

ORDINANCE NO. 2006-01-241

AN ORDINANCE REPEALING ORDINANCE NOS. 2005-07-221, 2005-11-234 AND 2005-12-239 AND 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 OR OTHER NECESSARY THINGS 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.

Section 1. Repeal of ordinances 2005-07-221, 2005-11-234, and 2005-12-239

WHEREAS, Arkansas Code Annotated Section 14-58-303 has been amended in the 2005 Legislative Session of the Arkansas Legislative; and

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, 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, or in carrying out any work or undertaking of a public nature; and

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

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; and

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

TONTITOWN, ARKANSAS, AS FOLLOWS:

Section 2: 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 a purchases for items having multiple sources for the same item which cost between \$500.00 and \$6,000.00 no less than three (3) telephone bids are not obtainable the mayor shall document the reason therefore, except in emergency situations where such telephone bids are not obtainable or the item is from a unique vendor.
- (D) All items purchased should be assigned purchase orders as outlined below:

All major items of purchase must be included in the budget.

Establish minimum and maximum quantities on all materials and equipment to be carried in normal operating stock.

The following department codes shall be used as purchase order number prefixes:

AD - Administrative staff and office

PK - Parks & Recreation

ST - Streets

WS - Water and Sewer

These prefixes will be used as described in following:

When minimum level is reached, a requisition may be made for replacement.

1. Requestor contacts the vendor(s) for a quotation of requested items to be faxed to the Accounting office including all applicable sales tax.
2. P.O. numbers are assigned in the following format:
ST 2005-08-10A
The above example is for a P.O. issued August 10, 2005 for the Street Department.
2005= Year
08= Month
10= Day
A= alpha sequence of P.O.'s issued that day (A,B,C etc.)

3. Accounting will assign a P.O. to the quotation sheet, sign and return it by fax to the vendor(s), and record information to Purchase order log book. Entries should consist of the following information: P.O. #, Vendor, and dollar amount of P.O.
4. The Purchase Order is filed in tickler file by vendor.
5. Invoice must be matched with corresponding P.O. and checked for any differences that may need to be reconciled before posting and payment can be made.

Section 3: That all purchases over \$20,000.00 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 or 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 4: All Ordinances, parts of Ordinances, municipal code sections or parts of municipal code sections in conflict herewith are hereby repealed,


Section 5: If for any reason, any portion or portions of this Ordinance shall be held invalid, such invalidity 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 3rd day of January, 2006

APPROVED:


Paul Maestri, Mayor

ATTEST:



.City Recorder / Treasurer

Sponsored by:
Alderman Brad Marveggio (*Ward 1, Position 1*)

ROLL CALL:

Shall the Ordinance pass:

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

Yeas: 5 NAYS: 0 (total)