alderman Judd Hart	Alderman James Herzfeld
Alderman Steve Lee	Alderman Jeff Hamm
Brent Houston, City Attorney	Cindy Stracener, City Clerk
David Mattingly, Mayor	

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

The Mayor requested approval for the February 13, 2017 city council meeting minutes. Alderman Herzfeld 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 February 13, 2017 council meeting were approved with 10 affirmative votes.

The Mayor read a proclamation declaring February 19 through February 25 “Wall of Fame Week” in the city of Benton. See attached.

Michael Collier was recognized as the January employee of the month.

The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for a report from the Finance Committee. Alderman Ponder asked for the first reading of Ordinance 6 of 2017 – an Ordinance Waiving Construction Related Fees for the Construction of the Everett Infinity Dealership; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Reed. 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 Cunningham. 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 Hamm yes. Motion to suspend was approved with 10 affirmative votes. Alderman Ponder made a motion to adopt Ordinance 6 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 Cunningham yes, Alderman Reed yes, Alderman Donnor yes Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes,

and Alderman Hamm yes. Ordinance 6 of 2017 was adopted with 10 affirmative votes. 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 Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Hamm yes. The emergency clause was adopted with 10 affirmative votes.

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

Alderman Baptist was recognized for a report from the Streets and Drainage Committee. Alderman Baptist asked for the first reading of Ordinance 7 of 2017 – An Ordinance Declaring a Street Name Change for a Public Street Dedicated and Named on the Pleasant Forest Subdivision Plan (Phase 4), In Benton, Arkansas; and 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. Mr. Houston stated that the city does have an ordinance to rename a street and what it takes to accomplish that in the city. Since we have two streets right now that have the exact same name it could cause some type of life safety hazard to an individual should a first responder go to the wrong street; so this is something that we need to do fairly quickly as opposed to following those other processes and procedures. This particular street was chosen because there are no residential structures on it and because of its length and how it is situated. There will not be any residential structures associated with it. That is why section 2 is there repealing the street ordinance as it pertains to just this situation. This stands on its own merits. Alderman Baptist made a motion to suspend the rules, seconded by Alderman Murphy. 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 Hamm yes. Motion to suspend was approved with 10 affirmative votes. Alderman Baptist made a motion to adopt Ordinance 7 of 2017 on its second and third readings, seconded by Alderman Cunningham. 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 Hamm yes. Ordinance 7 of 2017 was adopted with 10 affirmative votes. Alderman Baptist made a motion to adopt the emergency clause, 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 Hamm yes. The emergency clause was adopted with 10 affirmative votes.

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

Alderman Cunningham was recognized for a report from the Parks Committee. He stated that the committee would meet tomorrow at 5:30 pm.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. Alderman Herzfeld made a motion to adopt Resolution 26 of 2017 – 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 Donnor. 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 Hamm yes. Resolution 26 of 2017 was adopted with 10 affirmative votes.

Alderman Ponder was recognized for a report from the Advertising and Promotion Commission. The previous commission meeting minutes were sent to the city clerk. See attached.

There was not any unfinished, new or old business.

The Mayor stated that he would be giving his State of City Address at the March 13th council meeting.

The meeting adjourned at 7:14 pm.

Cindy Stracener, City Clerk

David Mattingly, Mayor

~ Proclamation ~

WHEREAS, The Benton Athletic Memorial Museum Wall of Fame members have been ambassadors for the Benton High School Panthers and the City of Benton and have influenced the lives of hundreds of students and student athletes over the past twenty-one years; and

WHEREAS, the citizens of Benton take great pride in those members successes and admire the highest standards they have upheld in their representation of self and family; and

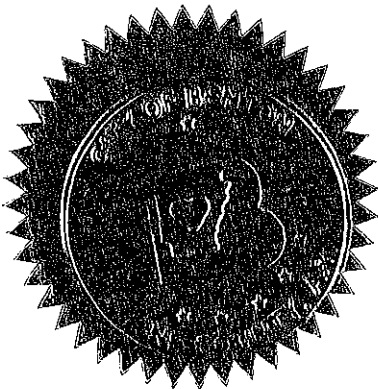
WHEREAS, we wish to thank all who have contributed to preserving the memories of our great city and Benton High School through the "Benton Athletic Memorial Museum"

