

**CHAPTER 2
ADMINISTRATION**

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ARTICLE I. In General

Sec. 2-1. City Designated as City of First Class.

The City of Searcy is hereby deemed and proclaimed to be a City of the first class. Hereafter, the City of Searcy, in the capacity of a City of the first class, shall take over the assets and resources and assume the obligations and liabilities of the City of Searcy, as it now stands and exists; and hereafter, said City shall exercise all of the rights and powers granted to cities of the first class under the Constitution and Statutes of the State of Arkansas. (*Ord. No. 332, §§ 1, 2, 12-10-51*)

Sec. 2-2. Purchases, Contracts; Procedure.

The Mayor or his duly authorized representative shall have the authority and responsibility to make purchases of all supplies, apparatus, equipment, materials and other things requisite for public purposes in and for the City of Searcy, and to make all contracts for labor or work to be performed or other necessary things to be furnished for the benefit of the city, or in carrying out any work or undertaking of a public nature, within the limits of the Budget for Operations of the City then in effect, to the extent that the reasonably anticipated cost of such supplies, materials, work labor or equipment is less than \$3,000, without the necessity of procuring competitive bids therefor; provided, however, the Mayor or his duly authorized representative shall have the authority to purchase fuel and pay all utility expense of the City of Searcy without the requirement of competitive bidding and without further approval of the City Council to the extent that any such purchase of fuel or any utility expense payment shall be in an amount of \$5,000 or less; and provided, further, that in making such purchases, the said Mayor shall to the extent possible, secure telephone or informal written bids from as many sources of such supplies, materials, labor or equipment as shall, by such Mayor, be deemed reasonable to insure that such purchase made on behalf of the City is made at the lowest possible price. Except with respect to purchases of fuel and payment of utility expense as hereinbefore provided, notwithstanding anything to the contrary herein contained, the Mayor shall make no purchase of any such supplies, materials, apparatus, equipment, nor shall the Mayor contract for the performance of any work or labor to be performed if the reasonably anticipated cost of such purchase or contract is in excess of the sum of \$3,000, in which event the Mayor, or his duly authorized representative shall, after having first secured approval therefor from the City Council, invite competitive bidding as otherwise required by law. Further notwithstanding anything to the contrary herein contained, the City Council may, by Ordinance, waive the requirement of competitive bidding in exceptional situations where such procedure is deemed not feasible or practicable. (*Ord. No. 441, § 1, 7-19-61; Ord. No. 687, 7-9-85; Ord. No. 87-11, 8-11-87; Ord. No. 88-26, 9-13-88; Ord. No. 89-04, 1-10-89*)

Sec. 2-3. Depository Board.

Pursuant to the provisions of Arkansas Code Annotated §19-8-106(b) there is hereby created for the City of Searcy, Arkansas a Depository Board which shall be comprised of the Mayor and City Clerk and which shall have supervisory authority over the deposit of all funds of the City of Searcy; and shall be empowered to enter into such contracts of other agreements as are necessary or appropriate with approved banks or banking institutions respecting the deposit of public funds.

Sec. 2-4. Reserved.

Sec. 2-5. Treasurer.

The City Clerk-Treasurer shall be the custodian of all the funds of said City. He or she shall disburse the same only upon the warrant of the Mayor under the seal of said City. He or she shall render monthly statements of the affairs of the office and perform such other duties as are now required by law; shall execute bond in the minimum sum of two thousand dollars (\$2,000.00) or such other sum as may be fixed by the City Council, or as may otherwise be required by law, with good and sufficient sureties to be approved by the City Council. *(Ord. No. 274, § 1, 4-22-40)*

Sec. 2-6. City Holidays and Payment Therefor.

(a) Effective December 28, 1993, the City of Searcy, Arkansas shall observe the following legal holidays: New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day and Employee's Birthday.

(b) Except as hereinafter provided, all employees of the City of Searcy, Arkansas shall be paid at their regular rate of pay for an eight hour day for each of the legal holidays identified in Sec. 2-6(a) hereof. Each member of the Police Department, Fire Department and Police Department Radio Dispatchers shall be granted one compensatory day off for each day described in Section 2-6(a) hereof, regardless of whether such employee actually works on such day. Scheduling of such compensatory day shall be accomplished by the Police Chief and Fire Chief as soon as reasonably practicable after the occurrence of such holiday. In the event that the scheduling of compensatory days is not practicable or otherwise at the election of the respective departments heads in the Police Department and Fire Department, each such member of the Police Department, Fire Department and Police Department Radio Dispatchers shall be paid their base rate of pay for an eight hour period of time for each such holiday for which compensatory time is not granted; such payment for such holidays to be accomplished on June 15 and December 15 in each year. *(Ord. No. 89-24, 6-89; Ord. No. 90-08, 2-13-90; Ord. No. 93-39, § 1, 12-28-93)*

Sec. 2-7 -- 2-15. Reserved.

