



**CITY OF CENTERTON
SPECIAL
CITY COUNCIL MEETING
SEPTEMBER 17, 2020**

(1) Roll Call-

The Virtual Zoom Special City Council Meeting was called to order by Mayor, Bill Edwards at 6:02 p.m. Those Present and answering roll call were Mayor Bill Edwards, Keith Higginbotham, Robin Reed, Josie Reed, Wayne Low, Darren Warren and Misty Elam. Those present and not answering roll call were City Clerk Todd Wright, City Attorney Brian Rabal, Financial Director Pam Grant, HR Director Jocelyn Diaz, Planning Director Lorene Burns, Director of Public Works Rick Hudson, Police Chief Cody Harper, Fire Chief Matt Thompson and Parks & Recreation Supervisor Lance Johnson.

(2) Resolutions -

- **Resolution 2020-23- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH NORTHWEST ARKANSAS PARAMED TRANSFER LLC. SPRINGDALE, ARKANSAS, FOR AMBULANCE SERVICE.**

Mayor Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Northwest Arkansas Paramed Transfer LLC for Ambulance Service. He said City Attorney Brian Rabal and Fire Chief Matt Thompson have worked with Northwest to update the contract since our last meeting. He said there were no significant changes.

City Attorney Brian Rabal stated that Chief Thompson has assured him that he is comfortable with the contract.

Mayor Edwards asked the Council if there were any other questions. There were none.

Keith Higginbotham made a motion to read the Resolution by title only, with a 2nd from Wayne Low. All Council Members voted in favor and the motion carried. Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to adopt the Resolution, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

- **Resolution 2020-25- A RESOLUTION APPROVING AN AGREEMENT OF UNDERSTANDING BETWEEN THE CITY OF CENTERTON, ARKANSAS, AND BENTONVILLE SCHOOL DISTRICT #6 TO PARTICIPATE IN THE SCHOOL RESOURCE PROGRAM.**

Mayor Edwards addressed the Council, stating that this Resolution is a Memorandum of Understanding between the City and the Bentonville School District to participate in the School Resource Program.

Police Chief Cody Harper stated that he approached the Chief Deputy of the Sherriff's Dept. about us working together, with each of us having an SRO at BWHS. He said he took the idea to Superintendent Jones and Steve Vera this summer, and they both supported the idea. He said it will be a Trial Basis for this semester, beginning 9/28/2020. He said we went through the interview process, and Officer Flickinger was selected. He said the City would be paying the Officer's salary for this semester, and would re-evaluate during the Christmas Break, to decide whether to continue as is, or with another idea. Mayor Edwards said we could look at negotiating a Salary at that time. Chief Harper said he will use his current vehicle and we will be able to absorb the cost, as we currently have a 17th "Flex Officer" position, which will just move to the SRO position.

Misty Elam asked about Overtime. Harper said Flickinger understood that 9-5 would be his Base Schedule, and anything he is asked to do after that falls under MOU, as agreed upon.

Mayor Edwards asked the Council if there were any other questions. There were none.

Keith Higginbotham made a motion to read the Resolution by title only, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried. Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to adopt the Resolution, with a 2nd from Wayne Low. All Council Members voted in favor and the motion carried.

- **Resolution 2020-27- A RESOLUTION AMMENDING THE EMPLOYEE POLICY HANDBOOK OF THE CITY OF CENTERTON, ARKANSAS.**

Mayor Edwards introduced the item to the Council. He said he sent the updated Employee Policy Handbook to the Council about 3 weeks ago, for their review. He said it has been reviewed and approved by the Staff and City Attorney.

HR Coordinator Jocelyn Diaz addressed the Council, stating that anything directed by State Statute was left the same, but the section on FMLA is more detailed. She said she cleaned up a lot of the verbiage to make it more understandable. She said HR was added to sections, since we now have that option.

The “Sick Bank” Section was discussed in detail. Brian Rabal asked if it would have an effect on the Budget. Pam Grant said it would have a minimal effect on the Budget. Lance Johnson pointed out that employees are donating time, not money, and that time is already budgeted. Diaz said an employee would need to be actively employed, have been employed for at least 12-months, and must be contributing to the program to qualify. She said a minimum of 8 hours and a maximum of 240 hours can be requested per year, after the employee has exhausted all of their accrued time. There was continued discussion. Council was in support.

Darren Warren asked about the use of City Vehicles to take children to school. Diaz said we assign those vehicles to an employee and there is a Waiver Form that is used for any non-employees as passengers in the vehicle. It was recommended that waivers be kept in the vehicles, and that a section for Minors be added. There was discussion about Police and Fire having their own policies, covering both “on-duty and off-duty”. Rabal mentioned possibly adding “outside the scope of employment or duties” language. He also recommended looking at adding language to cover the fact that Police and Fire have policies outside of the Employee Handbook. There was continued discussion. Diaz recommended employees fill out the waivers annually. Misty Elam asked if this was only allowed in the City Limits. Mayor Edwards said we have employees that live outside the city limits. There was discussion. Todd Wright said we have addressed these situations on a case by case basis in the past, at the time of hire, or at the time a city vehicle is issued. Diaz said that this is one of the critical items that she spends more time covering with the employee, at the time of hire. Misty Elam asked how many employees, other than Police and Fire, which take a vehicle home. Pam Grant said maybe half a dozen. Council agreed to a limit of 15 miles from the employee’s work location, matching the Police Dept. Policy.

There was discussion about use of “Chain of Command” and the role of HR.

Misty Elam asked about “Comp Time” being brought back. Mayor Edwards said it has been requested by one of our Department Heads. Chief Harper, Rick

Hudson and Lance Johnson gave examples of when Comp Time is necessary. There was discussion. It was agreed that there would be a 48 hour cap, and Jocelyn Diaz would track it. Lance Johnson said they would track it as well, and said it would be a valuable asset for any of the departments. Diaz all non-exempt employees from all departments are eligible. There was added discussion. Council was in support.

Matt Thompson stated that the FD doesn't have a Comp Time Policy like the PD, and asked if the City Handbook would override the Department Policy. City Attorney Brian Rabal recommended adding language such as "to the extent that other Departmental Policies do not contradict this policy, this policy prevails". Chief Harper recommended a disclaimer stating "if an individual Department does not have a policy governing this issue, they fall to the City Handbook". Rabal was fine with that. Council was in support.

Brian Rabal asked if the changes he and Jocelyn Diaz discussed earlier today were made. Diaz said they were.

Pam Grant said we are also proposing a Vacation Hours cap of 360 hours. She said there are three (3) employees currently over that cap and recommended a payout to those employees of around \$8500.00. She said it would not be a burden to the city. There was discussion. Council was in favor.

Mayor Edwards asked the Council if there were any other questions. There were none.

Keith Higginbotham made a motion to read the Resolution by title only, Contingent upon the recommended changes, with a 2nd from Wayne Low. All Council Members voted in favor and the motion carried. Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to adopt the Resolution, with the changes agreed upon by Council in tonight's discussion, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(5) Adjourn-

Wayne Low made a motion to Adjourn at 7:23 p.m. with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk