

BENTON CITY COUNCIL MEETING

JUNE 27, 2016

7:00 PM



Presentation of Audited Financials 6:15 PM

Yoakum & Lovell



AGENDA MEETING 6:30 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
June 27, 2016
7:00 PM
AGENDA

- | | | |
|--------------|--|--|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Lee |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | June 13, 2016
<i>Regular Meeting</i> |
| VI. | Employee of the Month
<i>Sergeant Larry Applegarth, May 2016</i> | Alderman Donnor |
| VII. | Service Awards Presentation
<i>Sergeant Jeremy Riedmueller - 10 years of service</i>
<i>Detective Jamar Bennett - 10 years of service</i> | Mayor Mattingly |
| VIII. | RESOLUTION NO. 37 OF 2016
<i>A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS; AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT AUCTION</i> | Mayor Mattingly |
| IX. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | <i>A.) PRESENTATION OF 2015 AUDITED FINANCIALS</i> | |
| | <i>B.) MOTION TO TRANSFER 50% OF THE 2015 UNPLEGGED REVENUE TO THE FINANCIAL STABILITY FUND, PER ORDINANCE 84 OF 2007</i> | |
| | 2. Community Services/Animal Control | Alderwoman Reed |
| | 3. Streets & Drainage Committee | Alderman Cunningham |
| | 4. Personnel/Health & Safety Committee | Alderman Donnor |
| | 5. Parks Committee | Alderman Lee |
| | A.) RESOLUTION NO. 38 OF 2016
<i>A RESOLUTION EXEMPTING SATURDAY JULY 2nd 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</i> | |
| | B.) ORDINANCE NO. 26 OF 2016
<i>AN ORDINANCE AMENDING THE 2016 BUDGET FOR THE PARKS AND RECREATION FUND AS ADOPTED IN ORDINANCE 64 OF 2015; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF A SCOREBOARD AND TIMING SYSTEM FROM COLORADO TIMING SYSTEMS, INC. FOR RIVERSIDE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | 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
Regular Session
June 13, 2016
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 Herzfeld led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

Alderman Frank Baptist	Alderman Kerry Murphy
Alderman Charles Cunningham	Alderman Evelyn Reed
Alderman Bill Donnor	Alderman Jerry Ponder
Alderman Judd Hart	Alderman James Herzfeld
Alderman Steve Lee	Alderman Lori Terrell
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 May 9, 2016 city council meeting minutes. Alderman Cunningham 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 replied in the affirmative. The minutes for the May 9, 2016 council meeting were approved with 10 affirmative votes.

William Townsend was honored as the April employee of the month.

Alderman Ponder made a motion to adopt Resolution 34 of 2016 – A Resolution Declaring Certain Property as Surplus; and Authorizing the Sale of the Surplus Property. Seconded by Alderman Donnor. The resolution was read by the city clerk. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 34 of 2016 was adopted with 10 affirmative votes.

Alderman Ponder made a motion to adopt Resolution 35 of 2016 – A Resolution Authorizing the Mayor and the Chief of Police to Apply for Grant Funding Through the Edward Byrne Memorial Justice Assistance Grant Program; and For Other Purposes. Seconded by Alderman Donnor. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 35 of 2016 was adopted with 10 affirmative votes.

The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for the Finance Committee report. He stated that he had nothing to report.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed made a motion to adopt Resolution 36 of 2016 – A Resolution Authorizing the Mayor and City Clerk to Enter into a Contract With Doris Bailey For the Lease of Real Property Located at 205 East South Street, Suite 2 in Benton; and For Other Purposes. Seconded by Alderman Cunningham. The Mayor asked for any comments. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 36 of 2016 was adopted with 10 affirmative votes.

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

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

Alderman Lee was recognized for a report from the Parks Committee. He stated that he did not have a report, but that Ace Sign Company has started construction on the sign at Riverside Park. Also a Parks Committee meeting will be held this Thursday.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. Alderman Herzfeld made a motion to suspend the rules and read Ordinance 25 of 2016 - An Ordinance Fixing Rates for Services Rendered by the Sewer System of the City of Benton, Arkansas; Prescribing Other Matters Relating Thereto; Declaring an Emergency; and for Other Purposes by title only. Seconded by Alderman Ponder. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend the rules and read Ordinance 25 of 2016 by title only was approved with 10 affirmative votes. Alderman Herzfeld asked for the first reading of Ordinance 25 of 2016 by title only. Seconded by Alderman Hart. The ordinance was read by title only.

Alderman Lee made a motion to amend Ordinance 25 of 2016 page 3, section 4 from 2% annual increase for 4 years to 3% annual increase for 5 years. That amounts to 57cents per month the first year. Seconded by Alderman Herzfeld. Mr. Houston stated that the calculations on page 4 will also need to be revised. The Mayor asked for any discussion. None. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to amend Ordinance 25 of 2016 was approved with 10 affirmative votes.

Mr. Houston stated that since this was a sewer rate increase a public hearing will need to occur after the first reading. After the public hearing the council can take the ordinance up at the next council meeting.

Alderman Donnor was recognized for the Advertising and Promotion Commission report. He stated that the commission will meet this Thursday.

There was not any unfinished, new or old business.

The Mayor stated that as of last week there were only three interested parties for the Palace Theater. A special Community Service meeting will be held on June 21, 2016 to discuss the proposals. We have been given clearance to go out for bids for the Alcoa Road project. Hooked on Fishing will be held this Thursday at Sunset Lake.

The meeting adjourned at 7:15 pm.

**_____
Cindy Stracener, City Clerk**

**_____
David Mattingly, Mayor**

RESOLUTION NO. 37 OF 2016

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

WHEREAS, the city owns certain equipment which is more fully identified in Exhibit "1" to this Resolution which is no longer useful to the city; and

WHEREAS, the City Council desires to declare this equipment as surplus and to authorize it to be sold at auction;

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 sold at auction in accordance with any applicable state or federal law.

SECTION 2: All proceeds from the sale shall be deposited into the General Fund, Police Equipment Grant Fund, 130.55.

PASSED AND APPROVED this the _____ day of June, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk

Exhibit "1"

COUNT	YEAR	MAKE	MODEL	UNIT	VIN	MILEAGE
1	2009	DODGE	CHARGER	047	2B3KA43V79H623047	96170
		Issue	Equipment outdated and useless. Too old and too many miles to replace equipment.			

COUNT	MAKE	DESCRIPTION	ADDITIONAL
1	KOLD DRAFT	ICE MAKER	
1	ICE-O-MATIC	ICE STORAGE BOX	
1		WHITE TRUCK BED COVER FOR GM	
1	TRUCKVAULT	SECURE BOX FOR TRUCK BED	
7	JOTTO DESK	DODGE CHARGER UNIVERSAL CONSOLES	
1	JOTTO DESK	CHEVY TAHOE CONSOLE	
5	PROGARD	DODGE CHARGER UNIVERSAL PRISONER TRANSPORT PARTITION	(3) ARE COMPLETE
1		FORD CROWN VICTORIA PRISONER TRANSPORT PARTITION W/ SHOTGUN RACK	SOME BRACKETS MISSING
5	WHEELER	100 WATT LOUD SIREN SPEAKER	
1	CPI COMPAK	100 WATT LOUD SIREN SPEAKER	
2	MOTOROLA	EXTERNAL SPEAKER	
1	KENWOOD	EXTERNAL SPEAKER	
3	PROGARD	SHOTGUN/RIFLE RACK	
6	WHEELER	LIGHTED TEN SWITCH BOX CONTROL PANEL	
5	WHEELER	295SL SERIES FULL FUNCTION HANDS FREE SIREN	
4		AUXILIARY SPOTLIGHTS	(3) ARE COMPLETE
6	SETINA	DODGE CHARGER PB-400 PUSH BUMPERS	(3) ARE COMPLETE
1	SETINA	FORD CROWN VICTORIA PB-400 PUSH BUMPERS	
5	PROGARD	DODGE CHARGER REAR WINDOW BARS	
1	PROGARD	FORD CROWN VICTORIA REAR WINDOW BARS	

RESOLUTION NO. 38 OF 2016

A RESOLUTION EXEMPTING SATURDAY JULY 2nd 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

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 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 2nd 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 2, 2016 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 2, 2016 from 10:00 am until 10:00 pm.

