

# BENTON CITY COUNCIL MEETING

OCTOBER 26, 2015

7:00 PM



**AGENDA MEETING - 6:30 PM**



BENTON MUNICIPAL COMPLEX  
114 SOUTH EAST STREET  
COUNCIL CHAMBERS

**DAVID MATTINGLY, MAYOR**

**REGULAR SESSION**  
**October 26, 2015**  
**7:00 PM**  
**AGENDA**

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|--------------|---|---|
| <b>I.</b>    | <b>Call to Order</b>  | <b>Mayor Mattingly</b>                            |
| <b>II.</b>   | <b>Invocation</b>   |   |
| <b>III.</b>  | <b>Pledge of Allegiance</b>   | <b>Alderman Hart</b>                              |
| <b>IV.</b>   | <b>Roll Call</b>  | <b>City Clerk</b>                                 |
| <b>V.</b>    | <b>Approval of Minutes</b>  | <b>October 12, 2015</b><br><i>Regular Meeting</i> |
| <b>VI.</b>   | <b>Youth of the Month</b><br><i>November 2015 - Cason Maertens</i>  | <b>Jeremiah Bowling</b>                           |
| <b>VII.</b>  | <b>Employee of the Month</b><br><i>September 2015 - Doris Smith</i>   | <b>Alderman Donnor</b>                            |
| <b>VIII.</b> | <b>Proclamation</b><br><i>National Disability Employment Awareness Month - October 2015</i>   | <b>Mayor Mattingly</b>                            |
| <b>IX.</b>   | <b>COMMITTEE REPORTS &amp; MOTIONS</b>  |   |
|              | <b>1. Finance Committee</b>   | <b>Alderman Ponder</b>                            |
|              | <b>A.) ORDINANCE NO. 55 OF 2015</b><br><i>AN ORDINANCE ADOPTING THE CITY OF BENTON ACCOUNTING POLICIES AND PROCEDURES; AND FOR OTHER PURPOSES</i>   |   |
|              | <b>B.) ORDINANCE NO. 56 OF 2015</b><br><i>AN ORDINANCE AMENDING THE 2015 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 75 OF 2014; TRANSFERRING FUNDS TO THE UTILITY DEPARTMENT FROM THE FINANCIAL STABILITY FUND; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> |   |
|              | <b>C.) RESOLUTION NO. 52 OF 2015</b><br><i>A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST PROPOSALS FROM LOCAL BANKS FOR AMENDMENT 78 FUNDING; AND FOR OTHER PURPOSES</i>  |   |
|              | <b>2. Community Services/Animal Control</b>   | <b>Alderwoman Reed</b>                            |
|              | <b>A.) ORDINANCE NO. 57 OF 2015</b><br><i>AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i>   |   |

**B.) RESOLUTION NO. 53 OF 2015**

*A RESOLUTION AUTHORIZING THE MAYOR TO OBTAIN INFORMATION PERTAINING TO THE FORMATION OF AN ARTS AND HERITAGE CENTER AT THE PALACE THEATER; DIRECTING THE CITY ATTORNEY TO DETERMINE THE FEASIBILITY OF CREATING A CITY COMMISSION TO OVERSEE THE PROJECT; HALTING THE DEMOLITION OF THE STRUCTURE; AND FOR OTHER PURPOSES*

**C.) RESOLUTION NO. 54 OF 2015**

*A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF JAMES L. OVERBEY AND MICHELLE OVERBEY TO ABANDON A STREET LOCATED ON VALLEY ROAD INSIDE THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES*

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|-----------|--|----------------------------|
| <b>3.</b> | <b>Streets &amp; Drainage Committee</b>        | <b>Alderman Cunningham</b> |
| <b>4.</b> | <b>Personnel/Health &amp; Safety Committee</b> | <b>Alderman Donnor</b>     |
| <b>5.</b> | <b>Parks Committee</b>                         | <b>Alderman Lee</b>        |

**A.) RESOLUTION NO. 55 OF 2015**

*A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC FOR DEVELOPING A BICYCLE/PEDESTRIAN MASTER PLAN FOR THE CITY OF BENTON; AND FOR OTHER PURPOSES*

**B.) RESOLUTION NO. 56 OF 2015**

*A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RJR ENTERPRISE; APPROPRIATING FUNDS FOR THIS PURPOSE; AND FOR OTHER PURPOSES*

**C.) RESOLUTION NO. 57 OF 2015**

*A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH SCOTT HILL FOR OPERATING THE CONCESSIONS AT BERNARD HOLLAND PARK, TYNDALLPARK, TYNDALL PARK SPLASH PAD AND RIVERSIDE PARK; AND FOR OTHER PURPOSES*

**D.) RESOLUTION NO. 58 OF 2015**

*A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON TO UTILIZE FEDERAL-AID IN SEEKING RECREATIONAL TRAIL FUNDS IN DEVELOPING A WALKING TRAIL THROUGH RIVERSIDE PARK; AND FOR OTHER PURPOSES*

- |           |                                    |                               |
|-----------|------------------------------------|-------------------------------|
| <b>6.</b> | <b>Public Utilities Commission</b> | <b>Alderman Herzfeld</b>      |
| <b>7.</b> | <b>A &amp; P Commission</b>        | <b>Alderman Donnor/Ponder</b> |

- X. Unfinished Business**
- XI. New Business**
- XII. Old Business**
- XIII. Announcements**
- XIV. Adjourn**

**MINUTES OF THE BENTON CITY COUNCIL**  
**Regular Session**  
**October 12, 2015**  
**Benton Municipal Complex**

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

The Mayor gave the invocation.

Alderman Ponder led the pledge of allegiance.

Roll was called.

The following persons were in attendance:

<b>Alderman Frank Baptist</b>	<b>Alderman Kerry Murphy</b>
<b>Alderman Charles Cunningham</b>	<b>Alderman Evelyn Reed</b>
<b>Alderman Bill Donnor</b>	<b>Alderman Jerry Ponder</b>
<b>Alderman Judd Hart</b>	<b>Alderman James Herzfeld</b>
<b>Alderman Steve Lee</b>	<b>Alderman Lori Terrell</b>
<b>Brent Houston, City Attorney</b>	<b>Cindy Stracener, City Clerk</b>
<b>David Mattingly, Mayor</b>	

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

The Mayor requested approval for the September 28, 2015 city council meeting minutes. Alderman Lee made a motion to approve the minutes. Seconded by Alderman Terrell. The Mayor called for a voice vote on the approval of the minutes. All aldermen present replied in the affirmative. The minutes for the September 28, 2015 council meeting were approved with 10 affirmative votes.

The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for the Finance Committee report. Alderman Ponder stated that he did not have a report. The next committee meeting will be Thursday October 15, 2015.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed asked for the first reading of Ordinance 51 of 2015 – An Ordinance Amending Ordinance 32 of 2013; and For Other Purposes. Seconded by Alderman Donnor. The ordinance was read by the city clerk. This adds a late fee to the fireworks ordinance. The Mayor asked for any comments. Alderman Reed made a motion to suspend the rules for the second and third readings of Ordinance 51 of 2015. Seconded by Alderman Murphy. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 51 of 2015 on its second and third readings. Seconded by Alderman Donnor. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 51 of 2015 was adopted with 10 affirmative votes.

**Alderman Reed asked for the first reading of Ordinance 52 of 2015 – An Ordinance Providing for a Conditional Use For Automotive Repair and Painting; Declaring an Emergency; and For Other Purposes. Seconded by Alderman Lee. The ordinance was read by the city clerk. The conditional use is for property located at 815 South Market Street. It was requested by Darwin Reyes. The Mayor asked for any comments. None. Alderman Reed made a motion to suspend the rules for the second and third readings of Ordinance 52 of 2015. Seconded by Alderman Donnor. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 52 of 2015 on its second and third readings. Seconded by Alderman Cunningham. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 52 of 2015 was adopted with 10 affirmative votes. Alderman Reed made a motion to adopt the emergency clause. Seconded by Alderman Donnor. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.**

**Alderman Reed asked for the first reading of Ordinance 53 of 2015 – An Ordinance Providing for a Conditional Use for Retail and Second Hand Sales; Declaring an Emergency and For Other Purposes. Seconded by Alderman Terrell. The ordinance was read by the city clerk. The conditional use is for property located at 706 Center Street. It was requested by JC Clements. 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 Cunningham. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 53 of 2015 on its second and third readings. Seconded by Alderman Cunningham. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 53 of 2015 was adopted with 10 affirmative votes. Alderman Reed made a motion to approve the emergency clause. Seconded by Alderman Donnor. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.**

**Alderman Reed asked for the first reading of Ordinance 54 of 2015 – An Ordinance Rezoning Certain Land in the City of Benton, Saline County, Arkansas, Declaring an Emergency; and For Other Purposes. Seconded by Alderman Baptist. The ordinance was read by the city clerk. The rezone was requested by Mike Parsons for property located at State Hwy 35 and Kidd Lane. It is being rezoned from single family residential R1-7.5 to**

service commercial CS. 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 Donnor. The Mayor asked that the roll be called on the motion to suspend. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 10 affirmative votes. Alderman Reed made a motion to adopt Ordinance 54 of 2015 on its second and third readings. Seconded by Alderman Terrell. The ordinance was read by title only. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 54 of 2015 was adopted with 10 affirmative votes. Alderman Reed made a motion to approve the emergency clause. Seconded by Alderman Cunningham. The Mayor asked that the roll be called. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Hart yes, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 48 of 2015 – A Resolution Extending the Operational Control of the City’s Public Access Channel to YCAT and Extending Their Agreement to Record City Council Meetings; and For Other Purposes. Seconded by Alderman Donnor. The resolution was read by the city clerk. The Mayor asked for any comments. Alderman Hart asked if the contract price was going up. The Mayor stated no it was staying the same. 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 48 of 2015 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 49 of 2015 – A Resolution Ratifying and Confirming the Appointment of Mary Kay Mooney as Commissioner to the Benton Historic District Commission; and For Other Purposes. Seconded by Alderman Terrell. The resolution was read by the city clerk. 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 49 of 2015 was adopted with 10 affirmative votes.

Alderman Reed made a motion to adopt Resolution 50 of 2015 – A Resolution Accepting the Lowest Acceptable Bid for Demolition of a Structure at 202 S. East Street, Benton, Arkansas (Formerly Known as the Bus Station); Awarding the Contract to T.D. Sims Company, Inc. and For Other Purposes. Seconded by Alderman Ponder. 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 50 of 2015 was adopted with 10 affirmative votes.

Alderman Cunningham was recognized for the Streets and Drainage Committee report. He stated that he had nothing to report. The next meeting will be October 20, 2015.

**Alderman Donnor was recognized for the Personnel/Health & Safety Committee report. He stated he had nothing to report.**

**Alderman Lee was recognized for the Parks Committee report. He stated that he had nothing to report. The next committee meeting will be tomorrow night at 6:00 pm.**

**Alderman Herzfeld was recognized for a report from the Public Utility Commission. He stated that the commission met last Monday and gave that report. See attached.**

**Alderman Donnor was recognized for the Advertising and Promotion Commission report. Alderman Donnor made a motion to adopt Resolution 51 of 2015 – A Resolution Appointing Alison Burch to the City of Benton A&P Commission; and For Other Purposes. Seconded by Alderman Terrell. 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 51 of 2015 was adopted with 10 affirmative votes. The next commission meeting will be this Thursday.**

**There was not any unfinished, new or old business.**

**The Mayor stated that the Safe Haven event will be October 20, 2015 on the Courthouse Lawn. The Saline County Business Expo will be October 20, 2015 at the Event Center. October 24, 2015 is Spook City and on October 27, 2015 is the Boys & Girls Club Night to be Great with Justin Moore.**

**The meeting adjourned at 7:29 p.m.**

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**Cindy Stracener, City Clerk**

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**David Mattingly, Mayor**

## Public Utility Commission Meeting Summary of the October 5, 2015 Meeting

1.)

Presentation by Cindy Hawkins on the August financials. Mrs. Hawkins gave the August financial report and said as expected August was a very good month for us having some very hot days. We are \$1,044,085 revenues over expenses for the month of August and for the year we are 1.4 million revenues over expenses. We expect September to be a very good month maybe not as good as August, obviously because the temperatures weren't as hot, but still another good month. A motion was made and seconded to accept the financial report as presented.

2.)

Discussion and approval to hire Attorney David Wilson for the First Electric Territorial Issues. Mr. McKinney explained that Mr. Brent Houston, City Attorney asked him to request that the Commissioners approve hiring Attorney David Wilson for the issues between First Electric and the City of Benton in regards to the service area issue. We have a meeting set for October 19<sup>th</sup> where everybody will get together, both sides with attorneys to start working on it. We don't have to have an agreement. There is no statute that says we do, in fact there is a statute that says the City can mandate a utility to pay a franchise up to 4.25 if he remembers right. A motion was made and seconded to hire Mr. Wilson to handle the issues with First Electric. A vote was taken and unanimous approval given.

3.)

Discussion and approval of the First Electric Franchise Agreement. Mr. McKinney explained in the discussions in previous meetings the Commissioners have never taken a vote. City Attorney, Brent Houston as that they take a vote tonight to say that 1) you don't like the agreement and 2) you would like to propose that the City consider no franchise agreement and we just go with the statutes. Chairman Martin said he could comment on the fact that the Commission sent him and Member Ferrell to talk to the Mayor and communicate that particular issue to him. The general consensus of the Utilities was just what you stated and he thinks they need to record back to their discussion with the Mayor before they entertain a motion. He said in that discussion, the Mayor was very receptive to the thought that the position of the utilities was that we did not want an agreement period. He was very receptive to the fact that the City would lose money if he went with the 4.25 statutory amount of the franchise fees with First Electric. We can put that in writing in a motion but that was just to report that he was very understanding and recognized that we couldn't go back to a Presnall type of agreement that they were proposing we have. Mr. McKinney said just to go along with that, Mr. Dave Wilson wanted a vote from you tonight so when he writes the letter to First Electric it will have that vote. A motion was made and seconded that at this time they abstain from any franchise agreement with First Electric. A vote was taken and unanimous approval given.

