

# **BENTON CITY COUNCIL MEETING**

**AUGUST 24, 2015**

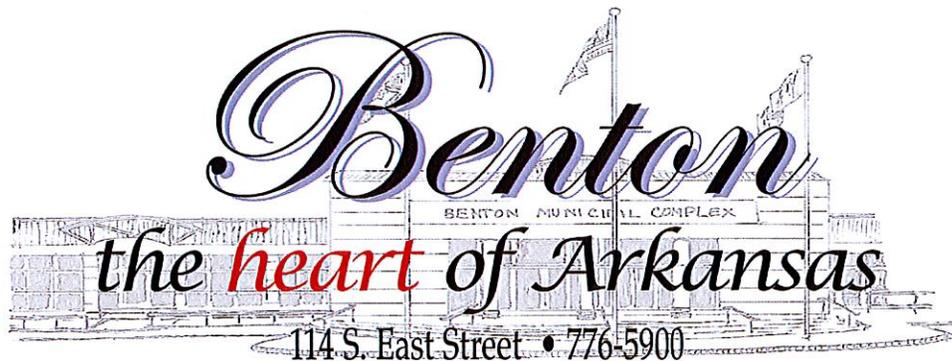
**7:00 PM**



**PUC ANNUAL REPORT - 5:45 PM**

**A&P ANNUAL REPORT - 6:15 PM**

**AGENDA MEETING - 6:45 PM**



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

**DAVID MATTINGLY, MAYOR**

**REGULAR SESSION**  
**August 24, 2015**  
**7:00 PM**  
**AGENDA**

- |              |   |  |
|--------------|---|--|
| <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 Cunningham</b>                       |
| <b>IV.</b>   | <b>Roll Call</b>  | <b>City Clerk</b>                                |
| <b>V.</b>    | <b>Approval of Minutes</b>  | <b>August 10, 2015</b><br><i>Regular Meeting</i> |
| <b>VI.</b>   | <b>Employee of the Month</b><br><i>Scott Martin, July 2015</i>  | <b>Alderman Donnor</b>                           |
| <b>VII.</b>  | <b>Service Awards</b><br><i>10 years – William Townsend</i><br><i>20 years – William Mahan</i><br><i>25 years – Bruce Armstrong</i>   | <b>Mayor Mattingly</b>                           |
| <b>VIII.</b> | <b>COMMITTEE REPORTS &amp; MOTIONS</b>  |  |
|              | <b>1. Finance Committee</b>   | <b>Alderman Ponder</b>                           |
|              | <b>2. Community Services/Animal Control</b>   | <b>Alderwoman Reed</b>                           |
|              | <b>3. Streets &amp; Drainage Committee</b>  | <b>Alderman Cunningham</b>                       |
|              | <b>4. Personnel/Health &amp; Safety Committee</b>   | <b>Alderman Donnor</b>                           |
|              | <b>5. Parks Committee</b>   | <b>Alderman Lee</b>                              |
|              | <b>A.) RESOLUTION NO. 41 OF 2015</b><br><i>A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR IMPROVEMENTS TO RALPH BUNCHE PARK; AWARDING THE CONTRACT TO G.A.G BUILDERS; AND FOR OTHER PURPOSES</i>  |  |
|              | <b>B.) ORDINANCE NO. 44 OF 2015</b><br><i>AN ORDINANCE AMENDING THE 2015 BUDGET FOR THE PARKS FUND, AS ADOPTED IN ORDINANCE 75 OF 2014; APPROPRIATING FUNDS FOR CERTAIN IMPROVEMENTS TO THE RALPH BUNCHE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> |  |
|              | <b>C.) RESOLUTION NO. 42 OF 2015</b><br><i>A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT FROM THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM</i>  |  |
|              | <b>D.) RESOLUTION NO. 43 OF 2015</b><br><i>A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MUSCO FINANCE, LLC; APPROPRIATING FUNDS FOR THIS PURPOSE; AND FOR OTHER PURPOSES</i>   |  |

**6. Public Utilities Commission**

**Alderman Herzfeld**

**7. A & P Commission**

**Aldermen Donnor/  
Alderman Ponder**

**IX. Unfinished Business**

**X. New Business**

**XI. Old Business**

**XII. Announcements**

**XIII. Adjourn**

**MINUTES OF THE BENTON CITY COUNCIL**  
**Regular Session**  
**August 10, 2015**  
**Benton Municipal Complex**

**The Benton City Council was called to order for a regular session at 7:02 p.m.**

**The Mayor gave the invocation.**

**Alderman Murphy 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 James Herzfeld</b>	<b>Alderman Steve Lee</b>
<b>Alderman Lori Terrell</b>	<b>Brent Houston, City Attorney</b>
<b>David Mattingly, Mayor</b>	<b>Cindy Stracener, City Clerk</b>

**When roll was called nine (9) council members were present. A quorum was declared. Alderman Gardner has resigned.**

**The Mayor requested approval for the July 27, 2015 city council meeting minutes. Alderman Lee made a motion to approve the minutes. Seconded by Alderman Herzfeld. The Mayor called for a voice vote on the approval of the minutes. All aldermen present replied in the affirmative. The minutes for the July 27, 2015 council meeting were approved with 9 affirmative and 1 absent vote.**

**The next item on the agenda was Ordinance 41 of 2015 – An Ordinance Levying a Tax on All Real and Personal Property in the City of Benton, Arkansas for City General; Declaring an Emergency and For Other Purposes as Provided by Law. Alderman Ponder asked for the first reading of Ordinance 41 of 2015. Seconded by Alderman Lee. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules. Seconded by Alderman Lee. The Mayor asked that the roll be called on the motion to suspend the rules. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend the rules was approved with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt Ordinance 41 of 2015 on its second and third readings. Seconded by Alderman Murphy. 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 41 of 2015 was adopted with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt the emergency clause for Ordinance 41 of 2015. Seconded by Alderman Lee. The Mayor asked that the roll be called for the emergency clause. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes,**

**Alderman Lee yes, and Alderman Terrell yes. The emergency clause was approved with 9 affirmative and 1 absent vote.**

**Alderman Ponder made a motion to adopt Resolution 39 of 2015 – A Resolution Ratifying and Confirming the Appointment of Anna Bray as Commissioner to the Benton Historic District Commission; and for Other Purposes. Seconded by Alderman Reed. 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 39 of 2015 was adopted with 9 affirmative and 1 absent vote.**

**The next item on the agenda was committee reports and motions. Alderman Ponder was recognized for the Finance Committee report. Alderman Ponder asked for the first reading of Ordinance 42 of 2015 – An Ordinance Amending the 2015 Budget for the General Fund as Adopted in Ordinance 75 of 2014; Accepting CAPDD Grant Funds; Appropriating These Funds for the Police Department to Purchase Protective Equipment; Declaring an Emergency; and for Other Purposes. Seconded by Alderman Donnor. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules for the second and third readings of Ordinance 42 of 2015. 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend the rules was approved with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt Ordinance 42 of 2015 on its second and third readings. Seconded by Alderman Herzfeld. 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 42 of 2015 was adopted on its second and third readings with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt the emergency clause. Seconded by Alderman Herzfeld. The Mayor asked that the roll be called for the emergency clause. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 9 affirmative and 1 absent vote.**

**Alderman Ponder asked for the first reading of Ordinance 43 of 2015 – An Ordinance Amending the 2015 Budget for the General Fund as Adopted in Ordinance 75 of 2014; Appropriating Funds Received from Firework Stand Permit Fees Which Will be Used for the Fire Department Education Programs; Declaring an Emergency; and for Other Purposes. Seconded by Alderman Terrell. The ordinance was read by the city clerk. The Mayor asked for any comments. None. Alderman Ponder made a motion to suspend the rules for the second and third readings. Seconded by Alderman Herzfeld. 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to suspend was approved with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt Ordinance 43 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 Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Ordinance 43 of 2015 was adopted with 9 affirmative and 1 absent vote. Alderman Ponder made a motion to adopt the emergency clause. Seconded by Alderman Reed. The Mayor asked that the roll be called for the emergency clause. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. The emergency clause was adopted with 9 affirmative and 1 absent vote.

Alderman Reed was recognized for a report from the Community Service/Animal Control Committee. Alderman Reed made a motion to adopt Resolution 40 of 2015 – A Resolution Exempting the Amplify Concert from Ordinance 29 of 2007; and For Other Purposes. Seconded by Alderman Donnor. The resolution was read by the city clerk. Alderman Ponder made a motion to amend Resolution 40 of 2015 to August 28 and August 29 instead of Labor Day weekend. Seconded by Alderman Herzfeld. The Mayor asked that the roll be called on the amendment. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Motion to amend the resolution was approved with 9 affirmative and 1 absent vote. The Mayor asked that the roll be called for Resolution 40 of 2015 as amended. Roll called resulted in Alderman Baptist yes, Alderman Murphy yes, Alderman Cunningham yes, Alderman Reed yes, Alderman Donnor yes, Alderman Ponder yes, Alderman Gardner absent, Alderman Herzfeld yes, Alderman Lee yes, and Alderman Terrell yes. Resolution 40 of 2015 as amended was approved with 9 affirmative and 1 absent vote.

Alderman Cunningham was recognized for the Streets and Drainage Committee report. He stated that the committee will meet on the 18<sup>th</sup> of this month.

Alderman Donnor was recognized for the Personnel/Health & Safety Committee report. He stated that the committee will meet this Thursday night. The purpose of the meeting is to come up with the questions for the vacancy on the council. The committee will be given the resumes at this time.

Alderman Lee was recognized for the Parks Committee report. He stated that he had nothing to report.

Alderman Herzfeld was recognized for a report from the Public Utility Commission. He gave his report. See attached.

The Mayor asked for any unfinished or new business. None.

The meeting adjourned at 7:22 p.m.

---

Cindy Stracener, City Clerk

---

David Mattingly, Mayor

## Public Utility Commission Meeting Summary of the August 3, 2015 Meeting

1.)

Tommy Parsons addressed the Commission regarding a deposit that he thought that he thought he should have reimbursed to him. The Commission decided to return \$130.13 to Mr. Parsons and his ex-wife will continue to pay her bill.

2.)

Michael Wheeler addressed the Commission about the sewer lot in the middle of lots 8 and 9 at 218 E Maple. Mrs. Wheeler had already been given the ok to build on lot 8. Brent Houston indicated that there appears to be drainage issues with lot 9. He recommended that the Commission do nothing until David Vondran has checked to see if lot 9 is in a flood plain or not. The Commissioners indicated that we don't address the sewer line across these lots until the flood plain location is determined.

3.)

Kenny Quick of Longhills POA requested the utilities pay for lights and electricity. The Commission voted that we will provide power to the 4 street lights in Longhills. Longhills already has the lights and will install them.

4.)

Presentation by Melvin Hester of Hestco on the new 10 Mva Substation in Hurricane Lake. Presentation was made the Commissioners made it very clear that we need to get the property for this substation under contract ASAP. It is apparent with the growth that is going to be done in Hurricane Lake over the next year we will not be able to carry the load in that area. There are also two thoughts for meeting that load until the new substation is in service. One is to use the generator at the Hurricane Lake Substation to run the pumps during high peak hours, but this will have to be studied and the other is to rent a portable generator of approximately 1 Mw in size to meet the peak demand requirements next summer.

5.)

Mrs. Cindy Hawkins made a presentation on the June financials. Mrs. Hawkins made a presentation and showed the June financials to be revenues under expenditures by \$107,224.

6.)

Byron Hicks made a presentation on the proposed sewer line down Highway 5. Byron showed the Commission the most logical route for the new 15" sewer main as well as giving them pricing. He also gave them engineers estimates for installing water to this location.