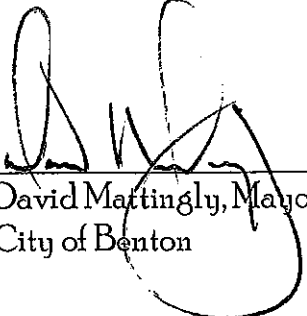
NOW, THEREFORE, I, DAVID MATTINGLY, acting under my authority as Mayor of the City of Benton, Arkansas, do hereby proclaim Sunday, February 19, 2017 through Saturday, February 25, 2017 as:

"BENTON ATHLETIC MEMORIAL MUSEUM WALL OF FAME WEEK"

in the City of Benton and urge all our citizens to join me in recognizing the accomplishments of the inductees and encourage everyone to follow their example to improve our quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Benton, Arkansas to be affixed at City Hall this 27th day of February in the year of our Lord, two thousand and seventeen.





David Mattingly, Mayor
City of Benton

BENTON ADVERTISING & PROMOTION COMMISSION

Minutes

February 16, 2017

- I. CALL TO ORDER
Chairman Mark Fikes called the regularly scheduled meeting of the Benton Advertising & Promotion Commission to order on February 16, 2017 at 4:05 pm in the boardroom of the Benton Area Chamber of Commerce.
- II. ROLL CALL
Commissioners in attendance included: Bill Eldridge, Jerry Ponder, Mark Fikes, Elgin Hamner IV, and Alison Burch. Absent was Luke Moody and Bill Donnor.
- III. Jerry Ponder was sworn in as a commissioner by Judge Grisham Phillips.
- III. MINUTES
Jerry Ponder made a motion to approve the minutes of the January meeting. Allison Burch seconded. Motion carried.
- IV. REPORT FROM BENTON EVENT CENTER
Director Nikki Chumley reported that we have reached over 300,000 in attendance at the Event Center since it opened. Legal ads to secure bids for painting and new carpet for the Center have been placed and will end Sunday. Bids close at 2:00 pm on February 24, 2017. Once again, Benton Event Center has finished second in the state for Best Event Center.
- V. OLD BUSINESS
Budget
The proposed 2017 budget will be presented electronically in the next few days to allow commissioners to review it before the approval vote is taken on March 16.
- VI. NEW BUSINESS
None
- VII. FUNDING REQUESTS
Little Rock Comic Com's request for funding was presented for its second reading. Jerry Ponder made the motion that the commission allow the requested \$1000. Allison Burch seconded. Motion carried.
- V III. ADMINISTRATIVE
Jerry Ponder reported that Tropical Smoothie is in the process of changing ownership. At this time, the restaurant is in 6 months arrears paying A&P taxes. Whether are not

the commission will be able to collect the back taxes depends on how the restaurant is being sold. Mark Fikes expressed concern because the restaurant was behind that much in taxes and a hearing had not been held. He said we have a collector hired and the established procedure for non-payment needs to be followed.

IX. FINANCIAL REPORTS

The financial reports were presented by Gary James. Gary indicated that 2016 budget numbers are being used until the 2017 budget is approved in March.

A&P had a net income of \$1998.12 for the month. Monthly sales revenue at the Event Center amounted to \$23,926.36; sales tax revenue was \$8,387.78, making a gross profit of \$32,332.01. Expenses at the center totaled \$24,243.02, making the net income for the month \$8989.59

\$14,993.04 was spend in 2016 out of the \$25,000 earmarked for Funding Requests. Bill Eldridge made the motion that the remaining \$10 ,006.96 be moved to Debt Reduction

X. OTHER BUSINESS

Establishing a Capital Expenditure and/or Depreciation Account for any unrestrictive cash was discussed. No action was taken.

A review of the Advertising and Promotion accounts will be made.

XI. ADJOURNMENT

The meeting was adjourned on the motion of Elgin Moody at 4:35pm.

