

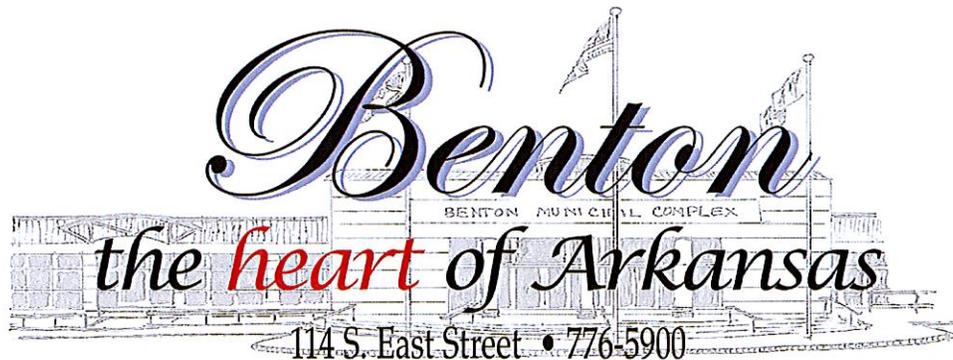
BENTON CITY COUNCIL MEETING

NOVEMBER 17, 2014

7:00 PM



AGENDA MEETING 6:15 PM



BENTON MUNICIPAL COMPLEX
114 SOUTH EAST STREET
COUNCIL CHAMBERS

DAVID MATTINGLY, MAYOR

REGULAR SESSION
November 17, 2014
7:00 PM
AGENDA

- | | | |
|--------------|---|---|
| I. | Call to Order | Mayor Mattingly |
| II. | Invocation | |
| III. | Pledge of Allegiance | Alderman Herzfeld |
| IV. | Roll Call | City Clerk |
| V. | Approval of Minutes | October 27, 2014
<i>Regular Meeting</i> |
| VI. | Service Anniversary Presentation
<i>Gary Middleton, 25 years</i>
<i>Morris Cox, 10 years</i> | Mayor Mattingly |
| VII. | Employee of the Month Presentation
<i>Jeremy McAdoo, October 2014</i> | Alderman Donnor |
| VIII. | COMMITTEE REPORTS & MOTIONS | |
| | 1. Finance Committee | Alderman Ponder |
| | A.) ORDINANCE NO. 67 OF 2014
<i>AN ORDINANCE INCREASING THE SALARY FOR THE OFFICE OF MAYOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | B.) ORDINANCE NO. 68 OF 2014
<i>AN ORDINANCE INCREASING THE SALARY FOR THE OFFICE OF CITY CLERK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | C.) ORDINANCE NO. 69 OF 2014
<i>AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; APPROPRIATING FUNDS FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | D.) ORDINANCE NO. 70 OF 2014
<i>AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; AUTHORIZING THE PAYMENT TO BE MADE FROM THE COMMUNICATIONS SYSTEMS FUND; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |
| | E.) ORDINANCE NO. 71 OF 2014
<i>AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; APPROPRIATING FUNDS FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES</i> | |

F.) ORDINANCE NO. 72 OF 2014

AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE STREET FUND AND SPECIAL PROJECTS FUND AS ADOPTED IN ORDINANCE 77 OF 2013; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

G.) RESOLUTION NO. 58 OF 2014

A RESOLUTION AUTHORIZING THE MAYOR AND THE CHIEF OF THE FIRE DEPARTMENT TO APPLY FOR GRANT FUNDING THROUGH THE FEMA ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM

- | | | |
|-----------|--|----------------------------|
| 2. | Community Services/Animal Control | Aldерwoman Terrell |
| 3. | Streets & Drainage Committee | Alderman Cunningham |

A.) RESOLUTION NO. 59 OF 2014

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR THE DRAINAGE IMPROVEMENTS ON OVERVIEW DRIVE; AWARDED THE CONTRACT TO CRAIG BRUMLEY CONSTRUCTION, INC.; AND FOR OTHER PURPOSES

B.) RESOLUTION NO. 60 OF 2014

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR THE DRAINAGE IMPROVEMENTS ON PAMELA LANE; AWARDED THE CONTRACT TO RED ROC, INC.; AND FOR OTHER PURPOSES

- | | | |
|-----------|--|--------------------------|
| 4. | Personnel/Health & Safety Committee | Alderman Donnor |
| 5. | Parks Committee | Alderman Lee |
| 6. | Public Utilities Commission | Alderman Herzfeld |

