

ORDINANCE NO. 2005-7-221

AN ORDINANCE ESTABLISHING THE PROCEDURE FOR MAKING PURCHASES OF ALL SUPPLIES, APPARATUS, EQUIPMENT, MATERIALS, AND OTHER THINGS REQUISITE FOR PUBLIC PURPOSES IN AND FOR THE CITY OF TONTITOWN, ARKANSAS, AND TO MAKE ALL NECESSARY CONTRACTS FOR WORK OR LABOR TO BE DONE OR MATERIAL TO BE FURNISHED FOR THE BENEFIT OF THE CITY OF TONTITOWN, OR IN CARRYING OUT ANY WORK OR UNDERTAKING OF A PUBLIC NATURE; AND FOR THE PAYMENT OF SAME.

WHEREAS, the Mayor or his authorized representative shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for the City of Tontitown, Arkansas, and to make all necessary contracts for work or labor to be done or material or other necessary things to be furnished for the benefit of the City of Tontitown, or in carrying out any work or undertaking of public nature; and

WHEREAS, the council shall have the management of control of finances and all the real and personal property belonging to the corporation.

WHEREAS, the governing body may alter or revise the budget and unfledged funds appropriated by the governing body, for any purpose may subsequently, by action of the governing body, be appropriated to another purpose, subject to the following exceptions:

- (1) Funds resulting from taxes levied under the 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.

WHEREAS, city resources are such that they demand careful accounting and control of revenues to guarantee solvency.

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



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Fee Amt: \$17.00 Page 1 of 4
Washington County, AR
Bette Stamps Circuit Clerk

File **2005-00036493**

Section 1: The Mayor, or the Mayor's duly authorized representative, shall observe the following procedures for purchasing, which shall be the purchasing policy for the City of Tontitown, Arkansas.

- (A) The approval by the council of the budget shall amount to an appropriation of funds, which are lawfully applicable to the items therein contained. Expenditures shall be made only from funds previously appropriated by the council and only for the purposes set forth in such appropriation.
- (B) All miscellaneous administrative expenditures shall be made from a petty cash fund established in an amount appropriated by the city council. No amount shall be expended beyond the monthly amount appropriated by the city council. All payments from said petty cash fund shall be documented by paid receipts. Additional funding must be approved by the city council.
- (C) On all purchases between \$500.00 and \$6,000.00, no less than three (3) telephone bids shall be received. In cases where three (3) telephone bids are not obtainable, the mayor shall document the reasons therefore, except in emergency situations where such telephone bids are not obtainable.

Section 2: That all purchases over \$10,000.00 shall be legal advertisement for sealed bids to be opened on a date and time to be specified on the notice for bids, which date and time for receiving bids and opening same shall be set at a date and time for an open City Council meeting. All bids shall be opened before the City Council in a public meeting, except in cases of emergency of where impractical.

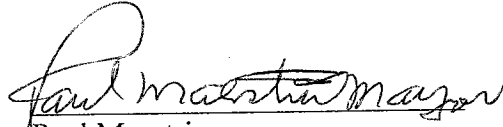
(14-58-303)(b)(2)(iii) The Mayor or the Mayor's duly authorized representative shall have exclusive power to award the bid to the lowest responsible bidder, but may reject any and all bids received.

Section 3: All Ordinances, parts of Ordinances, municipal code sections or parts of municipal code sections in conflict herewith are hereby repealed.

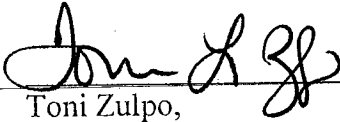
Section 4: If for any reason, any portion or portions of this Ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, but such valid portions shall be and remain in full force and effect.

PASSED AND APPROVED this 5 day of July, 2005

APPROVED:


Paul Maestri,
Mayor

ATTEST:


Toni Zulpo,
City Recorder / Treasurer

Sponsored by:

Arthur Penzo

ROLL CALL:

Shall the Ordinance pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	_____	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u>✓</u>	_____	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u>✓</u>	_____	<i>(Ward 1, Position 2)</i>
Alderman Kevin Riggins	_____	_____	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u>✓</u>	_____	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u>✓</u>	_____	<i>(Ward 3, Position 1)</i>
Mayor Paul Maestri	_____	_____	

Yeas: 5 **Nays:** _____ *(total)*