Mark Fikes
Chairman

Jerry Beaty
Recording Secretary

ORDINANCE NO. 8 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE PARKS FUND AS ADOPTED IN ORDINANCE 62 OF 2016; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF FITNESS EQUIPMENT FOR THE PARKS DEPARTMENT FROM SECOND CHANCE FITNESS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council has received a proposed purchase agreement from Second Chance Fitness for the purchase of certain fitness equipment utilizing the TIPS/TAPS purchasing cooperative that obtains competitive pricing for government entities, a copy of which is attached hereto as Exhibit "1" to this ordinance; and

WHEREAS, the City Council needs to amend the 2017 Parks Fund budget to account for this purchase.

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 FY2016 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 "2" 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 City Council does hereby authorize the purchase of the equipment itemized in Exhibit "1" using the TIPS/TAPS purchasing cooperative for government purchases. The Mayor and City Clerk are hereby authorized to execute the necessary documents to fulfill the contract terms contained with the purchase agreement. The Mayor is likewise authorized to pay the sums when due as stated in the purchase agreement. To this end, the funds are hereby deemed appropriated for this purpose.

SECTION 3: It is hereby found and determined that there is an immediate need to amend the budget to appropriate funds for the purchase of the equipment listed in Exhibit "1". 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 March, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



SECOND CHANCE FITNESS
 1577 Marquee Circle
 Cabot, AR 72023
 (501) 831-9993
 2ndchancefit@gmail.com

BILL TO

John Eckart
 City of Benton Park and
 Recreation
 913 E. Sevier St
 Benton, AR 72015

SHIP TO

John Eckart
 City of Benton Park and
 Recreation
 913 E. Sevier St
 Benton, AR 72015

INVOICE 1632**DATE 01/30/2017 TERMS Due on receipt****DUE DATE 01/30/2017**

DATE	ACTIVITY	QTY	RATE	AMOUNT
01/30/2017	G-73-739 UltraFit™ Medicine Ball Racks 9 Ball Over sized Rack	1	308.70	308.70T
01/30/2017	G-73-738 6 BALL OVER SIZED MED BALL RACK. UltraFit™ Medicine Ball Racks	1	332.22	332.22T
01/30/2017	XD-14" KMB 1219 125 XD™ 14 Inch Kevlar® Medicine Ball 12LB	5	95.00	475.00T
01/30/2017	XD- 14"KMB 1219 127 KEVLAR 14" 16LB MED BALL	5	100.00	500.00T
01/30/2017	XD-14" KMB 20LB 1219 129 XD-KEVLAR 20LB MED BALL 14"	6	110.00	660.00T
01/30/2017	G-70986 OVER SIZED MED BALL RACK MOBILE HOLDS 15 MED BALLS!	1	369.00	369.00T
01/30/2017	GMB MED BALL SET W/0 RACK TROY MED BALL SET SIZES 4,6,8LB X 3 ,10,12,15LB X2 TOTAL OF 15 MED BALLS	1	649.00	649.00T
01/30/2017	G-69-128 3 TIER STATIONARY KETTLE BELL RACK	1	375.00	375.00T
01/30/2017	BS-GDR500 Designed for easy storage of your Body Solid vinyl dumbbells. Vertical storage allows over 100 dumbbells , stored in a compact space (42.5"W x 26.5"L x 46"H) with easy access. Heavy gauge steel oval tubing provides a solid and stable storage solution. Heavy-duty kasters for easy transportation. The perfect companion for your Body Solid Tools Vinyl Dumbbells, the GDR500 is compact, stable and affordable. with locking bar! NO LOCK INCLUDED	3	345.00	1,035.00T

