

**Special Called Meeting
Benton City Council
December 16, 2019**

A special called meeting of the Benton City Council was called to order on Tuesday, January 21, 2020 at 5:00 P.M. by Mayor Rita Dotson with the Pledge of Allegiance and opening prayer by Kevin Farley.

Council Members Present:

Ann Riley	Charles Edmonds
Sherra Riley	Rita Murray
Butch Holland	Kevin Farley

Other Staff Present:

Rob Mattingly, City Attorney	Brooklyn Chappell, Admin. Asst.
Stephen Sanderson, Police Chief	Harry Green, Fire Chief
Toddy Riley, Gas Mgr.	Lynn Green, Fire Dept.

Kathy & Michael Johnson and Michael & Lisa Henson were present to discuss their concerns with the house at 1256 Oak Level Road that will house youth from Purchase Youth Village and also concerns with Purchase Youth Village facility. They are concerned that there is not proper fencing at the facility to keep the children from getting out. In the past, when the kids have gotten out, they come to their homes to look for them. They are worried about their own grandchildren. Mayor Dotson gave them a little information about the house. They only house 8 kids at a time, ages 10-17 with no more than 5 years age difference in the oldest and youngest child staying there. The kids come from homes or foster homes in the community where they are not being taken care of – they're not dangerous. They come to the home to be worked with mentally and socially and will be integrated into the school systems. City Attorney Mattingly discussed the Fair Housing Act. If the City violates the Act by trying to keep this house from being used for this purpose then the City will be subject to penalties. Mayor Dotson urged the citizens to talk to the director, Denise Lester, about their concerns. Farley suggested they keep a log of any incidents that occur.

Kim Ham, City's auditor, was present to discuss the fiscal year end June 30, 2019 audit.

City Attorney Mattingly read the second reading of an ordinance amending the zoning map to provide for a change in the zoning classification for properties located on 403 East 12th Street and 405 East 12th Street owned by S.A. Jaco Properties LLC from an R-3 to a C-2. A motion was made by A. Riley, seconded by Murray to approve. All agreed. Motion carried.

City Attorney Mattingly asked the council for renewal of the Pioneer Fire Contract for a two year term. A motion was made by Edmonds, seconded by Holland to approve. All agreed. Motion carried.

Todd Riley, Gas Manager, presented the USIC Locating Services Contract for Benton Gas System. They would like to begin contracting their locating services out since PSC is getting so strict with fines. He feels by doing so that Benton Gas will save money in the long run. Before approval of the contract, Mayor Dotson requested a Benton Gas System budget amendment to move \$30,000.00 from the

miscellaneous account to the locate account. A motion was made by Murray, seconded by S. Riley to approve. All agreed. Motion carried.

Previously, Mayor Dotson, City Clerk Bethany Cooper and City Attorney Rob Mattingly met with Gregory Shoulders of Government Services, LLC. Mr. Shoulders discussed ways his company helps cities collect delinquent property tax bills. Mayor Dotson discussed a little about the process and City Attorney Mattingly discussed the foreclosure process. Council was not interested in pursuing at this time.

City Attorney Mattingly did some research on the West Marshall Water tower located across from New Harmony Baptist Church on Symsonia Highway as requested. He cannot find a deed anywhere stating that the City, or anybody owns that piece of land. City Attorney Mattingly assumes that when the City took over West Marshall Water District that the water tower was not included since it was not in working order. He suggested that the City do a quit claim deed for the adjacent property owners who are interested in the parcel. Ashley and Sid Wyatt, Wyatt Brothers LLC, are the owners of the surrounding property that this piece of land falls into. The Wyatts would like to take the water tower down for safety reasons and they have the means to do so. Mayor Dotson stated that once the quit claim deed is approved, the Wyatts will be allowed to tear down the water tower. She advised to have all utilities located first. A motion to go forward with the quit claim deed was made by A. Riley, seconded by Farley. All agreed. Motion carried.

Mayor Dotson mentioned that idea of turning field 6 at H.H. Lovett Park into a dog park. This field wasn't designed properly to use as a ballfield because of drainage issues. With the decline in baseball and softball participation, the field is no longer a must have either. She explained that a gate would need to be installed and add grass seed to cover up the dirt. She mentioned that whether it is used for a dog park or not, something has to be done to the field. The retaining wall is cracking and the field doesn't drain properly. Murray was concerned about an insurance liability with certain breeds of dogs. Mayor Dotson will get more information for the next regular meeting.

Mayor Dotson announced that this is the City of Benton's 175th anniversary. She asked if the Council was interested in hosting some type of celebration in early summer. Holland and A. Riley agreed that the City needs to do something but no ideas were discussed.

Chief Sanderson presented the police report for December. There were 14 cases, 24 collisions, 48 citation violations and 501 calls to service. For the year, 2019, there were 5773 calls to service and 289 cases opened. Sanderson received quotes for speed signs. The permanent, solar powered signs are \$3600.00 each. The mobile signs are \$2900.00.

A motion was made by Edmonds, seconded by Holland to approve the regular minutes of December 16, 2019. All agreed. Motion carried.

In Mayor/Council items,

Edmonds asked about waste removal services. This was going to be added to a separate agenda at a later date but Farley mentioned that the service needs to be rebid since our contract ends in April.

Murray has had complaints from people regarding burning leaves in ditches and it causes breathing issues for some. Harry Green commented that if there are health concerns, then they can be

asked to put the fire out. City Attorney Mattingly will research to see if other cities have ordinances pertaining to this issue.

S. Riley was asked to mention if there was any way to get the refuse fee off of city resident's county tax bills since the City has garbage pick-up service provided.

There being no further business to come before the Council, meeting adjourned at 6:35 P.M.

Rita Dotson, Mayor

ATTEST:

Bethany Cooper, City Clerk/Treas.