7.)

A presentation was made on changes to the Share Program By-Laws regarding an emergency fund to be used only in case of a catastrophe. The Commission approved the changes but they will not go into effect for 10 days from the approval date of August 3<sup>rd</sup>.

8.)

Bauxite Water Contract – The Commissioners discussed the proposed changes that were made by Bauxite and agreed with those changes. They also indicated that the contract would be for 5 years. The 1% increase per year would not start until January 2016.

9.)

The Commissioners gave the staff approval to transfer \$91,024.89 from the Utilities to the City for the utilities 20% contribution on Alcoa Road. By paying this money now, the Utilities have satisfied the 20% contribution because they will spend up to \$155,500 on transformers for Riverside Park.

RESOLUTION NO. 41 OF 2015

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR IMPROVEMENTS TO RALPH BUNCHE PARK; AWARDING THE CONTRACT TO G.A.G BUILDERS; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton after having advertised for bids has determined that the bid submitted by G.A.G. Builders is the lowest acceptable bid for improvements to Ralph Bunche Park and that the City should award the contract to this lowest acceptable bidder.

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

SECTION 1: The bid of G.A.G. Builders in the amount of \$466,800.00 is the lowest acceptable bid for the improvements to Ralph Bunche Park the said bid should be, and is hereby, accepted and awarded to G.A.G. Builders.

SECTION 2: The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Benton, a contract for the project with the successful bidder and to execute such other documents as may be necessary and convenient to accomplish this purpose. The Mayor is likewise authorized to pay to G.A.G. Builders for all work performed pursuant to the terms of the contract.

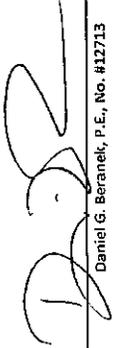
PASSED AND APPROVED this the \_\_\_\_\_ day of August, 2015.

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

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

CERTIFIED BID TAB

PROJECT: LR14-5771 Benton Ralph Bunche Park  
 BID LOCATION: Mayor's Conference Room, City Hall, Benton, Arkansas  
 BID TIME AND DATE: 11:00 AM, July 22, 2015

Certified By:   
 Daniel G. Beranek, P.E., No. #12713

CONTRACTORS NAME  
 CONTRACTORS LICENSE NO.

