

ORDINANCE NO. 2026-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE ESTABLISHING THE POSITION OF PUBLIC WORKS DIRECTOR
WITHIN CITY GOVERNMENT AS THE HEAD OF A DEPARTMENT SEPARATE
AND DISTINCT FROM THE WATER AND SEWER DEPARTMENT; ADOPTING A
JOB DESCRIPTION FOR THE POSITION, ATTACHED AS EXHIBIT A; AND FOR
OTHER PURPOSES**

WHEREAS, the City of Tontitown has established the Water and Sewer Department as a separate department, headed by the Water and Sewer Department Manager, responsible for the operation, maintenance, regulatory compliance, and long-range planning of the City's potable water distribution and wastewater collection systems; and

WHEREAS, the City's general public infrastructure — including streets, rights-of-way, storm drainage infrastructure accepted for City maintenance, culverts and drainage structures, traffic control devices, pavement markings, fleet and equipment management, and coordination of public infrastructure capital improvement projects — requires dedicated department-head leadership separate from utility operations; and

WHEREAS, the City Council finds that establishing the position of Public Works Director, as a department head reporting directly to the Mayor, will provide focused leadership over general public infrastructure while preserving the independent management, accountability, and specialized expertise of the Water and Sewer Department; and

WHEREAS, the City Council intends that the Public Works Director and the Water and Sewer Department Manager shall each remain independently accountable for their respective departments, that neither position is intended to supervise, direct, or absorb the other, and that the two departments shall coordinate activities without overlapping authority; and

WHEREAS, the City Council desires to adopt a written job description setting forth the purpose, essential functions, minimum and preferred qualifications, and limitations of authority of the position, attached hereto as Exhibit A and incorporated herein by reference;

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

Section 1. Establishment of Position and Department.

(A) There is hereby established within City government the position of Public Works Director (“Director”), as the department head of the Public Works Department. The Public Works Department is a department separate and distinct from the Water and Sewer Department. The Director shall be appointed by and serve at the pleasure of the Mayor, subject to any applicable provisions of the Tontitown Municipal Code and Arkansas law governing the appointment and removal of department heads.

(B) The Public Works Department shall be responsible for the City's general public infrastructure, including streets, rights-of-way, storm drainage infrastructure accepted for City maintenance, culverts and drainage structures, traffic control devices, pavement markings, fleet and equipment

management, general public infrastructure maintenance, and coordination of public infrastructure capital improvement projects.

(C) The Director shall report directly to the Mayor and shall exercise only the authority established by ordinance, the adopted budget, City policy, and applicable law.

Section 2. Relationship to the Water and Sewer Department.

(A) The Public Works Department and the Water and Sewer Department are separate municipal departments, each headed by its own department head. Neither the Director nor the Water and Sewer Department Manager shall supervise, direct, or assume the responsibilities of the other.

(B) The Director shall have no authority over the operation, maintenance, regulatory compliance, or long-range planning of the City's potable water distribution or wastewater collection systems, which shall remain the responsibility of the Water and Sewer Department Manager.

(C) The Public Works Department and the Water and Sewer Department shall coordinate activities as necessary, including when utility repairs require street restoration, infrastructure improvements affect drainage, or capital projects involve multiple public assets, while each department remains independently managed and directly accountable to the Mayor and City Council.

Section 3. Adoption of Job Description.

The job description for the Public Works Director, attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted and shall govern the position's purpose, essential functions, minimum and preferred qualifications, knowledge, skills, abilities, and limitations of authority. The Mayor may revise nonmaterial administrative details of Exhibit A consistent with this Ordinance; provided, that any material change to the Director's authority, reporting relationship, departmental jurisdiction, or essential functions — including any change affecting the separation of the Public Works Department from the Water and Sewer Department described in Section 2 — shall require approval through the process required by applicable law and City ordinance.

Section 4. Codification.

Upon adoption, the provisions of this Ordinance establishing the position of Public Works Director shall be incorporated into the Tontitown Municipal Code, and the codifier is authorized to assign an appropriate chapter and section number, renumber or redesignate sections, and make such non-substantive formatting changes as are necessary to accomplish codification.

Section 5. Repealer.

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

Section 6. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date.

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED on this _____ day of _____,
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.

EXHIBIT A

[Job Description — Public Works Director — Not Yet Provided]

A job description for the Public Works Director was not included with the position paper supplement provided for this drafting request. This placeholder preserves the Ordinance's cross-reference to Exhibit A; the job description should be finalized and attached before the Ordinance is introduced.