

RESOLUTION NO. 2016-8

A RESOLUTION BY THE CITY TO APPROVE CHANGES TO THE POLICE DEPARTMENT POLICY MANUAL

WHEREAS, the Police Chief is charged with developing a policy and procedure manual to be used by officers employed with the police department; and

WHEREAS, the Police Chief has developed such a policy and procedures manual; and

WHEREAS, the Police Chief has: revised a policy concerning use of emergency vehicle operations; and

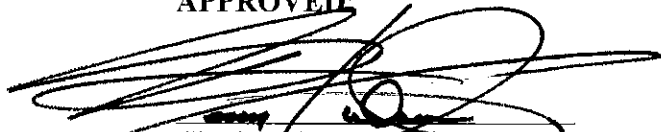
WHEREAS, it is the responsibility of the City Council to be the body to approve all policy decisions on the behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS:

That the City Council hereby approves the police department policy and procedures manual as it exists this 16th day of May 2016.

PASSED AND APPROVED on this 16th day of May 2016.

APPROVED:



Charles (Sonny) Hudson, Mayor

ATTEST:



Christine Kelly, Clerk

POLICY NAME: Emergency Vehicle Operations	
POLICY NUMBER: 03-013	
EFFECTIVE DATE: 12-01-91	REVISED DATE: 03-21-2016

Philosophy:

Operation of emergency vehicles is one of the most serious duties and responsibilities of police officers. The purpose of this policy is to describe the authority and to establish the guidelines for operating emergency vehicles. This statement of philosophy is intended as a broad guide to the application of these procedures and as a description of the attitudes and considerations what will be in the minds of officers before and during the operation of emergency vehicles.

Whether responding to an emergency situation or engaging in the pursuit of a violator, an officer's primary consideration is the safety of the citizens, his fellow officers and themselves. Regardless of the purpose of the emergency response or pursuit, it must not be achieved when the distinct probability exists that someone will be seriously injured. Despite the risks inherent in all operations of emergency vehicles, situations exist that require officers to respond quickly to life threatening emergencies and to engage in pursuit of those who break the law. At times, a probability may exist that someone will be seriously injured or killed if the officer does not pursue the perpetrator. In any situation, an officer must always base his decision to pursue on the facts and never on assumptions.

It is not the intent of this policy to prohibit or restrict officers unnecessarily from their duties to respond quickly to emergencies or to pursue those who break the law. Prohibition of these duties would result in an unconscionable decrease in the safety of the public and the officers; however, with the authority to operate emergency vehicles comes a solemn responsibility. Whenever an officer realizes through his knowledge and awareness of the facts that engaging in or voluntarily continuing a pursuit of a violator of the law will expose any person to the risk of serious injury or death beyond a reasonable, societal need to apprehend the violator, he will immediately stop the pursuit.

Policy:

1. Authorized Emergency Vehicles
 - A. Only those vehicles equipped with a siren and with blue and/or red emergency warning lights installed with and in a manner approved by the Chief of Police will be authorized emergency vehicles.
 - B. Vehicles not equipped with serviceable emergency equipment as provided in (a) above will not be operated in an emergency manner.

2. Authorized Emergency Situations
 - A. Code 3 – Response by authorized emergency vehicle is accelerated to an emergency situation where the protection or preservation of life is a consideration.
 - B. Code 1 – All other situations regardless of any apparent urgency, where the protection or preservation of life is not a consideration.

3. Authority to Operate as an Emergency Vehicle
 - A. The State Motor Vehicle Code permits authorized vehicles to be operated in an emergency manner:
 - a) In response to an emergency call; and
 - b) In immediate pursuit of an actual or suspected violator of the law.
 - B. The following will be considered emergencies within the meaning of section (a) above:
 - a) Calls received by the dispatcher or by the officer which are designated as emergencies.
 - b) Calls or situations where the personal knowledge of an officer justifies a Code 1 assignment being reclassified to emergency level Code 3.
 - c) Situations wherein a supervisor directs that response be made Code 3.
 - d) Pursuit of a violator when the momentary use of both emergency lights and siren are necessary to alert other traffic and/or the command the attention of the operator in violation so that the operator might be directed to stop.
 - e) Pursuit of a violator wherein the violator refuses to stop, and the continuing use of both emergency lights and siren is necessary in the interest of the warning others of the hazardous condition.

4. Operation of Emergency Vehicles

- A. Authorized Operators – no police vehicle will be operated Code 3 unless it is operated by:
 - a) A sworn member of the department,
 - b) A Part Time or Reserve officer of the department when on duty.

- B. Manner of Operation

- a) Both the emergency warning lights and the siren will be used at all times while operating Code 3.
 - b) Inform the dispatcher of the type of call or situation
 - c) Hold Code 3 responses to the essential minimum and end a Code 3 response at the earliest possible time.
 - d) Some law enforcement goals may be better served if an officer does not alert an in-the-act offender of the officer's arrival. The authority to drive contrary to traffic regulations generally requires the emission of audible signal. In most cases, when the siren is turned off the authority to drive contrary to traffic regulations ceases.
 - e) The authority to drive contrary to regulatory codes does not relieve the operator of the responsibility of exercising due regard for others. When regulating their speed, officers should give careful consideration to such things as the nature and seriousness of the offense or suspected offense, weather conditions, traffic control devices, character of the neighborhood, traffic volume, and road and vehicle conditions. Officers should remember that at high rates of speed they are possibly outrunning the warning effect of the siren.

- C. Pursuit of Violator Who Refuses to Stop

- a) Only police vehicles equipped with operable emergency lights and sirens will participate in the pursuit of the fleeing vehicle(s).

- b) Vehicles that have prisoners, witnesses, suspects, complainants or other non-police personnel aboard who have not signed a waiver of liability will not become engaged in pursuits.
- c) If visual contact is lost other than momentarily, or if unfavorable weather, road, traffic or vehicle conditions warrant, discontinue the pursuit.
- d) Prohibited Practices:
 - 1. Setting up roadblocks to stop violators. Roadblocks will only be used to direct the violator onto a different route. A supervisor may order a roadblock to stop a violator only when the dangers involved in the use of a roadblock are outweighed by the need to stop the suspect. Officers should remember that when blocking the road the suspect must be allowed a way out;
 - 2. Attempting to force the vehicle from the roadway by driving alongside or in front of the fleeing vehicles;
 - 3. Bumping or ramming the fleeing vehicle in an attempt to force it from the road.
 - 4. Discharging weapons at a moving vehicle unless an occupant of the vehicle is using or attempting to use deadly force on an officer or other persons.
- e) Whenever an officer becomes involved in a pursuit, the officer will notify a supervisor or request the dispatcher to do so.
- f) Requirements for the officer initiating the pursuit:
 - 1. Any officer who initiates a pursuit will immediately notify the police dispatcher of the following information:
 - a. Unit number
 - b. Location, direction of travel and speed
 - c. Reason for pursuit
 - d. Vehicle description and number of occupants

D. Inter-Jurisdictional Pursuit

- a) Before the pursuit enters another jurisdiction, the officer will request that the dispatcher will notify the other agency of the approaching pursuit if the dispatcher has not already done so.
- b) When a pursuit by another jurisdiction enters Prairie Grove, the officer may join the pursuit if there are less than four police vehicles in the pursuit. If there are four vehicles in the pursuit, the officer will only stay in the pursuit until it leaves the Prairie Grove City Limits and then drop out. Prairie Grove officers who join a inter-jurisdictional pursuit will drop out of the pursuit when four vehicles from other agencies become involved, unless they are requested to stay in the pursuit by the initiating agency or there are extenuating circumstances such as:
 - 1. Nature of offense
 - 2. Number of suspects
- c) The initiating agency will have control and be responsible for the pursuit.
- d) A total of no more than four vehicles from the combined jurisdictions will be involved in any pursuit.

E. Use of "Stop Sticks"

- a) Only officers trained in the use of Stop Sticks/spike strips shall deploy them. Officers are responsible for making sure that their use is contained in the pursuit report. The deploying officer shall advise pursuing units and all other units that they should distance themselves from the pursued vehicle and be prepared to slow down before entering the deployment site. Other traffic shall be diverted from the site if at all possible.
- b) Officers deploying spike strips should be mindful of their own safety during deployment and not take unnecessary risks in their attempt to lay out the spike strip.
- c) "Stop Sticks" when properly used have potential to save police officer's lives, innocent citizen's lives, and tens of thousands of dollars in property damage, as well as reducing the potential for liability suits.
- d) "Stop Sticks" are to only be used on motor vehicles, cars, trucks, etc. They are not be used on motorcycles, all-terrain vehicles (ATVs), etc.
- e) The "Stop Sticks" work best when used on paved roadway surface.
- f) Vehicle Placement
 1. The patrol vehicle will be placed on the side of the roadway, facing the direction of the pursuit with all emergency lights activated. The patrol vehicle may be angled slightly to narrow the roadway and force the suspect to drive over the "Stop Sticks". If time or circumstances do not permit the above placement of the patrol unit, it may be positioned facing the oncoming pursuit.
 2. The patrol vehicle will not be occupied.
 3. Then possible, a second patrol unit should be placed on the opposite side of the roadway with all emergency lights activated, to funnel the suspect vehicle over the "Stop Sticks".
- g) Officer Positioning – The officer should be 10 to 20 feet in front of the patrol vehicle when deploying the "Stop Sticks". If the patrol unit is facing towards the pursuit, the officer should then position him/herself 10 to 20 feet to the rear of the unit.
- h) Deployment of the "Stop Sticks"
 1. The "Stop Sticks" will be pre-loaded in the black nylon sleeve with the cord reel attached in the storage position inside the trunk.
 2. If possible, radio pursuing units that the "Stop Sticks" are being deployed.
 3. Remove the "Stop Sticks" unit along with the attached cord reel from the trunk and close the trunk, time permitting. The trunk should be closed as not to block the visibility of the emergency lights.

4. Time permitting, place the "Stop Sticks" perpendicular to the roadway on the shoulder and un-reel the cord across the roadway to a position of safety. DO NOT attach the reel to yourself or wrap the line around your hand. If time does not permit the above, toss the "Stop Sticks" in front of the suspect vehicle.
5. Time permitting, the officer should pull the "Stop Sticks" into position after the last vehicle prior to the suspect vehicle has driven over the cord.
6. Immediately after the suspect has run over the "Stop Sticks", if possible, the officer should pull the "Stop Sticks" out of the way of the following police units.
7. After the successful use of the "Stop Sticks" the STOP STICK PURSUIT FORM will be completed.

F. Termination of Pursuit

- a) A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. Pursuit may be terminated by the pursuing officer or the supervisor.
- b) Pursuit shall be immediately terminated in any of the following circumstances:
 1. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect.
 2. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile, or
 3. The danger posed by continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect(s).
- c) The pursuing officer shall relay this information to communications personnel along with any further information acquired which may assist in an arrest at a later date.
- d) **The pursuing officer knows, or has reason to believe, that the fleeing vehicle is being operated by a juvenile who has committed a traffic violation, misdemeanor or nonviolent felony, and who is driving in such an unsafe manner that it is obvious he/she does not have the maturity to deal with the danger involved.**

G. Reporting Requirements

- a) At the conclusion of each vehicular pursuit, officers will prepare an offense report. This report will be prepared regardless of whether the suspect escaped or was arrested.
- b) The offense report will fully describe the particulars of the pursuit and actions taken by the officers involved.
- c) In instances where the suspect escapes, the offense report will contain as much information as available regarding suspect and vehicle descriptions and any other pertinent identifying data.

Procedures:

Approved By:

Chris Workman
Chief of Police

March 21, 2016
Date

I have read and understand this procedure.

Signature of member receiving procedure

Date

STATE AID CITY STREET PROGRAM PROJECT RESOLUTION

RESOLUTION NO. 2016-09

A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF PRAIRIE GROVE
TO UTILIZE STATE AID STREET MONIES
FOR THE FOLLOWING CITY PROJECT:

Prairie Grove Overlay

WHEREAS, the City of PRAIRIE GROVE understands that State Aid Street Program funds are available for certain city projects at the following participating ratios:

	<u>Work Phase</u>	<u>State Aid %</u>	<u>City %</u>
Reconstruction/Resurfacing Construction of City Projects	Preliminary Engineering	100%	-0-
	Right-of-Way	-0-	100%
	Utilities	-0-	100%
	Construction	100%	-0-
	Construction Engineering	100%	-0-
City projects programmed but not let to contract	All Phases	-0-	100%

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

SECTION I: The City will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

SECTION III: The City agrees upon completion of the project to assume the maintenance of the right-of-way by City Forces and/or others including utilities and individuals in accordance with the prevailing Arkansas State Highway and Transportation Department regulations.

SECTION IV: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

THIS RESOLUTION adopted this 16 day of May, 2016.



ATTEST: Christene Kelly

[Signature]
Mayor Spmy Hudson

(SEAL)

RESOLUTION NO. 2016-10

A RESOLUTION BY THE CITY TO ACCEPT A BID FROM MEDORA CORP. FOR THE PURCHASE OF SOLAR AERATORS

WHEREAS, the City finds it advantageous to install solar aerating mixers in Prairie Grove Lake to improve the quality of the water; and

WHEREAS, the City has advertised for bids from qualified bidders for the aerators specified in the advertisement for bids; and

WHEREAS, Medora Corp., has submitted the low bid of \$187,780.00 to supply such aerators; and

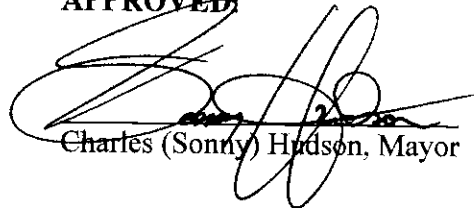
WHEREAS, the City has determined that Medora Corp. is qualified and capable of manufacturing and providing the City with the aforementioned aerators.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS:

That the City Council hereby authorizes the City Public Works Director to purchase the aerators from the approved bidder at the price listed above.

PASSED AND APPROVED on this 18th day of July 2016.

APPROVED:



Charles (Sonny) Hudson, Mayor

ATTEST:



Christine Kelly, Clerk