CITY OF ATKINS, ARKANSAS

ORDINANCE NO. 2023-03

AN ORDINANCE ESTABLISHING THAT THE OFFICE OF CITY ATTORNEY FOR THE CITY OF ATKINS SHALL BE FILLED BY APPOINTMENT, PRESCRIBING THE DUTIES THEREOF, REPEALING ORDINANCE NO. 86-7 AND OTHER MATTERS RELATED THERETO.

WHEREAS, ACA §14-43-319 provides that cities which have the Mayor/Council form of government and have less than 5,000 residents may decide to appoint their city attorney rather than have the city attorney elected.

WHEREAS, it appears that continuity in the office of City Attorney will best promote familiarity with issues in the City as well as assure a good working relationship between legal counsel and the Administration and Council.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUCIL OF ATKINS, ARKANSAS, THAT:

SECTION 1: APPOINTMENT: The Mayor with the advice and consent of the City Council, will appoint a licensed Arkansas attorney to fulfill the duties of the City Attorney for so long as the City qualifies to appoint a city attorney under ACA §14-43-319.

SECTION 2: TERM OF OFFICE: The term of office for the city attorney shall be two (2) years and shall begin/end as the terms of alderpersons in the City of Atkins. Nothing herein shall prohibit the Mayor, with consent of the Council, from terminating a city attorney and nothing herein shall prohibit a city attorney from resigning, however, in either event the giving of thirty

SECTION 3: CONTRACT FOR SERVICES: The City attorney will perform such duties as are hereinafter described and delineated, and such other duties as, from time to time, may be assigned by the Mayor or the City Council; a Contract for Services prescribing the salary, other fees, expenses and benefits to be paid such appointed City Attorney shall be entered into periodically.

SECTION 4: DUTIES: It shall be the duty of the City Attorney to prosecute all criminal cases coming before any court operated and maintained by the City of Atkins; to represent the city in any appeal from such courts to the Circuit Court of Pope County, Arkansas; to consult with and give advice to city officials; to attend City Council meetings; and to prepare ordinances and other documents as necessary to conduct city business.

SECITION 5: REPEALER: Ordinance No. 86-7 in its entirety is hereby repealed, and any other provisions in the Atkins Municipal City Code in conflict herewith are hereby repealed to the extent of such conflict.

DATED AND PASSED this 13th day of June, 2023.

ROWDY R. SWEET, MAYOR

ATTEST:

ANGELA SINGLETON, CITY CLERK

CITY OF ATKINS SEAL POPE COUNTY ARKANSAS

FILED
Angela Singleton, City Clerk
City of Atkins
Date: 6-13-2023