



City of Farmington
354 W. Main Street
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Farmington, AR 72730
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CITY COUNCIL AGENDA
November 19, 2018

A regular meeting of the Farmington City Council will be held on
Monday, November 19, 2018 at 6:00 p.m.
City Hall
354 W. Main Street, Farmington, Arkansas.

1. Call to Order – Mayor Ernie Penn
2. Roll Call – City Clerk Kelly Penn
3. Pledge of Allegiance
4. Comments from Citizens – the Council will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
5. Approval of the minutes – October 8, 2018 City Council Minutes
6. Financial Reports
7. Entertain a motion to read all ordinances and resolutions by title only.
8. Proclamations, special announcements, committee/commission appointments.
9. Committee Reports
 - a. Street Committee
 - b. City Beautification Committee
 - c. Economic Development Committee
 - d. Park & Recreation Committee
10. Items to be removed from City of Farmington Inventory – **SEE MEMOS**

NEW BUSINESS

11. Request approval to accept bid from DECCO Contractors-Paving, Inc. for the North Hawkins lane widening.
12. Request approval to purchase and replace 30 SCBA air pack bottles for the Fire Dept.
13. Request approval for the renewal of the School Resource Officer contract with Farmington School District.
14. Ord. No. 2018-12 – An ordinance to adopt a revised Personnel Policy for the City of Farmington, Arkansas.
15. Ord. No. 2018-14 – An ordinance to amend Ordinance 72-5.5 to establish a curfew in the City of Farmington, Arkansas, and for other purposes.
16. Resolution 2018-07 – A Resolution providing for the adoption of a budget for the City of Farmington, Arkansas, for the twelve (12) months beginning January 1, 2019 and ending December 31, 2019, appropriating money for each item of expenditure therein provided for; and other purposes.

INFORMATIONAL ITEMS:

- A. City Business Manager Report
- B. Court Clerk Monthly Distribution Report
- C. Fire Department Report
- D. Police Department Report
- E. Building/Public Works Report
- F. Library Report
- G. Planning Commission Minutes

Minutes

Minutes of the Regular Farmington City Council Meeting October 8, 2018

The regular meeting of the Farmington City Council scheduled for Monday, October 8th, 2018 was called to order at 6:00 pm by Mayor Ernie Penn. City Clerk Kelly Penn called the roll and the following Council Members were present and answered to their names: Patsy Pike, Sherry Mathews, Linda Bell, Brenda Cunningham, Bobby Morgan, Diane Bryant and Shelly Parsley. City Business Manager Melissa McCarville and City Attorney Tennant were also present. Council Member Keith Lipford arrived at 6:01 pm. Mayor Penn led the Pledge of Allegiance.

Comments from Citizens –

Tony Montez, 6 Bellwood Drive – There is a subdivision under construction behind my house, they built a retention pond that is mosquito infested. We have kids that play outside on our street and my daughter plays in the back yard and the kids got bit by several mosquitoes. I want to fence my property and want to know the time frame of the project. Every week its some new utility digging up my property and I am very frustrated. This has gone on for months and I just need some answers on when it will be done.

Jim Duffy, 11324 Frisco Drive, 479-935-7475, rezoning raises red flags, the drainage on the golf course that goes to Bear Drive to Riviera Drive will cause flooding if not done properly. If it goes north, water goes to East Creek, water on HWY 170 will go Payne Stewart area, the change in water will be detrimental to property, please pay attention.

Phillip Miley, 12043 Riviera Place – In the August meeting it was stated that city of Fayetteville did not recycle glass, and I am not blaming anyone for the misconception, but they do. What is the incremental price to recycle glass? Not recycling glass takes up landfill space, I would like to see the city look at other options.

Willie Newman – 246 Pine Meadow, 479-871-8523 - with regards to Tony Montez previous questions, who has liability for the completed detention pond, the city, POA or property owner? He was told Mike Pennington is the property owner and is responsible until the property is sold and then the POA is responsible. Mr. Newman had other questions regarding agenda items and was informed of the time for those comments.

Approval of the minutes for the September 10th, 2018 regular meeting of the city council. Council Member Bryant mentioned 1 typo and a last name spelling correction in the minutes that needed to be corrected. On the motion of Council Member Bryant and seconded by Council Member Parsley and by the consent of all Council Members present after a roll call vote, the amended minutes for the meeting were approved as presented 8-0.

Financial Reports – Mayor Penn presented the financial reports. City Clerk Penn presented the 2016 Audit from Przybysz and Associates. Przybysz & Associates took the findings of the Legislative Audit investigation after the discovery of theft and used that information to complete their final contract with the city of Farmington. All 3 items mentioned in the audit findings, 2016-001 Misstatements due to fraud entered into accounting records, 2016-002 Incorrect recording of activity and interfund transactions not in balance, 2016-003 Internal controls over Financial Statement Preparations were in direct relation to the employee theft. The city has implemented 6-person segregation of duties process for the items, rather than the suggested 3-person segregation. This audit completes Przybysz & Associates contractual obligation to the city of Farmington, as going forward all audits will be conducted by Legislative Audit. The 2017 final audit will be presented to Legislative Audit Committee on October 13, 2018 and then the final report will be mailed to council members at their home addresses. On the motion of Council Member Cunningham and seconded by Council Member Lipford and by the consent of all Council Members present after a roll call vote, a motion was made to approve and acknowledge the receipt of the 2016 audit by Przybysz & Associates along with the corrective steps taken for each finding as detailed in our September 29th, 2017 written response to the Legislative Audit Committee was accepted, and approved as presented 8-0.

Entertain a motion to read all Ordinances and Resolutions by title only. On the motion of Council Member Bryant and seconded by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the motion to read all Ordinances and Resolutions by title only was approved 8-0.

**Proclamations, Special Announcements, Committee/Commission Appointments.
Committee Reports**

Appointment of Chad Ball to the Planning Commission

Mayor Penn announced Planning Commissioner Matt Hutcherson was moving and that Chad Ball is the recommended replacement. Mayor Penn read a letter of interest and qualifications that Chad Ball had submitted. On the motion of Council Member Bryant and seconded by Council Member Bell and by the consent of all Council Members present after a roll call vote, the appointment of Chad Ball to position 6, replacing Matt Hutcherson, expiring in 2019 to the planning commission was approved as presented 8-0.

Hwy 170 Right of Way Update – James F. Braden, Project Manager for Pinnacle Group, gave the council an update on the notification to property owners for the Hwy 170 project. He directed Council Members to send citizens with questions about their property directly to him. The process of notification will begin the last week of October or the first week of November. There will be 65 tracts of property affected and they will be notified by regular mail.

Committee Reports – All committee reports were included in the council packets. Mayor Penn advised the council we may have to call a special city council meeting to approve the park project bids when they come in so there is no delay to the project.

Items to be removed from City of Farmington Inventory – None

New Business

Ordinance No. 2018-13 An Ordinance waiving requirement of competitive bidding for the purchase of a Dell Equal Logic Server and Networking System Management Equipment for the City of Farmington pursuant to Ark Code 14-58-303 (b) (2) (B).

City Business Manager McCarville reported to the council that our server had a catastrophic failure last week and we need to purchase a new server. They were able to repair it with a patch to get it running in the short term. The replacement of the server was going to be a budgeted item in 2019, but we can't delay that long in the replacement. Billie Virgin advised the council the server had beat it's end of life date which was 2017 and repairing it was not an option and this will handle future expansion. Delivery will take 1 week and then 2 weeks to build onsite. Mayor Penn opened to floor for public comment.

Phillip Miley – 12043 Rivera Place – How is the training going to be paid for? It doesn't do any good to get a new system if you don't know how to use it. City Clerk Penn stated this was not a new operating system for the city, this was a new server, it would have no impact on day to day operations for city staff. The new operating system will be a 2019 budget item that council would address in budget considerations. The public comment section was closed.

A motion was made by Council Member Bryant to suspend the rule requiring the reading of an ordinance in full on 3 different dates and for Ordinance 2018-13 be read 1 time by title only. It was seconded by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. Mayor Penn asked shall the ordinance pass? After a roll call vote it was approved by all those present 8-0. City Attorney Tennant read the ordinance by title only. A motion was made by Council Member Lipford and seconded by Council Member Cunningham to pass Ordinance 2018-13 with an emergency clause. After a roll call vote, it was approved by all those present by an 8-0 vote.

Request approval to purchase new server

Mayor Penn opened the item for public comment, there was none. Public comment was closed. On the motion of Council Member Bryant and seconded by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the motion to approve the purchase of the Dell Server from Dell in the amount of \$65,213.90 and installation cost of \$10,000.00, for a total of \$75,213.90 was approved 8-0.

Ordinance No. 2018-10 An Ordinance levying a tax on the real and personal property within the City of Farmington, Arkansas for the year 2019 fixing the rate thereof at 5.0 mils and certifying the same to the County Clerk of Washington County, Arkansas.

City Clerk Penn informed the council that this was an annual housekeeping item, not a new tax, that was before the council. Mayor Penn opened the item for public comment.

Willie Newman – 246 Pine Meadow, 479-871-8523 - stated that the city had an increase in accident reports and that as the city got bigger we would need more protection. He asked why this was a housekeeping item, did we just last minute decide to do this? City Clerk Penn informed him this is called a housekeeping item because it is a routine item done every year at this time by the request of the Washington County Clerk's office, that the 5 mills were set by a vote of the people. Mr. Newman said he would like to see the council give the citizens a tax cut and reduce this to 4 mills tonight. City Clerk Penn advised him they could not do this at this meeting, the item would need to go before a vote of the people for that to happen. He stated that he would like to see the council appropriate all the 5 mills to go to the police and fire departments to hire 1 new position in each department every year. He asked how much that 5 mills generated and he would like to see it go to law enforcement and fire protection to benefit the citizens from gang problems and future crime.

The public comment section was closed to the public. A motion was made by Council Member Lipford to suspend the rule requiring the reading of an ordinance in full on 3 different dates and for Ordinance 2018-10 be read 1 time by title only. It was seconded by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. Mayor Penn asked shall the ordinance pass? After a roll call vote it was approved by all those present 8-0. City Attorney Tennant read the Ordinance by title only. A motion was made by Council Member Morgan and seconded by Council Member Mathews to pass Ordinance 2018-10 with an emergency clause. After a roll call vote, it was approved by all those present by an 8-0 vote.

Ordinance No. 2018-11 An Ordinance rezoning property on HWY 170 containing approximately 34.22 acres +/- from A-1, agriculture district to R-1, single family residential as requested by Richard Grubb.

After a brief presentation by engineer Dave Jorgensen, representing Richard Grubb and Michael Brand, in which the council was told there would be 70-75 homes, the rezoning was passed unanimously by the planning commission to proceed to the council for final approval. If this rezoning was approved the Large-Scale Development Plan and Drainage Analysis would be submitted to the planning commission by the end of the year. Mayor Penn advised the city was also waiting on phase 2 of the FEMA Flood study for that area to update and establish the flood ways and flood plains, which FEMA is scheduled to start in 2019. Mayor Penn then opened the floor for public comment.

Jim Duffy, 11324 Frisco Drive – asked if the 70-75 taps that were approved were water or sewer taps, that improvements needed to be made to the drainage.

Phillip Miley – 12043 Riviera Place -stated that he was concerned that their property values would be affected by this and would there be a street connection into Valley View. Valley View has restrictive covenants to protect their property values and would like to see adjoining areas have them also.

John Spinks – 135 Alberta – stated the planning commission will not approve if it does not meet all the requirements or is bad for the area.

Dave Jorgenson said the contiguous property and drainage would be considered by the planning commission and there would be no connector street into the Valley View neighborhood.

Mayor Penn informed the council and citizens that they were only considering the rezoning of the property, not any specific project tonight. If the zoning was approved then the Large-Scale Development would be submitted to the planning commission and they would consider all the concerns that the citizens voiced. Citizen input would be beneficial to the planning commission once this item is before them and encouraged them to attend the meeting if the rezoning passed. Mayor Penn closed the floor for public comment.

A motion was made by Council Member Bell to suspend the rule requiring the reading of an ordinance in full on 3 different dates and for Ordinance 2018-11 be read 1 time by title only. It was seconded by Council Member Parsley and by the consent of 7 Council Members present after a roll call vote, the motion was approved 7-1, Council Member Bryant voted no. Mayor Penn asked shall the ordinance pass? A roll call vote was started, when it came to Council Member Bryant, she asked what we were voting on, City Clerk Penn informed her we were voting on the passage of Ordinance 2018-11, the roll call vote resumed, it was approved 7-1 with Council Member Bryant voting no. City Attorney Tennant read the ordinance by title only. A motion was made by Council Member Bell and seconded by Council Member Morgan to pass Ordinance 2018-11 with an emergency clause. After a roll call vote, it was approved 7-1 with Council Member Bryant voting no.

Mayor Penn asked if there was any public comment or questions on the informational items, hearing none and there being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Lipford and by the consent of all members present, the meeting adjourned at 7:14 pm until the next regularly scheduled meeting to be held Monday November 19th, 2018 at in the City Council Chambers in City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;

City Clerk Kelly Penn

Mayor Ernie Penn

Financial

FARMINGTON SALES TAX COMPARISON

MONTH	CITY SALES TAX		Extra 1/2 penny		STATE SALES TAX		STATE SALES TAX	
	2017	2018	2017	2018	2017	2018	2017	2018
JANUARY	\$ 57,103.51	\$ 63,631.38	\$ 32,409.74	\$ 32,409.74	\$ 94,536.33	\$ 95,058.02		
FEBRUARY	\$ 61,852.68	\$ 76,812.89	\$ 45,591.25	\$ 45,591.25	\$ 105,195.78	\$ 111,896.20		
MARCH	\$ 64,178.41	\$ 63,060.76	\$ 31,839.12	\$ 31,839.12	\$ 90,177.29	\$ 91,349.64		
APRIL	\$ 64,037.29	\$ 59,653.41	\$ 35,241.53	\$ 35,241.53	\$ 89,619.16	\$ 91,794.18		
MAY	\$ 66,577.23	\$ 67,065.94	\$ 42,654.07	\$ 42,654.07	\$ 99,256.59	\$ 106,893.56		
JUNE	\$ 61,111.32	\$ 70,180.31	\$ 44,181.44	\$ 44,181.44	\$ 93,107.16	\$ 101,436.80		
JULY	\$ 69,900.21	\$ 76,809.32	\$ 52,397.44	\$ 52,397.44	\$ 103,314.13	\$ 107,449.78		
AUGUST	\$ 66,619.94	\$ 81,987.06	\$ 57,575.19	\$ 57,575.19	\$ 100,462.04	\$ 107,854.33		
SEPTEMBER	\$ 65,692.07	\$ 77,087.72	\$ 52,675.85	\$ 52,675.85	\$ 98,935.97	\$ 104,048.82		
OCTOBER	\$ 61,517.09	\$ 79,744.01	\$ 49,997.14	\$ 49,997.14	\$ 100,562.81	\$ 106,637.15		
NOVEMBER	\$ 65,220.51				\$ 99,640.31			
DECEMBER	\$ 66,565.66				\$ 96,779.83			
TOTALS	\$ 770,375.92	\$ 716,032.80	\$ 444,562.77	\$ 444,562.77	\$ 1,171,587.40	\$ 1,024,418.48		
Monthly Comparison - October 2017/October 2018	\$	\$ 11,395.65	Increase (Decrease)	\$	\$ 17,469.99	\$ 6,074.34		
YTD comparison		Increase for 2018 over 2017 YTD - City Sales Tax	\$	\$ 583,522.91	Increase for 2018 over 2017 YTD - State Sales Tax	\$	\$ 149,814.03	

GENERAL FUND

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
Revenue			
GENERAL REVENUES			
Revenue			
ACCIDENT REPORT REVENUES	1,810.00	1,000.00	181.00%
ACT 833	17,047.18	20,000.00	85.24%
ALCOHOL SALES TAX	3,655.85	3,000.00	121.86%
ANIMAL CONTROL REVENUES	3,215.00	2,500.00	128.60%
BOND FUND REIMB REVENUES	131,737.61	0.00	0.00%
BUILDING INSPECTION FEES	142,329.00	60,000.00	237.22%
BUSINESS LICENSES	6,125.00	5,000.00	122.50%
CITY COURT FINES	115,565.27	100,000.00	115.57%
CITY SALES TAX REVENUES	1,161,232.57	850,000.00	136.62%
COUNTY TURNBACK	362,942.51	415,000.00	87.46%
DEVELOPMENT FEES	32,946.25	7,000.00	470.66%
FRANCHISE FEES	391,499.45	375,000.00	104.40%
GARAGE SALE PERMITS	2,590.00	3,000.00	86.33%
INTEREST REVENUES	20,482.03	2,000.00	1,024.10%
MISCELLANEOUS REVENUES	30,464.14	1,200.00	2,538.68%
PARK RENTAL	1,320.00	1,400.00	94.29%
SALES TAX - OTHER	1,024,418.48	1,090,000.00	93.98%
SPORTS COMPLEX FEES	46,572.00	50,000.00	93.14%
SRO REIMBURSEMENT REVENUES	19,961.11	25,000.00	79.84%
STATE TURNBACK	81,640.62	100,000.00	81.64%
Revenue	\$3,597,554.07	\$3,111,100.00	115.64%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018 Actual	Dec 2018	Percent of Budget
Expenses			
ADDITIONAL SERVICES EXPENSE	180,228.49	160,000.00	112.64%
ADVERTISING EXPENSE	4,971.60	7,000.00	71.02%
BUILDING MAINT & CLEANING	26,376.91	40,000.00	65.94%
CREDIT CARD FEE EXPENSE	2,942.42	4,000.00	73.56%
ELECTION EXPENSES	0.00	4,000.00	0.00%
INSURANCES EXPENSE	35,416.89	31,000.00	114.25%
LEGAL FEES	4,500.00	10,000.00	45.00%
MATERIALS & SUPPLIES EXPENSE	12,164.23	20,000.00	60.82%
MISCELLANEOUS EXPENSE	600.00	2,000.00	30.00%
NEW EQUIPMENT PURCHASE	7,152.71	10,000.00	71.53%
PAYROLL EXP - CITY ATTRNY	21,743.20	33,500.00	64.91%
PAYROLL EXP - ELECTED OFFICIAL	63,758.49	121,500.00	52.48%
PAYROLL EXP - REGULAR	189,472.36	225,000.00	84.21%
PLANNING COMMISSION	9,464.56	19,400.00	48.79%
POSTAGE EXPENSE	1,326.65	3,000.00	44.22%
PROFESSIONAL SERVICES	48,385.40	45,000.00	107.52%
REPAIR & MAINT - OFFICE EQUIP	986.92	5,000.00	19.74%
RETURNED CHECK	125.00	250.00	50.00%
SERVICE CHARGES	20.00	0.00	0.00%
TECHNICAL SUPPORT	6,451.00	20,000.00	32.26%
TELECOMMUNICATION EXPENSES	998.70	1,000.00	99.87%
TRAVEL, TRAINING & MEETINGS	17,645.85	11,000.00	160.42%
UTILITIES EXPENSES	60,966.19	60,000.00	101.61%
Expenses	\$695,697.57	\$832,650.00	83.55%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	1,246.56	2,000.00	62.33%
MATERIALS & SUPPLIES EXPENSE	211.46	600.00	35.24%
NEW EQUIPMENT PURCHASE	0.00	800.00	0.00%
PAYROLL EXP - REGULAR	49,090.09	56,000.00	87.66%
PROFESSIONAL SERVICES	8,897.00	20,000.00	44.49%
REPAIR & MAINT - AUTOMOBILES	1,669.09	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	17.21	1,000.00	1.72%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	0.00	800.00	0.00%
Expenses	\$61,131.41	\$81,700.00	74.82%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	1,549.24	2,500.00	61.97%
PAYROLL EXP - REGULAR	67,151.12	80,500.00	83.42%
REPAIR & MAINT - AUTOMOBILES	83.52	1,500.00	5.57%
TRAVEL, TRAINING & MEETINGS	2,018.53	5,000.00	40.37%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
Expenses	\$70,802.41	\$90,500.00	78.23%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
LAW ENFORCE - POLICE			
Expenses			
BREATHALYZER EXPENSES	471.33	700.00	67.33%
DRUG TASK FORCE	0.00	2,000.00	0.00%
FUEL EXPENSES	23,466.32	30,000.00	78.22%
MATERIALS & SUPPLIES EXPENSE	25,564.88	36,000.00	71.01%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	25,822.50	32,000.00	80.70%
PAYROLL EXP - REGULAR	703,588.29	890,000.00	79.05%
PAYROLL EXP - SRO	56,989.90	61,000.00	93.43%
REPAIR & MAINT - AUTOMOBILES	17,405.09	20,000.00	87.03%
REPAIR & MAINT - EQUIPMENT	1,658.99	3,000.00	55.30%
TRAVEL, TRAINING & MEETINGS	5,340.24	4,500.00	118.67%
UNIFORMS/GEAR EXPENSE	9,754.42	9,500.00	102.68%
Expenses	\$870,061.96	\$1,089,200.00	79.88%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
LIBRARY			
Expenses			
LIBRARY TRANSFER	30,000.00	30,000.00	100.00%
Expenses	\$30,000.00	\$30,000.00	

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
PARKS DEPT			
Expenses			
BUILDING MAINT & CLEANING	4,550.44	0.00	0.00%
FUEL EXPENSES	3,642.21	3,000.00	121.41%
MATERIALS & SUPPLIES EXPENSE	2,357.10	4,500.00	52.38%
MISCELLANEOUS EXPENSE	0.00	1,000.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.00%
PAYROLL EXP - REGULAR	92,833.03	89,000.00	104.31%
PAYROLL EXP - SPORTS COMPLEX	38,498.28	55,000.00	70.00%
PROFESSIONAL SERVICES	1,465.00	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	2,147.33	4,000.00	53.68%
SPORTS PARK FUEL	1,111.97	1,500.00	74.13%
SPORTS PARK MATERIALS	20,293.84	14,000.00	144.96%
SPORTS PARK NEW EQUIP	768.19	12,000.00	6.40%
SPORTS PARK PROF SERV	45,345.43	40,000.00	113.36%
SPORTS PARK REPAIR/MAINT	1,901.31	6,000.00	31.69%
SPORTS PARK UNIFORMS	0.00	900.00	0.00%
SPORTS PARK UTILITIES	13,272.55	15,000.00	88.48%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
UTILITIES EXPENSES	1,688.07	3,000.00	56.27%
Expenses	\$229,874.75	\$259,900.00	88.45%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
FIRE DEPT			
Expenses			
FUEL EXPENSES	4,578.22	5,000.00	91.56%
HAZMAT EXPENSES	2,270.12	2,400.00	94.59%
MATERIALS & SUPPLIES EXPENSE	5,319.77	8,500.00	62.59%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	3,973.59	6,500.00	61.13%
PAYROLL EXP - REGULAR	324,307.45	380,000.00	85.34%
REPAIR & MAINT - BUILDING	391.24	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	2,159.71	3,000.00	71.99%
REPAIR & MAINT - TRUCK	4,083.39	6,000.00	68.06%
TRAVEL, TRAINING & MEETINGS	646.00	3,000.00	21.53%
UNIFORMS/GEAR EXPENSE	6,046.71	12,200.00	49.56%
Expenses	\$353,776.20	\$427,100.00	82.83%

GENERAL FUND

Statement of Expenditures

	Year-to-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
MATERIALS & SUPPLIES EXPENSE	2,397.05	1,300.00	184.39%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	3,000.00	0.00%
PAYROLL EXP - CITY ATTRNY	21,642.40	0.00	0.00%
PAYROLL EXP - REGULAR	65,473.66	103,000.00	63.57%
SPECIAL COURT COSTS	0.00	6,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	1,031.56	2,200.00	46.89%
Expenses	\$90,544.67	\$115,900.00	78.12%

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Oct 2018	Dec 2018	Percent of
	Actual		Budget
Revenue & Expenditures			
Revenue			
FINES/LOST ITEMS	5,086.74	4,000.00	127.17%
INTEREST REVENUES	179.68	0.00	0.00%
MISCELLANEOUS REVENUES	2,334.28	0.00	0.00%
TRANS FROM GENERAL FUND	30,000.00	30,000.00	100.00%
WASHINGTON CO LIBRARY	144,810.00	156,977.00	92.25%
Revenue	\$182,410.70	\$190,977.00	
Expenses			
ADVERTISING EXPENSE		500.00	0.00%
BOOKS AND MEDIA	26,240.76	32,000.00	82.00%
BUILDING MAINT & CLEANING	1,440.70	0.00	0.00%
INSURANCES EXPENSE		2,500.00	0.00%
MATERIALS & SUPPLIES EXPENSE	13,473.05	12,277.00	109.74%
MISCELLANEOUS EXPENSE		500.00	0.00%
NEW EQUIPMENT PURCHASE	1,888.99	2,000.00	94.45%
PAYROLL EXP - REGULAR	108,876.44	138,000.00	78.90%
POSTAGE EXPENSE	50.00	300.00	16.67%
PROGRAMS EXPENSE	700.00	2,500.00	28.00%
REPAIR & MAINT - BUILDING	3,991.36	6,000.00	66.52%
TECHNICAL SUPPORT	4,055.00	5,000.00	81.10%
TRAVEL, TRAINING & MEETINGS	525.00	1,000.00	52.50%
UTILITIES EXPENSES	1,745.30	2,400.00	72.72%
Expenses	\$162,986.60	\$204,977.00	79.51%