4.)

Discussion and direction on providing utilities for the new GBT project on Highway 5. Chairman Martin said it might be well to discuss the administrative aspect on the MOU and he asked Member Ferrell to explain what they discussed with the Mayor as to how we are going to handle the funds out of his \$800,000 that the City contributed. Member Ferrell said the Mayor is open to funding the utilities when it needs it funded, however he may want to do some this year. He has an emergency fund but there are certain things he has to do to pull money out of it. He is going to go back to his side and see what he has to do to make sure we have funds when we need funds. We told him that we could not finance this project and could not upfront the money and he was very receptive and very understanding. Chairman Martin said he wanted at least a 30 notice when the utilities makes a demand for money. Member

Ferrell said especially the first time and then he went back and said he may have to do it this year at the end. He does need 30 days. They are still going to try and close by the end of the year. That is the last word. They had pushed it back to spring. McClelland Engineers first started on this project it was an 8" sewer line, but then they went back to the original thought that the right thing to do was to go all the way from Long Hills to the Hurricane Lake Lift station. They came back and said they needed it from where the new GBT project is going to be (The Shoppes of Benton) and that will be a 15" gravity line from there down and then a 12" gravity line down from Longhills down to that point. Lindsey, in a meeting, and he has not received the written signed copy of the agreement, has verbally agreed to pay the \$300,000 upgrade portion for that because it is mostly for him for that big deal up there. The things we benefit on this is 1) the lift station goes away at Longhills. We won't have the lift station at Dogwood. We get rid of 4 or 5 lift stations. We have already gotten rid of one this year over by Kroger. We will save roughly \$42,000 per year in electricity by getting rid of these lift stations because everything will gravity flow. Mr. McKinney said he would like for them to approve the agreement for Lindsey Properties. A motion was made and seconded to accept the agreement with the stipulation that McClelland and Benton Utilities establish the limits of the flow that can be received in the amount of sewer into that system. A vote was taken and unanimous approval given.

5.)

Discussion and direction on moving the Billing Department out of City Hall. Member Ferrell said he, Mrs. Hawkins and Mr. McKinney sat down and discussed several different options for moving the billing department out of City Hall because we knew at some point in time that was going to come about. The Mayor said to hold off and not to worry about it at that time because he wasn't prepared to have that happen. Now the space has become a premium and he did ask us to put a plan together for a timeline. He now is asking for a plan and a timeline of when we might move out. Chairman Martin said we might be a little premature and thought we would get out and consummated by the first quarter. Member Ferrell said he was looking for the first hard plan to be given to him by the end of the first quarter. Mr. McKinney said the reason that was on there tonight was to give him the okay to hire McClelland to help him set it up and then decide where it is going to be. There are several places and we have had to go through the pros and cons of all of those. He would like to have an independent 3<sup>rd</sup> set of ears on this verses just him and the Chairman. A work session is being set up.

6.)

Discussion on water and sewer master plan by Eric Richardson. Mr. Richardson said he represents Richardson Engineering. For the last couple of months he has been working with Mr. McKinney and some of the department heads on putting together a set of master specifications for water and sewer. They have gone through a few different revisions and are at the point now of a final draft with some minor changes and is requesting, with the Commission's permission, with the condition that there may be a few changes made at the department level. A motion was made and seconded to allow the department heads and ultimately Mr. McKinney make the final approval. Then they can send it to the Health Department to get their approval. What this does is any sewer or water contracts we go after, we have a standard set of specifications already approved by the Health Department and just saves a lot of front problems. A vote was taken and unanimous approval given.

7.)

Discussion on collection agencies and going out for bids for a new agency. Mr. McKinney said he sent them all an email today about an issue they are having with collections and what he would like to have Mrs. Cindy Hawkins prepare documentations so they can go out for bids for a collection agency to handle our collections here in the City of Benton. Member Miller asked if they were going to be so concerned about staying in Benton or if they are going outside of Benton, say to Little Rock. Mr.

McKinney suggested it go outside of Benton and he believes Mrs. Hawkins agrees. Mrs. Hawkins said they already have a company that they are working with on checking peoples identities that will set factor rules that went into effect in 2011. They also do collections for utilities. That is all they do is utilities and they are very eager to get our business as well so they have a good way of finding people so we would want to offer that bid out to them as well. They have access to all utilities records all over the United States, so they have a good way of finding people. We would like to offer that bid out to them as well. A motion was made and seconded to accept the recommendation of the staff to go out for quotes. A vote was taken and unanimous approval given.

8.)

Discussion and approval to purchase 3.5 acres of land for the Hurricane Lake Substation. Mr. McKinney said he had good news. The property owners had accepted their offer to purchase and they have done the appraisals on the property. The property we initially went after, we did not end up getting, but it is actually going to end up being a little cheaper for us with the new deal because we had to buy about 94 hundredths of an acre for ingress and egress to the property that is in the back and we are getting about 3.44 acres of ground that we are buying. The owners have signed letters of intent and accepted the \$17,000 an acre for roughly 2.5 acres and for the ½ acre. It ended up being pretty good for us. Mr. Hicks said the survey should be complete. Mr. McKinney said he had talked to Mr. Brent Houston, City Attorney about who we should have handle the purchase and he suggested National Title to handle that work. We have to have your approval tonight to purchase that land at those prices and allow them to prepare the paperwork for the deal. He talked to Entergy and they have already started moving forward. They checked the site and said it is fine for their needs. Chairman Martin said they can start the facilities study and Mr. McKinney said that was correct. Member Ferrell asked where the egress was on this property and Mr. McKinney said it was on Severn's Landing off of North Lake. It is about across from Fred Brenner's property is... he thinks he has 80 acres there. We have to have land along the transmission line, we don't have a choice. That was the best one we could get to. We are also going to bring the feed in across Mr. Brenner's property because we already have easements for water and everything in there so if he develops he will already have everything in there. Chairman Martin asked for a motion to approve the purchase of 3.5 acres at the agreed upon price as consistent with the offer and acceptance agreement. Mr. McKinney said that is the appraised value. Member Livers asked if it was approximately \$54,500 and Mr. McKinney said it is about \$70,000. One tract was about 3.4 acres and another ½ acre. A motion was made and seconded to approve the staff's recommendation. A vote was taken and unanimous approval given.

9.)

Discussion on Public Power Week in Benton. Mr. McKinney said he spoke with the Mayor last week and asked him if he would make the proclamation and he said he would. He said it was just recognizing public power in the United States and how public power in general is more economical than investor owned. Mrs. Hawkins gave him the numbers that just came out the other day. In the State of Arkansas there was 25 participants. We were the 7<sup>th</sup> lowest power producer in the state. Everyone hollers about it being high priced but that is the facts. You have to go back to why public power was started in the first place, and that was because nobody would serve us. As the little town grew bigger some of them went bottom up and in Benton's case we didn't. If you take NLR, Paragould, Conway, Jonesboro, Hope and Bentonville as municipals and look at their electric rates, they are pretty reasonable. The one north of the river is kind of high priced but he thinks they will eventually come down. It is just a letter that talks about Power Week and recognizing the workers for the work they do. Chairman Martin asked if it was

going to be in the paper and Mr. McKinney said it has either been in the paper or will be in the paper this week. He will find out and let them know.

Meeting adjourned at 7:10 p.m.

## PROCLAMATION

Whereas, the City of Benton is recognizing National Disability Employment Awareness Month to raise awareness about disability employment issues and celebrate the contributions of people with disabilities; and

Whereas, workplaces welcoming the talents of all people, including people with disabilities, are a critical part of the effort to build a complete community and strong economy; and

Whereas, activities during this month will reinforce the value and talent people with disabilities add to our workplaces and communities and affirm our commitment to an inclusive community.

NOW, THEREFORE, I David Mattingly, acting under my authority as Mayor of the City of Benton, Arkansas, do hereby proclaim the month of October 2015 as

### NATIONAL DISABILITY EMPLOYEMNT AWARENESS MONTH

in the City of Benton, Arkansas, and encourage all employers, schools and other community organizations to join me in observing appropriate programs and activities held this month, and to advance the message that people with disabilities are capable of these tasks throughout the year.

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the City of Benton, Arkansas to be affixed at City Hall this 26th day of October in the year of our Lord, two thousand and fifteen.

---

David Mattingly, Mayor

Ordinance No. 55 of 2015

**AN ORDINANCE ADOPTING THE CITY OF BENTON ACCOUNTING POLICIES AND PROCEDURES; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Benton in Ordinance 50 of 1997 combined the office of Treasurer with the office of Director of Finance and Administration, which called for the office to be filled by appointment; and

WHEREAS, Ordinance 50 of 1997 was amended by Ordinance 17 of 2009 wherein the office of Treasurer and the Director of Finance and Administration was divided into two separate offices and job responsibilities for each office were assigned therein; and

WHEREAS, Ordinance 5 of 2015 reassigned the duties of the Director of Finance and Administration to employees within the city; and

WHEREAS, Jordan Woolbright was reappointed to the position of Treasurer in Resolution 4 of 2015 which was passed on January 12, 2015 for a four year term of office; and

WHEREAS, for approximately the past twelve years the city administration has utilized certain accounting policies and procedures which have been amended from time to time by the city administration, but which were never adopted by the City Council; and

WHEREAS, in as much as the city has already assigned the duties of the Treasurer to city employees for the current term, Act 582 of 2015 provides that before the next assignment of the duties of Treasurer to a city employee, the city shall establish by ordinance a method that provides for the internal accounting controls and documentation for audit and accounting purposes; and

WHEREAS, the City Council desires to adopt The City of Benton Accounting Policies and Procedures which is attached hereto as Exhibit "1" to this ordinance, which the city administration has used for approximately the past twelve years.

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

SECTION 1. The City of Benton Accounting Policies and Procedures are hereby adopted by the City Council pursuant to Act 582 of 2015.

SECTION 2. The Treasurer shall submit to the City Council, no less than quarterly, financial statements showing a full report of the financial condition of the city. The report shall be submitted to the council members in open session. The reports shall at a minimum show receipts, disbursements, balance on hand and the liabilities of the city. The submission to the City Council may be in writing.

PASSED AND APPROVED this \_\_\_\_\_ day of October, 2015.

\_\_\_\_\_  
David J. Mattingly, Mayor

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DESIGNATED FOR PUBLICATION



**The City of Benton, Arkansas**  
**Accounting Policies and Procedures**

**Administrative Services**

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## **Introduction**

During the daily accounting operations of Administrative Services, non-utility fund activity is processed by the Accounting Assistant-City. Utility Fund activity is processed by the Accounting Assistant-Utility. Those two positions are cross-trained and are supported by the Administrative Assistant and the Receptionist. When any of these four positions are temporarily lacking personnel the others in this group coordinate to harmoniously fill the gap.

The process of proper G/L coding of expenditures is the task of the accounting staff. In special instances the auditors are consulted to determine the proper code assignments. The coding of invoices begins with purchase requisitions filled out by departments. The accounting assistants review and verify that the proper code has been selected. In all cases the final G/L number chosen must be the best fit for the expenditure and should already be permitted in the budget.

The ultimate goal of the use of proper accounting procedures is to produce accurate financial statements. The Accounting Manager compiles the provided G/L information into Financial Statements and provides the initial scan for accuracies. After the Financial Statements are prepared, the Finance Director reviews and makes further analysis before publication is made.

Please note that these Accounting Procedures for the City of Benton, Arkansas are not All-Inclusive of the day-to-day functions of the City's Accounting Staff. There are many items that are not listed. An attempt has been made to point out the items of most importance. In-Depth Detail is listed when possible to provide clarification. These procedures should continue to grow in scope and detail to cover most tasks.

The Daffron software has on-line documentation available at <http://www.daffron.com> through the For Customers interface. The documentation presented on the following pages is mostly a rendering from actual use of the software and should be easier to follow. GLiXp is used on a daily basis for various functions.

## **Accounts Payable**

- Review invoices for accuracy
- Invoices should be coded prior to receipt.
- Code/verify G/L coding as needed
- Perform data entry
- Reconcile batch listing with documentation
- Print checks and associated reports (check register and cash requirements)
- keep a yearly book of reports in order by date.
- Remit payments to vendors
- Reconcile to G/L at month-end
- Record check totals on Accts Payable checking spreadsheet. Close monthly accts payable around the 10<sup>th</sup> of each month for the previous month. You will go into the accts payable menu and choose (3) MONTH MENU, then (1) MONTH CLOSE REPORTS, run reports and print out. Check balances before saving and closing month.

## **Accounts Receivable**

### **Regular**

Accounts Receivable reports are ran after billing month close. The current process begins on the Daffron "green screen" software on the mini computer system.

To process A/R reports:

From the main green screen select item 5-Consumer Accounting Menu. Next choose 5-Report Menu.

25-Selective Aged (open balance) Register retrieves 1st-Active, 2nd-Budget, 3rd-Current, 4th-Inactive, 5th-Written Off, and 6th-all of the previous. Print the last pages in the previous order listed.

24-Accounts Receivable Control Register. Print the last pages in the order listed.

The totals from the compiled reports on the Daffron system are manually entered on an ARRC spreadsheet each month. This spreadsheet also compares Customer Overpayments. Items to offset the recapped balances are retrieved from G/L or B/S totals. Journal entry amounts are automatically calculated based on the input entered. If the amounts seem reasonable, a journal entry is made in GLiXp. In recent years an adjustment is most often limited to the end of the year processing.

### **Miscellaneous**

Miscellaneous A/R is processed by the Finance Director. The records are maintained in the F:\123\miscellaneous accounts receivable\ directory. In that folder invoice spreadsheets are used to individually bill customers and the Utilities Accounts Receivable spreadsheet is used to track the receivables and payments. We are only recognizing the income upon receipt of the payments. No accrual is normally done when the receivable is incurred.