PASSED AND APPROVED this the _____ day of June, 2016.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

ORDINANCE NO. 26 OF 2016

AN ORDINANCE AMENDING THE 2016 BUDGET FOR THE PARKS AND RECREATION FUND AS ADOPTED IN ORDINANCE 64 OF 2015; APPROPRIATING FUNDS FOR THE PARKS DEPARTMENT; AUTHORIZING THE PURCHASE OF A SCOREBOARD AND TIMING SYSTEM FROM COLORADO TIMING SYSTEMS, INC. FOR RIVERSIDE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the city council has received a quote from Colorado Timing Systems, Inc., a TIPS/TAPS vendor, for the purchase of a scoreboard and timing system for the Natatorium at Riverside Park; and

WHEREAS, the City Council needs to amend the 2016 Parks and Recreation 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. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2016 City of Benton Budget as adopted in Ordinance 64 of 2015. 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 City Council does hereby authorize the purchase of a scoreboard and timing system from Colorado Timing Systems, Inc., a vendor in the TIPS/TAPS competitive bidding government program.

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 scoreboard and timing system for 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 the _____ day of June, 2016.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



FY2016 Operating Budget

The Parks Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2016. 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 Disbursements that make up this Fiscal Year 2016 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2016

Parks Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$3,127,876	-0-	\$3,127,876
Human Resources	\$641,640	-0-	\$641,640
Operations & Maintenance	\$671,500	-0-	\$671,500
Capital Items	\$1,769,131	\$26,000	\$1,795,131

Section 2: Receipts & Disbursements - Fiscal Year 2016

Parks Fund

Capital Items

This budget amendment accounts for the expenditure of additional pool timing system costs for the Riverside Project in the amount \$26,000.00 (850.10.35.00).



1551 E 11th Street, Loveland, CO 80537 USA
 (970)667-1000 • (800)279-0111 • (970)667-5876(fax)
 www.coloradotime.com

June 2, 2016

Travis Stensby
 RE: Benton River Center

Dear Travis:

The following is the price quotation you requested. We are pleased that you have considered Colorado Time Systems to be a part of your team. CTS has been the leader in sports timing for over 40 years, and is the only aquatic sports timing equipment vendor whose products are listed for use in a pool environment by Underwriters Laboratories, Inc. to the United States and Canadian safety standards.

Colorado Time Systems also offers a wide range of multi-sport scoreboards tailored to fit your needs – and your budget. If you have any questions or comments, please call me at 800-279-0111 x 3585 or e-mail me at rickc@coloradotime.com. Look for us on –line at: <http://www.coloradotime.com>.

TIMING SYSTEM

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	SYS6	System 6 Sports Timer <i>Hardware:</i> Multi-sport computer console, swim keyboard insert and swimming and diving software, backlit full-color 10.4" LCD display, USB drive for software upgrades; unlimited race storage, external mouse and keyboard port, back-up rechargeable system, and built-in start input. <i>Software:</i> Swimming and diving software included, stored lap & cumulative splits, display of lap and cumulative splits to matrix displays, 12 lane competitive timing, back-up timing (software only), unlimited "meet memory", relay judging software, and direct scoreboard use.
1	SYS6-PC	Pace Clock software with overlay for the System 6
1	R-5000-0321	System 5 or System 6 carrying case

8 LANE TOUCHPAD SYSTEM

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	TP-SYS-8	Eight-lane touchpad system for the CTS timing system Includes the primary 8 lane cable harness (CH41-8) (9) pushbuttons (PB-6), vacuum pump (VP-2), and touchpad meter (TPMD)

START SYSTEM

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	SS	Champion series start system with wired microphone, volume control on each microphone input, external connections for additional strobe lights, LED battery indication light, AC/DC power capabilities and an external 360° strobe. Tripod or table top options.
1	TR-3	Tripod for both the Champ and Infinity series start systems
1	SJ-25	25' foot jumper cable
1	SP125	40 watt speaker with 125' of cable for the Champ series start system
1	SMK-1	Speaker mounting kit

WALL PLATE

<u>Qty</u>	<u>Model</u>	<u>Description</u>
2	WLPA	Aluminum Wall plate

TOUCHPADS

<u>Qty</u>	<u>Model</u>	<u>Description</u>
9	TP-78G	Aquagrip gutterhung touchpads (78" x 22") US PATENT 5,702,799
9	4000-0040	Special size Touchpad brackets - <i>Gutter diagram/measurements must be supplied upon order</i>
1	CAD-TP/P	Touchpad caddy for gutterhung touchpads. Holds up to ten touchpads. Some assembly required.

