

ORDINANCE NO. 125

**AN ORDINANCE REPEALING ORDINANCE NO. 37;
ABOLISHING THE OFFICE OF CITY MARSHAL IN
THE CITY OF GOSHEN; ESTABLISHING THE GOSHEN POLICE
DEPARTMENT; AND TO DECLARE AN EMERGENCY
AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Goshen by Ordinance No. 37 established the office of City Marshal; and

WHEREAS, the City Council of the City of Goshen seeks to upgrade the image of law enforcement in the City and has determined that it should abolish the Marshal position and replace it with a police department; and

WHEREAS, Ark. Code Ann. § 14-52-101 provides that the City Council may create a police department, to organize it under the general superintendence of the mayor, and to prescribe its duties and define its powers in such manner as will most effectually preserve the peace of the city, secure the citizens thereof from personal violence, and safeguard their property; and

WHEREAS, the City Council deems it in the best interests of the City to make the change immediately because of recent changes in personnel; not to do so will cause a duplication of expenditures for uniforms and certain equipment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:

SECTION 1: Ordinance No. 37 is hereby repealed and the office of City Marshal is hereby abolished.

SECTION 2: Pursuant to Ark. Code Ann. § 14-52-101, the City Council hereby establishes the Goshen Police Department. The members of the police department shall be under the supervision of Mayor, who shall appoint or remove such personnel, and decide their office/rank unless the City Council shall, by two-thirds (2/3) majority of the total membership of the Council, vote to override the mayor's action.

SECTION 3: Members of the police department shall be permitted to reside outside the corporate limits of the City of Goshen.

SECTION 4: The duties of the police department shall be to enforce the laws of the State and the ordinances of City; to keep the peace; protect persons and property in accordance with law; as well as those other duties as set by the City Council and such other duties as provided by state law or as shall be prescribed by ordinance, consistent with the provisions of state law. The compensation of the personnel in the City's police department shall be set by the City Council.

SECTION 5: All references to the City Marshal in any ordinances previously adopted by the City Council are hereby amended to substitute therefor, "Goshen Police Department or members of the Goshen Police Department," as the context requires.

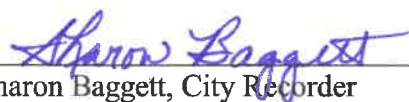
SECTION 6: EMERGENCY CLAUSE: Because of the need to modernize the City's law enforcement by creating a police department, these matters are such pressing business that it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 10th day of May, 2016.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Absent

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Absent