

ORDINANCE NO. 2026-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE ESTABLISHING THE POSITION, DUTIES, AND
COMPENSATION OF THE ELECTED CITY CLERK FOR THE CITY OF
TONTITOWN, ARKANSAS**

WHEREAS, the City of Tontitown has determined that it is in the best interest of the City to separate the combined office of City Clerk-Treasurer into two distinct positions of City Clerk and City Treasurer; and

WHEREAS, Arkansas law permits municipalities to establish and define the duties and method of selection for municipal officers by ordinance; and

WHEREAS, the City Council desires to establish the City Clerk as a part-time elected official;

WHEREAS, Arkansas law provides for the office of City Clerk (also known as Recorder) and permits municipalities to prescribe the duties of such office by ordinance; and

WHEREAS, the City Council finds that establishing a separate elected City Clerk will promote transparency, accountability, and the proper maintenance of official City records and proceedings; and

WHEREAS, the City Council further finds that clearly defining the duties and compensation of the City Clerk will ensure the efficient administration of municipal affairs and compliance with applicable state law;

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

Section 1. Establishment of Office. The position of City Clerk is hereby established as an elected position for the City of Tontitown, Arkansas, in accordance with Arkansas law. The City Clerk shall serve as the official custodian of the City's records and shall be responsible for maintaining the integrity, accessibility, and documentation of all official municipal actions.

Section 2. The City Clerk shall serve a term consistent with Arkansas law.

Section 3. Duties. The City Clerk shall:

- (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;
- (6) Comply with the Arkansas Freedom of Information Act and coordinate the City's response to records requests, when necessary or upon request;
- (7) Receive, file, and retain statements of financial interest and other required filings from elected and appointed officials as required by Arkansas law;
- (8) Administer oaths of office where authorized by law and maintain records of such oaths;
- (9) Coordinate the publication of official notices, ordinances, and other matters required by law;
- (10) Maintain records of City boards, commissions, and committees as directed by ordinance or the City Council;
- (11) 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.

Section 4. The City Clerk position shall be considered a part-time elected position and shall not be eligible for full-time employee benefits unless otherwise provided by ordinance.

Section 5. This Ordinance shall take effect January 1, 2027.

Section 6. 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:

- (12) Have custody of all ordinances, resolutions, minutes, contracts, and official documents of the City and maintain them in an organized and accessible manner;
- (13) Keep a full, true, and correct journal of the proceedings of the City Council and prepare and maintain official minutes of all meetings;
- (14) Prepare, publish, and distribute meeting agendas, notices, and supporting materials in accordance with Arkansas law;
- (15) 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;
- (16) Comply with the Arkansas Freedom of Information Act and coordinate the City’s response to records requests, when necessary or upon request;
- (17) Receive, file, and retain statements of financial interest and other required filings from elected and appointed officials as required by Arkansas law;
- (18) Administer oaths of office where authorized by law and maintain records of such oaths;
- (19) Coordinate the publication of official notices, ordinances, and other matters required by law;

(20) Maintain records of City boards, commissions, and committees as directed by ordinance or the City Council;

(21) 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.