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In Doc Num **L202208908** 3 Pages

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CRYSTAL TAYLOR
FAULKNER COUNTY CIRCUIT CLERK

BY: DIANA VARNER, D.C.

ORDINANCE

**City of Conway, Arkansas
Ordinance No. O-22-38**

AN ORDINANCE AMENDING ORDINANCE O-19-35 PROVIDING FOR REVISED METHODS FOR THE REMOVAL FROM OFFICE OF MEMBERS OF BOARDS, COMMISSIONS, AND COMMITTEES; DECLARING AND EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the boards, commissions, and committees of the City of Conway are a vital part of the proper administration of government functions; and

Whereas, it is necessary and indispensable that members of the boards, commissions, and committees be in attendance at the meetings of said boards, commissions, and committees; and

Whereas, it is equally as important that members of boards, commissions, and committees conduct themselves with professionalism and integrity at all times as to live up to the confidence placed in them by the City of Conway and Conway City Council in appointing them to their respective positions; and

Whereas, current procedures for removing members of the boards, commissions, and committees for failure to attend meetings or for other good cause should be amended to allow timely and consistent corrective action to ensure attendance and high standards of conduct.

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

SECTION 1: The Ordinance shall be amended as follows:

- A. **Standards of Membership:** The City of Conway shall require, in addition to any standards of conduct adopted in the official bylaws of a board, commission, or committee, that members of any board, commission, or committee meet the following standards of conduct and attendance. Bylaws of a board, commission, or committee may be more stringent than these standards but may not be less stringent.
 - 1. **Attendance Standards:** Members of boards, commissions, and committees shall be in attendance, if possible, at all meetings of said boards, commissions, and committees.
 - a. After four (4) absences within any twelve (12) month period the member of the board, commission, or committee shall be deemed to have vacated their appointment, and shall be removed from membership upon official written notice by the City Attorney, Mayor, or by staff upon direction by the Mayor.
 - b. Any member of a board, commission, or committee which, after adoption of this ordinance, already has four (4) absences within the previous twelve (12) month period shall not be immediately removed. Such member may be permitted one (1) additional absence without removal until returning to compliance with the attendance standards.
 - c. Each board, commission, or committee shall be required to maintain attendance records for all meetings. A city staff member or chair shall be required to notify a member if they have three (3) or more absences within any twelve (12) month period. Failure to provide this notice shall not be grounds to prevent removal of a member of a board, commission, or committee.

2. Conduct Standards: Inherent in the appointment to a board, commission, or committee there is an expectation that the appointees will conduct themselves in a professional, honorable manner at all times so as not to impugn the integrity of the board or commission on which they serve, the City of Conway, or the City Council who appointed them to the position they hold.
- a. The following behavior shall constitute good cause for removal from membership of a board, commission, or committee:
 - 1. Chronic discourteous behavior to other board/commission/committee members, staff, or the general public;
 - 2. Conduct constituting a criminal offense;
 - 3. Gross dereliction of duty; or
 - 4. Gross abuse of authority.
 - b. The Mayor may remove any member of a board, commission, or committee who has engaged in behavior that constitutes good cause for removal. Notice of such action shall be sent by mail to the chairperson of the board, commission or committee, to the member and to the City Council.
 - c. Any board, commission or committee member removed for conduct may, in writing, object to such removal within fifteen (15) days of issuance of the written notice of removal, and request the matter be scheduled at the next regularly scheduled council meeting being at least fifteen (15) days from the receipt of the member's objection. A majority vote of the entire city council is necessary to overturn the Mayor's decision and reinstate the member.

SECTION 2: Sections 2 through 10 are hereby repealed.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 4: That it being necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist and this Ordinance shall take effect and be in force from and after its passage and publication.

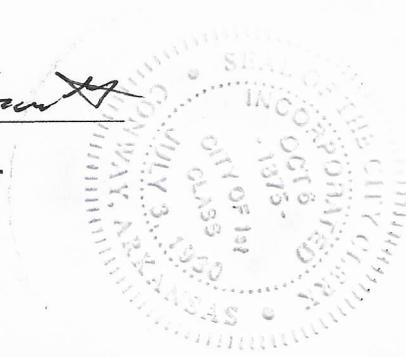
PASSED this 12th day of April, 2022.

Approved:


Mayor Bart Castleberry

Attest:


Michael O. Garrett
City Clerk/Treasurer

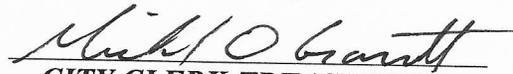


CERTIFICATE

**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 12th day of April, 2022 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 19th day of April, 2022.


CITY CLERK-TREASURER

