


ORDINANCE NO. 2007-05-289

  
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Fee Amt: \$20.00 Page 1 of 5  
Washington County, AR  
Bette Stamps Circuit Clerk  
File **2007-00027794**

**AN ORDINANCE PRESCRIBING THE DUTIES AND RESPONSIBILITIES OF THE  
CITY OF TONTITOWN RECORDER / TREASURER, DECLARING AN EMERGENCY  
AND FOR OTHER PURPOSES.**

**WHEREAS**, the citizens of the City of Tontitown have 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.

**WHEREAS**, the City Council has determined that it is in the best interest of the City of Tontitown, Arkansas, that various ordinances relating to the Recorder/Treasurer be combined into one ordinance;

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

**Section 1:** The Tontitown Recorder / Treasurer shall:

- a) 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 (A.C.A § 14-44-109);
- b) 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) (A.C.A. §14-44-109);
- c) submit, a written monthly, full report and detailed statement 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)*
- d) 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 § 14-44-106)*
- e) maintain the official seal of the city: *(please refer to ACA §14-44109)*

- f) 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 and street accounts, are countersigned, by the Mayor and the City Recorder / Treasurer, or by others duly authorized personal appointed by the City Council; (please refer to ACA § 14-44-109)
- g) 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)
- h) sign all bonds and debentures of the city that happen approved by the City Council; (please refer to ACA § 14-164-212)
- i) receives, file and retains (as required by law) the statement of financial interests from elected (appointed) city officials including the Mayor, Council Persons, Recorder / Treasurer and City Attorney; (please refer to ACA § 21-8-703)
- j) such other different or additional duties as may be enacted by an amendment to the Constitution or legislative acts;
- k) records all ordinances or documents as required, at the Washington County Courthouse, Fayetteville, Arkansas; (please refer to ACA § 14-44-109)
- l) investment of monetary reserves of the City, at the direction of the City Council;
- m) prepares and arranges for publications of all official reports; and;
- n) 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.
- o) such duties as from time to time be directed by the Council in ordinances and resolutions; (please refer to ACA § 14-44-109)
- p) The duties set that are set forth in paragraph numbered (b) through (n), 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 Recorder/Treasurer of the City of Tontitown, Arkansas is hereby authorized to supervise and control the activities and duties of the Administrative Assistant of the City of Tontitown, Arkansas.


**Section 4:** That the provisions of this Ordinance are hereby declared to be separable, and if any provision shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of this Ordinance.

**Section 5:** That Ordinances Nos. 210, 211, 219, as well as any other Ordinance or part thereof, in conflict herewith, are hereby repealed to the extent of such conflict(Ordinance Nos. 210, 211, and 219).

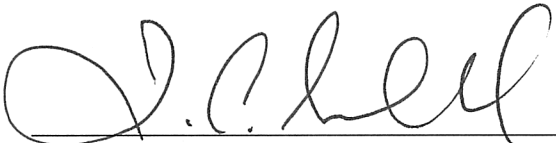
**Section 6:** That the City Council of the City of Tontitown further determines that an emergency exists in that the current ordinances setting forth the duties of the Recorder/Treasurer are insufficient and unclear, that immediate revision and consolidation of said Ordinances is necessary to the orderly functioning of the Recorder/Treasurer's office and municipal governmental operations, and that the proper and orderly functioning of the Recorder/Treasurer's office is vital to the daily operations of City government. This Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be in full force and be in effect from and after passage and approval.

PASSED AND APPROVED THIS 1<sup>st</sup> day of May, 2007.

APPROVED:

  
\_\_\_\_\_  
Joe Edgmon  
Mayor

ATTEST:

  
\_\_\_\_\_  
Tracy Goddard  
Recorder-Treasurer

Sponsored by: Sunny Hivshaw

## ROLL CALL

SHALL THE ORDINANCE PASS:

	Yea	Nay
Alderman Sunny Hinshaw	<u>✓</u>	_____ (Ward 1, Position 1)
Alderman Henry Piazza	<u>✓</u>	_____ (Ward 1, Position 2)
Alderman Arthur Penzo	<u>✓</u>	_____ (Ward 2, Position 1)
Alderman David Sbanotto	<u>✓</u>	_____ (Ward 2, Position 2)
Alderman Becky Alston	<u>✓</u>	_____ (Ward 3, Position 1)
Alderman Scott McNair	<u>✓</u>	_____ (Ward 3, Position 2)
Mayor Joseph Edgmon	_____	_____
TOTALS:	<u>6</u>	<u>0</u>

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## ROLL CALL

SHALL THE ORDINANCE BECOME EFFECTIVE IMMEDIATELY:

	Yea	Nay
Alderman Sunny Hinshaw	<u>✓</u>	_____ (Ward 1, Position 1)
Alderman Henry Piazza	<u>✓</u>	_____ (Ward 1, Position 2)
Alderman Arthur Penzo	<u>✓</u>	_____ (Ward 2, Position 1)
Alderman David Sbanotto	<u>✓</u>	_____ (Ward 2, Position 2)
Alderman Becky Alston	<u>✓</u>	_____ (Ward 3, Position 1)
Alderman Scott McNair	<u>✓</u>	_____ (Ward 3, Position 2)
Mayor Joseph Edgmon	_____	_____
TOTALS:	<u>6</u>	<u>0</u>