

**ORDINANCE NO. 2020-01**

**CITY OF DIAMOND CITY, BOONE COUNTY, STATE OF ARKANSAS:**

**AN ORDINANCE ESTABLISHING THE ORGANIZATION,  
MANAGEMENT, AND RULES OF PROCEDURE FOR THE AFFAIRS  
OF THE CITY OF DIAMOND CITY AND THE DIAMOND CITY CITY  
COUNCIL, AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Diamond City has an obligation to provide the citizens with services in the most effective and efficient manner possible; and

**WHEREAS**, the City of Diamond City will establish a mission statement to provide all employees and elected officials with guidelines to follow when providing services and communicating with the citizens; and

**WHEREAS**, A.C.A. §14-43-501 provides for the elected Aldermen to assemble and organize the City Council; and

**WHEREAS**, the elected Aldermen of the City of Diamond City, Arkansas believe that it is in the best interest of the City to establish the following rules and regulations regarding the proceedings of the monthly City Council meetings of Diamond City, any board or commission meetings, and the duties and responsibilities of the elected officials of the City;

**NOW THEREFORE, BE IT ENACTED**, by the City Council of the City of Diamond City, as follows:

**I. MISSION STATEMENT**

To deliver effective and efficient services thereby providing a quality of life that makes Diamond City a great place to live, visit and play. It is the mission of the City of Diamond City to provide excellent customer service to all residents and visitors of the city. We will strive to wisely manage and utilize the financial and physical resources of town government, to promote policies and programs which will assure the long-term health and vitality of the community, and to develop and enhance the professional growth of all staff members. We set these standards of quality service by upholding our core values. Public Service is our purpose. It is why we are here. We commit to provide competent, dependable and efficient service to all by knowing our jobs and our City. We value tactful, useful and honest communication among ourselves and with our community. Listening to the needs of others is a critical part of our communication process. We commit to continuous improvement and growth through proactive leadership and technology.

**II. ORGANIZATION**

The City of Diamond City shall have the general organizational structure as follows:

MAYOR – Responsible for the daily operations of the City of Diamond City.

TREASURER – Responsible for the financial operations of the City of Diamond City.

RECORDER – Responsible for the communication and fulfilling the requests of the City Council, the Mayor, any standing board and the Planning and Zoning Commission regarding and scheduled meeting.

PUBLIC WORKS DEPARTMENT – Responsible for water, sewage, streets, and general maintenance of public buildings.

WATER BILLING DEPARTMENT – Responsible for billing for services and daily City Hall operations.

POLICE DEPARTMENT – Responsible for the safety of the citizens of the City of Diamond City

### **III. COUNCIL PROCEDURAL RULES.**

- A. In the absence of specific rules of procedure, as set out in this procedural ordinance, the rules of procedure for transacting business at regular and special meetings of the City Council shall be the "Procedural Rules for Municipal Officials" published by the Arkansas Municipal League in 2018.
- B. The Recorder shall commence a roll call vote with a different member of the City Council on a rotating basis or by motion of a City Council Member, seconded and passed by a majority vote of the Council.
- C. Any citizen attending a meeting of the Diamond City City Council shall be given a reasonable opportunity to voice comments concerning agenda items at the beginning of each regular or special meeting of the Council. Each citizen shall be afforded three (3) minutes in total for this discussion.
- D. Any citizen attending a meeting of the Diamond City City Council shall be given a reasonable opportunity to comment on any ordinance at hand before the final vote by the City Council. Each citizen shall be afforded three (3) minutes in total for this discussion.

### **IV. CITY COUNCIL ADMINISTRATION.**

- A. The Recorder shall serve as secretariat of the City Council. In the absence of the Recorder, the Recorder or the Mayor may appoint a Deputy Clerk to serve in place of the Recorder in his/her absence. The recorder shall perform all administrative and record-keeping duties of the Council in accordance with Arkansas Law. An audio recorder shall be used to record the meeting for the Recorder's convenience. The original copy of the audio recording shall not be removed from City Hall. Copies of the recorded meeting shall be available within five (5) days after the meeting. After the minutes are passed, two copies shall be kept; one in the Recorder's Office and one given to the Mayor.

### **IV. AGENDA**

- A. It shall be the responsibility of the Recorder, and only the Recorder, to see that the agenda, Council information packets, and public notifications are prepared. The Recorder will see that the agendas are distributed to the City Council members and other interested citizens in a timely manner to include radio and newspaper notifications.
- B. All items submitted to the Recorder for the agenda must be submitted in writing no later than the close of business of the Wednesday prior to the regularly scheduled meeting. The name of the sponsor of each agenda item shall be attached to the ordinance, the resolution, or other item before it is placed on the agenda.

- C. Every effort will be made to deliver a packet containing items that have been placed on the agenda to the City Council no later than noon on the Thursday prior to the regularly scheduled meeting. The agenda shall be posted prominently in City Hall, Post Office, Busy Bee Laundromat, Katie's Café, and the City's two marquees, no later than noon on Friday prior to the scheduled meeting.

## VI. MINUTES

- A. The minutes of any regular or special council meeting will be completed no later than ten (10) business days after the meeting. This will ensure there is ample time for revisions and finalizing of the minutes to be prepared before the next regular meeting at which time the minutes will be put on the agenda for approval by the Council.

## VII. REGULAR MEETINGS.

- A. The regular meeting of the Diamond City City Council will be held on the fourth Tuesday of each month at 7:00 PM in the Diamond City Community Center. The meeting date and time will be posted in selected public places. When a regular meeting of the Council falls on a recognized City holiday, the meeting shall be held the same time and place on the next day for which city government offices are open for business.
- B. Before a meeting is called to order, if there is a lack of a quorum the Mayor will cancel the meeting and reschedule the meeting later, again allowing for the proper and posting of the meeting by the Recorder. The agenda may be changed as necessary to ensure it is up to date for the newly scheduled meeting.

## VIII. SPECIAL MEETINGS.

- A. The Mayor or 3 (three) Council members may call special meetings upon at least four (4) hours' notice. The notice of a special meeting shall specify the subject(s), date, time, and designated location of the special meeting. Only such business as was included in the notice may be considered. Every effort will be made to notify the citizens through acceptable media outlets, the Public Notice locations and the meetings sign on Grand Avenue.
- B. Notice of a special meeting given at any regular or special meeting of the City Council shall constitute due notice to the members. The Recorder shall be responsible for giving a timely notice to absent members, as well as giving public notice, containing the information specified in subsection A. of this section.
- C. Notice of a special meeting of the City Council, called by the Mayor, at other than a meeting shall be accomplished by the Mayor notifying the Recorder in writing, who shall be responsible for notifying each City Council member individually, and give due public notice, containing the information specified in subsection A. of this section.
- D. Notice of a special meeting of the City Council called by three (3) of the Council members shall be accomplished by one member of the three notifying the Recorder in writing. In addition to the information specified in subsection A., the notice shall also include the name of the Council members calling the meeting. The Recorder shall notify the Mayor. The Recorder shall be responsible for notifying the Mayor and each Council member not calling the special meeting and giving due public notice.
- E. In order to protect the rights and interests of all city officials concerned and the general public, it is the intent of this body that notice of a call for a special meeting shall be given as far in advance as possible consistent with the nature and immediacy of the purpose of the special meeting. The minimum of four (4) hours' notice shall be used only under extreme or unusual circumstances.

- F. All special meetings of the City Council or any of its committees, boards, or commissions shall be in conformance with the Arkansas Freedom of Information Act and all other state laws.
- G. If there is a cancellation of a special meeting the Recorder shall be responsible for notifying the Mayor and/or the Council member not included in calling the cancellation of the special meeting and giving due public notice. This called cancellation of a special meeting shall be made no less than four (4) prior to the time of the special meeting.
- H. Only the person who has called the special meeting is allowed to cancel the meeting.

**IX. PUBLIC NOTIFICATION OF MEETING**

- A. In addition to all other duties required by law, the Recorder shall be responsible for giving public notice required by Arkansas Freedom of Information Act of regular and special meetings of the City Council, Committees, Boards, or Commissions. Committee, Board or Commission Chairpersons shall strive to give six (6) hours' notice, in writing, of a meeting in order to give the Recorder time to notify council members, mayor and the public.

**X. ATTENDANCE AT MEETINGS BY CITY RECORDER AND CITY TREASURER**

- A. In addition to duties required by law, the Treasurer shall attend all regular meetings of the City Council for the purpose of responding to any questions which may arise concerning the financial statement which is required to be submitted monthly to the City Council. In the event he/she is unable to attend, the Mayor will answer any questions regarding the financial statement. The Treasurer is exempt in attending any special meeting, if there is no financial interest of the council,
- B. In addition to duties required by law, the Recorder shall attend all regular and special meetings of the City Council. In absence of the Recorder, the Mayor or the Recorder, shall appoint a Deputy Clerk to serve in the place of the Recorder.

**XI. BOARDS**

A. Definitions

- 1) Wherever the term "standing board" is used in this section, it shall mean a board approved by the City Council, constituted by the City Council, to perform in a continuing function, and intended to remain in existence.
- 2) Wherever the term "special board" is used in this section, it shall mean a board, approved by the City Council, constituted by the City Council to perform a specific task, and to be dismissed upon completion of its task.

B. The City Council hereby establishes the following Standing Boards of the City Council. The Mayor is a non-voting member of all Boards and cannot serve as Chairperson on any Boards:

Any standing board may adopt its own by-laws approved by the Council.

No more than two (2) council members per board.