DATE	ACTIVITY	QTY	RATE	AMOUNT
01/30/2017	HDR HEX DUBBELL BLACK BY LB TROY 6 Sided Rubber Encased Dumbbells. Solidly built, with all steel, chrome contoured handles and rubber encased heads that are friction welded!!! Sizes 2,5,8,10,12 to 100lb in 5 inc. QTY: 72-2LB,60-5LB,36-8LB,52-10LB,36-12LB,22-15LB,24-20LB,16-25LB,8-30LB 3134LBS	3,134	2.00	6,268.00T
01/30/2017	TKO 824-HDR TKO 2 TIER DUMBBELL RACK OPTIONAL 3RD TIER DUMBBELL RACK AVAILABLE	2	350.00	700.00T
01/30/2017	TKO HDR3 TKO 3RD TIER DUMBBELL RACK OPTION FOR HDR	2	90.00	180.00T
01/30/2017	G-06-181 36 BAR MOBILE BAR RACK. Access your bars in seconds, thanks to the upright design and dividers that keep each weight separated. Powder-coated, all-steel construction ensures the rack's performance and look lasts for years. Four smooth-rolling casters make it easy to move. Choose from a 24-Bar (32"L x 21"W x 48"H; 80 lb) or 36-Bar (48"L x 20"W x 48"H; 88 lb) Rack.	1	360.00	360.00T
01/30/2017	GTBR PACK Troy Aerobic Bar Club Pack. Each set contains the following bars: 6 x 6 lb., 6 x 9 lb., 6 x 12 lb., 6 x 15 lb., 6 x 18 lb., 6 x 22 lb. total of 36 bars! No Rack 1 year warranty against breakage.	1	1,050.00	1,050.00T
01/30/2017	256BR-2-50 2 IN X 50 FT BATTLE ROPE	4	225.00	900.00T
01/30/2017	256BR-1.5-50 1.5 IN X 50FT LONG BATTLE ROPE	4	169.00	676.00T
01/30/2017	252BA BATTLE ROPE HOOK Battling Rope Anchor » Rope Anchor mounts to the wall to hold ropes in place for easy use » Allows for maximal development of core strength	8	24.00	192.00T
01/30/2017	253BH Battle Rope Storage » Holder mounts to the wall to hold training ropes after use » Helps maintain a safe and clear workout environment	8	40.00	320.00T
01/30/2017	G-69-172 CLASS PLUS ULTRA FIT RESISTANCE TUBING PACK W/PLASTIC HANDLES QTY 32	1	739.90	739.90T
01/30/2017	G-67-680 ADJUSTABLE CHINNING BAR	6	204.82	1,228.92T
01/30/2017	G-70-272 CLASS PLUS ULTRA FIT MAT PAC. 24 QTY BLUE MATS	2	949.62	1,899.24T
01/30/2017	G-70-223 ULTRAFIT ANTI-BURST STABILITY BALL RACK WITH 12 MIXED BALLS	1	704.62	704.62T
01/30/2017	G-70-215 CLASS PLUS BOSU PRO RACK 12 STUDENT	1	2,087.13	2,087.13T
01/30/2017	G-69-818 LOCKABLE WEIGHT BAR RACK	1	308.70	308.70T

