

ORDINANCE NO. 2026-____

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS
AN ORDINANCE SEPARATING THE POSITION OF CITY CLERK AND CITY
TREASURER FOR THE CITY OF TONTITOWN, ARKANSAS; AND FOR OTHER
PURPOSES**

WHEREAS, the current position of City Clerk/Treasurer of the City of Tontitown, Arkansas, is a combined position held by one individual who is elected every four years by the qualified electors of the City of Tontitown, Arkansas; and

WHEREAS, the City Council of the City of Tontitown, Arkansas, has determined that the position of City Clerk and City Treasurer should be separated into two separate positions beginning with the next regularly scheduled election cycle, which is in November, 2026, with the positions terms commencing January 1, 2027, and running through December 31, 2030, and thereafter every four years; and

WHEREAS, Arkansas Code Annotated § 14-43-405 grants authority to the City Council for the City of Tontitown, Arkansas to provide by ordinance for the appointment of the position of = City Treasurer rather than having that position being filled by election by the qualified electors of the City of Tontitown, Arkansas ; and

WHEREAS, the City Council finds that separating the offices will improve financial oversight, internal controls, and operational efficiency;

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

Section 1. Separation of Positions. The position of City Clerk-Treasurer is hereby abolished, effective January 1, 2027, and replaced with two distinct positions: the City Clerk and the City Treasurer

Section 2. City Clerk. The office of the City Clerk shall be an elected position. The City Clerk shall perform all duties prescribed by the laws of the State of Arkansas and such additional duties as may be assigned by City ordinance.

Section 3. City Treasurer. The City Treasurer shall be an appointed position. The position of City Treasurer shall be appointed and confirmed by the City Council. The City Treasurer shall perform all duties prescribed by the laws of the State of Arkansas and such additional duties as may be assigned by ordinance.

Section 4. This Ordinance shall become effective on January 1, 2027, following the November 2026 municipal election. The current City Clerk-Treasurer shall continue to serve in that capacity until the expiration of the current term, at which time the offices shall be separated as provided

herein.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Severability clause. If any provision of this Ordinance is declared invalid or unenforceable, such declaration shall not affect the validity of the remaining provisions.

Section 7. Amendment to Tontitown Municipal Code

(A) Tontitown Municipal Code § 30.52, entitled “City Clerk-Treasurer,” is hereby repealed in its entirety effective January 1, 2027.

(B) In its place, the Tontitown Municipal Code shall be amended to establish two separate sections, to be codified as follows:

1. **§ 30.52 – City Clerk.**

The City Clerk shall be an elected official and shall perform all duties prescribed by the laws of the State of Arkansas, including but not limited to maintaining official City records, recording the proceedings of the City Council, administering oaths as authorized by law, and complying with applicable public records laws, together with such additional duties as may be assigned by ordinance or resolution of the City Council.

The responsibilities of the City Clerk shall include:

- (1) Have custody of all ordinances, resolutions, minutes, contracts, and official documents of the City and maintain them in an organized and accessible manner;
- (2) Keep a full, true, and correct journal of the proceedings of the City Council and prepare and maintain official minutes of all meetings;
- (3) Prepare, publish, and distribute meeting agendas, notices, and supporting materials in accordance with Arkansas law;
- (4) Maintain and affix the official seal of the City to documents requiring authentication;
- (5) Record, file, and index all ordinances, resolutions, and other official documents, including filing with the appropriate county office when required;
- (5) Comply with the Arkansas Freedom of Information Act and coordinate the City’s response to records requests, when necessary or upon request;

- (6) Receive, file, and retain statements of financial interest and other required filings from elected and appointed officials as required by Arkansas law;
- (7) Administer oaths of office where authorized by law and maintain records of such oaths;
- (8) Coordinate the publication of official notices, ordinances, and other matters required by law;
- (9) Maintain records of City boards, commissions, and committees as directed by ordinance or the City Council;
- (10) Ensure compliance with applicable records retention laws and policies;
- (11) Supervise any deputy clerks authorized by the City Council to act in the Clerk's absence or incapacity;
- (12) Perform such other duties as may be prescribed by Arkansas law or by ordinance or resolution of the City Council.

2. **§ 30.53 – City Treasurer.**

The City Treasurer shall be an appointed official and shall perform all duties prescribed by the laws of the State of Arkansas, including but not limited to the custody, receipt, and disbursement of City funds; preparation of financial reports; maintenance of accounting records; and oversight of financial controls, together with such additional duties as may be assigned by ordinance or resolution of the City Council.

The responsibilities of the City Treasurer shall include:

- (1) Receive, receipt, and account for all monies belonging to the City and deposit such funds in approved depositories in the name of the City;
- (2) Maintain accurate and complete financial records of all receipts, disbursements, account balances, and liabilities of the City;
- (3) Prepare and submit to the City Council, on a monthly basis or as otherwise required by law or at the request of the City Council, a full and complete financial report reflecting the financial condition of the City, including receipts, disbursements, fund balances, and outstanding obligations;
- (4) Ensure that all disbursements of City funds are made in accordance with approved budgets, ordinances, and internal controls, and that all checks, drafts, or electronic payments are authorized and executed in compliance with City policy, including required dual signatures or approvals where applicable;

- (5) Establish and maintain internal accounting controls, including electronic payment systems approved by the City’s auditor, sufficient to safeguard public funds and ensure proper documentation for audit purposes;
- (6) Coordinate and cooperate with the City’s independent auditors, including preparation of records, schedules, and supporting documentation required for annual audits or other financial reviews;
- (7) Invest City funds not immediately needed for operations, in accordance with Arkansas law and as directed by the City Council, and provide periodic reporting on such investments;
- (8) Sign or attest to financial instruments, including bonds, notes, or other evidences of indebtedness, when authorized by the City Council and required by law;
- (9) Assist in the preparation and administration of the City’s annual budget, including providing financial data, projections, and recommendations as requested by the Mayor or City Council;
- (10) Monitor compliance with all applicable federal, state, and local laws relating to municipal finance, accounting, and reporting;
- (11) Perform such other financial or fiscal duties as may be prescribed by ordinance or resolution of the City Council consistent with Arkansas law.

(C) The City Council may, by ordinance, further define, limit, or expand the duties of the City Clerk and City Treasurer, provided such duties remain consistent with Arkansas law.

(D) The codifier of the City’s Municipal Code is authorized to renumber and reformat sections as necessary to give effect to this Ordinance.

PASSED AND APPROVED on this _____ day of May 2026.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes ____ Nays ____ Abstain ____ Absent ____

This requirement is in addition to, and does not supersede, any authentication, attestations, or signature requirements imposed by state law or other provisions of the Tontitown Municipal Code.