Other receivables are also processed by various departments whenever they decide to do so. Regardless we are only recognizing the corresponding income when the receivable is collected.

## **Administration of Justice Fund**

### **Administration of Justice Fund monthly report**

Add checks from Municipal Court then subtract the totals that the city keeps and distributes; this total should balance to the collection total from the municipal court and then deposit the checks to the Administration of Justice Fund accounts. Next go to the AJFR spreadsheet and enter the totals on it and print, next go to the AJF-Ckrg spreadsheet and transfer the information from the AJFR plus the additional totals from Administration of Finance sheet (not included on the AJFR sheet). Your totals should zero out. Write the checks out of the Administration of Justice Fund and deposit to the proper accounts. The general fund checks are receipted and entered onto the daily cash receipts and then deposited to the proper accounts. Then complete the Department of Finance and Administration form and mail with check, mail the Saline County check with form AJFR.

## **Administrative Allocations**

In the Utility Fund there are five departments that provide various services City-wide. Although accounting, human resources, purchasing functions, and the iSeries computer system are in some manner utilized by everyone, General Manager, Engineering Services, Administrative Services, Billing Services, and Purchasing Services net costs are allocated equally to the Electric, Water, and Waste Water departments. There is one current exception: Administrative Services costs at the Benton Municipal Complex are expensed through Administrative Services but are reimbursed about 50% by the Mayor's office, Street Fund, Animal Control Fund, and Parks Fund based on their portions of the overall City Budget.

The Jadm spreadsheet is used to develop administrative allocation journal entries by simply keying in those five departments' total expenses for the month. The resulting entries are posted in the AdmAlloc journal.

## **Assets**

### **Fixed Assets**

Obtain transaction information from G/L activity, invoices, etc.

Determine first, even if the asset is valued at over \$5,000, does it have an estimated useful life of at least 3 years.

Fill out DPAA (depreciable asset addition input) form entering information as outlined including the depreciable life of the asset. The depreciation spreadsheets are most often used to find the appropriate useful life.

Add the descriptive information to the spreadsheets for each fund i.e.: DEPR, DEPRCH, FA, and FASM for non-utility items. This information should coincide with the VEH spreadsheet when vehicles or mobile equipment are involved. If construction work in progress is being transferred to an asset, the total of the asset must match the summed detail of the CWIP spreadsheet for that

asset. Also the general ledger activity for asset additions and CWIP must match the corresponding spreadsheets.

Please note capitalized interest must be calculated on projects utilizing proceeds from funds obtained from long-term debt obligations. The capitalized interest via a spreadsheet is determined by factoring the costs of projects into the debt producing proceeds and assigning the corresponding resulting interest expense for the CWIP period. It is common for the capitalized interest to vary year to year because of changes in construction cost estimates.

The summarized information is entered in the Daffron system.

Start by using the Daffron iXp\Production Environment\Fixed Assets link\Properties\Assets screen. Select New Asset; select the proper Plant Trans Code for the relevant department. Change the automatically generated asset number to the 6 digit number entered on the depr spreadsheet. A serial #/VIN, purchase date, description, original cost, depr method, and depr percent must be entered. Select Insert to add the asset. It is prudent to copy and paste information from the spreadsheets to the iXp screen. This provides additional speed and accuracy to the process. Use Depreciation Method "P" Percentage Method-Annual Percentage. The table below illustrates current % used:

<u>Years</u>	<u># Months</u>	<u>Depreciation %</u>
3	36	.333333333
4	48	.25
5	60	.20
6	72	.166666666
7	84	.142857143
10	120	.10
14	168	.071428571
20	240	.05
25	300	.04
30	360	.033333333
40	480	.025

At month end select Fixed Assets link\Processing\Month End screen. Initiate by clicking initiate. "Fixed Asset Month End Initiate completed successfully" appears. Select Reports. Click and Generate Additions and Retirements, Depreciation Register, and Monthly Ledger Entries. It is not necessary to physically print these reports. Save them as pdf files to F:\iSeries\data using descriptions same as prior months, just change the relevant date info. While printing the reports, selecting "back" is the fastest method. (Reset allows starting the month-close process over at this point.) Select Complete "Complete" to finish the month end process. "Fixed Asset Month End Complete completed successfully" appears. Journal entries are automatically posted to GLiXp.

Processing\Year End\Purge & Zero YTD clears info to start new year.

Periodically verify that the asset spreadsheet data and totals correspond to the Daffron system and the G/L detail.

When the accurate total cost of a depreciable asset is determined for the non-utility funds an entry will also need to be made to add the asset to General Fixed Asset Accounting Group using the GFAAG journal.

When assets are bought, retired, sold, or disposed of depreciation is often manually calculated for months or even years and journalized in GLiXp to match the spreadsheets. The net realized is recognized as a gain on disposition of assets.

## **Depreciation**

Depreciation is routinely calculated using the strait-line method without salvage value by applying corresponding percentages to the estimated useful life of the asset (which must be 3 years or longer). Spreadsheets are utilized and must match both the FAiXp Fixed Assets and GLiXp for G/L totals.

## **Non-Depreciable**

### **Asset Additions**

Print general ledger number transaction detail for each fund or department to verify you have all monthly assets. Obtain transaction information from invoice, etc. Determine first, even if the asset is valued at under \$5,000, does it have a possible useful life of less than 3 years. Fill out DPAA (depreciable asset addition input) form entering information as outlined skipping the depreciable life of the asset. Contact each Department when an asset sheet is needed and ask them to return it promptly. Attach copies of the invoice and check to each asset. Add the descriptive information to the ASSETS spreadsheet. This information should coincide with the VEH spreadsheet when vehicles or mobile equipment are involved. When documentation is completed place in the asset file.

## **Bad Debts**

Bad Debts are initially processed by Billing Services. When the information is received by Administrative Services the totals are entered into BDWO or BDMA spreadsheets and a journal entry is automatically calculated. The entry is processed in GLiXp.

## **Bank Accounts**

### **Access to Funds/Authorized Signatures**

There is normally the requirement of 2 authorized signatures on non-payroll checks. Currently payroll checks are allowed to be processed with only the facsimile signature of the Finance Director. Special situations occur such as CDs or similar investments that are more practical to be transacted with only one signature because they require the physical presence of the person signing at the financial institution.

### **Deposits/Checks/Transfers/Interest/Fees**

Deposits are routinely processed daily for various general operating accounts. Accounts with less activity have deposits and other transactions on an as needed basis. Most bank accounts earn interest and those earnings are posted as received. Fees are occurring more frequently and are usually the result of some type of transfer. GLiXp through the Daffron system is utilized for posting to the G/L.

### **Reconciliations**

Bank reconciliations are done by the Accounting Assistants each month. Spreadsheets are utilized to record daily activity and at month end are tied back to the G/L. The Accounting Manager gets involved when there are irreconcilable differences.

## **Bond**

### **Costs Amortization**

When bonds are issued, amortization schedules are provided to the City recapping periodic, annual, and life totals for principal, interest, and other costs. Each element requiring allocation is further broken down on a monthly basis using percentage based spreadsheets which tie back to the schedules provided during the issuance final process. Journal entries are posted each month in GLiXp.

### **Funding**

Amortization schedules for the issues are used to develop monthly funding spreadsheets. These make building up the sinking funds a more systematic process by providing a checklist to place the check number and date of the payment next to the required set amount. These bond funds are normally established in bank accounts belonging to the City. At times investment accounts are utilized in addition to checking accounts to take advantage of higher rates of interest. The coding of these transactions is processed directly from checks and wire transfers using GLiXp.

### **Payments**

Transferring funds to Trust accounts for interest and principal payments generally occurs within the two weeks prior to March 1<sup>st</sup> and September 1<sup>st</sup> of each year. Normally only interest payments are transacted in March. Principal and interest payments are made in September. Each time payments occur, agents' fees are also required which have been established during the bond issuance. The coding for these fees is directly to expense. The principal and interest in the Utility Fund is coded to liability accounts which have received initial and monthly accruals during the amortization process. The coding of these transactions is processed directly from checks and wire transfers using GLiXp.

## **Budgeting**

The Budget process is normally initiated by the Mayor and the Utility General Manager. Administrative Services will prepare the required memo to departments and attach any required forms for documentation purposes.

When those forms are returned, the requested budget items are entered into various linked spreadsheets to produce departmental and fund totals resulting in overall City totals. Various methods of review result in further changes and tweaking to provide the best balance between costs and desired satisfaction to meet the needs of the citizens.

After the budget is finalized, a database spreadsheet is uploaded into GLiXp. Please note the budget is changed very often by the various entities throughout the city. It is very cumbersome trying to keep up with those sporadic changes. Various requests have been made to responsible parties to submit the proper documentation to Administrative Services. Some entities comply at times; most often scrounging through a variety of sources is required to get close to providing accurate data. When just a few changes need to be posted to GLiXp on the iSeries, they are processed manually/individually.

**Budget up-load process-GLiXp** Begin in GLiXp on the Daffron system and select:

Budget

Define

New

Search

Overview

Fill in "Description", "Year", "Note"  
"Status"-must be set to "Approved".

Update

**U**pload (Excel spreadsheet must be in format to comply with upload)

*(This takes a few minutes)*

"Budget line items have been validated" appears if successful.

**A**dd to budget

*(This takes a few minutes)*

"Any changes to budget line items will not take effect until committed"

appears.

**C**ommit

"Budget has been committed" appears if successful.

## Cash Receipts

Cash Receipts Books are used for the General, Street, Animal Control and Parks & Rec. Funds

Record checks and cash received in receipt book

Verify wire transfers and allocate to correct funds

Reconcile receipt book total with items received

Code and enter transactions on daily cash spreadsheet

Print the day's spreadsheet page attaching supporting documentation and deposit slips

Prepare deposit and remit to correct bank account

Daily Cash Sheets should balance to the month end Cash Sheets A and Y

Make journal entries from spreadsheet totals page

Reconcile to G/L at month-end

## Advertising and Promotion

### ADVERTISING & PROMOTION TAX DEPOSIT PROCEDURES

Received daily (mostly through the mail) are the Advertising & Promotion Tax reports and checks for the businesses paying the tax. Procedure is as follows:

Reports received in the Administrative Services Department are date stamped according to the date they were mailed. Note: the due date is the 21<sup>st</sup> of each month.

One copy of the reports is made for Administrative Services Department files.

Checks are stamped "For Deposit Only" and one copy of the checks is made for Administrative Services Department files.

A tape is run on checks to assure the amount matches the reports.

Each copy of the report and check are stapled together.

All checks are listed on the deposit slip by check number and amount.

A tape of the listed checks on the deposit slip is run and attached to the back of the deposit slip. A separate tape is run and attached to the checks.

After all has balanced, the deposit is put in bank bag for deposit.

After deposit has been made, a copy of the deposit slip is made and attached to the report form.

The Bank Statement comes at the end of the month and is reconciled.

*(Task is normally performed by the Administrative Assistant)*

## **Alcohol Tax**

### ALCOHOL TAX DEPOSIT RECEIPTING PROCEDURES

The 5% Alcohol tax is collected by businesses that have an alcohol permit and are remitted monthly to the Benton Municipal Complex. Their reports and checks are received by the Administrative Assistant. Copies are made. The City Accounting Assistant receipts the items through the General Fund daily cash, makes out the deposit slips, and posts the amounts to the general operating checking account spreadsheet. The Administrative Assistant takes the deposit to the bank, enters the transactions in the Alcohol Tax spreadsheet, files all of the copies, and returns the processed deposit slips to the City Accounting Assistant. When the General Fund daily cash is journalized during month close the entries post to the G/L.

## **Animal Control**

### ANIMAL CONTROL DEPOSIT RECEIPTING PROCEDURES

Animal Control turns in their collections weekly to The Administrative Assistant or City Accounting Assistant in the Administrative Services Department. Along with their collections is a balance sheet with their receipts. Cash, Checks and Receipts are counted and verified against Animal Control's balance sheet. A tape is run on cash, checks and receipts to assure total is correct. After all has been balanced, the deposit is entered in the Animal Control Fund receipt book. The cash amount and check amount are listed separately along with the Animal Control receipt numbers. The balance sheet from Animal Control and their receipts are stapled together. A tape on the Cash and Checks are attached and are put in bank bag. The Animal Control Fund receipt book and bank bag are given to City Accounting Assistant to make the deposit.

*(Task is normally performed by the Administrative Assistant)*

## **Event Center**

## **Parks and Recreation**

### **PARKS & RECREATION DEPOSIT RECEIPTING PROCEDURES**

Cash and Checks collected at Parks & Recreation Department are turned in to The Administrative Assistant or Utility Accounting Assistant in Administrative Services Office daily/weekly. These are collections for deposits & rentals for the Gene Moss Building, softball fields, signing up for softball games, field rentals, signs, etc.

Cash, checks and receipts are counted and a tape is run and attached.

The total of checks, cash and the Parks and Recreation receipts listed separately are entered in the Parks & Recreation Fund receipt book.

Everything is placed in bank bag and given to Utility Accounting Assistant to make the deposit.

*(Task is normally performed by the Administrative Assistant)*

## **Utilities**

### **UTILITY DEPOSIT PROCEDURES**

Billing Department notifies Administrative Services Department when deposit is ready.

The deposit along with daily printout of bank totals and cashier's totals of cash receipts and checks is picked up in the vault.

If miscellaneous tickets are attached, they are replaced for cash from the petty cash box which is located in the vault. The miscellaneous tickets are left in the petty cash box until the end of the month at which time the tickets are added and cash is counted. (\$300.00 is the amount we start with each month).

Deposit is brought to office and prepared for bank deposit.

Coins and bills are counted and entered on the bank deposit slip. Totals are checked against Billing Department totals.

Checks are in batches when received with each cashier's tape attached. A list of balances from each batch is run to get the total of all check batches. Again, the total is matched against the Billing Department totals.

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Run a duplicate tape of all checks, subtotaling each batch to check against balance list. At the same time, checking to make sure the checks are written correctly and amount is written correctly.

