

ORDINANCE NO. 2006-05-21

AN ORDINANCE AMENDING ORDINANCE NO. 2006-01-241 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 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; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, Ordinance no. 2006-01-241 was passed on the 3rd day of January 2006, 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, 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.

WHEREAS, Section 2 (c) of Ordinance no. 2006-01-241 is amended to read as follows:

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

SECTION 1 : SECTION 2 (c) That on all purchases between \$500.00 and \$20,000.00 a detailed outline of specifications or a scope of services shall mandatory and posted to the Tontitown Website and at least three (3) written bids shall be required, whether received by fax , e-mail hand delivered or via U.S. mail. The lowest bid shall be accepted.

That the Mayor, or his duly authorized representative, may sell or exchange any municipal supplies, materials or equipment without competitive bidding, if such supplies, materials or equipment have a value of less than \$1,000.00. That no supplies, materials or equipment shall be sold without receiving competitive bids (unless advertised and sold at public auction) if the value thereof exceeds the sum of \$1,000.00. If the Mayor believes the value of such supplies, material or equipment to be sold is less than \$1,000.00, he shall certify his opinion in writing to the governing body, and after doing so the items shall be sold by the Mayor without competitive bidding -

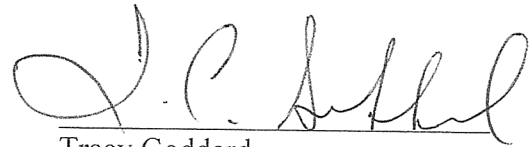
SECTION 2: All Ordinances, parts of Ordinances, municipal code sections or parts of municipal code sections in conflict herewith are hereby repealed.

SECTION 3: 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.

SECTION 4: Emergency Clause: It is hereby declared that an emergency exists, in that City of Tontitown does not currently effective manner and procedure, for the effective disposition of Municipal assets and the same is needed for the effective development of the City of Tontitown, Arkansas, and this Ordinance shall be effective from and after its passage and approval.

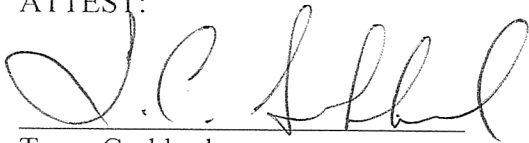
PASSED AND APPROVED this 10th day of May, 2006

APPROVED:

A handwritten signature in black ink, appearing to read 'T. Goddard', written over a horizontal line.

Tracy Goddard
Acting Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'T. Goddard', written over a horizontal line.

Tracy Goddard,
City Recorder / Treasurer

Sponsored By:
STEVE SMITH

ROLL CALL:

Shall the Ordinance pass:

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

Yeas: 6 Nays: 0 (total)

ROLL CALL:

Shall the Emergency Clause pass:

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

Yeas: 6 Nays: 0 (total)