

ORDINANCE NO. 2023-02-1032

CITY OF TONTITOWN, WASHINGTON COUN

AN ORDINANCE TO AMEND SECTION 30.01 MEETINGS OF THE COUNCIL; TIME AND NOTICE IN THE TONTITOWN MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Tontitown has adopted regulations for the City's council meetings which are codified in Section 30.01 of the Tontitown Municipal Code; and

WHEREAS, it has become apparent to the City Council for the City of Tontitown, that a need exists to amend Section 30.01 Meetings of the Council; Time and Notice for use by the City, in order to provide updated regulations and procedures for special meetings and electronic participation in meetings; and

WHEREAS, after review and consideration of the proposed amendment, the Tontitown City Council determined that Section 30.01 Meetings of the Council; Time and Notice of the Tontitown Municipal Code should be amended and restated as incorporated in the attached Exhibit "A".

NOW THEREFORE, BE IT ENACTED, BY THE CITY COUNCIL FOR THE CITY OF TONTITOWN, ARKANSAS:

Section 1. Section 30.01 Meetings of the Council; Time and Notice of the Tontitown Municipal Code is hereby amended to read and attached hereto as Exhibit "A".

Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein remains in full force and effect.

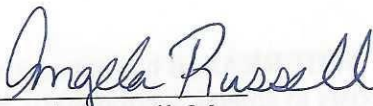
Section 3. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 4. Declaration of Emergency. It is hereby found and determined that Section 30.01 Meetings of the Council; Time and Notice of the Tontitown Municipal Code should be immediately amended in its entirety in order to clarify and amend the regulations pertaining the dates for the regular meetings of the Tontitown City Council and Committee of the Whole. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration

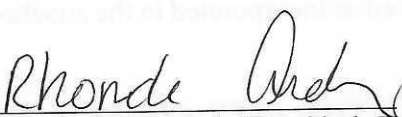
of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED AND APPROVED this 21 day of February 2023.

APPROVED:


Angela Russell, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



§ 30.01 MEETINGS OF THE COUNCIL; TIME AND NOTICE.

(A) The date for the regular legislative meetings of the City Council shall be on the third Tuesday of each month unless rescheduled by a simple majority vote of the Council. The City Council also meets as the Committee of the Whole on the first Tuesday of each month.

(B) The City Council shall provide the times and places of holding its meeting, which shall be open at all times to the public.

(C) (1) The Mayor or any three members of City Council may call a special meeting when it is necessary for the transaction of any special business before the next regular meeting. It shall be the duty of the City Clerk-Treasurer to give cause of a written notice and one contact call of all special meetings to be served on each member of the City Council. It shall be the duty of the City Clerk-Treasurer to cause actual notice, whether in writing, in person, by telephone, email, or fax of all special meetings to be served on each member of the City Council, at least two hours before such meeting(s), specifying therein general terms the particular business to be brought before the City Council.

(2) Only the City Council members who requested the special meeting, or the Mayor, if he or she requested the special meeting, may cancel the special meeting.

(3) At any special meeting, no other business shall be transacted other than that for which such meeting was called. All such meetings shall be open to the public, and all press and media that have requested notice must be given at least two hours advance notification. Outside of this advance notification requirement, there shall be no other time constraints on how soon a special meeting may be called after due notice is given to the City Council members.

(D) The Clerk-Treasurer shall prepare an informational packet for any regular meeting and post a copy to the internet no later than noon on Friday prior to the meeting. The informational packet should include, if applicable: an agenda, minutes to be approved from prior meeting(s), any documents relating to any agenda submitted by the sponsor of said agenda item; any ordinance or written resolution to be considered; monthly or other periodic financial statements; any written committee reports; and any other item the Clerk-Treasurer deems appropriate.

(E) Delivery of the paper draft agenda and informational material available at the time shall be available for pick up at City Hall and sent via email no later than noon on Friday prior to the meeting.

(F) The Mayor and any of the City Council may sponsor items on any meeting agenda.

(G) If a quorum of the City Council is present as set forth in § 30.04 below, a City Council Member who is not physically present at the meeting or special meeting of the City Council may attend, participate and vote in the meeting by an appropriate electronic means which shall ensure the public's ability to hear and understand any comments, motions or votes by the absent City Council member.





ARTICLE 2. MEETINGS OF THE COUNCIL, TIME AND NOTICE

- (A) The date for the regular legislative meetings of the City Council shall be on the third Tuesday of each month unless rescinded by a simple majority vote of the Council. The City Council shall meet at the Convention of the Whole of the first Tuesday of each month.
- (B) The City Council shall provide the time and place of holding its meetings, which shall be open to the public.
- (C) (1) The Mayor or any two members of the City Council may call a special meeting when it is necessary for the transaction of any special business before the next regular meeting. It shall be the duty of the City Clerk to prepare to give notice of a special meeting and to contact all of the special members to be invited to each meeting of the City Council. It shall be the duty of the City Clerk to ensure to ensure that notice, whether in writing or by personal telephone call, or by electronic means, is received by each member of the City Council at least two hours before each meeting. The City Clerk shall also provide notice to the public by electronic means. (2) Only the City Council members who requested the special meeting, or the Mayor, if he or she requested the special meeting, may conduct the special meeting. (3) At any special meeting, no other business shall be discussed other than that for which such meeting was called. All such meetings shall be open to the public and all press and media that have requested notice shall be given at least one hour advance notification. Outside of the advance notification requirement, there shall be no other limitations on how soon a special meeting may be called after the notice is given to the City Council members.
- (D) The City Clerk shall prepare an informational packet for any regular meeting and post a copy to the Internet no later than noon on Friday prior to the meeting. The informational packet shall include a agenda, an agenda minutes to be approved from other meetings, any documents relating to any agenda submitted by the sponsor of such agenda item, any documents or written testimony to be considered monthly or other periodic financial statements, any other committee reports and any other items the City Clerk deems appropriate.
- (E) Delivery of the packet shall be made to the public by electronic means or by hand delivery to the public at the City Hall and shall be made no later than noon on Friday prior to the meeting.
- (F) The Mayor and any of the City Council may sponsor items on any meeting agenda.
- (G) If a quorum of the City Council is present at a meeting at 9:30 AM before a City Council member who is not physically present at the meeting or special meeting of the City Council may attend, participate and vote in the meeting by an electronic means which shall ensure the public's ability to hear and understand any documents, motions or votes of the special City Council members.

Washington County, AR
I certify this instrument was filed on
03/01/2023 08:12:31 AM
and recorded in Real Estate
File Number 2023-00004971
Kyle Sylvester - Circuit Clerk

by