If mistake is found, the check is taken to Billing Department where cashier pulls up the account to verify the amount posted. The check is then stamped “guaranteed to be” and correct amount is written on the check by cashier.

After checks have been run, the total is compared to Billing Department total for balance. The printout sheet is checked for balance.

The check total is then entered on the bank deposit slip and added along with the cash total.

All tapes from billing department are then attached to printout sheet along with the balance tape of each batch and the tape run on all the checks. All cash sheets amounts are recorded by Utility Accounting Assistant for Bank of the Ozarks - General Operating, First Security – bank drafts, Bank of the Ozarks – lockbox deposits on corresponding spreadsheets

The deposit is then ready to go to the bank. A police escort is called for large deposits.

The deposit receipts are filed in the Accounting Assistants office to be attached at the end of the month with the bank statements.

*(Task is normally performed by the Administrative Assistant)*

## **Construction Training**

ACT 474 Ark. Construction Training monthly report

Verify permit information received from Community Development clerk. Fill State of Arkansas Construction Surcharge reports form a make a copy. Type checks and code to general ledger numbers, make a copy of check. Mail check with original surcharge form. Place all copies in ACT 474 Ark. Construction Training File.

## **Construction Work in Progress**

Print the General ledger number activity for the project to verify you have all invoices and reimbursals have been entered for the month. Record information from all invoices and reimbursals entered as follows: check date, check number, invoice date, vendor and description and amount on the project spreadsheet. A copy of reimbursement checks and attached documents need to be placed in the bank file of where the reimbursement was made. Print the spreadsheet and attach all documents to it, place in asset file. When project is complete an asset sheet needs to be filled out. All prior years' information is attached to the spreadsheet and asset form upon completion of the project.

## **Financial Statements**

## **Composition**

The main financial statements are developed using GLiXp on the Daffron system. In the initial screen select Statements then Status Reports. On the statement line pick the three digit report to run. Next, the year is selected, and then the month. Click on search and the report is compiled. The best results have been obtained by clicking the Adobe Acrobat icon. This produces a pdf file that may be saved to the fileserver and printed as needed. Reports are saved in F:\financial statements.

Various spreadsheets are utilized to summarize the information provided by the Status Reports.

## **Configure**

To Configure Financial Statements in GLiXp:  
Properties  
Statements  
Definition-Select Statement  
Search  
Edit Statement as needed.

## **Run**

To Run Financial Statements in GLiXp:  
Statements  
Status Reports  
Select: Statement  
Year  
Processing Month  
Search

## **Distribution**

The spreadsheet F:\123\other\FSD is used as a guide to make copies of the reports and distribute them throughout the City. Recently many reports have been emailed for efficiency.

## **Municipal Court and Police Department**

Trial balances are produced on a monthly basis along with bank reconciliations regarding bond and fine transactions. When received and reviewed in Administrative Services, the trial balance information is keyed into a spreadsheet to produce a trial balance, income statement, and a balance sheet.

## **Fuel**

### **Cards**

For changes and additions forward requests to the Purchasing Manager to order/delete new cards, vehicles, employees.

### **Expense**

Monthly invoice will come in the mail. Check totals make copies for departments. Enter details on the FUEL spreadsheet for the Month and Year. Print copy of spreadsheet to use for coding your invoice and attach with invoice and AP voucher.

## Funds Reimbursals

Monthly transfers

Transfer all funding requirements for each bank account and fund the last week of each month and then make all journal entries to GLIXp general ledger.

## General Ledger Numbers

Additional General Ledger Numbers are required periodically. To set up New General Ledger Numbers in GLIXp:

First setup the base #:

Properties

Description

Insert

Enter GL Number: \_\_\_\_\_

Enter

Description:

\_\_\_\_\_ Insert

Then setup the departmental/specific #:

Properties

Accounts

Insert

Enter GL Number: \_\_\_\_\_

Enter Division: Blank

Enter Department: \_\_\_\_\_

Enter Sub-department: \_\_\_\_\_

Enter Activity Code: Blank

Enter Budget ID: Blank

Insert

To delete General Ledger Numbers use the same procedures above starting with the specific number and select "Delete" instead of "Insert".

## Insurance

### Health, Life, Disability

Spreadsheets are processed monthly by Human Resources providing departmental expense to be funded. These amounts are entered into A/P and remitted to the provider. The employees' health insurance deductions entries are posted in the HlthInsDed journal.

### Property and Casualty

Insurance-Property and Casualty

Each year near the first of the month of October, spreadsheets are updated with additions and deletions to property, vehicles & equipment which are reconciled to the Arkansas Municipal League annual billing. The total cost of the insurance is allocated to each department based on its covered property for that year. These totals are paid through the accounts payable system debiting pre-paid insurance for each fund's total. Each month the departmental annual totals are amortized via recapping spreadsheets to the general ledger, debiting insurance expense and crediting the fund's prepaid insurance. Prepaid insurance is periodically reconciled comparing the general ledger balance vs. the amounts left on the recapping spreadsheets. Additions and deletions throughout the year are handled on an individual basis with those costs being charged directly to the affected department's property and casualty insurance expense.

*(Tasks are normally performed by the Finance Director)*

### Insurance-Boiler and Machinery

This policy renews February 19<sup>th</sup> of each year. The total cost of the insurance is allocated to each department based on the actuarial data provided by the insurer. These totals are paid through the accounts payable system debiting pre-paid insurance for each fund's total. The monthly cost is distributed using the property and casualty insurance spreadsheet.

## Inventories

### Electric & Water

Purchasing Services transacts work orders and inventory items during their routine processes. The Accounting Manager has been directed to perform the month close for work orders and inventory. These functions are performed on Daffron system iXp interface. Work order month close must be processed before inventory month close and accounts payable must be closed prior to inventory.

#### Closing Work Orders:

(run Showcase Strategy "Work Orders Master" query; parameters: Month Closed zero; Log Date w/current month range, to yield open work orders available for closing)

Start by using the Daffron iXp\Production Environment\Work Orders link (WOiXp)  
[In May 2014, a software update changed some procedures.](#)

["Click" Info Center.](#) Enter each work order number (use ED blanket, then WD blanket).  
On each WO click CPR. CPR Info appears.

Enter the work order number for the "Reference No."; Select Construction for "Const/Ret"  
Select "EDSYSTEM-ED system additions" then later "WDSYSTEM-WD system additions";  
Select "1-ELECTRIC SYSTEM ADDITIONS" then later "1-WATER SYSTEM ADDITIONS";  
Qty: 1; Click "Update Table". **1 Row(s) Updated.** appears; Remember to repeat the above steps that applied to Electric for Water.

Select "Tasks", then "Closed Work Orders", enter the current month numbers for the Electric and Water blanket work orders. Click "commit". **"Work Orders have been designated to close"** appears.

Select "Processing", then "Distribution". Charges Based on = M-Material; Post to File = M-Material. Click "Continue". Click "Material".

Material overhead distribution based on M-MATERIAL charges

Cost Description	Amount	G/L Trans Code	Distribute to Trans Code
stores expense	0	EDOVRHDDST	EDADJ
stores expense	0	WDOVRHDDST	WDADJ

Click "Insert". 2 Rows Inserted appears. Click "Post". Overhead Distribution completed successfully appears.

Select: "Processing" \ "Month End", "Closed Work Orders", "Process and Print". Process and Print Closed Work Orders completed successfully appears.

Select "Reports". Click "Generate": Closed Work Order Detail, Closed Work Order Summary, Current Transactions Reports-Materials, Final Totals, and Preliminary G/L Report. It is not necessary to physically print these reports. Save them as pdf files to F:\iSeries\data using descriptions same as prior months, just change the relevant date info. While printing the reports, selecting "back" is the fastest method. (Reset allows starting the month-close process over at this point.)

Select Complete "Complete" to finish the month end process. Work Order Month End completed successfully appears. Journal entries are automatically posted to GLiXp.

**Closing Inventory:**

ACCOUNTS PAYABLE for month must be closed, Work Orders must be closed, and departmental charges Must Be completed!

Start by using the Daffron iXp\Production Environment\Inventory\Materials link (IV<sup>iXp</sup>: Inventory).

Select "Processing", "Month End", "Initiate", "Initiate". Inventory Month End Initiate completed successfully appears. Under Initiate, "Process" appears. Detail IV GL Transaction, Material Charges to Work Order, PO Receipt/Invoice Balancing Report, Inventory Reconciling Report, Monthly Receipt/Invoice Balancing Report, Material Control Register, Inventory Transaction Recap, and Material Exception Report are listed, checked, and highlighted. Click "Process". IV Month End Initiate Reports completed successfully appears.

Select Reports. Click "Search" to generate: Detail IV GL Transaction; Inventory Reconciling Report; Inventory Transaction Recap; Material Charges to Work Orders; Material Control Register; Material Exception Report; Monthly Receipt/Invoice Balancing Report; Other Material Transactions; and PO Receipt/Invoice Balancing Report. It is usually necessary to physically print these reports. Save them as pdf files to F:\iSeries\data using descriptions same as prior months, just change the relevant date info. While printing the reports, selecting "back" is the fastest method. (Reset allows starting the month-close process over at this point.)

Select Complete "Complete" to finish the month end process. Inventory Month End completed successfully appears. Journal entries are automatically posted to GLiXp.

**Central Supplies**

Make copy of inventory transactions after inventory has closed. Give copy to City Accounting Assistant to reimburse Utilities with a check from accounts payable checking.

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For supplies taken out of Administrative Services stock, pull lists from cabinet/closet and do a journal entry for usage of Utility departments. For city departments, add to inventory amounts for reimbursement by check. Check is then deposited into Utility General Operating account and journal entry is made to record transaction.

### **Meter Bases**

Money will come over from the Electric department on what they collected for the month. Pull the folder Meter bases sold from the General Files. Do miscellaneous cash receipt, make copy with check and take to cashiers. Make sure they stamp your copy then file with yellow meter receipt. The money will then be deposited with the daily cash in customer service.

### **Postage**

The Billing Services Manager records postage on the last day of the month and gives the information to the Utility Accounting Assistant. The Utility Accounting Assistant makes copies for the City Accounting Assistant to reimburse Utilities with a check from accounts payable checking.

Check is then deposited into the Utility General Operating Checking account and a journal entry is made to record the transaction using GLiXp.

Utilities postage usage is recorded by journal entry on the Utility G/L.

## **Journal Entries**

### **JOURNAL ENTRY POSTING**

GLiXp is used to enter journals, choose GENERAL LEDGER under the LIVE ENVIRONMENT section – General journal entry, and need to post information weekly/monthly. After LOGIN to the system click on the MAINTENANCE tab and type in your journal name then click on SEARCH to make your entries. Make journal entries, and then scroll to the bottom of screen and click on REVIEW, if review is ok, then click on COMMIT to complete the entry. Use the SEARCH tab to check balances for reconciliation.

### **Merge Recurring Journals**

Processing

Merge Recurring

Search (leave blank-for all journals)

Insert Merged Rows

*Message Appears* "Merge Complete \_\_\_\_ total entries were inserted in \_\_\_\_ journals."

**Meter Deposits** – Meter deposit report is ran at month end by Billing. A copy is given to Utility Accounting Assistant to file and reconcile balance with General Ledger. Refunds are determined by Billing Services and are transferred thru iXp to Accounts payable in order for the Accounting Assistant-Utility to issue the check to the customers.

## **Other**

### Credit Applications and W-9's

Complete when requested by vendor. Keep a copy in file.

### FOI Requests

To be completed as quickly as possible when requested. Persons requesting copies are to be charged .08 per copy and the monies collected are to be deposited to the department whose copier made the copies. And should be credited to GL code 740.42 (department) Administrative Services copies should be deposited to the Utility General Operating account.

### Payroll reimbursements

Type a check for each fund for their payroll reimbursement bi-weekly.

### Telephone calls and emails

Answer all phone calls, voice mails and email as quickly as possible.

## Payroll Taxes

### FICA/MEDC and Health Insurance

Go to Fica/Medicare spreadsheet and change date, and then go to the top column and F2 to edit and next copy it to down the rest of column. This should balance to the Fica/Medicare totals Employee Health Contribution Human Resources provides for each pay period. Then enter this on GLiXp general ledger in the FICAMed journal.

## Petty Cash

### Petty Cash-City

Receive invoice/remittance for payment.  
Fill in petty cash receipt with signatures.  
Remit corresponding cash to recipient.  
At month end write a check for total receipts, cash it to replenish funds.  
Prepare recapping spreadsheet to document activity by G/L #.  
Record spreadsheet totals in G/L entry, for each dept:  
Animal Control - PC-ACTRL  
City Hall - PC-GF-CH  
Fire Dept – PC-GF-FD  
Police – PC-GF-PD  
Parks – PC-Parks  
Street – PC-STFD  
Reconcile petty cash activity to G/L at month-end.

PETTY CASH - UTILITIES

Write a check for each department and enter on spreadsheets, do journal entry for month.

Last day of month for Administrative Services. (PCAS)

Last day of month for Electric/Operations Department (PCEL-PCOP)

## **Refunds**

Refunds for General, Street, Street Improvement, Animal Control and Parks Funds

Make copy of receipt, and check if possible and you need something in writing from the department head on city letterhead. Type each check on the correct fund and code to the correct general ledger numbers and make any general ledger journal entries to GLIXP in the appropriate journal.

Refunds for Utility fund: Refunds for overpayments or meter deposits requests are now transferred from Customer service to Accounts payable for processing with a check from accounts payable checking. All refunds are researched and verified by Billing/Customer service manager prior to transfer to AP. Any balances that cannot be transferred are written on a refund request form and signed by Billing/Customer service manager. A check is then manually typed from Utility General Operating account. All checks are then mailed to customer with final bill is available.

