

City & Town

JANUARY 2012 VOL. 68, NO. 01

THE OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE





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Many municipalities will hold elections in 2012 for local offices. This guide will help you keep track of filing dates and other deadlines, important statutes governing local elections and more.



ON THE COVER—From a vantage point on the Junction Bridge, Riverfront Park and downtown Little Rock glow on a recent winter evening. In the shot are visible the Statehouse Convention Center and the Peabody Hotel, home to the League's Winter Conference, Jan. 11-13. We look forward to seeing you there, where we'll discuss the upcoming fiscal legislative session, talk to state agencies about services they can provide municipalities, and much more. See page 25 in this issue to register if you haven't already, and check out the updated Conference agenda on page 26. Also in this issue, read our guide to the laws that govern 2012 municipal elections, and learn where to go for answers to your sales tax collection questions. This issue also includes the annual *City & Town* index, which you can use to look up articles by topic from the past five years. Enjoy!—atm

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Dear Friends:

Happy New Year!

I trust that everyone had a joyous and safe holiday season that included family and friends and that all of your bowl teams won their games. Now that the holiday season is behind us, it is time to formulate and implement plans for our cities and towns for 2012.

First, congratulations are in order to the League staff on winning the inaugural National League of Cities League of the Year Award. The award was presented at the 2011 NLC Congress of Cities and Exposition, held Nov. 9-12 in Phoenix. The employees of our League put a lot of time and hard work into making our League the best of all the leagues in the country. When you talk to one of the League's employees, take a moment to thank them for all they do for us and congratulate them for earning this recognition.



One thing that you should plan to do is be in attendance at the Winter Conference, Jan. 11-13 in Little Rock. There will be opportunities to visit with representatives of state agencies and learn how these various agencies may be of help to you and your city. There will also be presentations on the severance tax efforts, what to expect from the upcoming legislative fiscal session, highway funding, and more. The conference also hosts the Volunteer Community of the Year awards, and will recognize those elected officials who have completed the program to become a Certified Municipal Official. Don't forget that there is a Certified Municipal Official training session on Wednesday, Jan. 11. The training will cover how to reduce the risk of having your city sued and I strongly recommend attendance at this session regardless of whether or not you are pursuing your certification.

Another thing to remember in this new year is that if your city has not already approved a budget for 2012, you need to do so, as the deadline for approving your budget is Jan. 31.

Also, please consider making plans to attend the NLC's Congressional Cities Conference, March 10-14 in Washington, D.C. This Conference provides the opportunity for city leaders to learn about key federal issues and actions that impact cities and towns. City leaders have the opportunity to meet with administration and congressional officials and visit with their representative on Capitol Hill. They should hear our thoughts on the impact that the laws they pass or don't pass have on our cities and towns.

It is not too early to start thinking of the upcoming elections, and this issue of *City & Town* has some important information concerning election deadlines for the 2012 elections. Check out the article on page 38. Also, there is an article that contains helpful information concerning sales taxes and how our cities can effectively use the information available from the Department of Finance and Administration. You'll find that article on page 36.

As we make our resolutions for 2012, let us be mindful of our commitment to provide the best leadership for and service to our community that we can. We will all benefit from service to our community. As our League motto says, "Great Cities make a Great State." Do your part to make your city or town as great as it can be.

Frank Fogleman
Mayor, Marion
President, Arkansas Municipal League

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Arkansas Municipal League Named State League of the Year by NLC

WASHINGTON, D.C.—The National League of Cities (NLC) has honored the Arkansas Municipal League as the first ever State League of the Year. The Arkansas Municipal League was recognized during NLC’s Congress of Cities and Exposition held Nov. 9-12 in Phoenix.

The League’s name will be placed on a Wall of Fame at NLC headquarters in Washington, D.C. The League was chosen for its contributions to NLC throughout the year and for its long-time commitment to membership development.

League Executive Director Don Zimmerman and President Frank Fogleman accepted the award on behalf of the League.

“The Arkansas Municipal League has demonstrated outstanding commitment, leadership, vision and support for NLC,” said James E. Mitchell Jr., Charlotte, N.C. alderman and NLC President. “Our thanks to the League for its devotion to this great organization.”

“For the Arkansas Municipal League to be recognized as the inaugural winner of NLC’s League of the Year is further proof of my long held thought that Arkansas is very blessed to have the best city government advocate in the country,” Marion Mayor and League President Frank Fogleman said. “I think that Arkansas has, for many years, been the envy of other states when it comes to innovative and effective leadership on behalf of Arkansas municipalities. In my travels on behalf of the League or my city, it is not uncommon to meet elected officials from other states that have something positive to say about the Arkansas Municipal League. I think that



city officials in Arkansas are aware that the entire League staff is very hard working and focused on helping each member city resolve whatever issue may come their way. This award has been earned by hard work and is an acknowledgement by NLC of our League staff’s dedication and I am appreciative of the recognition.”

The Arkansas Municipal League joins other 2011 Wall of Fame honorees, including City of the Year East Orange, N.J.; Small City of the Year Clarksburg, W. Va.; Member of the Year Ed Reyes, Los Angeles councilmember; and Board Member of the Year Rap Hankins, Trotwood, Ohio, councilmember.



2011-2012 League President Frank Fogleman, center with award, and the 2011-2012 League Executive Committee.

Little Rock hosts Chinese sister city delegation

By Meg Matthews

Changchun is like the Detroit of China—a big industrial city that spits out two million vehicles a year. So what could it possibly have in common with Little Rock? Turns out they are related. Changchun is one of Little Rock's sister cities, and in December a delegation of civic leaders from this large Chinese city came for a visit.

"When we are in Little Rock it is like we are with family," said Vice Mayor Madam Wu Lan. "Everyone is very kind. They smile and say hello to us. They try their best to make our stay a pleasant one."

Changchun and Little Rock have been sister cities since 1994. Little Rock Mayor Mark Stodola says many inroads have been made to create a bond between the two municipalities.

"They are very interested in expanding awareness of their city and their country," Stodola said. "We have entered into a cooperative arrangement where we put up on our website and they put up on their website information about their sister city, and that's a great opportunity to create a greater understanding between the countries and also to create some opportunities for not only tourism but also to see how we might be able to really find mutual interests from an economic development standpoint."

During their visit, the delegation toured several schools, including Pulaski Tech, e-STEM Public Charter School and Episcopal Collegiate.

"The education gives us a very good impression," Lan said. "We always want to learn something about other school systems to compare them to ours."

The delegation also made trips to the Arkansas Arts Center, the Clinton Library and Hardin Farms and Market.

"From my point of view, our Sister City relationship is like brother and sister—we can learn from each other as to how to develop our cities," Lan said. "We are



Little Rock Mayor Mark Stodola, second from right, meets with members of a delegation from sister city Changchun, China, during their December visit to Little Rock. It was the 20th time a group from Changchun has been able to visit Little Rock since the two cities began their relationship in 1994.

interested in exchanging ideas in areas such as education, public health, environmental protection and the cultural institutions."

Last year, Little Rock's Sister Cities Commission sent a delegation to Changchun and were delighted to find some intriguing similarities.

"When we were over there we met with one of their scientists who's doing some work very similar to what we're doing at the Bio-ventures Program at UAMS," Stodola said. "I brought back the information for Michael Douglas, the director of our Bio-Science Center, and it's really begun to start a dialogue about how some of their science and technology would do something in a cooperative way with the science and technology and some of the inventions and creations that are coming out of Little Rock."

The Little Rock Sister Cities Commission has 13 members who serve five-year terms. Members are appointed by the Little Rock Board of Directors and can include city staff and members of the Board of Directors.

Meg Matthews is public relations manager for the City of Little Rock. Contact Meg at 501-371-4421, or email mmatthews@littlerock.org.

LittleRock

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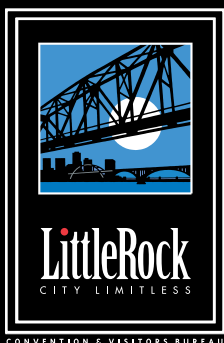
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City of Little Rock

Mark Stodola
Mayor

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500 W. Markham
Little Rock, Arkansas 72201-1427
Phone: (501) 371-4510
Fax: (501) 371-4498
www.littlerock.org



January 11-13, 2012
Statehouse Convention Center
Little Rock, AR

Dear Delegates,

I would like to welcome you to the City of Little Rock for the Arkansas Municipal League Winter Conference. The past year has presented many challenges and new opportunities for municipalities throughout our state and this conference presents a great opportunity for our municipal leaders to share what they have learned and accomplished. The Arkansas Municipal League serves as an invaluable resource that all of our cities should lean on as they face new challenges and confront new horizons.

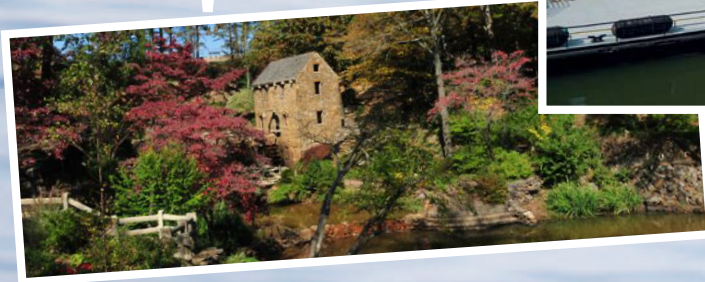
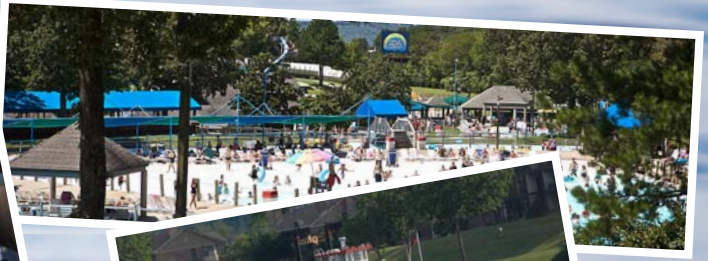
During your visit, I hope you will have an opportunity to explore our great city. Little Rock features many wonderful museums. You can see the "Art of the Brick" exhibit at the Clinton Presidential Center and the Civil War exhibits at the Historic Arkansas Museum and the Old State House Museum. You can also visit the Arkansas Museum of Discovery, which is preparing for the opening of the Donald W. Reynolds Science Center, and other museums, including the Little Rock Central High School National Historic Site and the Mosaic Templars Cultural Center.

As always, I am looking forward to meeting with all of my colleagues from great cities around the state.

Sincerely,

Mark Stodola
Mayor

A Step in the Right Direction...



**The North Little Rock Visitors Bureau
invites you to stop by or call the
Visitor Information Center in Burns Park.**

**Let us help you plan your next
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Our knowledgeable staff is here to help you!**

Ask how you can receive a FREE monthly calendar of events.



North Little Rock Visitors Bureau
Burns Park, Exit #150 Off I-40
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North Little Rock, AR 72118
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NORTH LITTLE ROCK, ARKANSAS 72119-5757
website: www.northlittlerock.ar.gov



Arkansas Municipal League Winter Conference
January 11-13, 2012

Greetings!

As Mayor, it is my pleasure to welcome you to Central Arkansas for the Winter Conference. During your stay, we hope you can include some or all of the following points of interest in North Little Rock:

- * Arkansas Sports Hall of Fame - located next to Verizon Arena and a facility the whole family can enjoy.
- * Arkansas Inland Maritime Museum - home of the USS Razorback (SS394) submarine. For museum tour hours and prices, call 501-371-8320 or visit the City's website: www.northlittlerock.ar.gov.
- * River Rail street car trolley - a great way to enjoy the downtown sites of North Little Rock and Little Rock.
- * Burns Park - 1,575 acres and one of the largest city parks in the nation.
- * Old Mill Park - The photogenic Old Mill, a replica of the old grist mills seen throughout the Old South, is shown in the opening scenes of the 1939 movie classic, *Gone With the Wind*.

For non-stop shopping, visit McCain Mall, the largest shopping center (56.6 acres) in Central Arkansas. Other shopping opportunities are located in close proximity.

On behalf of the City of North Little Rock, I welcome you and extend our best wishes.

Sincerely,

Patrick H. Hays
Mayor

Municipalities must publish annual fi

The time is rapidly arriving for the annual reporting of each city and town's financial statement. Refer to the *Handbook for Arkansas Municipal Officials, 2011-12 ed.*, section 14-59-116 and section 14-237-113. Although these statements were required semiannually in the past, Acts 620 § 11 and 621 § 10 of 2011 amended the law to provide for annual publication instead.

Ark. Code Ann. § 14-59-116 now provides that the governing body of each municipality shall publish

annually in a newspaper published in the municipality a FINANCIAL STATEMENT OF THE MUNICIPALITY by April 1 covering the previous calendar year (January through the end of December).

The financial statements should include the receipts and expenditures for the year. In addition, they should contain "a statement of the indebtedness and financial condition of the municipality."

Section 14-237-113 provides similar publication

The suggested FORM A is for use by cities of the first class and second class to comply with 14-59-116.

Form A		
City of _____		
(first or second class)		
Financial Statement January 1, 2011-Dec. 31, 2011		
GENERAL FUND		
Balance January 1, 2011		\$ _____
Cash Receipts		
General Turnback	\$ _____	
5-Mill Tax	\$ _____	
Franchise Tax	\$ _____	
Occupation Tax	\$ _____	
Liquor and Beer Tax	\$ _____	
Local Sales Taxes	\$ _____	
Other City Taxes	\$ _____	
Court Fines and Fees	\$ _____	
Sanitation Charges	\$ _____	
Other Permits and Charges	\$ _____	
Total Receipts		\$ _____
Total General Fund Available		\$ _____
Expenditures		
Administrative Expense	\$ _____	
Salaries	\$ _____	
Social Security	\$ _____	
Utilities	\$ _____	
Supplies	\$ _____	
Fixed Assets	\$ _____	
Other	\$ _____	
Total Expenditures		\$ _____
Balance General Fund Dec. 31, 2011		\$ _____
STREET FUND		
Balance January 1, 2011		\$ _____
State Highway Revenue	\$ _____	
County Road Tax	\$ _____	
Other Street Revenues	\$ _____	
Total Street Revenues		\$ _____
Total Available Street Fund		\$ _____
Expenditures		
Salaries	\$ _____	
Supplies	\$ _____	
Other	\$ _____	
Total Expenditures		\$ _____
Balance Street Fund Dec. 31, 2011		\$ _____
<p>In the event a municipality maintains a police, fire, parks or other department, the city should publish financial statements for these departments in the same manner as they separate those departments on their Cash Receipts and Disbursements Journals.</p>		
BONDED INDEBTEDNESS		
Type of Debt	Amount	Date Last Payment Due
General Obligation	\$ _____	
Water Revenue		
Sewer Revenue		
Other		Date Free of Debt _____
Total	\$ _____	
<p>All financial records for the City of _____ are public records and are open for public inspection during regular business hours of ____ A.M. to ____ P.M., Monday through Friday, at City Hall in _____, Arkansas.</p> <p>If the record is in active use or in storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) days at which time the record will be available for inspection and copying.</p>		

The suggested FORM B is for use by incorporated towns to comply with 14-59-116. In towns where no newspaper is published, it may be posted in two public places.

Form B		
Incorporated Town of _____		
(incorporated town)		
Financial Statement January 1, 2011-Dec. 31, 2011		
GENERAL FUND		
Balance January 1, 2011		\$ _____
Cash Receipts		
State General Turnback	\$ _____	
Local Sales Taxes	\$ _____	
City General Taxes	\$ _____	
Other Receipts	\$ _____	
Total Receipts		\$ _____
Total General Fund Available		\$ _____
Expenditures		
Salaries	\$ _____	
Utilities	\$ _____	
Supplies	\$ _____	
Fixed Assets	\$ _____	
Other	\$ _____	
Total Expenditures		\$ _____
Balance General Fund Dec. 31, 2011		\$ _____
STREET FUND		
Balance January 1, 2011		\$ _____
State Highway Revenue	\$ _____	
County Road Tax	\$ _____	
Other Street Revenues	\$ _____	
Total Street Revenues		\$ _____
Total Available Street Fund		\$ _____
Expenditures		
Salaries	\$ _____	
Supplies	\$ _____	
Other	\$ _____	
Total Expenditures		\$ _____
Balance Street Fund Dec. 31, 2011		\$ _____
BONDED INDEBTEDNESS		
Type of Debt	Amount	Date Last Payment Due
Water Revenue	\$ _____	
Sewer Revenue		
Other		Date Free of Debt _____
Total	\$ _____	
<p>All financial records for the Town of _____ are public records and are open for public inspection during regular business hours of ____ A.M. to ____ P.M., Monday through Friday, at Town Hall in _____, Arkansas.</p> <p>If the record is in active use or in storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) days at which time the record will be available for inspection and copying.</p>		

Financial statement

requirements for the operating authority of the WATER and SEWER DEPARTMENTS. Water and sewer departments administered by one or two commissions must comply with the law. If the water and sewer departments are administered by the city council, then it is the responsibility of the city council to comply with the statute.

What if no newspaper is published in the city or town? In that case, the statements may be posted in two public places in the municipality. Note that this is a change from the previous law, which only allowed incorporated towns to post and required that the postings appear in five public places.

Suggested Forms A, B and C follow. For additional information, call the League at 501-374-3484.

The suggested **FORM C** is for use by Water and Sewer Departments to comply with 14-237-113.

Form C		
City or Town of _____		
Financial Statement January 1, 2011-Dec. 31, 2011		
WATER AND SEWER DEPARTMENTS		
Balance January 1, 2011		\$ _____
Cash Receipts		
Water Payments	\$ _____	
Sewer Payments	\$ _____	
Sanitation Funds	\$ _____	
Other	\$ _____	
Total Receipts		\$ _____
Total Funds Available		\$ _____
Expenditures		
Salaries	\$ _____	
Social Security	\$ _____	
Supplies	\$ _____	
Fixed Assets	\$ _____	
Other	\$ _____	
Total Expenditures		\$ _____
Balance Water and Sewer Fund Dec. 31, 2011		\$ _____
BONDED INDEBTEDNESS		
Type of Debt	Amount	Date Last Payment Due
General Obligation (Water or Sewer)	\$ _____	
Water Revenue		
Sewer Revenue		
Other		Date Free of Debt _____
Total	\$ _____	
All financial records of the Water and Sewer Department of (City or Town) of _____ are public records and are open for public inspection during regular business hours of ____ A.M. to ____ P.M., Monday through Friday, at the Water Department in _____, Arkansas.		
If the record is in active use or in storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) days at which time the record will be available for inspection and copying.		

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Cardiovascular disease: Arkansas's No. 1 killer

By Ibrahim Fahdi, M.D.

Cardiovascular disease, also called heart disease, is the nation's deadliest condition; it not only tops the list in Arkansas but also affects its residents at a higher rate than most other states.

That's an epidemic that requires not only top-notch prevention outreach, but also state-of-the-art diagnostic and treatment efforts. According to a recent Arkansas Department of Health survey, more than 31 percent of Arkansans had high blood pressure, more than 51 percent reported no exercise in the prior month, 65 percent were overweight and almost 25 percent were smokers.

Those are volatile statistics that Arkansans can improve upon by learning some small tips that can go a long way toward better heart health.

The causes

Cardiovascular disease is a broad term that includes any medical condition related to the heart and blood vessels. The most common causes are high cholesterol and high blood pressure, both triggering heart attacks and strokes.

High cholesterol causes plaque to build up in the walls of the arteries. This condition is referred to as atherosclerosis. The plaque is made up of several substances found in the blood, including cholesterol, fat, cellular waste, calcium and fibrin. Fibrin is a substance that is connected to the formation of blood clots. When plaque builds on the walls of the arteries, it reduces the blood flow to and from the heart. The build-up or even a complete blockage of the artery due to a ruptured plaque wall can result in heart attack or stroke, and even death.

High blood pressure puts increased strain on the heart as the increased volume of blood is pumped through it. High blood pressure can also cause the arteries to rupture, especially if they are hardened with plaque build-up. This will cause a stroke or a heart attack.

Smoking, a poor diet and lack of exercise are also major contributors to cardiovascular disease and can all be controlled.

The prevention

The first thing you can do is learn your family history. While you can't change what's come before you, you can benefit from knowing whether your genes give you a dramatically increased chance of having heart issues.

Here are some ways to decrease your chance of cardiovascular disease:

- Don't smoke—If you smoke, quit. If you don't smoke, don't start. In the first year of quitting smoking, the risk of heart attacks can drop by 50 percent. After 10 years, ex-smokers will have the same heart attack risk as those who never smoked.
- Eat healthy—Heart-friendly diets mean eating foods that are low in fat, cholesterol and salt. This is integral to maintaining a healthy heart and circulatory system.
- Exercise regularly—Exercise relieves stress, burns fat, lowers blood pressure and strengthens immune systems.
- Avoid excessive stress—Stress raises blood pressure and adds pressure to your heart.

A healthier Arkansas

At the University of Arkansas for Medical Sciences (UAMS), we've recognized the state's cardiovascular status and are enacting new ways to address it.

Our new CardioVascular Center is dedicated to finding ways to improve treatments and bring new ones to Arkansas by working closely with researchers. The center includes cardiologists, cardiothoracic surgeons, vascular surgeons, pulmonologists, nephrologists and radiologists.

The center includes two promising areas to advance cardiovascular health:

- ANGELS Heart Clinic, which uses telemedicine to bring cardiovascular care to women across Arkansas with high-risk pregnancies, and
- Pulmonary Hypertension Clinic, the only such clinic in Arkansas for this rare condition with a high mortality rate.

These two areas have great potential and we are on a path toward transitioning some of the basic science discoveries into practice so we can be at the forefront of providing new therapies for patients with cardiovascular disease.

For an appointment, call 501-686-8000 or 1-866-273-3835.



Ibrahim Fahdi, M.D., is Director, Telemedicine and Cardiac Non-Invasive Laboratory, Division of Cardiovascular Medicine, UAMS

Advertise in the 2012 Directory

The *Arkansas Municipal League Directory* reaches municipal officials and many more.

The *Directory* is a working reference of state and federal agencies, legislators, city and town elected and appointed officials, municipal department heads and others. It is a one-stop information guide to all of Arkansas's 500 incorporated cities and towns.

- Published in early 2012
- More than 1,200 copies distributed
- 100-110 pages

Ad sizes and rates

- Inside front cover—\$3,000
- Inside back cover—\$2,500
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- Half page—\$1,000
- Quarter page—\$500
- Eighth page—\$250

Advertising deadline is **Dec. 30, 2011.**



For more information, contact Tricia Zello
at 501-374-3484, Ext. 285, or e-mail citytown@arml.org.

Grant stewardship matters

By Chad Gallagher

When it comes to successfully utilizing grants for the benefit of your community, there is more to it than just receiving the funds through a successful application.

The hard work isn't over when you receive the check. Now you have to perform. The grant may be your ticket to the ball, but you still have to dance. How you manage a grant program matters. The success of your current project also impacts your success in future funding requests. Funding agencies and entities like success. They like to see the funds accomplish what they were intended to accomplish and they like applicants that are easy to work with. Being a good steward of your program will help you sustain their trust and increases the likelihood of receiving future dollars.

This is why it's important that you write your grant application with the management process in mind. When applying, always remember that you must deliver what you've promised. Once the dollars are in hand you can't forget all about those things you said in your application. The funding agency certainly won't forget. Here are a few tips that will help you with successful management.

Follow the guidelines—Pay close attention to the grant obligations and guidelines. Each grant and funding organization varies. Pay close attention to allowable expenses, due dates, reporting methods, bidding processes, travel instructions and other requirements. The guidelines are not a collection of suggestions. These are requirements that must be followed. Doing so makes the job of the funding agency easier. Not following the rules makes you a burden. Whoever said rules were made to be broken has never received a grant!

Track goals—Track the goals you have stated. For that matter, track everything. Establish baselines (where you begin) and all of your efforts toward your declared goals. Don't forget the purpose of the funds and what goals you promised to achieve. Write them on a board in front of you and keep them in the minds of everyone working on the program.

Measure outcomes—Always measure the outcomes of your efforts. Keep track of what worked, what didn't, and what outcomes you promised or predicted would occur if funds were received. Don't ignore it if the outcomes didn't match your predictions. Evaluate each aspect of the program with the overall outcomes in mind. When appropriate use an external, third-party evaluator, especially for programmatic grants as opposed to capital improvements.

Keep detailed records—Record everything. Certainly you want to keep detailed records of the financial information. Keep well-organized books with plenty of detail. Make extra effort to note expenditures and carefully tie each one to the grant budget. This not only helps you, but it also shows your attentive stewardship.

Stay in touch—Stay in contact with the funding agency. It isn't necessary to bother them every day, but keep them posted on your project's development. Include them in ribbon cuttings and celebrations. Share the credit for the project's success, and when you don't know what to do, don't guess. Call the funding agency and ask. Forgiveness is not easier than permission in this business.

Report—Most funding agencies will have set reporting requirements. Follow these to the letter and never miss the due date. Consider creating a simple, concise, one-page update of the project each month or quarter to share with the agency, the public, elected officials and other stakeholders. It's important to keep everyone informed of the project's development. Don't report good news and hide bad news. I worked recently with a grantee on an annual report to a nonprofit foundation about a grant. The foundation thanked me for the report, which dealt openly and honestly with an aspect of the program that had not gone well and the lessons learned from that. Funding agencies know everything doesn't always go as planned and isn't always perfect. Being honest in your reporting shows you are a trustworthy steward.

SAFER grants available

Please visit www.fema.gov/firegrants to learn more about the upcoming SAFER grants. These Staffing for Adequate Fire and Emergency Response grants have two activities for which you can apply this year: hiring and recruitment/retention. The latter is especially helpful to volunteer fire departments attempting to increase or retain members. The website has details on both programs. If you need help in your application give us a call.



Chad Gallagher is principal of Legacy Consulting and a former mayor of DeQueen. Contact him in DeQueen at 870-642-8937, 501-246-8842 in Little Rock, or e-mail chad.gallagher@legacyincorporated.com.

Camden bores under river to expand service

When five years ago the Camden Water and Sewer Commission approached the Camden City Council for a rate increase, Mayor Chris Claybaker challenged Camden Water Utilities (CWU) to extend its water line and customer base. The rate increase was approved, and Claybaker and CWU General Manager David Richardson went to work to find a way to increase the customer base.



When the nearby Harmony Grove Water Association (HGWA) lost its contract with Shumaker Public Service Corporation earlier this year and looked to CWU to supply water to its 980 customers, Claybaker and Richardson realized they'd found their new customers.

CWU's plant handles about 1.5 million gallons a day and has the capacity to handle 8.9 million gallons a day. HGWA's water needs average between 6 and 9 million gallons per month, so the additional water customers will have a very minimal impact on CWU's capacity while expanding the utility's revenue base.



To extend water to new customers at Harmony Grove, Camden is boring underneath the Ouachita River.

Extending water to the new customers is CWU's next step. To do so they are going underground and under-river with more than five miles of 16-inch water main, including an 800-foot fused 20-inch bore under the Ouachita River at Sandy Beach.

The \$2.5 million project will be paid for with a grant to the HGWA for \$434,000, a low-interest loan from the USDA for \$700,000, a \$150,000 grant from the Arkansas Natural Resources Commission, and a nearly \$1.4 million Camden bond program.

Camden water customers will not see an increase in their utility bills as a result of the project. HGWA customers will see an increase, because Camden's rates are higher than Shumaker's.



Planning in an era of uncertainty

By Jim von Tungeln

As municipal officials in our state gather for an annual conference, they may be wondering, as did a recent caller, “How do you plan for anything in these perilous times?” It is a good question and deserves thought. Managing a municipality in an era of economic uncertainty is tough.

One asset is a little gray hair. Those of us who have been around awhile remember harder times than this. In the 1980s, our cities were facing bankruptcy as the Federal Revenue Sharing Program suddenly disappeared. In those days, “planning ahead” meant figuring out how to keep the police force on the streets just one more day.

Hard work by municipal leaders, the Arkansas Municipal League and the state Legislature saved the day with legislation allowing the local option sales tax. Cities have had it relatively easy since, but uncertainty still looms like a dark storm cloud rising from the edge of the earth. We tend to freeze when we see it.

There is a phenomenon in psychology called the “fight or flight syndrome” referring to which alternative to take when danger approaches. Either may be appropriate, given the circumstances. Fleeing postpones the confrontation. Fighting provides a chance. Freezing is almost always fatal. I propose fighting, but how?

There are a number of approaches available to use as guides. The benefit of adopting a strategic approach allows us to simplify and focus our thoughts. Sticking to a clear course of action also keeps us from becoming distracted.

Following are a few models designed to spur our thinking.

The “get out of the way model” is popular with some. It suggests that government’s only job is to stand back and let the private sector work. During hard times, this attitude proves particularly popular. After all, bad business is better than no business, right? Maybe. Maybe not. Opponents argue that it produces such undesirables as polluted waterways, cratered streets, flooded neighborhoods, unsafe structures, and poisoned water supplies. Adherents answer, “That’s just the cost of doing business.”

Somewhat akin to this approach is the “stay the course model.” It argues that changing strategies in the middle of a crisis can exacerbate hard times. Its supporters say, “We’re doing fine. We will keep doing what we have been doing.”

There is something to be said for steadfastness and stability. The midst of a storm may not the best time to re-rig a sailing vessel. The opposing view is that we cannot rely on stability, as proven by the 9-11 attacks, Hurricane Katrina, or the recent rash of tornadoes.

Sadly, there are cities in our state still waiting for the return of low-wage factories. Like jilted brides, they wait for wedding guests that will never appear. We must also remember that, during the 1960s, many of the most prosperous retail centers in the state were in the Delta region while a special commission sought remedies for the poverty of the Ozarks. Things do change, don’t they?



The venerable Broadway Bridge connecting Little Rock and North Little Rock faces replacement, and citizens must now decide how bold the design of the new bridge will be.



In a bold move, Searcy voters approved a sales tax that will replace this minimal street with a modern thoroughfare that will benefit the entire planning area.

Moving on, a personal favorite is what I call the “Golden Gate Bridge model.” In the 1920s, the only way north from San Francisco was by ferry across the Golden Gate, a treacherous waterway leading into the bay. An engineer named Joseph B. Strauss dreamed of a monumental bridge crossing “the gate.” To help, the state legislature, in 1923, passed a law creating the Golden Gate Bridge and Highway District.

Problem was, by the time Strauss completed his plans, the country faced the Great Depression. But, on Nov. 4, 1930, a region facing the worst economic times in America’s history approved a \$35 million bond issue. The results were (1) the region largely avoided the depression and (2) the most iconic bridge in America grew out of the gamble. What inspiration might we take from this? Perhaps it is this: Make no small plans and let us dare to dream.

The “war-room model” appeared in planning schools when I was a youngster. It stated that pressures facing local governments demand constant attention. It placed less emphasis on planning far ahead and more on constant planning coupled with fine-tuning strategies to address changing scenarios.

This approach requires, as the name suggests, a “war-room” mentality wherein planners are constantly analyzing and planning responses to rapidly developing threats. We should not confuse it with simply reacting blindly to daily occurrences. It means planning, but with general long-term goals with emphasis on short-term tactics.

A final example is the “growth partnership model.” This approach recognizes a couple of things. First, we are all in this together. A strong country develops from strong government coupled with strong economics. Next, it admits that the costs of sound growth are too great for one entity to bear alone.

This approach is akin to, but not synonymous with, regionalism. It suggests that government can align itself both with the business, professional, nonprofit and institutional interests as well as with neighboring governments. The initial success of Little Rock’s River Market district resulted from the synergistic effects of a regional library, a museum, city investment and private businesses willing to take a chance in an uncertain market.

Which approach is best? Or, what alternate might work better? That is for each city to decide. Perhaps it might be a matter of selecting the best of several and avoiding the shortcomings of them all. The challenge is to become proactive in addressing the future, and avoid the “pin-ball model” whereby we simply bounce off anything that is bright and shiny and rings a bell.



Jim von Tungeln is staff planning consultant and available for consultation as a service of the Arkansas Municipal League. He is a member of the American Institute of Certified Planners. Contact him at 501-944-3649. His website is www.planyourcity.com.

Homelessness and other challenges: What elected officials can do

By Sherman Banks

Every city and town in Arkansas is affected by the unemployment rate, the growing number of the homeless, and the enhanced need to provide shelter and counseling for men and women who are returning from deployment defending the freedom we enjoy and the democracy we cherish.

The National Law Center on Homelessness & Poverty estimates that more than three million people in the United States and 1.3 million children will likely experience homelessness in a given year. Although difficult to measure, the increase in the demand for shelter beds each year is a strong indicator that homelessness is on the rise, and not only in the U.S. According to the United Nations, there are at least 100 million homeless worldwide.

Arkansas is a state with nearly three million in population, and it is estimated by the Arkansas Management Information System that 22,000 people are homeless at any point in a given year. The last statewide count in 2007 of people housed in shelters, along with an observable count on the streets and in camps, determined that 7,500 to 8,000 Arkansans are homeless on any given night. Although the demographics reflected in the chart accompanying this article focus on central Arkansas, the homeless are by no means limited to this region.

What is the primary cause of homelessness? It seems to be a severe lack of affordable housing for low-income individuals. The other major contributing factors include mental illness, physical illness, substance abuse, a lack of incentive to work, poor work ethic, and the lack of appropriate education.

As community leaders and elected officials, you can work closely with homeless shelters and services in your city or town. If no shelter exists, you can initiate such a program. The success of homeless programs depends on volunteers. You can establish a volunteer coordinator to work with the community to organize and implement programming.

Although Arkansas's unemployment rate of 8.2 percent is less than the national rate of 9 percent, unemployment heavily affects our cities and towns. As community leaders, you can refer individuals from within your community to the local Department of Workforce Services office in your area. You can also show people how to avail themselves of such services as EZARC (Easy Arkansas Claims),

Ark Line (which is also available in Spanish) and Ark Net Disaster Unemployment to name a few.

The Department of Workforce Services' Career Readiness Certification program has received national recognition. This certificate confirms to an employer that an individual has the skills that all jobs in the workforce require. You can encourage your local employers to participate in the program, which helps streamline the hiring process and reduces turnover, overtime and waste. Visit the Department of Workforce Services online at www.state.ar.us/esd to learn more.

An area that is less obvious and often overlooked is the challenge of incorporating returning service members back into the community. As a municipal leader you can be the conduit to the Arkansas Department of Veterans Affairs and assist them in making the adjustment back into society. You can make sure that the returning service member gets answers to questions such as: What can VA do for me? How can I get help? What kind of support is there for military families? How do I avail myself of the services?

You can make sure that the returning service member in your community is made aware of the services available through the VA, such as employment, education assistance, housing, healthcare services, disability programs and more.



Contact Sherman Banks at 501-374-8493, email sbanks@aristotle.net, or write to P.O. Box 165920, Little Rock, AR 72216.

Homelessness and other challenges: How Arkansas compares		
	Central Arkansas	National Average
Chronic Homelessness	40%	30%
Severe Mental Illness	26%	22%
Chronic Substance Abuse	66%	34%
Veterans	21%	11%
Persons with HIV/AIDS	7%	20%
Youth (under 18 years of age)	21%	24%
Source: <i>The Encyclopedia of Arkansas History & Culture</i>		

Recreation strengthens our bodies and minds

By Tim Herd

According to accumulating research, time spent in green outdoor spaces by children fosters creative play and relieves attention deficit disorders. Among adults, the benefits of outdoor pursuits such as trailing a tiny ball through the byways of a golf course or spending hours teasing trout with an artificial fly are well known and aerobic activities like jogging, walking and swimming contribute directly to our physical health. But studies show, perhaps surprisingly, that the amazing therapeutic benefits of the outdoors extend even to office-bound workers with a mere view of trees, shrubbery or large lawns. They experience less frustration and stress than their view-deprived co-workers.

Time was that all our outdoor activities were subsistence-based. The chores of farming, gardening, hunting and fishing produced food; walking, snowshoeing, skiing, and horseback riding were for necessary traveling. As such, the inherent benefits of interactions with nature were incorporated into our basic lifestyles.

These days, however, such interactions are usually not found listed on our electronic task minders. Recreation is crammed into overly busy vacation days, and the concept of outdoor leisure for the conscientious professional is considered naively quaint. Yet getting out there is neither the unproductive time nor the inconvenience it may seem.

The creative soul mates of recreation and re-creation pursue the same worthy goal. By refreshing both mind and body in invigorating diversions (recreating) you are also casting yourself into a new and improved you (re-creating). Such dual exercise is crucial because our careers trample a mind-numbing, body-crushing, and soul-dimming domain. Without recreation/re-creation, the weary world just wears us out.

So it's not an option if we're truly interested in success. Our highest and best functions—physically, intellectually, psychologically, socially, professionally, financially and spiritually—can only be achieved and maintained by regular, refreshing and stimulating personal makeovers. Bring it on!

As a leader in your profession, however, you must concern yourself with more than just Number One. (Selfishness is not only irresponsible, it's counterproductive.) Look for ways to create a positive learning and sharing environment among your staff, board members and stakeholders. Organizing occasional fun, educational and team-building activities helps to create that kind of learning atmosphere while strengthening team bonds and individual commitments. And if you can get everyone outside while you're at it, the healthful benefits multiply for all.

Real leadership is not measured by position or rank, accumulated honors and awards, a corner office, or a corner on the market. It is found in the number of the times we've tried, failed, adapted and re-tried; the people we've encouraged and uplifted; the challenges encountered and overcome together; and the healthy, productive balance in recreating and re-creating.



Tim Herd is a Certified Park and Recreation Professional and is executive director of the Stroud Region Open Space and Recreation Commission and serves on the Pennsylvania Recreation and Park Society Executive Committee. Contact Tim at herd.time@gmail.com.

Visit Us.
www.arml.org

We look forward to seeing each of you at the
Arkansas Municipal League 2012 Winter Conference.





2012 Winter Conference

Peabody Hotel/Statehouse Convention Center
January 11-13, 2012



PHOTO BY MARK POTTER



2012 Winter Conference

Peabody Hotel/Statehouse Convention Center
January 11-13, 2012

REGISTRATION

Registration and payment must be received in League office by Friday, December 9, 2011, to qualify for advance registration.

Advance registration for municipal officials	\$150
Registration fee after December 9, 2011 , and on-site registration for municipal officials	\$175
Spouse/guest registration	\$75
Child registration	\$75
Other registrants	\$200

- Registration will be processed **ONLY** with accompanying payment in full. Make checks payable to the Arkansas Municipal League.
- Registration includes meals, activities and a copy of **Handbook for Arkansas Municipal Officials, 2011-2012 edition**.
- No daily registration is available.
- Registration must come through the League office. No telephone registrations will be accepted.
- **No refunds after December 9, 2011.**
- Cancellation letters must be postmarked by **December 9, 2011.**

HOTEL RESERVATION

Hotel Room Rates

Peabody Hotel (headquarters hotel)		
Single	\$129	Check-in 3 p.m.
Double	\$139	
Capital Hotel		
Single/Double	\$155	Check-in 3 p.m.
Doubletree Hotel		
Single/Double	\$134	Check-in 3 p.m.
Wyndham Hotel		
Single/Double	\$94	Check-in 3 p.m.

- Cut-off date for hotel reservations is **December 9, 2011**.
- Rooms in Little Rock are subject to an 11.5 percent tax.
- Rooms will be held until 6 p.m. and then released unless guaranteed by credit card.
- Contact the hotel directly to make changes or cancellations in hotel accommodations.
- Hotel confirmation number will come directly from the hotel.
- Please check on cancellation policy for your hotel.

TWO WAYS TO REGISTER OR

2

Complete the steps and **mail with payment** to:
 ARKANSAS MUNICIPAL LEAGUE
 Attn: 2012 Winter Conference
 P.O. Box 38
 North Little Rock, AR 72115-0038

1 Register online at www.arml.org
 and pay by credit card.

Step 1: Delegate Information

I am a newly elected official.

Name:
 Title: City of:
 Address:
 City: State: Zip: Telephone:
 Spouse/Guest will attend: Yes No Name:
 Children will attend: Yes No Name(s):

Step 2: Payment Information

• **WHAT IS YOUR TOTAL?** (see opposite page for fees)

Advance Registration Regular Registration Spouse/Guest Child Other Registrants Total
 \$150 \$175 \$75 \$75 \$200 \$_____

• **HOW ARE YOU PAYING?**

Check

Mail payment and form to: Arkansas Municipal League
 2012 Winter Conference
 P.O. Box 38
 North Little Rock, AR 72115

Credit Card Complete information below and send to address above.

Credit Card: Visa MasterCard

Card Number: _____ Exp. Date: ____/20__

Card Holder Name (as it appears on card):

Billing address (as it appears on statement):

City: State: Zip: Telephone:

E-mail address (**required for credit card payment**):

Step 3: Hotel Reservations

To obtain hotel reservations, registered delegates must directly contact participating hotels listed below. Please mention that you are with the Arkansas Municipal League to get the negotiated hotel rate.

SOLD OUT
Peabody Hotel Reservations _____ 501-906-4000 (Monica Gowie, lead reservationist)
Capital Hotel Reservations _____ 877-637-0037 or 501-374-7474
Doubletree Hotel Reservations _____ 800-937-2789 or 501-372-4371
Wyndham Hotel Reservations _____ 800-996-3426 or 501-371-9000

Step 4: Hotel Payment

Payment Options: Credit Card or Direct Bill (Note: only two payment options.) To obtain direct billing as a payment option, registered delegates must directly contact hotel accounting offices listed below:

Capital Hotel Accounting _____ 501-370-7062
Doubletree Hotel Accounting _____ 501-372-4371
Wyndham Hotel Accounting _____ 501-371-9000

2012 WINTER CONFERENCE TENT

WEDNESDAY-JANUARY 11

1:00 P.M. – 7:00 P.M.

REGISTRATION Osage Room & Caddo Room

1:00 P.M. – 6:45 P.M.

VISIT WITH STATE AGENCIESGovernor's Hall I & II

Different state agencies have been invited to set up in this area. Take time to visit with them about how their agencies might best assist your city.

2:00 P.M.

CITY, COUNTY AND LOCAL AFFAIRS
COMMITTEE MEETING Fulton Room

2:30 P.M.

MLWCT Board of Trustees Manning Room, Peabody Hotel

2:30 P.M. – 6:00 P.M.

ARKANSAS CITY CLERK, RECORDERS, AND
TREASURERS ASSOCIATIONArkansas Room, Peabody Hotel

Presiding: Diane Whitbey, President,
Arkansas City Clerks, Recorders, Treasurers
Association

3:30 P.M. – 6:00 P.M.

YES YOU CAN BE SUED:
WHAT CAN BE DONE TO REDUCE YOUR RISKS?Governor's Hall III

This two-hour workshop is part of the voluntary certification program for mayors, aldermen, city directors and city managers. The workshop will include information on the latest trends in lawsuits filed against cities and how to avoid them.

Presiding: Mayor Chris Claybaker, Camden
Arkansas Municipal League First Vice President

Speaker: Arkansas Municipal League Staff

7:00 P.M.

OPENING NIGHT BANQUETPeabody Ballroom

Presiding: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Invocation: Mayor Virginia Hillman, Sherwood

After the conclusion of tonight's meal, we will recognize those city officials who have completed the required 21 hours of course work to become certified municipal officials. We will also honor this year's Main Street Award winners.

8:30 P.M.

PRESIDENT'S POST BANQUET
RECEPTIONGovernor's Hall I & II, SCC

After the Opening Night Banquet, stroll to the Exhibit Hall and enjoy delicious desserts while visiting with fellow municipal officials and listening to piano music.

Sponsored by The Friday Law Firm

THURSDAY A.M.-JANUARY 12

7:15 A.M. – 5:00 P.M.

REGISTRATION OPENS Osage Room

7:30 A.M. – 8:45 A.M.

HOST CITY BREAKFAST BUFFETGovernor's Hall I & II

Enjoy a traditional Arkansas breakfast before the Opening Session. Courtesy of our Host City, Little Rock.

7:30 A.M. – 4:30 P.M.

VISIT WITH GOVERNMENTAL
AGENCIESGovernor's Hall I & II

9:00 A.M. – 10:15 A.M.

OPENING GENERAL SESSIONPeabody Ballrooms A, B & C

The Winter Conference officially begins with the singing of our National Anthem and the Pledge of Allegiance followed by welcome remarks from Little Rock Mayor Mark Stodola. Our opening keynote address will be given by former Razorback football quarterback Kevin Scanlon. At the conclusion of Kevin's speech, we will recognize the recipients of this year's Arkansas Business City of Distinction Awards.

Presiding: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

National Anthem: Park Hill Baptist Church Choir Ensemble

Address of Welcome: Mayor Mark Stodola, Little Rock

Speaker: Kevin Scanlon, Executive Vice President
Stephens, Inc.

10:30 A.M. – 11:30 A.M.

GENERAL SESSION:Peabody Ballrooms A, B & C
ROADS, STREETS, HIGHWAYS AND ECONOMIC DEVELOPMENT

Everyone seems to agree that we need better, roads, streets and highways. How we raise the revenue to accomplish that goal is up to debate. A distinguished panel of speakers expresses their ideas and opinions on how we might improve our transportation system and the Arkansas economy.

Moderator: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Speakers: State Representative Robert Moore
Speaker of the House, Dist. 12

State Representative Kathy Webb, Dist. 37

Scott Bennett, Director

Arkansas State Highway & Transportation Department

Robbie Wills

Wills Law Firm, PLLC

11:30 A.M. – 12:00 P.M.

THE FOIA, ETHICS AND
OTHER AG OPINIONSPeabody Ballrooms A, B & C

Understanding the FOIA and adhering to various ethics interpretations are perpetual challenges for municipal officials. Attorney General Dustin McDaniel gives us an update and advice on these and other topics of interest.

Moderator: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Speaker: Attorney General Dustin McDaniel

ACTIVE AGENDA Little Rock, AR

THURSDAY P.M.-JANUARY 12

12:15 P.M.

VOLUNTEER COMMUNITY OF THE YEAR

AWARDS LUNCHEONGovernor's Hall, I & II

Governor Beebe will address our Luncheon. At the conclusion of his remarks, the 2011 Volunteer Community of the Year Awards will be announced and the winners recognized.

Presiding: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Invocation: Mayor Mike Gaskill, Paragould

Speaker: Honorable Governor Mike Beebe

2:00 P.M. – 3:00 P.M.

THE FISCAL SESSION:

WHAT TO EXPECT.....Peabody Ballrooms A, B & C

Arkansas's second fiscal session begins in a matter of weeks. What legislative actions might impact municipalities? Legislative leaders share their insight with us.

Moderator: Mayor Chris Claybaker, Camden
Arkansas Municipal League First Vice President

Speakers: Richard Wilson, Assistant Director
Bureau of Legislative Research

State Senator Larry Teague, Dist. 20

State Representative Darrin Williams, Dist. 36

State Representative Terry Rice, Dist. 62

3:15 P.M.

2012: WHAT TO ANTICIPATE

AND WHAT TO EXPECT?Peabody Ballrooms A, B & C

2012 promises to be a year of challenges and changes. The Severance Tax Act of 2012, if approved by the voters, could potentially bring in additional revenue for municipal streets. Optional programs and services provided by the Arkansas Municipal League are continually being updated and improved. What are some of the changes that you can expect in 2012? This afternoon's session will be devoted to the discussion of what municipalities might anticipate and expect in 2012.

Moderator: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Speakers: Sheffield Nelson, Chairman,
Committee for A Fair Severance Tax
League Staff

DINNER ON YOUR OWN

7:30 P.M. – 10:00 P.M.

STEPHENS DESSERT RECEPTIONCapital Hotel

After a break for dinner on your own, save room for dessert and attend this reception sponsored by Stephens, Inc. in the beautiful Capital Hotel directly across the street from the Peabody Hotel.

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FRIDAY-JANUARY 13

7:15 A.M. – 12:00 P.M.

REGISTRATION OPENS.....Osage Room

7:30 A.M. – 8:45 A.M.

BREAKFAST BUFFETGovernor's Hall I & II

8:30 A.M. – 4:30 P.M.

CITY ATTORNEYS.....Arkansas Room, Peabody Hotel

City Attorneys will meet for six hours of CLE.

8:45 A.M. – 9:00 A.M.

THE IMPORTANCE OF CELEBRATING

MARTIN LUTHER KING, JR. DAY.....Peabody Ballrooms A, B & C

Speaker: DuShun Scarbrough, Executive Director
Arkansas Martin Luther King Jr. Commission

9:00 A.M. – 10:30 A.M.

UPDATE FROM WASHINGTON D.C.Peabody Ballrooms A, B & C

Health care, jobs, Internet sales, are issues of interest to municipalities. Members of our Congressional Delegation give us an update of these and other important topics.

Presiding: Mayor Frank Fogleman, Marion
Arkansas Municipal League President

Speakers: Congressman Tim Griffin (Invited)

Congressman Mike Ross

Senator Mark Pryor (Invited)

Carolyn Coleman, Federal Relations Center Director
National League Of Cities (Invited)

10:30 A.M. – 11:00 A.M.

BREAK Governor's Hall I, II & Peabody Foyer

11:00 A.M. – 12:00 P.M.

BECOMING A HEALTHY

MUNICIPALITYPeabody Ballrooms A, B & C

Arkansas continues to rank high in the category of almost all unhealthy statistics. There are things that you can do to encourage your citizens to adopt healthy lifestyles.

Moderator: Mayor Chris Claybaker, Camden
Arkansas Municipal League First Vice President

Speaker: Dan Burden, Executive Director and Co-Founder
Walkable and Livable Communities Institute, Inc.

NOON

Concluding Remarks:

Mayor Frank Fogleman, Marion,
Arkansas Municipal League President

NOON LUNCH BUFFETGovernor's Hall I & II

Before you depart, join us for a buffet of Southwest cuisine.

Other Friday Meetings:

1:00 P.M.

MHBF Board Meeting Manning Room, Peabody Hotel

1:00 P.M. - 4:30 P.M.

Continuing Legal EducationArkansas Room, Peabody Hotel

Safety is a relative thing

By Dan Bugg

We would all like to consider being safe to be an automatic thing. We expect to be safe at home, safe at work, and safe while we are out and about in our communities. Safety is often something we take for granted, or at the very least we don't give it a great deal of thought until something unexpected happens. When that occurs, we then become very focused on our safety and have increased awareness of what's going on around us. Our physical and financial safety is important to all of us.

Animal control work is focused on "Public Safety and Public Health." We quite often find ourselves searching for answers to community problems that have placed local residents in harm's way. An animal attack on humans (generally by dogs) is still a very prevalent issue.

Each time we attempt to find a solution to improve safety through adopting or modifying a local ordinance, two things happen. First we must find the resources to undertake the added responsibilities and duties that go along with making our community safer. Just saying so and wanting something to occur does not make the rubber meet the road. Second, we generally endure some rather concerned citizens who don't want the ordinance-based measure to take place for personal or other reasons. To be perfectly honest, as animal control personnel it is not our goal to regulate everything or everybody. It's quite the opposite. We want our residents to be safe, we wish for them to enjoy a happy, healthy and informed pet/owner relationship. The less regulation it takes for that to happen, the better. But as history has

taught us, we often have to approach solving problems through regulation.

The public demands to be safe, and when they are not, or feel compromised or in fear, they want answers and want to be assured that they and their pets are safe. Animal control personnel, police or other law enforcement personnel only have authority where the local or state law gives them the authority.

Being safe is not just a frame of mind; it is a very real and very personal thing. So keep yourself and your neighbors safe by not engaging in behavior or activities that place others or yourself at risk of injury. Consider responsible animal ownership as just one way to be a positive influence on the safety of others. If you love your pet, keep it safe at home. If not, then consider a virtual pet for your life. No regulation, no food to buy, no vet bills and no one will have to visit a local emergency room because your pet is running loose and bit them.

Be safe this year, and consider your neighbors, as their safety in the neighborhood helps ensure your own. Look out for each other and find peace of mind in that partnership.



Dan Bugg is supervisor of Hot Springs Animal Services.

CLE Offered at League Convention

Six (6) hours of continuing legal education (CLE) will be available for city attorneys who attend the Arkansas Municipal League's 2012 Winter Conference, Jan. 11-13, 2012, at the Statehouse Convention Center in Little Rock. The Arkansas City Attorneys Association (ACAA) sponsors the CLE. All CLE will occur on Friday, Jan. 13 in the Arkansas Room of the Peabody Hotel.

JaNan Davis, City Attorney for Maumelle, and ACAA President, urges members and non-members to register for the convention as soon as possible. A registration form is in this issue of *City & Town*; copies also are being mailed to city attorneys.

CLE topics are selected based on the requests from our city attorney members and will include FOIA update, nuisance abatement issues, the appeal process, and changes in the district court system as well as one (1) hour of ethics.

To attend the CLE program, registration is required at the League Convention. For registration information, call Whitnee Bullerwell at the League, 501-374-3484, Ext. 206. For CLE information, call Mark Hayes, ACAA secretary/treasurer and League General Counsel at 501-978-6102 or his assistant, Jamie Adams, at 501-978-6124.

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Leafy links abound on Forestry Commission website

By John Slater



Urban forests improve air quality, absorb rainwater and improve biodiversity. Green spaces in our communities also provide aesthetic, social and financial benefits. Arkansas Forestry Commission urban forestry representatives work with community leaders to plant and maintain trees, and promote the many benefits that trees provide.

Check out our Arkansas Forestry Commission website at forestry.arkansas.gov. Click on Services, and under Community Forestry click on More Info. Each topic has a PDF that you can download to your computer, and you'll find many links to get more useful information (one of my favorites is "Woody Ornamentals"). Below is a list of some of our programs and educational materials.

Arkansas Grove

Arkansas is part of The Grove, a website and online community created to engage and encourage citizens to plant trees and protect the urban tree canopy. The website, ArkansasGrove.org, will give you ideas on what trees to select for planting on special occasions and information on proper tree care. The Grove in Arkansas is sponsored by the Arkansas Urban Forestry Council and the Arkansas Forestry Commission. Visit the site and become a member. It's free.



ArkansasGrove.org

THE GROVE
plant your legacy

S.T.O.P. skin cancer in children

Trees dramatically reduce the amount of damaging sunrays reaching the ground, which increases the amount of time you can spend outside without getting sunburned. Children spend many hours at school on the playground. Many school playgrounds have no shade, which puts the children at risk for sunburn. Skin damaged by the sun during childhood is the leading cause of skin cancer in adults. To combat sunburn and the risk of skin cancer, the Arkansas Forestry Commission has developed a program called S.T.O.P. (Shade Trees on Playgrounds.) The program provides trees for a school in each District to plant on their playgrounds.

Tree City USA

Trees are an important part of a city, large or small. In 1976, the National Arbor Day Foundation developed the Tree City USA program to recognize cities that have active tree programs. Sixty Arkansas cities are currently listed as "Tree City USA."

To qualify as a Tree City USA, a city must meet four requirements, one of which is a city tree ordinance. Examples of ordinances are available to help you write one for your community. Download the *Arkansas Tree City USA Manual* to find out how to organize and make the program work in your community.

Tree maintenance: Specifications, bids and proposals

Properly planted and properly maintained trees are healthy trees. These examples will help you with the development of specifications, bids and proposals for hiring professionals for tree planting and tree maintenance.



The State Champion Chinkapin Oak, an Arkansas Champion Tree, stands tall at Riverside Park in Batesville. Its circumference is 212 inches, crown spread is 117 feet, and height is 102 feet.

Selecting trees

Trees provide many benefits to both cities and homeowners. Properly placed trees provide shade, beauty, wildlife habitat and increased property value. Trees planted in the wrong place create problems. Our downloadable “Selecting Trees” guide provides information about native and naturalized trees to help you select the perfect tree for the space you have. The trees are in a list so you can easily compare their characteristics.

Through an Urban and Community Forestry grant, the University of Arkansas Cooperative Extension Service prepared three downloadable tree posters that provide a selection of trees for lawns, streets and under utility lines. Hard copies of these posters are also available upon request.

Trees not only provide shade during the summer, they also give us beautiful colors in the fall. Our “Autumn in Arkansas” guide will help you determine which trees to plant to give you the fall colors you are looking for.

Champion trees

Arkansas’s Champion Tree program recognizes those trees—whether planted by nature or by individuals—that are the largest of each species. Trees are compared using the American Forest “Bigness Index” (BI). If you have a tree you believe is the largest of its species, contact the Arkansas Forestry Commission using the online contact form, call your local Commission office, or send a nomination form to 3821 West Roosevelt Road, Little Rock, AR 72204.

This information is from our Arkansas Forestry Commission website, so the credit for this article goes to our Urban Forestry Coordinator Patti Erwin (479-442-4963) and our former Public Information Officer Christina Fowler.

Make a Memory...Plant a Tree

A version of this column appeared originally in the April 2007 issue of City & Town.



John Slater is urban forestry partnership coordinator with the Arkansas Forestry Commission. Contact him at 501-984-5867, or at john.slater@arkansas.gov.

OneKC sets example to follow

By Jim Youngquist

Over the last year, the Institute for Economic Advancement (IEA), the Little Rock Regional Chamber of Commerce (LRRCC), the Central Arkansas Planning and Development District (CAPDD) and Metroplan have been working on a collaborative project entitled “Understanding the Regional Community.” It is the four partners’ attempt to bring together the public and private sector leadership of the Little Rock-North Little Rock-Conway Metropolitan Statistical Area (Metro Region) to build a better regional community.

To date, the project has had three checkpoints: (1) an analysis of regional multi-jurisdictional practices, initiatives and programs taking place in the Metro Region’s comparable/competitive regions as identified by the LRRCC; (2) a Metro Region Summit that brought together nearly 100 public and private sector leaders to review the analysis and to discuss what steps the Metro Region should address to enhance the opportunity to build a strong regional community; and (3) a visit of 25 public and private sector leaders from the Metro Region to the Kansas City Region—a comparable region—to learn about the challenges and successes the leaders there have had in building a united regional community.

The Kansas City Region consists of two states, nine counties, 120 municipalities, 4,423 square miles and 1,989,089 residents. The region is referred to as “Kansas City,” or “OneKC” as the Kansas City Area Development Council markets the region. The nearly 2 million residents of OneKC are nearly divided equally between Kansas and Missouri. Friday night football still exists. Urban, suburban, exurban and rural communities have their own jurisdictions, their own elected officials and more, but when it comes to the regional community, it’s simply OneKC.

During our visit, the Greater Kansas City Chamber of Commerce and the Mid-America Regional Council shared the story of decades of Kansas City’s leadership coming together to enhance the entire region. They discussed their partnerships with organizations such as the Civic Council of Greater Kansas City, Arts Council of Greater Kansas City and the Kansas City Area Life Sciences Institute. Additionally, officials from the local governments of all sizes in the region shared what working together as OneKC has done for the quality of place that is so desirable there.

Every place has its warts. Kansas City is no different. However, it would be hard to find a metropolitan region



in the United States that works any better as a regional community. The OneKC marketing tool has become a lasting bond for the region. The big red ball with the big white KC letters can be found in government logos, company logos and in sports franchise logos. The idea behind the campaign was simply “we are one.”

The goal was to create a competitive advantage for the region in everything it does, especially in the race for new jobs, investment and tax base. The strategy is to create a seamless, unified “metro product” that can benefit each city and county in the region as well as create a regional link to the world. OneKC provides Kansas City’s residents with a unified sense of place and pride.

Most regional efforts in this country have come about because of a crisis. One of the Metro Region’s greatest multijurisdictional efforts came about from such a situation involving Central Arkansas Water (CAW). The goal of “Understanding the Regional Community” is to foster and encourage a structure that can react to opportunity and challenge as a metropolitan community. The Metro Region has some success stories besides CAW that it can look to with pride. All parts of a unified metropolitan region can benefit from such an effort. Can we put historical competition and jurisdictional boundaries aside to build a dynamic regional community that thinks region first for the betterment of each individual jurisdiction and citizen as a whole? Could we in the Metro Region come up with a unifying slogan such as they did in Kansas City with OneKC? What would our slogan be? What do we call our region that invokes pride and sense of place that those outside the Metro Region would come to identify with?



Jim L. Youngquist is Executive Director, Institute for Economic Advancement College of Business, University of Arkansas at Little Rock.

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Municipal Notes

Cities, counties share more than \$4 million in state grants

Nineteen cities and counties in Arkansas shared more than \$4 million in grants for numerous projects, the Arkansas Economic Development Commission has announced. The \$4.28 million in Community Development Block Grants (CDBG), made available through the Department of Housing and Urban Development, go to communities with a population of less than 50,000 where a majority of households earn low to moderate incomes.

Municipalities and counties receiving funds include:

Altheimer—\$101,882 for replacement of old sewer pumps

- Beebe—\$194,520 for streets and drainage
- Chicot County—\$360,000 for construction of a county health unit
- Clinton—\$199,000 for an addition to community facility
- Concord—\$400,000 for construction of a childcare center
- Desha County—\$136,062 for installation of a commercial kitchen
- Helena-West Helena—\$218,894 for addition of three classrooms
- Lonoke County—\$205,560 for building for children's advocacy center
- McGehee—\$219,000 for renovation of the Japanese-American Relocation Museum
- Nashville—\$275,640 for additional water pump and wet well

- Oil Trough—\$157,690 for addition to New Life Children's Home
- Pope County—\$444,000 for construction of a senior center
- Sedgwick—\$202,566 for drainage improvements
- Stamps—\$222,000 for construction of a senior center
- Stephens—\$217,000 for an entrepreneurial training center
- St. Francis County—\$196,000 for construction of a food pantry
- Sulphur Springs—\$219,000 for rehabilitation of water and wastewater systems
- Wabbaseka—\$217,000 for a youth entrepreneurial and technology complex
- Washington—\$99,485 for rehabilitation of two well houses

Obituaries

JAMES (DUTCH) HOUSTON, 72, a Clarksville alderman who had served on the council for 30 years, died Nov. 20, 2011.

MELBA ALIENE MOORE JONES, 93, Bryant treasurer for 28 years and office manager of the water and sewer department for 30 years, died Dec. 16, 2011.

ROBERT D. MERRYMAN, 43, of Little Rock, died Friday, Dec. 23, 2011. Robert was the League's Director of Maintenance since 2009.

JERRY WILLIAMS, 79, former Crawford County Judge, died Dec. 4, 2011.

CALENDAR

**Arkansas Municipal League
Winter Conference
Wednesday-Friday
January 11-13, 2012
Little Rock, AR**

**NLC Congressional City
Conference
Saturday-Wednesday
March 10-14, 2012
Washington, D.C.**

**Arkansas Municipal League
78th Annual Convention
Wednesday-Friday
June 13-15, 2012
Hot Springs, AR**

Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

Council may reduce new official's compensation

Opinion: 2011-150

Requestor: Irvin, Missy Thomas—State Senator

Can benefits that were placed in the city budget be removed or reduced [for newly elected officials] in the budgeting process that occurs each year in December? **RESPONSE:** Generally yes. See Opinion No. 2010-165 (opining that health care benefits could, as a general matter, be removed from the budget before the beginning of the official's term, regardless of whether such benefits constitute

salary.) This conclusion follows from the fact that ACA 14-42-113(a)'s limitation on reducing the salary of an elected city official applies only during the term of the official. My predecessor opined, and I agreed, that section 14-42-113 does not expressly prohibit a city council from reducing the compensation of city officials after the election, but before the new official takes office.

For full Attorney General opinions online, go to www.arkansasag.gov/opinions.

Delegates represent League at NLC 2011 Congress of Cities



From left, North Little Rock Alderman Maurice Taylor, Marion Mayor Frank Fogleman, North Little Rock Alderman Murry Witcher, League Executive Director Don Zimmerman, Sherwood Alderman Marina Brooks, North Little Rock Alderman Steve Baxter, Camden Mayor Chris Claybaker and Morrilton Mayor Stewart Nelson were among 26 delegates representing the League at the 2011 NLC Congress of Cities and Exposition, held Nov. 9-12 in Phoenix. The NLC named the Arkansas Municipal League its first ever State League of the Year at the conference. Read more about the award in this issue on page 6.

Local Sales Tax Collection Information: Part 1

Understanding and evaluating local sales tax collections can be a complicated matter to say the least, but some information is available if you know where to look and who to ask. This is the first in a series of three articles.

By Paul Young, League staff

In most cases, city officials encounter frustration when they attempt to obtain useful information to understand and evaluate trends and fluctuations in local sales tax collections. This is primarily a consequence of two factors. One factor is the statutory wall of confidentiality that presumes that any collection information that can be identified with a retailer or other entity will somehow be harmful or produce a competitive disadvantage to the related party. Any change in this policy has been strongly resisted by business interests despite the legitimate interest of a taxing authority in having a satisfactory understanding of the factors affecting its revenues.

The other limiting factor is the local tax collection system itself, which is a multi-step process and affected by a variety of complications along the way. Such complications include rebates and refunds of taxes previously distributed that can produce significant unexpected reductions in monthly revenues. Another complication is destination sourcing, mandated by the interstate compact to facilitate sales tax collection on Internet sales. Destination sourcing will shift tax collections from the location of a retail merchant to another taxing jurisdiction where an item is actually delivered for use.

Credit is due to the Excise Tax staff at the Department of Finance and Administration (DF&A) for the efforts they have made under the current system to provide useful information. However, in order for satisfactory improvements to occur, statutory changes will be required that are based on reasonable compromises in the confidentiality rule that can protect business interests while satisfying those of local governments. Such changes will also include more direction and specific detail about the type of information that must be produced and made available by DF&A. Such information should be adequate for a local government to fully understand any material factors that affect the amount and timing of revenues.

In today's world of technology resources, the details of tax collection information should be available and accessible at any time, so that a local government can easily understand how initial collections and required adjustments ultimately produce the amount received at the local level. In addition to supporting figures, information should also be made available to provide justification and

reasonable assurance that any prior period adjustments are appropriate.

This article is the first in a three-part series intended to: (1) identify information that is currently available from the state related to local sales tax collections; (2) illustrate how the available information can be used to evaluate historic collections and budget future collections; and (3) highlight examples of how this matter is dealt with in other states and possible legislative changes for improvement.

In this first article we provide a listing of information currently available from the DF&A, the State Treasurer's office and contact information. Next month, we will discuss how to use this information, particularly the business code collection information.

Sales tax collection information

State Treasurer

The primary regular information cities receive about sales tax collections is the monthly City Sales and Use Tax Funds Distribution report received by mail from the State Treasurer. Similar county tax information will be received if a city receives a portion of a county tax. The State Treasurer has also made this information available online.

In addition, a supplemental letter is provided that shows the amount of any rebates to taxpayers of tax paid as authorized by state law. Rebates are available for tax paid on business equipment or expenses in excess of \$2,500 per single transaction. Nonprofit and governmental entities are also eligible. Generally, rebates are available if a claim is filed with DF&A within six months of payment.

Details of any adjustments of prior taxes that affect current collections, such as amended returns or audit adjustments, are not separately disclosed by DF&A or the State Treasurer. Such amounts are included in the monthly net deposit amount, and in general can occur within three years after a prior period return was filed.

Questions or requests for assistance about this information should be directed to Debbie Rogers in the State Treasurer's office. Call her at 501-682-9100 or email drogers@artreasury.gov.

Help!

The DF&A and the State Treasurer's office have people dedicated to assist with sales tax information requests and answer questions as permitted under current law.

At the DF&A

Andrew (Drew) Smith, Tax Auditor—Drew can help you obtain a list of businesses collecting sales tax and with quarterly business code information showing local sales tax information by business category. Contact Drew at 501-537-5646, or email andrew.smith@dfa.arkansas.gov.

Brian Sansoucie, Tax Auditor—Like Drew, Brian can also help you with business code information. He is also very knowledgeable about the state sales tax collection system. Contact Brian at 501-682-7118, or email brian.sansoucie@dfa.arkansas.gov.

Roberta Overman, Manager, Sales and Use Tax Section—Roberta can handle your questions about how to obtain specific sales tax information. She can also answer specific questions about sales tax collections, including the causes of unusual increases or decreases in monthly collections, such as rebates and adjustments. Contact Roberta at 501-682-7110, or email roberta.overman@dfa.arkansas.gov.

Tom Atchley, Administrator, Office of Excise Tax Administration—Tom can help you with administration and policy issues as needed. Contact Tom at 501-682-7200 or email tom.atchley@dfa.arkansas.gov.

In addition to the helpful people at the DF&A, the administration's website, www.dfa.arkansas.gov, has a wealth of information available for city leaders, including historical tax collection information, current city and county sales tax rates, local tax lookup for specific area codes, lists of sales tax exemptions, recent changes in local sales taxes, where to report suspicious activity, and more.

At the State Treasurer's office

Debbie Rogers, Manager, Local Government Services—Debbie is the State Treasurer's local government expert and can answer your questions about the monthly City Sales and Use Tax Distribution report, supplemental information on rebates, and more. Contact Debbie at 501-682-9100, or email drogers@artreasury.gov.

DF&A—Activity generating local sales and use tax

As a means of helping cities and counties understand the source of tax collections, DF&A makes available a quarterly listing of tax collections by business code. The business code information is not required by current law or DF&A regulation but is actually provided as an accommodation to cities and counties. Access and details of the information are governed by informal departmental rules. Currently, only a mayor or county judge (or their specific designee) can request the information. And, in order to prevent disclosure of specific taxpayer information, business code information is only provided if there are at least four businesses in a particular code.

There are limitations on the value of this information, such as the accuracy of the business code for each taxpayer and the general nature of some of the codes. However, the information will likely have some use if maintained and followed over an extended period of time. We will discuss the use of this information in the next article of this series.

If you are interested in obtaining your city's information, request the NAICS Quarterly information from Drew Smith or Brian Sansoucie at DF&A (see the contact information included in the sidebar).

You can find detail on business codes and descriptions of businesses under particular codes online at www.census.gov/eos/www/naics.

Listing of businesses collecting sales and use tax

ACA § 26-73-115 allows a mayor or county judge to obtain a quarterly report from DF&A listing businesses remitting sales and use taxes in the municipality or county. If you are interested in obtaining such a list, contact Drew Smith or Brian Sansoucie at DF&A.

Local Tax Distribution Report (10 years of information is available)

This information, available in the sales tax section of the DF&A's website at www.dfa.arkansas.gov, shows monthly gross sales tax collection figures for cities based on the month in which the tax was collected at the local level, tax collected by DF&A on motor vehicles, and any adjustments to add or subtract revenue due to destination sourcing. This information also includes any adjustments related to refunds and rebates. Each monthly amount shown is the basis for the funds distributed by the State Treasurer two months after collection at the local level. For example, the amount shown for July will determine what a city receives in September. The final amount distributed is also net of additional adjustments for allocated interest earned on the Local Tax Trust Fund and the three percent state collection service charge.



Paul Young is the League's Finance Director. Contact Paul at 501-374-3484 Ext. 125, or email pyoung@arml.org.

2012 Municipal Election Information

DEADLINES FOR FILING AND OTHER IMPORTANT DATES

Filing Dates

Primary Election: From 12 p.m., Feb. 23 until 12 p.m., March 1. ACA 7-7-203(c)(1)

General Election (for independents): From July 27 until Aug. 17. ACA 14-42-206(b)(1)

OR, by City Ordinance (for independents): From May 2 until May 21. ACA 14-42-206(d)

Election Dates

Preferential Primary Election: May 22, 2012

Primary Election (runoff): June 12, 2012

General Election: Tuesday, Nov. 6, 2012. ACA 7-5-102

General Election (runoff): Tuesday, Nov. 27, 2012. ACA 7-5-106

Political Practice Pledge and Affidavit of Eligibility

For candidates in Preferential Primary Election: Feb. 23 until noon March 1. ACA 7-6-102(a); 7-7-301(a)

For independent candidates: During period for filing petition for nomination. ACA 7-6-102(a); 14-42-206(b)(3)

Financial Disclosure Statement

First Monday following close of filing period (unless as an incumbent you filed as required by law on or before Jan. 31, 2012). ACA 21-8-701(c)

Reports of Contributions and Expenses

Pre-election Report—Seven (7) days prior to any preferential primary, runoff, general, or special election. Not required if contributions and expenditures are each less than five hundred dollars (\$500), or if candidate runs unopposed.

Final Reports—No later than thirty (30) days after the end of the month in which the candidate's name has appeared on the ballot, even if contributions and/or expenditures are over five hundred dollars (\$500). A candidate who withdraws shall file within thirty (30) days of withdrawal a report of any contributions and expenditures not previously reported.

Supplemental Reports—After the final report, within thirty (30) days of contribution or expenditure. ACA 7-6-208.

Officials elected take office: Jan. 1, 2013.

Mayor-Council Form of Government

Important Statutes

14-42-206. Municipal elections—Nominating petitions

(a)(1) The city or town council of any city or town with the mayor-council form of government, by resolution passed before January 1 of the year of the election, may

request the county party committees of recognized political parties under the laws of the state to conduct party primaries for municipal offices for the forthcoming year.

(2) The resolution shall remain in effect for the subsequent elections unless revoked by the city or town council.

(3) When the resolution has been adopted, the clerk or recorder shall mail a certified copy of the resolution to the chairs of the county party committees and to the chairs of the state party committees.

(4) Candidates nominated for municipal office by political primaries under this section shall be certified by the county party committees to the county board of election commissioners and shall be placed on the ballot at the general election.

(b)(1) Any person desiring to become an independent candidate for municipal office in cities and towns with the mayor-council form of government shall file not more than one hundred two (102) days nor less than eighty-one (81) days before the general election by 12:00 noon with the county clerk the petition of nomination in substantially the following forms:

(A) For all candidates except aldermen in cities of the first class and cities of the second class:

“PETITION OF NOMINATION—We, the undersigned qualified electors of the city (town) of _____, Arkansas, being in number not less than ten (10) for incorporated towns and cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of _____ (A candidate for alderman in an incorporated town shall identify the position for which he or she is running) at the next election of municipal officials in 20 _____. [Printed name, signature, street address, date of birth, and day of signing.]

(B) For candidates for alderman elected by ward in cities of the first class and cities of the second class, the nominating petitions shall be signed only by qualified electors of the ward in the following manner:

“PETITION OF NOMINATION—We, the undersigned qualified electors of Ward _____ of the city of _____, Arkansas, being in number not less than ten (10) for cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of Alderman, Ward _____, position _____, of the next election of municipal officials in 20 _____. [Printed name, signature, street address, date of birth, and day of signing.]

(C) For at-large candidates for alderman of a ward in cities of the first class and cities of the second class, the nominating petitions shall be signed by a qualified elector of the city in the following manner:

“PETITION OF NOMINATION—We, the undersigned qualified electors of the city of _____, Arkansas, being in number not less than ten (10) for cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of Alderman, Ward _____, position _____, of the next election of municipal officials in 20 _____. [Printed name, signature, street address, date of birth, and day of signing.]

(2)(A) An independent candidate for municipal office may qualify by a petition of not fewer than ten (10) electors for incorporated towns and cities of the second class and not fewer than thirty (30) electors for cities of the first class of the ward or city in which the election is to be held.

(B)(i) The county clerk shall determine no later than ten (10) days from filing whether the petition contains the names of a sufficient number of qualified electors.

(ii) The county clerk’s determination shall be made no less than seventy-five (75) days before the general election.

(C) The county clerk promptly shall notify the candidate of the result.

(3) Independent candidates for municipal office shall file a political practices pledge and an affidavit of eligibility at the time of filing their petitions.

(4)(A) An independent candidate shall state the position, including the position number, if any, on his or her petition.

(B) When a candidate has identified the position sought on the notice of candidacy, the candidate shall not be allowed to change the position but may withdraw a notice of candidacy and file a new notice of candidacy designating a different position before the deadline for filing.

(5) The sufficiency of a petition filed under this section may be challenged in the same manner as election contests under § 7-5-801 et seq.

(6) A person who has been defeated in a party primary shall not file as an independent candidate in the general election for the office for which he or she was defeated in the party primary.

(c)(1)(A) If no candidate receives a majority of the votes cast in the general election, the two (2) candidates receiving the highest number of votes cast for the office to be filled shall be the nominees for the respective offices, to be voted upon in a runoff election pursuant to § 7-5-106.

(B) In any case, except for the office of mayor, in which only one (1) candidate has filed and qualified for the office, the candidate shall be declared elected and the name of the person shall be certified as elected without

the necessity of putting the person’s name on the general election ballot for the office.

(2) If the office of mayor is unopposed, then the candidate for mayor shall be printed on the general election ballot and the votes for mayor shall be tabulated as in all contested races.

(d)(1)(A) The governing body of any city of the first class, city of the second class, or incorporated town may enact an ordinance requiring independent candidates for municipal office to file petitions for nomination as independent candidates with the county clerk:

(i) No earlier than twenty (20) days prior to the preferential primary election; and

(ii) No later than 12:00 noon on the day before the preferential primary election.

(B) The governing body may establish this filing deadline for municipal offices even if the municipal offices are all independent or otherwise nonpartisan.

(2)(A) The ordinance shall be enacted no later than ninety (90) days prior to the filing deadline.

(B) The ordinance shall be published at least one (1) time a week for two (2) consecutive weeks immediately following adoption of the ordinance in a newspaper having a general circulation in the city.

(e) Nothing in this section shall repeal any law pertaining to the city administrator form of government or the city manager form of government.

(f) This section does not apply in any respect to the election of district judges.

History—Acts of 1991, Act 59, §§ 2, 3; Acts of 1991, Act 430, §§ 2, 3; Acts of 1995, Act 82, § 1; Acts of 1995, Act 665, § 1; Acts of 1997, Act 645, § 3; Acts of 1999, Act 752, § 1, eff. July 30, 1999; Acts of 2001, Act 1789, § 8, eff. Aug. 13, 2001; Acts of 2003, Act 542, § 3, eff. July 16, 2003; Acts of 2003, Act 1104, § 1, eff. July 16, 2003; Acts of 2003, Act 1165, § 10, eff. July 16, 2003; Acts of 2003, Act 1185, § 24, eff. July 16, 2003; Acts of 2007, Act 149, § 1, eff. July 31, 2007; Acts of 2007, Act 1020, § 21, eff. July 31, 2007; Acts of 2007, Act 1049, § 45, eff. July 31, 2007; Acts of 2009, Act 1480, § 63, eff. April 10, 2009; Acts of 2011, Act 519, § 1, eff. July 27, 2011; Acts of 2011, Act 1185, §§ 18, 19, eff. Oct. 2, 2011.

7-5-106. Runoff elections for county and municipal officers

(a)(1) If there are more than two (2) candidates for election to any county elected office, including the office of justice of the peace, at any general election held in this state and no candidate for the county elected office receives a majority of the votes cast for the county elected office, there shall be a runoff general election held in that county three (3) weeks following the date of the general election at which the names of the two (2) candidates receiving the highest number of votes, but not a majority, shall be placed on the ballot to be voted upon by the qualified electors of the county.

(2)(A) The following procedure will govern if there are more than two (2) candidates for election to any municipal office at any general election held in this state

in which no candidate for the municipal office receives either:

- (i) A majority of the votes cast; or
 - (ii) A plurality of forty percent (40%) of the votes cast.
- (B)(i) A candidate who receives a plurality of forty percent (40%) of the votes cast must obtain at least twenty percent (20%) more of the votes cast than the second-place candidate for the municipal office to avoid a runoff general election against the second-place candidate
- (ii) If required, the runoff general election between the two (2) candidates shall be held in that municipality three (3) weeks following the date of the general election with the names of the two (2) candidates placed on the ballot to be voted upon by the qualified electors of the municipality.
- (b) If two (2) candidates receive the highest number of votes and receive the same number of votes, a tie is deemed to exist and the names of the two (2) candidates shall be placed on the runoff general election ballot to be voted upon by the qualified electors of the county or the municipality, as the case may be.
- (c)(1) If there is one (1) candidate who receives the highest number of votes, but not a majority of the votes, and two (2) other candidates receive the same number of votes for the next highest number of votes cast, a tie is deemed to exist between the two (2) candidates.
- (2) The county board of election commissioners shall determine the runoff candidate by lot at a public meeting and in the presence of the two (2) candidates.
- (d) If one (1) of the two (2) candidates who received the highest number of votes for a county elected office or a municipal office but not a majority of the votes in a county for a county elected office or either a majority or both forty percent (40%) of the votes cast and at least twenty percent (20%) more of the votes cast than the second-place candidate in a municipality for a municipal office in the general election withdraws before certification of the result of the general election, the remaining candidate who received the most votes at the general election shall be declared elected to the county elected office or municipal office and there shall be no runoff general election.
- (e)(1) The person receiving the majority of the votes cast for the county elected office or municipal office at the runoff general election shall be declared elected.
- (2) However, if the two (2) candidates seeking election to the same county elected office or municipal office receive the same number of votes in the runoff general election, a tie is deemed to exist, and the county board shall determine the winner of the runoff general election by lot at an open public meeting and in the presence of the two (2) candidates.
- (f)(1) As used in this section, “municipal office” means offices of cities of the first class and cities of the second class and incorporated towns and includes the offices

of aldermen, members of boards of managers, or other elective municipal offices elected by the voters of the entire municipality or from wards or districts within a municipality.

(2) “Municipal office” does not include offices of cities having a city manager form of government.

(g) This section does not apply to election of members of the boards of directors and other officials of cities having a city manager form of government.

(h) This section is intended to be in addition to and supplemental to the laws of this state pertaining to the election of officers for county elected offices and municipal offices at general elections.

History—Acts of 1983, Act 909, §§ 1, 2; Acts of 1991, Act 53, § 1; Acts of 1997, Act 451, § 3; Acts of 1999, Act 554, § 1, eff. July 30, 1999; Acts of 2003, Act 1165, § 3, eff. July 16, 2003; Acts of 2007, Act 1049, § 14, eff. July 31, 2007; Acts of 2011, Act 1211, § 1, eff. July 27, 2011.
Formerly—ASA 1947, §§ 3-616, 3-617.

Mayor-Council Form of Government

The following offices will be elected in 2012:

Incorporated towns

Aldermen—five (5) elected for two (2) year terms if there has been no approval of four-year terms and the requisite election procedures. Aldermen run by Position Nos. 1, 2, 3, 4 or 5. ACA 7-7-304(e). Voted on by all electors of the town. ACA 14-45-102. If the voters have approved a four year election cycle then initially, positions one (1), three (3), and five (5) shall have four (4)-year terms with alderman representing positions numbered two (2) and four (4) to have two-year terms and thereafter four (4)-year terms.

Marshal (if elected)—two (2) year term. Council may provide by ordinance for appointment or election of city marshal or may create police department. ACA 14-45-109, 14-52-102 and 14-52-103.

Cities of the second class

Recorder—four (4) year term. ACA 14-44-115.

Treasurer—if separate from recorder, four (4) year term. ACA 14-44-109; ACA 14-44-115.

Aldermen—two (2) from each Ward elected for two (2) year terms and must reside in Ward. File by Position Number (1) or (2), and elected city wide unless otherwise provided by ordinance. ACA 14-44-103 (b)(1) (A) and (B) and (c)(1)(A) and (B). Note: Aldermen may, by ordinance referred to the voters, be elected to four-year staggered terms. ACA 14-44-103(a)(4) through (7). Some alderman will initially be elected to two year terms in order to create the staggered terms.

Marshal (if elected)—two (2) year term. Council may provide by ordinance for appointment or election of city marshal or may create police department. ACA 14-44-111, 14-52-102 and 14-52-103.

Collector (optional)—two (2) year term. ACA 14-44-117.

Cities of first class with less than 50,000 population

Aldermen—two (2) from each Ward elected for two (2) year terms; must reside in ward, file by Position No. 1 or No. 2 and elected city wide unless otherwise provided by ordinance. ACA 14-43-307, 14-43-312. However, any first class city may, by ordinance referred to the voters, elect its aldermen to four-year staggered terms as provided in ACA 14-43-312. Note that this will mean some aldermen will initially be elected to two year terms in order to create the staggered terms.

Cities of first class with over 50,000 population

Mayor—four (4) year term. ACA 14-43-303(a)(1)(A)(i).

City Clerk, Clerk/Treasurer - four (4) year term. ACA 14-43-303(a)(1)(A)(ii).

Aldermen—one (1) from each ward for four (4) year terms, must reside in the ward, elected city-wide unless City Council passes ordinance to provide otherwise. ACA 14-43-303 (a)(1)(A)(iii).

District Court Judges

District Judge—beginning in 2004, all District Judges were elected to four (4) year terms. Ark. Const. Amend. 80 secs. 16, 19.

Election of aldermen

Aldermen in cities of the first and second class are elected city-wide if the City Council has not adopted one of the following two options:

Option 1. All the aldermen can be elected by wards.

Option 2. One alderman from each ward can be elected city wide and one alderman from each ward can be elected by ward. ACA 14-43-307(b)(1)(B)(ii), and 14-44-103(c)(1)(B)(ii).

No election in 2012 of the following offices

Incorporated towns

Mayor—ACA 14-45-104.

City Attorney—ACA 14-42-112(a) (although this law is not entirely clear about when a city attorney should stand for election, stating only “at the time of the election of other officers....” This could mean either the other four-year office holders, or could also include the biannual election of aldermen).

Recorder/Treasurer—ACA 14-45-108.

Cities of the second class

Mayor—ACA § 14-44-105.

City Attorney—See note above under incorporated towns.

Cities of first class with less than 50,000 population

Mayor—ACA 14-43-305(a).

City Attorney—ACA 14-43-315(a).

City Clerk, Treasurer or Clerk/Treasurer—ACA 14-43-316 and 14-43-405 (note: Treasurer can be appointed or elected as designated by ordinance. If elected the office

follows the election cycle of the Clerk or Clerk/Treasurer and will be next elected in 2014).

Cities of first class with over 50,000 population

City Treasurer—unless the office has, by ordinance, been combined with the City Clerk or is appointed rather than elected. ACA 14-43-303(a)(3)(A)(ii) and 14-43-405.

City Attorney—ACA 14-43-303(a)(3)(A)(i).

Aldermen—one (1) from each ward. ACA 14-43-303 (a)(3)(A)(iii) and 14-43-307.

Independent candidates—deadline for filing

Filing deadline for independent candidate (provided that no ordinance was passed pursuant to ACA 14-42-206(d)(l) to shorten the filing period to noon of the day before the preferential primary election) is not more than one hundred and two (102) days, nor less than eighty-one (81) days by 12 p.m. before the general election. This translates to July 27, 2012, until noon, Tuesday, Aug. 17, 2012. ACA 14-42-206(b)(1); ACA 7-6-102(a) (3).

The City Council may fix filing deadline for independent candidates for municipal office:

(i) No earlier than twenty (20) days prior to the preferential primary election; and

(ii) No later than noon on the day before the preferential primary election (May 20, 2012). See ACA 14-42-206(d).

The council must enact this ordinance no later than 90 days prior to the filing deadline and publish it for two weeks in a newspaper of general circulation in the city. The deadline may be established even if all offices are independent or otherwise nonpartisan.

Petitions must be signed by not less than ten (10) electors for incorporated towns and cities of the second class and not less than thirty (30) electors for cities of the first class filed with the county clerk. ACA 14-42-206. The county clerk shall determine whether the petition contains a sufficient number of qualified electors. For City Administrator and City manages cities, petitions must have at least 50 signatures. ACA 14-48-109(a)(5) and ACA 14-47-110(a)(3)(A)(i).

Political Practice Pledge—Filed with County Clerk at time of filing petition for nomination, a pledge in writing stating that candidate is familiar with the requirements of ACA 7-1-103,7-1-104, 7-3-108, 7-6-101 through 7-6-104 and will in good faith comply with their terms. See ACA 7-6-102.

Financial Disclosure Statement—A candidate for municipal office must file a financial disclosure statement with the City Clerk or Recorder on the first Monday following the close of the period to file as a candidate for the elective office. Any incumbent office holder who has filed the statement for the year 2011 prior to Jan. 31, 2012, shall not be required to file an additional statement. ACA 21-8-701(c) and 703(a)(3).

City Administrator Form of Government

Deadlines for filing and other important dates

Deadline for filing statement of candidacy and petition, no more than ninety (90) days (May 16, 2012) or less than seventy (70) days (June 5, 2012) before a municipal primary election, which is the second Tuesday of August. ACA 14-48-109(a).

Tues., Aug. 14—Primary Election for Directors and Mayor when more than two are seeking the office (second Tuesday in August (preceding the municipal general election, which is Nov. 6, 2012). ACA 14-48-109(a)(2).

Tues., June 3—Deadline for clerk to certify names of candidates on the petitions to county board of election commissioners seventy (70) days before municipal primary election which is August 14, 2012. ACA 14-48-109(a)(6)(B).

Important Statutes

14-48-109. Election of directors and mayor—Oath

(a) Candidates for the office of director and mayor shall be nominated and elected as follows:

(1)(A)(i) A special election for the election of the initial membership of the board of directors and mayor shall be called by the Secretary of State as provided in § 14-48-108.

(ii) The proclamation shall be published in accordance with § 7-11-101 et seq.

(iii) For the initial election of directors and mayor, any person desiring to become a candidate shall file within twenty (20) days following the date of the proclamation by the Secretary of State with the city clerk or recorder a statement of candidacy in the form and with the supporting signatures as provided in this section. In all other respects, the initial elections shall be governed by the provisions of this chapter for holding municipal elections.

(B)(i) Special elections to fill any vacancy under § 14-48-115 shall be called through a resolution of the board.

(ii) A proclamation of the election shall be signed by the mayor and published in accordance with § 7-11-101 et seq. in some newspaper having a bona fide circulation in the municipality;

(2)(A) Candidates to be voted on at all elections to be held under the provisions of this chapter shall be nominated by primary election, and no names shall be placed upon the general election ballot except those selected in the manner prescribed in this chapter.

(B)(i) The primary elections, other than the initial primary, for those nominations for offices to be filled at the municipal general election shall be held on the second Tuesday of August preceding the municipal general election.

Defeated candidates in primary—A person who has been defeated in a party primary shall not be an independent candidate in the general election for the office for which he or she was defeated in the party primary. ACA 14-42-206(b)(6).

No write-in votes—In all general elections held in cities of the first class, second class cities and incorporated towns for the election of officials of these municipalities, no ballots shall be counted for any person whose name is written thereon. Only votes cast for the regularly nominated, or otherwise qualified candidates whose names are printed on the ballot as candidates in the election, shall be counted by the judges and clerks. ACA 14-43-202.

Who may seek municipal office

1. Must be a U.S. citizen. Ark. Const. Art. 3 § 1.
2. Must be a resident of municipality or ward represented. Ark. Const. Art. 19 sec. 3; ACA 14-42-201(c).
3. Must be at least eighteen (18) years of age. Amendment 26, U.S. Const. Ark. Const. Art. 3 § 1.
4. Qualified elector and eligible at time of filing, or in case of age, at time of taking office. ACA 7-5-207(b).
5. Free from felony conviction, or conviction of embezzlement of public money, bribery, forgery, theft or other crime involving dishonesty, including misdemeanors. *State v. Oldner*, 361 Ark. 316, 206 S.W.3d 818 (2005), *Edwards v. Campbell*, 2010 Ark. 398 (misdemeanor theft of campaign sign was disqualifying). An exception to this rule occurs if the conviction has been expunged or pardoned by the governor. The following circumstances may lead to a conviction being expunged: a first-time offender who fulfills the terms and conditions of court-imposed probation (ACA § 16-93-303) (except for some sexual or violent offenses); a minor convicted of a felony while under sixteen (16) years of age who subsequently receives a pardon (ACA § 16-90-601); a person convicted of a nonviolent felony while under the age of eighteen (18) (ACA § 16-90-602); and an offender pardoned by the Governor (ACA § 16-90-605).
6. Must not claim the right to vote in another county or state. Ark. Const. Amend 51 § 6.
7. Must not presently be judged mentally incompetent by a court. Id.

Appointed municipal officials may seek election

Officials who have been appointed to their office may run for the office to which they were appointed. Amendment 29 to the Arkansas Constitution prohibits this for federal, state, district, circuit, county and township offices, but Amendment 29 does not apply to municipal offices.

(ii)(a) The elections shall be under the supervision of the county board of election commissioners, and the election judges and clerks appointed for the general election shall be the judges and clerks of the primary elections.

(b) Primary elections shall be held in the same places as are designated for the general election, so far as possible, and shall, so far as practicable, be conducted in the same manner as other elections under the laws of this state;

(3) Any person desiring to become a candidate for mayor or director shall file with the city clerk not less than seventy (70) days nor more than ninety (90) days prior to the primary election by 12:00 noon a statement of his or her candidacy in substantially the following form:

“STATE OF ARKANSAS
COUNTY OF _____

I, _____, being first duly sworn, state that I reside at _____ Street, City of _____, County and State aforesaid; that I am a qualified elector of said city and the ward in which I reside; that I am a candidate for nomination to the office of _____, to be voted upon at the primary election to be held on the ___ day of __, 20___, and I hereby request that my name be placed upon the official primary election ballot for nomination by such primary election for such office and I herewith deposit the sum of ten dollars (\$10), the fee prescribed by law.”

(4) The statement of candidacy and the petition for nomination supporting the candidacy of each candidate to be voted upon at any general or special election shall be filed with the city clerk or recorder not less than seventy (70) days nor more than ninety (90) days before the election by 12:00 noon;

(5) The name of each candidate shall be supported by a petition for nomination signed by at least fifty (50) qualified electors of the municipality requesting the candidacy of the candidate. The petition shall show the residence address of each signer and carry an affidavit signed by one (1) or more persons in which the affiant or affiants shall vouch for the eligibility of each signer of the petition. Each petition shall be substantially in the following form:

“The undersigned, duly qualified electors of the City of _____, Arkansas, each signer hereof residing at the address set opposite his or her signature, hereby requests that the name of _____ be placed on the ballot as a candidate for election to Position No. ___ on the Board of Directors (or Mayor) of said City of _____ at the election to be held in such city on the ___ day of __, 20___. We further state that we know said person to be a qualified elector of said city and a person of good moral character and qualified in our judgment for the duties of such office.”

(6)(A) A petition for nomination shall not show the name of more than one (1) candidate.

(B) The name of the candidate mentioned in each petition, together with a copy of the election proclamation if the election is a special election, shall be certified by the city clerk or recorder to the county board of election commissioners not less than seventy (70) days before the election unless the clerk or recorder finds that the petition fails to meet with the requirements of this chapter.

(C)(i) Whether the names of the candidates so certified to the county board of election commissioners are to be submitted at a biennial general election or at a special election held on a different date, the county board of election commissioners shall have general supervision over the holding of each municipal election.

(ii)(a) In this connection, the election board shall post the nominations, print the ballots, establish the voting precincts, appoint the election judges and clerks, determine and certify the results of the election, and determine the election expense chargeable to the city, all in the manner prescribed by law in respect to general elections; it is the intention of this chapter that the general election machinery of this state shall be utilized in the holding of all general and special elections authorized under this chapter.

(b) The result of the election shall be certified by the election board to the city clerk or recorder;

(7) The names of all candidates at the election shall be printed upon the ballot in an order determined by draw. If more than two (2) candidates qualify for an office, the names of all candidates shall appear on the ballot at the primary election;

(8)(A) If no candidate receives a majority of the votes cast in the primary, the two (2) candidates receiving the highest number of votes for mayor and for each director position to be filled shall be the nominees for those respective offices to be voted upon in the general election.

(B) If no more than two (2) persons qualify as candidates for the office of mayor or for any director position to be filled, no municipal primary election shall be held for these positions, and the names of the two (2) qualifying candidates for each office or position shall be placed upon the ballot at the municipal general election as the nominees for the respective positions. Primary elections shall be omitted in wards in which no primary contest is required.

(C) In any case in which only one (1) candidate shall have filed and qualified for the office of mayor or any director position, or if a candidate receives a clear majority of the votes cast in a primary election, that candidate shall be declared elected. The name of the person shall be certified as elected without the necessity of putting the person’s name on the general municipal election ballot for the office; and

(9) Any candidate defeated at any municipal primary election or municipal general election may contest it

in the manner provided by law for contesting other elections.

(b) Each member of the board of directors, before entering upon the discharge of his or her duties, shall take the oath of office required by Arkansas Constitution, Article 19, Section 20.

History—Acts of 1967, Act 36, §§ 5, 9; Acts of 1971, Act 439, § 1; Acts of 1989, Act 347, §§ 2, 3; Acts of 1989, Act 905, § 7; Acts of 1997, Act 879, §§ 1, 2; Acts of 2005, Act 67, §§ 27, 28, eff. Aug. 12, 2005; Acts of 2005, Act 489, §§ 1, 2, eff. Aug. 12, 2005; Acts of 2007, Act 580, § 1, eff. July 31, 2007; Acts of 2007, Act 1049, § 56, eff. July 31, 2007; Acts of 2009, Act 1480, § 74, eff. April 10, 2009.

Formerly—A.S.A. 1947, §§ 19-805, 19-809.

City Manager Form of Government

Deadlines for filing and other important dates

Deadline for all candidates for petitions of nomination and political practice pledges not more than one-hundred two (102) days (July 27, 2012) nor less than eighty-one (81) days (Aug. 17, 2012) before general election which is Nov. 6, 2012. ACA 14-47-110(a)(2)

Tuesday, Sept. 30, 2012—Deadline for city clerk to certify names of candidates for director to county board of election commissioners, unless petition fails to meet standards (seventy-five (75) days before general election, which is November 6, 2012). ACA 14-47-110(a)(3)(D).

Important Statutes

14-47-110. Election of directors

(a) Candidates for the office of director shall be nominated and elected as follows:

(1)(A)(i) A special election to elect the initial membership of the board shall be called by the mayor as provided in § 14-47-106.

(ii) The mayor's proclamation shall be in accordance with § 7-11-101 et seq.

(B)(i) A special election to fill any vacancy under § 14-47-113 shall be called through a resolution of the board of directors.

(ii) A proclamation announcing the holding of the election shall be signed by the mayor and published in accordance with § 7-11-101 et seq.;

(2) The petition mentioned in subdivision (a)(3) of this section supporting the candidacy of each candidate to be voted upon at any general or special election shall be filed with the city clerk or recorder not more than one hundred two (102) days nor fewer than eighty-one (81) days before the election by 12:00 noon;

(3)(A)(i) In respect to both special and general elections, the name of each candidate shall be supported by a petition, signed by at least fifty (50) qualified electors of the municipality, requesting the candidacy of the candidate.

(ii) The petition shall show the residence address of each signer and shall carry an affidavit signed by one (1) or more persons, in which the affiant or affiants shall vouch for the eligibility of each signer of the petition.

(B) Each petition shall be substantially in the following form:

“The undersigned, duly qualified electors of the City of _____, Arkansas, each signer hereof residing at the address set opposite his or her signature, hereby request that the name _____ be placed on the ballot as a candidate for election to Position No. ___ on the Board of Directors of said City of _____ at the election to be held in such City on the ___ day of __, 20___. We further state that we know said person to be a qualified elector of said City and a person of good moral character and qualified in our judgment for the duties of such office.”

(C) A petition for nomination shall not show the name of more than one (1) candidate.

(D)(i) The name of the candidate mentioned in each petition, together with a copy of the election proclamation if the election is a special election, shall be certified by the city clerk or recorder to the county board of election commissioners not less than seventy-five (75) days before the election unless the clerk or recorder finds that the petition fails to meet the requirements of this chapter.

(ii)(a) Whether the names of the candidates so certified to the county board of election commissioners are to be submitted at a biennial general election or at a special election held on a different date, the election board shall have general supervision over the holding of each municipal election.

(b) In this connection, the board shall post the nominations, print the ballots, establish the voting precincts, appoint the election judges and clerks, determine and certify the result of the election, and determine the election expense chargeable to the city, all in the manner prescribed by law in respect to general elections. It is the intention of this chapter that the general election machinery of this state shall be utilized in the holding of all general and special elections authorized under this chapter.

(c) The result of the election shall be certified by the election board to the city clerk or recorder; and

(4) The candidate for any designated position on the board of directors who, in any general or special election, shall receive votes greater in number than those cast in favor of any other candidate for the position shall be deemed to be elected.

(b) Each director, before entering upon the discharge of his or her duties, shall take the oath of office required by the Arkansas Constitution, Article 19, § 20.

History—Acts of 1921, Act 99, §§ 5, 8; Acts of 1957, Act 8, §§ 5, 6; Acts of 1965, Act 6, § 1; Acts of 1989, Act 347, § 1; Acts of 1993, Act 541, § 1; Acts of 2001, Act 552, § 1, eff. Aug. 13, 2001; Acts of 2005, Act 2145, § 33, eff. Aug. 12, 2005; Acts of 2007, Act 1049, § 52, eff. July 31, 2007; Acts of 2009, Act 1480, § 70, eff. April 10, 2009; Acts of 2011, Act 1185, § 20, eff. Oct. 2, 2011.

Formerly—Pope's Dig., §§ 10093, 10096; ASA 1947, §§ 19-705, 19-708.

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The Municipal Property Program’s 2011 annual meeting in November adopted rates according to the following scale. See the new rates below.

FIRE CLASS I	—	.0021	X	covered value	=	Premium
FIRE CLASS II	—	.0022	X	covered value	=	Premium
FIRE CLASS III	—	.0023	X	covered value	=	Premium
FIRE CLASS IV	—	.0024	X	covered value	=	Premium
FIRE CLASS V	—	.0025	X	covered value	=	Premium
FIRE CLASS VI	—	.0026	X	covered value	=	Premium
FIRE CLASS VII	—	.0027	X	covered value	=	Premium
FIRE CLASS VIII	—	.0028	X	covered value	=	Premium
FIRE CLASS IX	—	.0029	X	covered value	=	Premium
FIRE CLASS X	—	.003	X	covered value	=	Premium
FIRE CLASS Unincorporated	—	.003	X	covered value	=	Premium

For more information, call Linda Montgomery at League headquarters, 501-978-6123 or 501-374-3484, Ext. 233.

Local Option Sales and Use Tax in Arkansas



2011 ELECTIONS

- CARAWAY**, Dec. 13
Passed. 1%
- SEARCY**, Dec. 13
Passed. 1%
- CLARKSVILLE**, Nov. 8
Passed. 1%
- DIAMOND CITY**, Nov. 8
Failed. 1%
- GREENE CO.**, Nov. 8
Passed. 3/8%
- LEAD HILL**, Nov. 8
Failed. 1%
- LOWELL**, Nov. 8
Passed. 1%
- MOUNTAIN VIEW**, Nov. 8
Passed. 1%
- NORTH LITTLE ROCK**, Nov. 8
Failed. 1%
- FAYETTEVILLE**, Oct. 11
Passed. 1%
- GARLAND CO.**, Oct. 11
Passed. 3/8%
- MANILA**, Oct. 11
Passed. 1%
- CARLISLE**, Sept. 13
Passed. 7/8%
- CHEROKEE VILLAGE**, Sept. 13
Passed. 1%
- LITTLE ROCK**, Sept. 13
Passed. 3/8%
- ROGERS**, Sept. 18
Passed. 1%
- WHITE CO.**, Sept. 13
Failed. 1%
- MARMADUKE**, Aug. 9
Passed. 1.25%
- NEWPORT**, July 12
Passed. 1/2% extension
- BERRYVILLE**, June 14
Passed. 1/2%
- PARAGOULD**, June 14
Passed. 1/4%
- BAY**, May 10
Passed. 1%
- BONO**, May 10
Passed. 1%
- BROOKLAND**, May 10
Passed. 1%
- CONWAY**, May 10
Failed. 1/4% extension
- WYNNE**, May 10
Passed. 1%
- LAKE CITY**, April 1
Passed. 1%
- GREENLAND**, Mar. 8
Passed. 1%
- PINE BLUFF**, Feb. 8
Passed. 5/8%
- JEFFERSON CO.**, Feb. 8
Passed. 3/8%

Source: Debbie Rogers, Office of State Treasurer See also: www.dfa.arkansas.gov

Sales and Use Tax Year-to-Date 2011 with 2010 Comparison (shaded gray)

Month	Municipal Tax		County Tax		Total Tax		Interest	
January	\$35,123,247	\$34,674,109	\$35,666,555	\$35,450,558	\$70,789,802	\$70,124,667	\$27,640	\$60,271
February	\$42,235,810	\$41,006,941	\$42,753,266	\$42,937,896	\$84,989,076	\$83,944,837	\$34,351	\$59,485
March	\$33,606,662	\$33,818,100	\$34,174,199	\$34,971,579	\$67,780,861	\$68,789,679	\$35,321	\$76,714
April	\$35,244,719	\$34,427,642	\$35,257,864	\$36,042,561	\$70,502,583	\$70,470,203	\$23,355	\$78,790
May	\$39,976,322	\$38,636,249	\$40,107,935	\$38,049,255	\$80,084,257	\$76,685,474	\$9,286	\$49,923
June	\$37,765,150	\$37,512,337	\$37,056,613	\$38,602,771	\$74,821,762	\$76,115,108	\$25,409	\$63,686
July	\$37,831,729	\$36,860,261	\$36,634,846	\$37,359,158	\$74,466,575	\$74,219,419	\$14,470	\$52,871
August	\$40,620,093	\$37,616,032	\$40,946,986	\$39,562,409	\$81,567,078	\$77,178,441	\$22,415	\$58,934
September	\$39,596,088	\$36,434,296	\$39,895,996	\$38,376,562	\$79,492,083	\$74,810,859	\$14,702	\$51,022
October	\$39,356,921	\$38,103,354	\$40,657,852	\$40,272,526	\$80,014,774	\$78,375,881	\$24,979	\$66,397
November	\$39,576,203	\$36,678,265	\$40,429,029	\$39,093,545	\$80,005,232	\$75,771,810	\$13,218	\$44,867
December	\$39,176,568	\$35,853,352	\$38,869,097	\$37,083,830	\$78,045,666	\$72,937,182	\$25,669	\$73,441
Total	\$460,109,512	\$441,620,938	\$462,450,238	\$457,802,650	\$922,559,749	\$899,423,560	\$270,815	\$736,401
Averages	\$ 38,342,459	\$36,801,745	\$ 38,537,520	\$38,150,221	\$ 76,879,979	\$74,951,963	\$ 22,568	\$61,367

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