

TITLE 2

CLASSIFICATION, ADMINISTRATION

AND PERSONNEL

Chapters:

- 2.04 City Classification
- 2.08 City and Ward Boundaries
- 2.12 City Council
- 2.14 Mayor
- 2.16 Clerk/Treasurer
- 2.20 District Court
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- 2.40 Unclaimed Property
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CHAPTER 2.04

CITY CLASSIFICATION

Sections:

2.04.01 **Operation as first class city**

2.04.01 Operation as first class city The city shall operate as a city of the first class under the laws of the state of Arkansas. (Ord. No. 2009-2, Sec. 1.)

STATE LAW REFERENCE - See A.C.A. 14-37-103.

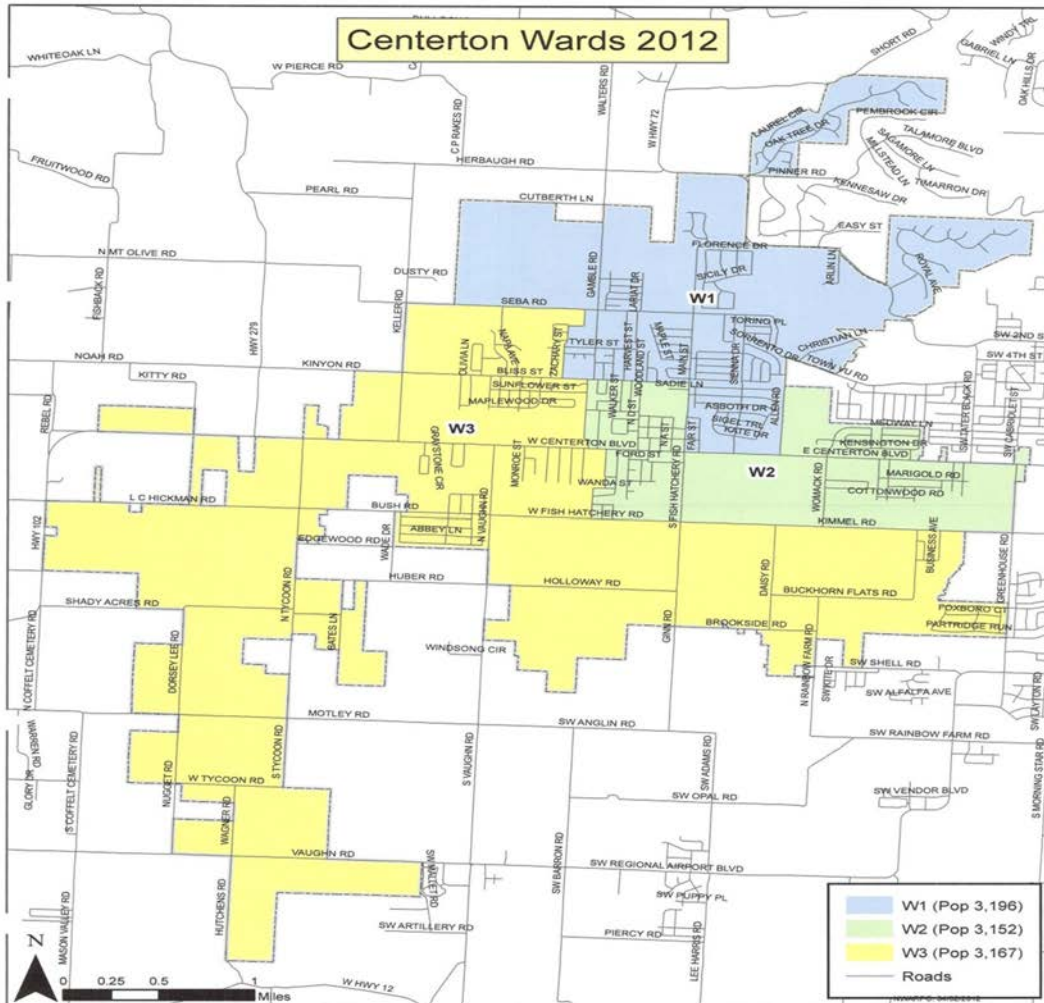
CHAPTER 2.08

WARD BOUNDARIES

Sections:

2.08.01 **Map of city**

2.08.01 Map of city The ward redistricting plan as shown on the map which is attached hereto and made a part hereof, be and is hereby adopted, with said map to serve hereafter as the official Ward Map for the city of Centerton, Arkansas. (Ord. No. 2012-11, Sec.1.)



