

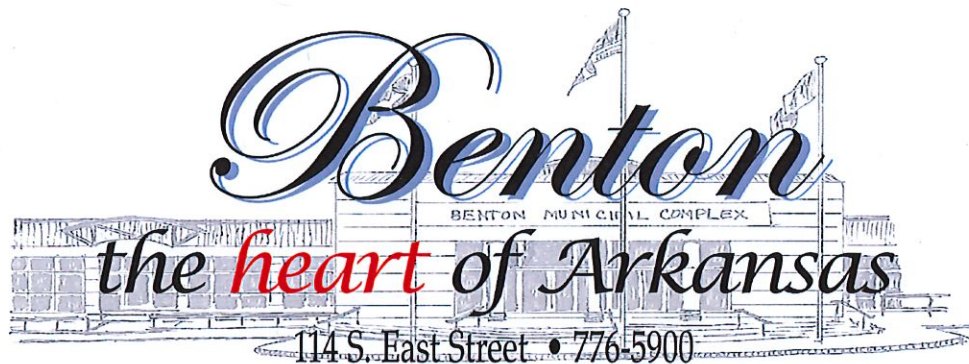
**BENTON CITY COUNCIL
REGULAR SESSION**

MAY 8, 2017

7:00 PM



AGENDA MEETING 6:30 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
May 8, 2017
7:00 PM
AGENDA

- | | | |
|--------------|--|---|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Hart |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | May 1, 2017
<i>Special Called Meeting</i> |
| VI. | Youth of the Month Presentations
<i>April- Kaitlyn Campbell introduced by Jessa Bryant</i>
<i>May- Quinton Jackson introduced by Jill Harris</i> | |
| VII. | PROCLAMATION
<i>GOODWILL INDUSTRIES WEEK MAY 7-13, 2017</i> | Mayor Mattingly |
| VIII. | FILLING VACANCY IN WARD 2, POSITION 1 | City Attorney Houston |
| IX. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | A.) RESOLUTION NO. 49 OF 2017
<i>A RESOLUTION RECOGNIZING THE SERVICES OF LIEUTENANT TERRY FULLER TO THE CITIZENS OF BENTON AND AWARDING HIM HIS BADGE AND SERVICE WEAPON IN RECOGNITION OF THOSE SERVICES</i> | |
| | B.) RESOLUTION NO. 50 OF 2017
<i>A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH EXECUTIVE SERVICE, INC. FOR PROVIDING JANITORIAL SERVICES TO THE CITY; AND FOR OTHER PURPOSES</i> | |
| | C.) RESOLUTION NO. 51 OF 2017
<i>A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST PROPOSALS FROM LOCAL BANKS FOR AMENDMENT 78 FUNDING FOR THE FARMER'S MARKET; AND FOR OTHER PURPOSES</i> | |
| | 2. Community Services/Animal Control | Alderman Reed |
| | 3. Streets & Drainage Committee | Alderman Baptist |
| | 4. Personnel/Health & Safety Committee | Alderman Donnor |
| | 5. Parks Committee | |
| | 6. Public Utilities Commission | Alderman Herzfeld |
| | 7. A & P Commission | Alderman Donnor/Ponder |
| X. | Unfinished Business | |
| XI. | New Business | |
| XII. | Old Business | |
| XIII. | Announcements | |
| XIV. | Adjourn | |

MINUTES OF THE BENTON CITY COUNCIL
Special Called Session
May 1, 2017
Benton Municipal Complex

The Benton City Council was called to order for a special called session at 7:01 pm. The regular scheduled April 24th council meeting was canceled due to Alderman Cunningham's passing and the visitation.

The Mayor gave the invocation.

Alderman Ponder led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

Alderman Frank Baptist	Alderman Kerry Murphy
Alderman Evelyn Reed	Alderman Bill Donnor
Alderman Jerry Ponder	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 nine (9) council members were present. Alderman Cunningham passed away since the last council meeting. A quorum was declared.