DATE	ACTIVITY	QTY	RATE	AMOUNT
01/30/2017	G-MBPR VTX BUMPER STACKER MOBILE	5	109.00	545.00T
01/30/2017	GOB-1800 TROY 2000LB TEST OLYMPIC BAR	10	249.00	2,490.00T
01/30/2017	AOMC TROY MUSCLE CLAMP PAIR	10	38.50	385.00T
01/30/2017	O-010SBP TROY 10LB SOLID BUMPER PLATE GREEN	20	38.00	760.00T
01/30/2017	O-015SBP 15LB SOLID RUBBER BUMPER PLATE BLACK	20	45.00	900.00T
01/30/2017	O-025SBP TROY 25 LB SOLID RUBBER BUMPER PLATE YELLOW	16	62.50	1,000.00T
01/30/2017	O-035-SBP TROY 35LB BLUE SOLID RUBBER BUMPER PLATE	8	85.00	680.00T
01/30/2017	O-045-SBP TROY 45LB RED SOLID RUBBER BUMPER PLATE	8	105.00	840.00T
01/30/2017	G-86-819 FUNOODLES FOAM RODS STORAGE CARTS	1	169.65	169.65T
01/30/2017	PS-50095 Club Premium Kettlebell Rack	2	325.31	650.62T
01/30/2017	CKB-VTX RBRKB BY LB VTX CLUB KETTLEBELL !Available In the following weights and colors: 8lb pink, 10lb red, 15lb light blue, 20lb orange, 25lb black, 30lb green, 35lb yellow, 40lb light orange, 45lb blue, 50lb purple. Product Description: Rubber coated bell, smooth steel handles, colorful and easy to ready poundage markers make the new CKB from VTX the best kettlebell for any gym, box, PT studio or any facility that wants the combination of high quality and design. Contact your sales rep, click the Talk to Troy icon or request a quote today to lean more about the all new CKB. QTY: 6-8lb,6-10lb,9-15LB,6-20LB,5-25LB,5-30LB,4-35LB,4-40LB,2-45LB,2-50LB TOTAL WEIGHT.	1,128	2.45	2,763.60T
01/30/2017	T-PLYO-PACK 705 Heights available: 6", 12", 18", and 24", and the ability to stack the boxes Ultra dense foam Covered with heavy duty vinyle Large velcro flaps to securely hold boxes in place 36x30 landing area on all sizes YES NON SLIP DESIGN!!	4	830.00	3,320.00T
01/30/2017	PS-92435 LEBERT EQUALIZER YELLOW	6	89.45	536.70T
01/30/2017	YP-0001-LVA TKO YOGA MAT 5 MM WITH SLING SIZE 68"X 24"	10	15.00	150.00T
01/30/2017	PS-83350 YOGA BLOCKS 3IN PURPLE	20	6.44	128.80T
01/30/2017	PS-83420 YOGA STRAP 8FT PURPLE	20	6.44	128.80T

DATE	ACTIVITY	QTY	RATE	AMOUNT
01/30/2017	PS-68227 TRX COMMERCIAL SUSPENSION TRAINER	6	209.00	1,254.00T
01/30/2017	PS-68189 SUSPENSION TRAINER EXTENDER	6	14.39	86.34T
01/30/2017	PS-92569 STEP STORAGE CART FOR THE ORIGINAL HEALTH CLUB STEP WITH 12 OHC STEPS BLACK AND GREY	2	1,073.82	2,147.64T
01/30/2017	PS-13228 20LB WEIGHTED FITNESS VEST	6	55.00	330.00T
01/30/2017	CONCEPT2 MODEL D INDOOR CONCEPT2 MODEL D INDOOR CONCEPT 2 2711-US	6	900.00	5,400.00T
01/30/2017	Boss Barre Dolly Portable Barre Dolly Allows Bars to be mobile	4	69.95	279.80T
01/30/2017	8ft Boss Barre Intermediate 8ft Boss Barre Intermediate 1.315" outside diameter structural steel -.100" wall thickness for strength and durability -Heat-applied powder coated finishes are baked on to help prevent chipping -Ductile-cast galvanized EuroKlemp connectors -44" studio standard overall height -Weight of barre: 44lbs	6	428.00	2,568.00T
01/30/2017	XD-14" 10LB KEV. MED BALL XD 14" 10LB KEVLAR MED BALL	1	109.99	109.99T
01/30/2017	G-68-327 DOUBLE AB WHEEL	2	12.55	25.10T
01/30/2017	G-70-156 VARI-AB SLINGS	1	54.00	54.00T
01/30/2017	G-69-056 ULTRA FIT FOAM ROLLER . HIGH DEN FOAM	1	24.25	24.25T
01/30/2017	G-91-078 ULTRA FIT CORE BALANCE DISK 14" RED	1	21.55	21.55T
01/30/2017	G-67-639 MaxSpin™ Ball-Bearing Speed Ropes TACKY 8FT	1	11.95	11.95T
01/30/2017	G-67-640 MaxSpin™ Ball-Bearing Speed Ropes TACKY 9FT	1	12.95	12.95T
01/30/2017	G-767-641 MaxSpin™ Ball-Bearing Speed Ropes TACKY 10FT	1	13.95	13.95T
01/30/2017	Z-650 SS DISP. Floor Stand Gym Wipe Dispenser Stainless Steel Gym Wipe Dispenser Our best selling gym wipe dispenser just got even better. With a larger 14" base for added stability, a larger 7 gallon waste receptacle and easy access door for easier and less frequent servicing, our new & improved Stainless Steel Gym Wipes Floor Dispenser is hard to resist. Compatible with all of Zogics Gym Wipes, this sleek and stylish floor stand dispenser has an improved nozzle for hassle free wipe dispensing, and is easier to refill as it comes with a bucket to hold your rolls of wipes.	4	299.00	1,196.00T