## **Retirement Funding**

On the 10<sup>th</sup> of each month you need to check the Fireman and Police Pension bank balances to see if there are funds to cover the monthly retirement checks. If there's not enough funding, for the Fireman pension you need to divide what you need in half and call Merrill Lynch for their portion and send a fax to Smith-Barney for their portion. The Police Pension Funds you only need to fax Smith Barney for any funding needed, you also need to call Smith Barney to verify they received your fax. The checks need to be mailed to City Hall to the attention of the City Accounting Assistant and received no later than the 20<sup>th</sup> of each month. Once you've received the checks make a copy of the check, receipt each check in the Fire and Police receipt books, fill out a deposit and make of copy of deposit and check together, next record them on the spreadsheets for Fireman Pension (PenFd-FD) and the Police Pension (PenFd-PD). Let the personal assistant know you have received your checks so she can mail out the retirement checks.

Once a year around August, you'll receive checks from State of Arkansas for the Police and Fire Pensions. For the Police you'll receive 3 checks, Police Future Supplement, Police Retirement Supplement, and Police Payment Old Plan Pension and for the Fireman you'll receive 2 checks, Future Supplement and Fire Payment Old Plan Pension. These checks will go to Human Resources Mgr. first and then she'll give them back to you to process. You'll process them same as the monthly transfers from Merrill Lynch and Smith Barney.

## **Returned Checks**

Returned check fees are to be charged to ALL (City wide) customers at the same rate as specified by the Benton Utilities Customer Services rules and regulations. The banks are not supposed to charge us a returned check fee per our agreement with them.

#### Returned Checks (CITY)

Retrieve from the bank. If check hasn't been taken out of the bank account, contact the department so they can contact the writer, collect funds, and incurred fees, re-deposit, record journal entries as needed. Reconcile to G/L at month-end

#### RETURN CHECKS (UTILITIES)

First Security will email the listing of returned BANK DRAFTS. Three copies are printed of each return for (1)to be included with check to FS (2)copy for customer service to enter in the system (3)copy for acct assistant ret ck file. A check is written from Bank of the Ozarks general operating account payable to First Security and dropped off at the drive thru marked attn: Welda Smith

Bank of the Ozarks for General Operating returned checks. BofO will deduct returned checks from General Operating account and send the legal copy to give to Utility acct assistant to process. List on spreadsheet for returned checks month year. Give checks to head cashier (CS will enter in system to deduct payment off of cust account along with a \$30.00 returned check fee). CS will bring back a returned checks report and Account Assistant will mark date on the ret checks report. File returned report in yearly book for returned checks.

#### RETURNED CHECKS BY POST OFFICE

Try and contact customer/vendor if unable to contact and no forwarding address – do Journal entry and add back to checking account report. Email to bank to put stop payments on checks and go to bank and have 2 authorized bank signers sign the stop payment request. Make notations on customer account that the check has been returned and why and if it has been voided.

## **Sales**

### **Retail/Interdepartmental**

Billing Services provides edit totals after each of the 4 billing cycles has been completed. After billing month close is complete, they provide additional reports that summarize monthly activity. Five journals are created: BLADJ, BLBLD, BLOTH, BLPMT, and BLTAX. Spreadsheets manually compile this information into a more usable format. SLJN recaps the main Sales Journal information. KWH, SMBN&WW, and WDBS further use the billing data recapped to summarize monthly and annual totals. These later reports are distributed as needed to various departments. These resulting spreadsheets are also used to reconcile to the G/L and A/R, produce additional required journal entries, and are a valuable verification/auditing tool.

IDSL covers interdepartmental sales and generates G/L entries to expense those amounts and recognize income for the free service. The entries are posted in the IDSL journal.

## **Wholesale**

### **Sales-Wholesale-Water**

This billing process is handled by Billing Services. We are retrieving master meter readings copies from Water Distribution or Billing Services, then posting to spreadsheets to ensure we have accurate data for G/L and reporting purposes.

## **Taxes**

### **Franchise**

On the Utility Fund G/L, franchise taxes are calculated and accrued using the Jadm spreadsheet each month. Interdepartmental sales, transfers, and interest income are eliminated from the taxable amounts of income. The resulting amounts are multiplied by 5.0% to achieve the Utility Fund's liability to the General Fund. On a monthly basis the Utility Fund writes a check to the General Fund to reduce that liability.

### **Sales & Use**

#### **Funds**

#### **SALES & Use TAX (CITY)**

When notification is received from state, record in General Fund receipt book, code and record transactions on daily cash report. Record tax on tax spreadsheet, to show the Cities allocation and for monthly allocation needed to transfer to Street Improvement and Parks & Recreation Operation & Maintenance Fund. Transfer monthly allocation last week for the Street Improvement Fund. Deposit to bank account and make copy. Record date and check Number on sales tax spreadsheet. A Journal Entry is done at month close.

### **Retail Reporting**

#### **SALES TAX (UTILITY)**

Pre-pay sales tax for Utilities per schedule from State of Arkansas Sales & Use dept. The 1<sup>st</sup> prepayment is due on the 12<sup>th</sup> of each month and 2<sup>nd</sup> prepayment due on the 24<sup>th</sup>. The monthly sales tax is due on the 20<sup>th</sup> of each month. If any of these dates fall on a holiday or weekend then they are due on the previous business day. Use sales tax spreadsheet SLTX to help calculate amount due on monthly local/state tax. Use the sales tax report to get figures for total sales and reports for bad debts, etc. Go on-line to <https://atap.arkansas.gov/#1> to report per instructions. Adjust bank account spreadsheet for auto withdrawals from General Operating acct. Make journal entries and reconcile to general ledger at month end.

### **Turnback**

## **County**

The City of Benton property tax millages are approved each year by the City Council. That information is forwarded to Saline County and the taxes are assessed and collected by them. Each month the City receives checks from the County, receipts them, and makes deposits to both the General and Street Funds.

## **State**

### **STATE TURNBACK (CITY)**

When notification is received from state, record in General Fund receipt book, code and record transaction on daily cash report and attach a copy to report. Make a copy for transfer to the Street Fund. Transfer monthly allocation from state notice to the Street Fund. Then record in the Street Fund receipt book, code and report on daily cash report with supporting documents. Make a copy of the check for the General fund records.

## **Vehicles**

**Inventory** – A listing is kept on spreadsheet VEH listing information about each vehicle in all city and utility departments.

## **Licensing**

### **VEHICLE RENEWAL INFORMATION**

New – Order License - PUBLIC PROPERTY TAGS  
signed by mayor, city clerk, or county judge Affidavit (form 10-390)  
insurance ID billing paperwork  
copy of invoice  
bill of sale odometer disclosure  
check for \$11.00 per vehicle  
Certificate of Origin

Put on VEH list – information for all vehicles is kept in Utility Accounting Assistants office.

## **Year-End Processing**

### **GLiXp**

The year-end close in GLiXp follows the same path as the monthly close. Processing\Month End select "Initiate", select "Initiate", select "Continue", select "Complete", and select "Complete". Just as in month close, the processing month

Each fund has its own set of “Close-“ entries. “Close-All” includes items that are not otherwise processed in each fund’s “Close-“ entries. The entries are inserted into month 13 for the year ending with the reference “YEAREND” and the description “End of Year Closing Entry”.

During the year-end close process income/expense are debited/credited to zero out the year to date totals and municipal net equity/retained earnings accounts receive the net amount for year’s net change. The year-end close entries should be verified for accuracy.

A manual adjustment must be made to “adj retained earnings for admin depts depreciation”. A good way to make this entry is to credit the Electric retained earnings for the admin depts depreciation total and then debit the Electric, Water, and Waste Water depts for the total divided by three. That special allocation journal is named Close-UF each year.

A BalFwd journal with references of “YEAREND” and descriptions “Balance Forward” posts the balance sheet accounts into the next year as month “0”. The BalFwd entries should be verified for accuracy.

## 1099s

Year end 1099’s

To be completed by January 31 following year end. Month close needs to be completed before 1099’s can be done.

1. Purge previous years 1099’s
2. Step up menu :
3. Select #2 – Accounts Payable menu
4. Select #5 – year end menu
5. Select #1-print and verify addresses and totals for each vendor (verify amounts paid in year only (disregard charge Month) use #70 option for this)
6. DO NOT do step#3 until all corrections have been made. Then add to A/P to 1099 hold file – (ONLY DO THIS ONCE AND DON’T PRINT)-run a tape on the 1099 register this should balance with your 1099’s you print.
7. Select #5 print 1099 register and verify all information.
8. Select #4 - and use this to make changes to addresses and amounts. Rerun 1099 register if there were changes and re-verify all information.
9. Select #10-to print 1099’s –make a copy of Form A ,to use a practice run to check program if is in line with the 1099’s form (use Mgmt. Services Supervisors printer). If form is off call Daffron for help, once it’s OK, run forms in A, B, C order.
10. Make a copy of Form B for file.
11. Run a tape on 1099’s check balance with tape on 1099 register. Fill out Form 1096, make a copy and mail with Form A (RED 1099’s) to IRS.
12. Give Human Resource Supervisor a copy of the Inspectors 1099’s; she’ll need to know what type of inspector (electric, havoc of plumbing) for each 1099.
13. File all copies and label file for the 1099 year, also keep some extra 1099’s

**ORDINANCE NO. 56 OF 2015**

**AN ORDINANCE AMENDING THE 2015 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 75 OF 2014; TRANSFERRING FUNDS TO THE UTILITY DEPARTMENT FROM THE FINANCIAL STABILITY FUND; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the City has previously requested and the city Public Utility Commission has agreed to extend city owned utility services within certain city owned right of ways and utility easements; and

WHEREAS, the City Council has agreed to help pay a share of these expenses to assist in the cost of the project; and

WHEREAS, the City Council passed Ordinance 75 of 2014 adopting the City's budget for 2015 which needs to be amended to appropriate funds for this purpose.

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 FY2015 City of Benton Budget as adopted in Ordinance 75 of 2014. 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 ordinances of the city. The funds transferred to the utility department shall come from the Financial Stability Fund.

SECTION 2: It is hereby found and determined that there is an immediate need to amend the budget, to transfer funds to the utility department from the Financial Stability Fund and to appropriate these funds for the purposes heretofore stated. 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 October, 2015.

\_\_\_\_\_  
David Mattingly, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



## FY2015 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2015. This submittal includes a revision for the General Fund.

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

Section 2 is a detailed explanation of the amended Receipts and Disbursements that make up this Fiscal Year 2015 budget amendment.

### **Section 1: Amended Appropriations – Fiscal Year 2015**

#### General Fund

	Beg Approved Amt	Amendment	End Revised Amt
Receipts	\$14,736,079	(\$400,000)	\$14,336,079
Personnel	\$10,590,690	-0-	\$10,590,690
Operations & Maintenance	\$2,567,139	-0-	\$2,567,139
Capital Items	\$1,679,201	-0-	\$1,679,201

### **Section 2: Receipts & Disbursements - Fiscal Year 2015**

#### General Fund

##### Source of Funding

This budget amendment allows for funds from the Financial Stability fund to be used for the first payment for utility infrastructure in the amount of <\$400,000.00> (131.920.10.00).

##### Disbursements

This budget amendment allows for the transfer of funds from the Financial Stability fund to Benton Utilities transfer line item for \$400,000.00 (635.030.10.00) for the first payment regarding utility infrastructure.

RESOLUTION NO. 52 OF 2015

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

WHEREAS, the City Council is the lead agency for the Alcoa Road project which requires the city to make advance payments for the construction costs of the project prior to any reimbursements by other agencies; and

WHEREAS, this commitment has created a financial need within the city for paying the construction costs in advance of being reimbursed as well as paying for improvements to Lillian St. and other street improvements within the city which are not related to the Alcoa Road 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 address these short term cash flow issues.

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.

PASSED AND APPROVED this the \_\_\_\_\_ day of October, 2015.

\_\_\_\_\_  
David J. Mattingly, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk

**ORDINANCE NO. 57 OF 2015**

**AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON,  
SALINE COUNTY, ARKANSAS,  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, an application for zoning was filed with the Planning Commission of the City of Benton, Arkansas by Eagle Development Company., requesting the lands hereinafter described be zoned to a Highway Commercial District (CH) zoning; and,

WHEREAS, the Planning Commission ordered a Public Hearing be held on October 13, 2015 at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas; with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted with an 8-0 vote, in favor; and,

WHEREAS, the City Council of the City of Benton, Arkansas desires to zone the following property as Highway Commercial District (CH).

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

SECTION 1. The following described property is hereby rezoned from Single-Family Residential (R1-7.5) to Highway Commercial (CH) zoning:

See Exhibit "A"

SECTION 2. The City Council, having found that the immediate rezoning of this property will allow construction to commence thereon which will be of benefit to the local economy, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

DESIGNATED FOR PUBLICATION

LEGAL DESCRIPTION – EXHIBIT A

BEING A PART OF THE SW1/4, SE1/4, SECTION 12, T-2-S, R-15-W, SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE SE1/4, SE1/4 OF SAID SECTION 12; THENCE N84°13'31"W 1595.45 FEET; THENCE N05°46'29"E 93.14 FEET; THENCE S87°05'26"E 11.10 FEET; THENCE S83°00'48"E 107.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE N03°10'27"E 252.00 FEET; THENCE N85°57'15"W 342.18 FEET; THENCE N02°17'12"E 133.65 FEET; THENCE S87°42'48"E 139.63 FEET; THENCE N72°26'56"E 218.77 FEET; THENCE S86°49'33"E 150.00 FEET; THENCE S03°10'27"W 480.46 FEET; THENCE N82°59'59"W 150.36 FEET TO THE POINT OF BEGINNING CONTAINING 2.47 ACRES, MORE OR LESS.



# CITY OF BENTON

Community Development

P.O. Box 607  
Benton, Arkansas 72018

## MEMORANDUM

**TO:** Planning & Zoning Commission  
Ms. Pamela Gibson, Chair

**FROM:** Steven Alexander, City Planner, Community Development

**DATE:** September 29, 2015

**RE:** Highway 183/ Edison Avenue  
Rezone from Single Family (R1-7.5) to Highway Commercial (CH)

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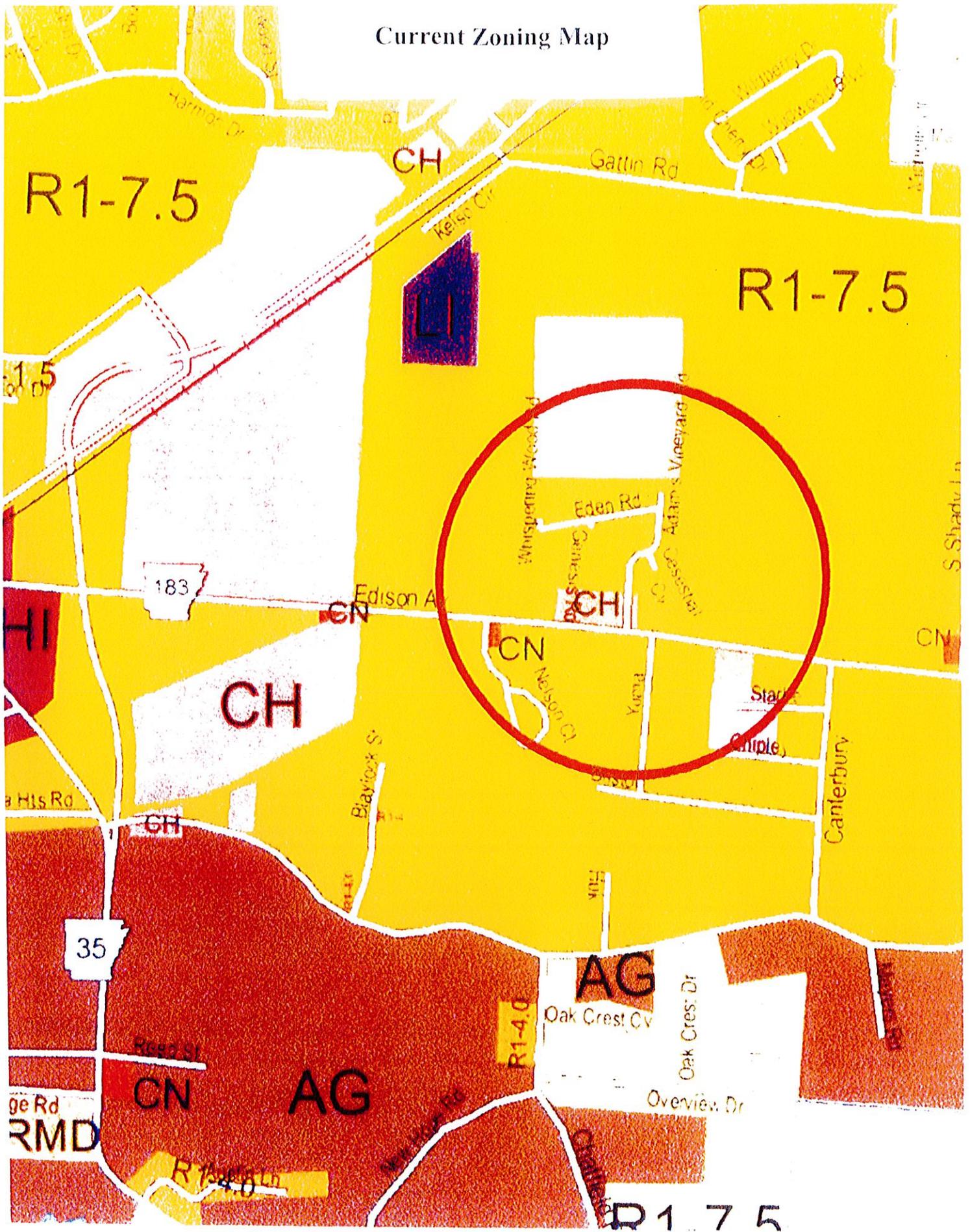
Staff has reviewed the proposed request for a rezone from Single Family (R1-7.5) to Highway Commercial (CH) and recommends approval.

Future Land Use presents this area as urban density implying single or multi-family development. However, there is an existing commercial business adjacent to this property.

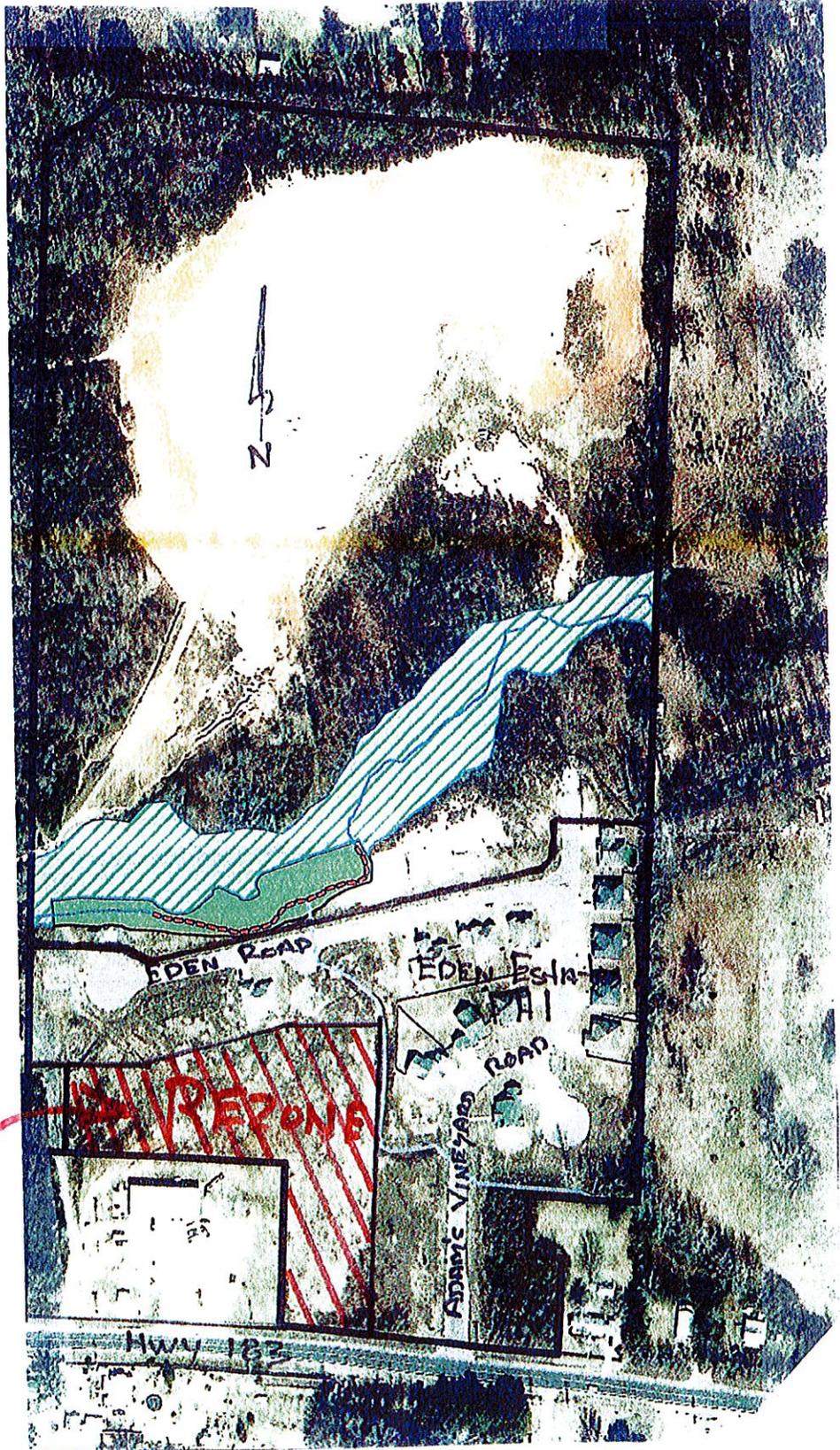
Required documentation is attached and fees have been received. Please contact the Community Development office if we may be of further assistance.

*Approved 8-0*

# Current Zoning Map



Aerial Map with Proposed Rezone Area



PROPOSED  
REZONE  
AREA

EDEN ROAD  
EDEN ESTABLISHMENT ROAD  
ADAM'S VINEYARD ROAD  
HWY 183



Staff Use:  
DATE SUBMITTED 9/28/15  
DATE OF NEXT MEETING 10/13/15  
AD MUST RUN NOT LATER THAN 9/28/15

Application and Procedural Requirements for Rezone Permit

Applicant's Name EAGLE Development Co.  
Address of Subject Property EDEN ESTATES - Hwy 183  
Legal Description of Subject Property (may be attached on separate sheet)  
SEE EXHIBIT "A"  
Assessor's Parcel Number of Subject Property 05125C0370D  
Zoning District of Subject Property R1-7.5  
Proposed Use CH

Please attach vicinity map of the property, 8.5 x 11 inch size. Additional required information is detailed on p. 2.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of Eagle Development Co., who is the owner of said property; or that I am the employee or agent of \_\_\_\_\_, which is a public utility company or other agency with the powers of eminent domain, and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Signed Cynthia Best  
Mailing Address HURRICANE VALLEY INC  
~~2221 CHATELAIN~~  
P.O. Box 118, Bryant, AR 72089  
Phone Number 501-847-7282

Subscribed and certified to me this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Community Development Dept Representative

LEGAL DESCRIPTION – EXHIBIT A

BEING A PART OF THE SW1/4, SE1/4, SECTION 12, T-2-S, R-15-W, SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE SE1/4, SE1/4 OF SAID SECTION 12; THENCE N84°13'31"W 1595.45 FEET; THENCE N05°46'29"E 93.14 FEET; THENCE S87°05'26"E 11.10 FEET; THENCE S83°00'48"E 107.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE N03°10'27"E 252.00 FEET; THENCE N85°57'15"W 342.18 FEET; THENCE N02°17'12"E 133.65 FEET; THENCE S87°42'48"E 139.63 FEET; THENCE N72°26'56"E 218.77 FEET; THENCE S86°49'33"E 150.00 FEET; THENCE S03°10'27"W 480.46 FEET; THENCE N82°59'59"W 150.36 FEET TO THE POINT OF BEGINNING CONTAINING 2.47 ACRES, MORE OR LESS.

REZONES

If the owner of said property will not be available, a signed letter by the property owner(s) must be presented identifying their representative or agent by name. This will need to be notarized.

EAGLE BANK AND TRUST  
Representative or Agents Name

Rick Baney  
Owners Signature  
Rick Baney, EVP

10/5/15  
Date

\_\_\_\_\_  
Owners Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owners Signature

\_\_\_\_\_  
Date

STATE OF ARKANSAS

ss.

ACKNOWLEDGMENT

COUNTY OF PULASKI

On October 5, 2015, before me, Melanie A. Ellis, a Notary Public duly commissioned, qualified and acting, within and for said County and State appeared in person the within named Rick Baney, to me personally well know, who stated he was the Executive Vice President of the Eagle Bank and Trust, a corporation, and were fully authorized in his respective capacities to execute the forgoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said forgoing instrument for the consideration, uses and purposes therein mentioned and set forth.

In Testimony Whereof, I have hereunto set my hand and official seal on October 5, 2015.

Melanie A. Ellis Notary Public

My commission expires on the 21<sup>st</sup> day of July, 2023.



Staff Use:

DATE SUBMITTED 9/28/15  
DATE OF NEXT MEETING 10/13/15  
AD MUST RUN NO LATER THAN 9/28/15

APPLICATION AND PROCEDURAL REQUIREMENTS FOR REZONING

1. Submit application for rezone in writing to Director of Community Development/Community Services Supervisor.
2. **Proof of ownership of said property must be submitted with application.** (Warranty deed, property tax letter, etc.)
3. **If the owner of said property will not be available, a notarized letter signed by the property owner must be presented identifying their representative/agent by name.**
4. Pay \$30 rezone fee.
5. Provide 15 copies of vicinity map (8.5 x 11" size) clearly outlining the property in question.
6. Place a notice of public hearing in a newspaper of general circulation at least fifteen (15) days prior to the Planning Commission meeting that states the purpose of application, location of the property involved, date, time, and place of the public hearing. (See attachment 1)
7. Provide "Proof of Publication" (a document you will get from the newspaper office) shall be furnished by the applicant to the Director of Community Development/Community Services Supervisor prior to or at the public hearing.
8. Send, or have mailed on your behalf, a notice of public hearing to all persons that lease or own property within 300 feet of the proposed zoning change. (Attachment 3) If you mail the notice, you should provide the Community Development Department with the green return receipts supplied by the post office. The notice of public hearing may also be delivered by hand, but you must maintain signatures showing receipt of the public notice.

Written notice to these individuals must be given 15 days in advance of the public hearing.

9. Provide the Community Development Department with a scale drawing of the site and the surrounding area for a minimum distance of three hundred (300) feet from each boundary of the site showing the locations of existing streets, property lines and the name and last known address of the recorded legal owners of all properties shown on the drawing.
10. Post a "Subject to Rezone" sign on the property.

## SUBMISSION REQUIREMENTS

11. Community Development Department staff and other Benton Department heads review the application and make a recommendation to approve or deny the request.
12. Planning Commission reviews the rezone request. If rezone request is recommended to the City Council, applicant will need to furnish to the Community Development Department a written ordinance to adopt the zoning change.
13. If City Council approves the rezone, ordinance will become effective thirty (30) days after final reading. **Ordinance will be published in the newspaper and cost of publication will be billed to applicant. The Ordinance must be filed with the County Clerk and this filing fee will also be the applicant's responsibility.**

No application for a rezone may be resubmitted within 12 months from the date of the action of the City Council unless the Planning Commission finds that a substantial change in conditions has occurred.