The Mayor requested approval for the April 10, 2017 city council meeting minutes. Alderman Lee made a motion to approve the minutes, seconded by Alderman Baptist. The Mayor called for a voice vote on the approval of the minutes. All aldermen present replied in the affirmative. The minutes for the April 10, 2017 council meeting were approved with 9 affirmative and 1 absent vote.

Judge Arnold swore in five new police officers, Madison Barden, Jackson Daniell, Ryan Roush, Corey Green and Austin Rath.

Out of respect for Alderman Cunningham, his chair was leaned forward and his nameplate was turned down. The Mayor then had a moment of silence.

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

Alderman Ponder was recognized for a report from the Finance Committee. Alderman Ponder stated that he had nothing to report but that a committee meeting would be held tomorrow evening.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed asked for the first reading of Ordinance 21 of 2017 – An Ordinance Rezoning Certain Land in the City of Benton, Saline County, Arkansas; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was read by the city clerk. This ordinance rezones 2419 Hwy 5 from R2 Single Family Residential to C2 General Commercial. It was requested by David Chapman for

Martha May and her family. The Mayor asked for any comments. Rick Holland stated that on his way to the council meeting, he saw on the land proposed to be rezoned a deer grazing and was reminded that Hwy 5 was a scenic highway. There have been many attempts in the past to rezone properties up and down Hwy 5 which is a residential highway. Some of things that were tried to be put in there were apartments, storage buildings and a hair salon; planning and zoning has consistently voted down commercial rezoning in this area. In talking to the neighbors, I have yet found anyone who is in favor of this; especially when the developer has told me he is looking to put a Valero, fast food or Dollar General in this area. The noise, disruption and light pollution are very disturbing to everybody. The ones who are opposed to this are not likely to come up to city council or call their aldermen but they all have an opinion and the opinion of rezoning this to commercial is not in favor of it. This stretch of highway is about all that is left of pure residential. I would ask that you vote this down.

The Mayor asked for any other comments. David Chapman stated that he was under contract with this property contingent upon whether we can rezone the frontage of the property. He handed out some information which consisted of the frontage have commercial with 4 or 5 suites connected together then a residential area behind. There is a problem with residential in that the fire code requires 2 entrances. For over 2 years we have talked to the adjoining property owners trying to buy property for an emergency entrance; to no avail, we did not get a response. My first choice as a developer would be for this to be residential. If you have over 30 occupancies then you have to have a second entrance according to the fire code. With no response concerning buying property for another entrance, we gave up. Then I came up with this option of putting an upscale development, a gated community as you climb the hill going east. The reason that the property has been for sale for so long is that you can't put 30 homes in it and it be feasible, there are drainage issues. The cost far exceed what 30 lots from bring in to the developer. If commercial could go on the front then it would be feasible to put residential behind it. Alderman Ponder asked if there has been a deed restriction filed since this was presented to the Planning and Zoning Commission that would preclude multifamily development on the land. Mr. Chapman stated yes. Alderman Lee asked what the vote of the Planning and Zoning Commission was. The Mayor stated 3-2 in favor of the rezone.

Martha Willis May, owner of the property stated she and her sisters inherited the property from their father. It has been in the family over 90 years and this has not been a quick decision to sell the property. It has taken 14 years to make the decision. According the State Highway Department this stretch of Hwy 5 is not designated a scenic highway. This is our first attempt at rezoning this property. Also the whole area is changing, the Highway Department is going to take out the curve at Hwy 5 and Salt Creek, so it is going to look differently than it does now. They are taking 10 to 15 feet off the front of our property and the opposite of the road is where the majority of the land will be taken by the Highway Department. It will be a very wide area through there, so it is going to change the whole looks of the area. We have thought that commercial is the way that this land should go. Another hope that we have had was that something would go in that would benefit the city, churches or schools but that has not come to pass. A motion to suspend was not made so this ordinance will be on the next agenda for the second reading.

