

CITY OF HOPE
BOARD OF DIRECTORS MEETING
TUESDAY, AUGUST 21, 2007, 7 PM
CITY HALL BOARD ROOM

- ITEM 1: CALL TO ORDER
- ITEM 2: INVOCATION
- ITEM 3: REVIEW MINUTES OF AUGUST 7, 2007 BOARD MEETING
- ITEM 4: PRESENTATION OF 2006 AUDIT REPORT
- ITEM 5: CONSIDER PARK GRANT RESOLUTION
- ITEM 6: CONSIDER ACCEPTANCE OF STOP GRANT AWARD
- ITEM 7: DISCUSSION: LETTER FROM HOPE-HEMPSTEAD COUNTY CHAMBER OF COMMERCE
- ITEM 8: CONSIDER UPDATES TO CITY OF HOPE PERSONNEL HANDBOOK: TRAVEL AND VEHICLE USE POLICIES
- ITEM 9: CITY MANAGER'S REPORT
- ITEM 10: CITIZENS REQUEST

**CITY OF HOPE
BOARD OF DIRECTORS MEETING
7:00 P.M., TUESDAY, AUGUST 7, 2007
CITY HALL BOARD ROOM**

The City Board of Directors met at 7:00 p.m., Tuesday, August 7, 2007, with the following present:

Catherine Cook, City Manager
Joe Short, City Attorney
Carol Almond, City Clerk

Directors: Dennis Ramsey, Mayor
David Johnson, Vice-Mayor, absent
Doodle Franklin, absent
Willie Walker
Don Still
Don Hall
Steve Montgomery

Mayor Ramsey called the meeting to order. Director Don Still opened the meeting with a prayer.

Minutes of the July 17, 2007 meeting were reviewed and approved on a motion by Don Hall, seconded by Steve Montgomery. All present voted "Aye." Motion carried.

The City of Hope advertised for bids on the purchase of 2100 tons of hot mix asphalt and installation for this year's Street Program. Bids were opened at 2 p.m. July 26, 2007.

The following bids were received:

R. K. Hall Construction LTD \$78/ton
C & F Construction Co, Inc. \$84.48/ton
Lindsey Asphalt Paving \$82.50/ton
Sid & Sons \$102.00/ton

The following streets were to receive an overlay this year.

13th Street: Springhill Road to Fulton
14th Street: Forest to Fulton
18th Street: Carolyn to Sammy Circle
Margaret St: Avenue C to Avenue E

Dairy Street: Allen to Bell
Belew Street: Avenue C to Avenue D
Edgewood: N. of Henry C. Yerger
Hickory: Bell to N. Spruce

Don Hall made a motion to accept the low bid of \$78 a ton from R. K. Hall, seconded by Willie Walker. All present voted "Aye." Motion carried.

Because several of the streets that are included in the 2007 Street Program require milling down prior to the installation of a new layer of asphalt, the City has also requested bids on street milling.

The following bids were received at 2 p.m. on July 26, 2007.

Columbia Curb & Gutter \$19,259.10
R. K. Hall \$31,407.20

The following streets require milling prior to overlay.

13th Street: Springhill Road to Fulton
14th Street: Forest to Fulton
18th Street Carolyn to Sammy Circle
Edgewood: North of Henry C. Yerger
Hickory: Bell to N. Spruce

Staff recommends acceptance of the bid of Columbia Curb & Gutter.

Don Still made a motion to accept the low bid of \$19,259.10 a ton from R. K. Hall, seconded by Steve Montgomery. All present voted "Aye." Motion carried.

The City has from time to time received questions with regard to the maintenance of right-of-way in general and between fences and the edge of pavement specifically. The pertinent section from Ordinance #1473, Section 4 (Exterior Premises), Paragraph B (Tall Grass and Weeds).

All property owners, operators and occupants will maintain their property free from tall grass, weeds and overgrown hedgerows. All premises shall be kept free from tall grass and weeds in excess of 10" and uncultivated hedgerows of privet, or similar shrubbery, in excess of 4' in height and 4' in width. Tall grass and weeds shall be cut to

a maximum height of 4". This requirement shall include any right-of-way between the private property and the road surface, including any ditch, and the responsibility shall be to the center of any undeveloped right-of-way.

On a practical basis, the City does try to mow rights-of-way along deep ditches that would be difficult for individual property owners to maintain. The City also mows rights-of-way where there are no residences. The City does not on a routine basis mow or maintain undeveloped street rights-of-way.

Staff has run into problems in a number of areas where property owners have built fences or grown large hedges and left unkempt areas between those structures and the edge of the pavement.

Willie Walker asked many questions about what was the owner's responsibility and what was the City's responsibility with regard to property maintenance. Fencing, alleys and ditches were discussed in depth.

Wesley Woodard was present to ask the Board to pass a proposed resolution for Brentwood Industries so they may participate in the Arkansas Tax Back Program. This type of resolution has been passed by the Board on other occasions.

RESOLUTION NO. 2007-07

A RESOLUTION OF THE CITY OF HOPE CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BRENTWOOD INDUSTRIES, INC. TO PARTICIPATE IN THE ARKANSAS TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-42706(4) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program, and benefit from the sales and use tax refunds as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, Brentwood Industries, Inc., located at 118 Brentwood Road, Hope, Hempstead County, Arkansas has sought to participate in the program and more specifically has requested benefits accruing from installation of equipment and modernization of the specific facility; and

WHEREAS, Brentwood Industries, Inc. has agreed to furnish the local government all necessary information for compliance,

WHEREAS, The City of Hope recognizes the positive impact that job creation and business expansion have for the local community; and

NOW THEREFORE, BE IT RESOLVED BY, THE CITY BOARD OF HOPE, ARKANSAS, THAT

1. Brentwood Industries, Inc. be endorsed by Board of Directors of the City of Hope, Arkansas, for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. The Arkansas Department of Finance and Administration is authorized to refund local sales and use taxes to Bentwood Industries Inc.
3. This Resolution shall take effect immediately.

Don Hall made a motion to pass the proposed resolution, seconded by Don Still. All present vote "Aye." Motion carried.

Ms. Cook updated the Board on a few current projects.

The city-wide clean up was a success. Crews from the City took 38 loads or 338 cubic yards of debris to the landfill and citizens took 21 loads or 110 cubic yards for a total of 59 loads and 448 cubic yards. Approximately 300 cubic yards of limbs and brush were also picked up.

City crews are currently working hard to prepare for the upcoming Watermelon Festival.

The Mayor suggested it was time to review the travel policy with regard to amounts paid because of the continuing increase in cost to travel. Ms. Cook said staff would work on the issue.

Meeting adjourned at 7:45 P.m.

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 4: PRESENTATION OF 2006 AUDIT REPORT

Emrich and Scroggins, LLP, CPA's, have concluded the 2006 City of Hope audit and will present the audit report to the Board at this meeting.

This is the fourth year that Emrich and Scroggins have conducted an audit for the City of Hope. Finance Director Debbie Hall will also attend the meeting to answer any other financial questions the Board may have.

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 5: CONSIDER PARK GRANT RESOLUTION

Paul Henley, Parks, Recreation and Tourism Director will present information related to his request to submit an application for Outdoor Recreation funds for a new park grant. Paul and park staff have completed work on the previous park grant and he has submitted reimbursement requests to the State Parks Department. Paul is proposing a project that will primarily include renovations to additional ballfields and perhaps some additional projects. He will present the project in full detail on Tuesday.

If the Board does wish to submit an application for this year, it will need to be submitted by August 31, 2007. I have included a proposed Park Grant Resolution for your information.

RESOLUTION NO. 2007-08

WHEREAS, Hope, Arkansas seeks to improve the recreation facilities and wishes to seek grant funding assistance; and

WHEREAS, in order to obtain the funds necessary to develop and/or improve the site for such a recreation area, it is necessary to obtain a 50/50 Matching Grant from the Arkansas Department of Parks and Tourism's Outdoor Recreation Grant Program; and

WHEREAS, the plans for such recreation areas have been prepared and the price therefore has been established; and

WHEREAS, this governing body understands the grantee and grantor will enter into a binding agreement which obligates both parties to policies and procedures contained in the *Land and Water Conservation Fund Grants Manual* including, but not limited to the following; the park area defined by the project boundary map, submitted in the application, must remain in outdoor recreation use in perpetuity, regardless if the property is bought or developed with matching grant funds and; all present and future overhead utility lines within the project boundary must be routed away or placed underground and; the project area must remain open and available for use by the public at all reasonable times of the day and year; facilities can be reserved for special events, league play, etc. but cannot be reserved, leased or assigned for exclusive use, and; the project area must be kept clean, maintained, and operated in a safe and healthful manner.

City Board is well aware and apprised of the above-mentioned project, and will provide the local portion of the development cost of the entire project.

NOW, THEREFORE, BE IT RESOLVED by the City Board of Hope, Arkansas that the Mayor is hereby authorized to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities for the City; therefore such application shall be submitted as expediently as possible.

Passed this 14th day of August 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 6: CONSIDER ACCEPTANCE OF STOP GRANT AWARD

On 5/1/2007 the Board authorized submission of a grant that would fund up to 50% of one (1) detective's wages and benefits in order to aid law enforcement agencies to provide services pertaining to domestic violence, sexual assault, and stalking and dating violence against adult women.

As you are aware the Chief had previously authorized movement of one patrol position to the Detective, increasing those positions from 3 to 4. We are currently funding that position from the budget. This grant would offset some of that salary.

The Department of Finance and Administration, Office of Intergovernmental Services, Victim Justice and Assistance (VJA) Program has tentatively recommended the funding of our STOP Grant proposal in the amount of \$ 21,347.00. If approved funds will be used to offset 1/2 of a detective's salary in order to conduct follow-up investigation in all domestic violence cases reported to HPD.

The Hope Police Department seeks Board acceptance of the grant award. In the event future funding is denied, the Hope Police Department is not obligated to continue this program but may choose to do so at the discretion of the department.

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 7: DISCUSSION: LETTER FROM HOPE-HEMPSTEAD
COUNTY CHAMBER OF COMMERCE

I have enclosed for your information a letter that I received on Friday from the Hope-Hempstead County Chamber of Commerce.

HOPE

HEMPSTEAD COUNTY CHAMBER OF COMMERCE

Birthplace of the 42nd President of the United States
and the 44th Governor of the State of Arkansas

August 17, 2007

The Honorable Dennis Ramsey, Mayor
City of Hope
Hope, Arkansas

Dear Mayor Ramsey,

The Hope/Hempstead County Chamber of Commerce has been offered the opportunity to relocate our offices to the Pruden Building at 2nd and Main. This opportunity came somewhat "out of the blue" from Jerry Pruden. The board has considered this for the past several months and voted August 15th to take advantage of the offer from Mr. Pruden.

I would imagine we would like to be out of the Cairo/Fulton Depot in a couple of months; however, this is contingent upon how long it might take us to install things such as telephone service to the Pruden Building. Our most pressing concern is to alert the city board of our intentions as soon as possible.

Please let us know of the city's thoughts on this move and what steps we need to complete to proceed.

Sincerely,

Mark Keith/Director

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 8: CONSIDER UPDATES TO CITY OF HOPE
PERSONNEL HANDBOOK: TRAVEL AND VEHICLE
USE POLICIES

At the August 7, 2007 Board meeting, Mayor Ramsey proposed with the Board's agreement, that the City look at updating the City's travel policy in two main ways: 1) consider reimbursement of Directors for travel expenses, and 2) bring travel advance and reimbursement policies more into line with current expenses.

With the assistance of several other staff members, we have put together two sample policies for the Board's consideration. One of these deals with Travel and replaces a previous section in our Personnel Handbook. The other vehicle policy deals with Use of Vehicles both Public and Private on City business. The policy deals with current procedures as well as updating our handbook to comply with current IRS policy on vehicles.

I have enclosed both sample policies for your information and will be prepared to answer any questions you may have with regard to them.

209 TRAVEL—ELECTED OFFICIALS & EMPLOYEES

There are times when a City employee or elected official must travel as part of the job or position—such as for meetings, conferences, training programs, and seminars away from the City of Hope. The types of travel that can arise are wide ranging, anything from a short car trip to transcontinental air travel. This policy explains how the cost of such travel can be wholly or partly paid by the City.

- As a general policy, travel should be completed in a City vehicle whenever possible. Employees are expected to use economical means of transportation, giving due consideration to the time and distance involved, traveling together in either a City or private vehicle when more than one employee is traveling to the same destination.
- If travel cannot be completed in a City vehicle, reimbursement for travel mileage may be made at the standard Federal mileage rate that is then in effect at the time of the travel. As of November 1, 2006, the rate was 48.5 cents per mile.

A *Travel Request* form is required to be completed in all cases where travel advance or reimbursement is requested. This form is required in cases where a City employee or official will be traveling out-of-state or staying overnight within the state when the traveling employee or official wishes to receive advance funds to pay reimbursable travel expenses such as hotel, meals or mileage or where reimbursement is to be requested afterwards. In addition, this form can be used to identify proposed expenses and to have these expenses reviewed by the Department Head and Finance before they are incurred.

Instructions for completing a *Travel Request* form:

Pre-Travel Paperwork (for advances and/or Finance Review)

1. Fill out the entire *Travel Request* form. The form must be completed with all appropriate signatures and received by the Finance Department no less than five business day prior to the check pickup date.

In addition to the Name, Title, and Department, include:

Destination: Place and Event

Total Time on Trip: Date, Departing and Returning

Expenses: Source of Transportation, Meals, Lodging, Registration Fees, Taxi/Car Fare, Parking, Toll, Telephone, Tips & Gratuities, Other

Meals will be advanced at the standard Federal per diem Rate in effect for Arkansas as of the date of the travel. If travel is to designated "High Rate Cities" that should be noted.

Lodging will be reimbursed or advanced at the standard per diem rate, unless conference rates differ. Then it will be reimbursed or advanced at conference single room rate.

Advance: Check if advance is requested.

Remarks: Additional information if required.

Approvals: *Travel Request* Form should be signed and dated by employee or officials, approved by Department Head (if applicable), and approved by the City Manager.

2. Turn in the completed and approved *Travel Request* form to Finance along with all supporting documentation of the program to be attended. Finance will review the *Travel Request* form in line with City reimbursement or advance policies.

There may be cases where approved travel is canceled, or the employee(s) attending changes due to emergencies. Please note that a travel check cannot be used by anyone other than the employee to whom it was issued. If a travel check is issued to an employee who will not be attending, it must be returned to the Finance Office.

Post-Travel Documentation:

Travelers who receive advanced funds must submit documented receipts of those expenditures within five (5) business days after their return. If less funds were expended than advanced, those funds should be returned to the Finance Office at that time.

Out-of-State and/or Overnight Travel

Due to the long distances and high costs involved in out-of-state travel, it is City policy to pay for the least costly, appropriate mode of transportation. It is City policy to never reimburse a traveler more than the reasonable cost of travel; with the aid of the Finance Department, the respective department will determine what a reasonable expenditure is. Aside from per diem, the amount cannot exceed the actual out-of-pocket expense incurred by the traveling employee. If a traveler chooses an alternative other than the least costly one, the traveler will

have to pay the difference in price. This difference will be calculated by the Finance Department prior to the start of the travel status.

1. If the employee is driving his/her own vehicle for any part of the trip, take a Mileage Log form along to record the distance traveled. Only mileage related to City business is eligible for reimbursement. For the purpose of determining mileage, list the initial origin as City Hall or normal location of employee, not an employee's home unless it is the lesser distance.
2. When you return from the trip by car, the traveler must include the *Mileage Log* with the *Travel Request*.

Rental Vehicles

The need for an automobile rental will be handled on a case-by-case basis.

Meals

The IRS-defined daily allowance provide for meals and certain incidental expenses, such as taxes and tips for services. The amount is determined by the location at which these expenses are incurred (contact the Human Resources Director for the current per diem allowance for your destination).

Actual meal costs may be claimed when they are included in the registration fee as part of the regularly scheduled business event such as a training seminar, professional meeting or other business meeting.

When a meal (including a continental breakfast, box lunch or buffet) is provided by a conference or airline, the per diem available for use during the remainder of that day is determined by deducting the appropriate percentage, listed below, from the total daily per diem allowance.

The percentage of total daily per diem for each meal is 20% for breakfast, 30% for lunch, and 50% for dinner.

If an employee does NOT spend the night when away on City business, the IRS has deemed any advances for meals are taxable.

Employee and Director claims for reimbursement of meal costs for non-City employees and officials will be allowed only when authorized by the department director or his or her designee. The claim must identify:

- the names of the individual(s) being hosted
- their official title(s) or capacity as it relates to City business

- the nature of the topic or topics discussed, occasion or what public purpose/policy was served

Meal & Incidentals Reimbursement: The City of Hope reimburses employees for meals and incidentals at the following rates:

Breakfast:	\$ <u>7</u> _____
Lunch:	\$ <u>11</u> _____
Dinner:	\$ <u>18</u> _____
Incidentals	\$ <u>3</u> _____

Rate will be adjusted according to Federal IRS rate changes.

405 VEHICLE POLICY FOR NON-EMERGENCY VEHICLES AND OPERATORS

Purpose

The purpose of this policy is to establish clear procedures concerning the assignment and operation of non-emergency City owned or City leased vehicles.

No Personal Use Requirements

- A. City owned or City Leased vehicles are to be used for City business only.
- B. Personal use other than accepted *de minimis** use of any City vehicle is not permitted.

*A de minimis transportation benefit is any transportation that has so little value that accounting for it would be unreasonable or administratively impractical.

General Requirements

The following are requirements for all City employees that may operate a City vehicle.

- A. A City vehicle may only be operated by a City employee with a valid driver's license appropriate to the vehicle being driven. Employees are responsible for notifying their department head in the event their driver's license status changes.
- B. City employees will abide by all traffic laws when operating a City vehicle. Seatbelts are to be worn at all times. Child safety seats are to be utilized as required by law.
- C. In addition to other standard practices required by law, any employee involved in a traffic accident is to immediately notify the appropriate Police Department and immediate supervisor. An **Accident Report Form** is to be completed by the employee at the site of the accident. Should an accident occur when a City vehicle is being used for personal business, and insurance coverage is not applicable, the employee is responsible for all losses associated, whether at fault or not and disciplinary action could result. Any employee may purchase, at his or her own expense, additional insurance coverage through their personal automobile insurance company should they desire.
- D. Employees, while operating City vehicles, are strongly discouraged from transporting any passenger not directly associated with City business.
- E. All employees that are assigned an individual City vehicle are responsible for insuring that the vehicle is properly maintained, in

- proper safe operating condition and has the appropriate safety equipment; fire extinguisher, first aid kit, etc.
- F. Individual department heads may establish additional regulations or requirements. All use of City vehicles is as assigned by the respective department head and any City vehicle may be reassigned as deemed necessary by a department head.
 - G. The assignment or use of a City vehicle is not considered in any way to be part of a benefit or salary package.

City Vehicles Used For Commuting

Under certain circumstances it may be beneficial to the public for certain employees to commute to and from home in a City vehicle. Such circumstances could include an employee being subject to after hours call-in.

- A. When the City Manager or department head determines a vehicle should be used for commuting the ***Commuting Assignment Form*** will be completed and signed by the employee, department head and City Manager. A copy will be maintained in the employee's personnel file.
- B. All General Requirements stated above are guidelines for commuting employees.
- C. The assignment of a vehicle for commuting purposes does not allow any additional personal use of the City vehicle. The use is restricted to travel to and from the employee's primary residence and accepted *de minimis* uses while commuting.
- D. In accordance with established IRS procedures all commuting employees are responsible for income taxes based on the Commute Value Method. All applicable taxes will be deducted based on a benefit of \$1.50 per one-way trip (\$3.00 per round trip), or as mandated by subsequent federal tax rates and values. This amount will be calculated on a 220-day work year.
- E. The allowed distance for commuting is to and from the employee's primary residence and limited to 10 miles one way commuting distance beyond the City limits. Should special circumstances exist for current commuting employees the City Manager may approve a greater distance.
- F. Violations of these procedures could result in disciplinary action, including loss of commuting privileges and termination of employment.

Use of Employee Owned Vehicles and Reimbursement

Under certain circumstances it may be beneficial to the public for certain employees to occasionally use their personal vehicle to perform their assigned duties. Such circumstances could include a temporary shortage of available City vehicles or in other cases where the City Manager deems it necessary.

- A. The City Manager and department heads shall not require any employee to make available a personal vehicle for use in non-emergency situations.
- B. Prior to any use of a personal vehicle approval of the department head is to be obtained on the ***Mileage Reimbursement Form***.
- C. The completed ***Mileage Reimbursement Form*** is to be returned to the department head for approval of the expense and for forwarding to payroll.
- D. Should the duration of approved use be more than a complete pay period then a ***Mileage Reimbursement Form*** is to be completed for each and every pay period of approved use.
- E. All costs, including insurance, for the operation of a personal vehicle are the responsibility of the employee. Fueling of any private vehicle is not to be done at the City fueling station or with any City credit card.

Reimbursement and Use of Employee Owned Vehicles by Allowance Method

Under certain circumstances it may be beneficial to the public for certain employees to use their personal vehicles to perform their assigned duties on a more permanent basis. Such circumstance could include a prolonged shortage of available City vehicles or in other cases where the City Manager deems it necessary. Reimbursement for a vehicle allowance will be as budgeted and approved by the Board of Directors.

Non-Emergency Vehicle Exemption and Definition

Certain "qualified non-personal use vehicles" have been exempted by the IRS from reporting and taxation requirements. They are:

- A. Clearly marked police and fire vehicles
- B. Unmarked law enforcement vehicles when used for authorized purposes by a full time law enforcement officer
- C. Delivery trucks with seating for only the driver
- D. Flatbed, dump and garbage trucks
- E. Specialized utility repair trucks (except vans and pickup trucks)

NOTE: Pickup trucks and vans are generally taxable, unless specially modified with permanent shelving, storage racks and painted insignia so that personal use is unlikely.

AGENDA ITEM

FOR BOARD MEETING 8/21/2007

ITEM 9: CITY MANAGER'S REPORT

- 1) Watermelon Festival
- 2) 2007 Street Program
- 3) Greenwood Street
- 4) Animal Control Facility