ARTICLE II. The Mayor

Sec. 2-16. Powers and Duties; Compensation.

The Mayor of the City of Searcy shall perform all of the duties prescribed by the laws of this State and Ordinances of the City of Searcy. He shall continue in office until his successor is elected and qualified; he shall receive as compensation the same emoluments as provided by the Ordinances of the City. *(Code 1938, § 13)*

Sec. 2-17. Accounts and Reports.

It shall be the duty of the Mayor to keep accurate accounts between this City and all City officers and other persons, and make monthly reports of the standing of each. *(Code 1938, § 18)*

Sec. 2-18. Office.

The Mayor shall hold his office at the council chamber in this City, and have the control and custody of the corporate seal. *(Code 1938, § 58)*

Sec. 2-19. Payment of Claims and Disposition of Obsolete Property.

1. The Mayor of the City of Searcy, Arkansas, be and he is hereby authorized to approve or disapprove for payment out of funds previously appropriated for that purpose all claims asserted against the City of Searcy for bills, debts or liabilities to the extent that such claims do not exceed the sum of \$5,000.00. To the extent that such claims exceed the sum of \$5,000.00, prior confirmation for such payment shall be secured from the City Council of the City of Searcy, Arkansas.

2. The Mayor of the City of Searcy, Arkansas, or his duly authorized representative, may sell or exchange any excess, obsolete or damaged supplies, materials or equipment of the City of Searcy which has a value of less than \$5,000.00. To the extent that the value of any such supplies, materials or equipment exceeds \$5,000.00, competitive bids shall be taken and such sale shall be confirmed by the City Council of the City of Searcy, Arkansas. *(Ord. No. 630, § 1 & 2, 9-9-80; Ord. No. 98-28, §1 &2, 9-8-98).*

Secs. 2-20--2-33. Reserved.

ARTICLE III. Committees of City Council

Sec. 2-34. Appointment of.

The Mayor shall appoint all standing committees of the Council. *(Code 1938, § 26)*

Sec. 2-35. Members.

Each committee shall consist of such members of the City Council as the Mayor shall appoint. *(Code 1938, § 27)*

Secs. 2-36--2-45. Reserved.

ARTICLE IV. The City Council

Sec. 2-46. Meetings.

A regular meeting of the City Council shall be held on the second Tuesday of each month, at the Council chamber, at such time of the day or evening as shall be fixed by the Council. *(Code 1938, § 35; Ord. No. 96-16, § 3, 6-10-96)*

Sec. 2-47. Quorum.

Any five (5) members shall constitute a quorum for the transaction of business, but a less number may meet and adjourn. *(Code 1938, § 36)*

Sec. 2-48. Compelling Attendance.

If any member shall fail to attend any regular meeting of the Council, or any special meeting, of which notice shall have been given him, his attendance may be compelled by attachment, and upon return of said attachment, unless he purge himself of his contempt, he may be fined at the discretion of the Council, in any sum not exceeding twenty-five dollars (\$25.00). *(Code 1938, § 37)*

Sec. 2-49. Attendance of Witnesses.

The Council shall have power to issue all necessary process to bring persons and witnesses before them, when necessary, in the exercise of the powers conferred on them by law, and all such process shall run in the name of the State of Arkansas, be sealed with the seal of the City, signed by the Mayor and attested by the City Clerk-Treasurer. *(Code 1938, § 38)*

Sec. 2-50. Rules.

The order of business and rules regulating the proceedings at Council meetings shall be as provided by Robert's Rules of Order.

Sec. 2-51. Notice of Meetings.

Notice of any meeting conducted by the City of Searcy and subject to the notice of public meetings requirements of the Arkansas Freedom of Information Act, as found in Ark. Code Ann. § 25-19-106, as may be amended from time to time, shall, in addition to the notice to be given to the

public in general, be afforded to each member of the City Council. For the purposes hereof, notice may be given telephonically or via electronic mail communication to those numbers or electronic mail addresses reasonably available to the City of Searcy. Notice shall be sufficient hereunder in the event that such notice shall be given within the time required by the Arkansas Freedom of Information Act. Nothing herein shall be construed as affording any right, cause of action or claim and is intended to establish a rule for the conduct of said meetings; provided, however, that nothing herein shall serve to impair or void any action taken at any such meeting. *(Ord. No. 2006-14, § 1, 6-13-2006)*

Sec. 2-52.--2-59. Reserved.

[Secs. 2-60 — 2-65 (Ord. No. 333, No. 89-01, No. 93-22) Repealed by Ord. No. 97-28, 8-12-97]