Alderman Reed asked for the first reading of Ordinance 22 of 2017 – An Ordinance Rezoning Certain Land in the City of Benton, Saline County, Arkansas, Declaring an Emergency; and For Other Purposes. Seconded by Alderman Herzfeld. The ordinance was

read by the city clerk. This is for Lot 3R of Hurricane Lake Estates Phase 1-2, to be rezoned from R2 Single Family to C3 Service Commercial. The Mayor asked for any comments, none. Alderman Reed made a motion to suspend the rules for the second and third readings. Seconded by Alderman Herzfeld. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham deceased, 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 9 affirmative and 1 absent vote. Alderman Reed made a motion to adopt Ordinance 22 of 2017 on its second and third readings by title only. Seconded by Alderman Donnor. The ordinance was read by title only. The Mayor asked for any comments, none. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham deceased, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Hamm yes. Ordinance 22 of 2017 was adopted with 9 affirmative and 1 absent vote. Alderman Reed made a motion to adopt the emergency clause. Seconded by Alderman Donnor. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham deceased, 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 9 affirmative and 1 absent vote.

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

Alderman Donnor stated that there was not a report from the Personnel/Health & Safety Committee.

Alderman Hart was recognized for the Parks Committee report. Alderman Hart made a motion to approve Resolution 47 of 2017 – A Resolution Exempting the American Cancer Society Relay for Life Event Scheduled for Friday May 5th from Ordinance 29 of 2007; and For Other Purposes. Seconded by Alderman Baptist. The resolution was read by the city clerk. The Mayor asked for any comments, none. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham deceased, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Hamm yes. Resolution 47 of 2017 was adopted with 9 affirmative and 1 absent vote.

Alderman Hart made a motion to adopt Resolution 48 of 2017 – A Resolution Expressing the Willingness of the City of Benton to Utilize Federal-Aid Transportation Alternatives Program Funds To Develop a Trail Network Through the City of Benton. Seconded by Alderman Lee. The resolution was read by the city clerk. Alderman Hart stated that this would add 1.7 miles to our city and more than double what we have now. Roll was called which resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham deceased, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Hamm yes. Resolution 48 of 2017 was adopted with 9 affirmative and 1 absent vote.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. He stated that he handed out the report from the April 3, 2017 commission meeting. See attached.

Alderman Ponder stated that he had provided the minutes from the April 20, 2017 A&P Commission meeting to the clerk. See attached.

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

There were no announcements.

The meeting adjourned at 7:36 pm.

Cindy Stracener, City Clerk

David Mattingly, Mayor

SUMMARY OF PUC MEETING 04/03/17

The meeting was called to order with all members in attendance.

1.)
The first item of business was the approval of the minutes from March 20, 2017. A motion was made and seconded to approve the minutes as presented with a change on line 1. A vote was taken and unanimous approval given.

2.)
The first item of business was a presentation on the 2016 Audit by Yoakum, Lovell and Associates. Mr. Nathan McLaughlin of Yoakum, Lovell and Associates thanked them for letting Yoakum do the audit again this year and went through the audit to point out the highlights to everyone. Member Best made a motion to accept the audit as presented with a second by Member Martin. A vote was taken and unanimous approval given.

3.)
Presentation on March Employee of the Month, Jennings Sewell, Supervisor in Water Distribution-Molly Wright Mr. Dewayne Hood, Water Department Manager, said **this evening, it is both an honor and privilege** to get to award our March 2017 Employee of the Month Award to Jennings Sewell. He came to work for the Utilities on March 9, 1981, so he has been a part of the Benton Utilities work family for over 36 years. As Jennings employer, it is an honor to have him as a part of our work family and the supervisor of our Water Distribution Dept. Several weeks ago, around March 6th while Jennings was in route to a job site, he exited off the interstate and started to make the traffic loop near Hwy 5. Jennings noticed a little elderly lady climbing up out of a ravine along the side of the road. He instinctively stopped to assist her and found that she had been run off the road and her car was down in the embankment. The car was out of the sight of traffic. Jennings helped her to his truck, called for emergency services, contacted her grandson and did his best to comfort her until everyone arrived. He stayed there at the scene until she left. The next day, David Vondran had a visit from the sweet little lady, named Mrs. Lou Hamm. She came by just to express her sincere appreciation for Jennings help that day. She stated she believed Jennings was her guardian angel that day. This is just one of the many times Jennings has gone above and beyond his normal duties to help someone in need. We would like to say a big thank you to Jennings for everything he does in the Water Department, for Benton Utilities and our community.