G.A.G. Builders  
 0124480416

Township Builders  
 0039640616

Shields and Associates  
 0172580116

BENTON RALPH BUNCHE PARK

Item No.	Item Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Clearing & Erosion Control, Complete.	LS	1	\$2,000.00	\$2,000.00	\$17,000.00	\$17,000.00	\$30,000.00	\$30,000.00
2	Remove and Dispose of Existing Asphalt Pavement, Complete.	SY	90	\$20.00	\$1,800.00	\$10.00	\$900.00	\$22.22	\$1,999.80
3	Remove and Dispose of Existing Concrete Pavement, Complete	SY	85	\$20.00	\$1,700.00	\$10.00	\$850.00	\$51.00	\$4,335.00
4	Earthwork, Complete.	CY	1,300	\$25.00	\$32,500.00	\$15.00	\$19,500.00	\$25.00	\$32,500.00
5	Asphalt (3"), Complete.	TON	320	\$70.00	\$22,400.00	\$106.00	\$33,920.00	\$105.00	\$33,600.00
6	Class 7 Aggregate Base Course (4"), Complete.	TON	420	\$40.00	\$16,800.00	\$25.00	\$10,500.00	\$31.00	\$13,020.00
7	Parking Lot Striping, Complete.	LS	1	\$2,200.00	\$2,200.00	\$1,600.00	\$1,600.00	\$1,100.00	\$1,100.00
8	Curb & Gutter with Gravel Base Course, Complete.	LF	550	\$18.00	\$9,900.00	\$32.00	\$17,600.00	\$20.00	\$11,000.00
9	Concrete Wheel Stops, Complete.	EA	34	\$75.00	\$2,550.00	\$100.00	\$3,400.00	\$85.00	\$2,890.00
10	ADA Access Ramp, Complete.	EA	2	\$650.00	\$1,300.00	\$700.00	\$1,400.00	\$1,000.00	\$2,000.00
11	Sidewalk (4" Concrete, 4" Base Course), Complete.	SY	370	\$30.00	\$11,100.00	\$45.00	\$16,650.00	\$69.00	\$25,530.00
12	6' Chain-Link Fence, Complete.	LF	630	\$18.00	\$11,340.00	\$20.00	\$12,600.00	\$18.00	\$11,340.00
13	Site Lighting and Electrical Power Outlets, Complete.	LS	1	\$45,000.00	\$45,000.00	\$79,000.00	\$79,000.00	\$60,632.00	\$60,632.00
14	Amphitheater Ground Seating, Complete.	LS	1	\$12,000.00	\$12,000.00	\$6,000.00	\$6,000.00	\$12,000.00	\$12,000.00
15	Picnic Shelter with Concrete Slab, Complete.	LS	1	\$105,000.00	\$105,000.00	\$54,273.00	\$54,273.00	\$105,000.00	\$105,000.00
16	Masonry BBQ Smoker and Concrete Pad, Complete.	LS	1	\$3,500.00	\$3,500.00	\$3,000.00	\$3,000.00	\$2,200.00	\$2,200.00
17	Relocated Play Equipment, Complete.	LS	1	\$8,800.00	\$8,800.00	\$17,000.00	\$17,000.00	\$4,800.00	\$4,800.00
18	Concrete Plaza & Stage, Complete.	SY	315	\$51.00	\$16,065.00	\$80.00	\$25,200.00	\$47.00	\$14,805.00
19	Drainage Pipe (18" RCP), Complete.	LF	26	\$20.00	\$520.00	\$80.00	\$2,080.00	\$72.00	\$1,872.00
20	Drainage Pipe (15" RCP), Complete.	LF	71	\$18.00	\$1,278.00	\$50.00	\$3,550.00	\$56.00	\$3,976.00
21	Curb Inlet, Double Winged, Complete.	EA	1	\$2,500.00	\$2,500.00	\$4,800.00	\$4,800.00	\$5,500.00	\$5,500.00
22	Curb Inlet, Single Winged, Complete.	EA	1	\$2,200.00	\$2,200.00	\$4,200.00	\$4,200.00	\$4,900.00	\$4,900.00
23	Seeding & Sodding, Complete.	LS	1	\$2,000.00	\$2,000.00	\$700.00	\$700.00	\$12,400.00	\$12,400.00
24	Arkansas Code Ann. §25-9-212, Trench and Excavation Safety System.	LS	1	\$492.00	\$492.00	\$100.00	\$100.00	\$600.00	\$600.00
25	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, As-Built Record Drawings, and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications).	LS	1	\$19,800.00	\$19,800.00	\$7,000.00	\$7,000.00	\$12,000.00	\$12,000.00
				\$334,745.00	\$327,003.00	\$327,003.00	\$327,003.00	\$409,999.80	\$409,999.80

TOTAL AMOUNT BID SCHEDULE "A"

