

City & Town

DECEMBER 2019 VOL. 75, NO. 12

THE OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE





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Cover photo by Mark Potter.



ON THE COVER—It may have been an unseasonably warm night, but the new Argenta Plaza was still full of holiday cheer at its Nov. 30 grand opening in downtown North Little Rock, which included the lighting of the Christmas tree. In this, the final issue of 2019, read about Mayor and 2019-2020 League District 1 VP Paul Wellenberger and his efforts to keep Fairfield Bay vibrant, highlights from the NLC’s City Summit held recently in San Antonio, the governor’s support of Issue 1 that will appear on the 2020 ballot and much more. The cut-off date for hotel reservations is Jan. 15, 2020, for the League’s Winter Conference, and there aren’t many rooms left. Register now if you haven’t already. For details see page 28 inside.—atm

Features

- 12 District 1 VP works to prep Fairfield Bay for the future**
For Fairfield Bay, which was founded in the 1960s as a resort-retirement community, making sure the city remains a great place to call home for future generations is the goal, and Mayor Paul Wellenberger, the 2019-2020 League District 1 vice president, is up to the challenge.
- 20 Delta Caucus talks infrastructure, tourism**
Levee maintenance and other critical infrastructure issues as well as boosting local economies via heritage tourism were the key topics at the Delta Grassroots Caucus’ annual fall conference, held Nov. 7-8 in Little Rock, where local government leaders, nonprofits and other stakeholders gathered to advocate for the eight-state Mississippi Delta region.
- 22 New NLC president encourages officials to lead with urgency**
It is critical that city and town leaders make their voices heard about the issues that matter most at home, newly elected National League of Cities President Joe Buscaino, a Los Angeles council member, said at the NLC’s annual City Summit in San Antonio, where leaders from across the nation gathered to discuss a variety of issues that affect local government.
- 34 Issue 1 “most important,” says governor**
A vote for Issue 1 in next year’s general election will ensure that a secure funding source for our state’s interstate highways, city streets and county roads remains in place, said Gov. Asa Hutchinson, who unveiled his “Vote for Roads, Vote for Issue 1” campaign Nov. 15.

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Dear friends and fellow public servants,

It's the holiday season and city leaders all around the state are preparing for 2020 while celebrating with family and friends. It's a great time of year, but one in which we have to make important decisions regarding how we prepare the budget for the year ahead.

There are so many factors. We rely on smart business and financial leaders—as well as a smidge on of guesswork—to prepare for what is ultimately unpredictable. What will 2020 bring? No one can be sure. Yet we have to prepare financially for worst-case scenarios, which include everything from a spike in gasoline prices to the storms that occasionally do catastrophic damage in our communities.

Jonesboro endured a major winter storm in 2009. It was not only a dangerous experience for many of our at-risk residents, but a learning experience for me as mayor. Even though FEMA funding was made available, it took a good 18 months for us to be fully reimbursed for the millions of dollars we spent restoring services in Jonesboro.

That experience taught me that the state law requiring three months of operating expenses be held in reserve is not only critical, it is a bare minimum. To be truly comfortable, I believe a city should have at least five months of expenses in reserves, working to make interest, in case of an unforeseeable event.

During this holiday season, we reflect on the blessings and graces we have received in our capacities as public servants. We may not always feel appreciated, but we have been afforded the opportunity to make a difference in our communities, and no matter what comes with it, that is a tremendous honor.

I can't tell you that we get together every day in Jonesboro and sing "Kumbaya." We have our issues like every other city. I can tell you that we in this administration do take time to laugh, to praise and to appreciate what we have been given, not just the responsibility that comes with it. This is the time of year to pause and reflect on how that has shaped our lives, our careers, our families, and indeed our cities and towns.

As president of the League, I thank you for your service to your city and to Arkansas. It is the state we love, and we are blessed to have so many dedicated public servants. Never forget: You are vital to Arkansas' success. Sometimes that feels like a burden, but it is a blessing indeed.

Sincerely,



Harold Perrin
Mayor, Jonesboro
President, Arkansas Municipal League



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From the Desk of the Executive Director



I've lived in cities all my life. I was born in Warwick, Rhode Island, attended kindergarten in Lexington, Kentucky; grade school in Birmingham, Michigan and Racine, Wisconsin; high school in Racine and Jonesboro. All great cities in their own right; all very unique, but with loads of similarities.

My first job out of college led me to many, many more cities on the East Coast.¹ I spent time in Ithica, New York; Kenne, New Hampshire; King of Prussia, Pennsylvania; Worcester, Massachusetts; Washington, D.C.; Camden, New Jersey; Boston, Massachusetts; New Haven, Connecticut—there are so many more, but I think you get the idea.

Since I can remember, the Hayes Family has been living in the city limits of some city, somewhere, my entire life. Each of these places had good streets, sidewalks, firefighters, police officers, parks, water, sewer...again, you get the idea. What I didn't know in my many moves and travels is that each city shared one very significant thing: the common mission of the folks at city hall. These dedicated municipal employees and officials are seldom recognized. They toil away knowing that the jobs they perform, even the smallest of tasks, enrich our lives. We see them in the rain and cold repairing water lines or fixing traffic lights. We think little of the magnitude of their chores. Rather, we grumble at the orange cones directing traffic from two lanes down to one and get irritated that one time out of several hundred, our garbage isn't picked up. Perhaps we should take a moment and give thanks that water will soon be restored in time for a baby's nighttime bath, traffic will soon flow normally in light of the repaired signage and that next week the garbage in the entire neighborhood will vanish while we work.

Arkansas' cities and towns have the best employees and officials I know. Here's the best part about the folks at city hall: We can talk to them!² Each of us, and our families, friends and neighbors, can quickly access someone at city hall who will immediately endeavor to help. Try that in Washington. Moreover, city hall is responsive to local needs no matter how unique that need may be. That's the ultimate in local control.³

Here's an example that I believe makes my point. If your neighborhood has poor streets and is too far from a fire station for adequate response time, you and your city officials may act immediately to address this local need. Within days the city or town budget can be amended to begin the process of fixing these problems. While not as quick, city voters may choose to impose a sales tax on themselves to fix those streets and build a new firehouse. That unique service and quick action is quintessentially local control. That control is why your city succeeds. If it's ever eliminated or limited, your city will fall victim to bureaucracy and staleness.

Vibrancy drives your municipality and that's directly tied to local control.⁴ That vibrancy is seen every day when you talk to the garbage man, ask a cop for directions, call the fire department because a loved one has fallen ill or go to your neighborhood park for a picnic. I could, of course, go on and on, but you get the idea. Local control works. The stronger local control, the stronger the municipality.

Until next month, peace.

A handwritten signature in blue ink that reads "Mark". The signature is fluid and cursive, with a large initial "M" and a trailing "ark".

Mark R. Hayes
Executive Director
Arkansas Municipal League

- 1 I was hired by my undergraduate fraternity—Tau Kappa Epsilon, Beta Psi Chapter—to visit the many chapters on college campuses in New England. It was a great job in that I saw portions of the United States that I likely will never visit again. I grew up a lot in that job.
- 2 I know sometimes it takes a few days, but hey, when did you last get a quick answer from the Feds at the IRS or the FCC?
- 3 At "Casa Hayes" local control is in the form of a five-foot, four-inch brunette drill sergeant named Alison! And the occasional bark of one of three 100-pound dogs.
- 4 Next month: Trees, building/safety codes, bike lanes and other unique things for any city or town.



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City&Town

Publisher

Mark R. Hayes

Deputy Director

Whitnee V. Bullerwell

Communications & Creative Manager

Mel Jones

Editor

Andrew T. Morgan

Graphic Designer

Mark R. Potter

Communications Coordinator

Ben Cline

Advertising Assistant

Tricia Zello

Contributors

Anita Bennett, M.D.

Shelby Fiegel

Edwin Hankins IV

Krista Quinn

Carol Skill

Matthew Steliga, M.D.

Jim VonTungeln

arml.org



@armunileague



armunicipalleague

flickr

arkansas_municipal_league



citytown@arml.org



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Firefighters who are injured in the line of duty receive only \$20 a week for a compensable injury.

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Details: Weekly temporary total disability benefits payable up to a MAXIMUM of \$695 for 2019 allowed under Arkansas Workers' Compensation Law; weekly benefits go for 52 weeks; \$10,000 death benefit.

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Arkansas Municipal League's Certified Municipal Official/Certified Municipal Personnel Voluntary Certification Program

All municipal officials—mayors, city administrators, city managers, city directors, council members, city clerks, recorders, and treasurers; or department heads, managers, and other key personnel—are invited to participate in the new advanced voluntary certification program.

To become a Certified Municipal Official (CMO) or Certified Municipal Personnel (CMP), a participant must complete a combination of 15 core Level 1 hours, plus 6 continuing hours. Participants pursuing any and all levels of certification must obtain six hours of continuing education on an annual basis to maintain certification status.

For the first time, advanced level training will be offered to our members. The new advanced classes will include 15 hours of Advanced Level 2 training, 20 hours of Advanced Level 3 training, and 6 hours of Continuing Education. Please examine the class schedule below for a preview of the next two years.

Voluntary Certification Program



Level 1	Continuing Education	Advanced Level 2	Advanced Level 3
City Government 101 Municipal Finance 101 Human Resources	Various topics of interest to municipalities	Municipal Finance 201 Disaster Preparedness Leadership 101 at the Local Level	Personnel Management Technology/Cybersecurity Conflict Management Leadership 201 at the Local Level
15 hours	6 hours	15 hours	20 hours

Voluntary Certification Class Schedule

Even Year 2020	Month	Odd Year 2021
Municipal Finance 201 (5 hours of Advanced Level 2)	January	Winter Conference City Gov't 101 (5 hours of Level 1) plus (3 Hours of Continuing Education)
Winter Conference (3 Hours of Continuing Education)	February	Personnel Management (5 hours of Advanced Level 3)
Disaster Preparedness (5 hours of Advanced Level 2)	March	Technology/Cybersecurity (5 hours of Advanced Level 3)
City Government 101 (5 hours of Level 1)	April	Planning & Zoning (5 hours of Continuing Education)
Leadership 101 (5 hours of Advanced Level 2)	May	Conflict Management (5 hours of Advanced Level 3)
June Convention (3 Hours of Continuing Education)	June	June Convention (3 Hours of Continuing Education)
	July	
	August	
Municipal Finance 101 Workshop (5 hours of Level 1)	September	Municipal Finance 101 Workshop (5 hours of Level 1)
Human Resources (5 hours of Level 1)	October	Human Resources (5 hours of Level 1)
MHBP/MLWCP	November	Leadership 201 (5 hours of Advanced Level 3)
	December	

AEDC awards 78 community grants totaling more than \$8.8M

The Arkansas Economic Development Commission has awarded grants totaling more than \$8.8 million to 78 Arkansas communities and counties through the Arkansas Community and Economic Development Grant Program, Rural Services Block Grants, Rural Community Grants and County Fair Building Grants, the state announced Oct. 24. Cities and towns receiving grants and the projects funded include:

Arkansas Community and Economic Development Grant Program

Altheimer—\$180,848 (streets)
Batesville—\$128,200 (childcare center)
Caraway—\$200,000 (water project)
Coal Hill—\$196,471 (public health clinic)
Corning—\$192,500 (drainage)
De Queen—\$200,000 (water tank)
Earle—\$200,000 (streets)
Eureka Springs—\$200,000 (wastewater)
Foreman—\$200,000 (wastewater)
Huntsville—\$200,000 (water tank)
Leslie—\$132,000 (sidewalks)
Louann—\$200,000 (water rehab)
Magnolia—\$200,000 (water rehab)
McCrary—\$176,100 (public library)
Ogden—\$166,000 (water project)
Osceola—\$144,992 (cultural center)
Paragould—\$200,000 (homeless shelter)
Prescott—\$199,987 (water rehab)
Reyno—\$200,000 (water rehab)
Ward—\$200,000 (wastewater rehab)
Wynne—\$200,000 (wastewater rehab)

Rural Services Block Grant Program

Emerson—\$75,000
Evansville—\$75,000
Guion—\$43,283
Hampton—\$75,000
Huntington—\$42,345
Huttig—\$74,664
Marked Tree—\$67,500
Mt. Judea—\$75,000
Sidney—\$75,000
Sparkman—\$70,000
St. Paul—\$75,000
Stephens—\$71,895
Swifton—\$29,851
Washington—\$72,577.16

Rural Community Grant Program

Bay—\$15,000
Bono—\$15,000
Briarcliff—\$15,000
Colt—\$4,941
Enola—\$12,975
Humnoke—\$5,000
Jasper—\$15,000
Mulberry Fire Department—\$15,000
Oil Trough—\$13,205
Omaha Rural Fire Department—\$15,000
Pangburn Fire Department—\$15,000
Shirley—\$13,668
Sulphur Rock—\$997
Tollette—\$1,572
Williford Volunteer Fire Department—\$6,500
Winslow—\$2,000
Yellville—\$5,250

Fort Smith intersection plan a semifinalist in global competition

Fort Smith and regional transportation planning organization Frontier Metropolitan Planning Organization are semifinalists in a global competition that could lead to increased mobility through the city, Talk Business & Politics has reported. The competition is part of the Parsons Corporation's Smart Cities Challenge. Other finalists include Austin, Texas, and an authority in the United Arab Emirates.

Parsons works with cities "to solve some of the most complex mobility issues they face today, including frustrated motorists sitting at intersections in traffic backups waiting for lights to change," a media release said. "With Parsons Intelligent Intersections, cities and counties can leverage existing data to provide automated traffic re-timing based on changing traffic patterns, enhancing mobility for the region." A panel of judges will reduce the semifinalists to one winner, which will be announced around April.

Meeting Calendar

February 12-14, 2020, Arkansas Municipal League 2020 Winter Conference, Statehouse Convention Center, Little Rock, AR

March 8-11, 2020, National League of Cities Congressional City Conference 2020, Washington, D.C.

June 17-19, 2020, Arkansas Municipal League 86th Convention, Statehouse Convention Center, Little Rock, AR

Time to levy property taxes

City and town councils may levy general property taxes of up to five mills on the dollar (Ark. Const. art. 12 § 4; A.C.A. §§ 26-25-102 and 103). In order to implement this millage, the governing body of the city or town must certify the rate of taxation levied to the county clerk. (A.C.A. § 26-73-202).

This must be done prior to the time fixed by law for the Quorum Court to levy county taxes. Id. Arkansas Code section 14-14-904(b) establishes the November or December meeting of the Quorum Court as the time to levy those taxes.

Accordingly, municipal officials should check with the Quorum Court to determine whether its levying meeting will be in November or December. It is important also to bear in mind that the city council must levy and certify its taxes annually, as failure to levy by the required date will result in a millage of zero for the following year (See Ark. Ops. Atty. Gen. No. 91-044 and 85-5).

The bottom line: If your city or town wishes to collect property taxes for the following year, make sure that council approval and certification to the

county clerk occur prior to the meeting of the Quorum Court at which county taxes are levied.

2019 Act 833 Deadline for Arkansas Fire Departments

The 2019 Act 833 application period will open Jan. 1, 2020, and will close June 30, 2020.

Act 833 of 1992, "Funding for Fire Departments," is administered by the Arkansas Fire Protection Services Board and requires all Arkansas fire departments to become certified in order to be eligible for funding. Certification requirements include possession of a NFPA 1901-compliant fire suppression apparatus, a minimum of six active members with 16 hours of certified training and personal protective equipment for all active members.

New for 2019—Online application at the Arkansas Fire Portal arfire.arkansas.gov. To request log-in credentials contact your county LEMC/Fire Coordinator or State Fire Coordinator Louis Eckelhoff at 501-683-6781 or email louis.eckelhoff@adem.arkansas.gov. 🏛️



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Fairfield Bay grew up around its marina on Greers Ferry Lake as a resort and retirement community.

District 1 VP envisions bright future for Fairfield Bay

By Andrew Morgan, League staff

To say Fairfield Bay is not your typical Arkansas city is a bit of an understatement. Nestled among the hills of Van Buren County on the north shore of Greers Ferry Lake, the city doesn't have a traditional downtown area, and the streets look more like a maze than the more recognizable—and navigable—street grids common elsewhere. Even a seasoned local can hit an unfamiliar cul-de-sac and get turned around, says 2019-2020 League District 1 Vice President, Mayor Paul Wellenberger.

Born in Gerard, Kansas, Wellenberger moved with his mother to Monticello, at the age of 10 after his father died. It's where his grandmother and uncle lived. His mom taught at Arkansas A&M College, now the University of Arkansas at Monticello.

