

ORDINANCE NO. 2005-3-210

Doc ID: 008274000005 Type: REL
Recorded: 03/17/2005 at 09:29:51 AM
Fee Amt: \$20.00 Page 1 of 5
Washington County, AR
Bette Stamps Circuit Clerk

AN ORDINANCE PRESCIBING THE DUTIES AND RESPONSIBILITIES OF THE CITY OF TONTITOWN RECORDER / TREASURER, AND FOR OTHER PURPOSE.

WHEREAS, the citizens of the City of Tontitown has elected a City Recorder / Treasurer for the City of Tontitown, and it is necessary to clearly delineate what duties he / she shall perform; and

WHEREAS, the Recorder / Treasurer has certain duties prescribed by certain legislative acts and the Constitution and by the City of Tontitown ordinances and / or resolutions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS, AS FOLLOWS:

Section 1: The Tontitown Recorder / Treasurer shall:

- a) provide to the Mayor and his Administrative Assistant, their own respective passwords, security codes and training, which may be deemed necessary to reference and / or access any and all documents, records, financial statements, data or any other official or city documents, in the custody of the Recorder / Treasurer; that only the Treasurer shall have the ability to adjust or manipulate any data in the financial documents; *(please refer to ACA § 14-44-109 and Attorney General Opinion 95-054)*
- b) have custody, but not exclusive custody or control, of all the laws, ordinances, resolutions and official documents of the City of Tontitown and its actions. Only the Recorder / Treasurer will have the ability to modify or adjust the data in the financial documents or records of the City; *(please refer to Attorney General Opinion 95-054, 91-135)*
- c) keep regular and correct written journal of the proceedings of the City Council; prepare and distribute copies of the Council meeting agenda to Council, Mayor and press/media; train the designated deputy, as appointed by the City Council, who is empowered to act in the absence or incapacity of the Recorder (unless the Council shall have declared a vacancy in the office of Recorder)(no deputy Treasurer may be designated); *(please refer to ACA § 14-43-506)*
- d) submit, a written monthly, full report and detailed statements of the financial condition of the City of Tontitown, showing receipts, disbursements and the balance on hand, together with all liabilities of the City; this report shall be submitted to the City Council in open session; *(please refer to ACA § 14-59-115)*

- e) be authorized and empowered to perform the functions of a magistrate during the disability or absence of the Mayor, as outlined and set forth in Arkansas Annotated Code § 14-44-106, as attached hereto; *(please refer to ACA § 14-44-406)*
- f) maintain the official seal of the city; *(please refer to ACA § 14-43-406)*
- g) ensure that all checks and drafts, on the City of Tontitown municipal bank accounts, (in addition to others prescribed by ordinance or resolution of the Council), including but not limited to the general account and the Tontitown Water Department accounts(s), are countersigned, by the Mayor and the City Recorder / Treasurer, or by others duly authorized; *(please refer to ACA § 14-44-109)*
- h) present the original(s) or copy(ies) of all invoices, for accounts payable, to the Mayor for approval, prior to payment; *(please refer to ACA § 14-44-109)*
- i) sign all bonds and debentures of the city; *(please refer to ACA § 14-164-212)*
- j) receives, files and retains (as required by law) the code of Ethics statements from elected (appointed) city officials including the Mayor, Council Persons, Recorder / Treasurer and City Attorney; *(please refer to ACA § 21-8-703)*
- k) such other different or additional duties as may be enacted by an amendment to the Constitution or legislative acts;
- l) records all ordinances or documents as required, at the Washington County Courthouse, Fayetteville, Arkansas; *(please refer to ACA § 14-44-109)*
- m) investment of monetary reserves of the City, at the direction of the City Council;
- n) prepares and arranges for publications of all official notices, for bids, public hearings, ordinances, elections (call/results), proclamations, etc.; *(please refer to page 14 of the Municipal League Manual for Recorder / Treasurer)*
- o) prepares and arranges for publication of required City financial reports; and;
- p) comply with any Federal or State law, but not limited to any F.O.I. request, made upon the City of Tontitown, which may pertain to the records in the custody of the Recorder / Treasurer. Recorder / Treasurer shall not designate a deputy for this task, unless said deputy has been approved by the City Council;
- q) such duties as from time to time be directed by the Council in ordinances and resolutions; *(please refer to ACA § 14-44-109)*
- r) The duties that are set forth in paragraph numbered (c) through (p), shall not be delegated. *(please refer to ACA § 14-44-109)*

Section 2: As Recorder / Treasurer of the City of Tontitown the elected official shall receive an annual salary as set by the City of Tontitown and such salary may be hereafter amended as allowed by law, by Ordinance or budget adoption.

Section 3: That the City Council of the City of Tontitown further determines that this Ordinance is necessary to clarify and delineate the duties and responsibilities of the Tontitown City Recorder / Treasurer and for other purposes; therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effective from and after its passage and approval.


PASSED AND APPROVED this 15th day of March, 2005

APPROVED:



Paul Maestri,
Mayor

ATTEST:



Sherry Pianalto,
City Recorder / Treasurer

Sponsored by:

Andrew Penzo
Steve Smith
Kevin Riggins
Arthur Penzo
Henry Piazza