ORDINANCE NO. 2026-07-1316

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE ESTABLISHING STANDING COMMITTEES OF THE CITY COUNCI FOR THE CITY OF TONTITOWN, ARKANSAS; PROVIDING FOR MEMBERSHIP, DUTIES, ADVISORY RESOURCE PARTICIPANTS, MEETINGS, COMPENSATION, AND EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Tontitown, Arkansas is authorized to organize its internal operations and establish advisory committees to assist in the efficient conduct of municipal business; and

WHEREAS, the Tontitown City Council desires to improve its review of municipal matters by providing a structured forum for the preliminary examination of issues involving finance, infrastructure, utilities, public safety, parks, personnel, and governmental operations; and

WHEREAS, standing committees may facilitate the collection of information, discussion of policy alternatives, and development of recommendations prior to consideration by the full Tontitown City Council; and

WHEREAS, the City Council finds that the establishment of standing committees will promote transparency, efficiency, and informed decision-making while preserving all legislative and policymaking authority in the full Tontitown City Council; and

WHEREAS, the Tontitown City Council desires to clarify that such committees are advisory in nature and possess no independent authority to bind the City, expend funds, direct personnel, or otherwise exercise powers reserved to the City Council or Mayor under Arkansas law.

SECTION 1. CREATION OF STANDING COMMITTEES.
Effective September 1, 2026, the following standing committees are established:
A. Finance and Budget Committee.
B. Public Works Committee.
C. Water and Sewer Committee.
D. Public Safety Committee.
E. Parks and Recreation Committee.
F. Government Operations and Personnel Committee.

SECTION 2. MEMBERSHIP.
Each standing committee shall consist of three aldermen appointed annually by the City Council by majority vote of the City Council at the first regular meeting following January 1st of each year. The Tontitown City Council shall designate a Chair and Vice-Chair.

SECTION 3. DUTIES.
Standing committees shall review matters referred by the City Council, Mayor, Clerk-Treasurer, Department Heads, or Committee Chair or by majority vote of the Committee and provide recommendations to the Tontitown City Council.

Any recommendation of a standing committee shall be advisory only and shall have no force or effect unless subsequently approved by the Tontitown City Council by appropriate legislative action. Nothing contained herein shall be construed to authorize a standing committee to supervise, direct, evaluate, discipline, or otherwise exercise authority over any City employee, officer, contractor, or department. Administrative authority shall remain vested in the Mayor and other officials as provided by Arkansas law.

SECTION 4. LIMITATION OF AUTHORITY.
Standing committees are advisory only and possess no authority to expend funds, execute contracts, direct employees, establish City policy, exercise legislative authority, or bind the City.

SECTION 5. ADVISORY RESOURCE PARTICIPANTS.
The City Council may appoint up to three Advisory Resource Participants for each standing committee. Such participants may include engineers, consultants, grant administrators, governmental representatives, business leaders, staff, or citizens possessing relevant expertise.
Advisory participants shall not vote, establish quorum, make motions, or exercise authority on behalf of the City. Advisory Resource Participants shall serve at the pleasure of the City Council and may be removed at any time by majority vote of the City Council

SECTION 6. MEETINGS.
Meetings shall be conducted on an as-needed basis. All meetings of standing committees shall be conducted in accordance with the Arkansas Freedom of Information Act (FOIA), including applicable notice, public meeting, and recordkeeping requirements

SECTION 7. COMPENSATION.
No compensation, stipend, per diem, meeting fee, or salary adjustment is created by this ordinance.

SECTION 8. QUORUM.
A majority of the appointed aldermen present shall constitute a quorum. Advisory Resource Participants shall not be counted for purposes of determining a quorum

SECTION 9. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Tontitown City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, and provision hereof irrespective of the fact that any one or more portions may be declared invalid or unconstitutional.

SECTION 10. REPEALER.

All ordinances, resolutions, motions, rules, policies, procedures, or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict. Any existing committee appointments, structures, or practices inconsistent with this Ordinance shall terminate effective September 1, 2027, and shall thereafter be governed by the provisions of this Ordinance.

SECTION 11. EFFECTIVE DATE.
This ordinance shall become effective September 1, 2026.

PASSED AND APPROVED on this 21 day of July 2026.

APPROVED:

Angela Russell

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni

Rhonda Ardemagni, City Clerk-Treasurer

(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): Mick Wagner

Motion to Introduce Made By: Mick Wagner

Seconded By: Mike Washkowiak

Adopted / Passed:

Vote: Ayes 6 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.

REDLINED

~~DRAFT ORDINANCE FOR ATTORNEY REVIEW~~

~~Establishing Standing City Council Committees Effective January 1, 2027~~

ORDINANCE NO. _____

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F. Government Operations and Personnel Committee.

Commented [TF1]: Should those two be one committee?

SECTION 2. MEMBERSHIP.
Each standing committee shall consist of three aldermen appointed annually by the City Council by majority vote of the City Council at the first regular meeting following January 1st of each year.

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The City Council may appoint up to three Advisory Resource Participants for each standing committee.
Such participants may include engineers, consultants, grant administrators, governmental representatives, business leaders, staff, or citizens possessing relevant expertise.
Advisory participants shall not vote, establish quorum, make motions, or exercise authority on behalf of the City. Advisory Resource Participants shall serve at the pleasure of the City Council and may be removed at any time by majority vote of the City Council

SECTION 6. MEETINGS.
Meetings shall be conducted on an as-needed basis. ~~and remain subject to Arkansas FOIA requirements.~~ All meetings of standing committees shall be conducted in accordance with the Arkansas Freedom of Information Act (FOIA), including applicable notice, public meeting, and recordkeeping requirements

SECTION 7. COMPENSATION.
No compensation, stipend, per diem, meeting fee, or salary adjustment is created by this ordinance.

SECTION 8. QUORUM.

A majority of the appointed aldermen present shall constitute a quorum. Advisory Resource Participants shall not be counted for purposes of determining a quorum~~A majority of committee members shall constitute a quorum.~~

SECTION 9. SEVERABILITY.

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SECTION 10. REPEALER.

All ordinances, resolutions, motions, rules, policies, procedures, or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict. Any existing committee appointments, structures, or practices inconsistent with this Ordinance shall terminate effective January 1, 2027, and shall thereafter be governed by the provisions of this Ordinance.

SECTION 11. EFFECTIVE DATE.

This ordinance shall become effective January 1, 2027.

SUPPORTING DOCUMENT

POSITION PAPER

Establishing Standing City Council Committees Effective January 1, 2027

I. EXECUTIVE SUMMARY

This position paper recommends adoption of an ordinance establishing Standing City Council Committees effective January 1, 2027. The proposal is intended to improve transparency, strengthen council oversight, encourage informed discussion, and create a structured public process for reviewing significant municipal matters before final action by the City Council.

The proposal preserves all legislative authority within the City Council. Committees would be advisory only and possess no authority to expend funds, execute contracts, direct employees, establish policy, or otherwise bind the City.

The proposal creates no new salaries, stipends, meeting fees, per diem payments, or compensation obligations. Committee meetings would occur only when necessary and remain subject to Arkansas Freedom of Information Act requirements.

II. PURPOSE AND NEED

Municipal government has become increasingly complex. Councils are asked to make decisions involving transportation infrastructure, utilities, stormwater, grants, personnel administration, public safety, technology, land use planning, economic development, and capital improvements.

Many of these issues involve substantial financial commitments and long-term consequences. While staff, engineers, consultants, and grant administrators provide expertise, elected officials remain accountable to taxpayers for the decisions ultimately made. Standing committees provide a structured process through which significant municipal matters can be reviewed, discussed, and evaluated before recommendations are presented to the full City Council.

III. MUNICIPAL GOVERNANCE CONCEPTS

The Arkansas Municipal League consistently recognizes the City Council as the legislative and governing body of the municipality. This proposal does not alter that principle. The City Council remains the sole body authorized to adopt ordinances, appropriate public funds, approve contracts, establish policy, and exercise legislative authority.

Standing committees function as extensions of the City Council, providing a mechanism for gathering information, reviewing alternatives, receiving presentations, and developing recommendations. Final authority remains with the City Council.

City of Fayetteville Official Seal 1869 Fayetteville Arkansas

IV. COMPARISON OF MUNICIPAL BODIES

Standing Committees: Membership consists of aldermen; authority is advisory only; purpose is to review issues and make recommendations.

Advisory Resource Participants: Appointed by Council; possess no authority; provide expertise and institutional knowledge.

Boards and Commissions: Membership and authority vary by statute or ordinance; purpose is specialized oversight or regulatory functions.

City Council: Entire elected governing body; retains legislative and governing authority and serves as the final decision-making body.

V. PROPOSED COMMITTEE STRUCTURE

The ordinance establishes six standing committees: Finance and Budget; Public Works; Water and Sewer; Public Safety; Parks and Recreation; Government Operations and Personnel.

Each committee shall consist of three aldermen appointed annually by the City Council. The Council shall appoint a Chair and Vice-Chair and may appoint up to three Advisory Resource Participants for each committee.

VI. ADVISORY RESOURCE PARTICIPANTS

One of the strongest features of this proposal is the ability to draw upon specialized expertise without diluting elected accountability.

Examples include the City Engineer, department heads, planning staff, grant administrators, consulting engineers, retired public officials, business leaders, utility professionals, and qualified citizens. These participants would provide information and technical assistance but would not vote, establish quorum, make motions, or bind the City.

VII. CASE STUDY – HIGHWAY 412 AND BARRINGTON ROAD

The Highway 412 and Barrington Road project illustrates the value of committee review. Projects of this nature may involve federal funding requirements, state participation, local matching obligations, utility relocation costs, traffic engineering considerations, property impacts, long-term maintenance obligations, and alternative design concepts.

A Public Works Committee could receive information from city staff, engineers, regional planning representatives, ARDOT personnel, utility providers, and citizens in a public setting before recommendations are presented to the City Council.

VIII. BENEFITS OF STANDING COMMITTEES

Benefits include improved transparency, better understanding of complex projects, increased council participation, improved communication between staff and elected officials, access to expertise, and greater public confidence in governmental decision-making.

IX. COMPENSATION AND FISCAL IMPACT

This ordinance creates no new positions, salaries, stipends, meeting fees, per diem payments, or compensation obligations. Committee service is part of the normal duties of elected officials. Advisory Resource Participants serve without compensation unless otherwise authorized by future ordinance.

Accordingly, the proposal is expected to have little or no direct budgetary impact.

X. MEETING REQUIREMENTS AND FOIA COMPLIANCE

The ordinance does not require monthly meetings. Committee meetings occur only when necessary and may be called by the Chair or Vice-Chair. All committee meetings remain subject to Arkansas FOIA requirements, including public notice and public access provisions.

XI. ANTICIPATED QUESTIONS

Will this create another layer of government? No. Committees are advisory only.

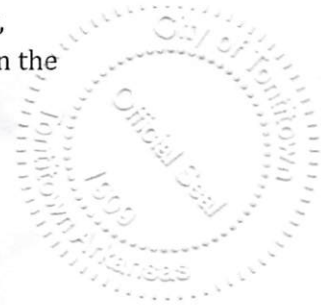
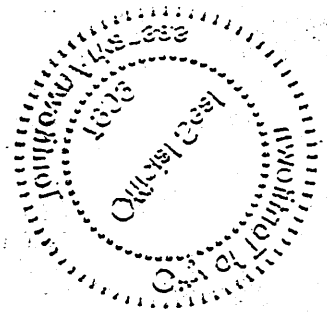
Will authority be removed from the City Council? No. Final authority remains with the Council.

Will this increase costs? No additional compensation is authorized.

Will monthly meetings be required? No. Meetings occur only when necessary.

Why not simply rely on staff? Because elected officials remain accountable to taxpayers and should have a structured opportunity to evaluate significant matters before final action.

XII. EFFECTIVE DATE AND CONCLUSION

The ordinance becomes effective January 1, 2027, allowing the newly elected City Council following the 2026 election to organize committees and advisory appointments at the beginning of the next term.

The proposed Standing Committee structure improves transparency, accountability, communication, and informed decision-making while preserving all authority within the City Council. For these reasons, adoption is respectfully recommended.