Presentation on December, January & February Financials.-Cindy Hawkins. Mrs. Hawkins said she had 3 months in one. She said she wanted to point out something Mr. Nathan McLaughlin of Yoakum, Lovell and Associates didn't point out on page 11 of the audit. Down at the bottom, under Accumulated Compensated Absences, there is a pretty significant increase for 2016 on accrued vacation and sick leave. That is a good thing even though it is a liability. If you remember that last year we allowed employees to carry over 3 weeks of vacation instead of 2 weeks, and that is what makes up that increase there. As far as the sick leave, there is that much sick leave accrued and that means we have fewer employees taking advantage of the sick leave, and are letting it accrue up to those 720 hours, which is a good thing for us. She wanted to point that out as a positive on our employees. Now we will go to the December financials on page 2, we did end the year 1.294 million to the good. For the month of December we were \$1,007,810 in the red, which we expected because of all of the vehicles that were purchased and paid for in December. We did end up having a better year that she expected. Let's go into January. You will see that we were \$9,598 revenues under expenses for January, which all and all is not too bad. As expected, every department went in the red, except for Wastewater. Wastewater is in the black in January and they are keeping their expenses low. Moving on to February on page 2, we are \$211,000 revenues over expenses. If you go to page 7 on bad debts, it looks like a carbon copy month except the payout to the collection agency is a little bit higher. We actually turned over more accounts to them in February than normal, and we pay \$3.00 for each account we turn over to them for that series of letters that goes out, and again the girls in the office collected a little over \$2,000. On page 13 in February, Wastewater is in the red by almost \$28,000, but their expenditures were up and they did have to spend some money in February. The Water Department was in the black for almost \$22,000, so they pretty much offset each other. For the year now, Electric was at \$206,000 revenues over expenses, Water was \$25,000 Revenues under expenses and Wastewater was \$20,000 revenues over expenses. Member Martin made a motion to accept the financial

reports for three months as presented. Member Ferrell seconded the motion. A vote was taken and unanimous approval given.

4.)

Presentation on bids for Carbon Unit at the Water Treatment Plant.-Dewayne Hood. Mr. Hood said they had put in their budget this year to work on their carbon building and carbon equipment over at the Water Treatment Facility. We feed carbon in the summertime to help with the taste and odor issues due to our algae growth in our ponds. The carbon helps absorb some of the things that are put out by the algae blooms when it starts warming up. The ponds are fairly shallow and we try to keep the algae killed out as best we can. There are times, even if it is killed out that it can still leave a taste and odor in our water. They went out for bids a few weeks ago and had several people call and voice interest in it, but it is a very small unit compared to most carbon feeding units. When they realized how small the unit was, they weren't interested because they couldn't provide the equipment that we were looking for. The company is Acrison and they are represented locally by Instrument Supply Incorporated in Hot Springs. This was what we had originally looked at and had got pricing from last year for budgeting purposes. We checked with several other companies (B.T. Environmental, Shupe and Associates and several other companies) that typically deal with water and wastewater equipment. We had a lot of interest until it came down to the sizing of the unit. We put \$100,000 in our budget in anticipation of \$50,000 for each building, but the second building is so small we couldn't even get this type of equipment in it, so we moved on with the renovation of our main carbon building. The pricing has 3 options of a base price, optional air compressor and optional staircase with a platform. We had originally wanted an electric vibrator that would shake the carbon and keeps it moving so it doesn't get compacted. This company could not offer an electric one. Theirs is pneumatic and we don't have anything in there for a compressor. There won't be much piping due to the compressor being adjacent to it. We will not take the optional staircase. Their base bid price is \$35,578.00. We would like the optional air compressor to match this unit. That brings the total bid to \$37,578.00. We would like your permission tonight to move forward with this. Member Martin made a motion to authorize the staff to move forward in purchasing the power activated carbon system with a second by Member Ferrell. A vote was taken and unanimous approval given.