The south Arkansas city is where he met his wife, Cindy, a Warren native. On Thanksgiving the couple celebrated 49 years of marriage. "She's been my girlfriend since I was 14," Wellenberger says. "I'm very lucky."

Paul and Cindy have a son and two granddaughters. Sadly, they lost their daughter in a car wreck when she was 21. Their daughter-in-law is just like a daughter to



Fairfield Bay Mayor and 2019-2020 League District 1 Vice President Paul Wellenberger has worked to improve infrastructure, attract business and keep the city viable for future generations.

them, however, and she and their son have been married 25 years, he says.

Paul attended UAM for two years before transferring to the University of Arkansas at Fayetteville, where he studied engineering. From there, Paul and Cindy

PHOTOS BY ANDREW MORGAN



Every front door in the city is within three miles of a trailhead, Wellenberger says.

moved to the Dallas area where he worked for Texas Instruments and later Raytheon, which in 1997 bought TI's defense business. He continued there until his semi-retirement in 1999.

Back in Arkansas, Cindy's parents had retired to Fairfield Bay, so they were already familiar with the area having often visited and vacationed. "Coming from the Dallas congestion, we'd get to Fairfield Bay and see the trees, nature and wildlife and we we'd go man, we have found the place," he says. "So, when we decided to retire we knew this is where we wanted to come."

In that sense, Fairfield Bay worked on them exactly as intended. What is now a city was designed in the mid-1960s as a resort-retirement community on the shores of newly formed Greers Ferry Lake, with the marina its hub. For the first several decades, the community (Fairfield Communities Incorporated, or FCI, officially) had permanent residents, but far more were timeshare participants and visitors drawn to the water, golf courses and other amenities. Everything was managed by the Community Club.

Until the late 1980s, growth and profits had been strong, but in 1990, FCI filed for bankruptcy. In 1993, the residents voted to incorporate in order to self-govern and provide essential services. The community was now officially a city, and for its first decade keeping up with infrastructure needs was a major challenge and the city was in general decline.

In 2011 the city council, led by newly elected Mayor Wellenberger, brought stakeholders together to create Imagine Fairfield Bay 2035, an initiative to both market and improve their city through short- and long-term

goals. They focused first on inexpensive and volunteer-driven efforts like beautification and expanding the trail system. For larger infrastructure projects and to recruit new business they aggressively pursued public funding opportunities. So far, their efforts have paid off, he says. They've been able to address their streets with State Aid Street funds, and a Delta Regional Authority grant helped connect the grocery store to the municipal sewer system. Overall, they've been able to take advantage of more than \$5 million in grants and have passed several bond packages to help fund key projects.

While its infrastructure continues to improve, Fairfield Bay lacks major industry. Beyond retail and service industry jobs, employment opportunities are slim. The Community Club, which still runs the resort properties, is probably the leading employer, with the



Ancient graffiti—Indian Rock Cave features petroglyphs dating thousands of years old.

marina a close second, Wellenberger says. “Not a lot of employment. It’s mainly retired people, but we’re changing that.”

Wellenberger expects the population to tick up at least a little when the 2020 census results are in. They have record occupancy in existing housing and new developments are on the way soon. Most importantly, younger families are beginning to call Fairfield Bay home. Compared to the state’s other planned communities that are now incorporated municipalities, such as Bella Vista and Cherokee Village, Fairfield Bay is the only one whose population over the past decade has increased overall while the 55-plus population has decreased, meaning the city is getting younger. That’s the key to the city’s survival in the post-baby boom era, he says.

Attracting new businesses and job opportunities for new generations is the next major challenge. It’s the reason why the new Cobblestone Inn and Suites hotel—a first for the city—and the rejuvenated conference center adjacent to it are so exciting.

Touring the conference center, which features meeting space, small café, theater and outdoor event space, Wellenberger pauses at a plaque featuring a quote by Margaret Mead. “It says, ‘Never doubt that a group of thoughtful, committed citizens could change the world. Indeed, it is the only thing that ever has.’ And if you don’t get that in your town you’re not going to be anywhere near as successful as you could be.”

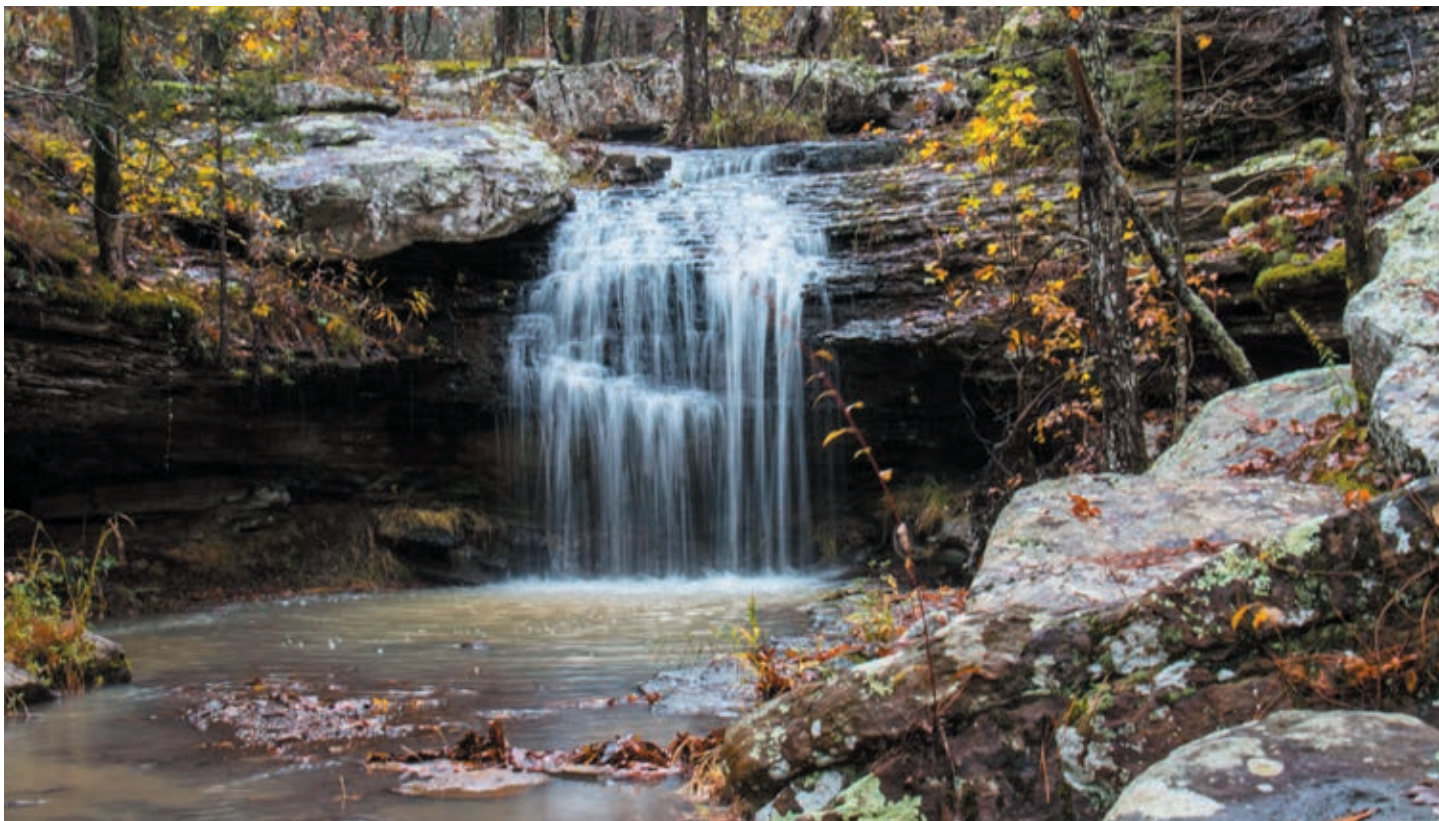


PHOTOS BY ANDREW MORGAN

The city’s new hotel, a first for Fairfield Bay, is adjacent to the revived conference center.

One thing that makes Fairfield Bay unique, he says, is that very few residents were born and raised in the city. They chose to move there from somewhere else. In some communities where families run two and three generations deep, it can take newcomers a long time to feel like they belong. Fairfield Bay, on the other hand, is “an easy place to join.” It’s also a place where people from all walks of life can wake up every day and have fun together, he says, whether it’s on the golf course, the trails that crisscross the city, or the lake.

Other features that continue to draw residents and visitors to Fairfield Bay include miniature golf, a disc golf course, tennis center, indoor and outdoor pools, and fitness center. One of the city’s most interesting historic sites is the Indian Rock Cave, which contains ancient



Trails and waterfalls along Wild Horse Canyon help give Fairfield Bay its reputation as a beautiful destination.

petroglyphs and may have been occupied by Native Americans as long as 4,000 years ago.


Fairfield Bay is a small city with big city amenities, he says, and he credits the great stewardship of the residents with keeping the city clean and beautiful. If you see lovely landscaping, it's volunteers that have made that happen, Wellenberger says. For their efforts, the city has been recognized as a Volunteer Community of the Year. Fairfield Bay has received Trendsetter City Awards in the tourism/culture and public safety categories and received an Arkansas Business City of Distinction Award for its volunteer-driven recycling initiative.



Through a combination of federal and private investment, fiber optic cable is being laid and broadband access is being expanded, a major boost for Fairfield Bay's digital infrastructure.

"The people are engaged. They love Fairfield Bay, and there's so much talent here that no matter what you dream up there's people who are capable of doing it, and they want to make a contribution."

For Wellenberger, it's the ongoing projects that make serving the citizens a joy. They also appeal to the engineer in him, he says, whether it's turning a dilapidated building into a conference center or taking the first bore samples for the foundation of a new hotel.

"As a mayor you get to be intimately involved in transforming your whole city. It's so satisfying." 



The largely volunteer-run recycling center is an example of the community spirit in the city.



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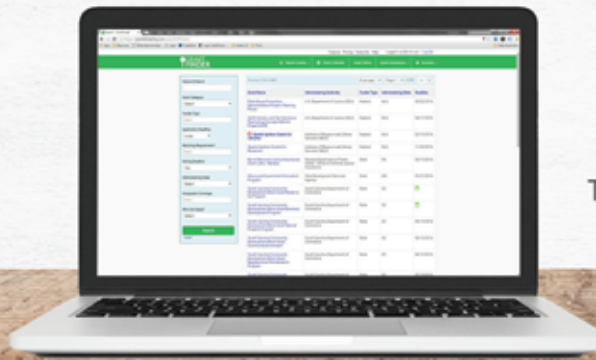
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NLC's Andrews to address League's 2020 Winter Conference

The Arkansas Municipal League will welcome Leon Andrews, director of the National League of Cities' Race, Equity and Leadership (REAL) program, to the 2020 Winter Conference, where he will give an overview of the program and share ways city leaders can help eliminate racial disparities and heal divisions in their hometowns. Andrews will address the League during the Opening General Session on the morning of Thursday, Feb. 13, 2020.

"As director of National League of Cities' REAL, I am committed to creating a nation in which every local official is equipped to effectively lead and serve an inclusive, thriving and healthy community," Andrews told *City & Town*. "Tackling issues related to racial inequity in the cities and towns across Arkansas can seem like a daunting task, but REAL provides resources and technical support to strengthen your knowledge and capacity to eliminate racial disparities, heal racial divisions and build more equitable communities. I look forward to having a courageous but necessary conversation with you all in February."

Andrews has served as director of REAL since 2014. He previously served as the senior fellow and program director for NLC's Institute for Youth, Education, and Families. For eight years, he led all of the Institute's youth development work with mayors and other municipal leaders around the country including in areas related to childhood obesity, disconnected youth, youth engagement and leadership, and youth master planning.

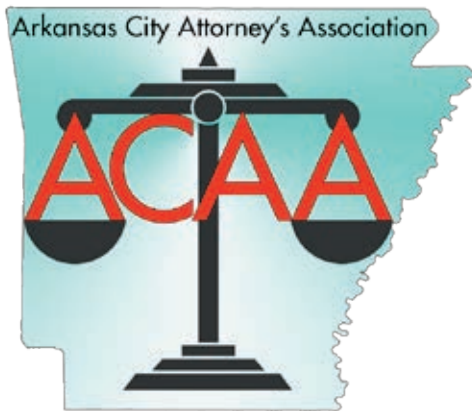
Before joining NLC, Andrews completed a research fellowship at The Forum for Youth Investment. He has an extensive background working in government, the community, the private sector, and academia for the last 25 years, including the United States Department of Justice, the office of United States Senator Barbara A. Mikulski, the United States Public Interest Research Group, the Allegheny County Department of Human Services, YouthBuild Pittsburgh, the



Development Corporation of Columbia Heights, and PricewaterhouseCoopers. He also served as an adjunct professor in the Department of Political Science at Eastern Michigan University. He is a published author, and a presenter at several conferences and other forums both nationally and internationally. Andrews serves on several national and local boards including ChangeLab Solutions (chair), National Recreation and Parks Association (past chair), National Council on Crime and Delinquency, and the National Network for Youth.

Andrews received his Bachelor of Arts in political science from Howard University, a Master of Science in public policy and management from Carnegie Mellon University, and is a Ph.D. candidate in the Urban and Regional Planning program at The University of Michigan. He and his wife, Dr. Kristine M. Andrews, have three daughters, Jessica Austin, Julia Iris and Joanna Jonas. 🏠


Continuing Legal Education (CLE) offered during Winter Conference



Six hours of continuing legal education (CLE) will be available for city attorneys who register for the League's Winter Conference, Feb. 12-14, 2020. The Arkansas City Attorney's Association (ACAA) sponsors the CLE and all ACAA officers urge its members to register for the conference as soon as possible.

Held in conjunction with the Winter Conference, all CLE classes will be located at the League's headquarters at 301 W. Second Street, North Little Rock. The six hours will be offered on Friday, Feb. 14, 2020. The class is set tentatively to begin at 8:15 a.m. The agenda includes topics such as DUI's, social media, case law update and one hour of ethics.

You may pre-register online at www.arml.org. If you have not pre-registered, you may do so at the Statehouse Convention Center starting at 1 p.m. Wednesday, Feb. 12, 2020. Registered city attorneys attending Friday's class can pick up registration materials at League headquarters.

To attend the CLE program, registration is required. To register online visit the League's website, www.arml.org. For registration information call Tricia Zello at 501-374-3484, ext. 285. For CLE information, contact Jamie Adams at 501-978-6124. 



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Infrastructure, tourism focus of Delta Caucus conference

By Andrew Morgan, League staff

lected officials, business leaders, nonprofits and other stakeholders from across the eight state Delta region gathered Nov. 7-8 in Little Rock for the annual fall meeting of the Delta Grassroots Caucus, which this year focused on infrastructure and tourism in the nation's most impoverished region. The Caucus advocates for the Delta in the nation's capital and provides a forum to work on policy affecting the region.

While aging infrastructure is a nationwide concern, the challenges are compounded when severe weather events like 2019's widespread flooding hit the already fragile region. In Pine Bluff, a May 8 tornado was a wake-up call, said Mayor Shirley Washington, in her address to the Caucus. It was a small tornado, an EF1 with winds up to 110 mph, and was on the ground for a quarter of a mile, but it was "enough to let us know that we were not prepared," she said. Using it as a learning experience, the city set out to better prepare for the next disaster.

"We are more prepared today than we ever have been in Pine Bluff because it was my pledge that we would never have a day like that again," Washington said. That preparedness was tested again the very next month, when in late June, Oklahoma opened floodgates to release water on an Arkansas River swollen from heavy rains. The quickly rising water affected communities all across Arkansas along the river's path and was expected to crest at Pine Bluff with a potential for massive flooding, she said.

"So the watch was on, and it was on for almost three weeks," Washington said. "I was up all night and all day. I didn't know I could stay up for two weeks without sleep. I was afraid that if I went to sleep that our levee would break and our city would flood. This is something you don't want to live through."

All the city departments came together to make sure they did everything they could to ensure the levees and three floodgates remained secure against the rising waters. "I'm so happy that I can say that we were in pretty good shape," she said. "We didn't flood down at Pine Bluff because those levees had been maintained." She also credited the support of Jefferson County

officials, the governor's office, Arkansas Department of Emergency Management and FEMA.

As a result of that experience, Gov. Asa Hutchinson named Washington to the state levee review task force, which has worked this year make sure all the state's levee boards are active and readiness levels are acceptable.

Pine Bluff is on its way to regaining its status as a gem in the Delta, Washington said, and she cited strong public-private partnerships like the Go Forward Pine Bluff campaign that is helping revitalize downtown and promote heritage tourism at sites like the historic Saenger Theatre and Pines Hotel.