A.) RESOLUTION NO. 61 OF 2014

A RESOLUTION RATIFYING AND CONFIRMING THE REAPPOINTMENT OF JIM MARTIN AS COMMISSIONER TO THE PUBLIC UTILITIES COMMISSION; AND FOR OTHER PURPOSES

- | | | |
|-----------|-----------------------------|-------------------------------------|
| 7. | A & P Commission | Aldermen Donnor & Ponder |
|-----------|-----------------------------|-------------------------------------|

A.) ORDINANCE NO. 73 OF 2014

AN ORDINANCE AMENDING THE PAYMENT OF OVERHEAD AND OTHER EXPENSES OF THE OFFICE OF CITY ATTORNEY; AMENDING ORDINANCE 7 OF 2005 AND ORDINANCE 57 OF 2008; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

- IX. Unfinished Business**
- X. New Business**
- XI. Announcements**
- XII. Adjourn**

ORDINANCE NO. 67 OF 2014

AN ORDINANCE INCREASING THE SALARY FOR THE OFFICE OF MAYOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the 2014 Budget appropriated an additional sum to compensate the Mayor for the calendar year, but the salary increase has not been paid by the City to him; and

WHEREAS, it is the intention of the City Council to adjust the salary of the Office of Mayor to pay those sums which have already been appropriated and to make the salary of the position more competitive.

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

SECTION 1. The Mayor shall receive the following annual salary amounts for the following years:

Year 2014	\$73,000.00
Year 2015	\$78,000.00

SECTION 2. The Chief Financial Officer is directed to pay the difference between what the Mayor actually received in 2014 and the amount authorized herein. Beginning January 1, 2015 and for the years following, the 2015 compensation rate stated above shall be paid to the Mayor.

SECTION 3 In as much as the Mayor provides a necessary governmental function to the citizens of the City of Benton and in order to adequately compensate the Mayor for the services he performs an emergency is hereby declared and this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS THE _____ DAY OF November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

ORDINANCE NO. 68 OF 2014

AN ORDINANCE INCREASING THE SALARY FOR THE OFFICE OF CITY CLERK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, it is the intention of the City Council to adjust the salary of the Office of City Clerk to adequately compensate the Clerk for the time spent fulfilling the job duties and responsibilities.

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

SECTION 1. Effective January 1, 2015 the annual salary amount for the Office of City Clerk shall be \$17,500.00.

SECTION 2. In as much as the City Clerk provides a necessary governmental function to the citizens of the City of Benton and in order to adequately compensate the Clerk for the services she performs an emergency is hereby declared and this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS THE _____ DAY OF November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION

ORDINANCE NO. 69 OF 2014

AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; APPROPRIATING FUNDS FOR THE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Fire Department has identified certain modifications which need to occur within the 2014 budget in particular the need to purchase community fire education materials which are funded with permit fees; and

WHEREAS, the City Council wishes to authorize and approve the transaction described below.

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 FY2014 City of Benton Budget as adopted in Ordinance 77 of 2013. The revised expenditures for the operations of the fire department are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city. The funding for this request shall be from the funds received from sale of permits for firework stands.

SECTION 2: It is hereby found and determined that there is an immediate need to amend the budget and to appropriate the funds for the operation of the fire department. 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 November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



FY2014 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2014. 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 Operations and Maintenance that make up this Fiscal Year 2014 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2014

Fire

	Beg. Revised Amt.	Amendment	End Revised Amt
Personnel	\$8,966,038	-0-	\$8,966,038
Operations & Maintenance	\$2,252,182	\$2,500	\$2,254,682
Capital Items	\$319,400	-0-	\$319,400

Section 2: Operations and Maintenance - Fiscal Year 2014

General Fund

Operations and Maintenance:

This budget amendment includes the following addition to the Community Fire Education (840.47.13.19) from permit fees for firework stands.

ORDINANCE NO. 70 OF 2014

AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; AUTHORIZING THE PAYMENT TO BE MADE FROM THE COMMUNICATIONS SYSTEMS FUND; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to make improvements to computers, monitors, and other technology in the Benton Communications Department; and

WHEREAS, the City Council desires that the expenditure be paid from the Communications System Fund as established in A.C.A. 21-6-307(2)(C); and

WHEREAS, the City Council wishes to authorize and approve the transaction described below.

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

SECTION 1: It is in the best interest of the City to expend funds necessary to make improvements to the computer, monitors and other information technology equipment for the Communications Police Department.

SECTION 2: The total cost of the repairs is not to exceed \$34,000 and shall be paid from the Communications Systems Fund.

SECTION 3: The vendor to be utilized is Ultimate Communications, Inc., a sole source vendor. They are the exclusive vendor who has installed and maintained all computer hardware in the Police and Communications Department. For this reason, there were no quotes obtained for this work from other vendors. Competitive bidding is likewise waived for this reason.

SECTION 4: Pursuant to the authority granted in A.C.A. 14-58-202 and 14-58-203 the City Council does hereby amend the FY2014 City of Benton Budget as adopted in Ordinance 77 of 2013 to reflect additional expenditures in the amount of \$34,000. The revised expenditures of the fund are attached hereto as Exhibit "1" to this ordinance. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

SECTION 5: It is hereby found and determined that there is an immediate need to make improvements to computers and monitors in the Communications Department. 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 November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk



FY2014 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2014. 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 Operations and Maintenance that make up this Fiscal Year 2014 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2014

Communications

	Beg. Revised Amt.	Amendment	End Revised Amt
Personnel	\$8,966,038	-0-	\$8,966,038
Operations & Maintenance	\$2,254,682	-0-	\$2,254,682
Capital Items	\$319,400	\$34,000	\$353,400

Section 2: Operations and Maintenance - Fiscal Year 2014

General Fund

Capital:

This budget amendment includes the following addition to Assets –Purchase of computers, 5 monitors, connections, wireless keyboards, UPS, monitor stands, and Radio Setup to be paid from the Communications Systems Fund (130.56).

ORDINANCE NO. 71 OF 2014

AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE GENERAL FUND AS ADOPTED IN ORDINANCE 77 OF 2013; APPROPRIATING FUNDS FOR THE POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Police Department has identified certain modifications which need to occur within the 2014 budget in particular the need to purchase safety equipment for new officers which is funded from the Police Equipment Grant Fund; and

WHEREAS, the City Council wishes to authorize and approve the transaction described below.

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 FY2014 City of Benton Budget as adopted in Ordinance 77 of 2013. The revised expenditures for the operations of the Police Department are attached hereto as Exhibit "1" to this ordinance and are more fully described therein. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city. The funding for this request shall be from the funds received from the Police Equipment Grant Fund.

SECTION 2: It is hereby found and determined that there is an immediate need to amend the budget and to appropriate the funds for the operation of the Police Department. 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 November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk

NOT DESIGNATED FOR PUBLICATION



FY2014 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2014. 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 Operations and Maintenance that make up this Fiscal Year 2014 budget amendment.

Section 1: Amended Appropriations – Fiscal Year 2014

Police

	Beg. Revised Amt.	Amendment	End Revised Amt
Personnel	\$8,966,038	-0-	\$8,966,038
Operations & Maintenance	\$2,254,682	\$12,838	\$2,267,520
Capital Items	\$353,400	-0-	\$353,400

Section 2: Operations and Maintenance - Fiscal Year 2014

General Fund

Operations and Maintenance:

This budget amendment is for safety equipment \$4,358 (750.67) and other small tools/equipment such as cameras \$8,480 (770.72).

ORDINANCE NO. 72 OF 2014

**AN ORDINANCE AMENDING THE 2014 BUDGET FOR THE STREET FUND AND
SPECIAL PROJECTS FUND AS ADOPTED IN ORDINANCE 77 OF 2013;
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the City Council in Ordinance 77 of 2013 adopted the 2014 City of Benton Annual Budget; and

WHEREAS, the budget needs to be amended to include an appropriation for certain expenditures in the Special Projects Fund and the Street Fund; and

WHEREAS, this transfer returns certain funds which were transferred to the Street Department Special Projects Fund from the Street Department Fund for use in the Wright, Sharon and Nalley Street project, which were not used.

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 to the FY2014 City of Benton Budget as adopted in Ordinance 77 of 2013 to include certain transfers which were omitted. The revised expenditures of the fund are attached hereto as Exhibit "1" to this ordinance. The adoption of this amendment shall be deemed as an appropriation pursuant to the foregoing statutes as well as any other applicable ordinance of the city.

Section 2. It is hereby found and determined that there is an immediate need to adopt the foregoing amendment for the financial operations of the City. 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 _____ day of November, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk



FY2014 Operating Budget

The Finance Committee of the City of Benton does hereby submit for approval a budget amendment for the Fiscal Year 2014. This submittal includes a revision for the Street Fund and Special Projects Fund.

Section 1 defines the revenue amendment contained in this exhibit for Street Fund.

Section 2 defines the revenue amendments in order to transfer funds from Special Projects Revenue into the Street Fund.

Section 1: Amended Misc Revenues – Fiscal Year 2014

Street Fund – Misc Revenues

	Beg. Revised Amt.	Amendment	End Revised Amt
Revenues	\$3,249,827	\$1,000,000	\$4,249,827

Misc revenues:

This budget amendment is to receipt a \$1,000,000 from Special Projects Fund into the Street Fund using the Operations Transfer Fund (690.43.20)

Section 2: Misc Revenues - Fiscal Year 2014

Special Projects Fund

	Beg. Revised Amt.	Amendment	End Revised Amt
Receipts	\$4,200	(\$1,000,000)	(\$995,800)

Misc Revenue:

This budget amendment transfers \$1,000,000 from Special Projects Fund Balance (\$1,268,246.77) to the Street Fund using the Operations Transfer Fund (690.43.23)

RESOLUTION NO. 58 OF 2014

**A RESOLUTION AUTHORIZING THE MAYOR AND THE CHIEF
OF THE FIRE DEPARTMENT TO APPLY FOR GRANT
FUNDING THROUGH THE FEMA ASSISTANCE TO
FIREFIGHTERS GRANTS PROGRAM**

WHEREAS, Fire Chief Bill Ford is requesting that the City Council authorize the City to apply for a grant from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant Program; and

WHEREAS, the grant funds will be used to purchase Breathing Apparatus (Air Packs)

WHEREAS, the total amount of the grant funds to be applied for is \$375,000 and

WHEREAS, the City Council wishes to authorize the City to apply for such grant funding.

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

Section 1. The City Council does hereby authorize the Mayor and the Fire Chief to make an application with the FEMA Assistance to Firefighters Grant Program for the purposes stated herein.

PASSED AND APPROVED this ____ day of November, 2014

APPROVED:

David J. Mattingly, Mayor

ATTEST:

Cindy Stracener, City Clerk

RESOLUTION NO. 59 OF 2014

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR THE DRAINAGE IMPROVEMENTS ON OVERVIEW DRIVE; AWARDING THE CONTRACT TO CRAIG BRUMLEY CONSTRUCTION, INC.; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton after having advertised for bids has determined that the bid submitted by Craig Brumley Construction, Inc. is the lowest acceptable bid for the drainage improvements on Overview Drive 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 Craig Brumley Construction, Inc. in the amount of \$48,280.45 is the lowest acceptable bid for the drainage improvements on Overview Drive the said bid should be, and is hereby, accepted and awarded to Craig Brumley Construction, Inc.

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 direct the Chief Financial Officer to pay to Craig Brumley Construction, Inc. for all work performed pursuant to the terms of the contract. This amount plus a ten percent (10%) contingency is hereby appropriated for expenditure.

PASSED AND APPROVED this the _____ day of November, 2014.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

CERTIFIED BID TAB

PROJECT: LR14-5766 BENTON 1701 OVERVIEW DRIVE DRAINAGE IMPROVEMENTS
 BID LOCATION: Mayor's Conference Room, City Hall, Benton, AR
 BID TIME & DATE: 2:00PM, October 28, 2014

CONTRACTOR'S NAME:
 CONTRACTOR'S LICENSE NO:

Craig Brunley Construction, Inc.
 0176260415

Item No.	Description	Units	Qty.	Unit Cost	Total Cost
1	Clear and Grub Existing Ditch	LS	1	\$2,000.00	\$2,000.00
2	Remove and Dispose of Existing HDPE Pipe	LF	120	\$13.33	\$1,599.60
3	Remove and Reconstruct Fence	LF	70	\$68.57	\$4,799.90
4	18" RCP	LF	175	\$44.85	\$7,848.75
5	18" Concrete F.E.S.	EA	1	\$657.00	\$657.00
6	Concrete Collar	EA	2	\$953.00	\$1,906.00
7	Compacted Lean Clay	CY	330	\$22.69	\$7,487.70
8	Riprap	TON	350	\$32.09	\$11,231.50
9	Grouted Riprap	CY	10	\$340.00	\$3,400.00
10	Geotextile Fabric	SOYD	400	\$1.25	\$500.00
11	Rock Ditch Check	EA	2	\$250.00	\$500.00
12	Silt Fence	LF	250	\$3.00	\$750.00
13	Solid Sodding	SOYD	60	\$10.00	\$600.00
14	Seeding	LS	1	\$500.00	\$500.00
15	Arkansas Code Ann. §22-9-212 Trench and Excavation Safety System	LS	1	\$500.00	\$500.00
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	\$4,000.00	\$4,000.00