5.)

Presentation on recommendation to send resolution to City Council to allow Salem Elementary to comment to sewer system outside City limits. – Randy Hawkins. Mr. Hawkins said the Salem Elementary School is in need of a sewer connection if possible. The Bryant School District operates the school and has made a formal request for the sewer connection on December 12, 2016. The engineer, which is Hope Engineers wanted to wait until the vote for the millage increase for the school tax was taken, and it did pass, so they are eager to get this project done. We have been contacted with fresh interest in this connection. The school has 600 students as far as capacity, and has a small package treatment plant on premises. They have had problems with the NPDES permit. The outfall is along Salem Road in the creek, in the general area of Copper Canyon Landscaping, east of the Pebble Lake spillway near Salem Road. They want to decommission the treatment plant, install a lift station that is adequate to handle the school and find the appropriate Benton Utilities' sewer connection point. The school is outside the Benton city limits in the County, so we are presenting this for your consideration tonight as it would require an ordinance from the City Council. Member Best made a motion that they recommend to the City Council to allow Salem Elementary to hook onto our sewer system at the standard out of the City limits rate and Mr. Hawkins and Mr. Vondran continue to negotiate the details. Member Martin seconded the motion. A vote was taken and unanimous approval given.

6.)

Discussion on dates for May through September PUC Meetings. – David Vondran

Mr. Vondran said Mrs. Wilson, Administrative Supervisor informed him that through the summer months the PUC meetings normally cut back to one meeting per month and he believes everyone is agreeable to that. He is looking for suggestions on which dates would be acceptable to the Commission. Mr. Vondran suggested skipping the first meeting of the month and maintain the dates of the 2nd meeting each month with special meetings called as needed. Mrs. Wilson said the reason she suggested the 2nd meeting is because the first September meeting falls on Labor Day. Mrs. Hawkins said she could also have financials completed by the 2nd meeting. Member Best said the 4th of July holiday would be in the first meeting timeline also. Mr. Vondran asked if they would like to start the summer schedule in May through September, to include September.

Member Martin said he would like to have the understanding that they may need to have the 2nd meeting. Member Ferrell made a motion to approve the meeting dates with a second Member Best. A vote was taken and approval given with 4 yes and Member Martin voting no.

7.)

Member Best asked Mrs. Hawkins about the box on Friday afternoon and Mrs. Hawkins said they did, and as a study, they have stayed open on Friday's until 5:00 PM and will do it again this Friday. That will give the 4 "bill dues" and are going to show them how many customers are going through between 4:00 and 5:00 PM, and how many customers put their money in when it was due by 4:00 or 5:00 and how much revenue is lost on late fees, so we can give you a little more information to base your decision on. We have not posted any penalties until after working the night drop on Monday and remain open on Fridays until 5:00. Member Best said he has had several people comment that they don't get their paychecks until Friday and that is hard even when we close at 5:00. It would sure be easier for the customers to have the weekend to pay their bill. Mrs. Hawkins said they can make the bills due on Monday and Member Best said you can have it due on Friday but state in the newsletter that we won't charge a late fee until Monday AM. That would be real nice for all of our customers.

8.)

Member Ferrell asked if we had sent a letter to the improvement district about the system and Mr. Vondran said no, one has not been needed. We continue to have meetings with them; they are aware of their responsibility and are working toward those at this time.