**NOTICE: COMPLETED APPLICATION AND FEE MUST BE RETURNED TO CITY HALL NO LATER THAN THE LAST DAY OF THE MONTH. APPLICATIONS SUBMITTED AFTER THE FIRST DAY OF THE MONTH WILL NOT BE ON THAT MONTH'S AGENDA. ALL ITEMS IDENTIFIED FOR SITE SPECIFIC REZONES MUST BE COMPLETED WHEN APPLICATION IS MADE. NO REQUESTS FOR REZONES WILL BE ACCEPTED UNLESS APPLICATION AND SITE PLANS ARE COMPLETE.**

Note to Staff: Zoning ordinances should be forwarded to Metroplan for mapping.

# Proof of Publication

STATE OF ARKANSAS  
County of Saline

I, Maribel Beeche, do solemnly swear that I am Legal Advertising Clerk for The Saline Courier, a daily newspaper printed in said county, and that I was such at the date of publication hereinafter stated, and that said newspaper had a bona fide circulation in such county at said dates, and has been regularly published in said county since the year 1876 before the date of the first publication of the advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 issues, the first insertion therein having been made on 09/28/2015, and the last insertion on 09/28/2015.

Billed Account American Valley Inc.

Ad Number 69778

Maribel Beech  
Legal Advertising Clerk

Sworn to and subscribed before me on 9.28.15

Julie Allbritten  
Notary Public

JULIE ALLEBRITTON  
SALINE COUNTY  
NOTARY PUBLIC - ARKANSAS  
My Commission Expires February 22, 2022  
Commission No. 12586197

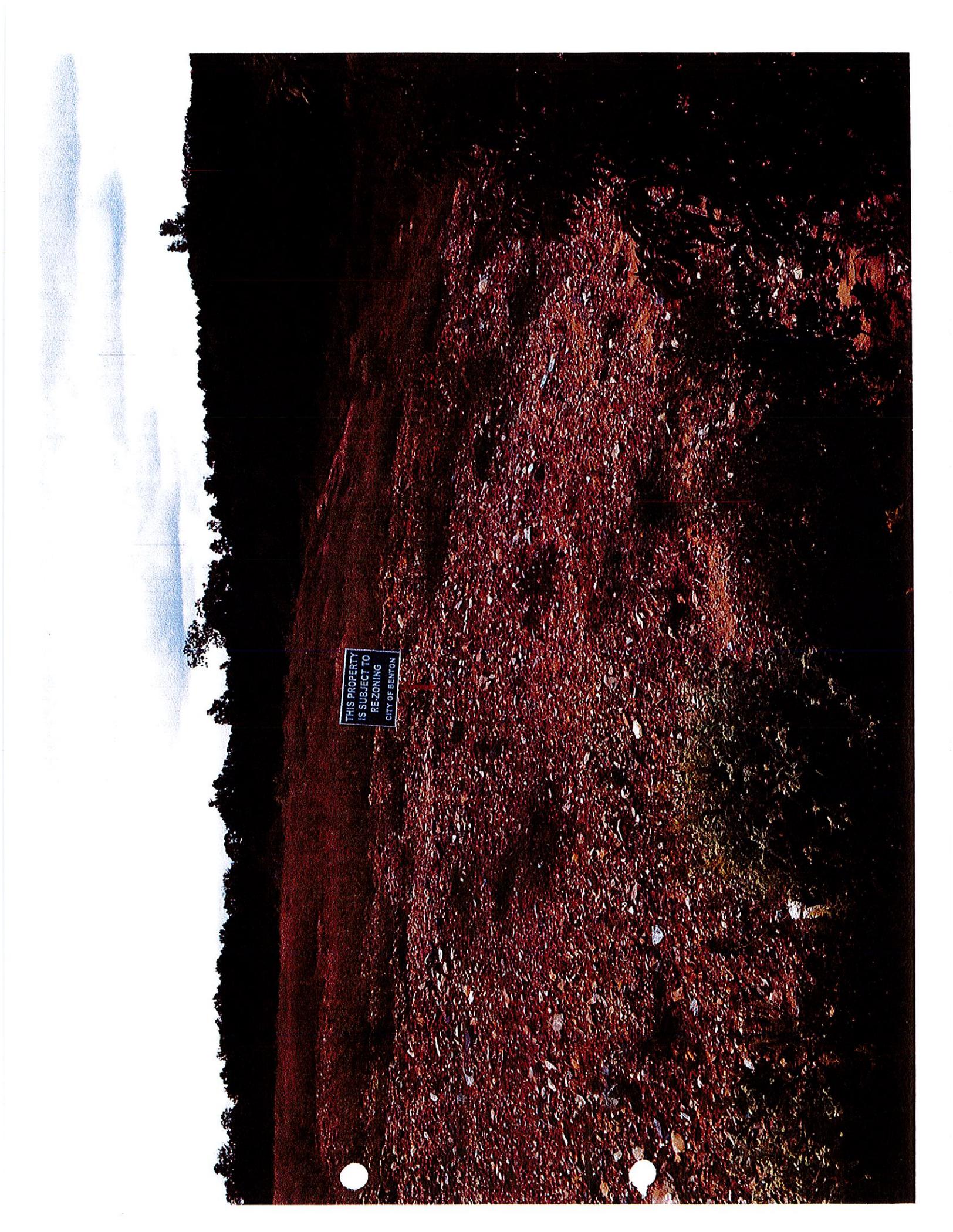
FEE FOR PRINTING

\$ 94.60 Cost of Notice  
\$ 2.60 Cost of Proof  
\$ 97.20 Total

## Legal Notices

**PUBLIC NOTICE**  
Notice is hereby given that a hearing will be held by the Planning and Zoning Commission of the City of Benton, Arkansas on Tuesday, the 13 day of October, 2015 at 6:00 p.m. at Benton City Hall, Benton, Arkansas for a Rezoning Petition for the following property located on Arkansas State Highway 183, Benton, AR 72015 to wit:  
BEING A PART OF THE SW 1/4, SE 1/4, SECTION 12, T-2-S, R-15-W, SALINE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE SE 1/4, SE 1/4 OF SAID SECTION 12; THENCE N84°13'31" W 1595.45 FEET; THENCE N05°46'29"E 93.14 FEET; THENCE S87°05'26"E 11.10 FEET; THENCE S83°00'48" E 107.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE N03°10'27"E 252.00 FEET; THENCE N85°57'15"W 342.18 FEET; THENCE N02°17'12"E 133.65 FEET; THENCE S87°42'48"E 139.63 FEET; THENCE N72°26'56"E 218.77 FEET; THENCE S86°49'33"E 150.00 FEET; THENCE S03°10'27"W 480.46 FEET; THENCE N82°59'59"W 150.36 FEET TO THE POINT OF BEGINNING CONTAINING 2.47 ACRES, MORE OR LESS.  
Said property is proposed to be rezoned from its current zoning as RM1.75 to CH.  
The petitioner is Eagle Development Company, P.O. Box 1030, Heber Springs, AR 72543

THIS PROPERTY  
IS SUBJECT TO  
RE-ZONING  
CITY OF BENTON



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Said property is proposed to be rezoned from its current zoning as RM1.75 to CH.

The petitioner is Eagle Development Company, P.O. Box 1030, Heber Springs, AR 72543.

FIRST NATIONAL TITLE COMPANY  
216 West Sevier Street  
Benton, AR 72015

September 17, 2015

Eagle Bank & Trust Company  
P.O. Box 22120  
Little Rock, Arkansas 72221

Re: Part of the SW 1/4 of the SE 1/4,  
Section 12, Township 2 South,  
Range 15 West, Saline County,  
Arkansas

We have searched the public records of Saline County, Arkansas, and the records and indices of First National Title Company up to September 1, 2015 at 12:01 A.M. and find the following Grantees in the last Deeds of record conveying those lands in Saline County, Arkansas, lying within 300 feet of the lands described in EXHIBIT A attached hereto and made a part hereof. We make no representations as to the status of any titles.

Leonard L. Davidson and Judy L. Davidson  
215 Todd Lane  
Bryant, AR 72022

Gregory P. Bridges and Sue Ellen Bridges  
516 Celestial Cove  
Benton, AR 72015

James McAlister and Gera Lyn McAlister  
520 Celestial Cove  
Benton, AR 72015

Richard C. Bessire and Stephanie A. Bessire  
600 Adam's Vineyard Road  
Benton, AR 72015

Mike Orndorff and Sarah A. Marshall  
609 East 16th Street  
Little Rock, AR 72202

(3)

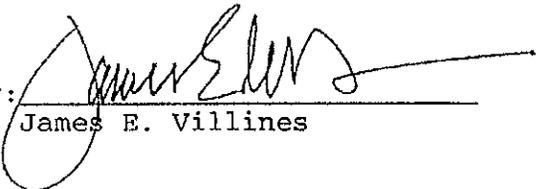
Phillip D. Ashley and Paula G. Ashley  
2503 Nelson Circle  
Benton, AR 72015

Charles P. Bunch  
1525 Oilwell Road  
Traskwood, AR 72167

H. K. Geurin, Jr. and Judy A. Geurin  
820 Yuma Street  
Benton, AR 72015

Thank you for this opportunity to be of service.

First National Title Company

By: 

James E. Villines

DATE 9/28 20 15

No 39431

**CITY OF BENTON, ARKANSAS**  
**GENERAL FUND**

RECEIVED OF Huacacame Valley, Inc. \$ 30.00

FOR Re Zone App fee for Eden Estates

#8502

[Signature]  
RECEIVED BY:

05125C0360D

800-4240140

805-19280

05125C0370D

05-49280-000

800-1820

800-1820

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**RESOLUTION NO. 53 OF 2015**

A RESOLUTION AUTHORIZING THE MAYOR TO OBTAIN INFORMATION PERTAINING TO THE FORMATION OF AN ARTS AND HERITAGE CENTER AT THE PALACE THEATER; DIRECTING THE CITY ATTORNEY TO DETERMINE THE FEASIBILITY OF CREATING A CITY COMMISSION TO OVERSEE THE PROJECT; HALTING THE DEMOLITION OF THE STRUCTURE; AND FOR OTHER PURPOSES

WHEREAS, members of the community have developed a plan for restoring the Palace Theater and converting it into an arts and heritage center for the city; and

WHEREAS, the City Council wishes for the Mayor to work with the Community Development Committee to determine the feasibility of this project with respect to plans, cost estimates, funding and other technical details of such a renovation; and

WHEREAS, the City Council also wishes for the City Attorney to determine the feasibility of creating a city commission for overseeing this project as well.

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 work with the Community Services Committee to determine the feasibility of restoring the Palace Theater and converting into an arts and heritage center. The City Council does also direct the City Attorney to determine the feasibility of creating a city commission for overseeing this project and to report those findings to the Community Services Committee as well. The pending demolition of the Palace Theater is hereby halted in order to explore this proposed project.

PASSED AND APPROVED this the \_\_\_\_\_ day of October, 2015.

\_\_\_\_\_  
David J. Mattingly, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk

RESOLUTION NO. 54 OF 2015

A RESOLUTION CALLING A PUBLIC HEARING TO HEAR THE PETITION OF JAMES L. OVERBEY AND MICHELLE OVERBEY TO ABANDON A STREET LOCATED ON VALLEY ROAD INSIDE THE CITY OF BENTON; CALLING FOR PUBLIC NOTICE OF THE HEARING; AND FOR OTHER PURPOSES

WHEREAS, pursuant to A.C.A. §14-301-110 states that a property owner whose lands abut a public street may petition the City Council to abandon the street; and

WHEREAS, the City Council is required to hold a public hearing on the petition and to notify all abutting landowners of the petition; and

WHEREAS, the City Council is also required to publish notice of the public hearing in a paper of general circulation within the city; and

WHEREAS, James L. Overbey and Michelle Overbey have filed a petition to vacate a city street located on Valley Road in the City of Benton, a copy of which is attached to this resolution as Exhibit "A"; and

WHEREAS, in compliance with the law, the City shall hold a public hearing as set forth below.

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

SECTION 1: Pursuant to A.C.A. §14-301-110 the City of Benton does hereby call a public hearing which shall be held on the 9<sup>th</sup> day of November, 2015 at 6:50 P.M. at the Benton Municipal Complex, Benton, AR to consider the petition filed by James and Michelle Overbey. The City Clerk shall publish notice of the hearing as required by the statute which is one time per week for two consecutive weeks. The office of community development shall notify the abutting land owners of the petition and notify them of the public hearing.

PASSED AND APPROVED this the 26th day of October, 2015.

\_\_\_\_\_  
David J. Mattingly, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk

EXHIBIT "A"

"The East 25 feet of the Northwest Quarter of the North East Quarter of Section 10, Township 2 South, Range 15 West, Saline County Arkansas, lying South of Interstate 30 and North of Woodlane, shown as Valley Road on Plat of Crestwood Addition Annex No. 1, Recorded in Saline County Deed book 76 at page 138."

RESOLUTION NO. 55 OF 2015

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC FOR DEVELOPING A BICYCLE/PEDESTRIAN MASTER PLAN FOR THE CITY OF BENTON; AND FOR OTHER PURPOSES

WHEREAS, the City desires to enter into an agreement with McClelland Consulting Engineers, Inc. to provide engineering services to the City of Benton for developing a Bicycle / Pedestrian Master Plan; and

WHEREAS, McClelland Consulting Engineers, Inc. was selected to perform the work from among the engineers who have submitted a statement of their qualifications to the city.

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

SECTION 1: The City Council does hereby authorize the Mayor and City Clerk to execute any document as shall be necessary to enter into an agreement with McClelland Consulting Engineers, Inc. for providing engineering services for the above project.

SECTION 2: The cost of the study shall be \$55,000.00 plus reimbursables, which is hereby deemed appropriated.

PASSED AND APPROVED this the \_\_\_\_\_ day of October, 2015.