- (1) Community and Economic Development
- (2) Parks and Recreation
- (3) Community Center

C. The City Council hereby establishes the following special boards of the City Council. The Mayor is a non-voting member of all Boards and cannot as Chairperson on any Board.

- (1) Ordinance and Resolution
- (2) Personnel and Employee Policy
- (3) Public Works (streets, water and sewer)

- D. The Mayor or two (2) council members shall appoint, and the majority of the City Council shall confirm all members of Boards constituted by the City Council. Only the Council may remove any board member with majority vote.
- E. Board Chairpersons shall be elected by each individual board provided that no Councilman serve as the chairperson of more than one standing board. The term of the chairperson shall be one year, but a Chairperson may be elected to serve successive terms. Boards shall meet at the call of the Chairperson, two board members or by the request of the Mayor. The Recorder shall be notified of all board meetings at least six (6) hours in advance to ensure proper notification of the mayor, City Council and public as required by the Arkansas Freedom of Information Act.
- F. Each board shall report its progress, findings and recommendations to the City Council during regular or special meetings as needed.
- G. Each board shall require written minutes of the proceedings in each meeting. The chairperson of the board shall be responsible for submitting the minutes no later than seven (7) days to the recorder. The Recorder shall prepare the minutes to be available for public inspection and copying.
- H. No unconfirmed board member will have a countable vote.

## **XII. COMMISSIONS**

- A. The City Council hereby establishes the following commission.
  - 1. Planning and Zoning
- B. All commissions and recommendations shall be made by the Mayor or two (2) members of the City Council and shall be confirmed by majority vote of the city council. Likewise, only the council may remove any council member with majority vote.
- C. The length of membership shall be two (2) years or as designated by the commission bylaws. Members may be appointed to serve successive terms.
- D. Commission officers shall be decided by the by a majority vote of its members. No commission officer may serve as chairperson of more than one board or committee. Officers may be elected to serve successive terms.
- E. Commissions shall meet at the call of the president, two (2) commission members or the mayor. The Recorder shall be notified of all commission meetings at least six (6) hours in advance to ensure proper notification of the mayor, Councilmen and public as required by the Arkansas Freedom of Information Act.
- F. Each commission shall report its progress, findings and recommendations to the City Council during regular or special meetings as needed.
- G. Each commission shall require written minutes of the proceedings in each meeting. The president of the commission shall be responsible for submitting the minutes no later than seven (7) days to the recorder. The Recorder shall prepare the minutes to be available for public inspection and copying.

## **XIII. PUBLIC HEARINGS, TOWN MEETINGS AND WORK SESSIONS**

- A. The Mayor or two (2) members of the City Council may call a public hearing, town meeting or work session upon at least Six (6) hours' notice. The notice of a hearing shall specify the subject, date, time, and designated location of the meeting. These meetings shall be used for a means of information gathering or the hearing of evidence on a subject or action and only such business as was included in the notice may be considered. No conclusions or votes mandating the City Council to act will be taken or recognized by the City Council at such hearings, meetings or sessions..

- B. Notice of a public hearing, town meeting, or work session of the City Council called by the Mayor or any two (2) council members shall be accomplished by one of the two council members or the mayor, notifying the Recorder in writing. In addition to the information specified in subsection A, the notice shall include the name of each council member making up the hearing, meeting session. The Recorder shall be responsible for notifying the Mayor and each council member not calling meeting and giving public due notice.
- C. In order to protect the rights and interests of all city officials concerned and the general public, it is intent of this body that notice of a call for a public hearing, town meeting or work session shall be given as far in advance as possible consistent with the nature and immediacy of the purpose of the hearing, meeting or session. The minimum of Six (6) hours' notice shall be given only under unusual circumstances.
- D. All public hearings , town meetings or work sessions called by the Mayor, City Council shall be in conformance with the Arkansas Freedom of information Act and all other state laws.

**XIV. SEVERABILITY**

- A. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect other provisions or applications of the ordinance, and to such end the provisions of this ordinance are declared to be severable.
- B. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND APPROVED** this 28th day of January 2020 in a regular meeting.

Greg Wilson	AYE <u>X</u>	NAY _____	ABSTAIN _____	ABSENT _____
Victoria French	AYE <u>X</u>	NAY _____	ABSTAIN _____	ABSENT _____
Don Bennett	AYE _____	NAY <u>X</u>	ABSTAIN _____	ABSENT _____
Cheryl Guthrie	AYE _____	NAY <u>X</u>	ABSTAIN _____	ABSENT _____
Cristy Alcott	AYE <u>X</u>	NAY _____	ABSTAIN _____	ABSENT _____
Charlie Grimes	AYE <u>X</u>	NAY _____	ABSTAIN _____	ABSENT _____

**ATTEST:**

*Shari L. Marshall*  
 Shari L. Marshall, Acting Recorder

**APPROVED:**

*Linda Miracle, Mayor*  
 Linda Miracle, Mayor