9.)

Member Best asked about our box at City Hall. Mrs. Hawkins said they took the night drop out. Member Best asked if they weren't asking for a special box and Mrs. Hawkins said no one yet has left money with the receptionist. Mr. Vondran said they did make an opportunity to leave a payment with the receptionist at City Hall, and Mrs. Hawkins folks have checked daily, but it has not been utilized. Member Best said let's see what happens. Back on the other one, he asked if they are charging late charges now and Mrs. Hawkins said no, we are waiting until Monday. Keep in mind that we send the bills out almost a month before they are due, and they are due upon receipt, with the last date of pay being the 1st, 2nd, 3rd or 4th Friday. Member Best said he understands that people are people. Mrs. Hawkins said they give them ample opportunity to pay.

10.)

Mr. Vondran said he had one other item of old business about the switches for the Hurricane Lake Substation. The structural steel was specifically designed with the USCO Hubbell Switches in mind. The other bidders on the list- the low bidder and 2nd low bidder- in order to adapt their switch to the structural steel design would require customer fabricated brackets to make the bolt patterns match up. To the tune of comparing apples to apples... all of the bids were equal. We also have the USCO Hubble switches in our other substations. He will need your approval to carry on the to the Council to waive the formal bidding process so we can go with the USCO Hubble switches to match the structural steel design. Member Best made a motion to move forward with a second by Member Livers. A vote was taken and unanimous approval was given.

11.)

Member Livers said he has a letter of recognition. He wanted to make the commission aware that he has been glad to be a part of the Commission for the past few years and thanked them. He thanked the Utility employees for their friendship and professionalism. Chairman Miller said Mr. Livers has been an incredible asset to the Commission and the employees and we appreciate his service. He wished him good luck in his future.

12.)

Member Martin said he did not know how many of you had the privilege of attending the park opening that we had something to do with over the years. It is a facility that this community can be proud of. They have done an outstanding job in design and construction. It is a beautiful place and he thinks it certainly adds to the quality of life here in Benton. He is glad to have been on this Commission and to have had a smaller part of putting lights in it that can be seen from downtown Little Rock.

13.)

Mr. Randy Hawkins said he would like to make a suggestion that you might consider a rising vote of thanks for Chairman Livers services that we might all be able to participate in. Chairman Miller thanked Mr. Hawkins and said it was a very good suggestion. We could have a get together. We would like that ourselves.

Member Martin made a motion to adjourn to executive session at 7:10 pm with a second by Member Martin.

The meeting was called back to order at 7:33 PM with no decision made.

Member Ferrell made a motion to adjourn the meeting and Member Best seconded the motion. A vote was taken and approval was given to adjourn the meeting.

Meeting adjourned at 7:34 PM.

BENTON ADVERTISING & PROMOTION COMMISSION

Minutes

April 20, 2017

I. CALL TO ORDER

Chairman Mark Fikes called the regularly scheduled meeting of the Benton Advertising & Promotion Commission to order on April 20, 2017 at 4:05 pm in the board room of the Benton Area Chamber of Commerce.

II. ROLL CALL

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

III. MINUTES

Luke Moody made the motion to approve the minutes of the March 16, 2017 meeting. Elgin Hamner IV seconded. Motion carried.

IV. REPORT FROM BENTON EVENT CENTER

Director Nikki Chumley told the commissioners that CHI St Vincent is very appreciative of the monitors that we now have available. She also reported that the painting has been completed. Wax will be put on the floors in 30 days. Carpet will probably be installed during Memorial Day weekend.

V. OLD BUSINESS

None

VI. NEW BUSINESS

None

VII. FUNDING REQUESTS

None.

V III. ADMINISTRATIVE

Jerry Ponder reported that the hospital paid full taxes that were owed since July when the hospital became for profit. He indicated that we have 5 or 6 businesses that are in arrears. Both he and Mark have been in discussion with Terra. Newspaper notices and hearings should be taking place shortly. Mark also suggested that Terra be invited to the next meeting. He also is curious as to why the A&P tax revenue is not as large as expected. The commissioners indicated they would like to see an industry comparison of tax income.