**BID SCHEDULE "B"**  
**BENTON RALPH BUNGHE PARK SIDEWALK**

Item No.	Item Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Clearing, Complete.	LS	1	\$5,000.00	\$5,000.00	\$8,000.00	\$8,000.00	\$12,000.00	\$12,000.00
2	Earthwork, Complete.	CY	400	\$25.00	\$10,000.00	\$15.00	\$6,000.00	\$17.00	\$6,800.00
3	Saw-cut Curb & Gutter, Complete.	LF	105	\$5.00	\$525.00	\$4.00	\$420.00	\$30.00	\$3,150.00
4	5' Concrete Sidewalk (4"), Complete.	SY	735	\$51.00	\$37,485.00	\$45.00	\$33,075.00	\$37.00	\$27,195.00
5	Class 7 Aggregate Base Course (4"), Complete.	TON	160	\$35.00	\$5,600.00	\$25.00	\$4,000.00	\$31.00	\$4,960.00
6	Curb & Gutter with Gravel Base Course, Complete.	LF	1,360	\$18.00	\$24,480.00	\$32.00	\$43,520.00	\$21.00	\$28,560.00
7	Curb Inlet, Double Winged, Complete.	EA	1	\$2,500.00	\$2,500.00	\$4,800.00	\$4,800.00	\$5,500.00	\$5,500.00
8	Curb Inlet, Single Winged, Complete.	EA	2	\$2,200.00	\$4,400.00	\$4,200.00	\$8,400.00	\$5,000.00	\$10,000.00
9	ADA Access Ramp, Complete.	EA	7	\$650.00	\$4,550.00	\$700.00	\$4,900.00	\$250.00	\$1,750.00
10	Drainage Pipe (18" RCP), Complete.	LF	347	\$20.00	\$6,940.00	\$60.00	\$20,820.00	\$73.00	\$25,331.00
11	Crosswalk Striping, Complete.	LS	1	\$300.00	\$300.00	\$1,000.00	\$1,000.00	\$600.00	\$600.00
12	3' Retaining Wall, Complete.	LF	30	\$75.00	\$2,250.00	\$150.00	\$4,500.00	\$125.00	\$3,750.00
13	5' Sidewalk with 2' Turn-Up, Complete.	LF	95	\$55.00	\$5,225.00	\$100.00	\$9,500.00	\$99.00	\$9,405.00
14	Sodding, Complete.	LS	1	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$1,200.00	\$1,200.00
15	Arkansas Code Ann. §22-9-212, Trench and Excavation Safety System.	LS	1	\$500.00	\$500.00	\$100.00	\$100.00	\$600.00	\$600.00
16	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, As-Built Record Drawings, and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications)								
		LS	1	\$19,800.00	\$19,800.00	\$4,000.00	\$4,000.00	\$12,000.00	\$12,000.00
<b>TOTAL AMOUNT BID SCHEDULE "B"</b>					<b>\$132,055.00</b>		<b>\$155,095.00</b>		<b>\$152,801.00</b>

**TOTAL AMOUNT BID (SCHEDULES "A" AND "B")**

**\$466,800.00**

**\$482,038.00**

**\$562,800.80**

\*value adjusted due to mathematical error



**Ralph Bunche Park, Benton**

Estimate of Total Park Project Costs (excluding 'external' sidewalk improvements)  
August 12, 2015

