**Regular Month Meeting**

**Benton City Council**

**March 20, 2023**

The regular meeting of the Benton City Council was called to order on Monday, March 20, 2023 at 5:00 P.M. at Benton City Hall. Mayor Dotson presided and called the meeting to order. Pledge of Allegiance was said and prayer was offered by Butch Holland.

Council Members Present: Ann Riley, Laura Craynon, Guy Henton, Rita Murray, Butch Holland and Kevin Farley.

Other Staff Present: Rob Mattingly, City Attorney; Bethany Cooper, City Clerk/Treasurer; Harry Green, Fire Chief and Stephen Sanderson, Police Chief.

The following trash collection bids were received:

GFL bid $12.52 per month for a 3-year contract with an extra can being $6.00 each. They bid $13.58 for a 5-year contract with an extra can being $6.50 each.

Republic Services bid $14.54 per month for a 3-year contract with an extra can being $7.00 each. They did not bid a flat 5-year contract. They also bid a 3-year tiered contract at $13.45 for first year, $13.85 for second year and $14.26 for third year with extra can tier being $7.00, $7.21 and $7.42. They bid a 5-year tier contract at $13.39, $13.79, $14.20, $14.63 and $15.07 with extra cans being $7.00, $7.21, $7.42, $7.87 and $8.10.

A motion was made by Henton, seconded by Holland to approve the 3-year contract from GFL. Farley and Murray opposed, all others agreed. Motion carried.

Mayor Dotson explained about a drainage and flooding issue at Milner & Orr’s location at 10th and Poplar Street where old Marshall County Library once was. Mayor Dotson read an agreement between City of Benton and Milner and Orr for City to pay up to $9,000 to help correct the drainage issues. A motion was made by Riley, seconded by Murray to approve. All agreed. Motion carried.

Mayor Dotson read a resolution to surplus the Maintenance Department’s TEREX skid steer on GovDeals. A motion was made by Farley, seconded by Henton to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 41: Code Enforcement Board related to the amount of the civil penalties that can be addressed by the Code Enforcement Board. Motion was made by Murray, seconded by Craynon to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 90: Animals related to allow Benton’s Planning and Zoning ordinances and the Board of Adjustments to provide exceptions to the prohibition against livestock and poultry in the corporate city limits of Benton and related to the criminal and civil penalties. Motion was made by Murray, seconded by Riley to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 91: Streets and Sidewalks related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Henton, seconded by Holland to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 92: Nuisances related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Riley, seconded by Craynon to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 93: Fireworks, Fire Prevention related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Farley, seconded by Craynon to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 94: Litter, Unlawful Accumulations and Weeds related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Farley, seconded by Murray to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 96: Parks and Recreation related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Riley, seconded by Farley to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 150: Building Regulations related to obtaining a Building Permit and Zoning Permit prior to construction within City limits. Motion was made by Murray, seconded by Farley to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 157: Property Maintenance Code related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Henton, seconded by Riley to approve. All agreed. Motion carried.

City Attorney Mattingly read the second reading of an ordinance amending Chapter 72: Parking Regulations related to vicarious liability of the owner of the vehicle for parking violations and related to the enforcement of the chapter as either a criminal or civil penalty. Motion was made by Farley, seconded by Murray to approve. All agreed. Motion carried.

Mayor Dotson asked the Council’s approval to amend the General Fund budget to allow for re-paving the parking lot at the Kiddie Park to help with drainage issues. Quote received with 2” overlay was $18,000. A motion was made by Riley, seconded by Craynon to approve. All agreed. Motion carried. Funds will be moved from Reserve Contingency to Park Improvements.

Mayor Dotson explained that several year’s ago the City and County came together to make a City/County Industrial Development Authority Board for Fleetwood property. That board is no longer needed. Board met recently and agreed to split remaining funds in the account between City of Benton and Marshall County Fiscal Court. City of Benton received a check in the amount of $13,254.50. A motion was made by Henton, seconded by Murray to deposit funds to Sewer Maintenance Account to use for future projects that will bring in new development. All agreed. Motion carried.

Spring clean-up date was set for April 17.

There is occasionally some interest in individuals wanting to rent the City’s stage for personal use. There was some discussion on this but no final decision was made.

Chief Sanderson presented the police report for February. There were 951 calls to service, 8 cases, 17 collisions and 76 citation violations.

A motion was made by Holland, seconded by Murray to approve the regular minutes of February 20, 2023. All agreed. Motion carried.

A motion was made by Murray, seconded by Holland to approve the special called minutes of March 3, 2023. All agreed. Motion carried.

A motion was made by Farley, seconded by Riley to adjourn to executive session to discussion the selling of property. A motion was made by Riley, seconded by Murray to adjourn from executive session.

There being no further business to come before the Council, meeting adjourned at 6:20 pm.

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Rita Dotson, Mayor

ATTEST:

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Bethany Cooper, City Clerk/Treas.