Bond debt was discussed. The amount of debt now owed is 5.9 million. The question was asked if the payment on the debt would remain the same after we make a large payment in August. Decision on the payment will be placed on the May and December agendas because bonds will be called in if we make large payments in August and February.

IX. FINANCIAL REPORTS

The financial reports were presented by Gary James. A&P Commission shows income of \$9,373.59 and expenses of \$8,302.67 for the month of March; net income for the month is \$1,070.62. For the quarter, income is \$26,457.83 with expenses of \$21,557.29, making the income for the quarter \$4,900.54.

Monthly sales revenue at the Event Center amounted to \$38,210.48; tax revenue was \$9,373.58, making the total income for the month \$47,614.37 Expenses at the center totaled \$21,571.64 for the month. Event Center Quarterly income was \$116,483.63; expenses were \$87,568.09, making the quarterly net income for the Event Center \$48,915.54.

X. OTHER BUSINESS

Bill Donnor asked if the A&P Commission had any idea for future projects after the Event Center loan is completed.

XI. Adjournment

The meeting was adjourned on the motion of Bill Donnor at 4:35pm

Mark Fikes
Chairman

Jerry Beaty
Recording Secretary

**PROCLAMATION
GOODWILL INDUSTRIES WEEK**

WHEREAS, the people of Benton, Arkansas value hard work and support the right of individuals to provide for themselves and their families, and,

WHEREAS, some members of our community require additional services, help and training to aid them in accomplishing that goal and,

WHEREAS, among those most in need of career training services are those whose job options are limited due to illiteracy, criminal past, and lack of work experience, and those with mental, emotional and physical disabilities and,

WHEREAS, Goodwill Industries is North America's leading nonprofit provider of career services for people with special needs and is the world's largest private-sector employer of people with disabilities and,

WHEREAS, disadvantaged local residents have received vocational evaluation, vocational adjustment, job-seeking skills and placement assistance or employment through Goodwill Industries of Arkansas and,

WHEREAS, the investment made by the City of Benton in Goodwill Industries has paid off in useful work and jobs for our citizens and,

WHEREAS, Goodwill Industries of Arkansas is celebrating Goodwill Industries Week, May 7 through May 13, 2017,

NOW THEREFORE, I, David Mattingly, acting under my authority as Mayor of the City of Benton, do hereby proclaim May 7 through May 13, 2017, as Goodwill Industries Week, and urge all citizens to give support to Goodwill Industries in recognition of its ability to maximize an individual's contribution to self, family and community.

David Mattingly, Mayor

RESOLUTION NO. ____ OF 2017

A RESOLUTION CALLING FOR THE VACANCY IN WARD 2, POSITION 1 TO BE FILLED BY APPOINTMENT; AND FOR OTHER PURPOSES

WHEREAS, with the passing of Alderman Charles Cunningham, a vacancy now exists in Ward 2, Position 1; and

WHEREAS, pursuant to A.C.A. §14-43-411 the City Council has determined that the vacancy shall be filled by appointment as opposed to calling for a special election.

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

SECTION 1: The appointment of an individual to fill the vacancy in Ward 2, Position 1 is hereby referred to the Personnel Committee. The committee shall advertise for the position, conduct interviews which are open to the public and select a nominee to fill the position. Once selected, the City Council shall then determine whether or not to ratify the appointment.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. _____ OF 2017

AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO FILL THE VACANCY IN WARD 2, POSITION 1; DECLARING AN EMERGENCY; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, with the passing of Alderman Charles Cunningham a vacancy now exists in Ward 2, Position 1; and

WHEREAS, the City Council has determined that it is in the best interests of the residents of Ward 2 to call for a special election pursuant to A.C.A. §14-43-411 to fill the vacancy.

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

Section 1. There is hereby called a special election to be held on the 11th day of July, 2017, at which election there shall be submitted to the electors of Ward 2 in the City of Benton the election of Alderman to fill the vacancy in Ward 2, Position 1.

Section 2. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections and only qualified voters of the City of Benton shall have the right to vote at the election.

Section 3. The results of the election shall be proclaimed by the Mayor, and such Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

Section 4. A copy of this Ordinance shall be given to the Saline County Board of Election Commissioners so that the necessary election officials and supplies may be provided.

Section 5. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Section 6. Because of the necessity of filling the vacancy in Ward 2, Position 1, this Ordinance being deemed necessary for the preservation of the public peace, health and safety, an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED THIS THE _____ DAY OF May, 2017.

ATTEST:

APPROVED:

City Clerk

Mayor

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Benton, Arkansas, hereby certifies that the foregoing pages are true and perfect copy of Ordinance No. _____, passed at a regular session of the City Council of the City of Benton, Arkansas, held at the regular meeting place of the City Council at _____ o'clock p.m., on the _____ day of _____, 2017, and that the Ordinance is of record in Ordinance Record Book No. _____, Page _____, now in my possession.

GIVEN under my hand and seal this _____ day of _____, 2017.

City Clerk

(SEAL)

RESOLUTION NO. 49 OF 2017

**A RESOLUTION RECOGNIZING THE SERVICES OF
LIEUTENANT TERRY FULLER TO THE CITIZENS OF BENTON
AND AWARDING HIM HIS BADGE AND SERVICE WEAPON IN
RECOGNITION OF THOSE SERVICES**

WHEREAS, Lieutenant Terry Fuller has served the citizens of Benton for seventeen years as a Police Lieutenant; and

WHEREAS, Lieutenant Fuller has decided to retire from his duty assignment; and

WHEREAS, the city wishes to thank Lieutenant Fuller 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 Lieutenant Terry Fuller in recognition of his services to this community.

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"

Glock Model 21 Handgun, Serial Number SWH742
City of Benton Police Badge, Number - 2579

RESOLUTION NO. 50 OF 2017

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH EXECUTIVE SERVICE, INC. FOR PROVIDING JANITORIAL SERVICES TO THE CITY; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton published a Request for Proposal for supplying janitorial services for the municipal complex which the City Council determines to be a professional service; and

WHEREAS, the RFP stated the services would be for one year, at which point the services may be renewed on a year-to-year basis, for up to six (6) additional one-year terms or a portion thereof; and

WHEREAS, after a review of the proposals it has been determined that the contract should be awarded to Executive Service, Inc.; and

WHEREAS, the City wishes to enter into a one (1) year agreement with Executive Service, Inc. to provide janitorial services to the City of Benton

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

SECTION 1: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, a one (1) year contract with Executive Service, Inc. to provide janitorial services for the City of Benton. The City Attorney will approve the contract before the execution.

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

David Mattingly, Mayor

Cindy Stracener, City Clerk

RESOLUTION NO. 51 OF 2017

A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST PROPOSALS FROM LOCAL BANKS FOR AMENDMENT 78 FUNDING FOR THE FARMERS MARKET; AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to create a downtown farmers market which will be of benefit to the local merchants in the area; and

WHEREAS, the Mayor is securing written commitments from individuals and businesses who will fund this project; and

WHEREAS, the City Council has determined that it should consider the feasibility of borrowing funds pursuant to Amendment 78 of the Arkansas Constitution to fund this project over a three year term.

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 obtain financing proposals from all the local banks who have a physical presence in Benton who are capable of extending Amendment 78 financing to the City. The proposals will be for a loan in the amount of \$300,000.00 which will be repaid over a three year term commencing in 2018. The financial commitments the Mayor has received for funding the project shall serve as the City's collateral for the loan.

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

David J. Mattingly, Mayor

Cindy Stracener, City Clerk