DATE	ACTIVITY	QTY	RATE	AMOUNT
01/30/2017	Z-800 Zogics Antibacterial Wipes EPA Registered Antibacterial Gym Wipes Premium Workout Wipes When nothing but the best will do, Zogics Antibacterial Gym Wipes won't disappoint. These antibacterial surface wipes are EPA registered to kill 99.9% of germs and bacteria in just 15 seconds, as well as MRSA, HIV-1, H1N1, E coli, and much more. Bleach-free, alcohol-free, and phenol-free, our premium, cloth-like surface wipes are great for use in gyms and health clubs, hospitals, health care settings, nursing homes, veterinary clinics, schools, shopping centers, grocery stores... just about anywhere with hard surfaces! As low as 2.6 cents per wipe, one case of Antibacterial Gym Wipes includes four 800 count rolls of pre-saturated wipes. Individual wipes measure 8.5" high x 6" wide. The gym wipe rolls fit most dispensers, and as our wettest wipe, they must be dispensed from an upward pull wipe dispenser. TOTAL OF 4 IN CASE!	1	99.00	99.00T
01/30/2017	HEALTH O METER WAIST Health o Meter® Digital Scale Waist	1	458.00	458.00T
01/30/2017	G-67-583 Magnus™ Space-Saver Stability Ball Racks. Convenient Wall-Mounted Storage A supremely convenient folding design allows racks to be extended forward from the wall to house balls, then folded back up for near-zero interference when balls are out. Single Rack, 107"L x 20"W x 20"H, 11 lb	1	99.99	99.99T
01/30/2017	65CM BURST BALL NO PACKAGING 65CM BURST BALL NO PACKAGING	1	47.98	47.98T
01/30/2017	55CM BURST BALL 55CM BURST BALL	1	42.98	42.98T

Mr. Grist,	SUBTOTAL	52,050.07
Added ball rack and 55cm and 65cm stability balls and 1 more plyo!	TAX (9%)	4,684.51
	SHIPPING	1,903.24
I appreciate this opportunity!!	TOTAL	58,637.82

I think we were able to finally hit the nail on the head! Upgraded to all rubber coated KB and streamlined the DB and added back in the mobile racks! All the other additions as well! I think you will be happy! Wow what a lot of work!! Let me know how you want to proceed??

Thank you sir! Good Luck w Little one!

Perry Shock

TOTAL DUE \$58,637.82



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 Parks Fund.

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

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

Section 1: Amended Appropriations – Fiscal Year 2017

Parks Budget

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$4,946,151.00	-0-	\$4,946,151.00
Personnel	\$1,464,794.00	-0-	\$1,464,794.00
Operations & Maintenance	\$1,132,807.00	37,648.75	\$1,170,455.75
Capital Items	\$2,326,039.00	(37,648.75)	\$2,288,390.25

Section 2: Funding & Disbursements - Fiscal Year 2017

Funding Source:

This budget amendment allows for the reduction of budgeted expenditures from Furniture & Fixtures (850.100.35.00) in the amount of \$58,637.82 for Riverside kitchen equipment.

O&M Items

This budget amendment allows for the expenditures associated with the Second Chance Fitness equipment in the amount of \$37,648.75 for Supplies/Recreational (750.660.35.00) in the Parks Department.

Capital Items

This budget amendment allows for the expenditures associated with the Second Chance Fitness equipment in the amount of \$20,989.07 for Non-Depreciable Assets (850.900.35.00) in the Parks Department.

