

TITLE 2

CLASSIFICATION, ADMINISTRATION

AND PERSONNEL

Chapters:

- 2.04 City Classification
- 2.08 Ward Boundaries
- 2.12 City Council
- 2.16 Mayor
- 2.20 Recorder/Treasurer
- 2.24 City Attorney
- 2.28 Fire Department
- 2.32 Police Department
- 2.36 District Court
- 2.40 Personnel Handbook Policies
- 2.44 Removal of Appointive Officers

CHAPTER 2.04

CITY CLASSIFICATION

Sections:

- 2.04.01 Operation as second-class city

2.04.01 Operation as second-class city. The city of Little Flock, Arkansas, shall operate as a city of the second class under the laws of the state of Arkansas.

STATE LAW REFERENCE - See A.C.A. 14-37-105.

CHAPTER 2.08

WARD BOUNDARIES

Sections:

2.08.01 City Wards

2.08.01 City Wards. 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 of the city of Little Flock, Arkansas. (Ord 2022-002)

CHAPTER 2.12

CITY COUNCIL

Sections:

2.12.01 Salary
2.12.02 Four Year Terms
2.12.04 Attendance at City Council meetings

2.12.01 Salary. The salary of each Alderman of the city of Little Flock is hereby established at One Hundred Dollars (\$100.00) per month, plus an additional One Hundred Dollars (\$100.00) per special City Council meeting attended during such month. This salary may be adjusted by a two-thirds (2/3) majority vote by City Council in a regular or special City Council meeting without the necessity of passing an ordinance to amend this ordinance. This provision shall not be deemed to excuse the necessity of passing an Appropriation Ordinance or Resolution if additional money must be appropriated to pay an increase in salary. (Ord. No. 2010-343, Sec. 1.)

2.12.02 Four-year Terms. Effective in 2016, Alderman for the City of Little Flock shall be elected to four-year terms. At the 2016 General Election, the Position One Alderman for each Ward shall be elected to a four-year term and thereafter elected every four years. At the 2016 General Election, the Position Two Alderman for each Ward shall be elected to a two-year term, and then at the 2018 General Election, the Position Two Alderman shall be elected to a four year term and thereafter every four years. (Ord. 2014-427, Sec 1, 2, and 3.)

2.12.04 Attendance at City Council Meetings: Any Alderman who fails to attend two (2) consecutive meetings of the City Council or fails to attend four (4) total meetings of the City Council during a calendar year shall be deemed to have resigned his or her office as a member of the City Council. The vacancy shall occur only upon a vote by a majority of the whole City Council declaring that a vacancy exists in the position of the Alderman who had failed to attend as set forth in the preceding sentence. (Ord. No. 2023-002)

CHAPTER 2.16

MAYOR

Section:

2.16.01 Salary

2.16.01 Salary The salary of the Mayor of the city of Little Flock is hereby set at Twenty Five Thousand Dollars (\$25,000) per year. This salary may be increased by a two-thirds majority vote of the City Council at any regular or special City Council meeting without the necessity of passing an ordinance to amend this ordinance. His salary may only be decreased at the request of the Mayor of the City of Little Flock. This authority shall not be deemed to excuse the necessity of passing an Appropriation Ordinance or Resolution if additional money must be appropriated in order to pay any increase in salary. The position of Mary of the City of Little Flock shall be considered part-time. (Ord. No. 105, 2017-007 Sec. 1. Amended Ord No. 2021-005)

CHAPTER 2.20

RECORDER/TREASURER

Section:

2.20.01 Offices combined

2.20.01 Offices combined. The offices of City Recorder and City Treasurer are hereby combined. The title of the resulting office shall be City Recorder/Treasurer. (Ord. No. 92-78, Secs. 1-2.)

CHAPTER 2.24

CITY ATTORNEY

Sections:

2.24.01 Appointment

2.24.01 Appointment. The office of City Attorney and the office of the City Prosecutor will be filled by the appointment of the Mayor with the approval of two-thirds of the City Council. The appointment process shall follow Arkansas law on hiring persons to provide professional services. (Ord. No. 98-175, Sec. 1.)

CHAPTER 2.28

FIRE DEPARTMENT

Sections:

- 2.28.01 Creation
- 2.28.02 Funding
- 2.28.03 Rules and regulations
- 2.28.04 Fire Chief's duties
- 2.28.05 Selection of Fire Chief
- 2.28.06 Mutual aid agreements

2.28.01 Creation. There is hereby created the Little Flock Fire Department, which shall be a municipal fire department, primarily staffed by volunteers. The Little Flock Fire Department shall provide firefighting and emergency services within the city limits of Little Flock. The Little Flock Fire Department may also use its firefighting machinery and equipment with the necessary firefighters to operate it to combat fires outside the city limits (a) in the Fire District of which Little Flock is a part and (b) pursuant to any mutual aid agreement made by the City of Little Flock. Persons inside and outside the city limits of Little Flock may pay the fire dues specified in Section 2.28.02, as those fire dues may be modified from time to time, and thereby be exempt from paying for firefighting services. Persons inside and outside of the city limits of Little Flock who do not pay the fire dues shall be subject to paying for the reasonable costs of the firefighting services provided. (Ord. No. 99-194, Sec. 1 and Ord. No. 2023-010)

2.28.02 Funding. The Little Flock Fire Department may, from time to time, be funded in part by an appropriation of the City of Little Flock. In addition, the Little Flock Fire Department shall have the right to assess dues, collect fees, hold fund raising activities, and receive funds from any source whatsoever. All funds received by the Little Flock Fire Department shall be turned over to the Finance Director of the City of Little Flock for deposit in an account or accounts for the Little Flock Fire Department. (Ord. No. 99-194, Sec. 2, and Ord. No. 2023-005)

The following is the fire dues schedule for the Little Flock Fire Department:

In Fire District inside City		In Fire District outside of City	
Empty lot, non-commercial storage, shop	\$10	Empty lot, non-commercial storage, shop	\$15
Single family residence	\$60	Single family residence	\$100
Commercial occupancy	\$150	Commercial occupancy	\$225
Duplex	\$100	Duplex	\$150
Triplex	\$150	Triplex	\$225
Apartments per unit	\$25	Apartments per unit	\$40
Nonprofits (churches, shelters, etc.)	\$0	Nonprofits (churches, shelters, etc.)	\$0

City of Little Flock Firefighters, Police Officers, and Street Department Personnel who live within the city limits of Little Flock shall be exempt from paying fire dues and from paying fees associated with responding to a fire on their properties. In the future, the amount of fire dues and the persons exempt from paying fire dues and fees may be adjusted by a Resolution passed at a regular or special City Council meeting. (Ord. No. 2023-005)

2.28.03 Rules and regulations. All necessary and convenient rules and regulations for the Little Flock Fire Department shall be established from time to time by the City Council of the city of Little Flock. (Ord. No. 99-194, Sec. 3.)

2.28.04 Fire Chief's duties. The Fire Chief of the Little Flock Fire Department shall have responsibility for the day-to-day operations of the Little Flock Fire Department and shall serve as the commander of the Little Flock Fire Department in all emergency and fire fighting situations. The Fire Chief may appoint deputy chiefs and other officers of the Little Flock Fire Department as needed. (Ord. No. 99-194, Sec. 4.)

2.28.05 Selection of Fire Chief. The Fire Chief of the Little Flock Fire Department shall be appointed by the Mayor and approved by the City Council of the city of Little Flock. The Fire Chief shall serve at the pleasure of the Mayor. (Ord. No. 99-194, Sec. 5.)

2.28.06 Mutual aid agreements. The Mayor of the city of Little Flock may, from time to time, enter into mutual aid agreements with the county and nearby cities to the extent that the Mayor deems that such agreements are appropriate. (Ord. No. 99-194, Sec. 6.)

CHAPTER 2.32

POLICE DEPARTMENT

Sections:

2.32.01	Police Chief
2.32.02	Police Department
2.32.03	Court pay
2.32.04	Comp time
2.32.05	Undercover Operations Fund

2.32.01 Police Chief. The City Marshall of the city of Little Flock, Arkansas, shall hereafter be known as the Police Chief of the city of Little Flock, Arkansas. (Ord. No. 91-62, Sec. 1.)

2.32.02 Police Department. A Police Department is hereby created with the Police Chief as the head of such department. Additional policemen may be added in the future as determined by the City Council. (Ord. No. 91-62, Sec. 2.)

2.32.03 Court pay. Each police officer of the city of Little Flock shall be paid Fifty Dollars (\$50.00) for each court appearance which such police officer shall be required to make in Little Flock City Court or on Little Flock cases in Benton County Circuit Court while such police officer is not otherwise scheduled to be on duty in regard to any case in which such police officer is expected to have to testify as the arresting officer, citation issuing officer, or other official police witness. A court appearance shall be defined as an appearance in court on one day for one or more cases in which the police officer is expected to be a witness. (Ord. No. 95-129, Sec. 1.)

2.32.04 Comp time. Because of this compensation, no police officer of the city of Little Flock shall accrue any comp time for making court appearances when not otherwise on duty. (Ord. No. 95-129, Sec. 2.)

2.32.05 Undercover Operations Fund

- A. Establishment. There is hereby established a special fund to be known as the Undercover Operations Fund.
- B. Funding. There is hereby appropriated from the city's General Fund the sum of Five Hundred Dollars (\$500.00) for the initial funding of the Undercover Operations Fund.
- C. Fund ceiling. The Undercover Operations Fund shall have a maximum ceiling of Five Thousand Dollars (\$5,000.00). All sums in excess of said amount deposited into the Undercover Operations Fund from the sources set out in Section (D) below, shall immediately be paid over to the Little Flock General Fund.
- D. Contribution to fund. Contributions to the Undercover Operations Fund may come from any source not prohibited by city ordinance or state or federal law, including, but not limited to, the following: donations from private individuals or organizations; court ordered restitution in criminal cases; court order 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.
- E. Purpose of fund. The Undercover Operations fund will be used for the purpose of equipping, training and conducting undercover law enforcement activities, including primarily, but not limited to, the investigation and surveillance of illegal drug investigation, manufacture, distribution, and trafficking, the investigation of theft schemes and other illegal activities.
- F. Use of funds. The money in the Undercover Operations Fund, when used for the purposes set out in Section (E) above, may be spent in all manners reasonable calculated to accomplish the specified purposes, including but not limited to payment for training, equipment, food, lodging, meals and other travel expenses of law enforcement personnel; flash money; purchase of controlled substances, stolen property; contraband or information related to criminal activity; and other similar and necessary items.
- G. Operating guidelines. The following shall constitute the general operating guidelines of the Undercover Operations Fund:
 - 1. Responsibility for the fund's integrity shall rest with the Police Chief of the Little Flock Police Department,
 - 2. The Police Department will implement and follow accounting guidelines promulgated by the Legislative Audit Committee for the state of Arkansas.

3. At the conclusion of a criminal case in which monies from the Undercover Operations Fund are used, a line item expenditure report shall be made available for inspection by the City Council. The decision as to when a 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.
4. The Undercover Operations Fund will be administered by the Police Department on a cash-only basis. (Ord. No. 95-136, Secs. 1-7.)

CHAPTER 2.36

DISTRICT COURT

Sections:

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|---------|--------------------------------|
| 2.36.01 | District Court |
| 2.36.02 | Court Costs |
| 2.36.03 | Administration of Justice Fund |
| 2.36.04 | Court Bank Cash Fund |

2.36.01 District Court

- A. Location.** The District Court shall hold court at the Little Flock City Hall or at such other place within the City of Little Flock as may be designated by the District Court
- B. Jurisdiction.** The District Court shall have jurisdiction to the fullest extent allowed by Arkansas law.
- C. Judge.** The District Court Judge sitting in Little Flock shall be one of the District Court Judges elected in Benton County, Arkansas.
- D. Court Clerk.** The District Court Judge may appoint a Court Clerk to handle the business of the District Court in the City of Little Flock.
- E. Judge's Salary.** The City shall pay the portion of the Judge's salary as required by state law.
- F. Court Clerk's Salary.** The City shall fix the salary of the District Court Clerk at a reasonable sum to be computed on an annual basis.

2.36.02 Court Costs

- A. Warrant Fee. For each warrant issued in a case in the District Court sitting at Little Flock in which the defendant is found guilty or pleads guilty or no contest, there shall be a Fifty Dollar (\$50.00) warrant fee charged and collected. (Ord. No. 94-122, Sec. 1.)
- B. Jail Fee. In addition to any fine imposed by the District Court pursuant to the laws of the State of Arkansas for traffic violations or misdemeanors, a Twenty Dollar (\$20.00) fee is hereby levied upon and shall be collected from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for each misdemeanor or traffic violation that occurs in the City of Little Flock, Arkansas. The funds generated by the Twenty Dollar (\$20.00) fee levied hereunder shall be used exclusively to defray the City's costs of incarcerating prisoners, including the construction and maintenance of a city jail and payments to other entities for incarcerating prisoners. (Ord. No. 2009-328, Secs. 1-2.)

2.36.03 Administration of Justice Fund – Act 1256

- A. Established. There is hereby established the Administration of Justice Fund Act of 1256.
- B. Purpose. The purpose of this account shall be to handle monthly court disbursements.

2.36.04 Court Bank Cash Fund.

- A. Establishment. There is hereby established the Court Bank Cash Fund. The amount of the Court Bank Cash Fund shall be One Hundred Dollars (\$100.00). The source of the Court Bank Cash Fund shall be the General Fund of the City of Little Flock.
- B. Purpose. The purpose of the Court Bank Cash Fund shall be to handle cash change transactions for the District Court.
- C. Audit. The Court Bank Cash Fund shall be audited by the City Recorder/Treasurer or the City Secretary at City Hall once every quarter. (Ord. No. 2012-288, Sec. 1.)

CHAPTER 2.40

PERSONNEL HANDBOOK POLICIES

Section:

2.40.01 Adoption and Amendment

2.40.01 Adoption and Amendment. The Little Flock, Arkansas Personnel Handbook shall hereafter be adopted, modified, and revised by resolution adopted by the City Council's Personnel Committee. (Ord. No. 431-2014, Sec. 1.)

CHAPTER 2.44

REMOVAL OF APPOINTIVE OFFICERS

Sections:

2.44.01 Definition
2.44.02 Authority
2.44.03 Procedures to Remove Appointive Officer
2.44.04 Subsequent Removal Proceeding
2.44.05 Severability
2.44.06 Repealer

2.44.01 Definition.

Appointive Officers shall mean the City Attorney and the members of the Planning Commission at the present time and anyone who in the future happens to have the characteristics of an Appointive Officer of the City. Employees of the City and elected officials of the City are not Appointive Officers.

2.44.02 Authority. The authority for this Ordinance is Arkansas Code Sec. 14-42-109(a)(2).

2.44.03 Procedure to Remove Appointive Officer. The procedure to remove an Appointive Officer shall be as follows:

- a. The Appointive Officer being considered for removal shall be entitled to notice of the proposed removal action at least two weeks before the City Council meets at a regular or special meeting to consider the removal.
- b. The Appointive Officer being considered for removal shall have the right to appear at the City Council meeting at which the removal is being considered, to speak during the time that the City Council is considering the removal, to question any witnesses called by the City to support the removal, to have witnesses that support the Appointive Officer not being removed to testify, and to have legal counsel if desired.
- c. The City Council shall have the right to continue the removal proceedings to a later set date at any time prior to the taking of the vote to remove.
- d. The vote to remove an Appointive Officer shall be a majority vote of the entire City Council.
- e. A decision of the City Council to remove an Appointive Officer is final when the vote to remove passes.

- f. A decision of the City Council to remove an Appointive Officer is final when the vote to remove fails.
- g. If the Appointive Officer believes that his or her good name has been soiled by the removal proceeding, the Appointive Officer may request a separate time to appear before the City Council for a name clearing hearing. The name clearing hearing will not change or reverse the removal decision.

2.44.04 Subsequent Removal Proceeding. A decision by the City Council not to remove an Appointive Officer shall not bar a subsequent proceeding to remove the Appointive Officer. (Ord 2021-004)

2.44.05 Severability. If any part of this Chapter is held invalid, the remainder of this Chapter shall continue in effect as if such invalid portion never existed.

2.44.06 Repealer. All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Chapter are repealed to the extent of such conflict.