TOTAL AMOUNT BID: \$48,280.45

Certified By: Maneesh P. Krishnan 10-29-2014.
 Maneesh Krishnan, P.E., License #15912

November 3, 2014
Tony Floyd
Mgr. City of Benton St. Dept.
305 Hazel St.
Benton, AR 72015

RE: LR14-5766 Benton 1701 Overview Drive Drainage Improvements

Dear Tony,

We opened bids at the City of Benton for the above mentioned project on Tuesday, October 28, 2014 at 2:00 PM, and Craig Brumley Construction, Inc. was the apparent low bidder. Per your request, we have reviewed the Contractor's experience in drainage work. From the information that we have gathered, we find no reason to not recommend Craig Brumley Construction, Inc. If you have any questions or concerns, please feel free to contact me.

Sincerely,



Maneesh Krishnan, P.E.
Project Manager, Associate

RESOLUTION NO. 60 OF 2014

A RESOLUTION ACCEPTING THE LOWEST ACCEPTABLE BID FOR THE DRAINAGE IMPROVEMENTS ON PAMELA LANE; AWARDING THE CONTRACT TO RED ROC, INC.; AND FOR OTHER PURPOSES

WHEREAS, the City of Benton after having advertised for bids has determined that the bid submitted by Red Roc, Inc. is the lowest acceptable bid for the drainage improvements on Pamela Lane 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 Red Roc, Inc. in the amount of \$151,580.00 is the lowest acceptable bid for the drainage improvements on Pamela Lane and said bid should be, and is hereby, accepted and awarded to Red Roc, Inc.

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 direct the Chief Financial Officer to pay to Red Roc, Inc. for all work performed pursuant to the terms of the contract. This amount plus a ten percent (10%) contingency is hereby appropriated for expenditure.

PASSED AND APPROVED this the _____ day of November, 2014.

David J. Mattingly, Mayor

Cindy Stracener, City Clerk

PROJECT: LR14-5767 BENTON 2918 PAMELA LANE DRAINAGE IMPROVEMENTS
 BID LOCATION: Mayor's Conference Room, City Hall, Benton, AR
 BID TIME & DATE: 2:30PM, October 28, 2014

CERTIFIED BID TAB

Certified By: *Maneesh Krishnan* 10-29-14
 Maneesh Krishnan, P.E., License #15912

CONTRACTOR'S NAME:
 CONTRACTOR'S LICENSE NO:

Item No.	Description	Units	Qty.	Red Roc, Inc. 0057060415		Jcon, Inc 0051000415		Redstone Construction Group 0007700215	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Site Preparation (including Removal of Existing Road and Base, Clearing & Grubbing the Ditch, and Excavating/Grading the New Ditch)	LS	1						
2	Triple 6' S x 3' R Reinforced Concrete Box Culvert (Cast-In-Place)	LF	32	\$30,600.00	\$30,600.00	\$49,500.00	\$49,500.00	\$30,500.00	\$30,500.00
3	Concrete Wingwalls (Cast-In-Place)	LS	1	\$1,800.00	\$57,600.00	\$1,100.00	\$35,200.00	\$1,700.00	\$54,400.00
4	Selected Bedding for Box Culvert (B-Stone)	TON	70	\$7,800.00	\$7,800.00	\$6,000.00	\$6,000.00	\$13,600.00	\$13,600.00
5	ACHM Surface Course (3")	TON	35	\$22.50	\$1,575.00	\$40.00	\$2,800.00	\$47.00	\$3,290.00
6	Removal and Replacement of Culb and Gutter	LF	140	\$185.00	\$6,475.00	\$200.00	\$7,000.00	\$150.00	\$5,250.00
7	Removal and Replacement of 4' Wood Fence	LF	125	\$27.50	\$3,850.00	\$20.00	\$2,800.00	\$27.25	\$3,815.00
8	Riprap	TON	500	\$25.00	\$3,125.00	\$15.00	\$1,875.00	\$35.00	\$4,375.00
9	Geotextile Fabric	EA	560	\$35.00	\$17,500.00	\$50.00	\$25,000.00	\$37.00	\$18,500.00
10	Rock Ditch Check	EA	3	\$5.85	\$3,276.00	\$2.00	\$1,120.00	\$2.50	\$1,400.00
11	Silt Fence	EA	400	\$250.00	\$750.00	\$750.00	\$2,250.00	\$550.00	\$1,650.00
12	Maintenance of Traffic	LF	400	\$5.00	\$2,000.00	\$5.00	\$2,000.00	\$5.00	\$2,000.00
13	Arkansas Code Ann. §22-9-212 Trench and Excavation Safety System	LS	1	\$1,500.00	\$1,500.00	\$750.00	\$750.00	\$1,800.00	\$1,800.00
14	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	\$500.00	\$500.00	\$750.00	\$750.00	\$1.00	\$1.00
TOTAL AMOUNT BID:				\$7,250.00	\$7,250.00	\$10,735.00	\$10,735.00	\$10,999.00	\$10,999.00
					\$143,801.00		\$147,780.00		\$151,580.00

* Correction due to error in math

November 3, 2014
Tony Floyd
Mgr. City of Benton St. Dept.
305 Hazel St.
Benton, AR 72015

RE: LR14-5767 Benton 2918 Pamela Lane Drainage Improvements

Dear Tony,

We opened bids at the City of Benton for the above mentioned project on Tuesday, October 28, 2014 at 2:30 PM, and Red Roc, Inc. was the apparent low bidder. Per your request, we have reviewed the Contractor's experience in drainage work. From the information that we have gathered, we find no reason to not recommend Red Roc, Inc. If you have any questions or concerns, please feel free to contact me.

Sincerely,



Maneesh Krishnan, P.E.
Project Manager, Associate

RESOLUTION NO. 61 OF 2014

**A RESOLUTION RATIFYING AND CONFIRMING THE REAPPOINTMENT OF
JIM MARTIN AS COMMISSIONER TO THE PUBLIC UTILITIES COMMISSION;
AND FOR OTHER PURPOSES**

WHEREAS, the City of Benton created the Public Utilities Commission by Ordinance 46 of 2004; and

WHEREAS, the City Council desires to reappoint Jim Martin to the position of Commissioner of the Public Utilities Commission, with a term of office ending December 31, 2019;

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

SECTION 1: Jim Martin is hereby confirmed as a member of the Public Utilities Commission.

PASSED AND APPROVED this the ____ day of November, 2014.

X

David J. Mattingly, Mayor

X

Cindy Stracener, City Clerk

ORDINANCE NO. 73 OF 2014

AN ORDINANCE AMENDING THE PAYMENT OF OVERHEAD AND OTHER EXPENSES OF THE OFFICE OF CITY ATTORNEY; AMENDING ORDINANCE 7 OF 2005 AND ORDINANCE 57 OF 2008; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Attorney of the City of Benton is a public official who is elected city wide by the electors of the City of Benton; and

WHEREAS, the salary for the City Attorney is set by Ordinance 7 of 2005; and

WHEREAS, the city in Ordinance 57 of 2008 made a provision for the payment of certain overhead expenses of the City Attorney; and

WHEREAS, it has been determined that the A&P Commission of the city utilizes the services of the City Attorney but has not made any type of contribution for the use of his services; and

WHEREAS, the A&P Commission has voted to pay the City Attorney for the services he provides as an additional overhead payment; and

WHEREAS, the City Council has the exclusive authority to set the compensation of the City Attorney desires to ratify and approve this payment.

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

SECTION 1. The payment of \$750.00 per month to the City Attorney by the City of Benton Advertising and Promotion Commission is hereby approved and ratified. The payment is authorized beginning for the month of October, 2014 in accordance with the commission's vote.

SECTION 2. In as much as the City Attorney provides a necessary governmental function to the citizens of the City of Benton and in order to provide essential governmental services an emergency is hereby declared and this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS THE _____ DAY OF November, 2014.

David Mattingly, Mayor

Cindy Stracener, City Clerk

DESIGNATED FOR PUBLICATION