WIRELESS PACE CLOCK

<u>Qty</u>	<u>Model</u>	<u>Description</u>
2	PCW-STANDARD	Wireless Pace Clock - Basic Specifications: <ul style="list-style-type: none"> • 4-Digit Pace Clock • 10" Red Digits -- Viewable up to 400 feet • High Intensity LED -- Indoor/Outdoor • Gray Powder Coat Finish • "Splash-Proof" Protective Lens • Feet and handle Functions: <ul style="list-style-type: none"> • Free running pace clock • Synchronize multiple units

SCOREBOARD - INDOOR, FULL COLOR, VIDEO DISPLAY
YDS12MM160X288
Includes:

Full matrix full color LED scoreboard with a computer controller with display link software, standard unistrut, galvanized steel channel mounting hardware and data cables.

Specification:

- Display shall be a full color LED matrix display. Display shall be comprised of red, blue and green LED's to form pixels. Display shall be capable of 281 trillion shades of color.
- Display should be capable of 16-bit video processing, four levels of dimming capability and allow for Gamma correction. Display brightness shall be adjustable up to 3500 nits.
- The display shall have built in graphics and animation capability with Windows based software. Graphics and animation shall have the capacity of being displayed on the entire matrix. All MS Windows fonts shall be compatible with the display.
- Display will allow for front service access
- Each pixel shall be comprised of 3 LED's, Nichia 1R1PG1B SMD
- Display shall have 12mm pixel spacing center to center
- Must be compatible with CTS competitive timing system
- Displays swimming, diving, water polo, pace clock, and synchronized swimming functions, competitors' names, full matrix graphics and animation, live video, and has advertising capabilities

TOTAL PRICE \$50,350

SHIPPING

<u>Qty</u>	<u>Model</u>	<u>Description</u>	<u>Price</u>
1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.	\$1,745

INSTALLATION

<u>Qty</u>	<u>Model</u>	<u>Description</u>	<u>Price</u>
1	INSTALL	Standard Installation	\$3,500

Installation Agreement must be signed and returned upon order

OPTION:

SCOREBOARD ACCESSORIES

<u>Qty</u>	<u>Model</u>	<u>Description</u>	<u>Price</u>
2	SP-LED	Custom Sign Panel with Artwork for Top of Display	\$3,200
2	Artwork	Artwork for facility and/or sponsor panel is to be provided by facility within 5 days business days after receipt of order. If artwork is not submitted a blank panel will be provided at time of shipment and becomes the responsibility of the facility owner and/or end user.	

The following graphic formats are accepted and should be sent in a 360dpi or higher scalable to 1ft in height.

- .cdr - Corel Draw
- .ai - Adobe Illustrator
- .eps - Encapsulated Post Script
- .svg - Scalable Vector Graphics
- .png - Portable Network Graphics
- .psd - Photoshop
- Jpg or jpeg - JPEG files must be a high resolution otherwise pixilation will occur.

If specific school colors are to be matched, please provide the PMS number for each color.

SHIPPING

<u>Qty</u>	<u>Model</u>	<u>Description</u>	<u>Price</u>
1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.	\$545

****Note:** This project would normally be \$56,000 for the timing and display. Working with Counsilman we have agreed to the \$50,350 for the system. The custom sign panels are a separate line item price not included in this cost. **

TERMS:	Purchase order or 50% down, net 30 days. Visa, MasterCard or American Express are acceptable. Quote does not include power, permits, engineering fees, delivery charges or installation, unless otherwise noted. Change order fee of 5% will apply after purchase. All returns are subject to a 25% restocking fee.
WARRANTY:	2 Year limited, 1 year limited on Dolphin products
DELIVERY:	4 to 6 weeks after receipt of order. Matrix displays 10-14 weeks.
TAXES:	If Purchaser is tax exempt or purchasing for resale, a copy of purchaser's tax-exempt certificate shall be required at time of order. If purchaser's tax-exempt certificate is not available purchaser shall be charged all appropriate tax.
NOTE:	Price quotations valid for 30 days. Canadian customers are responsible for duties. Colorado Time Systems quotations are in U.S. dollars.

Best Regards,



Rick Connell
Director of Sales
RC/AF