

TITLE 2

CLASSIFICATION, ADMINISTRATION AND PERSONNEL

Chapters:

- 2.04 City Classification
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CHAPTER 2.04

CITY CLASSIFICATION

Sections:

- 2.04.01 Operation as second class city

2.04.01 Operation as second class city The city 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

CITY AND WARD BOUNDARIES

Sections:

- 2.08.01 Ward redistricting plan
- 2.08.02 Actual boundary

2.08.01 Map of city The ward redistricting plan depicted on the map attached hereto and made a part hereof, be and is hereby adopted as the Official Ward Map for the city of Greenland, Arkansas. (Ord. No. 302, Sec. 1.)

2.08.02 Actual boundary Whenever a ward boundary on the attached map is a street or highway, the actual boundary shall be the centerline of that street or highway. (Ord. No. 302, Sec. 2.)

CHAPTER 2.12

SOCIAL SECURITY COVERAGE

Sections:

- 2.12.01 Contract
- 2.12.02 Withholding taxes from wages
- 2.12.03 City to match withholding

2.12.01 Contract The Mayor and Recorder/Treasurer are hereby authorized and directed to enter into an agreement with the state for the purpose of obtaining insurance coverage for the employees of the city under the terms and provisions of the Federal Social Security Act.

2.12.02 Withholding taxes from wages Each employee's insurance contribution shall be deducted from his salary check in accordance with the terms and ,revisions of the Social Security Act.

2.12.03 City to match withholding There is hereby appropriated from the general fund of the city of Greenland, 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 Social Security Act.

CHAPTER 2.16

UNCLAIMED PROPERTY

Sections:

- 2.16.01 Disposal
- 2.16.02 Sale
- 2.16.03 Proceeds of sale to owner
- 2.16.04 Proceeds remaining after six months

2.16.01 Disposal The Police Chief, 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

2.16.02 Sale All unclaimed personal property coming in to the hands of the Police Chief of the city of Greenland, Arkansas, will be held by him for a period of six (6) weeks or longer. If property remains unclaimed, he shall periodically advertise such property in some newspaper having a bona fide circulation in the city of Greenland, Arkansas, once each week for three (3) consecutive weeks setting forth in 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 Police Chief 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 his own before the sale from claiming and having property restored to them.

2.16.03 Proceeds of sale to owner The Police Chief shall deposit the receipts from the aforesaid sale of unclaimed property in the treasury and the Recorder/Treasurer is to keep these funds in a special account for a period of at least six (6) months and any person identifying as his own any of such property within that six (6) month period shall, upon the presentation of satisfactory proof, be paid by the city of Greenland, Arkansas, out of the special account the amount of which the property was sold. The Police Chief or some person designated by him shall keep in a well-bound book 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.

2.16.04 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 2.20

CITY COUNCIL

Sections:

2.20.01	Council meetings - regular
2.20.02	Council meetings - special
2.20.03	Freedom of information procedure
2.20.04	Order of business
2.20.05	Compensation

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

2.20.02 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 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.

2.20.03 Freedom of information procedure Any and all meetings of City Council of the city of Greenland, Arkansas, shall be public meetings. Notice of the time, place and date of all such special meetings shall be given to representatives of the radio stations and newspapers located in Washington County which have requested to be notified at least two (2) hours before the special meeting takes place.

2.20.04 Order of business At all meetings of the City Council of the city of Greenland, Arkansas, 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

2.20.05 Compensation

- A. Effective January, 2015, the monthly salary for each member serving on the Greenland City Council shall be Fifty Dollars (\$50.00) before taxes.
- B. Payment of the Councilmembers' salary (less taxes and legal withholding) shall be annually at or following the December Council meeting.
- C. The monthly salary may be amended for future years beginning in 2016, by passage of a budget which provides for a greater or lesser monthly amount being appropriated.

- D. A Councilmember who, without previously delivering to the Mayor a written resignation misses two (2) or more regular Council meetings in a calendar year, shall forfeit one month's salary for the second and all additional regular meetings missed.
- E. All payments to Councilmembers in 2014 and prior years for their service as members of the Council which were appropriated in budgets duly adopted are hereby ratified and confirmed. (Ord. No. 316, Secs. 1-5.)

CHAPTER 2.24

MAYOR

Sections:

2.24.01 Duties and responsibilities

2.24.01 Duties and responsibilities From and after the effective date of this ordinance, any person holding the office of Mayor of Greenland, Arkansas, will be an elected official of the city of Greenland with those duties and responsibilities assigned by state law or duly enacted ordinance/resolution of the City Council and not an employee of the city.

The salary of such Mayor shall be as set by the annual budget and paid in accordance with the payroll procedures of the city. The Mayor shall have state and federal income taxes, FICA, Medicare and any other state or federally required sums withheld from their salary and the city shall pay the employer's share of the FICA and Medicare. (Ord. No. 314, Sec. 2.)

CHAPTER 2.28

RECORDER/TREASURER

Sections:

- 2.28.01 Duties and responsibilities
- 2.28.02 Vacancy

2.28.01 Duties and responsibilities From and after the effective date of this ordinance, any person holding the office of Recorder/Treasurer for Greenland, Arkansas, whether by election pursuant to A.C.A. 14-44-115, or by appointment pursuant to A.C.A. 14-44-116, will be an elected official with those duties and responsibilities as assigned by state law or duly enacted ordinance/resolution of the City Council and not an employee of the city.

The salary of such Recorder/Treasurer shall be as set by the annual budget and paid in accordance with the payroll procedures of the city. The Recorder/Treasurer shall have state and federal income taxes, FICA, Medicare and any other state or federally required sums withheld from their salary and the city shall pay the employer's share of the FICA and Medicare taxes. (Ord. No. 314, Sec. 1.)

2.28.02 Vacancy Due to the existing vacancy in the office of Recorder/Treasurer, the Chairman of the City Council is authorized to execute all necessary documents, ordinance, resolutions, notices and other things/papers, other than checks/drafts, in place of the Recorder/Treasurer except where prohibited by law. (Ord. No. 314, Sec. 4.)

CHAPTER 2.32

CITY ATTORNEY

Sections:

2.32.01	Appointment
2.32.02	Duties
2.32.03	Term
2.32.04	Resignation or termination
2.32.05	Responsibilities
2.32.06	Salary

2.32.01 Appointment The Mayor shall appoint a qualified attorney who is a resident in Washington County to serve as the City Prosecuting Attorney. (Ord. No. 83, Sec. 1.)

2.32.02 Duties It shall be the duty of the City Attorney to prosecute all cases in the District Court for violation of the city ordinances, and to prosecute and defend, as the case may require, for the city, all cases in which the city may be interested, whether civil or criminal, in all the courts, state and federal.

2.32.03 Term The District Attorney for the city of Greenland, Arkansas, shall be appointed by the Mayor and approved by a majority of the City Council for terms of two (2) years which term shall begin January 1 of each odd numbered year and end on December 31 of the following even numbered year or for periods of time as may be required to fill vacancies. (Ord. No. 171, Sec. 1.)

2.32.04 Resignation or termination Nothing herein shall prevent the aforesaid City Council, by majority vote, from terminating a District Attorney, at will, with or without cause, furthermore, nothing herein shall prevent a duly appointed and acting District Attorney from resigning such position at will, and in either event no prior notice shall be required. (Ord. No. 171, Sec. 2.)

2.32.05 Responsibilities The District Attorney shall be responsible for representing the city of Greenland in all actions civil and criminal, to attend all meetings of the City Council, to give (when called upon) advice in matters of law to the Mayor and City Council, to write ordinances referred to him by the City Council, to write or pass upon the legal form and validity of all contracts (when called upon to do so), and providing general legal services to the city as may be required by local ordinance or state law. (Ord. No. 171, Sec. 3.)

2.32.06 Salary

- A. The various budget ordinances of the city of Greenland enacted since September of 1983 which changed or set the salaries of the Judge of the City Court and the City Prosecuting Attorney are hereby specifically ratified and confirmed.
- B. The salaries of the Judge of the City Court and of the City Prosecuting Attorney as established by various budget resolutions or special resolutions dealing with the combined office of District Attorney and City Prosecuting Attorney are hereby specifically ratified and confirmed, and such salaries shall hereafter be set by annual budget resolutions or special resolution. (Ord. No. 276, Sec. 2-3.)

CHAPTER 2.36

FIRE DEPARTMENT

Sections:

- 2.36.02 Appointment and removal of Fire Chief
- 2.36.03 Duties of Fire Chief
- 2.36.04 Compensation for volunteer firemen
- 2.36.05 Registration of volunteer firemen
- 2.36.06 Firemen's Pension and Relief Fund

2.36.02 Appointment and removal of Fire Chief The Fire Chief and Fire Department is hereby created and shall consist of the following personnel:

One Fire Chief and any number of volunteer firemen as the Fire Chief shall determine as necessary from time to time.

The Fire Chief shall be appointed by the Mayor unless appointment is disapproved by a two-thirds (2/3) vote of the Council membership. Such Fire Chief shall be subject to removal by the Mayor unless removal is overruled by Council by a two-thirds (2/3) vote of the Council membership.

2.36.03 Duties of Fire Chief The Fire Chief shall be the head of the department and shall be fully responsible for the operation and the equipment of the department. It shall be his duty to determine all matters in connection with the operation of the department except the expenditure of city funds. He shall make periodic reports to the City Council of the city of Greenland, Arkansas, showing the names of paid firefighters, number of hours on duty, the condition of the equipment of the department, and such other matters as shall be determined necessary by resolution or ordinance of the City Council.

2.36.04 Compensation for volunteer firefighters The volunteer firefighters shall be paid for such services as they render based upon the number of calls answered. The Chief shall attend all City Council meetings for the purpose of furnishing any information required by the City Council.

2.36.05 Registration of volunteer firefighters All volunteer firefighters shall be registered with the Fire Chief and their names, addresses and phone numbers shall be posted in the Fire Department and also on file with the _____. Such lists shall be kept up to date by the Fire Chief.

2.36.06 Firefighters' Pension and Relief Fund The City Council of the city of Greenland, Arkansas, shall, on or before the time fixed by law for levying county taxes, make out and certify to the County Clerk the rate of taxation levied by the city of Greenland, Arkansas, on the real and personal property within the city, not to exceed one (1) mill on the dollar of the assessed value, for the purpose of paying pensions to retired firefighters, and pensions to surviving spouse and minor children of deceased firefighters and surviving spouse and minor children of deceased retired firefighters, as provided by law. The City Council shall make the rate of taxation, not to exceed one (1) mill on the dollar of the assessed value of the real and personal property within the city, sufficient to raise and provide such amount of money as the Board of Trustees of the Firefighters; Pension and Relief Fund certified to the City Council will be required to pay pensions to surviving spouse and minor children of deceased firefighters and surviving spouses and minor children of deceased retired firefighters, for the following year. If the amount certified to the City Council by the Board of Trustees is more than a levy of one (1) mill will produce, the City Council shall make the full levy of one (1) mill. All members of the Fire Department, whether past, present or future and whether they be paid, part pair or volunteer firefighters, their surviving spouses and minor children who meet the requirements established by the laws of the state for such eligibility, shall be included in the estimate of the amount of money required to pay pensions, which said Board is required to submit to the City Council, and all persons eligible to receive such benefits shall be entitled to receive them.

This code shall at all times conform to state law governing the Firemen’s Pension and Relief Fund and any amendment to such state law shall automatically amend this code to assure compliance with state law.

STATE LAW REFERENCE - See A.C.A. 24-11-801 - 24-11-822, Amend. 31, Ark. Const.

CHAPTER 2.40

POLICE DEPARTMENT

Sections:

- 2.40.01 Established
- 2.40.02 Duties of Police Chief
- 2.40.03 Arkansas Local Police and Fire Retirement System
- 2.40.04 Employer contributions
- 2.40.05 Penalty
- 2.40.06 Warrants Service Fund

2.40.01 Established the city hereby establishes a police department which shall be known as the “Police Chief Police Department” and the duties thereof shall be to maintain police protection and police services within the city of Greenland, Arkansas.

STATE LAW REFERENCE - See A.C.A. 14-52-101

2.40.02 Duties of Police Chief The Police Chief shall be the head of the department and shall be fully responsible for the operation and the equipment of the department. It shall be his duty to determine all matters in connection with the operation of his department, except the expenditure of city funds therein. He shall attend the first Council meeting of the month and make his monthly report to the City Council concerning the operation and equipment of the department, and such other matters as shall be determined necessary by ordinance of the City Council. Other duties shall be such as are fixed by the laws of the state and ordinances of the city.

2.40.03 Arkansas Local Police and Fire Retirement System The City Council on behalf of the city of Greenland, Arkansas, a “political subdivision: as defined in Act 364 of 1981, hereby elects to have covered by the Arkansas Local Police and Fire Retirement System all its eligible present and future employees who are:

“Policemen”, as defined in Act 364

The city of Greenland hereby elects to commence retirement coverage for its eligible employees on December 1, 1992. (Ord. No. 137, Sec. 1.)

2.40.04 Employer contribution The city of Greenland understands that employer contributions (and member contributions when applicable) are to be effective the first day of the month following the adoption of retirement coverage. (Ord. No. 137, Sec. 2.)

2.40.05 Penalty

- A. As authorized by A.C.A. 27-50-401 as amended, there is hereby levied a penalty of Three Dollars (\$3.00) for each conviction, each plea of guilty or *nolo contendere*, of a traffic violation, where the conviction arises out of the operation of a motor vehicle in violation of municipal ordinances or the laws of this state.
- B. This penalty shall also apply to each conviction, plea of guilty or *nolo contendere*, for the violation of municipal ordinances or a criminal law of this state.
- C. The term conviction shall include forfeiture of bond. Any bond posted pursuant to a charge or citation for violation of a law or ordinance specified in this section shall include the Three Dollars (\$3.00) additional penalty provided in this section.
- D. The cost set forth in this section may be imposed at the conclusion of any criminal case that does not end in an acquittal, dismissal or, with the consent of the prosecution, a *nolle prosequi*, including, but not limited to, cases involving a suspended or probated sentence that at anytime may be expunged or otherwise removed from the defendant's record. (Ord. No. 137, Sec. 4.)

2.40.06 Warrant Service Fund For each warrant for the City Court of Greenland, Arkansas, served on 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 guilt for misdemeanors or traffic violations in the City Court the sum of Fifty Dollars (\$50.00), which sum shall be placed in a separate fund called the Warrants Service Fund to be used by the city to defray the expenses of the service of warrants issued by the City Court of Greenland, Arkansas. (Ord. No. 206, Sec. 1.)

CHAPTER 2.44

DISTRICT COURT

Sections:

2.44.01	District Court established
2.44.02	Qualifications and powers of District Judge
2.44.03	Salary
2.44.03	Criminal Justice Fund created
2.44.04	Creation of Administration of Justice Fund
2.44.05	Additional fines
2.44.06	Allocation of defendants' fines
2.44.07	Collection of fines

2.44.01 District Court established The District Court is hereby established for the city.

2.44.02 Qualifications and powers of District Judge The District Judge shall possess the same qualifications and have the same powers jurisdiction, functions and duties as is provided by state law for other District Judges.

2.44.03 Salary

- A. The various budget ordinances of the city of Greenland enacted since September of 1983 which changed or set the salaries of the Judge of the City Court and the City Prosecuting Attorney are hereby specifically ratified and confirmed.
- B. The salaries of the Judge of the City Court and of the City Prosecuting Attorney as established by various budget resolutions or special resolutions dealing with the combined office of District Attorney and City Prosecuting Attorney are hereby specifically ratified and confirmed, and such salaries shall hereafter be set by annual budget resolutions or special resolution. (Ord. No. 276, Sec. 2-3.)

2.44.03 Criminal Justice Fund created

- A. Five Dollar (\$5.00) cost levied Under the authority of A.C.A. 16-17-111, there is hereby levied and shall be collected from each defendant upon each plea of guilty or nolo contendere, forfeiture of bond or determination of guilt for misdemeanors or traffic violations in the City Court of Greenland, Arkansas, a sum of Five Dollars (\$5.00) in addition to all other costs now or as may hereafter be provided by law.
- B. Criminal Justice Fund created The monies collected by the levy of this additional court cost shall be deposited into the City Court account until monthly settlement

is made for court costs and money collected by this levy shall be deposited into a bank account known as the (Criminal Justice Funds for the city of Greenland) and such money shall be used as directed by A.C.A. 16-17-111. (Ord. No. 118, Sec. 1)

2.44.04 Creation of Administration of Justice Fund

- A. Under authority of A. C. A. Section 16-17-113, it is hereby levied and shall be collected from each defendant upon each plea of guilty, nolo contendere, forfeiture of bond, or determination of guilt for misdemeanors or traffic violations in the City Court of Greenland, Arkansas, the sum of Three Dollars (\$3.00) in addition to all other costs now or as may hereafter be provided by law.
- B. The monies collected by the levy of this court cost shall be deposited into the City Court account until a monthly settlement is made for court costs and money collected by this levy shall be titled the (Administration of Justice Fund for the city of Greenland) and deposited and disbursed according to A.C.A. 16-17-113. (Ord. No. 118, Sec. 2)

2.44.05 Additional fines

- A. There is hereby levied an additional fine of Five Dollars (\$5.00) for each charge, count, violation or offense to which a defendant pleads guilty or nolo contendere to, is found guilty of or forfeits bond.
- B. The Clerk of the Greenland City Court, from and after passage of this ordinance, shall collect from each defendant who pleads guilty of nolo contendere to, is found guilty of, or forfeits bond for, including each misdemeanor or traffic violation, the additional fine hereby levied.
- C. All funds collected by the Greenland City Court Clerk as herein provided shall be accounted for separately and shall be used solely for the purposes and uses set forth in A.C.A. 16-17-129 (as amended from time to time) and for no other purposes; payment shall be made periodically as determined by the Clerk. (Ord. No. 251, Secs. 1-3.)

2.44.06 Allocation of defendants' fines Payments on defendants' fines, costs and restitution when received by the Greenland Department of the West Fork District Court Clerk and/or deputies shall henceforth be allocated first as restitution to victims pursuant to A.C.A. 16-20-209(5)(f)(ii)(b). If there is no restitution or after restitution has been fully paid, all additional sums shall be applied as paid one-half (½) to costs and one-half (½) to fines. (Ord. No. 309, Secs. 1-2.)

2.44.07 Collection of fines The Court Clerk of the Greenland Department of the West Fork District Court shall be primarily responsible for the collection of fines assessed in such court, and he/she may designate Deputy Court Clerks or other city employees to assist as needed. (Ord. No. 315, Sec. 1.)

CHAPTER 2.48

CITY LIBRARY BOARD

Sections:

2.48.01	Established
2.48.02	Appointment to Board
2.48.03	Powers of Board
2.48.04	Purpose
2.48.05	Returning materials
2.48.06	Penalty
2.48.07	Interlocal agreement

2.48.01 Established That there is hereby established a Greenland City Library Board pursuant to A.C.A. 13-2-501 et seq. (Ord. No. 113, Sec. 1)

2.48.02 Appointment to Board That the Mayor shall appoint six (6) citizens of the city of Greenland, Arkansas, to serve as trustees on said Board, subject to the approval of the City Council. (Ord. No. 113, Sec. 2)

2.48.03 Powers of Board That the powers of said Board of Trustees and the terms of the individual trustees shall be those as provided in A.C.A. 13-2-502. (Ord. No. 113, Sec. 3)

2.48.04 Purpose That the purpose for the establishment of said Board of Trustees is to maintain the Greenland Public Library and to continue the working relationship already established with the Ozark Regional Library. (Ord. No. 113, Sec. 4)

2.48.05 Returning materials

- A. It shall be unlawful for any person or persons to injure, or fail to return to the Public Library of the city of Greenland, Arkansas, after written demand therefore mailed to the last known address of such person or persons, any book, periodical or property belonging to or held for lending by the library. Said written demand shall state that the demand is being made pursuant to the authority contained in this ordinance, and that failure to return the books, periodical or property specified within ten (10) days from the date shown on said written demand shall be considered a violation of this ordinance resulting in prosecution thereof.

- B. Whether the damaged, injured or missing book is owned by the Greenland Library, the city of Greenland or the Ozarks Regional Library System shall not be a defense to a prosecution under this ordinance. (Ord. No. 195, Sec. 1.)

2.48.06 Penalty Any person violating the provisions of this ordinance shall upon conviction of same be guilty of a misdemeanor, and shall be fined an amount not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and assessed costs. (Ord. No. 195, Sec. 2.)

2.48.07 Interlocal agreement An interlocal agreement concerning library service between Washington County, Arkansas, the Washington County Library Board and the cities of Greenland and Winslow, Arkansas, is approved and the Mayor is authorized to sign such. (Ord. No. 245, Sec. 1.)

CHAPTER 2.52

PERSONNEL POLICIES

Sections:

2.52.01 Personnel policies

2.52.02 – 2.52.05 Reserved

2.52.01 Personnel policies The personnel policies of the city of Greenland are set forth in a pamphlet entitles “Personnel Handbook, Greenland, Arkansas” and bearing the date of the adoption of that version of the Handbook. An interested party should contact City Hall, Greenland, Arkansas, or the Greenland Recorder/Treasurer for a copy of the Personnel Handbook in effect. (Ord. No. 320, Sec. 2.)