RESOLUTION NO. 27 OF 2017

A RESOLUTION AUTHORIZING THE CITY TO EXTEND THE EXISTING CONTRACT WITH SCOTT HILL FOR OPERATING THE CONCESSIONS AT BERNARD HOLLAND PARK AND TYNDALL PARK; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton published an RFP in 2015 requesting proposals for operating the concessions at Bernard Holland Park and Tyndall Park; and

WHEREAS, the terms of the RFP stated that the contract could be extended for two additional one year terms; and

WHEREAS, Scott Hill was awarded the contract in 2015 which was extended in 2016; and

WHEREAS, the City Council desires to grant Scott Hill the last one year contract extension under the 2015 RFP, conditioned upon Mr. Hill agreeing to fulfill certain reporting requirements to the city; and

WHEREAS, it has been determined that it is in the best interest of the city to enter into an agreement with Scott Hill for operating the concessions at these two locations.

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, a contract with Scott Hill for the operations of concessions at Bernard Holland Park and Tyndall Park for one additional term. This contract will be consistent with the terms contained in the response to the RFP and by his agreement to fulfill certain reporting requirements to the City which is attached hereto as Exhibit "1". The contract shall be approved by the city attorney before execution of same.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 28 OF 2017

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN ADDENDUM TO THE CONTRACT WITH THE CENTRAL ARKANSAS DEVELOPMENT COUNCIL FOR PROVIDING CERTAIN SERVICES TO THE SENIOR ADULTS OF BENTON; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Benton, Arkansas and the Central Arkansas Development Council entered into a program agreement for providing services to the senior adults in Benton for the years 2017 through 2019; and

WHEREAS, it has been determined that this agreement needs to be amended to clarify both the use of the facilities and certain responsibilities of the parties.

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 Addendum to the Program Agreement with the Central Arkansas Development Council. This contract addendum is attached hereto as Exhibit "1" and is incorporated now by reference as if stated word for word.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"

**Benton Parks Department
2017 Program Agreement-Addendum**

THIS ADDENDUM TO A CERTAIN AGREEMENT is made and entered into on _____ day of _____, 2017 by and between the CITY OF BENTON, doing business at 114 South East Street, Benton, AR 72015 (hereinafter called "THE CITY"), and CENTRAL ARKANSAS DEVELOPMENT COUNCIL DOING BUSINESS AS Benton Senior Adult Center, 321 Edison, Benton, Arkansas (hereinafter called "BSAC").

WITNESSETH

WHEREAS, the BSAC and THE CITY entered into an agreement on or about the 26th day of January, 2017 for the use of certain property for a Senior Adult Center; and

WHEREAS, the parties desire to enter into an addendum of that program agreement.

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

The following paragraph shall supersede Section I, paragraph 21 of the program agreement:

I. Areas allowed for BSAC Space use, Terms affecting such use and Relationship of the Parties:

21. BSAC will have the right to use of the aquatic center located within the River Center one (1) hour per day on Monday through Friday of each week for BSAC swimming programs. The hour must occur at appropriate times that are agreed upon between the Aquatics Director and the designated Senior Adult Center program manager. BSAC may schedule additional times for using the aquatic center by agreement of the Aquatics Center Director. BSAC will also take appropriate steps to monitor that only its members are utilizing its programs, whether aquatic or otherwise.

IN WITNESS WHEREOF the parties hereto have caused this Addendum to the Agreement to be executed in their behalf and supersedes Section I, paragraph 21 of the original program agreement.

Dated this ____ day of _____, 2017.

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

Attest: _____, City Clerk, Cindy Stracener

Central Arkansas Development Council:
User Organization

_____, Larry Cogburn /Executive Director

ORDINANCE NO. 9 OF 2017

AN ORDINANCE AMENDING THE 2017 BUDGET FOR THE PARKS FUND AS ADOPTED IN ORDINANCE 62 OF 2016; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF PROTECTIVE FLOOR COVERING FOR THE RIVER CENTER FROM BSN SPORTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council has received a proposed purchase agreement from BSN Sports for the purchase of protective floor covering for the River Center utilizing the National IPA purchasing cooperative that obtains competitive pricing for government entities, a copy of which is attached hereto as Exhibit "1" to this ordinance; and

WHEREAS, the City Council needs to amend the 2017 Parks Fund budget to account for this purchase.

