

**ORDINANCE NO. 2017-\_\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE PERMITTING THE CITY OF TONTITOWN TO PURCHASE OR SELL EQUIPMENT OR ITEMS BY AND THROUGH AUCTIONS CONDUCTED BY BLOCK AUCTION & REALTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ark. Code Ann. §14-42-107(b)(1) provides no alderman, council member, official, or municipal employee shall be interested directly or indirectly, in the profits of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting alderman, council members, officials, or municipal employees to conduct business with the city and prescribing the extent of this authority;

**WHEREAS**, Block Auction & Realty is owned and operated by Mayor Paul Colvin;

**WHEREAS**, the City has from time to time purchased or sold items of equipment, vehicles or other personal property items by and through auctions, some of which were auctions conducted by Block Auction & Realty and which were specifically approved by the City Council of the City of Tontitown;

**WHEREAS**, it has come to the attention of the City Council of the City of Tontitown that auctions for the sale or purchase of equipment and items for the City of Tontitown which involve Block Auction & Realty may occur;

**WHEREAS**, the City Council believed it was in the best interests of the City of Tontitown to purchase or sell items and equipment at advantageous savings to the taxpayers of the City of Tontitown that would not be available through other means of sale or purchase; and

**WHEREAS**, the City Council of the City of Tontitown desires to authorize and permit such sales and purchases involving auctions conducted by Block Auction & Realty as set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tontitown, Arkansas:

**SECTION 1.** That Mayor Paul Colvin, who is the owner of Block Auction & Realty, is and shall be permitted to conduct business with the City of Tontitown by and through auctions conducted by Block Auction & Realty whereby the City of Tontitown may either be the purchaser or seller of items of equipment, vehicles or other personal property.

**SECTION 2.** All future sales or purchases of items of equipment, vehicles or other personal property through an auction conducted by Block Auction & Realty for the City of Tontitown shall be occur upon the recommendation of city staff and upon approval or ratification of the purchase or sell by the City Council.

**SECTION 3.** No favoritism shall be shown to Mayor Colvin or Block Auction & Realty over other possible auction sales which may or will have been conducted for the items of equipment, vehicle or other personal property that the City of Tontitown shall purchase or sell.

**SECTION 4. EMERGENCY CLAUSE.** Because the sale or purchase of items of equipment, vehicles and other personal property that the City of Tontitown needs and the auction is of a nature which required and requires the City to act with dispatch in order to secure pricing which will save the taxpayers of the City Tontitown substantial money, and this is necessary for the public peace, health, safety and welfare, an emergency is hereby declared to exist. Therefore, this ordnance shall be in full force and effect from after the date of the passage.

**PASSED AND APPROVED** this \_\_\_\_\_ day of December \_\_\_\_, 2017.

APPROVED:

  
\_\_\_\_\_  
Paul Colvin, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Rhonda Ardemagni, City Recorder-Treasurer  
(SEAL)