**BID SCHEDULE "A"  
BENTON RALPH BUNCHE PARK**

Item No.	Item Description	Unit	Qty.	Unit Price	Total
1	Clearing & Erosion Control, Complete.	LS	1	\$ 2,000.00	\$ 2,000.00
2	Remove and Dispose of Existing Asphalt Pavement, Complete.	SY	90	\$ 20.00	\$ 1,800.00
3	Remove and Dispose of Existing Concrete Sidewalk, Complete.	SY	85	\$ 20.00	\$ 1,700.00
4	Earthwork, Complete.	CY	1,300	\$ 25.00	\$ 32,500.00
5	Asphalt (3"), Complete.	TON	320	\$ 70.00	\$ 22,400.00
6	Class 7 Aggregate Base Course (4"), Complete.	TON	420	\$ 40.00	\$ 16,800.00
7	Parking Lot Striping, Complete.	LS	1	\$ 2,200.00	\$ 2,200.00
8	Curb & Gutter w/ Gravel Base Course, Complete.	LF	550	\$ 18.00	\$ 9,900.00
9	Concrete Wheel Stops, Complete	EA	34	\$ 75.00	\$ 2,550.00
10	ADA Access Ramp, Complete.	EA	2	\$ 650.00	\$ 1,300.00
11	Sidewalk (4" Concrete, 4" Base Course), Complete.	SY	370	\$ 30.00	\$ 11,100.00
12	6' Chain-Link Fence, Complete.	LF	630	\$ 18.00	\$ 11,340.00
13	Site Lighting and Electrical Power Outlets, Complete.	LS	1	\$ 45,000.00	\$ 45,000.00
14	Amphitheater Ground Seating, Complete.	LS	1	\$ 12,000.00	\$ 12,000.00
15	Picnic Shelter with Concrete Slab, Complete.	LS	1	\$ 105,000.00	\$ 105,000.00
16	Masonry BBQ Smoker and Concrete Pad, Complete.	LS	1	\$ 3,500.00	\$ 3,500.00
17	Relocated Play Equipment, Complete.	LS	1	\$ 8,800.00	\$ 8,800.00
18	Concrete Plaza & Stage, Complete.	SY	315	\$ 51.00	\$ 16,065.00
19	Drainage Pipe (18" RCP), Complete.	LF	26	\$ 20.00	\$ 520.00
20	Drainage Pipe (15" RCP), Complete.	LF	71	\$ 18.00	\$ 1,278.00
21	Curb Inlet, Double Winged, Complete.	EA	1	\$ 2,500.00	\$ 2,500.00
22	Curb Inlet, Single Winged, Complete.	EA	1	\$ 2,200.00	\$ 2,200.00
23	Seeding & Sodding, Complete.	LS	1	\$ 2,000.00	\$ 2,000.00
24	Arkansas Code Ann. §22-9-212, Trench and Excavation Safety System.	LS	1	\$ 492.00	\$ 492.00
25	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, As-Built Record Drawings and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications)	LS	1	\$ 19,800.00	\$ 19,800.00

Estimated Cost Bid Schedule "A" \$ 334,745.00

**ENGINEERING SERVICES**

Schedule "A" Design Services LS 1 \$29,394.00 \$29,394.00

Services During Construction

Hourly Rate & Expenses

**Total Engineering Services Fees: \$ 29,394.00 Plus S.D.C.**

**Total Project Costs: \$ 364,139.00 Plus S.D.C.**

**10% Contingency: \$ 36,413.90**

**Estimated Total Cost \$400,552.90 Plus S.D.C.**

**ORDINANCE NO. 44 OF 2015**

**AN ORDINANCE AMENDING THE 2015 BUDGET FOR THE PARKS FUND, AS ADOPTED IN ORDINANCE 75 OF 2014; APPROPRIATING FUNDS FOR CERTAIN IMPROVEMENTS TO THE RALPH BUNCHE PARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the city has advertised for bids for certain improvements to Ralph Bunche Park; and

WHEREAS, it has been determined that additional funds will need to be appropriated for this improvement project; and

WHEREAS, the City Council desires to amend the 2015 budget to account for this additional expenditure.

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.

SECTION 2: It is hereby found and determined that there is an immediate need to amend the budget to appropriate funds for the improvements to be made to the Ralph Bunche Park. Therefore, an emergency exists and this ordinance is necessary for the preservation of the public peace, health and safety. It shall be in full force and effect immediately from and after its passage and approval.

PASSED AND APPROVED this the \_\_\_\_\_ day of August, 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 Parks Fund.

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

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

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

#### Parks Fund

	Beg Approved Amt	Amendment	End Revised Amt
Personnel	\$509,770	-0-	\$509,770
Operations & Maintenance	\$635,008	-0-	\$635,008
Capital Items	\$753,847	\$62,517	\$816,364

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

#### Parks Fund

#### Capital Items

This budget amendment accounts for the expenditure of additional Ralph Bunche Park improvements for \$62,517.00 (850.400.35.00) in the Parks Fund.

(This project was originally budgeted for \$338,036. The maximum total estimated cost is now \$400,553)

**RESOLUTION NO. 42 OF 2015**

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT FROM THE  
ARKANSAS DEPARTMENT OF PARKS AND TOURISM**

Whereas, Benton, Arkansas seeks to improve the recreation facilities and wishes to seek grant funding assistance; and

Whereas, in order to obtain the funds necessary to develop and/or improve the site for such a recreation area, it is necessary to obtain a 50/50 Matching Grant from the Arkansas Department of Parks and Tourism's Outdoor Recreation Grant Program; and

WHEREAS, the plans for such recreation areas have been prepared and the price therefore has been established; and

WHEREAS, this governing body understands the grantee and grantor will enter into a binding agreement which obligates both parties to policies and procedures contained in the Land and Water Conservation Fund Grants Manual including, but not limited to the following; the park area defined by the project boundary map, submitted in the application, must remain in outdoor recreation use in perpetuity, regardless if the property is bought or developed with matching grant funds and; all present and future overhead utility lines within the project boundary must be routed away or placed underground and; the project area must remain open and available for use by the public at all reasonable times of the day and year; facilities can be reserved for special events, league play, etc. but cannot be reserved, leased or assigned for exclusive use, and; the project area must be kept clean, maintained, and operated in a safe and healthful manner.

City Council is well aware and appraised of the above-mentioned project, and will provide the local portion of the development cost of the entire project:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Benton, Arkansas that the Mayor is hereby authorized to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities in Tyndall Park located at 913 E. Sevier Street, Benton, Arkansas for the City; therefore such application shall be submitted as expediently as possible.

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

APPROVED: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

RESOLUTION NO. 43 OF 2015

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MUSCO FINANCE, LLC; APPROPRIATING FUNDS FOR THIS PURPOSE; AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to install lighting systems for the adult softball, the new youth softball and the new soccer fields; and

WHEREAS, the purchase and installation of the equipment will be made using the TIPS/TAPS purchasing cooperative which obtains competitive pricing on products for local governments; and

WHEREAS, the City desires to enter into a contract with Musco Finance, LLC for the purchase and installation of the equipment which will also include financing for the purchase over a five (5) year period.

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 Musco Finance, LLC for the purpose of purchasing and installing new lighting systems at the adult softball, the new youth softball and the new soccer fields. A copy of the agreement is attached hereto as Exhibit "1" to this resolution.

SECTION 2: The funding for the purchase contract is hereby deemed appropriated.

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

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

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



Musco Finance, LLC  
 100 1<sup>st</sup> Avenue West  
 Oskaloosa, IA 52577  
 Phone: 800-825-6020  
 Fax: 641-673-6360

## Lease Purchase Proposal

Customer Name: City of Benton	Date: August 17, 2015
City, State Benton, AR	Sales Rep: Jeremy Lemons
	Project # 168953 155972 172891

	Option 1	Option 2
Estimated Projects Cost	\$1,231,560.00	\$1,231,560.00
Estimated Sales Tax (9.0%)	\$80,550.00	\$80,550.00
Down-payment (Due with Order)	\$0.00	\$0.00
Total Amount Financed	\$1,312,110.00	\$1,312,110.00
Term of Contract (Years)	3	5
Interest Rate (Annual)	3.95%	4.45%
Payments per Year	1	1
Payment Amount	\$479,275.95	\$303,700.12
Number of Payments	3	5

- At the end of the term, clear title passes with the completion of payments.
- \$500.00 documentation fee due at lease signing.
- Proposal assumes a contract date of Sept 15, 2015 with first payment due Jan 15, 2017.

**The interest rate quoted is based on current market rates and will be adjusted when the lease closes. The lease must qualify for "Federal Income Tax Exempt" status for the Lessor as defined by Section 265(b)(3)(B) of the Internal Revenue Code of 1986\*.**

This proposal is subject to acceptance of documentation and credit approval. The finance agreement is to be executed within 14 days of the execution of the equipment purchase contract.

Required information may include three years audited financial statements, current year's budget, and most current quarter interim profit and loss statement. Additional information may be requested.

\*Lessee must certify that it reasonably anticipates that it and all of its subordinate entities will not issue more than \$10,000,000 of "qualified tax-exempt obligations during the calendar year in which the Lease is executed. The interest rate may vary if this is not the case.