Across the Arkansas Delta, communities are recognizing the value of heritage tourism. Sites like the Historic Dyess Colony and Johnny Cash Boyhood Home and the Sultana Disaster Museum in Marion draw visitors and help boost the local economy. In Blytheville, the city is excited about the proposed National Cold War Museum, which would be located on the grounds of the defunct Blytheville Air Force Base. With federal support and a fundraising goal of \$20 million, the plan is to restore key parts of the

Strategic Air Command Base and create a museum that shares the story of the base and its role through those critical years, said Elizabeth Smith of the Blytheville Area Chamber of Commerce. They've conducted a study that estimated the museum could attract about 50,000 visitors annually, which would translate to a \$9 million impact on the local economy each year, she said.

"Tourism makes a tremendous difference in our Delta areas where growth is difficult and we're losing population in many communities, certainly in my community," Smith said. "Tourism is a great avenue to increase revenue and build up our whole image."

She cited the Hemmingway-Pfeiffer Museum and Educational Center in Piggott as a great success story in the small Clay County city, where author Ernest Hemingway wrote portions of his novel *A Farewell to Arms* in a barn-turned-studio on the property of the family home of his second wife, Pauline Pfeiffer. Thanks to tourism dollars, Piggott has welcomed 14 new businesses and two more have expanded since the museum opened in 1999, Smith said. 🏠



It was touch-and-go in June of this year when the Arkansas River crested at Pine Bluff, but the city's levees remained intact, Mayor Shirley Washington said.

Arkansas leaders head to Nashville for ICMA conference

The International City Management Association (ICMA) held its annual conference Oct. 19-23 in Nashville, and Arkansas was well represented by League staff, Hot Springs city leadership, and students from the University of Arkansas at Fayetteville. The conference brought together more than 5,000 local government management professionals seeking to share and discover essential tools, strategies and new ideas to improve the services and quality of life in our hometowns. Over the course of three and a half days, participants covered an array of topics including data interpretation, crisis management and disaster relief, strategic use of social media, cybersecurity, and attracting tourism investment. Pictured, from back row left, League Deputy Director Whitnee Bullerwell, Hot Springs Chief Building Official Mike Scott, Hot Springs Deputy City Manager Lance Spicer and, far right, Hot Springs City Manager Bill Burrough, along with members of the ICMA student chapter of the University of Arkansas. 🏛️



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Batesville Community Center



Located on the famed San Antonio Riverwalk, the Henry B. Gonzalez Convention Center was the host for the 2019 NLC City Summit.

New NLC president encourages cities to lead with urgency at 2019 City Summit

By Andrew Morgan, League staff

Los Angeles Council Member Joe Buscaino, the new president of the National League of Cities, began his one-year term at the conclusion of the NLC's annual business meeting on Saturday, Nov. 23, at the 2019 City Summit in San Antonio. The four-day annual event brought together more than 4,000 mayors, council members and state league staff members from 49 states and the District of Columbia to set the organization's agenda for 2020 and discuss critical issues of municipal concern.

Buscaino succeeds Gary, Indiana, Mayor Karen Freeman-Wilson as president, and he thanked her for her dedication to improving our nation's cities and her successful #LoveMyCity campaign, which urged local officials to "lead with love." Building on that idea, the foundation for Buscaino's term will be "leading with great urgency." "We hold our offices because we care deeply about the safety of our communities, opportunities in our communities, and quality of life in our communities," he said. "But we also know that democracy is slow and all of us face challenges in creating positive change."

As a former officer for the LAPD, Buscaino witnessed how a city can respond quickly and with urgency in a crisis. When it comes to tackling other



Los Angeles Council Member and new NLC President Joe Buscaino.

PHOTOS BY ANDREW MORGAN

challenges, the response can be frustratingly slow, he said. "We can get an ambulance on the scene in under five minutes, but getting a broken sidewalk fixed?"

City leaders are on the front lines of every issue in their communities, and the challenges they face can't wait, he said. He outlined three areas where urgent local leadership is needed: ending the homelessness crisis that affects cities large and small across the country,



Members of Arkansas' delegation take a moment for a group shot before a general session.

strengthening the federal-local partnership, and training the 21st century workforce that will power our local economies. Addressing these issues won't look the same in every city. "It might be a little different in Seattle or Cincinnati or St. Louis, and that's ok," Buscaino said. "It's why every one of us has to lead with urgency in our own unique way, in a way that meets the crisis where it exists."

As NLC president he'd like to work together with cities to create a "best practices playbook" to address the challenges. "We'll learn from each other, we'll support each other, and we'll make progress together," he said.

With the presidential election year approaching, local leaders must make their voices heard above the noise, Buscaino said. The "narrative of division" is everywhere, from TV screens to social media feeds. "That's where we come in as local elected leaders. We must keep presidential candidates focused on the issues that matter most to us as local leaders," he said. "We must demand that they work with us to build sustainable infrastructure, to create a skilled workforce, to end housing instability and homelessness, to reduce gun violence and promote public safety."



NLC CEO and Executive Director Clarence Anthony.

NLC CEO and Executive Director Clarence Anthony addressed the conference's opening general session Nov. 21 and encouraged city and town leaders across the nation to "keep doing what you do," especially in the face of the extreme political partisanship on the national level. Local leadership from the ground up is essential to getting the country back on track. "This is the moment, and it's time to step up and own it," he said.

He compelled municipal leaders to reflect on the moments that drove them to choose to serve their communities.

"Maybe it was the moment that you walked down the street and saw blocks of vacant and dilapidated houses, or you realized that all of the housing in your community was not affordable for the majority of people that live there," Anthony began. "Perhaps it was the moment that one side of your city was prospering with businesses, vibrant neighborhoods and parks, while the other side of your community didn't have access to fresh food or public transportation. Perhaps it was the moment you saw a report in the newspaper that showed your community had some of the worst water-quality issues in the region or in the state. Or maybe it came when you were driving down the street and you were driving over pothole after pothole and you finally said, 'I just can't live in a community like this. I have to do something.'"

Local leaders around the country have stepped up to these challenges, he said, which is why local government leaders must take a stand on the issues that face the nation as well. "Outside of these four walls, there is gridlock on the federal and state level. There is an us-versus-them mentality that has seeped into our public discourse." But, he noted, local leaders can't "get stuck in the muck," he said. "People in our communities are relying on you, relying on us."

Local leaders can't wait on the other levels of government to make a difference at home when it comes to such crucial issues as the opioid crisis, violence reduction and economic equity, Anthony said.

“That’s what local leadership is all about: stepping up and owning some of the worst moments in your community. It’s not about being Republican or Democrat. I don’t care. You don’t care. It’s not about being red or blue. It’s not about being black or white. It’s about the need to have true leadership in our nation at this time.”



Common encourages cities to lead with love.

During the conference’s closing general session on Nov. 23, the NLC welcomed Oscar- and Grammy Award-winning artist and author Common, who blessed the audience with his signature lyrical flow and provided words of inspiration and encouragement to city and town leaders. He built on the theme of leading communities with love. Love begins with listening, he said, and then the actions that follow will be based on love.

“There’s no better way for us to combat ignorance and hate, racism and sexism than to do it with love,” Common said. “With all the chaos that’s going on right now, we’ve got to go even more into the depths of ourselves and find that love. And this love is not a passive thing. It’s radical.”

The 2019 NLC City Summit included more than 60 workshops, mobile tours, solution sessions and other educational opportunities that gave city officials and



Preemption of local control is a challenge cities across the country are facing, said the Urban Law Center’s Nestor Davidson in a key conference workshop.

state league staff members the chance to hone their leadership skills and discuss mutual challenges, such as inclusivity and multigenerational civic engagement, intelligent public transportation solutions, data-driven solutions, affordable housing, broadband expansion, cybersecurity and sustainability.

Preemption of local control by state government is a pressing concern for cities across the country, and the workshop “Home Rule in the 21st Century” explored the issue. Cameron Diehl, executive director of the Utah League of Cities and Towns, shared an NLC poll of local officials across the country that found that, since 2010, 69 percent have observed an increase in hostile legislation restricting local government authority, and 66 percent have noticed an increase in hostile attitudes from state legislators toward local government. In Utah, he said, one of the reasons for that is that there are fewer mayors and council members serving in the legislature than there were a decade ago. “That has a direct consequence on their understanding of the role of local government,” Diehl said.



Arkansas delegates participate in the annual business meeting of the NLC.

The threshold for a state government to preempt local control should be high and the state must be able to articulate the reason for the move, said Nestor Davidson, director of the Urban Law Center at Fordham Law School. “It shouldn’t be enough to say, ‘We want uniformity, there’s a patchwork of regulations, we’re therefore going to take your power away.’ There should actually have to be a substantial state reason for interfering with local power, and that interference should be narrowly tailored.”

For the first time since the 1950s, the NLC is preparing an updated version of its home rule principles, which will be published in January 2020 along with supporting legal commentary, Davidson said. The objectives of the new vision of home rule are to reaffirm and strengthen the power of cities to act, protect their fiscal autonomy and provide protection from state interference. 🏛️

IMPORTANT REMINDER: Highway Revenues and Severance Turnback Reporting Due

Act 747 of the 2019 Regular Session of the Arkansas Legislature requires municipalities receiving \$2 million or more in total highway revenues and highway severance turnback to submit reporting for 2019 projects to the House Committee on Public Transportation and the Senate Committee on Public Transportation, Technology, and Legislative Affairs. The reporting deadline is March 15, 2020. You can access Act 747 and the required reporting document online at: www.arkleg.state.ar.us/assembly/2019/2019R/Acts/Act747.pdf.

SECTION 13. Arkansas Code § 27-70-207, concerning distribution of highway revenues to cities and counties, is amended to add an additional subsection to read as follows:

(f) A county or municipality that receives a distribution under this section or under § 26-58-124 of two million dollars (\$2,000,000) or more shall report annually by March 15 to the House Committee on Public Transportation and the Senate Committee on Public Transportation, Technology, and Legislative Affairs the following information regarding the use of the funds in the previous year:

(1) The use of the funds;

(2)(A) A general ledger accounting of the city street or road fund or the county street or road fund.

(B) The county street or road fund general ledger accounting shall be made using the County Financial Management System of tracking county revenues and expenditures;

(3) The percentage of the city street or road fund or county street or road fund that is comprised of state funds; and

(4) The details of each contracted project, including without limitation the type and description of the contracted project and the total amount expended on the contracted project.

Finally, you have been requested, to the extent possible, to identify the type of projects using the following categories below and the percentage comprised of state funds:

- Bicycle Paths
- Bridges
- Drainage Maintenance
- Highways
- Hot Mix, Asphalt, Gravel, Concrete, Paint, Steel
- Intelligent Transportation Systems
- Intermodal Facilities
- Other Surface/Water Transportation
- Parking Facilities
- Pedestrian Ways
- Port Authorities
- Public Transit Systems
- Railroads
- Roads/Streets
- Safety Improvements
- Sidewalks
- Lighting/Right of Way Maintenance
- Toll Facilities
- Traffic Management Systems
- Traffic Signal Systems
- Trails
- Traveler Information Systems
- Tunnels
- Waterways
- Other

The report shall be submitted annually no later than March 15 for the previous year's projects. Please ensure this message is forwarded to the appropriate personnel. Direct all questions regarding this reporting requirement to:

Estella Smith, Assistant Director

Research Services Division

Bureau of Legislative Research

One Capitol Mall, 5th Floor

Little Rock, AR 72201

501-537-9192 or smithe@blr.arkansas.gov

2020 Winter Conference

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WEDNESDAY/February 12, 2020			THURSDAY A.M./February 13, 2020		
10:00 A.M.	STATE AID STREET MEETING	MANNING ROOM, MH	7:00 A.M. to 8:45 A.M.	HOST CITY BREAKFAST <i>Sponsored by: City of Little Rock & Little Rock Convention and Visitors Bureau.</i>	GOVERNOR'S HALLS I & II, SCC
1:00 P.M. to 3:00 P.M.	ACCRTA TRAINING <i>This is an orientation for city clerks, city recorders, city treasurers. This training session is especially helpful for individuals who are newly elected.</i>	ARKANSAS BALLROOM, MH	7:00 A.M. to 5:00 P.M.	REGISTRATION	OSAGE ROOM, SCC
1:00 P.M. to 7:00 P.M.	REGISTRATION	CADDO & OSAGE ROOMS, SCC	7:00 A.M. to 5:00 P.M.	VISIT WITH GOVERNMENTAL AGENCIES <i>Governmental agencies have been invited to exhibit in Halls I and II. Drop by during the breaks and exhibit hall hours to visit with them about services available to your municipality.</i>	GOVERNOR'S HALLS I & II, SCC
1:00 P.M. to 7:00 P.M.	VISIT WITH GOVERNMENTAL AGENCIES <i>Governmental agencies have been invited to exhibit in Halls I and II. Drop by during the breaks and exhibit hall hours to visit with them about services available to your municipality.</i>	GOVERNOR'S HALLS I & II, SCC	7:15 A.M. to 7:45 A.M.	VOLUNTARY PRAYER SESSION <i>A time to gather and pray for those who lead our nation, state and municipalities.</i>	FULTON ROOM, SCC
2:00 P.M.	MUNICIPAL LEAGUE WORKERS' COMPENSATION PROGRAM BOARD OF TRUSTEES MEETING <i>The quarterly board meeting of the Municipal League Workers' Compensation Program will be held.</i>	MANNING ROOM, MH	8:45 A.M. to 10:00 A.M.	OPENING GENERAL SESSION <i>The Winter Conference officially begins with the Presentation of Colors and singing of the National Anthem. Host city Mayor Frank Scott, Jr., will welcome conference delegates, followed by remarks from invited guests. After their remarks, we will recognize this year's Trendsetter City Award winners.</i>	GOVERNOR'S HALL IV, SCC
3:30 P.M. to 4:30 P.M.	*MEDICAL MARIJUANA IN THE WORKPLACE: HOW TO PROPERLY DETECT AND REPORT IMPAIRMENT	GOVERNOR'S HALL IV, SCC	10:00 A.M. to 10:30 A.M.	TRENDSETTER CITY AWARD WINNERS	GOVERNOR'S HALL IV, SCC
4:30 P.M. to 4:45 P.M.	BREAK	GOVERNOR'S HALLS I & II, SCC	10:30 A.M. to 10:45 A.M.	BREAK	GOVERNOR'S HALLS I & II, SCC
4:45 P.M. to 5:30 P.M.	GIS AND THE 2020 CENSUS	GOVERNOR'S HALL IV, SCC	10:45 A.M. to 11:15 A.M.	GENERAL SESSION II: HOME RULE FOR CITIES AND TOWNS IN ARKANSAS	GOVERNOR'S HALL IV, SCC
5:30 P.M. to 5:45 P.M.	BREAK	GOVERNOR'S HALLS I & II, SCC	11:15 A.M. to NOON	GENERAL SESSION III: LOCAL CONTROL INITIATIVE	GOVERNOR'S HALL IV, SCC
5:45 P.M. to 6:45 P.M.	*ACTIVE SHOOTER TRAINING FOR MUNICIPALITIES	GOVERNOR'S HALL IV, SCC	MH = MARRIOTT HOTEL, SCC = STATEHOUSE CONVENTION CENTER		
7:00 P.M. to 8:30 P.M.	OPENING NIGHT BANQUET	WALLY ALLEN BALLROOM, SCC			
8:30 P.M. to 10:00 P.M.	OPENING NIGHT DESSERT RECEPTION <i>Sponsored by Stephens, Inc.</i>	CAPITAL HOTEL, MEZZANINE			

MH = MARRIOTT HOTEL, SCC = STATEHOUSE CONVENTION CENTER

Tentative Agenda

THURSDAY P.M./February 13, 2020		
NOON to 1:45 P.M.	VOLUNTEER COMMUNITY OF THE YEAR AWARDS LUNCHEON	WALLY ALLEN BALLROOM, SCC
2:00 P.M. to 3:00 P.M.	THE BEAUTY OF PUBLIC-PRIVATE PARTNERSHIPS	GOVERNOR'S HALL IV, SCC
3:00 P.M. to 3:15 P.M.	BREAK	GOVERNOR'S HALLS I & II, SCC
3:15 P.M. to 4:15 P.M.	GOVERNOR'S BROADBAND PLAN AND GRANT PROGRAM	GOVERNOR'S HALL IV, SCC
4:15 P.M. to 5:00 P.M.	YOUTH ENGAGEMENT IN PUBLIC SERVICE	GOVERNOR'S HALL IV, SCC
	DINNER ON YOUR OWN	
MH = MARRIOTT HOTEL, SCC = STATEHOUSE CONVENTION CENTER		

FRIDAY/February 14, 2020		
7:00 A.M. to 8:45 A.M.	BREAKFAST	GOVERNOR'S HALLS I & II, SCC
7:00 A.M. to NOON	REGISTRATION	OSAGE ROOM, SCC
8:15 A.M. to 4:30 P.M.	CONTINUING LEGAL EDUCATION <i>(City Attorneys will meet for six (6) hours of CLE.)</i>	ASSEMBLY HALL, LEAGUE HEADQUARTERS
9:00 A.M. to 10:00 A.M.	GENERAL SESSION I: GOVERNOR'S CAMPAIGN ON VOTE FOR ROADS, VOTE FOR ISSUE 1	GOVERNOR'S HALL IV, SCC
10:00 A.M. to 10:15 A.M.	BREAK	GOVERNOR'S HALLS I & II, SCC
10:15 A.M. to 11:00 A.M.	GENERAL SESSION II: PANEL DISCUSSION ON VOTE FOR ROADS, VOTE FOR ISSUE 1	GOVERNOR'S HALL IV, SCC
11:00 A.M. to NOON	*CURRENT AND EMERGING FRAUD SCHEMES RELATED TO CITIES AND TOWNS <i>*Scanning for the three (3) hours of continuing education credit will take place at the conclusion of this session.</i>	GOVERNOR'S HALL IV, SCC
NOON	LUNCH BUFFET <i>Before you head home, join us for a buffet in the Marriott Grand Ballrooms.</i>	MARRIOTT GRAND BALLROOMS A & B, MH
1:00 P.M.	MUNICIPAL HEALTH BENEFIT PROGRAM BOARD OF TRUSTEES MEETING <i>The quarterly meeting of the Municipal Health Benefit Program's Board of Trustees will be held.</i>	MANNING ROOM, MH
MH = MARRIOTT HOTEL, SCC = STATEHOUSE CONVENTION CENTER		





2020 Winter Conference

Marriott Hotel/Statehouse Convention Center, February 12-14, 2020

REGISTRATION

Registration and payment must be received in League office by Friday, January 31, 2020, to qualify for Pre-registration rates.

Pre-registration for municipal officials	\$150
Registration fee after January 31, 2020 , and on-site registration for municipal officials	\$175
Pre-registration for guests	\$75
Registration fee after January 31, 2020 , and on-site registration for guests	\$100
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, 2019-2020**.
- No daily registration is available.
- Registration must come through the League office. No telephone registrations will be accepted.
- **No refunds after January 31, 2020.**
- Cancellation letters must be postmarked by **January 31, 2020**.

HOTEL RESERVATION

Hotel Room Rates

Marriott Hotel (headquarters hotel)		
Single/Double. SOLD OUT	\$139	Check-in 3 p.m.
Capital Hotel		
Single/Double. SOLD OUT	\$195	Check-in 3 p.m.
Doubletree Hotel		
Single/Double. SOLD OUT	\$144	Check-in 3 p.m.
Wyndham Hotel		
Single/Double. SOLD OUT	\$109	Check-in 3 p.m.

- Cut-off date for hotel reservations is **January 15, 2020**.
- Rooms in Little Rock/North Little Rock are subject to a 13-15 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 as penalties for cancellation can apply.

Two ways to register **2**

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

Complete the steps and **mail with payment** to:
 ARKANSAS MUNICIPAL LEAGUE
 Attn: 2020 Winter Conference
 P.O. Box 38
 North Little Rock, AR 72115-0038

Step 1: Delegate Information

Name:

Title: City of:

Attendee only email (required): CC Email:

Address: City:

State: Zip: Phone Number:

Non-city Official guests will attend: Yes No

Name: Name:

In Case of Emergency (ICE) Contact Name: ICE Phone Number:

Step 2: Payment Information

• **What is your total?** (see opposite page for fees)

<input type="checkbox"/> Pre-registration for Delegate \$ 150	<input type="checkbox"/> Pre-registration for Guest \$ 75	<input type="checkbox"/> Other Registrants \$ 200	Pre-registration Total \$ _____
<input type="checkbox"/> Regular Registration for Delegate \$ 175	<input type="checkbox"/> Regular Registration for Guest \$ 100	<input type="checkbox"/> Other Registrants \$ 200	Reg. Registration Total \$ _____

• **How are you paying?**

Check

Mail payment and form to: Arkansas Municipal League
 2020 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 Discover

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.

- Marriott Hotel** **SOLD OUT** 877-759-6290
- Capital Hotel** **SOLD OUT** 877-637-0037 or 501-374-7474
- Doubletree Hotel** **SOLD OUT** 800-222-8733 or 501-372-4371
- Wyndham Hotel** **SOLD OUT** 866-657-4458 or 501-907-4823

Special dietary needs:

- Gluten free
- Vegetarian
- Pescatarian
- Vegan

Texarkana hosts fall ACMA conference



Members of the University of Arkansas' International City Management Association student chapter were awarded the Henry M. Alexander Scholarship during the ACMA's fall conference. From left, League Deputy Director Whitnee Bullerwell, scholarship recipients Sarah Ames and Chris Fletcher, and Hot Springs City Manager and ACMA President Bill Burrough.

The Arkansas City Management Association (ACMA) held its annual fall conference Nov. 6-8 in Texarkana, where city managers, city administrators and their staff members gathered to discuss a variety of issues important to cities, including legislation affecting local government, Equal Employment Opportunity Commission compliance, workplace safety, addressing homelessness in Arkansas, and taking advantage of Opportunity Zones.

The conference's educational sessions were excellent, Hot Springs City Manager and ACMA President Bill Burrough said. "They really crossed all sectors, from EEOC to Opportunity Zones to homelessness. I think those are things that affect every city that we have."


Texarkana was a wonderful host for the conference, he said, which had an attendance of about 20 city leaders and staff members. In addition to the conference activities, they took a field trip to the Cooper Tire & Rubber Company and heard from the president of the company. With around 1,700 employees, the manufacturer is one of the city's largest employers.

At the fall conference, the ACMA awarded scholarships to three Arkansas students who were recommended by the Arkansas Public Administration

Consortium. "We're pleased that we're able to help students who are interested in pursuing a career in city management," Burrough said.

The ACMA offers support and training opportunities for city manager and city administrator forms of municipal government, but membership is open to other Arkansas city officials regardless of the form of local government. The ACMA offers associate memberships to administrative staff and managerial staff in cities with the mayor-council form of government. The ACMA also offers student memberships for full-time students enrolled in an institution of higher learning in Arkansas who intend to pursue a career in local government, and affiliate memberships for any person interested in the ACMA's objectives.

In Arkansas, only eight cities—Arkadelphia, Barling, Fort Smith, Hope, Hot Springs, Little Rock, Texarkana and Siloam Springs—operate under the city manager or city administrator form of government. It's much more prevalent in the states surrounding Arkansas but hasn't really caught on here over the years, Burrough said.

The ACMA's next meeting is April 29-May 1 in Fort Smith. For more information, visit www.arml.org/acma. 

FLSA rules update

Overtime exemption thresholds

On Sept. 24, 2019, the Department of Labor (DOL) announced its final rule updating the overtime salary thresholds for exempt employees under the Fair Labor Standards Act (FLSA). There were no changes to the current duties test for determining who is exempt, and the new rule is effective Jan. 1, 2020.

The rule change has a tortured history, reaching back to May 2016, when the White House announced changes to the salary threshold required for employees to fall into one of the FLSA overtime exemptions. That proposed rule would have set the primary threshold to a minimum of \$913 per week (\$47,476 annually). However, the rule never went into effect after several state attorneys general and private entities challenged the rule in court. After the challenge, the DOL set about establishing an update that would not invite legal challenges, and the updated rule was announced in September.

The new rule updates the regulations governing which executive, administrative and professional employees are entitled to the FLSA's overtime pay protections. Generally, the rule changes mean that more employees are going to be entitled to overtime pay because fewer employees will meet the exceptions required to be exempt under the rules.

The 2019 changes:

1. In order to meet the "white collar worker" exemption, an employee must be paid at least \$684 per week (\$35,568.00 annually for a full-year worker). Additionally, the salary basis test now allows employers to use nondiscretionary bonuses and incentive payments (including commissions) to satisfy up to 10 percent of the new standard salary level;
2. In order to meet the "highly compensated workers" exemption, an employee must be paid at least \$107,432.00 in total annual compensation.

For more information, see the League's updated publication, "The Fair Labor Standards Act: 21 Things You Should Know" online at www.arml.org/pubs and the DOL's publications on the rule changes at www.dol.gov/whd/overtime2019.

Minimum wage increases in 2020

Beginning Jan. 1, 2020, the minimum wage will increase to \$10.00 per hour, and beginning Jan. 1, 2021, the rate will increase to \$11.00 per hour (A.C.A. § 11-4-210(a)(2)).

While the federal minimum wage for covered, non-exempt employees is \$7.25 per hour, states are entitled to set a higher minimum wage. Accordingly, the higher Arkansas wage rates are applicable. Arkansas cities and towns should review pay rates to make sure that municipal employees will receive no less than the legally mandated pay rate in 2020.

Land Development Services

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-  Streetscape Design
-  Master Planning & Site Planning
-  Park, Playground & Public Space Design
-  Hospital & University Campuses
-  Construction Administration

Site design has a significant impact on the quality and character of a city, and on the quality of life it brings to residents, the region and the state. At MCE, our Land Development team takes into consideration all factors that influence the design of a specific site. Client objectives, site context and the surrounding environment shape our site designs.

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For more information contact an ARWA representative, contact us at 800-264-0303 or go to www.wudb.com



Joint MHBP/MLWCP seminar preps members for 2020

The League held a joint Municipal Health Benefit Program (MHBP) and Municipal League Workers' Compensation Program (MLWCP) seminar on Nov. 13 to provide members with the information they need to know as cities and towns prepare their budgets for next year. Held at the Wyndham Hotel across from the League's North Little Rock headquarters, attendance was strong with 154 representatives from cities, towns and League limited-service members.

Jonesboro Mayor and 2019-2020 League President Harold Perrin and League Deputy Director Whitnee Bullerwell welcomed participants, and League Executive Director Mark Hayes provided an overview of the two programs.

The League is a creation of the cities and towns of Arkansas, and these programs exist because the cities and towns collectively saw a need and asked the League to implement them, Hayes said. While health care costs have risen across the board, the MHBP has been able maintain steadier rates than competitors in the private market because we are membership driven, he said.



MHBP general manager and legal counsel Katie Bodenhamer.

"The League's purpose is to make sure we leave you with as much money in the city treasury as possible so you can pave streets, hire a cop, get a new fire truck, whatever the case may be. Our margins on these programs are deliberately very, very thin, and we do that because we're not profit-based. We're service-based."

He encouraged members to let the League know if there are areas where the programs can be improved or if issues arise. "We are trying to give you the very best product and service for the very least amount of money possible." That helps make the League strong and unique, he said.

Katie Bodenhamer, MHBP general manager and legal counsel, provided an overview of the program's benefits and outlined the plan changes in store for 2020. Representatives from MHBP partners eDocAmerica, EBRx, American Fidelity Assurance and EyeMed were also on hand to share information about their services.



MLWCP general manager Katy Busby.

Katy Busby, MLWCP general manager, took over for the second half of the daylong seminar, providing a "Workers' Compensation 101" crash course and an overview of the Return to Work Initiative. ☰

PHOTOS BY ANDREW MORGAN

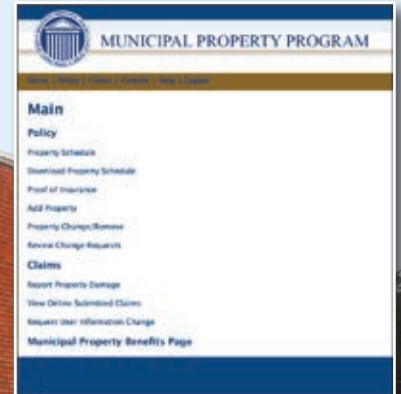


Visit the Municipal Property Program's New Interactive Full Service Web Portal: www.arml.org/mpp

Manage your municipal property coverage needs online at www.arml.org/mpp. Members can make changes to their municipal policy, add/delete properties, and file and view claims.

Create an MPP interactive account by emailing mpp@arml.org your:

- City Name and/or Account Number
- First and Last Name
- Phone Number



For more information including a free quote on either of these programs, call 501-978-6123.



Visit the Municipal Vehicle Program's New Interactive Full Service Web Portal:

www.arml.org/mvp



Manage your municipal fleet's coverage needs online at www.arml.org/mvp. Members can make changes to their municipal policies, add/delete vehicles, and file and view claims. Create an MVP interactive account by emailing mvp@arml.org your:

- City Name and/or Account Number
- First and Last Name
- Phone Number



Gov. Asa Hutchinson announces the Vote for Roads, Vote for Issue 1 campaign, which promotes the continuation of a half-cent sales tax on gasoline.

Governor's priority for 2020 general election is a "Vote for Roads, Vote for Issue 1"

By Mel Jones, League staff

“Vote for Issue 1 means better roads, a stronger economy and a safer Arkansas, without raising taxes” said Gov. Asa Hutchinson, as he kicked off the state’s “Vote for Roads, Vote for Issue 1” campaign at a Nov. 15 press conference. Referring to Issue 1 as “the most important issue on the ballot next year,” the governor said that he was delighted to lead the effort that will “benefit every resident and every small business that calls Arkansas home.”

Speaking to a standing-room-only crowd at the Arkansas Poultry Association in Little Rock, Hutchinson detailed the campaign, which is centered around a promise to not raise taxes, only to continue an existing half-cent sales tax on the sale of gasoline that is set to expire in 2023. Currently, the collections from that sales tax are split 70 percent to the state; 15 percent to counties; and 15 percent to cities and towns. The funds are used exclusively to improve state highways, county roads and city/town streets.

“The plan in the legislature that was passed earlier this year represented the largest and most comprehensive long-term highway funding package in Arkansas history,” he said. “As part of that package, the general assembly enacted immediate relief to support our roads, but they also referred to voters the continuation of the

half-cent sales tax that gives the voters the final say on whether this highway funding plan will have the robustness and long-term impact that we all desire.”

The passage of Issue 1 will continue to provide more than \$205 million a year of significant funding to maintain, improve and construct nearly 7,000 miles of interstate and highway miles and repair and replace dangerous bridges throughout the state. The success of Issue 1 will also ensure that cities and counties continue to receive \$43 million annually—all without any new tax on Arkansas residents. The passage of Issue 1 would also create approximately 3,500 new jobs a year and provide more than \$8.2 billion in economic activity over the next decade.

The governor also stressed the importance that Issue 1 has with regard to Arkansas’ economic picture. Agriculture, the state’s largest industry, depends upon a strong infrastructure, and Issue 1 will fund thousands of miles of interstate highways and farm-to-market roads. Arkansas’ second-largest industry is tourism, and visitors “need a good way to go from attraction to attraction,” he said.

The press conference was attended by groups from around the state, including mayors, county judges, small-business owners, representatives of the agriculture



If you missed the press conference, visit our Facebook page to watch it in its entirety. For more information on the campaign, visit voteforroads.com.


community, and industry groups such as the Arkansas Trucking Association and the Arkansas State Chamber of Commerce.

In a letter to members following the announcement, Arkansas Municipal League Executive Director Mark Hayes encouraged city officials to take action and pass

a resolution in order to educate citizens about the crisis that will occur if the sales tax is allowed to sunset on June 30, 2023. If that happens, cities and towns will lose their 15 percent of the funding, or approximately \$22 per capita.

“Discuss this issue with each other—it is essential that city officials and staff understand the cost of losing the half-cent sales tax if the deadline goes forward without a resolution,” he said. “By educating yourself and those who represent your city or town, you will be able to engage in a dialogue with your community and educate voters about the impact this vital issue will have on them and the place they call home.”

The full membership of the League passed a resolution during this year’s 85th Convention in June supporting this issue. The resolution can be found on page 12 of the *2019-2020 Policies and Goals* publication.

To learn more about Vote for Roads, Vote for Issue 1, visit voteforroads.com. To download the “Sample Resolution Supporting 0.5% Transportation Sales and Use Tax,” visit the eCommunications section on our homepage. 



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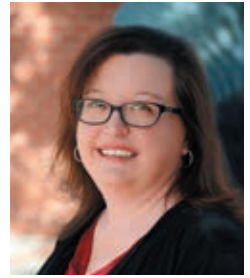
Contact Lanny Richmond at lrichmond@arml.org or 501-374-3484, Ext. 214.



The deadline for enrollment in the Arkansas Municipal League 2020 Municipal Officials and Department Heads Accidental Death and Dismemberment Plan is Dec. 31, 2019.

Contact Jennifer Johnson at 501-978-6120, or email jjohnson@arml.org.

Meet Katy Busby, general manager of the Workers' Compensation Program at the Arkansas Municipal League



City & Town: What are your duties and responsibilities at the Arkansas Municipal League?

Katy Busby: I oversee our Workers' Compensation Program and the Firefighters Supplemental Income Protection and Death Benefit Program. That entails the development of the premium and billing the premium and also overseeing the claims management process. I'm trying to find the right vendors for the right price and save money anywhere we can with the best results.

How long have you been working at the Municipal League? I started the day after Memorial Day this year. I worked from home and was having a frustrating day. I got online and saw the job posting for the League, so I came through a placement agency and the rest is history! It all kind of worked out and came together.

How has the League changed since you've started? The League itself has stayed pretty much the same. In the workers' comp department, I've shaken it up a little bit and we've been able to save some money with vendor partnerships. One of the first partnerships I looked at was bill review. We did an analysis and ended up with a 70-percent savings by going with a different vendor, roughly \$700,000 for a year. That's a lot of money we can use in other ways and return to the members with discounts and things like that.

Where did you grow up? I grew up in a small farming community in central California called Hughson. For almost 100 years it maintained a population of about 3,500. Then one of the farmers sold his land and started what we called "planting houses." It's now about 6,000 people, almost double its size in about 15 years. It's still a very tight-knit community, very family based. In that little town—we counted one time—there are 25 churches. It's a very service-oriented community and my family is actually still there. When people think of California, they think of big cities, but those are the outliers. The bulk of California is agriculture. It's not what people think.

What is your favorite spot in your hometown? My parent's ranch is probably my ultimate favorite, because that's where I grew up and I have a lot of amazing memories there. Also, the fruit stands. On every corner there is a fruit stand. It's locally grown fruits and vegetables, and you don't get stuff like that in grocery stores, and it is amazing!

What is your favorite part about working for the AML and the cities and towns of Arkansas? The League itself, it's like a big family. My first day I was treated like I'd been here for 30 years. Very accepting, very welcoming, with a huge team spirit. We all pitch in when needed, and it's all hands on deck. It is just a very service-based organization, and that comes from the top down. Everyone really strives hard at providing those services and it's really amazing to be a part of it. 🏡

Meet Sherry Johnston, clerk/treasurer for the city of Waldron

City & Town: What are your duties and responsibilities in Waldron?

Sherry Johnston: I'm the clerk/treasurer for a city of the first class. In that capacity I am responsible for maintaining records and financial and accounting matters.



Why did you choose your profession? Did it choose you? I have a background in banking and finance and love to work in my community. It was just a good fit. I love how it allows me to connect with people and see the needs in my community.

What's your favorite aspect of your job? What's the biggest challenge? I love the way my position allows me to engage in the community and network with professionals throughout Arkansas in so many capacities. The challenge is scheduling time for all I want to accomplish.

What's your favorite spot in Waldron? Why? We are in the final phase of completing a new city park that is becoming the centerpiece of our community. I love it there! Seeing children play, people sitting at a picnic tables enjoying lunch, and families spending time together at the park brings joy to my heart.

What is the public perception of your job versus the reality of your job? I have a genuine gift of making things look easy when in reality it is a tremendous struggle to keep all the bases covered, reports filed and deadlines met.

In what season does Waldron shine the most? Why? As unusual as this may sound, I'm going to say we shine during adversity. Our community is like an extended family and when there is an unfortunate event in our community, we come together, support one another and do our best to bring resolution.

What was your favorite subject in school? History was one of my favorite subjects and I still enjoy studying major historical events.

What's the biggest lesson you've learned by working for a city government? It pays to have a tremendous amount of patience! The wheels can move very slowly in city government, especially if you have a committee!

What advice do you have for someone who would like to follow your footsteps into this job? I have had the opportunity to work in several fields and all of those have been a resource to me as clerk and treasurer. A diverse background has certainly been an advantage for me.

What are three "can't miss" things that someone should do if they visit Waldron? We are home to the largest bluegrass festival west of the Mississippi. Two festivals are held annually at Turkey Track Bluegrass Park featuring nationally recognized and award-winning performers. Blythe's Scott County Museum is a private museum with an amazing display of local and international pieces. Our historic Main Street has a variety of unique shops and restaurants, including the oldest continuously operated theater in Arkansas. 🍷

“I am so proud to know that you all work diligently to make your program the best. Please keep up the good work and thank you all so much.”

- Pamela

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Reminder: Time to pass your budget

Most cities and towns in Arkansas are legally obligated to pass their budget on or before February 1 of each year

Budgets in Mayor-Council Municipalities

Ark. Code Ann. § 14-58-201. Annual submission.

On or before December 1 of each year, mayors of all cities and incorporated towns having the mayor-council form of government shall submit to the governing body of the city or town, for its approval or disapproval, a proposed budget for operation of the city or town from January 1 to December 31 of the forthcoming year.

Ark. Code Ann. § 14-58-202. Adoption of budget.

Under this subchapter, the governing body of the municipality shall, on or before February 1 of each year, adopt a budget by ordinance or resolution for operation of the city or town (AML recommends using a written resolution).

Ark. Code Ann. § 14-58-203. Appropriations and changes.

- (a) The approval by the municipal governing body of the budget under this subchapter shall, for the purposes of the budget from time to time amount to an appropriation of funds which are lawfully applicable to the items therein contained.
- (b) The governing body may alter or revise the budget and unpledged funds appropriated by the governing body for any purpose may be subsequently, by action of the governing body, appropriated to another purpose, subject to the following exceptions:
 - (1) Funds resulting from taxes levied under statutes or ordinances for specific purposes may not be diverted to another purpose;
 - (2) Appropriated funds may not be diverted to another purpose where any creditor of the municipality would be prejudiced thereby.

Budgets in City Administrator-Director Municipalities

Ark. Code Ann. § 14-48-117(6)

He or she [the city administrator] shall prepare the municipal budget annually and submit it to the board for its approval or disapproval and be responsible for its administration after adoption.

Ark. Code Ann. § 14-48-122

- (a) The approval of the budget by the board of directors shall amount to an appropriation, for the purposes of the budget, of the funds which are lawfully applicable to the different items therein contained.
- (b) The board may alter or revise the budget from time to time, and unpledged funds appropriated by the board for any specific purpose may by subsequent action of the board be appropriated to another purpose subject to the following exceptions:
 - (1) Funds resulting from taxes levied under statute or ordinance for a specific purpose may not be diverted to another purpose; and
 - (2) Appropriated funds may not be diverted to another purpose where any creditor of the municipality would be prejudiced thereby.

Budgets in City Manager-Director Municipalities

Ark. Code Ann. § 14-47-120(6)

He or she [the city manager] shall prepare the municipal budget annually and submit it to the board for its approval or disapproval and be responsible for its administration after adoption.

Ark. Code Ann. § 14-47-140

- (a)(1) Any municipality organized and operating under the city manager form of government may authorize the mayor of the municipality to have the following duties and powers if approved by the qualified

electors of the municipality at an election called by the municipal board of directors by referendum or by the qualified electors of the municipality by initiative:

...

(E) The power to prepare and submit to the board of directors for its approval the annual municipal budget.

Ark. Code Ann. § 14-47-125

- (a) The approval by the board of directors of the budget shall amount to an appropriation for the purposes of the budget of the funds which are lawfully applicable to the different items therein contained.
- (b) The board may alter or revise the budget from time to time, and unpledged funds appropriated by the

board for any specific purpose may be appropriated by subsequent action of the board to another purpose, subject to the following exceptions:

- (1) Funds resulting from taxes levied under statute or ordinance for a specific purpose may not be diverted to another purpose; and
- (2) Appropriated funds may not be diverted to another purpose where any creditor of the municipality would be prejudiced thereby.

A *Sample Resolution for the Adoption of the Municipal Budget* can be accessed via the Legal FAQs page at www.arml.org/legal-faqs for your convenience. Please call or email the League with any questions you may have. ☎

NOTICE: Annexation Reports Due March 1

Arkansas Code Ann. sections 14-40-2201 and 14-40-2202 provide:

(a)(1) Beginning March 1, 2014, and each successive year thereafter, the mayor or city manager of a city or incorporated town shall file annually with the city clerk or recorder, town recorder, and county clerk a written notice describing any annexation elections that have become final in the previous eight (8) years.

(2) The written notice shall include:

(A) The schedule of services to be provided to the inhabitants of the annexed portion of the city; and

(B) A statement as to whether the scheduled services have been provided to the inhabitants of the annexed portions of the city.

(b) If the scheduled services have not been provided to the new inhabitants within three (3) years after the date the annexation becomes final, the written notice reporting the status of the extension of scheduled services shall include a statement of the rights of inhabitants to seek detachment.

(c) A city or incorporated town shall not proceed with annexation elections if there are pending scheduled services that have not been provided in three (3) years as prescribed by law.

Ark. Code Ann. § 14-40-2202. Inhabitants of annexed area

(a) In all annexations under § 14-40-303 and in accordance with § 14-40-606, after the territory declared annexed is considered part of a city or incorporated town, the inhabitants residing in the annexed portion shall:

(1) Have all the rights and privileges of the inhabitants of the annexing city or incorporated town; and

(2) (A) Be extended the scheduled services within three (3) years after the date the annexation becomes final.

(B) The mayor of the municipality shall file a report with the city clerk or recorder, town recorder, and county clerk of the extension of scheduled services.

(b) If the scheduled services have not been extended to the area and property boundaries of the new inhabitants within three (3) years after the date annexation becomes final, the written notice reporting the status of the extension of scheduled services shall:

(1) Include a written plan for completing the extension of services and estimated date of completion; and

(2) Include a statement of the rights of inhabitants to seek detachment.

(c) A city or incorporated town shall not proceed with any additional annexation elections if there are pending scheduled services that have not been extended as required under this subchapter.

To obtain a sample *Notice Describing Annexation Elections, and Schedules of Services* access the Legal FAQs page at www.arml.org/legal-faqs.



Reminder to All City Councils Regarding First Council Meeting of 2020

The 90th General Assembly of the Arkansas Legislature in 2015, via Act 235, amended A.C.A. § 14-43-501 regarding the organization at the beginning of a new year of the governing bodies of cities and towns.

A.C.A. § 14-43-501. Organization of governing body

- (a)(1) The members of a governing body elected for each city or town shall annually in January assemble and organize the governing body.
- (2)(A) A majority of the whole number of members of a governing body constitutes a quorum for the transaction of business.
- (B)(i) The governing body shall judge the election returns and the qualifications of its own members.
- (ii) These judgments are not subject to veto by the mayor.
- (C)(i) The governing body shall determine the rules of its proceedings and keep a journal of its proceedings, which shall be open to the inspection and examination of any citizen.
- (ii) The governing body may also compel the attendance of absent members in such a manner and under such penalties as it prescribes.
- (iii) The governing body may consider the passage of rules on the following subjects, including without limitation:
- (a) The agenda for meetings;
 - (b) The filing of resolutions and ordinances; and
 - (c) Citizen commentary.
- (b)(1)(A) In the mayor-council form of government, the mayor shall be ex-officio president of the city council and shall preside at its meetings.
- (B) The mayor shall have a vote to establish a quorum of the city council at any regular or special meeting of the city council and when his or her vote is needed to pass any ordinance, bylaw, resolution, order, or motion.
- (2) In the absence of the mayor, the city council shall elect a president pro tempore to preside over council meetings.
- (3) If the mayor is unable to perform the duties of office or cannot be located, one (1) of the following individuals may perform all functions of a mayor during the disability or absence of the mayor:
- (A) The city clerk;
 - (B) Another elected official of the city if designated by the mayor; or
 - (C) An unelected employee or resident of the city if designated by the mayor and approved by the city council.
- (c) As used in this section, “governing body” means the city council in a mayor-council form of government, the board of directors in a city manager form of government, and the board of directors in a city administrator form of government.

ACOOOP helps state agencies plan for the worst

By Carol Skill

The Arkansas Continuity of Operations Program (ACOOOP) provides a website to assist all Arkansas agencies, boards and commissions in the development of an individualized plan to ensure their facility will be restored to operational status in the event of any disaster, from weather-related emergencies to cybersecurity issues.

The ACOOP software tool provides a template to allow planners to enter data, then the system incorporates the information into a comprehensive plan that can be downloaded and/or stored electronically in a secured location.

As of 2019, over 2,500 planners from Arkansas state agencies, boards, commissions, school districts, counties and cities have developed more than 2,100 plans. Each planner will be assigned a unique username and password.

The Division of Information Services (DIS) sponsors and supports ACOOP by providing training, user assistance, and yearly review and evaluation of each plan. DIS will conduct a yearly evaluation of your plan using a standardized checklist, and coordinates with the Arkansas Department of Legislative Audit to ensure the items on checklist are in compliance with the state standards and guidelines. 🏛️



Make a plan

There are several essential elements that need to be included in your plan, including:

- **Employees list, skills and information:** Who are your employees, and how do you contact them? What skills are needed? Who are their emergency contacts?
- **Essential processes:** What procedures or processes do you follow daily? Example: Administration, information technology, human resources, maintenance, faculty, etc.
- **Teams:** Who is responsible for completing the essential functions? What are the specific tasks involved?
- **Orders of succession:** Who are the top three to five people who will be responsible?
- **Communications:** How will you notify your employees of the situation, and where they need to go?
- **Vital records:** Any paper, electronic or web-based record. Example: Fiscal records, accounts payable, accounts billable, APSCN, AASIS.
- **Alternate locations:** Where are your data stored? Where are your back-up sites? Where will your employees go to work if your facility is no longer a viable option? What agreements do you have with the alternate locations? Memorandums of understanding will assist you.
- **Devolution planning:** Who will take responsibility of processes if no one is no longer available at your facility? For example: If your school executives are unable to restore your facility to operational status, the Arkansas Department of Education will assume responsibility.
- **Restoration and recovery of your system(s):** What is the exact process to restore all your servers, switches and computers to working order.
- **Reconstitution:** What supplies, equipment, vital records and software do you need?

The ACOOP online tool is available at acoop.arkansas.gov. All questions and requests for account information should be sent to the DIS Call Center at 1-800-435-7989.



The students from Missouri State University and their instructor, Krista Evans Ph.D., (back row, second from left) and the author (back row, center).

PHOTO BY BRENDA VON TUNGELN

Handing off the future

By Jim von Tungeln

Urban planning deals with the future. There are no two ways about it. The past may guide us but, ultimately, we must accommodate unknown changes, unforeseen debacles, unimaginable shifts and unavoidable responsibilities. Sometimes we win. Sometimes we don't. Sometimes we come close and sometimes we find ourselves wondering what just happened.

But we keep trying as long as we can. Then we hand it over to the younger folks and wish them the best. This brings up three questions. How are the young folks doing? What kind of cities are we leaving them? How will we do it?

Let's take the first one. The young folks are doing fine. I visited with two groups during the past month and felt better each time. The first group met, of all times, on a late Friday afternoon at the University of Arkansas at Little Rock. Doctoral candidate Serena McKisick Hill led the graduate class from the Master of Public Administration program as they studied community development in modern America.

What a conversation we had. The students proved bright, erudite and focused as they held forth on topics from cumulative zoning to the potential for casinos to revitalize our cities. Though I hate to admit it, I learned more than I taught. Maybe they'll have me back next year.

Then, a group of undergraduate students came down from Missouri State University. They were on a field trip as part of a class in rural geography, which touches on, as the name suggests, rural planning issues. "The majority of our students get planning jobs in the area; some in small town/rural Missouri, others up in the cities of Kansas City and St. Louis. Occasionally students go on to pursue grad degrees in planning," said their instructor, Krista Evans, Ph.D. A graduate of the Planning, Design and the Built Environment doctoral program at Clemson University, Dr. Evans is well qualified to send these individuals into the waiting world.

I met the group in Mountain View, a particularly interesting city in our state. The weather was nice and we met on the courthouse square to discuss rural planning

in Arkansas. I had to confess to them that there wasn't much of it happening. I lauded the League's efforts and shared success stories and frustrations. Mostly, I relayed, small-town Arkansas struggles: communities alone and without resources.

As an elder citizen, I made sure they knew how lucky they were to be able to produce information and maps with computer strokes instead of ink pens, erasers and drawing knives. They asked incisive questions and made good points. My wife took a photo of the group and me, and we parted. Maybe some of them will find their way back after graduation.

To that end, I told them that there were planning jobs available in our state. These are generally in cities with populations greater than 25,000. Some jobs are available in small communities in high-growth areas. At least three grads from their school have landed jobs in Bentonville in the past.

Starting salaries are certainly better than when I went into the business. We should be attracting some talented young folks. The challenge rests in getting them to move to places where they are needed. The young, they tell us, don't go where the jobs are to the extent that previous generations did. They go to where an attractive lifestyle exists, and then seek a way to finance their lives. Areas with job opportunities may find it hard to attract young talent if the lifestyle opportunities aren't there.

Secondly, what kind of environment are we offering new graduates? It's not the same planet my peers found upon entering the business, or the same professional arena. We found a major partnership among the three levels of planning: federal, state and local. It earned the title "picket-fence federalism" because each level of government stood independent like the boards of a wooden fence, but the levels cooperated to solve problems.

Today, one might choose the term "ant-colony federalism" because we see myriad individual mounds, or "silos" full of bodies and entities scurrying about, each seemingly oblivious of the others. We can only hope for lateral communication, cooperation and a habitable state of existence. What will the newcomers make of it all?

They might decide that our cities and counties need to flourish and that good government will help them. That will be a blessing to future generations if my impression of our emerging graduates as energized, articulate and learned is correct.

Finally, how can we help them? My experiences, as described above, suggest that education can play a large role. At present, there is no graduate planning program in Arkansas. The closest is in Memphis. It has produced former or current planning directors in two of our major cities: North Little Rock and West Memphis. Good programs exist in surrounding states, but we hope that

the day will come when our youth won't have to leave the state to earn a degree in urban and regional planning.

Students can gain a master's degree in public administration in our state. Although not specifically tailored for planners, it does offer a relevant education and a path to a career in planning. The program at the University of Arkansas at Little Rock has produced three planners certified by the American Institute of Certified Planners.

Educational background aside, emerging planners will face issues we older workers didn't imagine. We thought growth would be constant and evenly distributed. It is not. Current socio-economic trends have even produced a concept that describes planning for communities that face population loss. They call it "smart shrinkage" as opposed to "smart growth." It is not a methodology most communities would choose to use.

On the other hand, transportation systems become parking lots, utility systems fail from overload, affordable housing disappears and sprawl bankrupts. Then, cities overflowing with new residents face a vastly different but equally vexing set of challenges.

Planners of my generation will not solve these problems. Ones who haven't entered, or are just entering, the field will shoulder that burden. As with other professions, new grads face a rocky road. "Often, our students land jobs in rural areas where they are the only planner or part of a very small group of planners," said Dr. Evans. "They may be expected to do it all—from creating maps in GIS, to leading public meetings, to writing plans—without many (or any) colleagues to help lead the way."

The situation, then, leaves it up to us "seasoned professionals" to lead the way. We might start by examining our city's job classification for planners. Do we over-require and miss opportunities for letting talented young folks learn by doing? Do we require experienced planners that we can't afford to do jobs that won't keep them busy or challenged?

We also might nurture the dialogue between the older and younger generations. Are we leading by listening? Maybe the older generation of planners can lead the way by promoting lateral communication. Maybe it would help our profession and our cities if we in the senior crowd would listen more and talk less.

That's the way we learned. Maybe that's now the way we should teach.



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. Persons having comments or questions may reach him at 501-944-3649. His email is uplan@swbell.net.

Marijuana here, money where?

After a slow enactment of a medical marijuana law in Arkansas, many delays in processing and distributions have occurred. Licensing of dispensaries and cultivators, approving patients, and concerns about banking were just a few of the pressing issues in 2016. Most of these items have been addressed; however, the banking industry remains in flux. Employers are still reviewing and updating handbooks to manage the assimilation of medical marijuana workers in their workforce. These changes have impacted our state and its people, and it hasn't been easy.

In 2018 Oklahoma had a huge medical marijuana industry growth. In one year, there were 200,000 approved patients plus thousands of approved licenses for dispensaries and cultivators. Arkansas' slow start does not provide enough data to see how our state compares to Oklahoma at this time.

Recent newspaper articles have indicated the revenue from medical marijuana sales has been greater than projected. The huge amount of sales could make you believe the taxes paid on this money would benefit the city, state and government. That sounds good; however, there are issues concerning the handling and accounting of medical marijuana money, and a verification process is desperately needed.

As with many things in the legal world, there are questionable areas regarding banking and marijuana money. The U.S. House of Representatives recently passed the Secure & Fair Enforcement Banking (SAFE) Act. The SAFE Act would loosen regulations on banks in states where marijuana is legal. The U.S. Senate has not set a scheduled vote on this act, so banks are in a quandary with regards to the management of medical marijuana revenue. Some banks are developing provisions in mortgage agreements that prohibit borrowers from using any portion of the property for any activity related to marijuana, industrial hemp or cannabidiol, more commonly known as CBD.

Marijuana is still illegal in the eyes of the federal government so banks are severely restricted in how they

can serve this growing multi-billion-dollar industry. The marijuana industry is a cash-only business, and there is a lack of banks in which to deposit money or pay employees. Some states have reported that robberies have significantly increased at marijuana businesses. Patients, too, are in danger if they carry large sums of money on them to use at a dispensary.

The tax issue is really serious because marijuana businesses are booming and taking in large amounts of money, and it is difficult to pinpoint how much tax to collect. In Arkansas, the banking and monitoring guidelines need to be established soon.

There is no indication the SAFE Act will be brought to a vote in Washington, D.C. any time soon. Senators John Boozman and Tom Cotton have been encouraged to help get the SAFE Act passed. This is very important to our state, medical marijuana businesses, banks and patients.

Medical marijuana is not very difficult to obtain. A physician statement "of need" is required; however, the illnesses listed to qualify for a card are very common. It is almost certain employers will have medical marijuana using employees in their workforce and this could result in more employee thefts and job-performance issues. Employers are encouraged to address medical marijuana with employees.

The U.S. House of Representatives recently passed the Secure & Fair Enforcement Banking (SAFE) Act. The SAFE Act would loosen regulations on banks in states where marijuana is legal.



XPert Diagnostics (formerly a'TEST CONSULTANTS, Inc.) provides drug and alcohol testing as a service of the Arkansas Municipal League Legal Defense Program. The program helps cities and towns comply with the U. S. Department of Transportation's required drug testing for all holders of commercial drivers' licenses.

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PHOTO BY SHELBY FIEGEL

From left, Whitney Horton, vice president of programs for the Arkansas Community Development Society, Bobby Lowe, outgoing chairman of Growing Corning Together, and Pam Lowe, managing editor of the *Clay County Courier*, at the 2019 Arkansas Community Development Society. Growing Corning Together received an Innovative Community Development Project/Program Award.

Growing Corning Together

By Shelby Fiegel

Over the past decade, the city of Corning has seen a steady decline in population, sales tax revenue and job opportunities. Walmart, the city’s largest employer, closed its Corning location in June 2018. Over 60 workers lost their jobs, and citizens were faced with an uncertain and uneasy future. This same story can be told of many of our small communities in Arkansas, but what makes Corning different is the reaction of its people.

Just one month after Walmart closed, a key group of dedicated leaders, in partnership with the Center for Community and Economic Development at the University of Arkansas System Division of Agriculture Cooperative Extension Service (UAEX) and the Clay County Extension Service, created Growing Corning Together. The purpose of this broad-based community development organization is to work together in revitalizing the community and improving the quality of life now and for future generations.

Since its inception, Growing Corning Together has accomplished and supported community development in the following ways:

- Created a formalized organization under the name Growing Corning Together.
 - Created articles of incorporation and pursuing 501(c)(3) status with the IRS
 - Created a Growing Community Together Facebook page
 - Elected officers and met over 25 times, with a total of 500 people in attendance at meetings

- Conducted a community survey with 236 responses
- Gave presentations/met with five civic groups
- Identified four action teams: Things to Do, Business Retention, Downtown Revitalization and Infrastructure.
- Benchmarked the cities of Manila and Marked Tree to learn what they are doing well.
- Conducted a community wide cleanup with 100 volunteers, hot dog roast and music provided by local bands and volunteers.
- Hosted the “Hop Ally Rally” event with 250 people and 25 food booths/trucks in attendance.
- Painted windows in downtown as part of beautification efforts.
- Corning received a grant for a drainage project and a loan for a major sewer project.
- Held a golf tournament with 75 participants.
- Hosted a Pride Booster Club Banquet with 400 people in attendance.
- Created a community garden on a city owned lot.
- Hosted a Fourth of July Parade with nearly 500 people in attendance.
- Held community wide movie nights.
- Currently pursuing grant funds to develop an 18-hole disc golf course and a walking/biking trail to connect the city to the community center.
- Accepted the donation of a building on 2nd Street valued at \$20,000.

- Contributed funds to community organizations and school clubs to support development projects.
- Currently working with the Corning Beautification group to create murals in the downtown area.
- Developing a business retention and expansion program through UAEX and new workforce development programs through Corning High School.
- Six businesses are either remodeling or opening new storefronts.

This lengthy list of accomplishments equated to enormous impact in Corning. Over 1,200 people attended Growing Corning Together events, 1,000 volunteer hours have been recorded, \$5,000 has been raised through events and there is an estimated \$30,481 in total economic value gained through Growing Corning Together activities to date. Growing Corning Together also received the Innovative Community Development Project/Program Award from the Arkansas Community Development Society at their annual conference in October.

Stewart Runsick of the Clay County Extension Service shared, “It has been a pleasure working with the volunteers in Corning. They really have a passion for their community. Corning is a great place to live and is full of really good people who care about the future of their city. I am excited to experience all of the changes coming in future years.”

“Growing Corning Together is more than just an assembly of volunteers, it is a movement to make Corning better,” said Mayor Greg Ahrent. “I am amazed by their generosity and their compassion for others. Growing Corning Together truly makes Corning a better place to live. I wholeheartedly support their efforts and will contribute my time whenever possible.”

This work could not have been accomplished without the support of multiple partners: The Corning Chamber of Commerce, Corning Lions Club, Kiwanis Club, Veterans of Foreign Wars, local businesses, Corning City Council, Mayor Ahrent, Quorum Court and the hard-working citizens of Corning. All of these groups worked in tandem to change the conversation in Corning from negative to positive.

Growing Corning Together spreads the message, “We have a promising future if we work together.” You can follow updates online by joining the Growing Corning Together Facebook group.



Shelby Fiegel is director of the Center for Community and Economic Development at the University of Central Arkansas. Contact Shelby at sfiegel@uca.edu or 501-450-5269.

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Lung injuries nationwide point to dangers of vaping

By Matthew Steliga, M.D.

As electronic cigarettes and similar devices used for vaping have become more common over the last decade, a frequent marketing claim is that they may have less chemicals and carcinogens than found in normal cigarettes. But an outbreak of vaping-related injuries and illnesses in the United States over the last year has served to underscore that even if there are decreased carcinogens, it doesn't make e-cigarettes safe to use.

Outbreak and breakthrough

As of early November, more than 2,000 cases of vaping-related injuries had been reported to the Centers for Disease Control and Prevention (CDC), coming from every state except Alaska. Of those cases, 39 were fatalities.

Recently, the CDC identified an additive called vitamin E acetate, which is used in some vaping products, as a likely link between many of these injuries. The additive is particularly used in vaping THC, the active chemical in marijuana. The CDC was quick to note their search for other causes of harm isn't over, and they have good reason to keep looking.

Since vaping is a broad category that includes many different types of devices that have many different types of liquids that can be put into them, it includes a wide variety of substances that people are inhaling. Many of those might cause problems in the lungs.

The extent of injuries

The danger may be much greater than we know. Smoking has been studied for decades, but vaping is a fairly new practice. Many milder cases may not be brought to medical attention, and we can't predict what damage may result in the long term.

A report from the Mayo Clinic pathology department noted the injuries reported over the last year appear similar to damage one sees from inhalation injury from exposure to chemicals during an industrial accident. Imagine a worker at a factory dealing with noxious, strong chemicals and there's a leak or explosion. A bunch of stuff gets vaporized or spilled and ends up in the air. People breathe it in and get rushed to the

hospital. Now, consider that the lung inflammation and scarring we've seen from vaping in these cases of illness is very similar to lung injuries that could result from the scenario just described. That's very concerning.

Can someone recover from such damage? Maybe. Again, we may not fully appreciate the extent and time course of the injury. The scarring in the lungs from vaping may decrease over time, but it also may never fully return to normal.

Available alternatives

The best thing anyone who smokes or vapes can do for their health is to quit. That can be quite challenging, but fortunately Arkansas has a lot of resources to help.

The Be Well Arkansas initiative from the Arkansas Department of Health offers counseling and can connect people with other resources to help them quit smoking. There's also a national toll-free number, 1-800-QUIT-NOW, to help smokers quit. And there are countless in-person counseling and support groups such as the one we have at the UAMS Winthrop P. Rockefeller Cancer Institute.

In addition to counseling, these programs can also help people get prescriptions for FDA-approved medications that have been proven safe and effective to treat nicotine addiction, or they can provide direction for over-the-counter nicotine replacement methods like gum, patches or lozenges.

Whatever you do, find a method that's evidence based and effective. Vaping typically isn't. Studies have shown many people who take up vaping to quit smoking end up using both. Vaping isn't safe, either, and identifying one suspect chemical won't change that. It's still unregulated by the FDA. And even if it were, there's no healthy way to use nicotine. The sooner you can quit, the better for your health.



Matthew Steliga, M.D., is an associate professor of surgery and division head for Thoracic Surgery at the University of Arkansas for Medical Sciences (UAMS) Winthrop P. Rockefeller Cancer Institute.

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Prevent sunscald on trees, preserve your town's landscape

By Krista Quinn

Vertical cracking of tree trunks is unfortunately quite common and is often the result of sunscald. Tree damage from sunscald most commonly occurs on young or recently planted trees in landscape situations. Some thin-barked tree species, such as maples and fruit trees, are more susceptible. Trees can live for many years with sunscald damage, but the wound does create an opening for diseases and insects to infest trees. Many trees that experience sunscald will have shorter life expectancies due to structural weakness and the likelihood of disease and insect damage. While sunscald is a natural phenomenon, there are some ways to prevent or reduce damage from sunscald in landscapes.

Why sunscald occurs

Sunscald is caused when sunlight overheats the tissues of tree trunks and kills the cells. Young trees in a forest generally do not experience sunscald since they are shaded by larger trees and do not receive sunlight directly on their trunks. Trees in urban landscapes are



This red maple in Texarkana is showing early signs of sunscald.



This sunscald wound on a maple in Little Rock likely occurred several years ago, but has continued to advance and will certainly shorten this tree's life expectancy.

much more exposed, though, and often get additional sunlight reflected off pavement or glass. Young trees are more susceptible to sunscald since they have thin bark that does not insulate the trunk tissues as well.

Sunscald can occur in summer or winter. Sunscald occurs in the summer when sunlight heats the internal tissues of trees to a point that the cells die. Summer sunscald commonly occurs on the south and southwest side of tree trunks since those sides receive more direct sunlight. This type of sunscald is more common in hot climates and likely the cause of sunscald in Arkansas.

PHOTOS BY DR. JIM ROBBINS, ARKANSAS COOPERATIVE EXTENSION SERVICE

Winter sunscald is often the result of rapidly changing temperatures. The warming rays of the winter sun can heat tree trunks on the south or southwest side enough to encourage tree cells to come out of dormancy and start growing during the day. However, as the sun goes down, the temperature rapidly decreases, and the tissues can refreeze and die. Cracking occurs in the spring when the rest of the trunk begins to grow and the bark on the damaged side stretches until a vertical crack develops.

Winter sunscald can also occur when there is a sudden and dramatic temperature change in the fall. Many parts of Arkansas experienced a drastic weather change this November with temperatures falling into the teens before some trees had become fully dormant. We expect to see more cases than usual of sunscald or other tree damage next spring due to this event.

Ways to prevent sunscald

- When planting trees next to parking lots, streets, sidewalks or glass and steel buildings, avoid tree species that are prone to sunscald, such as maples, dogwoods, fruit trees (even purely ornamental types), linden and honey locust.
- Do not “limb up” trees too early. Retain as many lower branches as possible to shade the lower part of the trunk. These can be removed after the tree bark thickens with age.
- Plant evergreen shrubs to strategically shade the south and southwest side of young trees. Fences or other structures may serve a similar function.
- When planting trees near pavement, try to position them so sunlight is not reflected from the pavement onto the south or southwest side of the trees. Put as much space as possible between pavement and the south and southwest side of trees.
- Keep trees well watered for the first two years after planting since adequate soil moisture will moderate the temperature around the trees. Watering trees during the winter months is also recommended.
- Using white or light-colored paper or cloth wraps around tree trunks can prevent overheating of tree tissues. However, these wraps must be removed before they begin to girdle the expanding trunk. Failure to remove wraps can also provide an excellent environment for diseases and insects to grow. Be sure to wrap from the ground upward. This allows the overlapping layers to shed water like shingles on a roof. Never use black or dark-colored wrapping since it will absorb even more heat and cause whole trees to die.

- Painting trunks white can reflect light away from the trunk and prevent overheating. Keep in mind that paint is permanent, though. While painting trunks is sometimes done in orchards, it is often considered aesthetically displeasing in landscapes. Only interior latex paint thinned with water should be used. Oil-based paints will damage or kill trees.
- Tall, light-colored plastic trunk guards or tree tubes can offer some protection. It is best if they include holes to allow good air flow. Trunk guards should be checked frequently to make sure they are not girdling the trees or harboring rodents that can damage trees. Never use tall, black plastic tubing since the dark material will increase heating of the trunk.



Paper trunk-wrapping material designed for tree-care purposes can be used to reduce the likelihood of sunscald. Tree wraps should be checked regularly and removed or replaced before causing damage.

Once sunscald has occurred, there is very little that can be done to correct the problem. Wound dressings or sealants are not recommended and may reduce a tree's ability to heal. Taking care of trees by irrigating, fertilizing lightly and applying a two- to four-inch layer of mulch may give trees the resources they need to heal their wounds. Be careful to not allow mulch to touch the trunk of the tree, though, as this can cause more problems.

Sunscald is unattractive and leads to many tree deaths every year in Arkansas. However, with proper planning and tree maintenance, sunscald can often be avoided.



Krista Quinn is a county extension agent in Faulkner County with the University of Arkansas Cooperative Extension Service. Contact Krista at 501-329-8344 or klquinn@uaex.edu.

Low impact: Simply good design

by Edwin Hankins IV, PLA

The Environmental Protection Agency defines low-impact development as “Systems and practices that use or mimic natural processes that result in infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat.” Municipalities, developers and design professionals have the ability to positively impact our communities through the creation and use of green infrastructure. While there are many facets of low-impact development, I want to focus specifically on how design professionals are able to control the impacts of stormwater.

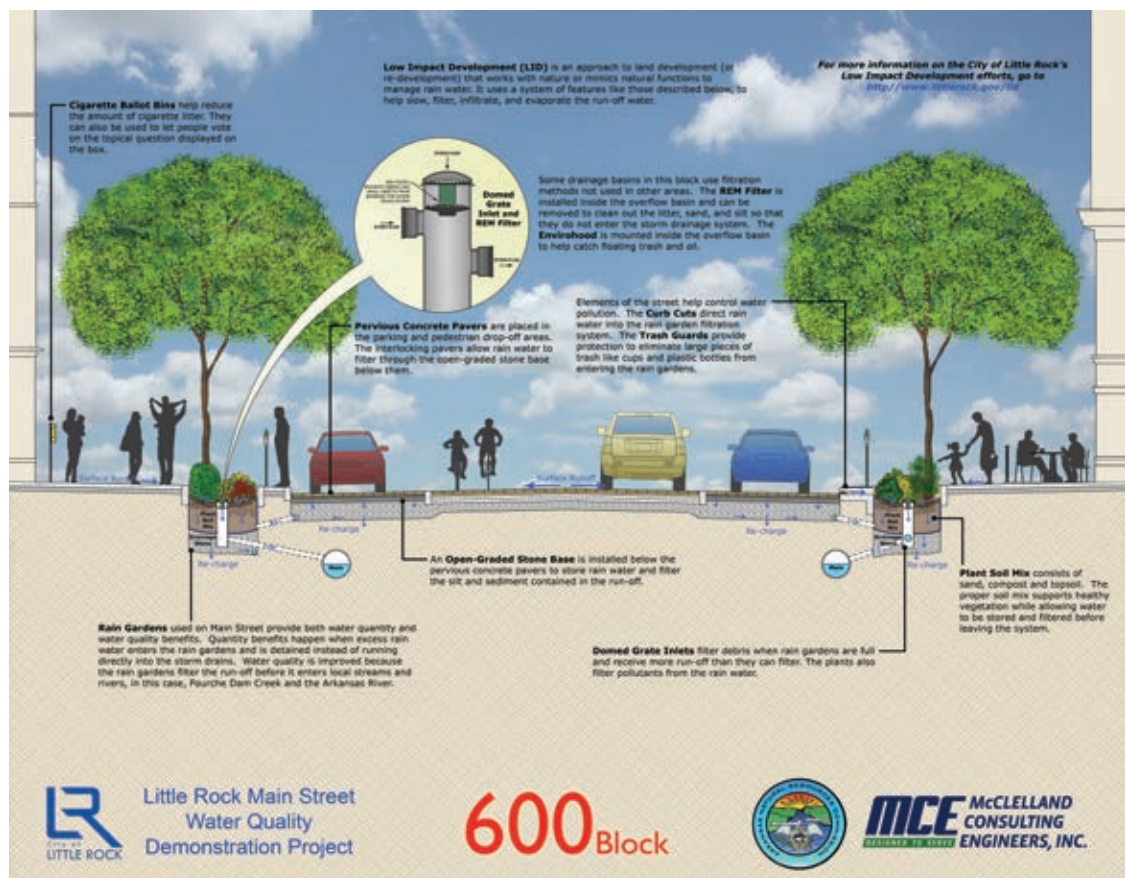
As a professional landscape architect, I’ve had opportunities to work on a variety of different projects over the past 18 years. Those projects range from municipal parks, trails and streetscapes to residential and commercial developments, hospitals, and college campuses. Every single project comes with its own form of impact to the natural world. One of the largest impacts that landscape architects and civil engineers deal with on a daily basis is increased quantity and decreased quality of stormwater runoff from a developed site. Any one of the types of projects listed above can affect the natural drainage system of which it is a part. Many cities have taken note of the impacts that land development has on municipal drainage systems, and some are beginning to implement low-impact development systems to combat the challenge.

Looking at the Little Rock Main Street Phase II project that McClelland Consulting Engineers, Inc., was fortunate enough to work on as an example, you can see many design principles of low-impact development and green infrastructure systems. The Arkansas Natural Resource Commission (ANRC) and City of Little Rock Public Works Department chose to make the second phase of the Main Street revitalization a water-quality

demonstration project. The goal of the ANRC grant-funded project was to demonstrate how simple solutions can be implemented within an existing streetscape in order to improve the water quality.

The existing cross section of Main Street included concrete sidewalks from building face to back of curb, with occasional tree wells and planter boxes interspersed throughout. The existing street section was a single-lane, two-way roadway with asphalt drive aisles and parallel parking on both sides of the street, as well as bike lanes. While the overall drive lanes and parallel parking configuration did not change, the new paving materials and addition of rain gardens in the sidewalk have major impacts. Removing impermeable paving, such as concrete sidewalks and asphalt drives, and utilizing permeable pavers in parking areas and sidewalks, allows for stormwater infiltration.

In a typical storm event, stormwater passes through these pavers to a specially designed base mixture of multiple sizes of clean stone, which acts as a storage medium for the stormwater. By accepting the rain accumulation into the paving surface and providing some storage within the voids between the rocks, we are effectively slowing down the release of water to the



watershed, thus reducing the quantity impacts. This also facilitates groundwater recharge. While slowing down the reduction of stormwater runoff, quantity is achieved by allowing water to percolate into the paving strata. Water quality is also improved as the water passes through the paving system. Debris, silt and trash picked up in flowing water are filtered out over the permeable pavers and can now be collected before they enter our streams and rivers.

Once the stormwater is filtered through the permeable pavers it enters the rain gardens. These landscape features are filled with native plants that are proven to be well adapted to the local climate and are very tolerant of specific conditions like being planted in an urban streetscape. These plants are adapted to higher air pollution from vehicular traffic and varying climatic conditions associated with being planted in the shade of buildings, as is often the case. They are fairly drought tolerant as well. However, like the pavers, the secret to these water-quality benefits lies beneath the surface. A specifically designed soil mixture is installed that accepts the water treated by the permeable pavers and it is utilized by the native landscape plantings above to facilitate the irrigation needs of the plants. This is the second level of water-quality treatment for the stormwater. As the water is absorbed into the plants' roots more contaminants are pulled out through plant transpiration and they ultimately release oxygen as a by-product. The plant's contribution to water-quality improvements and quantity reductions are pretty significant.

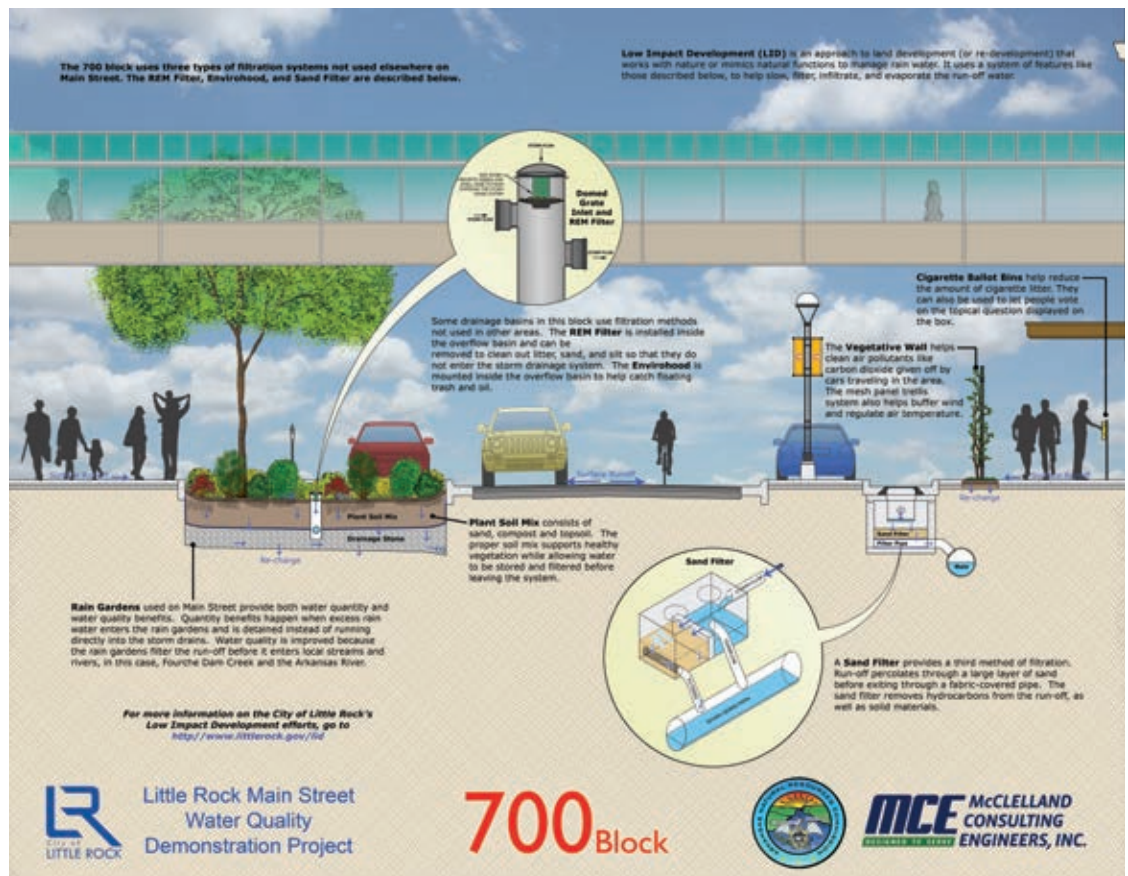
In the instance that a storm produces a persistent rainfall event, the excess runoff from the paved areas flows through curb cuts into the rain gardens, which act as localized detention basins. The rain garden grading is designed to be lower than the surrounding paving to facilitate the initial storage of excess runoff. At the bottom of the rain garden soil mix, a French drain is included that is connected to the existing storm system. In the event that the soil is heavily saturated, the water may exit the rain garden via this drainpipe. The rain gardens are designed to

handle the typical storm event, but with the increased frequency of heavy rains, the rain gardens have an emergency plan as well. Catch basins with domed grates are provided in the rain garden. These grates allow for heavy rains to bypass the system. Even here though, we are able to incorporate filters that keep any floatable trash, mulch and debris from infiltrating the existing storm system.

The revitalization of the Main Street corridor is high priority for the city of Little Rock. It is a development trend that is being echoed around the country with more and more people moving back to their city's core in order to create a thriving, walkable hub for businesses, shops, restaurants and living spaces. With the resurgence of these developments in downtown spaces, it is a great opportunity to have all parties involved agree to establish sustainable practices like low-impact development and green infrastructure to ensure these public spaces are meeting the needs of the end user, but also addressing some very pressing issues regarding impacts to our streams and rivers. Thus, low impact is simply good design.



Edwin Hankins IV is a professional landscape architect with MCE's Land Development Department and works out of the Little Rock office. Contact Edwin by phone at 501-371-0272 or email him at ehankins@mce.us.com.



Exercise to treat chronic pain

By Anita Bennett, M.D.

There are millions of Americans who suffer from chronic pain and/or chronic fatigue. If you are one of them, exercise is very likely the best solution to improve or better manage your symptoms. Wouldn't it be great to be able to do all of your normal daily activities and not have to worry so much about pain and fatigue? Or maybe you would just like to have a little energy left over to enjoy a recreational activity. Several recent research studies have shown that the right exercise program can be the most beneficial treatment option available.

What is a pain cycle?

Pain cycles begin when you make specific adjustments to your activity to avoid pain. This leads to an inactive lifestyle. Being inactive leads to deconditioning, in which your muscles get weaker and your joints get stiffer. Then when you try to be physically active, you have even more pain and fatigue, so you become even less physically active. This cycle can lead to very significant weakness, fatigue, pain and even further injuries. This can be very debilitating. Exercise is the first step to breaking this cycle.

What should you do if you suffer from chronic pain?

Your body has probably already adapted to this pain cycle. The idea of exercising may seem like the last thing that you want to do. In fact, breaking out of this pain cycle can be very difficult, especially if it has been going on for a long time. Some people feel that when they exercise they will only get a flare up of pain or fatigue, so it just feels better to avoid activity.

The latest research shows that more rest is not the best way to treat your pain. Just the opposite is true. Patients with chronic fatigue syndrome or fibromyalgia report decreased pain, fatigue, stress and other symptoms after starting a program of regular moderate exercise. At the same time, it improved their perception of their health, physical function and their overall aerobic fitness.

Even though it may cause some discomfort in the beginning, re-training and re-conditioning your body can improve pain and fatigue in the long run. Even people who don't suffer from chronic pain or fatigue have some pain or muscle soreness when they begin an exercise routine.



I remember several times in my life when I had to be inactive for several weeks for various reasons. Even after just a few weeks, starting back on my usual exercise routine caused significant muscle soreness that lasted for the first week, then it all started to get better, and I was able to increase my activity to get back into my regular exercise routine.

The first step is to start a gradually increasing program of aerobic exercise, such as walking or pool exercises. Even low-intensity exercise can lead to less muscle and joint pain, as well as more energy. As your fitness improves, you can increase your level of exercise.

How do you get started in an exercise program?

First, contact your doctor to make sure that you are healthy enough for exercise. Start by just gradually increasing your usual daily activities. For instance, park further away from the grocery store entrance, take the stairs whenever you can, get up more often to do activities around the house or maybe walk leisurely around at the local mall.

Then start a more formal exercise routine, such as walking specifically for exercise, or maybe doing some pool exercises or ride a stationary bike. Tai chi is a great way to start if you have been very inactive. Start with one or two days a week, even as little as five to 10 minutes each time. From there you can gradually build up to three, then four days a week. Then start adding time to your exercise. Go up to 15 minutes, then increase by five-minute increments every week or two, up to 30 minutes or more. If you're doing well with that, then try to do five days a week or even every day if you can. It won't be long before you are exercising 30 minutes a day and feeling so much better.

Be sure to listen to your body and be gentle with yourself. Avoid increasing the time or intensity of your work out too quickly. If you overdo it, you may not feel up to exercising the next time. The consistency of exercise is more important than the intensity of the exercise, especially in the beginning.

Many exercise programs cater to people with arthritis or other painful conditions. Some hospitals offer a community water aerobics class in their therapy pool, and community centers often have Tai Chi classes or other group exercise classes geared toward beginners or specifically for people with arthritis. Exercising with a group can make the activity much more enjoyable. Just check in your local community to see what they have to offer.

Dr. Anita Bennett is the health tip content editor for eDocAmerica.com. This article first appeared on the Weekly Health Tip blog and is reprinted with permission.

WHO
you gonna
CALL?
We don't know either,
without your help. Fill out the
Directory
Information
Request Forms and
return to the League at your
earliest convenience.



You may now reach the Municipal Health Benefit Program, the Workers' Compensation Program, and the Municipal Property & Vehicle Programs directly, by phone or by fax, 8 a.m. to 5 p.m., Mon.–Fri.

Municipal Health Benefit Program

501-978-6137

Fax 501-537-7252

Municipal League Workers' Compensation Program

501-978-6127

Fax 501-537-7260

Municipal Property & Vehicle Programs

501-978-6123

Fax 501-978-6562

MHBP Tips: 2020 Municipal Health Benefit Program Changes

As 2019 ends, we find that 2020 brings several welcome changes to the MHBP health benefit plan. Below, we've outlined three key upgrades to our plan.

1. Free Telemedicine Benefit: MHBP has partnered with eDocAmerica to provide a telemedicine benefit at no cost to our members. What does this mean? Members may now access quality healthcare delivered by a licensed physician over the phone or videoconference, 24 hours a day, seven days a week—like an office visit, but without the office and without the copay.

The state of Arkansas requires the first consultation to be a live video consultation, which is done by logging into the secure eDocAmerica telemedicine portal. After the first consultation, however, our members may choose to have future telemedicine visits by phone or video. And if you are out of state, the first phone consultation can be by telephone.

eDoc is a great benefit to utilize for common ailments like the cold, flu, allergies or sinus infections, as well as when you are traveling (the benefit is available in all 50 states). If your provider writes you a prescription, it will be called into your pharmacy of choice.

eDoc also offers email access to specialists, such as primary care, psychologists, pharmacists, dentists, dieticians, trainers, pediatricians, dermatologists, women's health providers and more. Simply sign in to the eDocAmerica portal and ask anything, anytime, and get a personal response on average of within three hours.

2. Changes to Colon Screenings: MHBP will offer colon screenings on a more frequent basis as part of its preventative care program. Under current plan provisions, MHBP allows for an approved colo-rectal screening once a member reached 50 years of age, and then every 10 years thereafter, unless the member had a personal or family history

of colo-rectal cancer, in which case MHBP pays for a screening every five years.

MHBP has changed its benefit to encourage early detection and prevention, and in 2020, MHBP will pay the entire cost of a colo-rectal screening for any member once they've reached the age of 45 (and then every 10 years thereafter). If the member has a personal or family history of colo-rectal cancer, the member may receive a wellness screening every three years.

If performed under these conditions, this benefit is paid at 100 percent, and includes coverage for routine and diagnostic colon-rectal examinations, including COLOGARD.

3. Adding a Dependent Under Legal Custody: In the upcoming plan year, a member may add any child or dependent of which they have legal custody to family coverage. Currently, a member may add a natural child, stepchild or an adopted child to family coverage (this is not changing), and if the member is a grandparent, the member may add a grandchild to "dependent only" coverage as long as the member has legal custody of the grandchild. Thus, under existing policy, only grandparents may add a child of which they have legal custody (does not apply to aunts, uncles, brothers or sisters), and the grandparent member must pay an additional "dependent only" premium.

MHBP is changing its policy and in 2020, a member who has legal custody of any child, regardless of the relationship, may add the child to family coverage, and thus avoid paying an additional "dependent only" premium. 🏠



Dec. 12

El Dorado Christmas Parade
El Dorado
goeldorado.com

Dec. 14

Beebe Christmas Parade & Christmas in the
Park
Beebe
501-882-8117

Bentonville Christmas Parade
Bentonville
downtownbentonville.org
479-254-0254

Christmas Living Windows & Lighted Parade
Calico Rock
870-297-6100

Winter Nights and Holiday Lights Camden
Christmas Parade
Camden
870-807-1468

Van Buren Christmas Parade
Van Buren
479-922-6862

Dec. 17

Enchanted Express Holiday Tour
Sherwood
501-833-0476
enchantedxp2019.eventbrite.com

Looking for Lights?

Whether you're traveling the state visiting family for the holidays or just want to check out some amazing light displays, look no further than the Trail of Holiday Lights. Marvel at illuminated historic courthouse squares and downtowns like Ashdown, Magnolia, El Dorado, Searcy, Jasper and more, or visit four parks full of lights and displays at Batesville's White River Wonderland. Take a drive through Blytheville's Lights of the Delta, which boasts 1.5 miles of 48 motion displays and 6 million lights, making it the Mid-South's largest holiday lighting display, or cruise through Sherwood's mile-long Enchanted Forest Trail of Lights (there's even a VIP trolley tour on Dec. 17!). No matter where you are in Arkansas for the holidays, there's a city or town to enjoy. Visit Arkansas.com/TrailofHolidayLights for a complete list of events, displays and more.

www.arml.org



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Linkedin Arkansas Municipal League



Instagram armunileague



Youtube.com/user/ARMunicipalLeague



Flickr.com/photos/arkansas_municipal_league



greatcitiesgreatstate.com (microsite)

2019 State Turnback Funds

Actual Totals Per Capita						
	STREET		SEVERANCE TAX		GENERAL	
MONTH	2018	2019	2018	2019	2018	2019
January	\$5.3807	\$5.662	\$0.2314	\$0.246	\$2.1460	\$2.145
February	\$5.7121	\$5.675	\$0.2181	\$0.096	\$1.0867	\$1.087
March	\$4.9583	\$5.085	\$0.2452	\$0.438	\$1.0870	\$1.087
April	\$5.3609	\$5.401	\$0.2342	\$0.338	\$1.0854	\$1.085
May	\$5.6871	\$5.811	\$0.2369	\$0.227	\$1.0859	\$1.086
June	\$5.6422	\$6.017	\$0.1786	\$0.209	\$1.0872	\$1.088
July	\$5.9048	\$5.801	\$0.1625	\$0.182	\$2.9589	\$2.959
August	\$5.5464	\$5.990	\$0.1504	\$0.114	\$0.9368	\$0.924
September	\$5.5992	\$5.899	\$0.1999	\$0.155	\$1.0873	\$1.087
October	\$5.7310	\$5.654	\$0.1746	\$0.124	\$1.0871	\$1.087
November	\$5.2853	\$5.652	\$0.2317	\$0.064	\$1.0869	\$1.087
December	\$5.4642		\$0.2511		\$1.0871	
Total Year	\$66.2722	\$62.647	\$2.5145	\$2.192	\$15.8224	\$14.723

Actual Totals Per Month						
	STREET		SEVERANCE TAX		GENERAL	
MONTH	2018	2019	2018	2019	2018	2019
January	\$10,171,403.10	\$10,702,464.91	\$437,461.72	\$464,101.95	*\$4,056,771.18	*\$4,054,867.57
February	\$10,797,904.69	\$10,728,532.32	\$412,277.48	\$181,468.75	\$2,054,332.65	\$2,055,501.82
March	\$9,372,912.56	\$9,611,591.51	\$463,496.06	\$828,851.20	\$2,054,888.05	\$2,055,055.19
April	\$10,133,933.55	\$10,209,400.74	\$442,746.74	\$638,095.99	\$2,051,743.46	\$2,051,915.02
May	\$10,750,634.53	\$10,985,547.22	\$447,755.63	\$428,651.27	\$2,052,679.36	\$2,052,767.40
June	\$10,665,832.80	\$11,374,227.00	\$337,582.28	\$395,730.25	\$2,055,168.34	\$2,056,915.45
July	\$11,162,170.00	\$10,966,523.76	\$307,247.09	\$343,609.83	** \$5,593,456.00	*** \$5,592,768.93
August	\$10,484,657.00	\$11,322,293.50	\$284,348.41	\$214,617.36	\$1,770,842.80	\$1,746,588.81
September	\$10,584,484.30	\$11,150,912.22	\$377,800.40	\$292,391.02	\$2,055,387.11	\$2,055,099.92
October	\$10,833,617.52	\$10,687,834.00	\$330,015.80	\$235,240.93	\$2,054,971.77	\$2,055,035.24
November	\$9,991,022.76	\$10,684,885.09	\$438,040.74	\$121,344.58	\$2,054,702.54	\$2,055,035.24
December	\$10,329,322.67		\$474,599.17		\$2,054,975.16	
Total Year	\$125,277,895.48	\$118,424,212.27	\$4,753,371.52	\$4,144,103.13	\$29,909,918.42	27,831,550.59

* Includes \$2 million appropriation from the Property Tax Relief Fund

**Includes \$3,514,066.32 supplemental for July 2018

***Includes \$3,513,475.89 supplemental for July 2019

Local Option Sales and Use Tax in Arkansas



2019 Elections

FORT SMITH, March 12
Failed. 1%

FAYETTEVILLE, April 9
Passed. 1% extension

ARKADELPHIA, Sept. 9
Passed. 1% temporary

GENTRY, Sept. 9
Passed. .875% extension

JONESBORO, Sept. 9
Failed. 1% temporary

LITTLE RIVER COUNTY, Sept. 9
Passed. .25% permanent

CAVE SPRINGS, Nov. 12
Passed. 1.25%

HARRISON, Nov. 12
Failed. .75% temporary

Failed. .25% permanent

Source: Rachel Garrett, Office of State Treasurer

See also: www.dfa.arkansas.gov

Sales and Use Tax Year-to-Date 2019 with 2018 Comparison (shaded gray)									
Month	Municipal Tax		County Tax		Total Tax		Interest		
January	\$59,187,540	\$59,272,899	\$49,660,885	\$50,925,990	\$108,848,426	\$110,198,889	\$188,294	\$68,417	
February	\$66,363,635	\$63,961,892	\$55,082,773	\$56,034,012	\$121,446,409	\$119,995,904	\$265,350	\$76,180	
March	\$55,016,953	\$51,260,662	\$49,926,480	\$44,932,987	\$104,943,433	\$96,193,649	\$241,046	\$79,235	
April	\$53,915,385	\$51,354,831	\$45,679,915	\$45,689,403	\$99,595,300	\$97,044,234	\$239,875	\$79,564	
May	\$61,136,496	\$60,844,519	\$51,962,167	\$53,613,192	\$113,098,664	\$114,457,712	\$233,250	\$75,253	
June	\$63,455,242	\$56,373,987	\$53,477,656	\$48,955,855	\$116,932,898	\$105,329,842	\$199,380	\$71,501	
July	\$62,196,778	\$59,973,977	\$52,242,794	\$52,379,093	\$114,439,573	\$112,353,069	\$239,855	\$84,551	
August	\$63,103,397	\$60,174,400	\$53,989,906	\$52,922,077	\$117,093,303	\$113,096,478	\$229,107	\$79,558	
September	\$63,071,625	\$58,128,177	\$54,693,037	\$51,260,076	\$117,764,662	\$109,388,253	\$213,728	\$111,033	
October	\$64,934,499	\$60,197,608	\$55,729,333	\$52,310,178	\$120,663,833	\$112,507,786	\$214,922	\$174,353	
November	\$62,765,968	\$57,456,746	\$54,501,529	\$50,423,804	\$117,267,498	\$107,880,551	\$182,403	\$202,659	
December		\$59,269,564		\$50,277,652		\$109,547,217		\$208,901	
Total	\$675,147,519	\$698,269,262	\$576,946,478	\$609,724,320	\$1,252,093,997	\$1,307,993,584	\$2,447,210	\$1,311,205	
Averages	\$61,377,047	\$58,189,105	\$52,449,680	\$50,810,360	\$113,826,727	\$108,999,465	\$222,474	\$109,267	

MUNICIPAL MART

To place a classified ad in City & Town, please email the League at citytown@arml.org or call 501-374-3484. Classified ads are FREE to League members and will run for two consecutive months from the date of receipt unless otherwise notified. FOR NON-MEMBERS, classifieds are available for the rate of \$0.70 per word and will run for one month unless otherwise notified. Once we receive the ad, we will send an invoice. The ad will run once payment is received.

CITY ENGINEER—Bentonville has an immediate opening for a city engineer. Salary range is \$74,256-\$100,246 DOEQ. The city also has a generous benefits package including insurance, retirement, and additional pay opportunities. This position is responsible for planning, designing, reviewing and directing civil engineering projects for the city, including roads, airports, bridges, irrigation systems, and pipelines. Additionally, oversees the planning, design, construction and estimating of current development projects such as major, collector, and local streets, transportation facilities, public structures, and storm water systems. Provides management oversight for the construction inspectors and other engineering support personnel and is responsible for the overall direction, coordination, and evaluation of the city's engineering efforts and activities. A complete job description is available on request. Position requires a bachelor's degree (B.A.) in civil engineering and four to 10 years' related experience and/or training in city, county, or state civil engineering projects/operations, or equivalent combination of education and experience. Also requires five-plus years of progressively responsible civil engineering experience in a management or supervisory level supplemented by college-level coursework with a concentration in civil engineering, public administration, construction management or related field. Must have professional engineer (PE) certification in civil engineering. Qualified applicants can email a city application (available at www.bentonvillear.com) and/or resume to Ed Wheeler, HR Manager at ewheeler@bentonvillear.com. Open until filled. EOE. The city does not discriminate on the basis of race, color, religion, sex, national origin, marital or veteran status, political status, disability status or other legally protected status.

CODE INSPECTOR/ENFORCEMENT OFFICER—Sheridan is accepting applications for the position of full-time code inspector/enforcement officer. Must be a U.S. citizen, at least 21 years of age, possess HS diploma or equivalent and a valid DL. Applicants should have a clean criminal background free of felony convictions and pass a drug test. Preference will be given to candidates who possess Inspection 1 Certification and International Building Code Certification. Experience in the construction industry is preferred but not required. Salary is negotiable DOEQ. Applications may be picked up at the Sheridan City Hall or call (870) 942-3921. Please mail applications and resumes to City of Sheridan, P.O. Box 44, Sheridan, AR 72150. EOE.

INFORMATION TECHNOLOGY (IT) MANAGER—Carthage, Mo., is seeking qualified applicants for the position of city IT manager. The position is responsible for planning, operating and coordinating all activities and operations associated with the running of the city's Information Technology (IT) Department and associated programs including technology infrastructure, applications and wireless communications. Experience: Three to five years in similar position. Application and detailed job description available. Contact City Administrator's Office, 326 Grant Street, Carthage, MO 64836, Phone 417-237-7003. Applications or resumes by mail (City Administrator Office, 326 Grant Street, Carthage, MO 64836) or email (cityjobs@carthagemo.gov). Salary Range: \$37,523-\$51,542 + benefits, DOEQ (Current rate \$41,434). Deadline: Nov. 25 or until filled. EOE.

INSPECTOR/PERMIT WRITER—Greenwood is seeking a full-time building inspector/permit writer. The position is responsible for performing building and zoning inspections to ensure compliance with state and city building and zoning laws and regulations. The incumbent reviews construction plans, provides advice to contractors about code provisions, inspects work done on site and may, in the case of non-compliance, order a stop to work. Other duties include flood plain manager for the city, and is in charge of postings for variances and zoning requests. Starting salary is \$34,000-\$40,000 DOEQ. Open until filled. To apply visit www.greenwoodar.org. To receive an application, visit city hall, call 479-996-2794 or email dsmith@gwark.com. Resumes will not be accepted without an accompanying application. EOE. Drug-free and tobacco-free workplace.

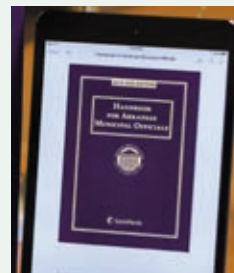
PARKS AND TOURISM DIRECTOR—Hope is accepting applications for the position of parks and tourism director. This position supervises three parks covering 225 acres, two community centers, covered rodeo arena and coliseum, 12 ballfields, swimming pool, four playground systems, visitor information center/museum/depot, three tennis courts, six pavilions, log hut, 20-acre lake and 10 full-time employees. This position also provides oversight to the Hope Advertising and Tourist Promotion Commission that provides funding for tourism promotion for the city and improvement funding for the park system. For more information on this position contact Paul G. Henley at 870-777-7500 or tourism@hopearkansas.net.

WATER OPERATOR—Danville has an immediate opening for a full-time licensed water operator. Sick leave, vacation, health insurance paid, IRA. Send resume to Jerry Pendergraft at danville@arkwest.com.

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