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 FY2016 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 "2" 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 City Council does hereby authorize the purchase of the equipment itemized in Exhibit "1" using the National IPA purchasing cooperative for government purchases. The Mayor and City Clerk are hereby authorized to execute the necessary documents to fulfill the contract terms contained with the purchase agreement. The Mayor is likewise authorized to pay the sums when due as stated in the purchase agreement. To this end, the funds are hereby deemed appropriated for this purpose.

SECTION 3: It is hereby found and determined that there is an immediate need to amend the budget to appropriate funds for the purchase of the floor covering listed in Exhibit "1". 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 March, 2017.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



BSN SPORTS

DALLAS, TX 75209
Tel: 1-800-527-7510 Fax: 1-800-899-0149
Visit us at www.bsnsports.com

Exhibit "1"

Quote	
Quote #:	20884464
Purchase Order #:	Flooring - John Eckart
Cart Name:	
Quote Date:	02/28/2017
Quote Valid-to:	00/00/0000
Payment Terms:	NT30
Ship Via:	
Ordered By:	

Contact Your Rep
Brad Ciesielski Email: bciesielski@bsnsports.com | Phone: 214-459-9049 x9049

Sold to
2027579
BENTON PARK & REC DEPT
913 E SEVIER
BENTON AR 72015
USA

Ship To
2027579
BENTON PARK & REC DEPT
913 E SEVIER
BENTON AR 72015
USA

Payer
2027579
BENTON PARK & REC DEPT
913 E SEVIER
BENTON AR 72015
USA

Item Description	Qty	Unit Price	Total
CARPETDECK 2 TILE Item # - NSPHG	1450 EA	\$ 42.50	\$ 61,625.00
2M x 1M Item # -	0	\$ 0.00	\$ 0.00
Charcoal Item # -	0	\$ 0.00	\$ 0.00
CART, TRANSPORT, CARPET DECK Item # - NSPHG	3 EA	\$ 482.50	\$ 1,447.50

Subtotal:	\$63,072.50
Other:	\$0.00
Freight:	\$1,785.00
Sales Tax:	\$5,837.17
Order Total:	\$70,694.67
Payment/Credit Applied:	\$0.00
Order Total:	\$70,694.67

Pricing per National IPA Contract R160701, BSN Sports Program ID 50780



EXHIBIT "2"

FY2017 Operating Budget

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Section 1: Amended Appropriations – Fiscal Year 2017

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Operations & Maintenance	\$1,132,807.00	-0-	\$1,132,807.00
Capital Items	\$2,301,039.00	25,000.00	\$2,326,039.00

Section 2: Disbursements - Fiscal Year 2017

Capital Items

This budget amendment allows for the expenditures associated with the Benton Riverside Center Carpetdeck protective floor covering in the amount of \$25,000.00 (850.900.35.00) in the Parks Department.

RESOLUTION NO. 29 OF 2017

A RESOLUTION EXEMPTING SATURDAY JULY 1st FROM ORDINANCE 29 OF 2007; PROVIDING FOR FIREWORKS DISPLAYS BY THE PUBLIC PURSUANT TO ORDINANCE 32 OF 2013 ON THE SAME DATE; AND FOR OTHER PURPOSES

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

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

WHEREAS, Independence Day will celebrate our national pride and heritage and many individuals within the city desire to have fireworks displays on Saturday, July 1st as part of their weekend celebrations; and

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

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

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

SECTION 1: The City Council pursuant to Ordinance 29 of 2007, Section 4 paragraph 3 designates all firework displays on July 1, 2017 as being exempted from the city's noise ordinance. This designation is only from 10:00 am until 10:00 pm.

SECTION 2: The City Council, pursuant to Ordinance 32 of 2013, does hereby authorize fireworks displays by the public on July 1, 2017 from 10:00 am until 10:00 pm.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk