

ORDINANCE NO. 2026-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING TONTITOWN MUNICIPAL CODE § 30.01(A); REPEALING TONTITOWN MUNICIPAL CODE § 31.03 (THE COMMITTEE OF THE WHOLE); ESTABLISHING TWO REGULAR LEGISLATIVE MEETINGS OF THE CITY COUNCIL EACH MONTH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Tontitown is authorized by Arkansas law to establish rules governing the conduct of its meetings and legislative procedures; and

WHEREAS, the Tontitown City Council presently conducts a Committee of the Whole meeting on the first Tuesday of each month and a regular legislative meeting on the third Tuesday of each month pursuant to the Tontitown Municipal Code and as permitted by Arkansas law; and

WHEREAS, the Committee of the Whole is a procedural mechanism established by local ordinance and is not required by Arkansas law; and

WHEREAS, the Tontitown City Council has determined that conducting regular legislative meetings on both the first Tuesday and third Tuesday of each month will provide a more efficient and transparent method for conducting City business; and

WHEREAS, the Tontitown City Council finds that allowing legislative matters to be introduced, discussed, and acted upon at either regular meeting will reduce unnecessary procedural delays and promote the orderly transaction of City business; and

WHEREAS, the Tontitown City Council further finds that this ordinance merely restructures the format of meetings already regularly scheduled by the City and does not increase the number of regularly scheduled meetings, compensation, staffing, or budgeted expenditures of the City; and

WHEREAS, the City Council finds that repealing the Committee of the Whole and replacing it with a second regular legislative meeting each month will enhance public participation and public understanding of the City's legislative process.

SECTION 1. Amendment to Section 30.01

Section 30.01(A) of the Tontitown Municipal Code is hereby amended to read as follows:

"(A) The date for the regular legislative meetings of the City Council shall be on the first Tuesday and third Tuesday of each month unless rescheduled by a simple majority vote of the City Council. If a meeting date falls upon a legal holiday, the meeting shall occur at such time as established by the City Council."

SECTION 2. Repeal of Tontitown Municipal Code § 31.03.

Tontitown Municipal Code § 31.03, entitled "Committee of the Whole," is hereby repealed in its entirety.

SECTION 3. It is the intent of the City Council that any lawful municipal business may be introduced, discussed, amended, postponed, referred, tabled, or acted upon at any regular legislative meeting.

SECTION 4. It is the intent of the City Council to merely restructures the format of existing regularly scheduled meetings. This ordinance does not create additional meetings, compensation, staffing, or budget expenditures but shall

SECTION 5. Severability. If any provision of this ordinance is determined to be invalid or unenforceable, such determination shall not affect the remaining provisions of this ordinance, which shall remain in full force and effect.

SECTION 6. Repealer. All ordinances, resolutions, and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. EMERGENCY CLAUSE.

The City Council finds that immediate implementation will improve transparency, efficiency, and public understanding while not increasing the number of regularly scheduled meetings. Therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon passage, publication, and approval of the Emergency Clause by separate vote.

PASSED AND APPROVED on this _____ day of July 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.

~~DRAFT ORDINANCE FOR CITY ATTORNEY REVIEW~~

ORDINANCE NO. _____

SPONSORED BY: ALDERMAN _____

AN ORDINANCE AMENDING TONTITOWN MUNICIPAL CODE § 30.01(A); REPEALING TONTITOWN MUNICIPAL CODE § 31.03 (THE COMMITTEE OF THE WHOLE); ESTABLISHING TWO REGULAR LEGISLATIVE MEETINGS OF THE CITY COUNCIL EACH MONTH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

~~AN ORDINANCE AMENDING CHAPTER 32 OF THE TONTITOWN MUNICIPAL CODE; REPEALING THE COMMITTEE OF THE WHOLE; ESTABLISHING TWO REGULAR LEGISLATIVE MEETINGS OF THE CITY COUNCIL EACH MONTH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.~~

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WHEREAS, the Committee of the Whole is a procedural mechanism established by local ordinance and is not required by Arkansas law; and

WHEREAS, the Tontitown City Council has determined that conducting regular legislative meetings on both the first Tuesday and third Tuesday of each month will provide a more efficient and transparent method for conducting City business; and

WHEREAS, the Tontitown City Council finds that allowing legislative matters to be introduced, discussed, and acted upon at either regular meeting will reduce unnecessary procedural delays and promote the orderly transaction of City business; and

WHEREAS, the Tontitown City Council further finds that this ordinance merely restructures the format of meetings already regularly scheduled by the City and does not increase the number of regularly scheduled meetings, compensation, staffing, or budgeted expenditures of the City; and

WHEREAS, the City Council finds that repealing the Committee of the Whole and replacing it with a second regular legislative meeting each month will enhance public participation and public understanding of the City's legislative process.

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~~All provisions establishing, authorizing, governing, or referencing the Committee of the Whole are repealed. City Attorney to insert specific code references.~~

SECTION 2. Repeal of Tontitown Municipal Code § 31.03.

Tontitown Municipal Code § 31.03, entitled "Committee of the Whole," is hereby repealed in its entirety.

~~SECTION 2. The City Council shall conduct two regular legislative meetings each month. The first shall occur on the first Tuesday of each month and the second on the third Tuesday of each month, unless otherwise established by law, ordinance, or resolution.~~

SECTION 3. It is the intent of the City Council that Any lawful municipal business may be introduced, discussed, amended, postponed, referred, tabled, or acted upon at ~~either any~~ regular legislative meeting.

SECTION 4. It is the intent of the City Council to merely restructures the format of existing regularly scheduled meetings. This ordinance does not create additional meetings, compensation, staffing, or budget expenditures but shall. ~~It merely converts an existing meeting into a legislative meeting.~~

SECTION 5. Severability. If any provision of this ordinance is determined to be invalid or unenforceable, such determination shall not affect the remaining provisions of this ordinance, which shall remain in full force and effect.

SECTION 6. Repealer. All ordinances, resolutions, and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

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ROLL CALL VOTE ON ORDINANCE

ROLL CALL VOTE ON EMERGENCY CLAUSE

POSITION PAPER 6/23/2026

ABOLISHMENT OF THE COMMITTEE OF THE WHOLE

PURPOSE

This position paper supports a proposed ordinance abolishing the Committee of the Whole (COW) and replacing it with a second regular legislative meeting of the Tontitown City Council each month. The proposal is intentionally limited to this single issue.

BACKGROUND

A previous ordinance combined two separate concepts: (1) abolition of the Committee of the Whole and (2) creation of standing committees. During council discussion, concerns were expressed regarding combining multiple governance reforms into a single ordinance. After reviewing those comments, the proposal has been separated so each issue may be considered independently.

This ordinance addresses only the Committee of the Whole.

WHAT THIS ORDINANCE DOES

- Repeals the Committee of the Whole structure.
- Converts the existing Committee of the Whole meeting into a regular legislative meeting.
- Allows municipal business to be discussed and acted upon at either regular meeting.
- Maintains essentially the same meeting schedule currently used by the City.

WHAT THIS ORDINANCE DOES NOT DO

- Does not increase the number of regularly scheduled monthly meetings.
- Does not create standing committees.
- Does not increase alderman compensation.
- Does not create new staff positions.
- Does not increase the City budget.
- Does not expand government.

WHY THIS CHANGE IS WARRANTED

The Committee of the Whole was originally intended as a discussion forum. While useful historically, it can create delays by requiring matters to be discussed at one meeting and then acted upon weeks later at another meeting.

The proposed ordinance allows the Council to take action when it is ready to do so while

preserving the Council's ability to postpone, table, or seek additional information whenever appropriate.

TRANSPARENCY BENEFITS

Citizens often find it difficult to distinguish between a discussion meeting and a legislative meeting. Many residents reasonably assume that if the Council is assembled discussing public business, official action can occur.

Under this proposal, the process becomes easier for the public to understand. Both regularly scheduled meetings become legislative meetings. Citizens will have a clearer understanding of when official action may occur.

EFFICIENCY BENEFITS

This ordinance removes an unnecessary procedural step. Matters that are ready for consideration may be acted upon without waiting for a later legislative meeting solely because of the type of meeting being held.

The proposal does not reduce debate, public participation, legal review, or council oversight. It simply provides flexibility for the Council to conduct business more efficiently.

FISCAL IMPACT

There is no anticipated fiscal impact.

The City already schedules and conducts these meetings. The ordinance merely changes the legal character of one existing meeting. No additional compensation, staffing, facilities, or expenditures are created.

RESPONSE TO PRIOR COUNCIL COMMENTS

Several comments during prior discussion focused on concerns about adding meetings or increasing governmental obligations.

This proposal directly addresses those concerns. It does not add meetings. It does not create standing committees. It does not increase compensation. It simply converts an existing meeting into a legislative meeting.

CITY ATTORNEY REVIEW

This proposal is respectfully submitted to the City Attorney for review as to legal form, codification requirements, and compliance with Arkansas law. Any revisions recommended

by counsel should be incorporated before formal consideration.

CONCLUSION

The ordinance represents a modest but meaningful improvement in transparency, efficiency, and public understanding. It maintains the City's current meeting schedule, creates no additional cost, and allows the Council to conduct municipal business in a more straightforward manner.

FOIA AND COMMUNICATIONS NOTICE

To avoid any appearance of a serial meeting under the Arkansas Freedom of Information Act, council members are respectfully requested not to engage in reply-all communications or group email deliberations regarding this proposal.

Questions, comments, or suggested revisions should be directed individually to the City Attorney or discussed during a properly noticed public meeting.