STREET FUND
Statement of Revenue and Expenditures

	Year-To-Date Jan 2018 Oct 2018 Actual	Annual Budget Jan 2018 Dec 2018	Jan 2018 Dec 2018 Percent of Budget
Revenue & Expenditures			
Revenue			
GRANTS	48,972.49	0.00	0.00%
INTEREST REVENUES	515.75	50.00	1,031.50%
MISCELLANEOUS REVENUES	0.00	100.00	0.00%
PAYMENT IN LIEU OF	120,000.00	0.00	0.00%
STREET CITY SALES TAX	0.00	170,000.00	0.00%
STREET COUNTY TURNBACK	41,087.30	40,000.00	102.72%
STREET STATE TURNBACK	349,948.62	388,000.00	90.19%
Revenue	\$560,524.16	\$598,150.00	93.71%
Expenses			
ADDITIONAL SERVICES EXPENSE	302.21	0.00	0.00%
ADVERTISING EXPENSE	298.30	1,500.00	19.89%
BUILDING MAINT & CLEANING	152.31	0.00	0.00%
ENGINEERING FEES	9,983.75	0.00	0.00%
FUEL EXPENSES	5,088.49	8,000.00	63.61%
MATERIALS & SUPPLIES EXPENSE	8,986.94	10,000.00	89.87%
MISCELLANEOUS EXPENSE	358.33	500.00	71.67%
NEW EQUIPMENT PURCHASE	19,431.00	35,000.00	55.52%
PAYROLL EXP - REGULAR	151,994.66	190,000.00	80.00%
PROFESSIONAL SERVICES	73,995.17	20,000.00	369.98%
REPAIR & MAINT - BUILDING	165.00	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	5,346.84	15,000.00	35.65%
STREET LIGHTS	44,629.63	165,000.00	27.05%
STREET/ROAD REPAIRS	55,904.00	100,000.00	55.90%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	373.05	2,200.00	16.96%
UTILITIES EXPENSES	3,320.16	5,000.00	66.40%
Expenses	\$380,329.84	\$552,700.00	68.81%

GENERAL FUND
12 Month Experience
Statement of Revenue and Expenditures

Current Period
Nov 2017
Oct 2018
Actual

Revenue & Expenditures

GENERAL REVENUES

Revenue

ACCIDENT REPORT REVENUES	2,100.00
ACT 833	17,047.18
ALCOHOL SALES TAX	4,309.65
ANIMAL CONTROL REVENUES	3,765.00
BOND FUND REIMB REVENUES	131,737.61
BUILDING INSPECTION FEES	154,261.00
BUSINESS LICENSES	6,325.00
CITY COURT FINES	137,383.47
CITY SALES TAX REVENUES	1,393,583.26
COUNTY TURNBACK	486,207.94
DEVELOPMENT FEES	33,521.25
FEMA REIMBURSEMENT	108,917.89
FRANCHISE FEES	444,126.94
GARAGE SALE PERMITS	2,760.00
INTEREST REVENUES	20,482.03
MISCELLANEOUS REVENUES	30,738.44
PARK RENTAL	1,320.00
SALES TAX - OTHER	1,220,838.62
SPORTS COMPLEX FEES	46,572.00
SRO REIMBURSEMENT REVENUES	26,280.85
STATE TURNBACK	94,646.22

Revenue \$4,366,924.35

ADMINISTRATIVE DEPT

Revenue

PAYMENT IN LIEU OF IMPROVEMENT	16,200.00
--------------------------------	-----------

Revenue \$16,200.00

Expenses

ADDITIONAL SERVICES EXPENSE	225,660.46
ADVERTISING EXPENSE	5,593.09
BUILDING MAINT & CLEANING	40,436.96
CREDIT CARD FEE EXPENSE	3,643.96
INSURANCES EXPENSE	49,392.83
LEGAL FEES	4,500.00
MATERIALS & SUPPLIES EXPENSE	19,746.24
MISCELLANEOUS EXPENSE	620.00
NEW EQUIPMENT PURCHASE	13,108.24
PAYROLL EXP - CITY ATTRNY	21,743.20
PAYROLL EXP - ELECTED OFFICIAL	71,562.69
PAYROLL EXP - REGULAR	225,989.20
PLANNING COMMISSION	11,729.36
POSTAGE EXPENSE	1,327.81
PROFESSIONAL SERVICES	65,847.35
REPAIR & MAINT - EQUIPMENT	290.70
REPAIR & MAINT - OFFICE EQUIP	986.92
RETURNED CHECK	125.00

GENERAL FUND
12 Month Experience
Statement of Revenue and Expenditures

SERVICE CHARGES	20.00
STREET/ROAD REPAIRS	108,917.89
TECHNICAL SUPPORT	9,956.20
TELECOMMUNICATION EXPENSES	1,084.29
TRAVEL, TRAINING & MEETINGS	19,879.18
UTILITIES EXPENSES	68,625.59

Expenses \$970,787.16

ANIMAL CONTROL DEPT

Expenses

FUEL EXPENSES	1,407.96
MATERIALS & SUPPLIES EXPENSE	228.61
PAYROLL EXP - REGULAR	58,811.77
PROFESSIONAL SERVICES	11,057.00
REPAIR & MAINT - AUTOMOBILES	1,669.09
REPAIR & MAINT - EQUIPMENT	17.21

Expenses \$73,191.64

BUILDING PERMIT DEPT

Expenses

FUEL EXPENSES	1,878.61
PAYROLL EXP - REGULAR	79,293.44
REPAIR & MAINT - AUTOMOBILES	83.52
TRAVEL, TRAINING & MEETINGS	2,383.55

Expenses \$83,639.12

FIRE DEPT

Expenses

ADVERTISING EXPENSE	363.66
FUEL EXPENSES	5,271.38
HAZMAT EXPENSES	2,270.12
MATERIALS & SUPPLIES EXPENSE	8,518.07
NEW EQUIPMENT PURCHASE	7,243.76
PAYROLL EXP - REGULAR	384,897.29
REPAIR & MAINT - BUILDING	391.24
REPAIR & MAINT - EQUIPMENT	7,836.14
REPAIR & MAINT - TRUCK	4,279.27
TRAVEL, TRAINING & MEETINGS	646.00
UNIFORMS/GEAR EXPENSE	16,647.27

Expenses \$438,364.20

LAW ENFORCE - COURT

Expenses

MATERIALS & SUPPLIES EXPENSE	2,803.09
PAYROLL EXP - CITY ATTRNY	21,642.40
PAYROLL EXP - REGULAR	81,235.34
SPECIAL COURT COSTS	5,268.00
TRAVEL, TRAINING & MEETINGS	1,106.56

Expenses \$112,055.39

LAW ENFORCE - POLICE

Expenses

BREATHALYZER EXPENSES	565.27
DRUG TASK FORCE	1,500.00
FUEL EXPENSES	27,319.87
MATERIALS & SUPPLIES EXPENSE	35,817.28

GENERAL FUND
12 Month Experience
Statement of Revenue and Expenditures

NEW EQUIPMENT PURCHASE	59,487.88
PAYROLL EXP - REGULAR	830,922.37
PAYROLL EXP - SRO	68,264.89
REPAIR & MAINT - AUTOMOBILES	20,752.11
REPAIR & MAINT - EQUIPMENT	2,244.49
TRAVEL, TRAINING & MEETINGS	5,590.24
UNIFORMS/GEAR EXPENSE	12,370.97
Expenses	\$1,064,835.37

LIBRARY

Expenses

LIBRARY TRANSFER	30,000.00
Expenses	\$30,000.00

Revenue Less Expenditures **(\$30,000.00)**

PARKS DEPT

Expenses

BUILDING MAINT & CLEANING	4,550.44
FUEL EXPENSES	4,131.02
MATERIALS & SUPPLIES EXPENSE	2,428.32
PAYROLL EXP - REGULAR	109,162.22
PAYROLL EXP - SPORTS COMPLEX	45,769.25
PROFESSIONAL SERVICES	1,465.00
REPAIR & MAINT - EQUIPMENT	2,216.00
SPORTS PARK FUEL	1,220.31
SPORTS PARK MATERIALS	21,274.39
SPORTS PARK NEW EQUIP	4,225.30
SPORTS PARK PROF SERV	53,789.94
SPORTS PARK REPAIR/MAINT	1,936.02
SPORTS PARK UTILITIES	16,084.26
UTILITIES EXPENSES	2,054.43
Expenses	\$270,306.90

**Bond Fund Expense Account
October 2018**

Street Construction Bond Fund

Beginning Balance

10/1/2018 \$1,975,034.32

October Expenses

10/19/2018 Olsson & Associates

\$5,235.00

10/9/2018 Key Architecture

\$6,644.57

10/17/2018 Southern Building Services, Inc.

\$85,177.00

10/17/2018 Diamond C Construction

\$116,323.38

10/18/2018 Diamond C Construction

\$17,236.16

October Interest & Dividend

9/5/2018 \$2,639.69

Statement Balance 10/31/2018

\$1,747,057.90

Park Construction Bond Fund

Beginning Balance

10/1/2018 \$2,040,636.14

October Expenses

10/9/2018 Key Architecture

\$41,036.40

October Interest & Dividend Income
9/5/2018 \$2,724.76

Statement Balance 10/31/2018

\$2,002,324.50

Committee Reports

Farmington Economic Development Meeting

October 25, 2018 at City Hall

Members in attendance: Judy Horne, Tommy Cornwell, Diane Bryant, Josh Frye, Chad Ball, Tura Graves and Melissa McCarvell

The meeting began with concern over how to get the remainder of the daffodil bulbs planted in the city

We have the following number so bulbs designated to be planted

50 bulbs	by Brent Vinson	at the East Farmington sign
50 bulbs	by Brent Vinson	at the West Farmington sign
50 bulbs	by Brent Vinson	at Arvest Bank
50 bulbs	by D Bryant & volunteers	at the new high school
25 bulbs	by D Bryant & volunteers	at Farmington Methodist
50 bulbs	landscapers	at First Security Bank

275 bulbs accounted for which leaves us with about 25 bulbs for some other purpose.

The garden club recently planted numerous bulbs at the city park and in front of city hall.

We then began a discussion of what vision we have for the future of our community. We all agree we need a master overarching principal to guide us in the future. We want to be progressive and proactive in directing our future growth. We need to define our future, or it will happen by happenstance.

Our strategic plan listed the development of a square around the library area. It would be more of a "U" shape since the roads around the library and post office take the shape of a "U". We discussed consulting with a master planner to develop a visionary plan for that area. Josh Frye knows of some consultants that may be able to attend our next meeting to give us additional ideas. We need capital to implement many of these plans.

Diane Bryant suggested we investigate the preservation of the old WPA culverts along Hwy 170. These have documentation indicating they were built in 1942. We have many creative people in our city who could come up with a creative design for these artifacts to be placed in the city park or along future trails. They are a classic part of our history that should be preserved.

Submitted,

Diane Bryant, Chair

Agenda Item 10

(remove from inventory)



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: Floyd Shelley
Re: Remove Hustler 60" mower from inventory
Date: November 19, 2018

Recommendation

Requesting the removal of the Hustler Super Z 60" mower from Public Works inventory, SN 11091321.

Discussion

The mower was six years old and would have required repair that would not be cost effective.

Budget Impact

The mower was traded for a new model at a cost of \$5999.00.



354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: BRIAN HUBBARD, CHIEF
Re: REMOVAL OF EQUIPMENT
Date: 11/19/2018

Recommendation

Requesting the removal of an 4 Electronic Ticket Books and Printers
SN: 26000701390, 35000703593, 10020927009, 28200700280, AZRC08-49-5030, AZRC08-49-5069,
AZRC09-01-5104, AZRCJ1122500633. City Tag#: 579, 580, 581, 582, 589, 590, 609, 610.

Background

These are the CN3 handheld ticket books and Zebra printers purchased in 2008 used to issue citations. They are out of date and in disrepair.

Discussion

We no longer need these devices. They have been replaced with the new tablets in each police unit. The new tablets have more functions and much more useful to the officer both with work and safety.

Budget Impact

\$ 0.0

Agenda Item 11



Plymouth Engineering, PLLC

5714 Walden Street · Lowell, AR 72745
(479) 595-5934 · www.plymoutheng.com

November 8, 2018

Melissa McCarville
City of Farmington
354 W. Main Street – P.O. Box 150
Farmington, AR 72730

Re: North Hawkins Lane Widening
Recommendation of Bid Award

Dear Mrs. McCarville:

Yesterday, five bids were received from general contractors for your project. The low bid for the project, in the amount of \$63,586.75, was offered by DECCO Contractors – Paving, Inc. of Rogers, Arkansas.

DECCO has a long history of heavy construction in northwest Arkansas, including street and subdivision construction and underground utilities. DECCO is listed by the Arkansas Contractors' Licensing Board in the Municipal & Utility Construction categories, with no complaints or violations and an unlimited bid budget limit. We have personally worked with DECCO for about 20 years now, and know the owners and much of their staff personally. We are fully confident in their abilities to successfully complete this project.

Accordingly, Plymouth Engineering recommends that the City of Farmington award the construction contract to DECCO Contractors – Paving, Inc. in the amount of \$63,586.75.

Please let me know how we can further assist you. We appreciate the opportunity to work with you on this project.

Sincerely,

David A. Gilbert, P.E.

c: File

Bid tabulation			11/8/2018										
North Hawkins Lane Widening Plymouth Engineering Project #52													
Item #	Item	Quantity	Unit	DECCO		APAC - Central		Tomlinson Asphalt		Diamond C Construction		Eaton Construction	
				Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Remove and dispose of existing 12" CPP culverts	66	LF	\$7.98	\$526.68	\$22.00	\$1,452.00	\$35.00	\$2,310.00	\$75.00	\$4,950.00	\$50.00	\$3,300.00
2	Furnish and install select fill for grading/construct	100	CY	\$78.23	\$7,823.00	\$83.00	\$8,300.00	\$95.00	\$9,500.00	\$88.55	\$8,855.00	\$30.00	\$3,000.00
3	Furnish and install concrete curb and gutter, with	537	LF	\$12.04	\$6,465.48	\$21.00	\$11,277.00	\$23.00	\$12,351.00	\$27.31	\$14,665.47	\$35.00	\$18,795.00
4	Furnish and install roadway widening materials p	157	SY	\$77.41	\$12,153.37	\$130.00	\$20,410.00	\$84.00	\$13,188.00	\$82.04	\$12,880.28	\$100.00	\$15,700.00
5	Furnish and install 6" thick concrete driveway ap	16.6	SY	\$90.28	\$1,498.65	\$202.00	\$3,353.20	\$190.00	\$3,154.00	\$121.24	\$2,012.58	\$100.00	\$1,660.00
6	Construct and install 4" thick concrete sidewalk a	267	SY	\$45.32	\$12,100.44	\$62.00	\$16,554.00	\$83.00	\$22,161.00	\$68.92	\$18,401.64	\$100.00	\$26,700.00
7	Install accessible ramp, including tactile warning d	3	EA	\$1,272.90	\$3,818.70	\$680.00	\$2,040.00	\$500.00	\$1,500.00	\$1,150.00	\$3,450.00	\$1,000.00	\$3,000.00
8	Furnish and install sidewalk plate drain, complete	1	EA	\$1,535.58	\$1,535.58	\$2,150.00	\$2,150.00	\$1,200.00	\$1,200.00	\$3,450.00	\$3,450.00	\$6,000.00	\$6,000.00
9	Furnish and install pedestrian crosswalk traffic str	33	LF	\$23.33	\$769.89	\$75.00	\$2,475.00	\$25.00	\$825.00	\$87.13	\$2,875.29	\$60.00	\$1,980.00
10	Relocate existing mailbox, complete.	1	EA	\$350.00	\$350.00	\$120.00	\$120.00	\$350.00	\$350.00	\$575.00	\$575.00	\$500.00	\$500.00
11	Additional Undercut - Remove existing unsuitabl	3	TON	\$114.37	\$343.11	\$57.00	\$171.00	\$196.00	\$588.00	\$958.34	\$2,875.02	\$50.00	\$150.00
12	Erosion control, including seeding	1	LS	\$16,201.85	\$16,201.85	\$5,600.00	\$5,600.00	\$10,900.00	\$10,900.00	\$7,475.00	\$7,475.00	\$4,500.00	\$4,500.00
Total Bid Amount					\$63,586.75		\$73,902.20		\$78,027.00		\$82,465.28		\$85,285.00



Agenda Item 12



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk

From: Mark Cunningham
Re: Purchase and replace 30 SCBA air bottles.
Date: 11/19/2018

Recommendation

I would like to recommend that we purchase and replace 30 SCBA air pack bottles.

Background

The Fire department has thirty air pack bottles that need to be replaced now.

Budget impact

This is not a budgeted item and would cost \$25,000

Mark Cunningham
Fire Chief

Agenda Item 13

EMPLOYMENT CONTRACT

This Contract made as of the 19th day of November, 2018, between the Farmington Public School District (the "Farmington School") and the City of Farmington, Arkansas (the "City").

WHEREAS, the Farmington School desires to employ one (1) City police officer as a School Resource Officer (hereinafter "SRO") for the period and upon and subject to the terms herein provided; and

WHEREAS, the City is willing to provide a police officer for the Farmington School upon and subject to the terms herein provided;

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements hereinafter set forth and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

1. Term of Employment: Compensation. The Farmington School agrees to employ one (1) City police officer for position of SRO from the date hereof as an employee through June 30, 2019. The Farmington Schools will reimburse the City for fifty percent (50%) of the total payroll cost of each SRO provided by the City, including payroll and withholding deductions as required by law and such other payroll deductions, as may be determined by the City.

2. Position and Duties. The City police officer shall fulfill the position of School Resource Officer and shall have the duties normally ascribed to those positions and as assigned to them by the Farmington School Superintendent and the Farmington Chief of Police. The SRO shall devote substantially all time, labor, skill, undivided attention and his or her best abilities to the performance of prescribed duties hereunder in a manner which will faithfully and diligently further the interests of the Farmington School and its student body.

3. Policy and Procedures

It is further understood and agreed as follows:

a. The SRO will be under the direct supervision of the school superintendent and general supervision of the Farmington Chief of Police.

b. Because school functions such as ball games are after school hours, it will be the responsibility of the SRO to adjust his/her work schedule so that he/she can attend the home games.

c. No overtime pay or compensation time will be authorized without prior approval by the Farmington Chief of Police.

d. The SRO will take his/her vacation during school Spring break, Christmas vacation, or during the Summer while school is out for Summer break unless approved by the Farmington Chief of Police.

e. The SRO will keep the Farmington Chief of Police updated daily of any problems and/or activities involving the SRO in his/her job duties.

f. During the school day, the SRO will be on call to backup other police officers or respond to calls if he/she is the only one presently in the City at the time of the call. The SRO will be notified if he/she is to be on call.

g. The SRO will dress in full class A uniform, or assigned uniform by the Farmington Chief of Police. During Spring and Fall seasons the uniform may be a more relaxed look, such as shorts and golf type shirts.

h. The Farmington Police Department will furnish a patrol vehicle for patrol of school grounds for SRO use.

4. Entire Agreement. This Contract contains the entire agreement between the Farmington School and the City with respect to the subject matter hereof and there have been no oral or other agreements of any kind whatsoever as a condition precedent or inducement to the signing of this Contract or otherwise concerning this Contract or the subject matter hereof.

5. Amendments. This Contract may not be amended, nor shall any waiver, change, modification, consent or discharge be affected except by an instrument in writing executed by or on behalf of the party against whom enforcement of any waiver, change, modification, consent or discharge is sought.

7. Governing Law. This Contract shall be governed by, construed and enforced in accordance with the laws of the State of Arkansas.

IN WITNESS WHEREOF, the parties have executed or caused to be executed this Contract as of the date first above-written.

City of Farmington

By: _____

Title: _____

Farmington City Clerk

By: _____

Farmington Public School District

By: _____

Title: _____

Agenda Item 14

ORDINANCE NO. 2018-12

AN ORDINANCE TO ADOPT A REVISED PERSONNEL POLICY FOR THE CITY OF FARMINGTON, ARKANSAS.

WHEREAS, the Farmington City Council has the exclusive right to change, alter, delete, add or modify any provision of the personnel policy at any time; and

WHEREAS, revisions to the present personnel policy as presented should be and are hereby approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS THAT:

Section 1: The city council hereby authorizes revisions to the personnel policy for the employees of the City of Farmington. A copy of the revised personnel policy is attached hereto as Exhibit "A" and incorporated in its entirety as if set forth herein word for word in this section.

Section 2: The adoption of the revised personnel policy, which shall become effective January 1, 2019, supersedes the personnel policy adopted by the City of Farmington on November 10, 2014 and all amendments prior to and after that date.

Section 3: Repealing Clause. All other ordinances and parts of ordinances in conflict herewith are hereby repealed, and more specifically, ordinances 2005-2.1(a), 2005-2.11.5, 2006-04, 2006-05, 2006-18, 2008-12, 2008-28, 2010-15, 2011-03 and 2014-15.

Section 4: Severability Clause. In the event any part of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Passed and approved this 19th day of November, 2018

Approved:

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

EMPLOYMENT POLICIES

City of Farmington, Arkansas

Adopted by the Farmington City Council

Amended 2018





PERSONNEL POLICIES
CITY OF FARMINGTON, ARKANSAS

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PERSONNEL POLICY

For All Employees of the City of Farmington, AR

Chapter 1 -- General Policies

Purpose

This Personnel Handbook contains policies, practices and procedures that are necessary to implement and administer the City of Farmington's personnel system. By adopting the Handbook, the City endeavors to achieve consistent treatment for all employees through the establishment of uniform guidelines and systematic procedures.

Scope

All employees of the City of Farmington are subject to the application of the personnel policies and procedures described in this Handbook.

DEFINITIONS:

EMPLOYEE—An individual who is compensated by and provides a service to the City regardless of the number of hours of work performed during any given time period or the length of the term of employment. The term "employee" shall not include any elected official, any voluntary, appointed member of any board, commission or authority, or any person performing services for the City on the basis of a service contract, retainer, or prescribed fee.

EXEMPT EMPLOYEE—Employee who is not eligible for overtime as defined by the Fair Labor Standards Act.

FULL-TIME EMPLOYEE—Employee who is regularly scheduled to work in a position which has daily, weekly and monthly hours as established by the City Council for full-time work.

NON-EXEMPT EMPLOYEE--Employee who is eligible for overtime compensation as defined by the Fair Labor Standards Act.

OVERTIME—Hours worked in excess of 8 hours during a regular work day.

PART-TIME EMPLOYEE--Employee who is regularly scheduled to work in a position whose daily, weekly, or monthly hours are less than the hours established for full-time employees.

SUPERVISOR--Person who has been designated to oversee other employees in a department.

TEMPORARY EMPLOYEE--an employee hired for an intermittent or specified period of time, for a season, for a job of limited duration or for a non-recurring work project.

GENDER STATEMENT--The specific use of any gender reference (pronouns) has been avoided where possible. In most instances where this would have created awkward statements, the masculine pronoun has been used. This reference should be considered to refer to both genders (male and female) alike.

CHAIN OF COMMAND--All employees are always expected to follow the established chain of command in all matters. Should an employee fail to follow this established procedure, disciplinary action may be taken. The proper chain of command will be established as follows. Each employee will be responsible and accountable to their department supervisor. The department supervisor will in turn be responsible and accountable to the City Business Manager who will be responsible and accountable to the Mayor and City Council. In the case of police and fire departments the department manager reports directly to the Mayor. The librarian reports to the chair of the library board.

AMENDMENTS AND REVISIONS

This manual may be amended and revised periodically as necessary at the direction of the City Council.

Since personnel practices and procedures are in a constant state of change, the City will continuously review this Handbook for amendments or revisions which might better serve the needs of the City. As such, this Handbook has been designed to be routinely updated and amended as the need arises.

The City of shall have the exclusive right to change, alter, delete, add or modify any provision of these personnel policies at any time, with or without notice. Final approval of all changes to the personnel policies shall be approved by resolution of the City Council. Changes made to these policies shall be communicated through standard communication channels and/or through revisions to this manual, however advance notice may not always be possible.

This policy manual supersedes all previous manuals, letters, memoranda, resolutions, and understandings unless otherwise noted.

DISTRIBUTION LIST

A copy of this manual and all subsequent revisions or amendments shall be distributed to all employees and elected or appointed City officials.

Chapter 2 – Equal Employment Opportunity

The City of Farmington is committed to providing equal employment opportunity without regard to race, color, religion, national origin, sex, age, handicap, disability or veteran status as required by all federal and state laws. The city's commitment extends to all employment-related decisions, terms and conditions of employment, including job opportunities, promotions, pay and benefits.

AMERICAN WITH DISABILITES ACT

The City of Farmington abides by the requirements of The Americans with Disabilities Act and state laws governing the employment of individuals with disabilities. Qualified individuals with disabilities may be entitled to an accommodation in the application process and/or in the workplace. Any qualified individual with a disability who requires reasonable accommodation in the employment process and/or in the work place shall notify the City Business Manager. It shall be the responsibility of a qualified individual with a disability to request reasonable accommodation in the hiring process or in the workplace.

UNLAWFUL HARASSMENT AND DISCRIMINATION

The City of Farmington expressly prohibits its officials or employees from engaging in any form of unlawful harassment or discrimination whether due to race, religion, creed, color, national origin, sex, marital status, age, genetics, status as veteran or special disabled veteran or the presence of any physical, mental or sensory handicap. Harassment of any employee is a serious violation of City Policy and will not be tolerated.

Prohibited conduct defined:

Discrimination is any annoying, persistent act or actions that single out an employee, to that employee's objection to his or her detriment, because of a person's protected status, i.e. race, religion, color, sex, marital status, national origin, age, genetics, status as veteran or special disabled veteran or the presence of any physical, mental or sensory handicap.

Discrimination or harassment can take many forms and can include slurs, comments, jokes, innuendo, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct including, but is not limited to the following actions:

1. Verbal abuse, ridicule or derogatory comments, i.e., jokes, threats, whistling;
2. Interference with an employee's work
3. Displaying or distributing sexually offensive, racist or other derogatory materials;
4. Discriminating against any employee in work assignment or job related training because of one of the above referenced basis;
5. Intentional physical contact with either gender specific portions of a person's body or that person's private parts, i.e., pinching, gestures, unwelcomed touching;
6. Making offensive sexual, racial or other derogatory innuendoes
7. Requesting favors (sexual or otherwise), explicitly, as a condition of employment, promotion, transfer or any other term or condition of employment;
8. Overtly using one's title or position to sexually or otherwise harass employees.

Discrimination or harassment based upon a person's protected status is prohibited by federal and state anti-discrimination laws and violates City policy where it:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's performance; or
3. Otherwise unreasonably affects an individual's employment opportunity.

Sexual harassment occurs when the verbal and physical conduct described above is sexual in nature or is gender based, that is directed at a person because of their gender. Sexual harassment does not refer to casual conversation or occasional compliments of a socially acceptable nature.

Sexual harassment is prohibited by federal and state law and violates City policy when:

1. Submission to the conduct is either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual;
3. The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile or offensive.

Sexual harassment includes but not limited to:

- Unwelcome verbal behavior such as comments, suggestions, jokes, or derogatory remarks based on sex
- Physical behavior such as pats, squeezes, repeatedly brushing against someone's body, or impeding or blocking normal work or movement
- Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's work station;
- Unwanted sexual advances, requests or pressure for sexual favors and/or basing employment decisions (such as an employee's performance evaluation, work assignments, advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.

COMPLAINT REPORTING AND INVESTIGATION

The City is committed to diligently enforcing its harassment policy by promptly and impartially investigating all complaints. When harassment is discovered, the City shall take appropriate disciplinary action, up to and including termination. The complaint procedure is designed to deal with complaints in a fair, discreet and timely manner to:

- Determine if the conduct alleged in the complaint took place and constitutes harassment which violates federal and/or state law and City policy or constitutes harassment in the form of inappropriate or offensive behavior which violates City policy.
- Stop the offending behavior.
- Restore the complainant's working environment.
- Take steps to prevent retaliation and repetition of the harassment.
- Educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

It is every employee's and official's responsibility to ensure that his/her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place:

1. An employee must immediately report the harassment or suspected harassment, in writing, to their supervisor immediately. If the supervisor is the source of the alleged harassment, or is so closely associated with the source of the harassment that the employee does not feel comfortable reporting to that person, the employee may report the complaint to the City Business Manager. Employees should not wait to report the harassment or discrimination until the acts become so pervasive or offensive that they create a hostile working environment.
2. Any supervisor or department manager who learns of or receives a complaint of harassment is obligated to report it to the City Business Manager.
3. Each complaint shall be fully investigated and a determination of facts and an appropriate response will be made on a case-by-case basis.

If it is determined that harassment has occurred, the City shall take appropriate corrective disciplinary action, which may include but not limited to, verbal and/or written warnings, probation, suspension, demotion and/or termination.

No employee shall be subject to any form of retaliation or discipline for pursuing a harassment complaint, and no witnesses shall suffer retaliation as a result of their involvement in the investigation. The City of Farmington will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged harassment. Disciplinary action will be taken against those who are found to have violated the City's policy against such retaliation.

If the investigation does not find that harassment occurred or that the alleged incident(s) did not constitute harassment, the matter shall be referred back to the supervisor for further appropriate action. For example, if workplace misconduct may have occurred but not harassment, the supervisor of appropriate individual shall determine the manner in which to act upon the findings set forth in the investigation report.

An employee found to have reported harassment in bad faith or intentionally or willfully falsely reported harassment shall be subject to disciplinary action.

Chapter 3 -- General Employment Policies

AT-WILL EMPLOYER

The City of Farmington is an at-will employer. This means that the City of Farmington or any city employee may terminate the employment relationship at any time for any reason with the understanding that neither has an obligation to base that decision on anything but his or her intent not to continue the employment relationship.

No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

All City employees should understand that this policy is not intended to create any contractual or other legal rights. It does not alter the city's at-will employment policy and does not create an employment contract for any period of time.

VACANCIES/JOB ADVERTISING

It is the intent of the City of Farmington to hire and promote the most qualified applicants for all vacant positions. The City of Farmington shall publicize vacancies to be filled in order to encourage qualified persons to apply for employment. In the event of a job opening, the position or positions open will be announced and posted in the business office on the city's website at least ten (10) days prior to the deadline for receiving applications. Copies of the job announcement will be distributed to city departments and as appropriate, to public and private employment agencies, local newspapers and other sources which might recruit applicants. Recruitment resources will be notified at least ten (10) days prior to the predetermined cut-off date for receiving applications.

Applications for employment will be accepted from anyone legally entitled to work in the United States who wishes to apply for employment on forms provided by the city. Application forms are available in the business office at City Hall.

All information provided on the application must be true and correct with the provision of false information being grounds for elimination of consideration for hiring and/or dismissal from City employment.

Applications for full-time city employment will not be accepted from anyone under eighteen (18) years of age. Except as otherwise provided by Arkansas law, the City Business Manager, Police Chief and Fire Chief are authorized to make the final decision with respect to hiring new employees and promoting existing employees.

Hiring Procedure:

1. The affected department shall formulate a job announcement. The City Business Manager shall approve the announcement.
2. The job announcement will be distributed to all City departments for a posting of a minimum of 10 days.
3. Simultaneously, an ad will be published in the paper and posted on the city website at least 10 days prior to the application cut off date. The City may also use other means believed necessary to advertise for positions in order to attract qualified candidates.
4. Based on the job description a pool of candidates is selected.
5. The department manager of the department in which the vacancy exists shall be responsible for arranging the interviews and the process to follow.
6. After the interview, if an offer of employment will be extended, the prospective employee will be asked to sign an "authority to release information form" and complete the required information for criminal record check and references will be checked.
7. If the first offer of employment is rejected the department manager will decide to hire another candidate or reopen the position.
8. If the same position is open within a year of advertising, the department manager may opt to select a candidate from the pool that had previously applied without re-advertising for the position.

Once a candidate accepts the employment offer all other candidates are notified that they were not selected.

EMPLOYMENT APPLICATION AND RESUMES

The City of Farmington relies on the accuracy of the information contained in the employment application and resumes submitted by the prospective employee, as well as other information provided throughout the hiring process and employment. Any misrepresentation, falsifications or material omissions in any of this information may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, in termination or other disciplinary measures.

POST OFFER, PRE-EMPLOYMENT PHYSICALS

Post offer, pre-employment physicals will be required for every applicant for the City in a permanent employment position that requires being able to lift 40 pounds or more, standing, running or walking for long periods of time and work that requires physical exertion on a regular basis. Such examinations shall be paid for by the City. The examinations shall be performed by licensed physicians selected by the City Business Manager. A summary report of the examining physician shall be provided to the department head as to whether the applicant can perform the job sought and what, if any, restrictions are necessary to determine any restructuring or accommodations. Although the physician may make the medical determinations, their determinations are only recommendations; final authority to hire rests with the City. Only in cases of emergency may the applicant begin work prior to the post employment job offer medical examination, but employment is subject to the applicant's passing such examination.

Reports and records of all physical, psychological and mental exams shall be kept in the offices of the physician or mental health practitioner with only a summary report provided to the City Business Manager to be kept in a confidential file apart from the individual's personnel file. The City may share such information only in limited circumstances with supervisors, managers, first-aid and safety personnel, government agencies investigating compliance with ADA, state workers' compensation offices, state second injury funds, workers' compensation insurance carriers, and health care professionals when seeking advice in making reasonable accommodation determinations and for insurance purposes. Should there be a dispute concerning the exam, or should a supervisor be informed as to the need of reasonable accommodation including job restructuring, the report shall be made available to the necessary legal and supervisory or administrative personnel within the City Government.

FITNESS FOR DUTY EXAM

Employees who, due to mental or physical disabilities, are rendered unable to perform their essential job functions with or without reasonable accommodations who pose a direct safety threat to themselves or others shall be subject to a fitness for duty examination. Based on the finding of the exam and other job restructuring factors, the department head shall take such action that is necessary to ensure that the requirements of the individual's position are satisfied.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

It is the City of 's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all city employees whose jobs require a CDL. These tests include pre-employment, post-accident, random, reasonable suspicion, and return-to-duty and follow-up testing. The City of will not permit an employee who refuses to submit to requisite testing to perform or continue to perform any activity that requires a CDL. All CDL drivers must obtain from the City the City's written substance abuse policy. CDL drivers are required to read this material and sign a statement acknowledging that they have received a copy of the city's Substance Abuse Policy.

DRUG AND ALCOHOL TESTING

The City of Farmington has a responsibility to ensure safe-working conditions for its employees and a productive City workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, City is committed to maintaining a work place that is free from the effects of drugs, alcohol, or other performance-impairing substances. All employees are expected to obey all laws regarding the use of illegal drugs or alcohol. The City prohibits the possession, unlawful manufacturing, distribution of illegal drugs or the abuse of alcohol or prescription drugs while on City premises during work hours. Any employee violating this policy will be subject to appropriate discipline, including termination. Any City employee who violates this substance abuse policy, or who is convicted of an alcohol or drug violation, will be subject to disciplinary action, up to, and including dismissal.

All those seeking employment with the City of Farmington will be subject to a pre-employment drug test.

Employees will be tested when an accident occurs on company premises or time and results in an injury to anyone that requires outside medical attention, or when the employee is determined to have caused or contributed to that accident.

Employees will be tested if involved in an accident resulting in physical damage to any business property, product, equipment or machinery and/or any property on the business premises.

Employees will be tested anytime there is an accident by a driver of a motorized vehicle including personal vehicles used while conducting business; with the exception of accidents caused by deer or other animals.

Testing will be conducted when there is information about an employee's appearance, conduct or behavior that would cause a reasonable person to believe that the employee has used or may be impaired by drugs or alcohol.

All employees will be subject to random testing. Random testing will be conducted on a neutral selection basis with all employees having an equal chance of being selected. Employees upon notification will be required to arrive at the testing facility within 30 minutes. Failure to report in specified time will result in a refusal to test and will be treated as a positive drug test.

FITNESS FOR DUTY

Current abuse of drugs or alcohol is not a protected disability under the Americans with Disabilities Act (ADA). The City will not hire anyone who is known to currently abuse drugs or alcohol. Furthermore, all employees are expected to report to work in a fit condition to perform their duties. Employees on official business or representing the City on or off of the work place are prohibited from purchasing, transferring, using or possessing illegal drugs or from abusing alcohol or prescription drugs in any way that is illegal. An employee reporting or returning to work whose behavior reflects the abuse of alcoholic beverages or drugs may be referred for a medical evaluation to determine fitness for work. Failure to report for an evaluation or follow the recommendations of the City will result in appropriate disciplinary action, including termination.

NOTIFICATION

As a condition of employment with the City, employees must abide by the terms of this drug and alcohol policy and report any conviction under a criminal drug or alcohol statute including DWI convictions for violations occurring on or off City premises while conducting city business. A report of a conviction shall be made within five (5) days after the conviction. Failure to report a conviction within the five (5) day period may result in disciplinary action, including immediate termination.

GENETIC INFORMATION

The City shall not request or require genetic information from an individual or family member, except as specifically allowed by the Genetic Information Nondiscrimination Act of 2008 (GINA). In making requests for medical information, the city shall include the following language to the medical provider:

“The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information from an individual or family member of an individual except as specifically allowed by this law. To comply with this law we are asking that you not provide any genetic information when responding to this request for medical information. “Genetic Information” as defined by GINA, includes an individual or individual’s family members medical history, the results of an individual or family members genetic tests, the fact that the individual or family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.”

EMPLOYEE ORIENTATION

All new employees of the City will be scheduled to meet with the department manager on their first day of work for general orientation. The department manager shall provide the following information to the new employee:

- a. Work standards and regulations.
- b. Hours of work, time sheets and any other reports required.
- c. Employee compensation shall be stated in monthly and hourly terms.
- d. Personnel Policy Manual (opportunity to read the manual, ask questions and sign acknowledgement of receipt.)
- e. Duties of the position
- f. Safety rules and procedures; location of safety and protective equipment.
- g. Tour of work area, location of equipment and supplies.
- h. Introduction to co-workers and other city staff.
- i. General schedule for the day, including lunch and breaks.
- j. When and whom to report an absence from work.
- k. Who is responsible for performance planning and review?
- l. Appointment with the Financial Officer to discuss and complete paperwork for:
 1. Insurance benefits (fulltime employees only)
 2. Retirement benefits
 3. Vacation and sick leave accrual and benefits (fulltime employees only)
 4. Catastrophic leave bank (fulltime employees only)
 5. Direct deposit

PROBATIONARY PERIOD

The first 3 months of employment are considered a probationary period. This time is set aside to determine whether the position is right for the employee. It gives time for the employee to adjust to responsibilities and time for the supervisor to assess the employee’s work. During this time it is important for the employee to discuss any questions about the position with their supervisor. Successful completion of the probation period does not create a contractual commitment to continued employment.

Chapter 4 – Compensation and Matters Affecting Employment

ATTENDANCE

Employees shall be in attendance at their work stations in accordance with the rules and regulations established by their supervisor.

WORK HOURS

Except for police officers and firefighters, the standard workweek shall consist of forty (40) hours per week within a seven day period, unless otherwise arranged by the department manager to meet specific departmental needs. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

The standard workday shall begin at 8:00 a.m. and end at 5:00 p.m. unless otherwise arranged by the department manager to meet specific job needs. Departments may vary from this schedule based upon departmental necessity. The standard workweek is Monday through Friday. Flexible work arrangements are dependent on departmental requirements and are left to the discretion of the department manager. Flexible work arrangements allow the department manager to schedule the workweek of forty (40) hours to meet specific departmental situations.

The City reserves the right to adjust and change hours of work, days of work and schedules to fulfill its responsibility to the citizens of the City of Farmington. In an emergency, previously-scheduled hours of work, days of work and work arrangements may be altered at the discretion of the department manager. Changes in work schedules will be announced as far in advance as practicable.

Whenever possible, full-time employee work schedules shall provide a rest period (break) during each four-hour work shift. Reasonable time off for a meal will be provided. An employee cannot waive their right to “off the clock time.”

Work hours in the police and fire departments will be defined in the “Standard Operating Procedures” for their department.

UNAUTHORIZED WORK TIME

Because of FLSA regulations, non-exempt employees are not to commence work prior to the scheduled starting time, work during their meal break, or work past the scheduled end of their shift without prior approval of their immediate supervisor.

FLSA non-exempt employees who work unauthorized overtime hours will be subject to disciplinary action including but not limited to suspension without pay.

COMPENSATION

Reporting and Verifying Hours Worked

Compensation for employment with the City of Farmington may be subject to the Fair Labor Standards Act. It is each employee’s responsibility to monitor and record an accurate status of the hours they work per payroll period to ensure that they are properly paid for time worked.

All employees shall report their hours worked on the forms provided by the city administrative assistant. It is the employee’s responsibility to complete the time sheet recording the time spent working during every payroll period and to sign each time sheet. By signing the time sheet, each employee is verifying its accuracy. Signed

and completed time sheets must be turned in no later than 8:30 a.m. on Monday every other week to their supervisor for signatures. The supervisor should forward them to the City Business Manager by 9:00 a.m. the same day to ensure that proper records are kept as to vacation, sick leave, hours worked and overtime accrued and taken.

Payroll Records

The City Business Manager shall keep and maintain a record of work attendance, vacation and sick leave earned, used and accrued; and any other leave, whether with or without pay. These records shall be available to the department heads and the individual employees shall be able to inspect their own records during normal business hours.

PAYROLL PROCEDURES AND PAYDAY

Employees are paid by direct deposit on the Friday following the close of the pay period (See section on work hours for definition of pay period). In the event Friday is a holiday, pay will be issued the last workday before Friday.

Each employee is responsible for monitoring the accuracy of each paycheck received. Any employee who believes that his/her paycheck does not properly compensate him/her for all hours worked in a given payroll period should immediately report their concern to their supervisor who will pass on the concern if needed to the City Business Manager.

All pay will be direct deposited. Arrangements can be made to have amounts deposited into up to two accounts. All documentation for this process should be made through the financial officer at the time of employee orientation.

Various payroll deductions are made each pay period to comply with federal and state laws pertaining to taxes and insurance. Each employee is required to complete an Internal Revenue W-4 Employee's withholding certificate to identify the number of state and federal income tax withholding allowances to be computed for payroll purposes. It is the responsibility of the employee to notify the business office, complete a new W-4 form, and sign and date the form if a change in payroll withholding is desired.

In addition to state and federal income tax withholding, employers are required by law to deduct from payroll, social security (FICA). At the end of each calendar year, employees will be supplied with a Wage and Tax Statement (W-2) form. This statement summarized employee income and deduction for the year. If there are any questions regarding these deductions, employees should immediately discuss them with the City Business Manager.

Additional withholdings may include, but are not limited to, dependent insurance coverage costs, garnishments, and charitable contributions. Upon written request signed by a full-time employee who is represented by a union or professional association, the City will withhold membership dues of the union or professional association from the salary of the employee. The withholding request shall be on a form provided to the employee by the City. The City will transmit all dues that are withheld under this section to the union or professional association representing the employee within five (5) days of the end of the pay period.

SALARY BASIS POLICY

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

SALARY BASIS REQUIREMENT

To qualify for exemption, employees generally must be paid at not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$455 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

CITY POLICY

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all supervisors from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

DEDUCTIONS FROM PAY

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for disciplinary actions. Also, the City is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave. In these circumstances, either partial day or full day deductions may be made.

What to Do If an Improper Deduction Occurs?

If you believe that an improper deduction has been made to your salary, you should immediately report this information to their supervisor or the city business manager. Reports of improper deductions will be

promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

OVERTIME PAY

Overtime will be paid for hours worked in excess of 8 hours per day or shift. The rate of pay for overtime shall be one and one-half (1 ½) the employees normal hourly rate. All overtime worked by an employee must be authorized/approved by the supervisor. Overtime hours not authorized by the supervisor may not be compensable. Overtime pay policies are regulated by the Fair Labor Standard Act (FLSA). The FLSA does not require extra pay for Saturday, Sunday, or holidays. If employees work on the holidays, they need not be paid at time and one-half. Under the Act, holiday and Sundays are treated as other days.

Upon the recommendation of the department supervisor and with the approval of the City Business Manager, compensation for overtime may be made in the form of compensatory leave to the employee. The overtime record of the City Business Manager shall be final with respect to the number of compensatory leave days earned for each employee. Compensatory time will be accrued at the rate of one and one-half hours for each hour of overtime actually worked in an 8 hour day. In no instances, can employees accrue more than eighty (80) hours of compensatory time. Compensatory leave must be taken within the calendar year earned and should be scheduled in the same manner required for vacation. Upon termination of employment, accrued compensatory time will be paid to the employee.

EMERGENCY /INCLEMENT WEATHER SITUATIONS

It is the policy of the City to maintain hours of operation, which make the best use of employees and resources in serving the needs of the public. Emergency situations may from time to time necessitate the closure of City offices. Such situations shall be determined by the City Business Manager and/or Mayor after consideration of all facts. Employees are expected to work regardless of weather conditions unless the Mayor or City Business Manager declares the city offices officially closed. Any employee unable to work due to inclement weather will be charged one day of vacation or sick leave for each day he or she does not report for work unless, by arrangement with the Mayor or City Business Manager, it may be considered compensatory time off.

CALL PAY

"Call pay" is defined as a predetermined amount of compensation paid to an hourly employee when the employee is scheduled for stand-by duty. The "call pay" will be \$25 per day, it will be paid biweekly. This is nonrestrictive call in that the employee must be accessible by telephone. "On-site" presence of the employee must be paid as regular hours worked or overtime. If an employee is called in, a minimum of 3 hours, in addition to the on-call pay will be paid. It is the policy of the City of Farmington to compensate employees who are required, in addition to their normal work schedule, to be available for duty on weekends and holidays on a call basis.

TRAINING

The City of Farmington is committed to continuing an on-going training program for all employees. However, in addition to formal training provided by the city for various jobs, each employee has a responsibility of ascertaining for himself that he is possessed with sufficient training to enable him/her to perform his/her job. If the employee feels that additional training is needed, he/she should notify his/her supervisor who will forward the request to the City Business Manager for approval. Expenses incurred for approved on-the-job training may be assumed by the City unless such training or certification is a prerequisite to employment.

The attendance of employees at seminars and training programs is considered part of continual professional development and of great benefit to the city and the employee. Attendance for these meetings must be pre-approved by the employee's immediate supervisor and the City Business Manager.

The expenses incurred through on-the-job training and through formal training courses arranged by the city shall be assumed by the city. If employees are required to attend meetings at a location requiring an overnight stay which will require travel time in excess of the employee's normal work day, overtime will be paid on the time over the employee's normal base work period (in excess of forty (40) hours). A copy of the training session's agenda will be required to verify hours worked. Training which is not required by the city will not be compensated as work time.

Travel and Lodging

Employees who use their personal vehicles to attend training programs will be reimbursed for expenses at the same rate per mile paid to employees of the United States Government at the time of the scheduled trip. If transportation is provided by the City of Farmington, the employee will be reimbursed for actual costs incurred to operate the motor vehicle. The cost of airline transportation will be paid by the City of Farmington if approved by the employee's supervisor and the City Business Manager. The City of Farmington will reimburse employees for the cost of overnight lodging or pay the cost in advance provided a Travel Advance Form is completed and approved by the employee's supervisor and submitted to the City Business Manager at least ten (10) days prior to the scheduled trip.

Meals

Employees will be reimbursed for meals and incidental expenses at a per diem rate in accordance with the most current guidelines of the Internal Revenue Service for the area in which the employee is traveling. The per diem rate will be reduced for meals that are provided as part of the registration fee for the program. Employees will not be reimbursed for entertainment expenses, alcoholic beverages, or costs incurred for activities unrelated to the employee's job or the training program.

EMPLOYMENT OF RELATIVES

The employment of relatives in the same division of a department is prohibited and in no case shall an employee supervise another member of his immediate family. Immediate family is defined a spouse, children, mother, father, sister, brother, guardian, grandparents, grandchildren, aunt, uncle, nephew, niece, plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.

UNEXPLAINED ABSENCE

An employee is expected to promptly notify his or her supervisor in the event of an absence. Employees who are absent without approved leave and who do not notify their supervisor within a period of two (2) consecutive work days, shall be terminated unless a reasonable explanation of the facts and circumstances of the unauthorized absence are provided to the supervisor and the City Business Manager.

PERFORMANCE EVALUATIONS

The purpose of the performance appraisal is to provide a process by which the job performance of each employee is appraised for purposes of development, merit review, and possible wage/salary growth. Performance evaluations may be done at any time at the discretion of the department manager. The objective of the performance appraisal process is:

1. To enhance individual employee job performance and ensure agency operations

2. To summarize both formal and informal performance discussions held with the employee, job performance, and ensure city operations
3. To document performance areas in which employees do well and those areas which require improvement and to establish performance goals and plans to correct performance shortcomings.
4. To identify and enhance employee career goals and potential job advancement
5. To link employee performance with wage/salary consideration

To ensure that employees perform their jobs to the best of their ability, it is important that they be recognized for good performance and that they receive appropriate suggestions for improvement when necessary.

Consistent with this goal, an employee's performance should be evaluated by the employee's supervisor on an "on-going basis". Each employee will receive an annual evaluation before December 15th.

Employees are eligible for consideration for job performance salary increases. Wage and salary increases are granted on an individual basis. **Increases are not automatic or related to tenure.** Employees are evaluated on performance, productivity, quality of work, attendance, attitude and other job related factors. Job performance salary increase shall be granted only to those employees who have demonstrated, at a minimum, a satisfactory or above standard level of job performance. Employees shall normally be eligible for consideration for a job performance salary increase after their first three months of employment and at the time of their annual performance review. The salary increase effective date is subject to the discretion of the department head and/or mayor. This method of performance evaluations and determining eligibility for salary increases in no way alters the City of Farmington's at-will employment status as described on page 2 of this Personnel Policy and Procedures Manual.

JOB SAFETY

The City of Farmington strives to provide a healthy and safe working environment. Safety is largely the use of good judgment and careful work habits. If an employee is unsure of how to perform a task safely, he should ask his supervisor or department manager for the correct method.

Unsafe conduct constitutes misconduct. The following safety rules should always be observed:

- Follow all departmental safety rules.
- Use all mechanical safeguards on or for employee equipment.
- Immediately cease using and report any faulty or potentially faulty equipment to the supervisor or department manager.
- Immediately report any unsafe or potentially unsafe working condition or equipment.
- Immediately report any and every accident to the supervisor or department manager.
- Violence or threats of violence are strictly prohibited and, if confirmed, may be grounds for immediate termination.
- Examples of such conduct include harassing or threatening phone calls, email or written communication directed towards an employee or his or her friends/family members; stalking; and the destruction of personal and/or City property.
- Dangerous items of any nature such as weapons, explosives, or firearms will not be permitted on City property, or in an employee's possession while conducting City business offsite. (With the exception of the police department employees.) Of course, theft of any kind will not be tolerated.

REFUSAL TO WORK

A city employee's commitment is to public service. Any work stoppage, slowdown, strike or other intentional interruption of the operations of the city shall cause the employee to forfeit his or her employment and result in the termination of the employee from the City of Farmington.

RESIGNATION/TERMINATION

Employees desiring to terminate their employment relationship with the City of Farmington are urged (but not required) to notify the city at least two (2) weeks in advance of their intended termination. Such notice should preferably be given in writing to the employee's supervisor who will notify the City Business Manager. Proper notice generally allows the city sufficient time to calculate all final accrued moneys due the employee for his or her final paycheck. Without adequate notice however, the employee may have to wait until after the end of the next normal pay period to receive such payments.

Employees who plan to retire are urged to provide the city with a minimum of two (2) months' notice. This will allow ample time for the processing of appropriate pension forms to ensure that retirement benefits to which an employee may be entitled to, commence in a timely manner.

As mentioned elsewhere in this manual, all employment relationship with the City of Farmington is on an at-will basis. Thus, although the city hopes that the relationship with employees are rewarding, the city reserves the right to terminate the employment relationship of any employee at any time, with or without cause.

EXIT INTERVIEWS

Employees whose employment has terminated may be requested to participate in an exit interview and sign an exit interview form at the time of termination. During the interview, matters of final pay and benefits will be discussed, and the employee will be required to return any City property in his/her possession or which was entrusted to him/her.

JOB DESCRIPTIONS

Employee job descriptions are prepared according to duties and qualifications required for successful job performance. Job descriptions include the following: a job summary, including supervision exercised by the employee; supervision received by the employee; prequalification requirements for employment in the position; specific job duties and responsibilities; necessary special knowledge, skills and abilities required by the position; tools and equipment used; physical demands; and work environment. Job descriptions are reviewed periodically and may be revised when the duties of the position are changed and a new description shall be prepared for each new position.

Chapter 5 – BENEFITS

SALARY

The City of Farmington assigns each regular full-time position a pay grade. The current salary schedule is attached as Appendix B. The employee's pay is determined by the pay grade, as well as the step in the salary plan. The Mayor in conjunction with the City Business Manager will be responsible for administration of the salary plan. A review of the plan will be conducted each year as a part of the budget preparation process. Recommendations for change will be made to the City Council during consideration of the annual budget. Salary for part-time positions is recommended by the appropriate department manager and approved by the Mayor or City Business Manager.

Pay increases are to be awarded on the basis of performance as determined by the department manager. In no case shall the pay increase be considered automatic.

Increases will be considered each year for all personnel going from A to B, B to C thru G. Upon reaching Step G, increases to H, I, J, K, L, and M will be considered every two years. In alternate years were a merit increase would not be applicable a one-time bonus could be initiated by the City Council. All increases are based on job performance. Any increase will be effective on January 1st. Each department manager is responsible for determining levels of performance for his or her personnel which are worthy of increases. It is expected that the department managers will design performance standards for any given grade in a manner that will ensure that standards increase as tenure increases.

All increases set out in this policy are contingent upon sufficient funds being available to meet all the City's obligations. Using this plan the department managers should be able to determine salary needs at the beginning of the budget process.

The department manager, upon approval of the Mayor, is authorized to move an employee to one greater step without the authorization of the City Council, provided sufficient monies have been budgeted. The Mayor is authorized to move an employee's position up one grade or down one grade without approval of the City Council.

The City Council may, if funds are available, choose to grant cost of living increases to City employees. When those increases are granted they will be granted to all employees without restriction. Usually cost of living increases are considered by the City Council during the budget process.

VACATION

The City of Farmington encourages and requires each regular, full-time employee to take an annual vacation entitlement as paid time away from work. This provides a restful break in the year-round routine and supports the city's goal to promote the health and wellbeing of its employees.

Vacation must be earned before it is taken and no one may take vacation leave unless one (1) year of full-time service has been completed. (Should an employee need to take vacation time prior to their first anniversary, recommendation from the department supervisor and approval from the City Business Manager must be obtained). All full-time city employees who have been employed by the city for one (1) year shall be entitled to five (5) days of vacation leave with pay. The City Council, based upon an individual's work position/job, may grant additional vacation leave. The schedule below outlines the accrual basis for vacation leave for all non-sworn employees:

<u>Years of Service</u>	<u>Accrual Rate</u>
Less than 1 year	5 days per year
1 year to 5 years	10 days per year
6 years to 10 years	15 days per year
After 10 years	20 days per year
After 20 years	25 days per year

The amount of personnel off at any time will be governed by the department supervisor and/or City Business Manager. Employees should notify their department supervisor at least two weeks in advance of being absent

for vacation time. Vacation time may be taken in increments no less than 4 hours. An employee shall not take more than two (2) consecutive weeks of his or her vacation at any one time except with recommendation of the department supervisor and/or approval of the City Business Manager.

Pursuant to Ark. Code Ann. §14-52-106, each sworn employee of the police department shall be granted an annual vacation of not less than fifteen (15) working days with full pay. For the Fire Department, Pursuant to Ark. Code Ann. §14-53-107, each employee shall be granted an annual vacation of not less than fifteen (15) days with full pay.

For sworn employees of the police department and fulltime employee of the fire department vacation will be accrued as follows:

From hire date forward:	1.25 days per month (as designated by Arkansas State Law)
After 10 years of service:	1.66 days per month

For 24 hour shift employees:

From hire date forward:	16 hours per month
After 10 years of service:	18 hours per month
After 20 years of service:	20 hours per month

Employees who choose not to use all earned vacation time in a calendar year may choose to carry forward into the next calendar year a maximum of thirty (30) earned vacation days or the employee may choose to receive pay for a maximum of five (5) days and carry forward twenty-five days (25) days at the end of the calendar year. Pay will be at the employee's regular hourly rate of pay. If an employee fails to use their remaining vacation time, as per the above schedule, the employee will forfeit the vacation time and will not be allowed to carry forward or receive pay for any days in excess of the above described.

If a city holiday occurs during the calendar week in which a vacation period is scheduled for an employee, the employee's vacation will be extended for one (1) additional working day.

Upon termination of employment with the city, an employee will be paid for the number of accrued vacation days should any exist. Accrued vacation time is determined by the number of full months worked in the calendar year of termination.

HOLIDAYS

All full-time employees shall be entitled to the following holidays for which they will be paid at regular rate of pay.

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Fourth of July
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- Additional Christmas Holiday (determined by Mayor/City Business Mgr.)
- Personal Day

If a scheduled holiday falls on a Saturday or Sunday, the holiday will be observed on the preceding Friday or the following Monday to conform to national observance. If a company paid holiday falls during an employee's scheduled vacation, the holiday will not be counted as vacation time and the employee's vacation may be extended by one (1) additional day. If an employee takes holidays not observed by the city, these holidays will be charged against personal leave or vacation pay at the designation of the employee.

SICK LEAVE

The City of Farmington recognizes that inability to work because of illness or injury may cause economic hardships. For this reason, the city provides paid sick leave to full-time employees. All eligible employees accrue sick leave at the rate of 1 2/3 working days per month. (*Pursuant to Ark. Code Ann. §14-52-107, Ark. Code. Ann 14-53-108 relating to police and fire employees.*) 24 hour shift firefighters earn 40 hours per month.

Employees shall be eligible to utilize accrued sick leave for personal illness or physical incapacity, with or without the necessity of medical, dental or optical appointments. Employees shall also be eligible for sick leave upon the illness or injury of an immediate family member which requires the employee to provide care that is otherwise unavailable for the family member.

Any sick leave days accumulated which are not used in any calendar year may be carried over as accumulated sick leave days for the succeeding calendar year up to a maximum of sixty (60) days. Employees are encouraged to accumulate sick leave so it is available in the event of a longer illness.

An employee may be eligible for sick leave days for the following reasons:

1. Personal illness or physical incapacity
2. Illness in the immediate family which would require the employee to take care of the family member(s)
3. Medical, dental, and optical visits

Sick leave may be taken increments of not less than (1) hour per occasion: During sick leave, an employee must maintain direct daily contact with the immediate supervisor. The supervisor must be contacted a minimum of two (2) hours before the scheduled shift. Sick leave benefits are contingent upon the employee following this policy. Failure to do so may result in the loss of paid sick time.

If an employee must be off work for three (3) or more consecutive days, the employee must supply the supervisor/City Business Manager with a written physician's verification of the reason for the employee's absence. Failure to provide this documentation will result in the sick leave days being unpaid and possible termination. Should an employee use all of their available sick leave for an illness, the employee may use unused (not accrued) vacation time.

For all employees, upon retirement (according to the Arkansas Attorney General, "retirement" means that he/she will be eligible to begin receiving a pension from a retirement system. Ark. Op. Atty. Gen. No. 2002-218) or death of an employee, the employee or the employee's estate, whichever the case may be, shall be paid the accrued sick leave at the rate of pay the employee was receiving at the time of retirement or death. The maximum amount of accrued sick leave paid upon retirement or death of an employee shall not exceed sixty (60) days.

CATASTROPHIC LEAVE BANK PROGRAM

Purpose:

The Catastrophic Leave Bank Program allows eligible employees to donate annual leave, compensatory time, and sick leave to assist eligible City employees through medical emergencies, injuries, and illnesses after they exhaust all of their earned sick leave, annual leave, holiday, and compensatory time due to a catastrophic illness or injury incurred by the employee. Subject to policies developed by the City, the specifics of the program are:

Definition of Catastrophic Illness: A medical condition of an employee, as certified by a physician which requires an employee's absence from duty for more than 20 work days and which results in a substantial loss of income for the employee because of the exhaustion of all earned sick, annual holidays, and compensatory leave time. The City defines a medical condition as a personal-emergency limited to catastrophic and debilitating medical situations, severely complicated disabilities and severe accident cases which cause the employee to be incapacitated, require prolonged period of recuperation and require the employee's absence from duty as documented by a physician.

Policy:

Eligibility Requirements: To be considered for benefits under the program, the employee must:

- Be a full time employee
- Have at least one year of service with the City.
- Have exhausted all available accrued sick, annual holiday, and compensatory time.
- Have not been disciplined for any misuse of leave during the previous year.
- Have a current "Physician's Certification" of a medical condition which prevents the employee from performing the employee's job duties for a prolonged period of time resulting in a substantial loss of income.
- Must have contributed to the catastrophic leave bank.

Conditions not covered: Common illness or injury, normal childbirth and the associated recovery period, elective surgery or other elective medical procedures are not intended to be covered by this policy.

Leave will not be granted in cases where an applicant is fully covered by an income protection insurance policy, or other similar coverage.

Donations to Catastrophic Bank: Employees may not seek donations individually. Donations are voluntary, confidential and nonrefundable. An employee may not donate to the bank if such a donation will reduce their combined accrued sick and annual leave balances to less than forty hours. Employees may donate to the bank in hour increments. Once the donated hours have been transferred, the donor forfeits any future claims to these hours.

Use of Catastrophic Leave and Limits of Donated Time: While an employee is using donated leave, they shall be entitled to continue all benefits. An employee may be eligible for up to a maximum of 6 months of leave under this program. Eligibility to utilize donated leave ends on the date the employee has satisfied the waiting period for long term disability benefits or has been approved for a disability retirement benefit, whichever occurs earlier. If the employee's medical condition is covered by Workers' Compensation, eligibility to remain on catastrophic leave ends when the attending physician concludes that the employee has reached maximum medical improvement.

Catastrophic Leave Bank Committee: The committee shall consist of the Mayor, City Business Manager, Police Chief, Fire Chief and one hourly employee. The Committee shall elect a chairperson from its members.

The Committee shall be responsible for the proper administration of the CAT Bank. All decision made by the Committee will be reported to the City Council in writing at the next City Council Meeting.

Procedure:

Application Process: An employee that is eligible for catastrophic leave under this policy must apply by completing a Catastrophic Leave Request Form. This form can be acquired from the City Business Manager. If the employee is physically unable to complete this form, a family member/designee may submit the form on the employee's behalf. This form includes a section for medical certification which must be completed by the employee's physician. Incomplete applications will not be accepted.

Once the application is complete, it should be submitted to his/her supervisor, who will verify the eligibility status of the requesting employee and will forward eligible requests to the Business Manager. The Committee's decision to approve or deny a request for leave may be appealed to the City Council.

NOTICE: This is a discretionary program and may be revoked or altered at any time. Participation in this program is voluntary. Payment for CAT Leave is dependent upon the City employees' contributions into the bank. Payment for leave cannot exceed the total number of hours donated by employees to the program.

BEREAVEMENT LEAVE

In the event of a death in the employee's immediate family, the employee will be given time off, with pay, to make arrangements and/or attend the funeral. Bereavement leave with pay, up to a maximum of three (3) calendar days, will be granted to all city employees in cases of death or in the circumstances of death in the immediate family. The employee will discuss with their supervisor the amount of time needed to resolve this personal situation.

Immediate family is defined as: spouse, children, step-children, son/daughter-in-law, siblings, spouse's immediate family, employee's grandparents and family members who live in the employee's household.

Absences for funerals other than immediate family may be charged to vacation time or sick leave.

MATERNITY LEAVE

Employees affected by pregnancy, childbirth or related medical conditions will be treated the same for all employment-related purposes as persons with non-pregnancy-related health impairments, illnesses or injuries. **An employee's accrued sick leave and vacation leave will be granted for maternity use, after which leave without pay must be used, in accordance with the City's Family Medical Leave Policy, if applicable.**

In the event the Family Medical Leave Act is inapplicable, the employee may use accrued sick leave and/or accrued annual leave as required to the extent of exhaustion of sick leave and annual leave benefits.

COURT DUTY LEAVE

Employees will be granted leave with pay for witness (only where subpoenaed) or jury duty. Employees are also permitted to retain the allowance for services from the court for such service. To qualify for jury or witness (only where subpoenaed) duty leave, the employee must submit to the City Business Manager a copy of the summons or other relevant court related paperwork as early as possible upon the receipt thereof. In addition,

proof of service must be submitted to the City Business Manager when the employee's period of jury or witness duty is complete.

Any employee who initiates court action, volunteers to appear as a witness, or is a defendant in a non-city related case will be excused from work for necessary court appearances. The employee shall not be entitled to pay from the city. However, leave without pay or vacation leave with pay may be granted for this purpose.

UNIFORMED SERVICES

Certain rights to re-employment after service in the uniformed services, as well as provisions relating to pension and health benefits are established in the Uniformed Services Employment and Re-employment Rights Act of 1994, 38 USC 4301 et seq., and in Ark. Code Ann. § 21-4-102. It is the City's policy to honor and comply with the provisions of those statutes.

The Uniformed Services Employment and Reemployment Rights Act (USERRA), prohibits discrimination against persons because of their service in the military. USERRA prohibits an employer from denying any benefit of employment on the basis of an individual's membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services. USERRA also protects the right of veterans, reservists, National Guard members, and certain other members of the uniformed services to reclaim their civilian employment after being absent due to military service or training.

A summary of rights afforded by the Uniformed Services Employment and Reemployment Rights Act (USERRA) is contained in a poster developed by the U.S. Department of Labor and re-printed in Appendix A of this Handbook.

As an employer, the city shall provide to persons entitled to rights and benefits under USERRA a notice of the rights, benefits, and obligations of such persons and such employers under USERRA.

In addition, under Ark. Code Ann. § 21-4-102, employees who are members of a military service organization or National Guard unit shall be entitled to a military leave of fifteen (15) days with pay plus necessary travel time. As mentioned below, the FLSA provides further rights to family members of military personnel. After 15 days the employee shall be placed on extended military leave without pay, and shall not accrue vacation or sick leave hours during military leave.

FMLA

The Family Medical Leave Act (FMLA) of 1993 requires cities with fifty (50) or more employees to offer up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. The FMLA also allows an employee who is the spouse, son, daughter, or parent, or nearest blood relative of an injured Armed Services member to take the 12 weeks of unpaid leave plus an additional 14 weeks, for a total of 26 weeks. Eligible city employees may take unpaid leave for the following reasons:

- The birth and care of the employee's child;
- The placement of a child into an employee's family by adoption or by foster-care arrangement and to care for the newly placed child;
- for spouse, son, daughter, or next of kin of an eligible service member to care for an injured service member that is seriously injured or ill in the line of active duty, up to 26 weeks during a "single 12-month period;"

- The care of an immediate family member (spouse, child or parent, but not a parent “in-law”) who has a serious health condition;
- The inability of a city employee to work because of a serious health condition which renders the employee unable to perform the essential functions of his or her job;
- And for any qualifying exigency when the employee’s spouse, son, daughter, or parent is a covered military member (on active duty or is notified of an impending call to active duty) in support of a contingency operation.

You must conclude leave for the birth of a child or for adoption or foster care within twelve (12) months after the event. However, leave may begin prior to birth or placement, as circumstances dictate.

Leave entitlements for medical reasons are predicated upon the existence of a serious health condition suffered by you or an immediate family member. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: Inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

Generally, a condition will be considered a serious health condition if the condition or its treatment causes an employee to be absent from work on a recurring basis or for more than three calendar days.

The Family Medical Leave Act (FMLA) requires that the City maintain the health coverage of an employee eligible for FMLA under any group plan during the time the employee is on FMLA leave.

FMLA Eligibility

To be eligible for the FMLA benefits employees must: 1) be employed by the City for at least one year; and 2) have worked 1250 hours over the previous twelve (12) months preceding the date of the leave is requested to begin. An employee returning from fulfilling his or her National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the 1,250 hours of service.

Employees are required to use all sick leave they have accrued, prior to going on leave without pay. The City shall not require the use of annual leave as part of family medical leave. The employee, at the employee’s option, may use annual leave as part of family medical leave. Such paid leave status shall be included in the total of the 12 work weeks.

Calculation of Leave

Employees eligible for FMLA may use up to 12 weeks of leave during a 12-month period measured forward from the date the employee’s first FMLA leave begins. Therefore, the 12-month period will begin on the first date FMLA leave is taken. The next 12-month period will begin on the first day FMLA leave is taken after completion of any previous 12-month period.

Use of Paid Time off Benefits

When leave is taken under the Family Medical Leave Act, you will be required to first use your available annual and accrued sick and vacation leave during the twelve (12) week family leave before becoming eligible for unpaid leave. That portion of family leave of absence which is taken using annual and accrued leave days will be with pay, according to the City’s annual leave policy. Using paid time off benefits does not add to the total length of the maximum 12-week leave permitted. For example, Employee A has two (2) weeks of accrued vacation leave

and two (2) weeks of accrued sick leave. Employee A requests and is granted 4 weeks of FMLA leave. This leaves Employee A with eight (8) remaining weeks of available FMLA leave.

An employee using leave for the birth of a child is required to use annual and accrued leave for leave taken for physical recovery after childbirth.

Intermittent or Reduced Leave

In circumstances where FMLA leave is sought for your own serious health condition or that of a family member, you may take leave intermittently or be placed on a reduced work schedule, if medically necessary. In addition, when you chose to use FMLA for the birth or adoption of a child, you may also take leave intermittently or be placed on a reduced work schedule. However, this may only be done with prior permission and approval of your supervisor. If you request intermittent or reduced leave status, the City may in its sole discretion temporarily transfer you to another job, with equivalent pay and benefits, if another position would better accommodate the intermittent or reduced schedule. Furthermore, if the need to use leave is foreseeable and based on pre-planned and pre-scheduled medical treatment, you should schedule the treatment in a manner that does not unduly disrupt the City's operations.

Notification

You must provide your supervisor with thirty (30) days' written notice of your need to be absent for FMLA purposes when the need is foreseeable or predictable. The City will provide appropriate forms on which to make known your need to be absent. However, if emergency circumstances prevent 30 days' written notification, you must notify your supervisor as soon as possible.

Leave Provisions for Spouses Both Working for the City

In the event a husband and wife both work for the City, the maximum combined leave for both spouses is 12 weeks, if FMLA leave is taken for the adoption or birth of a healthy child, or to take care of a sick parent.

If FMLA leave is taken to care for an ill child, spouse, or for the employee's own serious illness, then each spouse is entitled to 12 total weeks of leave.

Job Restoration

Employees granted FMLA leave will be returned to the same position held prior to the leave or one that is equivalent in pay, benefits and other terms and conditions of employment. However, certain highly-compensated, salaried employees, although eligible for FMLA leave, are not guaranteed restoration to their positions if they choose to take leave. Such employees will be informed of this status when they request leave. If the City deems it necessary to deny job restoration for such employees while they are on FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Employee Benefits

During an employee's FMLA leave of absence, his/her health care benefits will continue. Both the City and the employee will be required to pay the customary portions of the monthly health premium. The employee's failure to pay his or her share of the premium may result in loss of coverage. The Finance Officer will advise the employee of the payment due dates. If the employee's payment is more than 30 days overdue, the health care coverage will be dropped by the City. Prior to dropping an employee from coverage for non-payment, the City Business Manager will provide the employee with at least 15 days' written notice before the date coverage is to cease.

If the employee unequivocally informs the City that he/she does not intend to work at the end of the leave period, the City's obligation to provide health benefits ends. If the employee chooses not to return to work for

reasons other than a continued serious health condition which would otherwise entitle the employee to FMLA leave or other circumstances beyond the employee's control, the employee is required to reimburse the City the amount which it contributed toward the employee's health coverage during the leave period.

For purposes of this section, an employee who returns to work, from FMLA leave, for at least 30 calendar days is deemed to have returned to work. In addition, an employee who transfers directly from FMLA leave to retirement or who retires within the first 30 days after returning from FMLA leave is deemed to have returned to work.

An employee on FMLA leave will not be allowed to accrue employment benefits, such as vacation pay, sick leave, pension, etc. However, employment benefits which accrued up to the day on which the FMLA leave began will not be lost. The use of FMLA leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Employees who fail to return to work on the first working day following the end of their FMLA leave will be deemed to have terminated their employment with the City, unless the employee otherwise notifies their supervisor prior to the end of the FMLA leave.

Certification

Medical certification, by a qualified health care provider, of the need for FMLA leave for medical reasons is required. A certification form may be obtained from the City Business Manager. This form should be filled out and returned to the employee's supervisor

When the leave is foreseeable and at least 30-day notice has been provided, the employee must provide the certification before the leave begins. When prior notice of the leave is not possible, the employee must provide the requested certification within 15 calendar days of the employee's departure, unless it is not practicable under the circumstances to do so, despite the employee's diligent good faith efforts. Employees who do not provide certification within these 15 calendar days must provide a reasonable explanation for the delay along with the certification.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners, nurse-midwives, clinical social workers and physician assistants authorized to practice under State law and performing within the practice under State law. Qualified health care providers also include Christian Science practitioners listed with the First Church of Christ, Scientist, in Boston, Massachusetts.

Release to Return to Work

A medical doctor's release is required for all City employees who return to work from a medical leave of five (5) working days or longer, which is taken for the employee's own serious health condition. Such release shall be provided to employee's supervisor prior to returning to work.

Dispute Resolution

If a disagreement occurs over the medical opinion provided by your physician, the City may require a second medical opinion, from a qualified health care provider chosen by the City. The City will pay for a second or, if necessary, a third medical opinion. In the event a third opinion is deemed necessary, the City and the employee will jointly select the third qualified health care provider. The third opinion will be considered final. Additional information and forms may be obtained from the City Business Manager.

As stated elsewhere in this manual, all city employees are employed on an at-will basis. Therefore, even if FMLA is granted, should the city be hindered by the employee's absence, it may terminate the employee during the medical leave if conditions demand replacement of an employee to fill the position. Conversely, the employee may also terminate employment at any time during the leave of absence.

HEALTH BENEFITS

The City of Farmington provides a group health plan for all of its full-time employees. The plan provides major medical coverage including, health, dental, vision, and life insurance. The city pays the premium for the employee, while dependent (family) coverage is available through a payroll deduction with the employee paying the full cost of the dependent coverage. Enrollment information and further details may be obtained in the City Business Manager's office.

A retired employee or official age fifty-five(55) or over who has completed twenty (20) years of service to the city and their families are eligible for retiree coverage under the city's health plan if they are otherwise qualified under Act 1279.

Pursuant to Act 1279 of 2009 (Ark. Code Ann. §24-12-132), a retired employee or official age fifty-five (55) or over who has completed twenty (20) years of service to the municipality may participate in the municipal health care plan if he or she:

1. Is eligible to receive retirement benefits from the Arkansas Local Police and Fire Retirement System, Arkansas Public Employees Retirement System or a local pension fund;
2. Pays both the employer and the employee contributions to the health care plan;
3. Is not covered at any time during retirement by another health care plan; and
4. Notifies the city within thirty (30) days after the official date of retirement of his or her intent to participate in the city's health care plan.

COBRA BENEFITS

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides that employees who are covered by the city's insurance benefits and terminates employment (either voluntarily or involuntarily) have a right to continue their coverage.

If you are the covered spouse of an employee, you have the right to choose continuation coverage for yourself if you lose group health coverage under the city's plan for any of the following reasons:

1. Death of your spouse
2. A termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment.
3. Divorce or legal separation from your spouse
4. Your spouse becomes eligible for Medicare

In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health coverage under the city's plan is lost for any of the following reasons:

1. The death of a parent
2. The termination of a parent's employment (for reasons other than gross misconduct) or reduction in parent's hours of employment.
3. Parent's divorce or legal separation
4. A parent first becomes eligible for Medicare.

Under the law, the employee or family member has the responsibility to inform the city of a divorce, legal separation, or of a child losing dependent status under the plan. This notification must be made within sixty (60) days of the date of the qualifying event which would cause a loss of coverage. This notice must be in writing and should be sent to the City Business Manager.

When the City of Farmington is notified that one of these events has happened, it will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one of the events described above to elect continuation coverage would otherwise be terminated. If you do not choose coverage, your group health insurance coverage will terminate in accordance with the provision outlined in the policy's manual.

If you choose continuation coverage, your coverage will be identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for three years unless you lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage is 18 months (an extension to 29 months is available under certain circumstances to disabled persons). However, the law also provides that your coverage may be terminated for any of the following reasons:

1. The City of Farmington no longer provides group health coverage to any of its employees.
2. The premium on your continuation coverage is not paid in a timely manner.
3. You become an employee covered under another group health plan (as an employee or otherwise) that does not contain a pre-existing condition limitation.
4. You first become eligible for Medicare.

You do not have to show that you are insurable to choose continuation coverage. However, you have to pay the entire premium plus 2% administrative fee for your continuation coverage. The law also says that, at the end of the 18 or 36 month continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the current group health plan, if the plan provides a conversion privilege.

OCCUPATIONAL INJURIES

All employees of the city are covered under the Arkansas State Workers' Compensation Law. Any employee incurring a work related injury should immediately notify his/her supervisor who will arrange for appropriate medical treatment and prepare, if the employee is incapable, the necessary reports required for the employee to be compensated.

All work related injuries should be reported to the employee's supervisor immediately. The supervisor will then contact the worker's compensation contact for the City (police desk sergeant). The contact will assist in completing the appropriate forms in the time required including an injury report. For the purposes of this policy, an injury shall not be considered reported unless the supervisor has been notified and an injury report has been completed.

Each employee shall be paid an amount, which together with the weekly Worker's Compensation benefits to which he/she may be entitled, which shall equal his/her regular base salary rate at the time of the injury. This pay rate shall continue from the date of injury for up to but not exceeding 3 months. At this time, should the employee still be unable to return to work, the employee would receive only the amount paid through Worker's Compensation.

According to the Arkansas Worker Compensation Laws and Rules of the Commission, worker compensation benefits to the injured employee shall not be allowed for the first (7) calendar days of the disability resulting from the injury, excluding the day of the injury, unless a disability extends beyond that period. If the disability does extend beyond the seventh day, compensation shall commence on the eighth (8th) day from the date of the disability. If a disability extends for a period of two (2) weeks, (14 calendar days), worker's compensation benefits shall be retroactively allowed beginning the first day of disability, excluding the day of injury.

In no case will any of the benefits contained herein be allowed or granted to an employee until an "Employee's Report of Injury" form has been completed and submitted to the Business Office. It shall be the employee's responsibility, or in case he/she is unable to report, the immediate supervisor's responsibility to complete this report. The report must be filled out immediately after an accident. A copy of the "Employee's Report of Injury" form is contained in the attachment section of this manual.

ACCIDENTAL INJURY

If any full-time employee is involved in an accident (not job related) and the injury sustained in such accident necessitates that the employee be absent from work, the employee shall be entitled to receive pay at a regular salary for the number of days accumulated sick leave available.

RETIREMENT

The City of Farmington provides retirement coverage through the Arkansas Public Employee Retirement System (APERS). The city provides a contribution for each employee based upon the individual employee's gross annual wages/salary. Any employee hired after 7/1/2005 must personally contribute 5% of their gross annual wages/salary. An employee is fully vested in the program upon completion of five years services with the city. Vesting means you are able to collect retirement at the age of 60. Police and fire department employees are covered under the LOPFI retirement plan.

For further information on the city retirement program and enrollment forms, please consult the City Business Manager.

MISCELLANEOUS LEAVE

The attendance of employees at seminars and training programs is considered part of continual professional development. Attendance of such seminars and programs must be preapproved by the employee's supervisor. If employees are required to attend these meetings at a location requiring an overnight stay or travel time in excess of the employee's normal work day, overtime will not be paid.

The City will pay all reasonable out-of-pocket expenses for lodging, travel costs, meals, etc., pursuant to its regular expense policy. However, no such expenses will be reimbursed without receipts documenting payments of such expenses.

The misrepresentation or altering of claims for reimbursement may result in the filing of criminal complaints, as well as disciplinary action.

Chapter 6 – STANDARDS OF CONDUCT

ATTITUDE AND RESPONSIBILITY

Each employee is expected to assist in any area of the operation of the city when called upon to the best of their capability and training. An employee should not assume the attitude of “it’s not my job” or “I don’t work there”. Additionally a positive attitude and courtesy are vitally important to relationships between employees. A pleasant attitude, a conscientious approach to work, and courtesy toward associates will benefit the individual, the work environment, and the city as a whole.

This effort – each employee taking pride in their contribution, striving to enhance the operations of the city, and utilizing their special skills and talents in a unified manner – is called TEAMWORK. Every employee who works for the City of Farmington plays an important role in the overall success of the city.

CONDUCT TOWARD THE PUBLIC

Employees of the City of Farmington shall at all times be civil, orderly, and courteous in their conduct and demeanor. Each employee should treat members of the public with respect and efficiently provide responses to their inquiries or requests. This attitude or approach to public service cannot be overemphasized. When an employee is uncertain of the correct response to an inquiry or request from the public, he/she should refer the inquiry to the individual or the department which can provide the most satisfactory response to the inquiry. It is better to admit lack of knowledge than to provide erroneous information. In no instance should an employee comment on current or pending litigation(s).

In each contact with the public, an employee must be aware that his appearance, actions, and statements are in essence those of the city.

In dealing with the public, each employee must attempt to make his conduct one which inspires respect for both himself and the city and further, one which generates the cooperation and approval of the public.

Not everyone an employee may meet in the course of his or her duties will be courteous. However, an employee should treat the public as he would like to be treated...with courtesy, patience, respect, and understanding.

COMMUNICATING ON BEHALF OF THE CITY

The Department Heads, City Business Manager and Mayor are authorized to communicate on behalf of the city in interviews, publications, new releases, on social media sites, and related communications. Other employees may represent the city if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the city or while carrying out your official duties:

- Employees must identify themselves as representing the city. Account names on social media sites must clearly be connected to the city and approved by the City Business Manager.
- All information must be respectful, professional, and truthful. Corrections must be issued when needed.
- Employees need to notify the City Business Manager if they will be using their personal technology (cell phones, home computers, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the Freedom of Information Act (FOIA).

HANDLING REQUESTS FOR INFORMATION PURSUANT TO FOIA

Any citizen of the State of Arkansas may request to inspect, copy, or receive copies of public records pursuant to the Freedom of Information Act. Any requests must immediately be forwarded to the public records

custodian. If the employee receiving the request is not the custodian, the employee must notify the requester of this fact and identify the custodian.

HANDLING MEDIA REQUEST

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the City Business Manager. Media requests include anything intended to be published or viewable to others in some form such television, radio, newspaper, newsletters, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Business Manager of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a "routine" question, immediately forward to the City Business Manager. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as she/he can."
3. Ask the media representative's name, questions, deadline, and contact information.

PERSONAL COMMUNICATIONS

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Farmington. However, these are my own opinions and do not represent those of the City of Farmington."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber.

GUIDELINES FOR APPROPRIATE CONDUCT

An employee of the City of Farmington is expected to adhere to acceptable principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. This not only involves a sincere respect for the rights and feelings of others, but also demands that both while at work and in their personal lives, employees refrain from behavior that might be harmful to the employees, co-workers, the citizens and/or the city.

Whether an employee is on duty or off-duty, his or her conduct reflects on the city. An employee should observe the highest standards of professionalism at all times.

Types of behavior and conduct that the city considers inappropriate include, but are not limited to the following:

1. Falsifying employment or other city records.
2. Violating any city nondiscrimination and/or harassment policy
3. Soliciting or accepting gratuities from citizens
4. Excessive absenteeism or tardiness
5. Excessive, unnecessary or unauthorized use of city property
6. Reporting to work intoxicated or under the influence of non-prescribed drugs or participating in the illegal manufacture, possession, use, sale, distribution, or transportation of drugs
7. Buying or using alcoholic beverages while on city property or using alcoholic beverages while engaged in city business on city premises or in any city owned vehicle, except where authorized.
8. Fighting or using obscene, abusive or threatening language or gestures
9. Theft of property from co-workers, citizens, or the City of Farmington
10. Possession of firearms or knives with blades over three (3) inches in length while on duty. (Except in the case of police department personnel.)
11. Disregarding safety or security regulations
12. Insubordination
13. Neglect or carelessness resulting in damage to city property or equipment
14. Conviction of a felony
15. Fraud in securing employment
16. Misuse of city funds
17. Failure to follow chain command unless special conditions or emergency conditions dictate otherwise
18. Sexual harassment
19. Illegal gambling

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory and in violation of either of the above referenced items or any other city policies, rules or regulations, an employee will be subject to disciplinary action up to and including dismissal.

UNIFORMS AND DRESS CODE

Uniforms or uniform allowance will be provided to personnel of certain departments as authorized by the Mayor or City Business Manager. Personnel who are provided uniforms or uniform allowance shall wear uniforms at all times while on duty. Uniforms shall be kept as neat and presentable as working conditions permit.

Employees not required to wear uniforms should dress in appropriate professional departmental attire. If an employee is not sure what appropriate attire is, then the employee should check with their supervisor or the City Business Manager.

ABSENTEEISM AND TARDINESS

Regular attendance is essential to the effective business operations, and the City of Farmington expects all of its employees to report to work on time and on a regular basis. Unnecessary absences and tardiness are expensive, disruptive and place an unnecessary burden on fellow employees, supervisors, city government as a whole and the taxpayers who receive City services. Should an employee be unable to report to work on time because of illness or personal emergency, he/she should give proper notice to his or her supervisor.

Excessive absences or tardiness, unexcused absences and tardiness, falsification of reasons for any absence or tardiness, absences/tardiness which form unacceptable patterns (i.e., regularly reporting late on Monday

mornings or calling in absent on Fridays), or failing to provide proper medical documentation to support absences/tardiness may result in disciplinary action. "Proper notice" is defined by the City as notice in advance of the time an employee should report for work or no later than one (1) hour thereafter if advance notice is impossible. An absence of an employee from duty, including any absence of one (1) day or part thereof, (other than an absence authorized by this personnel handbook or by law) that is not authorized in advance by the Department manager or the employee's supervisor will be deemed absence without leave. Such absence shall be without pay.

INCLEMENT WEATHER

Employees are expected to work regardless of weather conditions unless the Mayor or City Business Manager declares the city offices officially closed. In exceptional circumstances beyond the employee's control an employee unable to work due to inclement weather will be charged one day of vacation or sick leave for each day he or she does not report for work unless, by arrangement with the Mayor or City Business Manager, it may be considered compensatory time off. The employee is required to contact his or her supervisor for instructions regarding job assignments for that particular work day. Regardless of the situation, an employee is required to give his or her supervisor proper notice if he or she is unable to report for work.

OUTSIDE EMPLOYMENT

If an employee is considering additional employment, he or she should discuss the additional employment with his or her department manager for approval. If, as an employee of the city, an employee participates in additional employment, it must not interfere with the proper and effective performance of his or her job with the city. An employee's outside employment must not be of a nature that adversely affects the image of the city, resulting in embarrassment, legitimate and reasonable criticism or of a type that may be constructed by the public to be an official act of the city in any way violate these policies. City uniforms shall not be worn during outside employment unless approved in advance by the Mayor or City Business Manager.

OUTSIDE COMPENSATION

No reward, gift or other form of remuneration in addition to regular compensation shall be received from any source by employees of the city for performance of their duties as employees of the city. If a reward, gift or other form of remuneration is made available to any employee; it shall be credited to an appropriate city fund.

VOTING

City employees are encouraged to exercise their legal right to vote and, if necessary and requested in advance, reasonable time will be granted for the purpose.

USE OF NARCOTICS, ALCOHOL AND TOBACCO

Employees of the city shall not use habit-forming drugs, narcotics or controlled substances unless such drugs are properly prescribed by a physician. The consumption of alcohol or other intoxicants is prohibited while an employee is on duty. Employees are not to consume intoxicants while off duty to such a degree that it interferes with or impairs the performance of their duties. Employees involved in any unauthorized use, possession, transfer, sale, manufacture, distribution, purchase or presence of drugs, alcohol or drug paraphernalia on city property or reporting to work with detectable levels of illegal drugs or alcohol will be subject to disciplinary action including termination.

The City of Farmington is dedicated to providing a healthful, comfortable, and protective environment for its employees and for persons conducting business with the city. Therefore, it has been ordained by the city council that the city will maintain a tobacco free environment.

Tobacco free means that the use of any and all tobacco products, including but not limited to cigarettes and chewing tobacco, is prohibited within all municipal buildings.

DRUG-FREE WORKPLACE

It is the policy of the city of to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988 and its amendments. The use of controlled substances is inconsistent with the conduct expected of employees, subjects all employees and visitors to city facilities to unacceptable safety risks and undermines the city's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in city business for the city of or on the city's premises is strictly prohibited. Such conduct is also prohibited during non-working hours to the extent that, in the opinion of the city, it impairs an employee's ability to perform on the job or threatens the reputation and integrity of the city.

To educate employees on the danger of drug abuse, the city has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of drug abuse, the city's policy regarding drugs, the availability of counseling, and the city's employee assistance program will be discussed. Employees convicted of controlled substances related violations in the workplace must inform the city within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the city may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

USE OF CITY ASSETS AND RESOURCES

Telephones, Computers and Other Technological Resources, Internet Access, Electronic Mail and Confidentiality

To help maximize its employees' efficiency in carrying out their respective job duties, the City of Farmington provides various information and technology resources such as e-mail, computers, software/computer applications, networks, the internet, the intranet, facsimile machines, cell phones, pagers, and other wireless communication devices and voice mail systems.

Please remember that these tools are City property and must be used in a manner that reflects positively on the City and all who work here. Occasional, limited personal use of these resources is permitted, but should not interfere with your work performance, or the work performance of your colleagues. Employees will be held accountable for all usage of their systems and shall keep their keywords and passwords confidential to protect their assigned equipment and their files from misuse.

Employees shall not access or copy software or data belonging to others or to the City. Reading another employee's files is prohibited unless authorized by the department manager. Employees shall not transport software or data provided by the City to another computer site without prior authorization from the department responsible for the data.

The City will not tolerate inappropriate or illegal use of these assets and reserves the right to take appropriate disciplinary actions, as needed, up to and including termination of employment. Such inappropriate use of these resources can include, but is not limited to, the following:

- Hacking;
- Pirating software or audio/video files;
- Soliciting
- Distributing literature for outside entities;

- Sending inappropriate e-mails;
- Accessing, viewing, or downloading inappropriate Web sites, i.e., sites advocating hate, violence, sexually explicit material, or promoting illegal activities;
- Distributing confidential information to persons/entities that are not entitled to such information;
- Storing or placing unlawful information on a computer or the network;
- Copying system files without proper authorization;
- Copying copyrighted materials without proper authorization;
- Use of abusive or otherwise objectionable language in either public or private messages;
- Sending messages that are likely to result in the loss of the recipient's work or systems use;
- Sending "chain-letters," jokes or lists or any other types of use that would cause congestion or disrupt the operation of the networks or otherwise interfere with the work of others;
- Decryption of system or user passwords.

Only software which has been purchased or approved by the City of Farmington may be loaded or used on any of its computers. All software, programs, applications, templates, data and data files stored in, residing on, or developed with City computers, networks, or storage media are property of the City and shall not be removed from the workplace without proper authorization. The City's software and software manuals should not be duplicated or reproduced in any manner which would violate the license agreements which pertain to usage of the software. Computer equipment, including software, should not be removed from City premises without prior written approval from the City Business Manager.

The City reserves the right to monitor and inspect, without notice, the use of its information and technology resources.

Internet Access

Internet access is provided to employees to conduct City business, limited personal use is permitted. The City reserves the right to monitor Internet use to assure that Internet use is not abused by any one employee.

Downloading files without the express consent of the department manager is prohibited. Files downloaded from the Internet, or any other outside service, may contain a computer virus and must be scanned by a virus checking software prior to being used on a City computer. Uploading to the Internet is prohibited unless authorized by the department head to avoid interception and unauthorized access to information.

Wi-Fi Acceptable Use Policy

Wi-Fi is available in city hall. It is to be used by city employees and elected officials only. Your supervisor is responsible for relaying the password to those under their jurisdiction.

Do not use the City Wi-Fi in a way that violates state or federal law. Your Wi-Fi connection is for your use only; do not use it for any commercial purpose. Do not use your Wi-Fi connection to threaten, intimidate or harass other individuals. Network capacity is limited, if you use excess bandwidth, send disruptive signals or violate any of the above policies it will be subject to disconnection.

Electronic Mail and Confidentiality

The City of Farmington provides electronic mail for business purposes. The City maintains the ability to access any messages left on or transmitted over the system. Employees should not assume that such messages are confidential or that access by the City or its designated representative will not occur. Therefore, any personal use of the City's electronic mail system shall be kept to a minimum. The electronic mail system shall not be used: to solicit or proselytize for commercial venture, religious or political causes, outside organizations, or

other non-job-related solicitation; to create any unwelcome, offensive, or otherwise disruptive messages including sexual innuendo, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability; or to send or receive copyrighted materials, trade secrets, proprietary or financial information, or similar materials without prior written authorization from the owner of the material. Employees are not authorized to retrieve or read e-mail messages that are not sent to them.

REMOVAL OF CITY PROPERTY

No City owned, leased, or licensed equipment or documents may be removed from City premises without prior written approval from the City Business Manager.

USE OF CITY OWNED VEHICLES

City owned vehicles are sometime provided to City employees to help such employees better perform their job. City vehicles shall be legally operated and or parked at all times. Violations issued to the driver will be the responsibility of the driver, not the City. Seat belts will be used at all times when the vehicle is in motion.

City Owned vehicles shall only be used for authorized City business. However, if approved by the department manager or the City Business Manager in the event the employee is the department manager, family members may be transported in City owned vehicles to drop family members off or pick them up at destinations in the City of Farmington. (This policy does not apply to sworn employees in the police department; they have their own internal policy governing vehicle use.)

USE OF CITY OWNED CELL PHONES

According to Internal Revenue Service Code, any *personal use* of an employer issued phone by the employee may be considered taxable income and subject to withholding taxes. Minutes used for personal calls/minutes shall be reimbursed to the City at a cost of \$.10 per minute, unless the number of minutes is under the plan limit.

Use of City owned cell phones may be provided to employees to improve customer service, enhance efficiency, and provide safety and/or security. The phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct City business.

City employees may carry personal cellular phones with them while on City time or while operating City equipment, but excessive use of personal cellular phones for personal business during duty hours is not allowed.

Employees are responsible for operating City-owned vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees should refrain from using cellular phones while operating such vehicles.

Any Internet usage or text messaging must be for work purposes only. Any other Internet usage (game downloads, ring tone downloads, personal email, other multimedia applications, etc.) is prohibited. Employees are also prohibited from calling for directory assistance. The cost incurred for such usage will be paid for by the individual employee. Calls home or to family by City staff when required to work extended hours or while on out of town assignment or at conferences or trainings, shall be considered business use. Personal use of an emergency nature is permitted.

POLITICAL CAMPAIGNS

No city employee shall campaign on city time for any candidate or ballot measure at federal, state, or local level. Employees are prohibited by law and this policy for using city equipment, property, funds or other resources to campaign for a candidate or ballot measure. After working hours, employees are free to campaign and support candidates and ballot measures in federal, state, county, and local campaigns as long as they do not use city property, funds, equipment or resources. No campaign banners, campaign signs, or other campaign literature shall be placed on any cars, trucks, tractors, or other vehicle belonging to the city.

DISCIPLINARY ACTION

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory including, but not limited to, violations listed in this Handbook, or any other City policy, rule or regulation, directive or ideal, the employee may be subject to disciplinary action up to and including dismissal.

Disciplinary action may include, but is not limited to:

WARNING OR REPRIMAND. A warning or reprimand is action used to alert the employee that his or her performance is not satisfactory or to call attention to the employee's violation of employment rules and/or regulations. City employees may be officially reprimanded orally or in writing.

SUSPENSION. Suspension involves the removal of an employee from his or her job. An employee may be suspended with or without pay.

DEMOTION. A demotion is an action that places the employee in a position of less responsibility and less pay.

TERMINATION. This type of disciplinary action is a removal of an employee from city employment.

Chapter 7 – Miscellaneous Information

POLICY STATEMENT

The City of Farmington possesses the sole right to operate and manage the affairs of the city.

CONFLICTS

The policies in this Handbook will be followed unless they are found to conflict with federal, state, or local laws, which shall take precedence.

SEVERABILITY

Should any of the provisions contained in this Handbook be found contrary to federal, state, or local law, the remaining provisions of this Handbook shall remain in full force and effect. To the extent that any law provides additional or different benefits or rights to employees, the provisions of this Handbook shall be deemed to include those statements of law.

POLICY CHANGES

The City of reserves the right to suspend, revoke, or revise any of the policies contained this Handbook at any time.

CHANGE OF ADDRESS

Employees changing their home address or telephone number must notify his or her department head of this change so that personnel files can be kept current. This is important in case the city must mail the employee

any information or documents, such as tax statements. Also, if there is any change in the employee's marital status, the employee should report it to his or her department head.

FORMS

Attachment A

RECEIPT OF CITY OF PERSONNEL HANDBOOK

(To be placed in employee's personnel file)

I _____, acknowledge receipt of the City of Personnel Handbook. I understand that this Handbook is not a contract. I understand that reading this Handbook constitutes one of my job duties and that I am required to perform my job duties in accordance with the policies contained in this Handbook and any additional rules, regulations, policies or procedures which may be imposed by the City of Farmington in the department in which I work whether or not I read this Handbook. I understand that my failure to read this Handbook, as required, does not excuse me from being covered by or complying with its provisions. I understand that if I have any questions about the provisions contained in this Handbook, I should direct them to the City Business Manager.

Signed _____

Date _____

CITY OF FARMINGTON SALARY SCHEDULE 2019 (Annual) 3% COLA

	A	B	C	D	E	F	G	H	I	J	K	L	M
Grade 1	\$21,984.92	\$22,510.57	\$23,185.88	\$23,861.46	\$24,597.91	\$25,335.84	\$26,095.92	\$26,878.79	\$27,686.16	\$28,516.71	\$29,371.18	\$30,252.32	\$31,159.89
Grade 2	\$22,947.67	\$23,636.10	\$24,345.18	\$25,075.53	\$25,827.80	\$26,602.63	\$27,400.71	\$28,222.73	\$29,069.42	\$29,941.50	\$30,839.74	\$31,763.89	\$32,714.69
Grade 3	\$24,095.05	\$24,817.90	\$25,562.44	\$26,329.31	\$27,119.19	\$27,932.77	\$28,770.75	\$29,633.87	\$30,522.89	\$31,438.57	\$32,381.73	\$33,353.18	\$34,353.78
Grade 4	\$25,299.80	\$26,058.80	\$26,840.56	\$27,645.78	\$28,475.15	\$29,329.40	\$30,209.29	\$31,115.56	\$32,049.03	\$33,010.50	\$34,000.82	\$35,020.84	\$36,071.47
Grade 5	\$26,564.79	\$27,361.74	\$28,182.59	\$29,028.07	\$29,898.91	\$30,795.87	\$31,719.75	\$32,671.34	\$33,651.48	\$34,661.03	\$35,700.86	\$36,771.88	\$37,875.04
Grade 6	\$27,893.03	\$28,729.82	\$29,591.72	\$30,479.47	\$31,393.85	\$32,335.67	\$33,305.74	\$34,304.91	\$35,334.06	\$36,394.08	\$37,485.90	\$38,610.48	\$39,768.79
Grade 7	\$29,287.66	\$30,166.31	\$31,071.30	\$32,003.44	\$32,963.55	\$33,952.45	\$34,971.03	\$36,020.16	\$37,100.76	\$38,213.78	\$39,360.20	\$40,541.00	\$41,757.23
Grade 8	\$30,752.07	\$31,674.63	\$32,624.87	\$33,603.61	\$34,611.72	\$35,650.07	\$36,719.58	\$37,821.16	\$38,955.80	\$40,124.47	\$41,328.21	\$42,568.05	\$43,845.09
Grade 9	\$32,289.67	\$33,258.36	\$34,256.11	\$35,283.79	\$36,342.31	\$37,432.58	\$38,555.56	\$39,712.22	\$40,903.59	\$42,130.70	\$43,394.62	\$44,696.46	\$46,037.35
Grade 10	\$33,904.15	\$34,921.28	\$35,968.92	\$37,047.98	\$38,159.42	\$39,304.21	\$40,483.33	\$41,697.83	\$42,948.77	\$44,237.23	\$45,564.35	\$46,931.28	\$48,339.22
Grade 11	\$35,599.36	\$36,667.34	\$37,767.36	\$38,900.38	\$40,067.40	\$41,269.42	\$42,507.50	\$43,782.72	\$45,096.21	\$46,449.09	\$47,842.57	\$49,277.84	\$50,756.18
Grade 12	\$37,379.33	\$38,500.71	\$39,655.73	\$40,845.40	\$42,070.77	\$43,332.89	\$44,632.87	\$45,971.86	\$47,351.02	\$48,771.55	\$50,234.69	\$51,741.73	\$53,293.99
Grade 13	\$39,248.30	\$40,425.75	\$41,638.52	\$42,887.67	\$44,174.30	\$45,499.53	\$46,864.52	\$48,270.45	\$49,718.57	\$51,210.12	\$52,746.43	\$54,328.82	\$55,958.69
Grade 14	\$41,210.71	\$42,447.03	\$43,720.44	\$45,032.06	\$46,383.02	\$47,774.51	\$49,207.74	\$50,683.98	\$52,204.50	\$53,770.63	\$55,382.75	\$57,045.26	\$58,766.62
Grade 15	\$43,271.25	\$44,569.38	\$45,906.47	\$47,283.66	\$48,702.17	\$50,163.23	\$51,663.13	\$53,218.18	\$54,814.72	\$56,459.16	\$58,152.94	\$59,897.53	\$61,694.45
Grade 16	\$45,434.81	\$46,797.85	\$48,201.79	\$49,647.84	\$51,137.28	\$52,671.40	\$54,251.54	\$55,879.08	\$57,555.46	\$59,292.12	\$61,080.58	\$62,992.40	\$64,929.17
Grade 17	\$47,706.55	\$49,137.75	\$50,611.88	\$52,130.23	\$53,694.14	\$55,304.97	\$56,964.11	\$58,673.04	\$60,433.23	\$62,246.23	\$64,113.61	\$66,037.02	\$68,018.13
Grade 18	\$50,091.88	\$51,594.63	\$53,142.47	\$54,736.75	\$56,378.85	\$58,070.21	\$59,812.32	\$61,606.69	\$63,454.89	\$65,358.54	\$67,319.29	\$69,338.87	\$71,419.04
Grade 19	\$52,596.47	\$54,174.36	\$55,799.60	\$57,473.58	\$59,197.79	\$60,973.73	\$62,802.94	\$64,687.02	\$66,627.64	\$68,626.46	\$70,685.26	\$72,805.82	\$74,989.99
Grade 20	\$55,226.29	\$56,883.08	\$58,589.58	\$60,347.28	\$62,167.68	\$64,022.41	\$65,943.08	\$67,921.38	\$69,959.02	\$72,057.79	\$74,219.52	\$76,446.11	\$78,739.49
Grade 21	\$57,987.61	\$59,727.24	\$61,519.05	\$63,364.63	\$65,266.56	\$67,223.63	\$69,240.24	\$71,317.44	\$73,456.97	\$75,660.68	\$77,930.50	\$80,268.41	\$82,676.46
Grade 22	\$60,886.99	\$62,713.60	\$64,589.01	\$66,532.86	\$68,528.84	\$70,584.71	\$72,702.25	\$74,883.32	\$77,129.82	\$79,443.71	\$81,827.02	\$84,281.83	\$86,810.29
Grade 23	\$63,931.34	\$65,849.28	\$67,824.76	\$69,859.50	\$71,955.29	\$74,113.94	\$76,337.36	\$78,627.48	\$80,986.31	\$83,415.90	\$85,918.37	\$88,495.92	\$91,150.80
Grade 24	\$67,127.91	\$69,141.74	\$71,216.00	\$73,352.48	\$75,553.05	\$77,819.64	\$80,154.23	\$82,558.86	\$85,035.62	\$87,586.69	\$90,214.29	\$92,920.72	\$95,708.34
Grade 25	\$70,484.30	\$72,598.83	\$74,776.80	\$77,020.10	\$79,330.70	\$81,710.62	\$84,161.94	\$86,686.80	\$89,287.40	\$91,966.03	\$94,725.01	\$97,566.76	\$100,493.76
Grade 26	\$74,008.52	\$76,228.77	\$78,515.63	\$80,871.10	\$83,297.24	\$85,796.15	\$88,370.04	\$91,021.14	\$93,751.77	\$96,564.33	\$99,461.26	\$102,445.10	\$105,518.45
Grade 27	\$77,708.94	\$80,040.21	\$82,441.42	\$84,914.66	\$87,462.10	\$90,085.96	\$92,788.54	\$95,572.20	\$98,439.36	\$101,392.54	\$104,434.32	\$107,567.35	\$110,794.37
Grade 28	\$81,594.39	\$84,042.22	\$86,563.49	\$89,160.39	\$91,835.20	\$94,590.26	\$97,427.97	\$100,350.81	\$103,361.33	\$106,462.17	\$109,656.04	\$112,945.72	\$116,334.09
Grade 29	\$85,674.11	\$88,244.33	\$90,891.66	\$93,618.41	\$96,426.96	\$99,319.77	\$102,299.37	\$105,366.35	\$108,529.40	\$111,785.28	\$115,138.84	\$118,593.00	\$122,150.79
Grade 30	\$89,957.81	\$92,656.55	\$95,436.25	\$98,299.33	\$101,248.31	\$104,285.76	\$107,414.33	\$110,636.76	\$113,955.87	\$117,374.54	\$120,895.78	\$124,522.65	\$128,258.33
Grade 31	\$94,455.70	\$97,289.38	\$100,208.06	\$103,214.30	\$106,310.73	\$109,500.05	\$112,785.05	\$116,166.60	\$119,653.66	\$123,243.27	\$126,940.57	\$130,748.79	\$134,671.25
Grade 32	\$99,178.49	\$102,163.84	\$105,218.46	\$108,375.01	\$111,626.26	\$114,975.05	\$118,424.30	\$121,977.03	\$125,636.34	\$129,405.43	\$133,287.60	\$137,286.23	\$141,404.81
Grade 33	\$104,137.41	\$107,261.54	\$110,479.38	\$113,793.76	\$117,207.58	\$120,723.80	\$124,345.52	\$128,075.88	\$131,918.16	\$135,875.71	\$139,951.98	\$144,150.54	\$148,475.05
Grade 34	\$109,344.29	\$112,624.61	\$116,003.35	\$119,483.45	\$123,067.96	\$126,760.00	\$130,562.80	\$134,479.68	\$138,514.07	\$142,669.49	\$146,949.58	\$151,358.06	\$155,898.81
Grade 35	\$114,811.50	\$118,255.84	\$121,803.52	\$125,457.63	\$129,221.35	\$133,097.99	\$137,090.93	\$141,203.66	\$145,439.77	\$149,802.97	\$154,297.05	\$158,925.97	\$163,693.75

Agenda Item 15

ORDINANCE NO. 2018-14

AN ORDINANCE TO AMEND ORDINANCE 72-5.5 TO ESTABLISH A CURFEW IN THE CITY OF FARMINGTON, ARKANSAS, AND FOR OTHER PURPOSES.

WHEREAS, a failure in the supervision normally provided by parents for minors under 18 years of age results in a wide range of unacceptable behavior including vandalism, noisy and unruly behavior, breaking and entering, public drinking and littering, and truancy or absenteeism from school; and

WHEREAS, the offensive activities of minors are not easily controlled by existing laws and ordinances because the activities are concealed whenever police officers are present, and that the establishment of reasonable curfew regulations will enable the police to act reasonably and fairly to prevent the violation of laws and ordinances by minors; and

WHEREAS, imposing legal sanctions to enforce parental responsibility decreases the likelihood of juvenile delinquency, and a curfew for minors will reinforce the primary authority and responsibility of parents and guardians over minors in their care and custody.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, WASHINGTON COUNTY, ARKANSAS:

SECTION 1. Definitions. For the purposes of this ordinance, the following terms, phrases and words shall have the meanings ascribed to them by this section.

- A. *City* is the City of Farmington, Arkansas.
- B. *District Court* means the District Court of Washington County, Farmington Department, which has jurisdiction only within the city limits of the City of Farmington.
- C. *Minor* is any person under the age of eighteen (18) years of age.
- D. *Parent* is any person having legal custody of a minor (i) as a natural parent, (ii) as an adoptive parent, (iii) as a legal guardian, (iv) as a person to whom legal custody has been given by order of the court.
- E. *Public places* means a publicly or privately owned place to which the public or substantial numbers of the people have access. A public place does not include the residence of a minor, or the residence of a minor's parent or a responsible adult.
- F. *Streets* means any alley, thoroughfare, pathway or other course of travel open to the public.
- G. *Unoccupied premises or grounds* means all areas and premises of the city except those premises designed as dwellings or places of residence and presently occupied by such residents.

SECTION 2. Curfew Established. It shall be unlawful for any person under the age of 18 years to congregate, loiter or be on the streets, highways, in public places or upon unoccupied premises or grounds in the city or operate or be in actual physical control of a motor vehicle within the city after the hour of 11:00 p.m. on Sunday through Thursday or 12:00 midnight on Friday and Saturday. [To be considered during council meeting.]

SECTION 3. Permitting minor to violate curfew. It shall be unlawful for any parent or guardian to willfully or negligently permit a minor under the age of 18 years who is subject to his custody to violate any of the provisions of this ordinance nor shall any such parent or guardian issue a written consent as provided in Section 4, except in cases of necessity. The fact that a minor is in violation of the provisions of this ordinance without a defense as set forth in Section 4 shall create a rebuttable presumption that a parent is in violation of this ordinance.

SECTION 4. The following activities shall be exempt from the curfew requirements of this ordinance where the minor is:

- A. Accompanied by his parent, guardian or any other person 21 years of age or older who is authorized by a parent as the caretaker for the minor;
- B. On an errand, without any detour or stop, at the direction of his parent, guardian or caretaker, in which case such person shall personally have with him the written consent of his parent, guardian or caretaker;
- C. In a vehicle involved in interstate travel;
- D. Engaged in a certain employment activity, or going to or from employment, without any detour or stop, and such minor has in his possession evidence of such employment;
- E. Involved in an emergency;
- F. On the sidewalk that abuts the minor's residence;
- G. In attendance at an official school, religious or other recreational activity sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or from such activity, without any detour or stop, and supervised by adults.

SECTION 5. Penalties and law enforcement.

- A. A minor or parent of a minor found to be in violation of this ordinance may be cited into Juvenile or District Court subject to penalties as follows:
 - i. First offense \$100 fine, plus court costs
 - ii. Second offense \$300 fine, plus court costs
 - iii. Third offense \$Up to \$1,000 fine and costs, and up to thirty (30) Days in jail at the discretion of the Juvenile Court or District Court Judge.

[To be discussed at City Council meeting.]

- B. A parent of a minor charged with violation of this article may be notified of such violation and may be cited to appear before the District Court for any hearing which involves the minor.
- C. At the discretion of the law enforcement officer any minor arrested or cited for violation of the Minor Curfew Ordinance may be released to immediately return home or may be escorted to their home or school, or may be taken into custody and delivered to an appropriate location or juvenile authority to be held until a parent can be located to take custody of the minor.
- D. Nothing in this section shall preclude a law enforcement officer from taking any or all appropriate actions for a minor's violation of any other local or state law.

SECTION 6. Emergency Clause. That the City Council of the City of Farmington, Arkansas, further determines that this ordinance is necessary to adequately protect the citizens and enforce parental responsibility for the conduct of minors; therefore, an emergency is hereby declared and this ordinance shall become effective after its passage and publication.

PASSED, APPROVED AND IN EFFECT this 19th day of November, 2018.

APPROVED:

By: _____
Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

Agenda Item 16

RESOLUTION NO. 2018-07

A RESOLUTION PROVIDING FOR THE ADOPTION OF A BUDGET FOR THE CITY OF FARMINGTON, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019, APPROPRIATING MONEY FOR EACH ITEM OF EXPENDITURE THEREIN PROVIDED FOR; AND FOR OTHER PURPOSES.

WHEREAS, the City Council has made a comprehensive study and review of the proposed budget submitted by the mayor, and;

WHEREAS, it is the finding and conclusion of the City Council that the schedules and exhibits of anticipated revenues and expenditures for the calendar year appear to be as accurate as possible for budgetary purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS:

Section 1: This resolution shall be known as the budget resolution for the City of Farmington, Arkansas, for the twelve (12) month period beginning January 1, 2019 and ending December 31, 2019. The attached budget, incorporated herein as if set out word for word and figure for figure, reflects estimated revenues and expenditures as set forth on the succeeding pages.

Section 2: The respective funds for each item of expenditure proposed in the budget for 2019 are hereby approved and adopted for the operation of the City of Farmington, Arkansas, by the City Council on this date and constitute an appropriation of funds which are lawfully applicable to the items contained within the budget. This budget may be altered or revised by action of this governing body and unpledged funds may be subsequently appropriated to another purpose except as prohibited by law. A.C.A. § 14-58-203(a).

Section 3: The Mayor or his duly-authorized representative may approve for payment, out of funds appropriated by this budget or otherwise approved by the city council for those purposes, or may disapprove any bills, debts, or liabilities asserted as claims against the City up to a maximum amount allowed by Arkansas law and the payment or disapproval of any bills, debts or liabilities exceeding that amount shall require the confirmation of this governing body. A.C.A. § 14-58-305 Provided, however, that the

execution of all contracts and conveyances and lease contracts shall be performed by the mayor and city clerk when authorized by a resolution in writing and approved by a majority vote of the city council present and participating.

Section 4: If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

PASSED AND APPROVED this 19th day of November, 2018.

APPROVED:

By: _____
Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk



354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

MEMO

Date: November 7, 2018
To: Farmington City Council
From: Mayor Ernie Penn
Re: 2019 Budget

As required by State Law, the Mayor must provide a balanced budget to the Farmington City Council by February 1st of each year. Attached with this memo is a budget for our City for 2019. After reviewing all of our income sources and budget discussions with our department supervisors, I am recommending this budget be adopted for the year of 2019.

As we have discussed many times, my philosophy is to budget conservatively for income and control operating expenses. Over the past 10 years, our City Revenue has grown by 288%. We have continued to place money in reserves each year as evidenced by our current bank account balances. I am very proud of the financial stability of the City. Our City continues to experience growth in the residential and commercial areas. We must continue to provide the services that our citizens will require now and in the future.

Below you will find a list of the major changes in our budget for 2019:

- City Sales Tax income increase in budget by \$300,000 from \$850,000 in 2018 to \$1,150,000 in 2019. Based upon our historical data, this will still be a conservative revenue estimate.
- All employees will receive a 3% Cost of Living raise except for Elected Officials
- Fire Department to increase staff by 2 full time firemen/EMS personnel. This will allow our Fire Department to be classified as full time with 2 firemen on duty 24/7, 365 days a year. This is a commitment we have made to our citizens to increase safety in our city and improve our ISO fire rating which will lower insurance rates.
- Police Department to increase staff by 2 full time Patrolmen. Our police department is below the State and National averages recommended for policemen per capita. This will allow our department to have a more visible presence in our community and increase the safety standards in our City.

- Police Department is in contact with the Farmington School Superintendent about adding an additional School Resource Officer in 2019. No commitment from the School has been received yet but we will be requesting that the school pay 80% of total cost of the officer's salary plus benefits. The school budget cycle does not start until July 1st. This is an FYI item.
- Police Department has an increase for 2 new patrol units this budget year instead of the customary 1 new unit. Chief Hubbard will provide a list of current units and mileage for your information.
- Police Department expansion will be funded by a \$500,000 disbursement from reserve account as a capital expense
- Library transfer will increase by \$14,000, from \$30,000 to \$44,000. This will assist with increasing programs offered by Rachel
- Library expansion will be funded by a \$200,000 disbursement from reserve account as a capital expense.
- Street/ Parks will add 1 new maintenance worker who will be used for park maintenance and in street department as needed.
- Street Improvements of \$300,000 for 2019 will be funded with carryover funds in the Street Department checking account.
- New Public Works building funding and other large street/drainage projects will be funded by the Street Bond Program and will have NO impact on our operating budget. FYI.
- Creekside Park improvements will be funded by the Parks Bond Program and will have NO impact on our operating budget. FYI.

I have covered the major budget items with this memo. If you have any questions about the budget, please feel free to contact me, Melissa, or the Department Supervisors regarding any specific questions you may have prior to the Council Meeting. We can get you the information you need in advance which will allow the meeting to flow in an efficient timely manner.

GENERAL FUND -- REVENUE

GENERAL FUND	Year-To-Date	Annual Budget	Jan 2018	2019 Budget Request
	Jan 2018 Oct 2018 Actual	Jan 2018 Dec 2018	Dec 2018 Percent of Budget	
ACCIDENT REPORT	1,690.00	1,000.00	169.00%	\$1,500.00
ACT 833	17,047.18	20,000.00	85.24%	\$20,000.00
ALCOHOL SALES	3,292.17	3,000.00	109.74%	\$3,000.00
ANIMAL CONTROL	3,145.00	2,500.00	125.80%	\$2,500.00
BOND FUND REIMB	131,737.61	0.00	0.00%	\$0.00
BUILDING	139,387.00	60,000.00	232.31%	\$88,449.74
BUSINESS	6,125.00	5,000.00	122.50%	\$5,000.00
CITY COURT FINES	115,565.27	100,000.00	115.57%	\$110,000.00
CITY SALES TAX	1,031,491.42	850,000.00	121.35%	\$1,150,000.00
COUNTY TURNBACK	362,942.51	415,000.00	87.46%	\$415,000.00
DEVELOPMENT	32,093.75	7,000.00	458.48%	\$10,000.00
FRANCHISE FEES	309,073.09	375,000.00	82.42%	\$375,000.00
GARAGE SALE	2,570.00	3,000.00	85.67%	\$3,000.00
INTEREST	18,497.08	2,000.00	924.85%	\$15,000.00
MISCELLANEOUS	30,362.72	1,200.00	2,530.23%	\$12,563.96
PARK RENTAL	1,320.00	1,400.00	94.29%	\$1,400.00
SALES TAX - OTHER	917,781.33	1,090,000.00	84.20%	\$1,100,000.00
SPORTS COMPLEX	45,020.00	50,000.00	90.04%	\$50,000.00
SRO	19,961.11	25,000.00	79.84%	\$30,000.00
STATE TURNBACK	81,640.62	100,000.00	81.64%	\$95,000.00
CAPITAL EXPENSE	0.00	0.00		\$700,000.00
Revenue	\$3,270,742.86	\$3,111,100.00		\$4,185,913.70

GENERAL FUND - EXPENSES

	Year-To-Date Jan 2018 Oct 2018 Actual	Annual Budget Jan 2018 Dec 2018 Approved	Jan 2018 Dec 2018 Percent of Budget	2019 Requested Budget
Administration				
ADDITIONAL SERVICES EXPENSE	171,177.99	160,000.00	106.99%	\$160,000.00
ADVERTISING EXPENSE	\$4,971.60	\$7,000.00	71.02%	\$6,000.00
BUILDING MAINT & CLEANING	\$26,376.91	\$40,000.00	65.94%	\$40,000.00
CREDIT CARD FEE EXPENSE	\$2,804.61	\$4,000.00	70.12%	\$4,000.00
ELECTION EXPENSES	\$0.00	\$4,000.00	0.00%	\$0.00
INSURANCES EXPENSE	\$35,416.89	\$31,000.00	114.25%	\$40,000.00
LEGAL FEES	\$3,000.00	\$10,000.00	30.00%	\$10,000.00
MATERIALS & SUPPLIES	\$12,164.23	\$20,000.00	60.82%	\$17,000.00
MISCELLANEOUS EXPENSE	\$600.00	\$2,000.00	30.00%	\$2,000.00
NEW EQUIPMENT	\$7,152.71	\$10,000.00	71.53%	\$10,000.00
PAYROLL EXP - CITY ATTORNEY	\$21,743.20	\$33,500.00	64.91%	\$53,500.00
PAYROLL EXP - ELECTED	\$61,510.66	\$121,500.00	50.63%	\$121,500.00
PAYROLL EXP - REGULAR	\$180,159.12	\$225,000.00	80.07%	\$223,000.00
PLANNING COMMISSION	\$9,464.56	\$19,400.00	48.79%	\$16,400.00
POSTAGE EXPENSE	\$1,326.65	\$3,000.00	44.22%	\$2,500.00
ENGINEERING FEES	\$0.00	\$0.00		\$45,000.00
PROFESSIONAL SERVICES	\$42,692.90	\$45,000.00	94.87%	\$10,000.00
REPAIR & MAINT - OFFICE	\$986.92	\$5,000.00	19.74%	\$2,000.00
RETURNED CHECK	\$125.00	\$250.00	50.00%	\$250.00

SERVICE CHARGES	\$20.00	\$0.00	0.00%	\$150.00
TECHNICAL SUPPORT	\$6,451.00	\$20,000.00	32.26%	\$70,000.00
TELECOMMUNICATION EXPENSES	\$998.70	\$1,000.00	99.87%	\$1,000.00
TRAVEL, TRAINING & MEETINGS	\$17,438.75	\$11,000.00	158.53%	\$20,000.00
UTILITIES EXPENSES	\$57,447.09	\$60,000.00	95.75%	\$65,000.00
	\$664,029.49	\$832,650.00	79.75%	\$919,300.00

Animal Control

Expenditures

	Year-To-Date		Annual Budget		Jan 2018		2019 Requested Budget
	Jan 2018	Oct 2018	Jan 2018	Dec 2018	Percent of		
	Actual				Budget		
FUEL EXPENSES	\$1,137.85		\$2,000.00		56.89%		\$2,000.00
MATERIALS & SUPPLIES EXPENSE	\$211.46		\$600.00		35.24%		\$600.00
NEW EQUIPMENT PURCHASE	\$0.00		\$800.00		0.00%		\$500.00
PAYROLL EXP - REGULAR	\$46,041.22		\$56,000.00		82.22%		\$56,000.00
PROFESSIONAL SERVICES	\$8,177.00		\$20,000.00		40.89%		\$15,000.00
REPAIR & MAINT - AUTOMOBILES	\$1,669.09		\$0.00		0.00%		\$1,500.00
REPAIR & MAINT - EQUIPMENT	\$17.21		\$1,000.00		1.72%		\$500.00
TRAVEL, TRAINING & MEETINGS	\$0.00		\$500.00		0.00%		\$500.00
UNIFORMS/GEAR EXPENSE	\$0.00		\$800.00		0.00%		\$500.00
Expenses	\$57,253.83		\$81,700.00		70.08%		\$77,100.00

BUILDING DEPARTMENT

Expenditures

	Year-to-Date		Annual Budget		Jan 2018		Requested 2019 Budget
	Jan 2018	Oct 2018	Jan 2018	Dec 2018	Dec 2018	Percent of Budget	
	Actual						
FUEL EXPENSES	1,435.13		2,500.00		57.41%		\$2,500.00
PAYROLL EXP - REGULAR	62,988.47		80,500.00		78.25%		\$85,000.00
REPAIR & MAINT - AUTOMOBILES	83.52		1,500.00		5.57%		\$1,500.00
TRAVEL, TRAINING & MEETINGS	2,018.53		5,000.00		40.37%		\$5,000.00
UNIFORMS/GEAR EXPENSE	0.00		1,000.00		0.00%		\$1,000.00
Total	\$66,525.65		\$90,500.00		73.51%		\$95,000.00

FIRE DEPARTMENT

Expenses

Year-To-Date	Annual Budget	Jan 2018	2019 Requested Budget
Jan 2018	Jan 2018	Dec 2018	
Oct 2018	Dec 2018	Percent of	
Actual		Budget	

EXPENSES		Year-To-Date	Annual Budget	Jan 2018	2019 Requested Budget
		Jan 2018	Jan 2018	Dec 2018	
		Oct 2018	Dec 2018	Percent of	
		Actual		Budget	
FUEL EXPENSES		4,163.49	5,000.00	83.27%	\$6,000.00
HAZMAT EXPENSES		2,270.12	2,400.00	94.59%	\$2,400.00
MATERIALS & SUPPLIES EXPENSE		5,319.77	8,500.00	62.59%	\$8,500.00
MISCELLANEOUS EXPENSE		0.00	500.00	0.00%	\$500.00
NEW EQUIPMENT PURCHASE		3,973.59	6,500.00	61.13%	\$6,500.00
PAYROLL EXP - REGULAR		303,624.79	380,000.00	79.90%	\$505,070.09
REPAIR & MAINT - BUILDING		391.24	0.00	0.00%	\$400.00
REPAIR & MAINT - EQUIPMENT		2,159.71	3,000.00	71.99%	\$4,000.00
REPAIR & MAINT - TRUCK		4,083.39	6,000.00	68.06%	\$6,000.00
TRAVEL, TRAINING & MEETINGS		646.00	3,000.00	21.53%	\$2,000.00
UNIFORMS/GEAR EXPENSE		6,046.71	12,200.00	49.56%	\$12,200.00
TOTAL		\$332,678.81	\$427,100.00	77.89%	\$553,570.09

LAW ENFORCEMENT - COURT

Expenses

	Year-to-Date		Annual Budget		Jan 2018		Requested Budget
	Jan 2018	Oct 2018	Jan 2018	Dec 2018	Dec 2018	Percent of Budget 2019	
MATERIALS & SUPPLIES EXPENSE	2,397.05		1,300.00		184.39%		\$3,000.00
MISCELLANEOUS EXPENSE	0.00		400.00		0.00%		\$400.00
NEW EQUIPMENT PURCHASE	0.00		3,000.00		0.00%		\$3,000.00
PROSECUTING ATTORNEY	0.00		0.00				\$18,000.00
PAYROLL EXP - CITY ATTRNY	21,642.40		0.00		0.00%		\$0.00
PAYROLL EXP - REGULAR	62,637.31		103,000.00		60.81%		\$70,000.00
SPECIAL COURT COSTS	0.00		6,000.00		0.00%		\$6,000.00
TRAVEL, TRAINING & MEETINGS	783.28		2,200.00		35.60%		\$3,500.00
TOTALS	\$87,460.04		\$115,900.00		75.46%		\$103,900.00

LAW ENFORCEMENT - POLICE

Expenses

Year-to-Date	Annual Budget		Jan 2018	2019 Requested Budget
	Jan 2018	Dec 2018	Dec 2018	
Actual	Budget		Percent of Budget	

Expenses

BREATHALYZER EXPENSES	471.33	700.00	67.33%	\$700.00
DRUG TASK FORCE	0.00	2,000.00	0.00%	\$2,000.00
FUEL EXPENSES	20,783.80	30,000.00	69.28%	\$36,000.00
MATERIALS & SUPPLIES EXPENSE	25,556.69	36,000.00	70.99%	\$50,000.00
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%	\$500.00
NEW EQUIPMENT PURCHASE	25,822.50	32,000.00	80.70%	\$56,000.00
PAYROLL EXP - REGULAR	659,878.85	890,000.00	74.14%	\$1,140,424.99
PAYROLL EXP - SRO	53,312.79	61,000.00	87.40%	\$69,644.41
REPAIR & MAINT - AUTOMOBILES	17,405.09	20,000.00	87.03%	\$25,000.00
REPAIR & MAINT - EQUIPMENT	1,658.99	3,000.00	55.30%	\$3,000.00
TRAVEL, TRAINING & MEETINGS	5,222.24	4,500.00	116.05%	\$10,000.00
UNIFORMS/GEAR EXPENSE	9,754.42	9,500.00	102.68%	\$12,000.00
Capital Expense (from reserve)	0.00	0.00	0.00%	\$500,000.00
Total	\$819,866.70	\$1,089,200.00	75.27%	\$1,905,269.40

LIBRARY - Expenses

	Jan 2018 Oct 2018 Actual	Jan 2018 Dec 2018	Dec 2018 Percent of Budget	Requested 2019 Budget
LIBRARY				
LIBRARY TRANSFER	30,000.00	30,000.00	100.00%	\$44,000.00
TRANSFER FROM RESERVES FOR CAPITAL EXPENSE	0.00	0.00	0.00%	\$200,000.00
TOTAL	\$30,000.00	\$30,000.00	100.00%	\$244,000.00

Parks Department

	Year-to-Date	Annual Budget	Jan 2018	2019 Requested Budget
	Jan 2018 Oct 2018 Actual	Jan 2018 Dec 2018	Dec 2018 Percent of Budget	
Expenses				
BUILDING MAINT & CLEANING	4,550.44	0.00	0.00%	\$0.00
FUEL EXPENSES	3,225.20	3,000.00	107.51%	\$3,500.00
MATERIALS & SUPPLIES EXPENSE	2,357.10	4,500.00	52.38%	\$5,000.00
MISCELLANEOUS EXPENSE	0.00	1,000.00	0.00%	\$1,000.00
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.00%	\$10,000.00
PAYROLL EXP - REGULAR	87,290.27	89,000.00	98.08%	\$162,774.21
PAYROLL EXP - SPORTS COMPLEX	35,613.90	55,000.00	64.75%	\$0.00
PROFESSIONAL SERVICES	1,465.00	0.00	0.00%	\$0.00
REPAIR & MAINT - EQUIPMENT	2,147.33	4,000.00	53.68%	\$3,000.00
SPORTS PARK FUEL	965.09	1,500.00	64.34%	\$1,500.00
SPORTS PARK MATERIALS	20,293.84	14,000.00	144.96%	\$22,000.00
SPORTS PARK NEW EQUIP	768.19	12,000.00	6.40%	\$10,000.00
SPORTS PARK PROF SERV	34,244.31	40,000.00	85.61%	\$45,000.00
SPORTS PARK REPAIR/MAINT	1,901.31	6,000.00	31.69%	\$5,000.00
SPORTS PARK UNIFORMS	0.00	900.00	0.00%	\$0.00

Parks Department

SPORTS PARK UTILITIES	12,338.05	15,000.00	82.25%	\$15,000.00
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%	\$1,000.00
UTILITIES EXPENSES	1,611.46	3,000.00	53.72%	\$3,000.00
Expenses	\$208,771.49	\$259,900.00	80.33%	\$287,774.21

STREET FUND
Statement of Revenue and Expenditures

Year-To-Date	Annual Budget	Jan 2018	2019 Requested Budget
Jan 2018	Jan 2018	Dec 2018	
Oct 2018	Dec 2018	Percent of	
Actual	Budget		

Revenue		48,509.98	0.00	0.00%	\$0.00
GRANTS					
INTEREST REVENUES		515.75	50.00	1,031.50%	\$500.00
MISCELLANEOUS REVENUES		0.00	100.00	0.00%	\$100.00
PAYMENT IN LIEU OF IMPROVEMENT		120,000.00	0.00	0.00%	\$0.00
STREET CITY SALES TAX		0.00	170,000.00	0.00%	\$0.00
STREET COUNTY TURNBACK		41,087.30	40,000.00	102.72%	\$40,000.00
STREET STATE TURNBACK		349,948.62	388,000.00	90.19%	\$388,000.00
Capital from Reserves - street repairs		0.00	0.00	0.00%	\$300,000.00
	Revenue	\$560,061.65	\$598,150.00	93.63%	\$728,600.00

Expenses

ADDITIONAL SERVICES EXPENSE	302.21	0.00	0.00%	\$0.00
ADVERTISING EXPENSE	298.30	1,500.00	19.89%	\$1,000.00
BUILDING MAINT & CLEANING	152.31	0.00	0.00%	\$0.00
ENGINEERING FEES	9,983.75	0.00	0.00%	\$30,000.00
FUEL EXPENSES	4,567.00	8,000.00	57.09%	\$8,000.00
MATERIALS & SUPPLIES EXPENSE	8,986.94	10,000.00	89.87%	\$10,000.00

STREET FUND

Statement of Revenue and Expenditures

MISCELLANEOUS EXPENSE	358.33	500.00	71.67%		\$500.00
NEW EQUIPMENT PURCHASE	19,431.00	35,000.00	55.52%		\$25,000.00
PAYROLL EXP - REGULAR	140,987.15	190,000.00	74.20%		\$185,000.00
PROFESSIONAL SERVICES	73,995.17	20,000.00	369.98%		\$1,000.00
REPAIR & MAINT - BUILDING	165.00	0.00	0.00%		\$0.00
REPAIR & MAINT - EQUIPMENT	5,346.84	15,000.00	35.65%		\$10,000.00
STREET LIGHTS	41,229.32	165,000.00	24.99%		\$150,400.00
STREET/ROAD REPAIRS	55,904.00	100,000.00	55.90%		\$300,000.00
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%		\$500.00
UNIFORMS/GEAR EXPENSE	373.05	2,200.00	16.96%		\$2,200.00
UTILITIES EXPENSES	3,307.38	5,000.00	66.15%		\$5,000.00
Expenses	\$365,387.75	\$552,700.00	66.11%		\$728,600.00

Position Title 2018	Salary Grade
City Business Manager	23
Fire Chief	20
Police Chief	21
Court Clerk	16
Public Works Manager	18
Building/Code Enforcement Official	18
Police Captain	18
Police Lieutenant	17
Patrol Sergeant	16
Police Desk Sergeant	14
Police Detective	13
Police Corporal	14
Senior Patrol Officer	12
Patrol Officer	11
Probationary Patrol Officer	10
Fire Fighter	11
Administrative Assistant	10
Animal Control	7
Maintenance Worker (parks)	7
Maintenance Worker (street department)	7
Parks Program & Facility Coordinator	12
Librarian	17
Children's Librarian	10
Deputy Court Clerk/Admin Asst.	10

CITY OF FARMINGTON SALARY SCHEDULE E 2019 (Annual) 3% COLA

	A	B	C	D	E	F	G	H	I	J	K	L	M
Grade 1	\$21,954.92	\$22,510.57	\$23,186.88	\$23,881.46	\$24,597.91	\$25,336.84	\$26,096.92	\$26,878.79	\$27,685.16	\$28,515.71	\$29,371.18	\$30,252.32	\$31,159.89
Grade 2	\$22,947.67	\$23,636.10	\$24,346.18	\$25,075.53	\$25,827.80	\$26,602.63	\$27,400.71	\$28,222.73	\$29,069.42	\$29,941.50	\$30,839.74	\$31,759.89	\$32,694.69
Grade 3	\$24,096.05	\$24,817.90	\$25,562.44	\$26,329.31	\$27,119.19	\$27,932.77	\$28,770.75	\$29,633.87	\$30,522.89	\$31,438.57	\$32,381.73	\$33,353.18	\$34,353.78
Grade 4	\$25,299.80	\$26,058.80	\$26,840.86	\$27,645.78	\$28,475.15	\$29,329.40	\$30,209.29	\$31,115.56	\$32,049.03	\$33,010.50	\$34,000.82	\$35,020.84	\$36,071.47
Grade 5	\$26,564.79	\$27,361.74	\$28,182.59	\$29,028.07	\$29,898.91	\$30,796.87	\$31,719.75	\$32,661.34	\$33,631.48	\$34,631.03	\$35,660.86	\$36,719.88	\$37,815.04
Grade 6	\$27,893.03	\$28,729.82	\$29,591.72	\$30,479.47	\$31,393.85	\$32,335.67	\$33,305.74	\$34,304.91	\$35,334.06	\$36,394.08	\$37,485.90	\$38,610.48	\$39,768.79
Grade 7	\$29,287.68	\$30,166.31	\$31,071.30	\$32,003.44	\$32,963.55	\$33,952.45	\$34,971.03	\$36,020.16	\$37,100.76	\$38,213.78	\$39,360.20	\$40,541.00	\$41,757.23
Grade 8	\$30,752.07	\$31,674.63	\$32,624.87	\$33,603.61	\$34,611.72	\$35,650.07	\$36,719.58	\$37,821.16	\$38,965.80	\$40,124.47	\$41,328.21	\$42,568.05	\$43,845.09
Grade 9	\$32,289.67	\$33,258.36	\$34,256.11	\$35,283.79	\$36,342.31	\$37,432.58	\$38,555.56	\$39,712.22	\$40,903.59	\$42,130.70	\$43,394.62	\$44,696.46	\$46,037.35
Grade 10	\$33,904.15	\$34,921.28	\$35,968.92	\$37,047.98	\$38,159.42	\$39,304.21	\$40,483.33	\$41,697.83	\$42,948.77	\$44,237.23	\$45,564.35	\$46,931.28	\$48,339.22
Grade 11	\$35,599.36	\$36,667.34	\$37,767.36	\$38,900.38	\$40,067.40	\$41,269.42	\$42,507.50	\$43,782.72	\$45,096.21	\$46,449.09	\$47,842.57	\$49,277.84	\$50,756.18
Grade 12	\$37,379.33	\$38,500.71	\$39,655.73	\$40,845.40	\$42,070.77	\$43,332.89	\$44,632.87	\$45,971.86	\$47,351.02	\$48,771.55	\$50,234.69	\$51,741.73	\$53,293.99
Grade 13	\$39,248.30	\$40,425.75	\$41,638.52	\$42,887.67	\$44,174.30	\$45,499.53	\$46,864.52	\$48,270.45	\$49,718.57	\$51,210.12	\$52,746.43	\$54,328.82	\$55,958.69
Grade 14	\$41,210.71	\$42,447.03	\$43,720.44	\$45,032.06	\$46,383.02	\$47,774.51	\$49,207.74	\$50,683.98	\$52,204.50	\$53,770.63	\$55,383.75	\$57,045.26	\$58,756.62
Grade 15	\$43,277.25	\$44,569.38	\$45,906.47	\$47,283.66	\$48,702.17	\$50,163.23	\$51,668.13	\$53,218.18	\$54,814.72	\$56,459.16	\$58,152.94	\$59,897.53	\$61,694.45
Grade 16	\$45,434.81	\$46,797.85	\$48,201.79	\$49,647.84	\$51,137.28	\$52,671.40	\$54,251.54	\$55,879.08	\$57,555.46	\$59,282.12	\$61,060.58	\$62,892.40	\$64,779.17
Grade 17	\$47,706.55	\$49,137.75	\$50,611.88	\$52,130.23	\$53,664.14	\$55,249.97	\$56,884.11	\$58,567.30	\$60,303.23	\$62,046.23	\$63,813.61	\$65,607.02	\$67,431.13
Grade 18	\$50,091.88	\$51,594.63	\$53,142.47	\$54,736.75	\$56,378.85	\$58,070.21	\$59,812.32	\$61,606.69	\$63,454.89	\$65,358.54	\$67,319.29	\$69,338.87	\$71,419.04
Grade 19	\$52,596.47	\$54,174.36	\$55,799.60	\$57,473.58	\$59,197.79	\$60,973.73	\$62,802.94	\$64,687.02	\$66,627.64	\$68,626.46	\$70,685.26	\$72,805.82	\$74,989.99
Grade 20	\$55,226.29	\$56,883.08	\$58,589.58	\$60,347.26	\$62,157.68	\$64,022.41	\$65,943.08	\$67,921.38	\$69,959.02	\$72,057.79	\$74,219.52	\$76,446.11	\$78,739.49
Grade 21	\$57,987.61	\$59,727.24	\$61,519.05	\$63,364.63	\$65,265.56	\$67,223.53	\$69,240.24	\$71,317.44	\$73,456.97	\$75,660.68	\$77,930.50	\$80,268.41	\$82,676.46
Grade 22	\$60,886.99	\$62,713.60	\$64,595.01	\$66,532.86	\$68,528.84	\$70,584.71	\$72,702.25	\$74,883.32	\$77,129.82	\$79,443.71	\$81,827.02	\$84,281.83	\$86,810.29
Grade 23	\$63,931.34	\$65,849.28	\$67,824.76	\$69,859.50	\$71,955.29	\$74,113.94	\$76,337.36	\$78,627.48	\$80,986.31	\$83,415.90	\$85,918.37	\$88,495.92	\$91,150.80
Grade 24	\$67,127.91	\$69,141.74	\$71,216.00	\$73,352.48	\$75,553.05	\$77,819.64	\$80,154.23	\$82,558.86	\$85,035.62	\$87,586.69	\$90,214.29	\$92,920.72	\$95,708.34
Grade 25	\$70,484.30	\$72,598.83	\$74,776.80	\$77,020.10	\$79,330.70	\$81,710.62	\$84,161.94	\$86,686.80	\$89,287.40	\$91,966.03	\$94,725.01	\$97,566.76	\$100,493.76
Grade 26	\$74,008.52	\$76,228.77	\$78,515.63	\$80,871.10	\$83,297.24	\$85,796.15	\$88,370.04	\$91,021.14	\$93,751.77	\$96,564.33	\$99,461.26	\$102,445.10	\$105,518.45
Grade 27	\$77,708.54	\$80,040.21	\$82,444.42	\$84,914.66	\$87,462.10	\$90,085.96	\$92,788.54	\$95,572.20	\$98,439.36	\$101,392.54	\$104,434.32	\$107,567.35	\$110,794.37
Grade 28	\$81,594.39	\$84,042.22	\$86,563.49	\$89,160.39	\$91,835.20	\$94,589.26	\$97,427.97	\$100,350.81	\$103,361.33	\$106,462.17	\$109,656.04	\$112,945.72	\$116,334.09
Grade 29	\$85,674.11	\$88,244.33	\$90,891.66	\$93,618.41	\$96,426.96	\$99,319.77	\$102,299.37	\$105,368.35	\$108,529.40	\$111,785.28	\$115,138.84	\$118,593.00	\$122,150.79
Grade 30	\$89,957.81	\$92,656.55	\$95,436.25	\$98,299.33	\$101,248.31	\$104,285.76	\$107,414.33	\$110,638.76	\$113,955.87	\$117,374.54	\$120,895.78	\$124,522.65	\$128,258.33
Grade 31	\$94,455.70	\$97,289.38	\$100,208.06	\$103,214.30	\$106,310.73	\$109,500.05	\$112,788.05	\$116,168.60	\$119,653.66	\$123,243.27	\$126,940.57	\$130,748.79	\$134,671.25
Grade 32	\$99,178.49	\$102,153.84	\$105,218.46	\$108,375.01	\$111,626.26	\$114,975.05	\$118,424.30	\$121,977.03	\$125,636.34	\$129,405.43	\$133,287.60	\$137,286.23	\$141,404.81
Grade 33	\$104,137.41	\$107,261.54	\$110,479.38	\$113,793.76	\$117,207.58	\$120,723.80	\$124,345.52	\$128,075.88	\$131,918.16	\$135,875.71	\$139,951.98	\$144,150.54	\$148,475.05
Grade 34	\$109,344.29	\$112,624.61	\$116,003.35	\$119,483.45	\$123,067.96	\$126,760.00	\$130,562.80	\$134,479.68	\$138,514.07	\$142,669.49	\$146,949.58	\$151,358.06	\$155,898.81
Grade 35	\$114,811.50	\$118,255.84	\$121,803.52	\$125,457.63	\$129,221.35	\$133,097.99	\$137,090.93	\$141,203.66	\$145,439.77	\$149,802.97	\$154,297.05	\$158,925.97	\$163,693.75

Informational Items



354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

City Business Manager Report
November 19, 2018
City Council Meeting

- Anniversaries – Mike Wilbanks – 9 years, Billie Virgin – 21 years; and Melissa McCarville 13 years; thank them for their service.
- Hunter Street bridge replacement is in progress. We have run into a snag with water seeping into the creek. A fix has been designed and construction is underway again.
- Legislative Audit completed our exit interview on August 29th. It will go to the legislative committee on December 13th; on or about December 10th we should receive a letter from them with the completed audit.
- The Mayor and I attended a hearing, in October, with the fidelity bond group. They voted to pay out \$297,500 (\$300,000 minus the \$2,500 deductible). It will probably be several weeks before we get those funds. They also institute a ban so persons that have been the cause of payouts from the program can never again be covered by the program.
- We have received a check for \$39,000 in restitution. We will set up a separate account to include this check and the money we receive from the fidelity bond program. We will also include any future restitution we receive.
- Planning Commission is still working on language for the paved parking ordinance.
- The Christmas parade and tree lighting are planned for December 1, 2018 beginning at 6:00 pm.
- I'm putting an additional report in the financials. It will represent the last twelve months of expenditures; from November 1, 2017 – October 31, 2018. I thought this might be helpful looking at the budget.
- Happy Thanksgiving to all!!!

*"There are two ways of exerting one's strength: one is pushing down, the other is pulling up."
~ Booker T. Washington*



2018 FARMINGTON DISTRICT COURT MONTHLY DISTRIBUTION WORKSHEET MONTH OF OCTOBER

ADMIN OF JUSTICE FUND	Check #1	Dept. of Finance and Administration	Total for Check # 1	\$3,142.40	Chk#2069
	Check #2	General Fund	Total for Check # 2	\$1,814.85	Chk#2070
	Check #3	Washington County Treasurer (Act 1256)	Total for Check # 3	\$1,532.75	Chk#2071
Total Checks Admin of Justice					\$6,490.00

COURT COST & FINE	Check #4	Administration of Justice Fund			
		CCCR- Court Cost-Criminal		\$1,530.00	
		CCDRUG-Court Costs - Drug		\$25.00	
		CCDWI-Court Cost DWI		\$210.00	
		CCTR- Court Cost-Traffic		\$3,075.00	
		CCTRO- Court Cost-Traffic Ordinance		\$1,650.00	
		Total for Check # 4 (Chk#3450)			\$6,490.00
	Check #5	General Fund			
		FINE- Fines Collected		\$7,720.41	
		WF - Warrant Fee		\$50.00	
		SRFL - Sealing Records Fee - Local		\$25.00	
		NLIFL-No Liability Ins. Fines		\$420.00	
	FTPRLC-Fines Local		\$35.00		
	Total for Check # 5 (Chk#3451)			\$8,250.41	
Check #6	Court Automation Fund				
	CFEE-Local Court Automation		\$772.50		
	Total for Check # 6 (Chk#3452)			\$772.50	
Check #7	Department of Finance & Administration				
	CFEES - State Court Automation Fee		\$765.00		
	DCSAF - Drug Crime Special Assess Fee		\$550.00		
	FTPRAHP - FTPR Fines - AHP		\$15.00		
	NIFS - New Installment Fee - State		\$1,537.50		
	SRFS - Sealing Records Fee - State		\$25.00		
	Total for Check # 7 (Chk#3453)			\$2,892.50	
Check #8	Arkansas State Treasury				
	DRUG - Drug Abuse Prevention and Treatment Fund		\$40.00		
	Total for Check # 8 (Chk#3454)			\$40.00	
Check #9	Washington County Treasurer				
	JBAF - Jail Booking and Admin Fee		\$110.00		
	CJF - County Jail Fee		\$1,530.00		
	Total for Check # 9 (Chk#3455)			\$1,640.00	
Check #10	RF - Restitution Fee				
	Walmart Neighborhood Market, Michael Blair/CR-16-228		\$25.00		
	Total for Check # 10 (Chk#3456)			\$25.00	
Check #11	RF - Restitution Fee				
	Milissa Parsley, Reschke/TR-17-250		\$15.00		
	Total for Check # 11 (Chk#3457)			\$15.00	
Check #12	RF - Restitution Fee				
	Walmart Neighborhood Market, Tracy Terhune/CR-17-306		\$252.59		
	Total for Check # 12 (Chk#3458)			\$252.59	

Monthly Total	\$20,378.00
Year To Date	\$227,991.41

Ernie Penn, Mayor 11-1-18
Date

Kim Bentley, Chief Court Clerk 11/01/18
Date

Graham Nations, District Judge 11-2-18
Date



City of Farmington
372 W. Main st.
P.O. Box 150
Farmington, AR 72730

Fire Department
Mark Cunningham
Fire Chief

Phone 479-267-3338
Fax 479-267-3302

October 2018 Monthly Report for Mayor and City Council

The fire department responded to over 72 calls during the month of October and that is about average for this year for calls, and that gives us a total of 753 runs for the year to date.

October was a average month with fewer fire calls than normal, usually we have more fire calls this time of year but we received some extra amount of rainfall and that I think that attributed for the fewer number of fire calls.

This month we preformed our yearly fit test for our SCBA air packs and bottles. I had these packs tested and they came out okay but they are getting older and will need to be replaced soon. The bottles were not so good, I have 30 bottles that need to be replaced by NFPA standards and I will be asking for some help on these, they run about \$780.00 each at a total cost of \$23,400 plus tax and shipping. I will be asking to spend up to \$25,000 that was not expected and this was not budgeted so I can replace these with the council's approval.

In October we had our yearly pump tests completed and all of these passed the test, and with that accomplished we now have completed all our yearly tasks that we are required to have completed by the end of the year. Now we just have to get all of our trucks serviced and everything will have been completed.

We have lost one of our paid firefighters to an probable irreversible physical condition and I will be replacing him in the very near future,

Thank you as always for your continued support of the fire department;

Mark Cunningham
Fire Chief

Farmington Police Dept.

Tickets Issued by Officer and Month for 2018

11/1/2018 9:17:40 AM

Officer	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Bertorello, James	22	16	17	3	9	23	5	6	4	3	0	0	108
Brotherton, James	11	15	15	17	7	12	1	4	1	3	0	0	86
Catron, Joshua	27	24	28	5	4	51	15	8	24	5	0	0	191
Collins, John	1	0	0	0	0	0	0	0	1	0	0	0	2
Collins, Justin	79	40	53	46	27	67	60	19	31	6	0	0	428
Long, Dustin	25	30	33	5	25	50	10	22	29	7	0	0	236
Mahone, Taron	132	67	107	109	107	98	118	88	94	22	0	0	942
Parrish, Chad	1	0	2	0	0	2	1	0	0	2	0	0	8
Stine, Jacob	0	0	0	0	0	0	0	67	78	27	0	0	172
Talley, Taylor	65	55	41	26	37	32	36	32	29	4	0	0	357
Wilbanks, Johnie	0	4	0	0	3	0	0	3	0	0	0	0	10
Totals:	363	251	296	211	219	335	246	249	291	79	0	0	2540

ACTIVITY BY OFFICER

OCTOBER

	Citation	Warning	Total
Brotherton - James	3	9	12
Catron - Joshua	2	12	14
Collins - Justin	14	7	21
Long - Dustin	2	5	7
Mahone - Taron	31	15	46
Parrish - Chad	0	1	1
Stine - Jacob	25	35	60
Talley - Taylor	5	15	20
<u>Totals</u>	<u>82</u>	<u>99</u>	<u>181</u>
<u>Averages</u>	<u>10.25</u>	<u>12.38</u>	<u>22.62</u>

Farmington Police Dept.

Offenses for Month 10/2017 and 10/2018

11/1/2018 9:13:37 AM

	<u>2017</u>	<u>2018</u>
ACV (DWI (UNLAWFUL ACT))		
5-65-103	0	1
AGENCY ASSIST		
AA	1	1
AGGRAVATED ASSAULT		
5-13-204	0	1
ASSAULT ON FAMILY OR HOUSEHOLD MEMBER - 3RD DEGREE / APPREHENSION OF IMMINE		
5-26-309	0	2
BATTERY - 3RD DEGREE / RECKLESSLY CAUSES INJURY		
5-13-203A(2)	0	1
BREAKING OR ENTERING / BUILDING OR STRUCTURE		
5-39-202A(1)	0	1
Breaking or Entering/Vehicle		
5-39-202	2	3
Burglary		
Burg-01	0	1
BURGLARY, COMMERCIAL		
5-39-201B(1)	1	0
BURGLARY, RESIDENTIAL		
5-39-201A(1)	1	1
CARELESS DRIVING		
27-51-104	1	0
CRIMINAL MISCHIEF - 1ST DEGREE PROPERTY OF ANOTHER VALUE \$500 OR LESS		
5-38-203A(1)	0	3
CRIMINAL MISCHIEF - 1ST DEGREE / PROPERTY OF ANOTHER VALUE \$500 OR MORE		
5-38-203C	1	2
CRIMINAL MISCHIEF - 2ND DEGREE / PURPOSELY TAMPERS		
5-38-204(a)(2)	0	2
CRIMINAL MISCHIEF - 2ND DEGREE / RECKLESSLY DESTROYS		
5-38-204(a)(1)	1	1
CRIMINAL TRESPASS IN OR ON A VEHICLE OR STRUCTURE / PREMISES		
5-39-203A	1	0
CRIMINAL TRESPASS ON LAND / LAWFULLY POSTED		
5-39-305A	0	1
DOMESTIC BATTERING - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY		
5-26-305A(2)	4	4
DRIVING ON SUSPENDED LICENSE		
27-16-303	2	3
DUI - UNDER AGE DUI LAW / MORE THAN .02% BUT LESS THAN .08%		

	<u>2017</u>	<u>2018</u>
5-65-303B	1	0
DWI (UNLAWFUL ACT)		
5-65-103A	0	1
DWI (UNLAWFUL ACT)		
5-65-103A	3	3
Excess Speed		
27-51-201	1	3
FAILURE TO APPEAR		
5-54-120	10	18
FAILURE TO PAY FINES & COSTS		
5-4-203	15	24
Failure to Pay Registration/No Vehicle License		
27-14-903	1	1
Failure to Yield to Emergency Vehicle		
27-51-901	1	0
Fictitious Tags		
27-14-306	1	0
Fire (Structure/Vehicle/Grass)		
FIRE	0	1
FLEEING		
5-54-125	1	1
Flight from Officer/foot		
5-54-125C3d1	1	0
FRAUDULENT USE OF A CREDIT CARD / CARD OR ACCOUNT NUMBER IS STOLEN		
5-37-207A(1)	0	2
HARASSING COMMUNICATIONS / TELEPHONE, TELEGRAPH, MAIL, OR ANY WRITTEN FORM		
5-71-209A(1)	1	0
HARASSMENT / IN PUBLIC INSULTS, TAUNTS, OR CHALLENGES ANOTHER TO PROVOKE A		
5-71-208A(4)	0	2
Improper Lane Change/Use		
27-51-302	0	2
INATTENTIVE DRIVING		
8.20	0	1
Leaving Scene of Accident/Property Damage		
27-53-102	2	1
Littering		
8-6-406	1	1
No Turn Signal		
27-51-403	1	0
OBSTRUCTING GOVERNMENTAL OPERATIONS / OBSTRUCTS, IMPAIRS, HINDERS, THE PER		
5-54-102A(1)	2	0
OBSTRUCTING GOVERNMENTAL OPERATIONS / REFUSES TO PROVIDE INFORMATION FOR A		
5-54-102A(2)	1	0
POSSESSION OF A CONTROLLED SUBSTANCE - MARIJUANA		
5-64-401	1	1

	<u>2017</u>	<u>2018</u>
Possession of Drug Paraphernalia		
5-64-403(c)(1)(A)(i)	0	2
POSSESSION OF DRUG PARAPHERNALIA		
5-64-443	3	3
POSSESSION OF METH OR COCAINE GT 2GM BUT LT 10GM		
5-64-419B(1)B	1	0
POSSESSION OF METH OR COCAINE LT 2GM		
5-64-419B(1)A	1	2
POSSESSION OF SCH I OR II GT 2GM BUT LT 10GM		
5-64-419B(2)B	1	0
PUBLIC INTOXICATION / DRINKING IN PUBLIC		
5-71-212	0	1
RECKLESS DRIVING		
27-50-308	1	0
Robbery - Aggravated		
5-12-103	1	0
Run Stop(red) Light		
27-51-107	1	0
SEXUAL ASSAULT 2ND DEGREE/SUSPECT UNDER 18/VICTIM UNDER 14		
5-14-125a(5)(A)	1	0
SHOPLIFTING \$1,000 OR LESS		
5-36-116	1	0
TERRORISTIC THREATENING/2nd Degree		
5-13-301(2)A	1	0
THEFT \$1,000 OR LESS - ALL OTHERS		
5-36-103(b)(4)(A)	1	0
THEFT \$1,000 OR LESS - FROM BUILDING		
5-36-103(b)(4)(A)	0	3
THEFT \$1,000 OR LESS - FROM VEHICLE		
5-36-103(b)(4)(A)	1	2
THEFT \$1,000 OR MORE AND LESS THAN \$5,000 (BREAKING OR ENTERING / BUILDING OR STRUCTURE)		
5-36-103(b)(3)(A)	1	0
THEFT \$5,000 OR LESS BUT GREATER THAN \$1000 - ALL OTHERS		
5-36-103(b)(3)(A)	2	0
THEFT \$5,000 OR LESS BUT GREATER THAN \$1000 - FROM BUILDING		
5-36-103(b)(3)(A)	1	0
THEFT BY RECEIVING		
5-36-106	0	1
THEFT BY RECEIVING \$1,000 OR LESS		
5-36-106(e)(4))	0	1
THEFT OF A FIREARM VALUED AT LESS THAN \$2,500		
5-36-103(b)(3)(B)	1	0
THEFT OF PROPERTY / ALL OTHER		
5-36-103A(1)	1	1
THEFT OF PROPERTY OBTAINED BY THREAT		

	<u>2017</u>	<u>2018</u>
5-36-103(b)(2)(B)	1	0
THEFT OF PROPERTY/CREDIT CARD/ACCOUNT NUMBER		
5-36-103a(3)(c)	1	0
THEFT OF VEHICLE VALUED AT LESS THAN \$25,000 BUT GREATER THAN \$5,000		
5-36-103(b)(2)(A)	0	1
UNATTENDED DEATH/NATURAL CAUSES		
DEATH	2	1
UNAUTHORIZED USE OF A VEHICLE		
5-36-108	1	0
VIOLATION OF IMPLIED CONSENT		
5-65-205	2	2
Totals:	86	110

Permit Report

10/1/2018 - 10/31/2018

Permit #	Permit Date	Site Address	Permit Type	Type of Building	Description of Work	Square Foot	Material & Labor	Contractor
2286	10/29/2018	81 Kimberly	Plumbing/Gas	Residential	Plumbing for remodel	0	10,000	Morrow Plumbing
2285	10/26/2018	60 E Main	Electric	Commercial	Electric for Damon's	3,639	100,000	AWJ Electric
2283	10/26/2018	68 E Main	Electric	Commercial	Electric for new strip mall	7,294	96,000	AWJ Electric
2282	10/24/2018	11186 N Appleby	Mechanical	Residential	HVAC for new house	2,708	6,000	Anderson Heating and Air
2281	10/24/2018	295 Kelli	Electric	Commercial	Electric for Coffee House	247	3,000	Nash Electric
2280	10/23/2018	148 Wesley Stevens Rd	Storage Building	Residential	New storage building	900	25,000	Sutherland Lumber
2279	10/23/2018	456 Concho	Electric	Residential	Electric for new house	1,808	5,400	Fast Electric
2278	10/23/2018	443 Hydrangea	Building	Residential	Pool House	698	69,000	McBurnett Construction
2277	10/23/2018	456 Concho	Building	Residential	Reinspection Fee	1,808	210,000	Riggins Construction
2276	10/22/2018	295 Kelli	Plumbing/Gas	Commercial	Plumbing for Coffee House	247	6,700	Flow Pro
2275	10/17/2018	33 Watson	Electric	Residential	Change fuse box into breaker panel	0	400	Mike Taylor Electrical
2274	10/17/2018	81 Kimberly	Electric	Residential	Electrical and plumbing for remodel	0	10,000	Morrow Plumbing
2273	10/17/2018	12186 Hwy 170	Building	Residential	New House	2,297	267,000	Madsky Construction

2272	10/12/2018	506 Vista Del Valle	Mechanical	Residential	HVAC for new house	1,955	3,825	Anderson Heating and Air
2271	10/12/2018	494 Vista Del Valle	Mechanical	Residential	HVAC for new house	2,095	3,825	Anderson Heating and Air
2270	10/12/2018	471 Concho	Mechanical	Residential	HVAC for new house	1,955	3,825	Anderson Heating and Air
2269	10/12/2018	485 Concho	Mechanical	Residential	HVAC for new house	2,095	3,825	Anderson Heating and Air
2268	10/12/2018	493 Concho	Mechanical	Residential	HVAC for new house	2,095	3,825	Anderson Heating and Air
2267	10/12/2018	499 Concho	Mechanical	Residential	HVAC for new house	1,955	3,825	Anderson Heating and Air
2266	10/12/2018	665 Arroyo	Mechanical	Residential	HVAC for new house	2,384	4,985	Anderson Heating and Air
2265	10/12/2018	148 Wesley Stevens Rd	Electric	Residential	Electric for new house	2,140	5,500	Grajeda Electric
2264	10/12/2018	10907 Stonecrop	Building	Residential	New House	2,411	280,000	Baumann & Crosno
2263	10/11/2018	295 Kelli	Building	Commercial	New Coffee House	247	410,000	R & O Commercial Construction
2262	10/10/2018	68 E Main	Plumbing/Gas	Commercial	Plumbing for Farmington Village	0	40,000	SMS Plumbing LLC
2261	10/9/2018	120 White	Electric	Residential	Repairing corrosion problem at panel	0	1,500	McCarthy Electric

2260	10/8/2018	295 Kelli	Grading Permit	Commercial	Grading for Magnolia House	0	0	Eaton Excavation
2259	10/3/2018	81 Kimberly	Building	Residential	House remodel	0	20,000	Total Construction Solutions
2258	10/3/2018	493 Concho	Electric	Residential	Electric for new house	2,384	4,700	Fast Electric
2257	10/3/2018	485 Concho	Electric	Residential	Electric for new house	2,095	4,700	Fast Electric
2256	10/3/2018	665 Arroyo	Electric	Residential	Electric for new house	2,384	4,700	Fast Electric
2255	10/2/2018	485 Concho	Building	Residential	New House	2,095	244,000	Riggins Construction
2254	10/2/2018	380 N Broyles	Electric	Commercial	Electric for new public works building	9,000	40,000	Hill Electric
2253	10/2/2018	116 White Street	Electric	Residential	Replace electric panel	0	800	McCarthy Electric
Total Records: 33								
10/31/2018								

Library
Circulation and Patron Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2018												
Total Circulation	3,657	3,471	3,930	3,945	4,144	4,705	4,640	4,678	4,116	4,615		
YTD Circulation	3,657	7,128	11,058	15,003	19,147	23,852	28,492	33,170	37,286	41,901		
Holds Satisfied	684	650	681	661	680	673	765	768	726	832		
YTD Hold Satisfied	684	1,334	2,015	2,676	3,356	4,029	4,794	5,562	6,288	7,120		
PAC Logins	870	784	969	929	821	795	892	806	712	767		
YTD PAC Logins	870	1,654	2,623	3,552	4,373	5,168	6,060	6,866	7,578	8,345		
New Cardholders	39	38	11	22	34	62	33	38	36	39		
YTD New Cardholders	39	77	88	110	144	206	239	277	313	352		

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2017												
Total Circulation	4,294	3,602	4,182	4,076	4,186	4,897	4,356	3,669	4,121	4,121	3,658	3,422
YTD Circulation	4,294	7,896	12,078	16,154	20,340	25,237	29,593	33,262	37,383	41,504	45,162	48,584
Holds Satisfied	809	742	767	800	763	803	679	772	734	805	676	621
YTD Hold Satisfied	809	1,551	2,318	3,118	3,881	4,684	5,363	6,135	6,869	7,674	8,350	8,971
PAC Logins	869	758	901	826	840	837	754	806	710	886	799	744
YTD PAC Logins	869	1,627	2,528	3,354	4,194	5,031	5,785	6,591	7,301	8,187	8,986	9,730
New Cardholders	39	26	32	29	26	52	32	34	25	21	22	14
YTD New Cardholders	39	65	97	126	152	204	236	270	295	316	338	352

Library
Computer Use

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Early Literacy Station Users	101	114	134	105	112	126	103	130	114	128		
YTD Early Literacy Station Users	101	215	349	454	566	692	795	925	1,039	1,167		
Users	231	245	235	241	237	256	240	259	284*	253		
YTD Users	231	476	711	952	1,189	1,445	1,685	1,944	2,228	2,481		
Device Checkout	0	0	1	2	4	6	2	5	2	1		
YTD Device Checkout	0	0	1	3	7	13	15	20	22	23		

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2017												
Early Literacy Station Users	95	86	96	93	109	105	123	128	103	110	97	84
YTD Early Literacy Station Users	95	181	277	370	479	584	707	835	938	1,048	1,145	1,229
Users	314	293	301	271	308	224	241	365	334	237	221	264
YTD Users	314	607	908	1,179	1,487	1,711	1,952	2,317	2,651	2,888	3,109	3,373
Device Checkout	0	0	0	0	2	3	0	4	2	0	0	0
YTD Device Checkout	0	0	0	0	2	5	5	9	11	11	11	11

*began using computer software to track public computer use

Library
Miscellaneous Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Color Print Services	28	32	37	34	16	347	23	28	5	9		
YTD Color Print Services	28	60	97	131	147	494	517	545	550	559		
Copy/Print Services	929	1,420	1,412	2,029	1,389	1,206	1,374	1,670	1,509	1,578		
YTD Copy/Print Services	929	2,349	3,761	5,790	7,179	8,385	9,759	11,429	12,938	14,516		
Fax Services	90	71	74	142	94	68	75	128	100	93		
YTD Fax Services	90	161	235	377	471	539	614	742	842	935		
Notary Services	2	1	2	1	3	8	7	7	3	5		
YTD Notary Services	2	3	5	6	9	17	24	31	34	39		
Reference Transactions	221	248	346	275	213	273	352	379	239	329		
YTD Reference Transactions	221	469	815	1,090	1,303	1,576	1,928	2,307	2,546	2,875		
Scanning Services	20	14	39	41	15	17	15	65	83	59		
YTD Scanning Services	20	34	73	114	129	146	161	226	309	368		
Staff Supervised Volunteer Hours	35	33	27	14	9	38	21	5	19	37		
YTD Staff Supervised Volunteer Hours	35	68	95	109	118	156	177	182	201	238		
Test Proctor	0	0	0	0	0	1	1	1	0	0		
YTD Test Proctor	0	0	0	0	0	1	2	3	3	3		
2017												
Color Print Services	53	31	24	20	110	40	59	49	14	21	56	36
YTD Color Print Services	53	84	108	128	238	278	337	386	400	421	477	513
Copy/Print Services	1,205	1,336	1,373	1,211	1,696	1,429	1,677	1,627	1,730	1,453	1,411	1,798
YTD Copy/Print Services	1,205	2,541	3,914	5,125	6,821	8,250	9,927	11,554	13,284	14,737	16,148	17,946
Fax Services	38	35	39	51	87	78	55	72	103	108	69	77
YTD Fax Services	38	73	112	163	250	328	383	455	558	666	735	812
Notary Services	9	0	10	17	5	10	4	6	5	10	0	0
YTD Notary Services	9	9	19	36	41	51	55	61	66	76	76	76
Reference Transactions	189	188	235	241	204	224	241	291	240	195	122	179
YTD Reference Transactions	189	377	612	853	1,057	1,281	1,522	1,813	2,053	2,248	2,370	2,549
Scanning Services	18	14	15	28	18	22	10	21	24	23	25	33
YTD Scanning Services	18	32	47	75	93	115	125	146	170	193	218	251
Staff Supervised Volunteer Hours	46	53	45	68	17	13	11	21	21	34	13	2
YTD Staff Supervised Volunteer Hours	46	99	144	212	229	242	253	274	295	329	342	344
Test Proctor	0	0	0	0	0	1	1	0	2	3	0	3
YTD Test Proctor	0	0	0	0	0	1	2	2	4	7	7	10

Library
Programs and Meetings

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Book Club		8	10	9	9	10	9	8	14	13		
Community Story Time		51	57	56		131	102		55	64		
Craft Fridays						104	8					
Fall Festival Crafts									145			
Kids Book Club/Tween STEM Club	3	16	14	7		40			164	166		
Kindergarten Story Time		111	226	187			72					
LEGO® Club									3	13		
Meeting Room Use		7		7	7	7	11	5	12	15		
Nonfiction Book Club			1	1	1	1	2	2	2	3		
Painting Class							18					
Summer Reading Club Parties						100	30					
Summer Reading Club Programs						169	86					
Technology Instruction Session	1	5	3	3	3	3	3	3	2	2		
Theater Performance by YAG			34									
Trick or Trick and Craft											5	
After School Tutor Group												50
Total Monthly Program Attendance	4	232	329	263	53	591	240	13	391	319		
Number of Juvenile Programs	1	8	9	8	1	19	12	0	10	9		
Number of Young Adult Programs		0	0	0	0	0	0	0	0	0		
Number of Adult Programs	1	2	5	2	2	2	2	2	2	2		
Number of Non-library Meeting Room Events		1		1	1	1	1	1	1	2		2
Library Daily Visitors												
2018												
Visits	2,170	2,183	2,584	2,384	2,358	n/a	2,963	2,500	2,711	2,920		
YTD Visits	2,170	4,353	6,937	9,321	11,679	11,679	14,642	17,142	19,853	22,773		
2017												
Visits	2,431	2,526	2,616	2,553	2,381	3,078	2,659	2,617	2,491	2,827	2,244	2,307
YTD Visits	2,431	4,957	7,573	10,126	12,507	15,585	18,244	20,861	23,352	26,179	28,423	30,730

Farmington Public Library
Board Meeting
September 11, 2018
6:00 p.m.

Agenda:

1. **Call to Order:** Meeting called to order by President Hummel at 6:05 p.m. Members present: Betty Hummel, Jill Simpson, Linda Morrow, LaDeana Mullinix, Nadine Sewak, Phyllis Shaw and Librarian, Rachel Sawyer.
2. **Approval of June 12, 2018 Board Minutes:** LaDeana made the motion to approve the June 12 minutes and Nadine seconded it. The motion passed.
3. **Miscellaneous Action:**
 - Friends of the Library to purchase a plaque (Best Sports suggested) and children's books for Jane Vest's memorial with children's room dedication in February.
 - Plaque to include Jane's library service record: Farmington Book Club member, Friend of the Farmington Library, Farmington and Washington County Library Boards.
 - Friends' meeting to be October 1st, 5:30 p.m.

Director's 3rd Quarter Report:

Started a new patron computing project. Purchased (\$600) Deep Freeze productivity software from Faronics to assist with patron computer maintenance. The software freezes the computers for patron use, so the PC keeps its desired configurations and settings upon restart. I am able to thaw the PC for updates and to make changes. Upgraded some Ethernet equipment and cables. Purchased a card catalog computer and one to act as a server for PC Management software. PC Management software implementation scheduled for September 4. This will require some down time, but hopefully it will only be limited to the morning as we are scheduled to start at 7 a.m. Yearly cost is \$1,500. The software requires patrons to use a library card number to get on a computer. Those without one may get a guest pass from staff. Computer sessions are limited to 3 hours and may be extended, if no one else is waiting to use a computer. The sessions force a user to log off and then the PC is restarted and the system restored. This will provide patrons with equitable access to the computers and greater privacy. The system can be used in the future for reserving laptops and study rooms. PC Management software needs to be connected to Polaris. This will take upgrading our network and establishing a private network connection with the county. Started development on a technology plan to be presented next year.

A new employee with Friendship Community Care and Job Path started work on June 27. He works two afternoons a week. Our Workforce and Arkansas Promise employee worked full time

for six weeks over the summer. His last day was July 26. For the fall semester, the high school is sending two community service students to volunteer a few days a week.

Washington County Environmental Affairs put out a storm water display in July.

Latin America Ministries cleaned out the closet of Friends book donations from last fall's book sale. Started asking for book donations for this year's sale (October 26 and 27).

Provided requested documents to Legislative Audit. The revenue reporting in Polaris does not meet the standards the auditors are looking for. Purchased a cash register that should meet the numbered receipts requirement. Now, staff select the charges the patron wants to pay in Polaris and money for fines and fees is collected through the cash register. Receipts are issued to customers from Polaris and the library keeps the receipt from the cash register. The range of receipts produced from the cash register for the week are recorded with the deposit and the receipts will be available for future audit.

Attended an ALA webinar on holistic personnel management. (well-rounded staff leadership and team management workshop)

Set up the children's room for Washington County United Soccer to hold sign-ups on August 25.

Attended city meeting about the Farmington Fall Festival. The event is scheduled for September 29th and originally planned to be at Creekside Park will now be at the library. Joy and I will organize a few indoor activities to go along with those planned for outside.

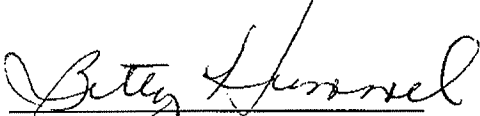
Children's Librarian Report: Presented infographic of Summer Reading statistics.

Policy and Procedures Manual: Draft document reviewed with discussion of collection development policy and material review procedure. Current Computer and Internet Access Policy reviewed. Work on collection development policy (includes the Freedom of Information Act) and other policies (including meeting room usage) to be presented at November meeting.

Financial and Statistics Reports: Board reviewed statistics and financial reports.

Next meeting scheduled for November 13, 2018. Budget is on agenda.

Adjournment: Linda moved to adjourn the meeting, Jill seconded, motion passed. Meeting adjourned at 6:55 p.m.


Betty Hummel, Board President

Planning Commission Minutes September 24, 2018

1. ROLL CALL – Meeting was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Robert Mann, Chair
Judy Horne
Howard Carter
Matt Hutcherson
Bobby Wilson
Toni Lindsey
Jay Moore

ABSENT

Gerry Harris

City Employees Present: Ernie Penn, Mayor;
Melissa McCarville, City Business Manager; Steve
Tennant, City Attorney

2. Approval of Minutes: August 27, 2018 Minutes were approved as written.

3. Comments from Citizens:

Tony Montez- 6 Bellwood: Mr. Montez had concerns about the development behind his property. The retention pond is not retaining the water properly and it is becoming stagnant and smelly, causing mosquitoes to breed. He is concerned for his and the neighborhood kids getting bitten. These problems have been occurring over the past year. Also, he has had damages to his utility lines.

Jay Moore addressed the Commission that he too lives in that area and the neighbors' concerns are very real. Most of the neighbors have come to him or the City for help getting this issue resolved. Rick had seen a truck there to treat the water. Tony replied that there has been no improvement. Jay addressed this with Rick's response of how to patch the sides of the pond to retain the water. The residents were instructed to contact Rick Bramall, the City Inspector for further information.

Public Hearing:

4A. Rezone request: 34.22 acres on Hwy 170 rezone from A-1 to R-1 presented by Dave Jorgensen for Richard Grubbs:

Dave Jorgensen explained the location on Highway 170. He also stated that there is an 8" water line that runs through the middle of the property that developer can tie into. This will be tied in with Washington Water and the sewer line connected to Prairie Grove. They have been in contact with ESI waste water to confirm that everything is in place to be connected. There will be approximately seventy- six to seventy-seven houses built on the acreage. Regarding concerns with traffic flow, Mr. Jorgensen said there will be two access points from Hwy 170 to this new development. Jay Moore asked what school district this subdivision will fall into and it was said it may be Farmington just as Valley View.

Public Comment:

Willie Newman of 246 Pine Meadow Dr. - brought up the question of why Planning Commission would allow this property to be rezoned without the permitting in place. City Attorney Steve Tennant explained

that the Commission can only consider rezoning regardless of utilities available. Dave Jorgensen addressed Mr. Newman's question saying the developer would have to go through the proper steps to get all required permits. The Health Department has to give approval as well as the utilities.

Comments from the City: Steve Tennant stated they can rezone at any time. Melissa McCarville stated that they can do this on speculation of later use. Jay asked if it was our issue past rezone until developer submits the Large Scale Development. It was said that is correct. Melissa again stated this is all done on speculation until the Preliminary Plat is submitted.

Robert Mann called the question to approve the rezone request from A-1 to R- 1. Upon roll call, the ayes were: Howard Carter, Jay Moore, Toni Lindsey, Bobby Wilson, Judy Horne and Matt Hutcherson; absent, Gerry Harris. Motion passed unanimously.

5. Adjournment: Having no further business, meeting was adjourned.



Judy Horne - Secretary



Robert Mann - Chair