

TITLE 2
CLASSIFICATION, ADMINISTRATION
AND PERSONNEL

Chapters:

- 2.04 City Classification
- 2.08 Ward Boundaries
- 2.12 Deferred Compensation Plan
- 2.16 City Council
- 2.20 Mayor
- 2.24 Fire Department
- 2.28 District Court

CHAPTER 2.04
CITY CLASSIFICATION

Sections:

- 2.04.01 First class city

2.04.01 First class city From and after the passage of this ordinance, the city of Lake City, Arkansas, shall be a first class city, as provided by the laws of the state of Arkansas, and shall have all of the rights, powers, privileges and duties provided for cities of the first class under the laws of the state of Arkansas. (Ord. No. 2002-193, Sec. 1.)

CHAPTER 2.08

WARD BOUNDARIES

Sections:

2.08.01 Boundaries

2.08.01 Boundaries The city of Lake City, Arkansas, is divided into three (3) wards described as follows:

Ward 1 From the centerline of Cottonwood east to Main Street; from the centerline of Main Street east to Carter Street; from the centerline of Carter Street east to Nash Street; and from 714 Highway 18 east.

Ward 2 From centerline of Catfish Drive east to Franklin; centerline of Franklin west to West Main; centerline of West Main Street, south to city limits; from 918 Arkansas Highway 18 to 712 Highway 18.

Ward 3 Everything west of centerline of Catfish Drive, south to Franklin; centerline of Franklin, west to West Main; centerline of West Main Street, south to city limits; from 916 Arkansas Highway 18 west to city limits. (Ord. No. 140, Sec. 1.)

CHAPTER 2.12

DEFERRED COMPENSATION PLAN

Sections:

- 2.12.01 Adoption
- 2.12.02 Plan administrator
- 2.12.03 Authorization
- 2.12.04 Terms
- 2.12.05 Fees
- 2.12.06 Termination
- 2.12.07 Trust
- 2.12.08 New contributions

2.12.01 Adoption The city adopts the Plan. (Ord. No. 226-7, Sec. 1.)

2.12.02 Plan administrator The city acknowledges that the Plan Administrator for the Plan is the Executive Director, Employee Benefits Division, Department of Finance and Administration of the state of Arkansas. (Ord. No. 226-7, Sec. 2.)

2.12.03 Authorization The Mayor is authorized to sign the adoption agreement to the Plan and by so signing, be bound by the terms of the Plan as stated in the adoption agreement and other Plan documents. The city reserves the right to amend its elections under the adoption agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue code or other applicable law and is approved by the Plan Administrator. (Ord. No. 226-7, Sec. 3.)

2.12.04 Terms The city agrees that it shall abide by the terms of the Plan, including amendments to the Plan made by the Plan Administrator, all investment, administrative, and other service agreements of the Plan, and all applicable provisions of the Internal Revenue Code and other applicable law. (Ord. No. 226-7, Sec. 4.)

2.12.05 Fees The city accepts the administrative services to be provided by any service provider selected by the Plan Administrator. The city acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the participants' Plan accounts. (Ord. No. 226-7, Sec. 5.)

2.12.06 Termination The city may terminate its participation in the Plan, including but not limited to, its contribution requirements by way of.

- A. An ordinance of the City Council terminating its participation in the Plan.
- B. The ordinance must specify when the participation will end.

The Plan Administrator shall determine whether the ordinance complies with the terms of the Plan, and all applicable federal and state laws. The Plan Administrator shall also determine an appropriate effective date, and shall provide appropriate forms to terminate ongoing participation. However, distributions under the Plan of existing accounts to participants will be made in accordance with the Plan. (Ord. No. 226-7, Sec. 6.)

2.12.07 Trust The city acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased by such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefits of participants and their beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of participants and their beneficiaries and for defraying, reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the plan, including employer contributions, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, are held as part of the Plan. All contributions to the Plan shall be transferred to the Plan Custodian to be held, managed, invested and distributed as part of the Plan's custodial

account in accordance with the provisions of the Plan. The city must transfer all contributions to the Plan to the Plan Custodian. All benefits under the Plan shall be distributed solely from the Plan's custodial account pursuant to the Plan. (Ord. No. 226-7, Sec. 7.)

2.12.08 New contributions It is the intent of the city that all new contributions made by the city on behalf of the employees after adoption of the Plan will be made to the Plan. (Ord. No. 226-7, Sec. 8.)

CHAPTER 2.16

CITY COUNCIL

Sections:

- 2.16.01 Meetings
- 2.16.02 Special meetings
- 2.16.03 Items on the agenda
- 2.16.04 Councilmembers from wards

2.16.01 Meetings

- A. The regular monthly meeting of the Lake City City Council shall be held at 6:30 p.m. on the third Monday of each month, at City Hall, except as otherwise hereinafter provided.
- B. In the event the regularly scheduled monthly meeting is required to be scheduled at a different time and/or place, the Council may, by a motion duly adopted at the preceding Council meeting change the date or place to such other date or place as shall be convenient.
- C. In the event any Council meeting shall be held at a date, time or place different from that established in Section (A) herein, notice of such change shall be made in compliance with the Arkansas Freedom of Information Law then in force.
- D. All meetings of the City Council shall be open to the public.
(Ord. No. 155, Secs. 1-4.)

2.16.02 Special meetings

- A. "Special meeting" is hereby defined to mean all meetings of the City Council which are not regularly scheduled meetings.

- B. Special meetings of the Council may be held upon the call of the Mayor, whenever, in his opinion it should be necessary, or by any three (3) Aldermen, by giving notice at least one (1) day prior to such special meeting; which notice shall be by telephone or personal contract of all members of the City Council, which notice shall tell the time of the meeting and the purpose thereof. In the case of an extreme emergency, the Council may waive the one (1) day notice required herein, provided a quorum can be obtained and any action taken must be satisfied at the next regularly scheduled meeting or at a special meeting for which full notice was given.
- C. All meetings of the City Council "notwithstanding executive sessions" shall be public meetings. Notice of the time, place, and date of all special meetings shall be given to representatives of the newspapers, radio stations, or television stations located in Craighead County, which have requested to be notified of such special meetings at least two (2) hours before the special meeting takes place. (Ord. No. 142B, Secs. 1-3.)

2.16.03 Items on the agenda

- A. Any citizen seeking to be placed upon the City Council agenda or to address the City Council at a regularly scheduled meeting submit in writing or by telephone to the City Clerk's office no later than 11:00 a.m. on the Thursday prior to the regular City Council meeting a request to be placed upon the agenda stating the subject matter to be addressed.
- B. All items regarding rezonings, street abandonments, alley abandonments, appeals, annexations, petitions and any other transaction which is to be placed on the agenda, must be submitted with full disclosure of details and information, to the office of the City Clerk.
- C. Any person seeking to delete an item from the agenda must contact the City Clerk by written notice or telephone prior to the regular City Council meeting.
- D. The Mayor, as chief executive of the city, may add items to or delete items from the agenda, as prepared by the Clerk, providing it is done so in a time frame that allows a copy of the changes by made available to every Councilmember by the affected meeting time. The City Council may override the Mayor's amendments to the agenda with a 2/3 vote of Councilmembers present.
- E. Eight (8) copies of any and all documentation submitted shall be provided to the City Clerk and shall be on a mailable size of no larger than 8 ½ X 14 inches.
- F. All ordinances and resolutions submitted to the Clerk's office must be written in proper form. Any ordinance or resolution which appears to be in improper form

according to the City Clerk will be approved or disapproved by the City Attorney upon request by the City Clerk.

- G. Failure to meet any or all of the above mentioned requirements will result in the item(s) not being placed upon the agenda.
- H. Any ordinance or resolution rejected due to improper form will be returned to the person submitting it with suggestions on the proper remedy or proper form to be implemented and the document may be corrected and resubmitted at a later date. (Ord. No. 98-175A, Secs. 1-8.)

2.16.04 Councilmembers from wards From each ward, two (2) Councilmembers shall be elected. Aldermen shall be elected at the next general election in November. Councilmembers shall reside in the ward in which position they run, but all of the electors in the city shall vote for each alderman. (Ord. No. 140, Sec. 2.)

CHAPTER 2.20

MAYOR

Sections:

- 2.20.01 Acting in emergency
- 2.20.02 Second successor
- 2.20.03 Power of the Mayor
- 2.20.04 Designated capacity
- 2.20.05 Service of successor

2.20.01 Acting in emergency It is hereby provided and determined that in the event the Mayor of the city of Lake City, Arkansas, is unavailable to perform his supervisory duties under the provisions of the Arkansas Emergency Service Act, the City Clerk of the city of Lake City, Arkansas, is hereby designated to act under said circumstances and in such capacities necessary to protect lives and property in the city of Lake City, Arkansas. (Ord. No. 2006-217, Sec. 4.)

2.20.02 Second successor In the event the City Clerk of the city of Lake City, is unable to act under the provisions of the Arkansas Emergency Service Act, the Chief of Police, of the city of Lake City, Arkansas, shall act in such capacity for the purpose of said Act. (Ord. No. 2006-217, Sec. 5.)

2.20.03 Power of the Mayor The designation of the successors of the office of Mayor for the city of Lake City, Arkansas, under the provisions of this order shall in no way restrict, impair or limit any office of Mayor or taking such other action as by law provided, and that the above designation shall only apply until a presiding Mayor who has been temporarily unable or is unavailable to so serve for any reason under such emergency or disaster resumes his duties and further, in the event he does not do so, that the above designation shall apply only until a successor is elected and qualified as may be provided the City Council of the city of Lake City, Arkansas, under the Act 742 of 1977. (Ord. No. 2006-217, Sec. 6.)

2.20.04 Designated capacity The designation of emergency interim successors as herein above set forth shall empower the person holding said office or employed as above described as a time when the Mayor is unavailable and within the meaning of Emergency Service Act, to as in such designated capacity. (Ord. No. 2006-217, Sec. 7.)

2.20.05 Service of successor Be it further provided, such designated interim successors shall serve in such designated capacity at the pleasure of the City Council and may be removed or replaced by the City Council at any time with or without cause. (Ord. No. 2006-217, Sec. 8.)

CHAPTER 2.24

FIRE DEPARTMENT

Sections:

- 2.24.01 Fire Marshall
- 2.24.02 Qualifications
- 2.24.03 Duties
- 2.24.04 Right of entry
- 2.24.05 LOPFI

2.24.01 Fire Marshall

- A. The office of Fire Marshall is hereby established and the executive official in charge shall be known as the Fire Marshall.
- B. The Fire Marshall shall be appointed by the Mayor upon approval of the City Council. His appointment shall be for a period of two (2) years. The city shall pay said appointee a salary of Six Hundred Dollars (\$600.00) per year.
- C. The Fire Marshall shall remain in office for his two year term, unless, due to unsatisfactory services, the City Council votes by a two-thirds (2/3) majority to remove him.

- D. Due to temporary absence or disability of the Fire Marshall, the Mayor shall designate an acting Fire Marshall. (Ord. No. 131, Sec. 1.)

2.24.02 Qualifications He shall be in good health, physically capable of making the necessary examinations and inspections. He shall be able to enforce the laws of the city of Lake City and the State Fire Code in an unbiased manner. (Ord. No. 131, Sec. 2.)

2.24.03 Duties

- A. He shall inspect all public and private schools within the city limits.
- B. The Fire Marshall shall inspect all places of business within the city limits. The businesses which house chemicals shall be inspected a minimum of twice a year.
- C. The Fire Marshall shall keep accurate records of chemical storage and of his inspections.
- D. It shall be the duty of the Fire Marshall to enforce all state and city laws pertaining to fire, burning, and safety. (Ord. No. 131, Sec. 3.)

2.24.04 Right of entry The Fire Marshall, in the discharge of his official duties, and upon identification, shall have authority to enter any building, structure, or premises at any reasonable hour. (Ord. No. 131, Sec. 4.)

2.24.05 LOPFI

- A. If accepted by the Arkansas Local Police and Fire Retirement System (LOPFI), the administration of the retirement program coverage for all Lake City Firemen's Pension and Relief Fund participants shall be transferred to the Arkansas Local Police and Fire Retirement System (LOPFI) pursuant to the authority of Act 364, Acts of Arkansas, 1981, as amended, and including other acts of the State Legislature, provided that such retirement coverage for said Relief Fund participants shall mean the administration of that fund only and not a change in the Relief Fund's benefit program.
- B. The Chief Administrative Officer is hereby authorized to enter into an agreement with the Arkansas Local Police and Fire Retirement System (LOPFI) to administer the Lake City Firemen's Pension and Relief Fund as stated in Section (A) hereof. (Ord. No. 2003-202, Secs. 1-2.)

CHAPTER 2.28

DISTRICT COURT

Sections:

2.28.01	Creation
2.28.02	Matters
2.28.03	Fines
2.28.04	Additional court costs

2.28.01 Creation There is hereby created and established, under the authority of Act 52 of the Acts of the General Assembly of the state of Arkansas for the year 1969, a corporation court to be styled the District Court of Lake City, Arkansas. (Ord. No. 55, Sec. 1.)

2.28.02 Matters All matters relating to such court shall be governed by the provisions of Act 52 of 1969, or generally by Act 60 of the Acts of the General Assembly for the state of Arkansas for the year 1927, as amended (A.C.A. 16-17-201, et seq.). (Ord. No. 55, Sec. 2.)

2.28.03 Fines The Clerk of this court shall collect all fines assessed for violation of city ordinances and remit such fines to the City Treasurer. All costs collected as a result of levy of fines for violation of city ordinances, which are normally remitted to the City Treasury, shall be transferred to the County General Revenue Funds for so long as the salaries of the District Judge and District Court Clerk are paid by county appropriation. (Ord. No. 55, Sec. 3.)

2.28.04 Additional court costs

- A. The city of Lake City is authorized to charge a Five Dollar (\$5.00) fee to anyone convicted by the Lake City Police Force of a DWI in order to offset the city's expenses in the administering of the intoximeter test. (Ord. No. 104, Sec. 1.)
- B. From and after the passage of this ordinance there shall be taxed as a cost to be collected by the District Court of Craighead County, Lake City, the sum of Five Dollars (\$5.00) for every case arising within the confines of this city's jurisdiction, said cost to be collected and paid to the city and treated as any other court cost. (Ord. No. 110, Sec. 1.)
- C. The City Council of Lake City, Arkansas, has determined that the need exists to maintain, upgrade and purchase equipment for the Lake City Police Department and that an additional court cost of Five Dollars (\$5.00) will be added to all present Lake City cases handled in District Court. This money will be placed in the General Fund for the purpose of operation of the Police Department. (Ord. No. 148, Sec. 1.)