---

David J. Mattingly, Mayor

---

Cindy Stracener, City Clerk



GameTime c/o Cunningham Recreation  
 PO Box 240981  
 Charlotte, NC 28224  
 800.438.2780  
 704.525.7356 FAX

QUOTE  
 #105261

09/22/2015

**Benton Riverside Softball Complex (option 2)**

City of Benton  
 Attn: John Eckart  
 114 S. East Street  
 Benton, AR 72015  
 jeckart@bentonar.org

Project #: P76254  
 Ship To Zip: 72015

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - Powerscape Modular 2-5 Unit (per drawing)	\$8,316.00	\$8,316.00
1	3430RP	PlayWorx GT - Batter Up Panel	\$1,128.00	\$1,128.00
1	4254RP	PlayWorx GT - Baseball Entryway Panel	\$1,136.00	\$1,136.00
1	RDU	GameTime - Powerscape Modular 5-12 Unit (per drawing)	\$13,001.90	\$13,001.90
2	4254RP	PlayWorx GT - Baseball Entryway Panel	\$1,136.00	\$2,272.00
1	INSTALL	MISC - Installation of GT Equipment	\$9,789.00	\$9,789.00
1	PHP4656S-12-FB	UltraSite - 46' x 56' Hip Rectangle Shade, 12' Eave, P/C Structure	\$13,231.00	\$13,231.00
1	DRAWINGS	UltraSite - Signed & Sealed Engineering Drawings, Calculations, and Footing Design	\$650.00	\$650.00
1	INSTALL	MISC - Installation of Shade Structure	\$5,200.00	\$5,200.00
1	INSTALL	MISC - Installation of Shade Footings	\$2,588.00	\$2,588.00
2575	PIP	GT-Impax - Poured in Place Safety Surfacing, per Sq. Ft. - <i>Includes:</i> <i>Materials (50% black, 50% standard color)</i> <i>Freight</i> <i>Installation</i> <i>Site Security</i> <i>Dumpster</i>  <i>NOT Included:</i> <i>Site prep</i> <i>Sub base</i>	\$11.81	\$30,410.75

Site must be clear, level, free of obstructions and accessible.

SubTotal: \$87,722.65  
 Tax: \$6,690.73  
 Freight: \$4,195.82  
**Total Amount: \$98,609.20**

**RESOLUTION NO. 57 OF 2015**

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH SCOTT HILL FOR OPERATING THE CONCESSIONS AT BERNARD HOLLAND PARK, TYNDALL PARK, TYNDALL PARK SPLASH PAD AND RIVERSIDE PARK; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton published a request for proposals for operating the concessions at Bernard Holland Park, Tyndall Park, Tyndall Park Splash Pad and the future Riverside Park development; 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 four locations.

WHEREAS, the RFP stated the services would be provided for one (1) year at which point the services could be extended for an additional two, one (1) year periods; and

WHEREAS, the City wishes to enter into a one (1) year agreement with Scott Hill to provide concessions services at the listed 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, Tyndall Park, Tyndall Park Splash Pad and Riverside park. This contract will be consistent with the terms contained in the response to the RFP 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 October, 2015.

---

David J. Mattingly, Mayor

---

Cindy Stracener, City Clerk

# 2015 Parks Concessions Request for Proposals

July 20, 2015

## Introduction

This REQUEST FOR PROPOSAL (RFP) represents a publicly advertised and competitively awarded solicitation by the City of Benton, Department of Parks and Recreation for Concessions Operators for selected parks. One location can only accommodate mobile-type vending while others contain existing buildings that support concession activities. Individual operators must apply for all locations in the RFP process. The Department is seeking and will select concessionaires that best demonstrate the ability to provide innovative, affordable, safe and reliable services to park patrons while paying reasonable concession fees to the Department. You are encouraged to offer services and/or products that would be complimentary to the existing uses of the park. The Department reserves the right to approve or disapprove any proposed business activity.

**If you are awarded the contract, you may NOT sell, transfer or give the concession rights to anyone else. You must operate the concession that is awarded to you.**

All proposals become the property of the City and are subject to Public Disclosure laws.

Concessions are limited to the City of Benton Department of Parks and Recreation park locations and will be operated on a seasonal basis.

## Locations

□ **BERNARD HOLLAND PARK**, 1207 Holland Ball Park Road

Site Description: Stand located on the north side of the park adjacent to the three adult softball fields. The stand has a freezer, a drink refrigerator, an ice machine a popcorn machine and a fountain drink system. The church league season runs from mid-April through the end of August and games are scheduled on Monday, Tuesday, Wednesday, Thursday and Friday. The stand also services the adult co-ed league which runs from the end of August through mid-November. If awarded the contract to operate the concession stand, you would also service outside tournaments which are scheduled throughout the year, and include the three legs of the Triple Crown along with the Wally Hall Tournament of Champions which is set for Memorial Day weekend. Successful bidder will be responsible for electrical usage.

□ **TYNDALL PARK SOFTBALL COMPLEX**, 913 E, Sevier Street

Site Description: The Tyndall Park softball complex has five fields and a centralized concessions stand. The stand has a freezer, three drink refrigerators, a hot dog warmer, a two bin counter top fryer, an ice machine and a popcorn machine. The complex currently hosts our youth girls fast pitch softball league which operates from April 1 through the first part of June with games on Monday, Tuesday and Thursday evenings. A one month fall league will be scheduled in September each year with games on Monday, Tuesday and Thursday. If awarded the contract to operate the concession stand, you would also service outside tournaments which are scheduled throughout the year. Successful bidder will be responsible for electrical usage.

**TYNDALL PARK SPLASH PAD, 913 E, Sevier Street**

Site Description: The Splash Pad is located on the west side of Tyndall Park. The 2600 square foot splash pad opens on Memorial Day Weekend and closes Labor Day weekend. The pad is open seven days a week from 9 a.m. – 8 p.m. and provides the youth of Benton a fun and safe aquatic playground. Bidder will be required to provide a mobile stand in which to serve snow cones and light concessions. Bidder will have right to operate during girls softball league games, which run from April 1 through the first week of June, as well as during outside tournaments which are scheduled throughout the year. Successful bidder will be responsible for electrical usage

**Please note, 3 phase service not available at this location.**

**RIVERSIDE PARK**

Site Description: Riverside Park and three concession stands which will be completed by the spring of 2017. Upon completion, the River Center Concession stand (4 basketball courts and the ability to have 3,500 seats for main court setup), the youth softball complex concession stand (five youth fields) and the soccer complex stand (three fields) will be the obligation of winning respondent. The successful bidder will be responsible for operating each stand as requested for leagues, tournaments and other activities deemed necessary by the Parks and Recreation Director. The Boys and Girls Club of Saline County will have access to the soccer complex stand for operation during its league play, while the winning respondent will have access to the stand for other parks events.

## Purpose

The purpose of the Request for Proposals is to find a group that will operate the Holland Park Softball Concessions Stand as well as provide a mobile concessions option for the Splash Pad at Tyndall Park. The winning bidder will be required to service all league games and tournaments at a minimum, while providing financial compensation to the City of Benton Parks and Recreation Department for the opportunity to do so. Once awarded, the Contract will run one (1) calendar year, beginning January 1, 2016 and ending December 31, 2016. There will be an option to extend the contract for two (2) one (1) year terms, starting on the first day of January the following year based on the mutual agreement of both the City of Benton Parks and Recreation Department and the winning bidder.

## Selection Criteria Details

Any and all proposals will be considered. However, the Respondent will address, at a minimum, the selection criteria hereinafter listed:

1. Financial Consideration – Bidder shall outline its financial proposal including, but not limited to, what type of payment plan and escalation factors with sufficient detail you are offering so that a thorough analysis of the proposal may be performed.
2. Services Provided – Proposed menu and offerings available.
3. Experience – Bidder past experience providing concessions and/or food service experience.
4. Bidders are welcome to include any additional information deemed appropriate for consideration.
5. The winning bidder will be responsible to purchase inventory and maintain sufficient inventories to operate without reasonable outages of product.

## Criteria for Selection

Proposals by bidders will be evaluated by the City of Benton Finance Office and the Benton Parks Committee on the basis of criteria deemed most appropriate for a successful partnership. These criteria include, but are not limited to, the following and shall be weighted as follows:

Financial Structure of proposal 30  
Services provided/menu offerings 30  
Respondent's past food service/ 40  
Concessions experience

# 2015 - Benton Parks Concessions Questionnaire

1. Legal name of organization, firm, individual or partnership submitting proposal:

Snowbuddie's Bizness

2. Address of principal place of business:

3412 N Crescent Drive Bryant, AR 72022

3. The person on your staff who will be the primary contact for services:

Name: Scott Hill Phone:501-786-3346

4. Experience in concessions business (describe services you have offered and years of experience):

I have operated the concessions at Tyndall Park, Tyndall Park Splash Pad, and Bernard Holland Park for the last 3 years. In addition to concessions, I have over 20 years of food service management experience. I also have employees that demonstrate a high level of hospitality that is also reflective of the City of Benton.

5. Does your organization have a current Business License? If yes, please provide a copy with your submittal. Please be advised that bidders will be required to have a current Business License and will be required to obtain a City of Benton Privilege License.

Yes

6. Proposed services:

a. Describe the services proposed for the Department. Describe the type of features of the menu or products to be offered at both locations and type of cart, trailer, or vehicle that will be used at the Splash Pad location.

Tyndall Park and Holland Ball fields will have standard ball park food, such as hamburgers, hot dogs, chips, soda, sports drinks, bottled water, candy, and other miscellaneous items such as nachos, Frito Chili Pie, and popcorn. Weather will dictate hot beverage offerings of coffee and hot chocolate.

Services will also be provided based upon profitability. For example, a tournament that fields 4 teams, would not be profitable based upon expenditures of labor, electric, and "rent" payments to the City of Benton. We will try to staff appropriately for all tournaments, based on the amount of notice afforded us.

The Tyndall Park Splash Pad will offer cold serve product and or snow cones, bottled water, and other snack options such as bagged chips. Splash pad hours will be 11-6 PM, with weather being a factor as well. Just like it can be too cold, it can be too hot to operate this concessions piece. Past experience is indicative of weather above 93 degrees is not profitable and also puts constraints on the electrical service that is currently provided. Dates of service will begin with Memorial Day weekend, and conclude the weekend before school begins again.

The trailer will be no longer than 16 feet, and is movable. There will be times when the trailer will not be in service due to other engagements with the City of Benton, ie. July 4, Wally Hall, etc. Trailer will be kept in good repair as well.

Any weather that poses a potential danger to the employees will result in closure of the concessions. Weather affecting tournaments may also create potential down time. Concessions will resume if possible as soon as the weather is no longer an issue.

My goal is to provide concession services that will be mutually beneficial to myself as well as the City of Benton. I am willing to work with the Parks Director to accommodate the staff with an amount of meals agreed upon with the Parks Director.

7. Financial compensation offered to the City of Benton Parks and Recreation Department, along with proposed terms of payment:

2016 11.5% of Net Sales  
2017 12.0% of Net Sales  
2018 13.0% of Net Sales

If possible, would like to make payments via electronic transfer to an account designated by the City of Benton, otherwise a business check or cashier's check made payable by the 15<sup>th</sup> of the following month.

## Timetable

A) RFP to be advertised in the Saline Courier, City of Benton website, and other local and regional media – July 20, 2015 & July 26, 2015

B) Bid questions due no later than July 28, 2015, 1:00 p.m. to the City of Benton Parks and Recreation Department. Contact John Eckart, 913 E. Sevier, Benton, AR. 72015, phone number 501-776-5970

C) Deadline for submission of four (4) hardcopies of proposal plus 1 (one) electronic copy on flash drive in Microsoft Word format – 2:00 p.m, August 6, 2015.

D) Evaluations of Proposals – August 7 – August 12, 2013

a. Contact with Respondents

## RFP Submissions

Proposals must be received in a sealed envelope marked "Sealed RFP - Concessions" no later than 2:00 p.m. local time on August 6, 2013. RFP's can be mailed or dropped off to the following:

Brent Davis  
City of Benton  
114 S. East Street  
Benton, AR 72018

Late, faxed, or emailed RFP's will not be accepted. The Benton Parks and Recreation Department retains the right to reject any and all proposals and to select the proposal which is determined by the Benton Parks and Recreation Department, in its sole discretion, to be in the best interest of the City of Benton.

# Privilege License

2015

Office of City Clerk  
City of Benton, Arkansas

2015

License is Hereby

Granted to:

Scott D Hill

No.

1181

Doing Business as:

Snowbuddie's Bizness

Address:

913 E Sevier St - Tyndall Park

Benton, AR 72015

*Cindy Stracener*

Cindy Stracener  
City Clerk, City of Benton

Expires 12/31/15

This License:

- (1) Does not authorize a business to operate in conflict with the Laws of the City of Benton (inclusive of zoning regulations) or the State of Arkansas.
- (2) Must be posted in a conspicuous place at the business location being licensed.
- (3) Is not transferable with respect to location, business classification, or ownership. Change in location, classification, or ownership will necessitate a new license.

**RESOLUTION NO. 58 of 2015**

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTON TO UTILIZE FEDERAL-AID IN SEEKING RECREATIONAL TRAIL FUNDS IN DEVELOPING A WALKING TRAIL THROUGH RIVERSIDE PARK; AND FOR OTHER PURPOSES**

WHEREAS, The City of Benton, Arkansas recognizes the need to provide public recreation facilities for its' local citizens and visitors; and

WHEREAS, the City wishes to apply for Trails for Life grant funds through the Arkansas Department of Parks and Tourism to develop a Health and Fitness project at the following park or location, Riverside Park; and

WHEREAS, the Mayor and the City Council understands that if granted funds for park development, they must provide land, by lease or ownership, to develop the facilities on; and

WHEREAS, The City of Benton, Arkansas will sign a contract agreeing to provide the necessary resources to maintain this park and facilities for a period of 15 years;

NOW, THEREFORE, BE IT RESOLVED the City Council of Benton, Arkansas hereby authorizes the Mayor and City Clerk to submit an application for grant funding to the Arkansas Department of Parks and Tourism.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015

APPROVED:

\_\_\_\_\_  
David J. Mattingly, Mayor

\_\_\_\_\_  
Cindy Stacener, City Clerk