

CITY OF DIAMOND CITY, ARKANSAS

ORDINANCE NUMBER 7- 11

**AN AMENDMENT TO ORDINANCE 02-11 BY THE CITY COUNCIL OF DIAMOND CITY,
BOONE COUNTY, ARKANSAS TO ESTABLISH ADMINISTRATION OF THE WATER
BILLING DEPARTMENT, THE COMMUNITY CENTER, THE LIBRARY, AND EMPLOYEES.
REQUIREMENTS TO CALL A SPECIAL MEETING AND POLICE COMMITTEE
MEMBERSHIP**

WHEREAS, the City Council of Diamond City, Arkansas has to comply with State Statute 14-43-502(2)(b), Powers of Council Generally; and

WHEREAS, the City Council of Diamond City, Arkansas has the power to create a position of Administrative Head for the Water Billing Department, the Community Center, the Library and its employees/ volunteers; and

WHEREAS, to ensure the efficient operation of the City of Diamond City it is in the best interest of the city that the afore mentioned departments be grouped under one Administrator;

NOW, THEREFORE, BE IT ORDAINED THAT THE CITY COUNCIL OF DIAMOND CITY DOES HEREBY AMEND ORDINANCE 02-11# AS FOLLOWS:

Sections 5, 7, 8 and 9 are specifically amended therein as follows:

SECTION 5: SPECIAL MEETINGS

Amend and replace the first sentence of Subsection 5 (a) as follows: The Mayor or three members of the Council may call special meetings upon at least six (6) hours notice. The remaining provisions of Section 5: Special Meetings shall remain unchanged and in full force and effect.

SECTION 7: ATTENDANCE AT MEETINGS BY CITY RECORDER/TREASURER

Amend and replace Section 7 in its entirety to read:

- (a) In addition to all other duties required by law, the City Recorder/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 required to be submitted monthly to the City Council by the City Recorder/Treasurer.
- (b) In addition to all other duties required by law, the City Recorder/Treasurer shall attend all special meetings of the City Council where members of the City Council or the Mayor deem such attendance necessary. Timely notice of such need for the attendance shall be furnished to the City Recorder/Treasurer giving the purpose for which the attendance is required.

- (c) The City Recorder/Treasurer shall be the Administrative Head of the Water Billing Department and its employees. The employees of the Water Billing Department shall also serve as Deputy Recorders and shall assist the Mayor, as they are able.
- (d) The operations of the Diamond City Community Center and the Library shall also be included as part of the City Recorder/Treasurer's responsibilities. The Community Center and the Library Boards shall include the Administrative Head, the Mayor, the Librarian, and two members of the Public to be confirmed by the Council.

SECTION 8: COMMITTEES

Amend and replace subsection (b) (2) as follows:

- (2) Police Oversight and Procedures (consisting of five (5) council members).

The remaining provisions of Section 8: Committees shall remain unchanged and in full force and effect.

CONSTITUTIONALITY

This ordinance and the various parts thereof are hereby declared to be severable. Should any section or subsection be declared by the courts to be unconstitutional or invalid, such decision shall not affect the ordinance as a whole, or any portion thereof other the section or subsection to be declared unconstitutional or invalid.

Approved and adopted by roll call vote as follows this 14th day of April 2011. This shall be Ordinance 07-11.

Ayes 5	Nays 0	Abstentions 0	Absent 1
Councilperson	Sally Allen		Yes
Councilperson	Barbara Lucas		Yes
Councilperson	Ed Umek		Yes
Councilperson	Donna Reeves		Yes
Councilperson	Coetta Andrews-Davison		absent
Councilperson	Don West		Yes

ATTEST:

 Steven Floyd, Deputy Recorder

APPROVED:

 Shari L. Marshall, Mayor

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF BOONE

We, Shari Marshall and Cheryl Guthrie, do solemnly swear that as Mayor and City Recorder/Treasurer, respectively, of and for the City of Diamond City, Boone County, Arkansas, that a certified copy of

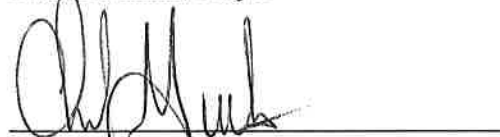
Ordinance No. 07 - 11 was, on the 15th day of April, 2011, duly posted in five separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 03 - 10 of the City, and that Ordinance No. 07 - 11 remain posted for thirty (30) days.

Dated this 15th day of May, 2011.



Shari Marshall, Mayor

(SEAL)



Cheryl Guthrie, City Recorder/Treasurer