CHAPTER 2.12

CITY COUNCIL

Sections:

- 2.12.01 Council meetings - regular
- 2.12.02 Council meetings - special
- 2.12.03 Order of business
- 2.12.04 Compensation

2.12.01 Council meetings - regular All regular meetings of the Council shall be held at the municipal building on the second Tuesday of each month.

2.12.02 Council meetings - special Special meetings of the Council may be held upon the call of the Mayor, whenever in his opinion it shall be necessary, or upon request by three (3) members of the Council by giving at least three (3) days' notice of such special meeting by giving notice in writing, which notice shall be served personally or through the mails to all members of the Council, which notice shall state the time of the meeting and purpose thereof.

STATE LAW REFERENCE – For similar provisions of state laws, see Ark. Stats. 19-1011

2.12.03 Order of business At all meetings of the Council the following shall be the order of business unless the Council by a majority vote shall order otherwise:

1. Call to order
2. Roll call
3. Reading of minutes of the previous meeting
4. Reports of boards and standing committees
5. Reports of special committees
6. Unfinished business
7. New business
8. Announcements
9. Adjournment

2.12.04 Compensation The salary for the position of Council Member shall be \$250.00 for attendance of each City Council meeting. In addition, each Council Member shall receive \$100.00 for attendance of Special City Council Meetings. Council Members shall only receive pay for a maximum of six (6) Special City Council Meetings per year and will not receive compensation for Special City Council Meetings in excess of six (6) per year." (Ord. No. 2017-54, Sec. 1.)

CHAPTER 2.14

MAYOR

Sections:

2.14.01	Time
2.14.02	Duties
2.14.03	Compensation
2.14.04	Compensation adjustments
2.14.05	Re-fixing compensation
2.14.06	Benefits
2.14.07	Application of code

2.14.01 Time The office of Mayor shall be full-time. (Ord. No. 2005-91, Sec. 1.)

2.14.02 Duties The Mayor shall act as the chief executive officer of the city, and, as such, shall:

- A. Conserve the peace;
- B. Enforce the ordinances and regulations of the city;
- C. Supervise the conduct of all the officers of the city;
- D. Promote economic growth;
- E. Encourage and coordinate responsible land use and planning;
- F. Promote the general health, welfare and safety of the citizens of the city of Centerton; and
- G. Perform such other duties compatible with the nature of the office and as imposed, from time to time, by the City Council. (Ord. No. 2005-91, Sec. 2.)

2.14.03 Compensation

- A. Compensation for the office of Mayor, beginning the 1st day of January, 2019, and continuing through the expiration of the term of office (the 31st day of December, 2022) is hereby fixed at the sum of \$83,200 per year, payable in periodic installments, in accordance with the city's employee salary payment policy in effect, from time-to-time." (Ord. No. 2018-56,)
- B. Compensation for a newly elected Mayor serving a first term as Mayor shall be \$50,000 annually, and be reviewed at the first regularly scheduled meeting in December annually during the term of the office of Mayor, and

review the adequacy of the compensation for the office of Mayor as previously fixed. (Ord. No. 2017-29,)

2.14.04 Compensation adjustments

- A. In accordance with state law, the compensation herein fixed may be increased, but not decreased except upon request of the Mayor, during the term for which the Mayor has been elected or appointed.
- B. Any adjustment in the compensation of the office of Mayor during the term, for which the Mayor has been elected or appointed, shall be made by amendment of 2.14.03 of this ordinance or the corresponding section of the Centerton Municipal Code. (Ord. No. 2005-91, Sec. 4.)

2.14.05 Re-fixing compensation

- A. The City Council shall, on or before its first regularly scheduled meeting in December in the year in which the term of the office of Mayor expires, re-fix the compensation for the office of Mayor for the succeeding term of the office.
- B. The City Council shall, on or before its first regularly scheduled meeting in December annually during the term of the office of Mayor, and review the adequacy of the compensation for the office of Mayor as previously fixed. (Ord. No. 2013-24, Sec. 2.14)

2.14.06 Benefits The Mayor shall enjoy the same benefits and is subject to the same restrictions pertaining to such benefits as all non-uniformed employees of the city as set forth in the city’s Employee Policy Handbook not inconsistent with this ordinance, the Centerton Municipal Code or state law. (Ord. No. 2005-91, Sec. 6.)

2.14.07 Application of code It is the intent of the City Council that this ordinance, upon its passage and publication, be made a part of the Centerton Municipal Code. (Ord. No. 2005-91, Sec. 7.)

CHAPTER 2.16

CLERK/TREASURER

Sections:

- 2.16.01 Offices combined
- 2.16.02 Duties

- 2.16.03 Salary
- 2.16.04 Caption amended
- 2.16.05 Initial term

2.16.01 Offices combined The offices of city Clerk and City Treasurer are hereby combined and shall be designated City Clerk/Treasurer. (Ord. No. 2008-20, Sec. 1.)

2.16.02 Duties The duties of the City Clerk/Treasurer shall consist of the following:

- A. Attend all City Council meetings, both regular and special.
- B. Attend all Council Committee of the Whole meetings.
- C. Take minutes of all Council meetings and Committee of the Whole meetings and prepare a typed transcript of the proceedings for each such meeting for presentation to the City Council at the next following regular Council meeting.
- D. Submit quarterly a report and detailed statement of the financial condition of the city to the City Council during the regular City Council meeting next following the end of a calendar quarter.
- E. Execute in an official capacity all formal documents of the city including, but not limited to, ordinances, resolutions, contracts, deeds, easements, bonds, orders, notices, etc., and
- F. Perform all other duties as are prescribed by law. (Ord. No. 2008-20, Sec. 2.)

2.16.03 Salary The salary for the position of City Clerk shall be \$250.00 for attendance of each City Council meeting. In addition, the City Clerk shall receive \$100.00 for attendance of Special City Council Meetings. The City Clerk shall only receive pay for a maximum of six (6) Special City Council Meetings per year and will not receive compensation for Special City Council Meetings in excess of six (6) per year. The City Clerk shall also receive \$150.00 for preparation of the typed transcript of the proceeding of each, City Council Meetings, Special or otherwise, and for performing the other duties as prescribed in Section 2.16.02. (Ord. No. 2017-55, Sec. 1.)

2.16.04 Caption amended The Centerton Municipal Code, Chapter 2.16 is hereby amended by changing the caption to Clerk/Treasurer. (Ord. No. 2008-20, Sec. 4.)

2.16.05 Initial term The initial term of office of the City Clerk/Treasurer shall be two (2) years. Thereafter, commencing on the first Tuesday following the first Monday in November 2010, the term of office shall be four (4) years in accordance with the election cycle established by A.C.A. 14-43-316. (Ord. No. 2008-20, Sec. 5.)

CHAPTER 2.20

CITY COURT

Sections:

- 2.20.01 District Court established
- 2.20.02 Qualifications and powers of District Judge
- 2.20.03 Court fines

2.20.01 District Court established There is hereby established, in accordance with the laws of the state of Arkansas, a City Court for the city of Centerton, Arkansas. (Ord. No. 95-9, Sec. 1.)

2.20.02 Qualifications and powers of District Judge The Judge of the District Court of the city of Centerton is empowered to try all public offenses occurring within the limits of the city of Centerton which may be classed as misdemeanors under the laws of the state of Arkansas, or the ordinances of the city of Centerton, and shall be empowered to invoke the penalty or the fine or penalty as prescribed in such state law or municipal ordinance. (Ord. No. 95-9, Sec. 2.)

2.20.03 Court fines

- A. The Centerton District Court Clerk is hereby designated as the person primarily responsible for the collection of fines assessed in the District Court for the city of Centerton, Arkansas. (Ord. No. 2013-16, Sec. 1.)
- B. The Court Clerk is directed pursuant to A.C.A. 16-13-704 to remit monthly to the Department of Finance and Administration one-half of all installment fees collected in the District Court and to remit monthly to the City Treasurer the other half of all installment fees collected in the District Court.
- C. The City Treasurer shall deposit all funds received from the installment fees into a fund to be titled "The Court Automation Fund" which fund shall be used solely for Court related technology.
- D. The City Treasurer shall report to the City Council in the monthly financial reports the status of said fund. (Ord. No. 2002-7, Secs. 1-4.)

CHAPTER 2.24

CITY ATTORNEY

Sections:

- 2.24.01 Duties
- 2.24.02 Salary

2.24.01. Duties The duties of the part-time elected City Attorney shall consist of the following:

- A. Attend all City Council meetings.
- B. Insure that City Council meetings are conducted in a proper and legal manner.
- C. Ensure that ordinances, resolutions and other actions of the City Council are properly enacted in accordance with statutory and constitutional requirements.
- D. Perform duties of the City Prosecutor as stated in section 2.26 of this code.
- E. Perform duties of Primary Attorney as stated in section 2.25 of this code.
(Ord. No. 2015-37, Sec. 1.)

2.24.02. Salary Compensation for the position of part-time City Attorney shall be \$0 per Council meeting attended. (Ord. 2012-02, Sec. 2.)

CHAPTER 2.25

PRIMARY ATTORNEY

Sections:

- 2.25.01 Office of Primary Attorney
- 2.25.02 Duties

2.25.01 Office of Primary Attorney The office of Primary Attorney for the city of Centerton, Arkansas, is hereby created. (Ord. No. 2008-18, Sec. 1.)

2.25.02 Duties The duties of the office of Primary Attorney shall consist of on-call administration and staff support with regard to day-to-day legal issues such as:

- A. Review contracts and other legal documents involving city operations;
- B. Prepare ordinances, resolutions, contracts and other miscellaneous documents;

- C. Answer questions from and provide legal opinions to elected city officials and to Department Heads, including Chief of Police and Fire Chief;
- D. Prosecute and defend legal actions and claims involving the city and its departments, agencies, boards, commissions, etc.; and
- E. Such other duties as may be assigned by the Mayor from time –to-time. (Ord. No. 2008-18, Sec. 1.)

2.25.03 Appointment and salary The City Council shall adopt in December, annually a resolution appointing a duly licensed attorney-at-law to fill the position of Primary Attorney and fixing the pay for said position for the following calendar year. (Ord. No. 2008-18, Sec. 2.)

CHAPTER 2.26

CITY PROSECUTOR

Sections:

- 2.26.01 Office of City Prosecutor
- 2.26.02 Duties
- 2.26.03 Appointment and salary

2.26.01 Office of City Prosecutor The office of City Prosecutor for the city of Centerton, Arkansas, is hereby created. (Ord. No. 2008-19, Sec. 1.)

2.26.02 Duties The duties of the City Prosecutor shall consist of the following:

- A. File information for the violation of any ordinance of the city or of the laws of the state of Arkansas which are violated within the limits of the city.
- B. Prosecute in District Court all charges involving a violation of any ordinance of the city or any of the laws of the state of Arkansas occurring within the limits of the city;
- C. Handle appeals to Circuit Court of any cases tried in District Court; and
- D. Assist when requested by the police Department in the preparation of affidavits in support of search warrants and other legal process. (Ord. No. 2008-19, Sec. 2.)

2.26.03 Appointment and salary The City Council shall adopt in December, annually,

a resolution appointing a duly licensed attorney-at-law to fill the office of City Prosecutor and fixing the pay for said position for the following calendar year. (Ord. No. 2008-19, Sec. 3.)

CHAPTER 2.28

FIRE DEPARTMENT

Sections:

2.28.01	Creation
2.28.02	Number of firemen
2.28.03	Control and management
2.28.04	Selection, suspension and removal of the Fire Chief
2.28.05	Appointment to positions other than Chief
2.28.06	Duties of the Fire Chief
2.28.07	Use of Fire Department equipment and personnel beyond corporate limits
2.28.08	Fees to be charged beyond corporate limits
2.28.09	Fire Department Protective Association
2.28.10	Compensation of firemen
2.28.11	Compensation and reimbursement of Fire Chief
2.28.12	Prior service unaffected

2.28.01 Creation There is hereby created and established a Fire Department for the city of Centerton, Arkansas. (Ord. No. 93-13, Sec. 1.)

2.28.02 Number of firemen The Fire Department shall consist of not less than fifteen (15), nor more than Forty-five (45) volunteer firemen, who shall be classified as follows:

- A. Assistant Fire Chief – no more than two;
- B. Captain – no more than four;
- C. Training coordinator – no fewer than two;
- D. Safety Officer;
- E. Firemen
(Ord. No. 2012-29, Sec.1.)

2.28.03 Control and management The Fire Department shall be under the control and management of the Fire Chief, who shall be directly responsible to the Mayor and the City Council of the city of Centerton. In the absence of the Fire Chief, Assistant Fire Chief shall serve as acting Fire Chief. In the absence of the Fire Chief and Assistant Fire Chiefs, a Captain shall serve as acting Fire Chief. In the absence of the Fire Chief, the Assistant Fire Chiefs, and the Captains, the Mayor or such person as the Mayor may appoint, shall exercise the control and management of the Fire Department. (Ord. No. 93-13, Sec. 3.)

2.28.04 Selection, suspension and removal of the Fire Chief The Fire Chief shall be appointed by the Mayor subject to confirmation by the City Council. The Mayor shall have the right to suspend the Fire Chief for inefficiency, misconduct, or neglect or duties until the next regular, adjourned, or special meeting of the City Council; at which meeting the Mayor shall present the matter to the City Council. The City Council may, by a vote of the majority of the elected Council members, approve the suspension, or reinstate the Fire Chief, or modify the terms of the suspension.

Regardless of the preceding paragraph, the Fire Chief has the right, at his option, to immediately appeal the Mayor's initial suspension to the City Council. The City Council shall meet within five (5) days after notice of appeal has been filed with the City Council to hear the appeal of said suspension. At such meeting, the City Council may act in the same manner as if the suspension had been presented by the Mayor.

The Fire Chief shall be dismissed if he is suspended twice for the same cause. (Ord. No. 93-13, Sec. 4.)

2.28.05 Appointment to positions other than Chief All appointments to positions in the Fire Department other than that of Fire Chief shall be made by the Fire Chief. The Fire Chief shall report such appointments to the Mayor and City Council at the Council's next regular meeting after said appointments are made and shall deliver a verified copy of such appointments to the City Treasurer. (Ord. No. 93-13, Sec. 5.)

2.28.06 Duties of the Fire Chief The Fire Chief shall have the duty to operate and manage the Fire Department in such a manner to extinguish fires and preserve the property of the city and the inhabitants from loss and destruction caused by fire; and in carrying out said duties shall be responsible for the direction and performance of all Fire Department personnel, for all engines, vehicles, hoses, and other equipment and paraphernalia belonging to the Fire Department. It shall be the further duty to see that all Fire Department personnel are properly trained and equipped to operate the equipment and vehicles of the Department and that all such equipment and vehicles are in good workable order and ready for use at all times.

The Fire Chief is hereby authorized and directed to formulate and prepare such rules, regulations, and guidelines as deemed necessary for the efficient management, and operation of the Centerton Fire Department. There shall be included in such rules, regulations and guidelines, regulations regarding Fire Department personnel covering, among other things, qualifications to serve, training requirements, discharge, responsibilities, etc. (Ord. No. 93-13, Sec. 6.)

2.28.07 Use of Fire Department equipment and personnel beyond corporate limits The Fire Department is hereby authorized to use and employ the Fire Department's fire fighting machinery and equipment with the necessary firemen to operate the same beyond the corporate limits of the city of Centerton, Arkansas, for the purpose of combating fires. The Fire Department shall answer all fire calls lying within a bounded area, a map of which shall be kept on file by the Fire Chief and at the City Clerk's office, and shall answer all fire calls in

accordance with reciprocal agreements to do so with neighboring cities. The Fire Department may answer calls beyond the above areas where, in the opinion of the Fire Chief or other authorized personnel, the particular circumstance justifies. (Ord. No. 93-13, Sec. 7.)

2.28.08 Fees to be charged beyond corporate limits

- A. Persons, firms, or corporations residing beyond the corporate limits of the City of Centerton, Arkansas, who receive fire protection service by the Fire Department of the City of Centerton, Arkansas shall be charged and shall pay for said services, as follows: \$85.00 per truck or vehicle responding, per hour, plus \$15.00 per volunteer firefighter responding, per hour, plus the cost of water, foam and any and all other supplies or equipment used.
- B. Any person, firm or corporation who is a member of the Fire Department Protective Association, as provided in Section 2.28.09 of the Centerton Municipal Code or who is a member of the Centerton Fire Department receiving fire protection service shall be exempt from the charges and fees herein imposed (Ord. 2013-07 Sec. 2.28.08)

2.28.09 Fire Department Protective Association Any person, firm or corporation residing beyond the corporate limits of the City of Centerton, but within the above-referenced area of fire protection coverage (2.28.07) may for an initial one time joining fee of (\$50.00) become a member of the city of Centerton Fire Department Protective Association. In addition, there shall be assessed an annual fee of (\$50.00) per year to be paid on or before January 1st of each year. All monies collected from membership in the Fire Department Protective Association shall be credited and deposited in the City of Centerton General Fund and shall be used for the maintenance, upkeep, operation and benefit of the Centerton Fire Department and its members. All members of the Fire Department Protective Association shall be exempt from the fees imposed by section 2.28.08 of the Centerton Municipal Code. Membership fees may be increased or decreased by resolution of the City Council. (Ord. 2013-07, Sec. 2.)

2.28.10 Compensation of firemen Members of the Centerton Fire Department shall receive compensation of not less than (\$12.50) for each fire call effective January 1, 2013, to which they respond. In addition, each member shall receive a sum of not less than (\$12.50) for each regularly scheduled meeting attended of the Fire Department, and all training sessions. The City Council is hereby authorized by resolution properly adopted at its regular or special meeting to increase the minimum rate of compensation paid to the Fire Department Personnel for fire calls or attendance of Fire Department meetings and training sessions in the respect of classification. (Ord. 2012-29, Sec.2.28.10)

2.28.11 Compensation and reimbursement of Fire Chief The Fire Chief shall be reimbursed for all reasonable expenses incurred in performance of his official duties as Fire Chief. Said reasonable expenses includes, but are not limited to, mileage, uniforms, and all other expenses incurred in the performance of his official duties. The City Council may establish by resolution duly adopted at a regular or special meeting compensation to be paid the Fire Chief and to set said compensation. (Ord. No. 93-13, Sec. 11.)

2.28.12 Prior service unaffected Accumulated service time as it applies to and affects promotions, rank, retirement, pensions, and other related benefits of current members of the Centerton Voluntary Fire Department shall in no way be affected by the passage of this ordinance. All such rights, privileges, and rank shall continue to be in force and effect. (Ord. No. 93-13, Sec. 12.)

CHAPTER 2.32

POLICE DEPARTMENT

Sections:

2.32.01	Established
2.32.02	Control and operation
2.32.03	Appointment
2.32.04	Duties
2.32.05	Police Department Policy and Procedure Manual
2.32.06	Warrant service fees
2.32.07	Additional fine for traffic violations

2.32.01 Established The city of Centerton Police Department is hereby established. (Ord. No. 95-17, Sec. 1.)

2.32.02 Control and operation The Police Department shall be under the control and operation of a Police Chief. (Ord. No. 95-17, Sec. 2.)

2.32.03 Appointment The Police Chief shall be appointed by the Mayor with the approval of a majority of the City Council. (Ord. No. 95-17, Sec. 3.)

2.32.04 Duties The duties of the Police Department shall be those as prescribed by the laws of the state of Arkansas and the ordinances of the city of Centerton, Arkansas. (Ord. No. 95-17, Sec. 4.)

2.32.05 Police Department Policy and Procedure Manual

- A. The city of Centerton *Police Department Policy and procedure manual*, presented in final form on this date, should be and the same is hereby adopted as the official *Policy and Procedure Manual* of the city of Centerton Police Department.
- B. Each police officer shall be given a copy of said *Policy and Procedure Manual* at the time of his or her employment by the city and each such police officer shall be required to sign a statement verifying receipt of a copy of the said *Policy and Procedure Manual*, which statement shall become a part of said police officer's personnel file.

- C. The City Council is empowered to amend the *policy and Procedure Manual* from time to time as deemed appropriate by the City Council, and upon the recommendation of the Mayor and Chief of Police, by resolution duly adopted and any such amendment shall apply to all police officers then employed by the city and to all actions performed or undertaken by the city of Centerton Police Department after the effective date of such resolution.
(Ord. No. 97-14, Secs. 1-3.)

2.32.06 Warrant service fees For each warrant of the City Court of Centerton, Arkansas, served under a defendant appearing before said court, there shall be collected from each such defendant upon each plea of guilty, nolo contendere, forfeiture of bond or determination of guilty for misdemeanors, or traffic violations in the City Court, the sum of Twenty-Five Dollars (\$25.00). (Ord. No. 96-3, Sec. 1.)

2.32.07 Additional fine to defray the cost of incarcerating city prisoners

- A. In addition to any fine imposed by the court, pursuant to Act 209 of 2009 of the General Assembly of the state of Arkansas (A.C.A. §16-17-129), an additional fine of Twenty Dollars (\$20.00) shall be levied and collected from each defendant who pleads guilty or *nolle contendere* to, is found guilty of, or forfeits bond for all non-traffic cases which are misdemeanors or violations of city ordinances, and all cases which are misdemeanors or violations under state law or traffic offenses which are misdemeanors or violations under state law or city ordinance, committed within the corporate limits of the city of Centerton, Arkansas, in the department of the Benton County District Court sitting in the city of Centerton, Arkansas.
- B. The additional fine levied by the city under this ordinance shall be deposited into a special fund within the city treasury and the revenues generated by the additional fines shall be used exclusively to help defray the cost of incarcerating city prisoners, including the construction and maintenance of a city jail and payments to other entities for incarcerating city prisoners." (Ord. No. 2010-26, Sec. 1.)

CHAPTER 2.36

UNDERCOVER OPERATIONS FUND

Sections:

- | | |
|---------|-----------------------|
| 2.36.01 | Establishment |
| 2.36.02 | Funding |
| 2.36.03 | Fund ceiling |
| 2.36.04 | Contributions to fund |
| 2.36.05 | Purpose of fund |
| 2.36.06 | Use of funds |

- 2.36.07 Operating guidelines
- 2.36.08 Authorization to City Recorder

2.36.01 Establishment There is hereby established a special fund to be known as the “Undercover Operations Fund.” (Ord. No. 2000-7, Sec. 1.)

2.36.02 Funding The Undercover Operations Fund shall be funded solely by contributions as set forth in Section 4 below. (Ord. No. 2000-7, Sec. 2.)

2.36.03 Fund ceiling The Undercover Operations Fund shall have a maximum ceiling of \$10,000.00. All sums in excess of said amount deposited into the Undercover Operations Fund from the sources set out in Section 4 below shall immediately be paid over to the General Revenue Fund of the city. (Ord. No. 2000-7, Sec. 3.)

2.36.04 Contributions to fund Contributions to the Undercover Operations Fund may come from any source not prohibited by city ordinance, state or federal law, including but not limited to the following: donations from private individuals and/or organizations; court-ordered restitution in criminal cases; court-ordered forfeitures in criminal cases; court-ordered defendant contributions to the fund in criminal cases; and any federal or state funds available for such operations not inconsistent with the purposes of the Undercover Operations Fund. (Ord. No. 2000-7, Sec. 4.)

2.36.05 Purpose of fund The Undercover Operations Fund will be used for the purpose of conducting undercover law enforcement activities, including primarily but not limited to investigation of illegal drug trafficking and the investigation of theft schemes and crimes. (Ord. No. 2000-7, Sec. 5.)

2.36.06 Use of funds The money in the Undercover Operations Fund when used for the purposes set out in Section 5 above may be spent on the following types of items and any other similar necessary items, to wit:

- A. Purchases of food, lodging, and travel expenses of law enforcement personnel, informants, and any other person necessary for implementation of the undercover operation.
- B. Flash money.
- C. Purchases of controlled substances, stolen property, contraband, or information related to any criminal activity.
- D. Purchases of equipment being necessary for carrying out the purposes set out Section 5 above. (Ord. No. 2000-7, Sec. 6.)

2.36.07 Operating guidelines The following shall constitute the general operating guidelines of the Undercover Operations Fund:

- A. Responsibility for the fund's integrity shall rest with the Police Chief of the Centerton Police Department.
- B. The Police Chief shall submit to the City Council at its regular monthly meeting a report showing the fund's balance, a total of all contributions made to the fund since the last report, and a total amount expended from the fund since the last monthly report.
- C. The Police Department will implement and follow accounting guidelines promulgated by the Legislative Audit Committee for the state of Arkansas.
- D. At the conclusion of the criminal case in which money from the Undercover Operations Fund is used, a line item expenditure report shall be made available for inspection by the City Council. The decision as to when the criminal case is concluded will be made by the City Prosecutor or in appropriate instances the Prosecuting Attorney for Benton County after consulting with the Police Chief.
- E. The Undercover Operations Fund will be administered by the Police Department on a cash only basis. (Ord. No. 2000-7, Sec. 7.)

2.36.08 Authorization to City Recorder The City Recorder of the city is authorized from time to time to certify the adoption of these resolutions to bank, the continuing effect of these resolutions, and the incumbency of the various parties authorized to exercise the rights in these resolutions. (Ord. No. 2000-8, Sec. 6.)

CHAPTER 2.40

UNCLAIMED PROPERTY

Sections:

- 2.40.01 Disposal
- 2.40.02 Sale
- 2.40.03 Proceeds of sale to owner
- 2.40.04 Proceeds remaining after six months

2.40.01 Disposal The Marshal, under the direction hereinafter set out, is hereby authorized and directed to dispose of at public auction all unclaimed personal property rightfully coming into the hands of his office and to dispose of other confiscated property confiscated under the orders of the City Court with the exception of confiscated liquor.

STATE LAW REFERENCE - For procedure relating to liquor, See A.C.A. 3-3-312

2.40.02 Sale All unclaimed personal property coming into the hands of the Marshal will

be held by the marshal for a period of six (6) weeks or longer, and the marshal, if property remains unclaimed, shall periodically advertise such property in some newspaper of general circulation in the city once each week for three (3) consecutive weeks setting forth in the notice the time for the sale which shall not be earlier than five (5) days after the last publishing of the notice and no later than ten (10) days thereafter, designating an easily accessible place for the sale thereof, and giving a complete list and description of unclaimed articles to be sold. The Mayor shall have the right to refuse any and all bids not satisfactory and will then proceed to advertise these items for sale at a later date. Terms of such sale shall be for cash only. Nothing in this chapter shall prohibit any person who properly identifies any of the property as being their own before the sale from claiming and having property restored to them.

2.40.03 Proceeds of sale to owner The Marshal shall deposit the receipt from the aforesaid sale of unclaimed property in the treasury and the Treasurer is to keep these funds in a special account for a period of six (6) months and any person identifying as his own any of such property within the six (6) month period shall upon the presentation of satisfactory proof be paid by the city out of the special account the amount for which the property was sold. The Marshal or some person designated by him shall keep an accurate record and description of each piece of unclaimed property passing through his office and the price for which it was sold and the date, the name and address of those who purchased same, as well as a complete record of those who identified and claimed any of the property before it was sold.

2.40.04 Proceeds remaining after six months All proceeds from the sale remaining in the special fund for a period of six (6) months shall by the Treasurer be transferred to the city's general fund and no further payment shall be made therefrom to anyone who thereafter claims ownership.

CHAPTER 2.44

EMPLOYEES POLICIES

Sections:

- 2.44.01 Employee Policy Handbook
- 2.44.02 Insurance coverage

2.44.01 Employee Policy Handbook

- A. The Employee Policy Handbook of the city of Centerton, Arkansas, presented in final form on this date, be and the same is hereby adopted as the official employee handbook of the city of Centerton, Arkansas, for employees. (Ord. No. 94-8, Sec. 1.)
- B. Each employee shall be given a copy of the employee policy handbook at the time of his or her employment by the city and each such employee shall be required to sign a statement verifying receipt of a copy of the employee policy handbook, which statement shall become a part of said employee's personnel file.

- C. The City Council is empowered to amend the policy and procedures contained in the Employee Policy Handbook from time to time as deemed appropriate by the City Council upon resolution duly adopted and any such amendment shall apply to all employees then employed by the city, it being the expressed intent of the City Council that any and all rights, privileges and benefits conferred by the Employee Policy Handbook may be limited, restricted or eliminated at any time by action of the City Council when said action is deemed necessary and in the best interests of the city of Centerton, Arkansas. (Ord. No. 94-8, Sec. 103.)

2.44.02 Insurance coverage

- A. The Mayor and city Clerk/Recorder of the city of Centerton, Arkansas, are hereby authorized and directed to enter into an agreement with the state of Arkansas for the purpose of obtaining insurance coverage for the employees of the city under the terms and provisions of the Federal Social Security Act.
- B. Commencing January 6, each employee's insurance contribution shall be deducted from his salary check in accordance with the terms and provisions of the said Social Security Act.
- C. Commencing January 6, there is hereby appropriated from the General Fund of the city of Centerton, Arkansas, the sums of money necessary to pay the city's share of the insurance tax in accordance with the terms and provisions of the said Social Security Act. (Ord. No. 75-1, Secs. 1-3.)