

ORDINANCE 10 - 2020

AN ORDINANCE TO WAIVE ANY CONFLICT OF INTEREST REGARDING A VENDOR'S CONTRACTOR WHO IS RELATED TO A SPECIFIC CITY EMPLOYEE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the City of Helena-West Helena is a small city in terms of population, and

Whereas, most of the employees of the City of Helena-West Helena and many contractors or contractors employees reside in the City of Helena-West Helena or in the immediate area around Helena-West Helena and

Whereas, the pool for potential employees and contractors is significantly smaller given the geographical location of Helena-West Helena and many of the contractors or their employees are related to city employees and elected officials.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF HELENA-WEST HELENA, ARKANSAS AT REGULAR MEETING WITH A QUORUM PRESENT THAT:

Section 1. That the Mayor and City Council of the City of Helena-West Helena have determined that it is in the best interest of the citizens, to waive any prohibition against contracting for legal services with an attorney whose is the husband of the Mayor's Chief of Staff. That Charles Halbert, Jr. is an attorney who is married to Helen Halbert, the Mayor's Chief of Staff. That any conflict or appearance of conflict created by such relationship is hereby waived.

Section 2. That State law has been interpreted to require that an ordinance be passed waiving any conflict or prohibition against entering into any contractual work with any individuals or entities related to or with close financial ties to city governing body members or employees. That this ordinance is passed in order to waive this prohibition and any conflict of interest created by the City's business with Charles Halbert, Jr., an attorney, and his wife's position as the Mayor's Chief of Staff.

Section 3. That the Mayor is hereby duly authorized to enter into contractual business arrangements and expend funds and take other necessary actions dealing with Charles Halbert, Jr. The spending authority in this ordinance shall be the same as the spending authority for employees and elected officials that do business with the City. Currently, that amount is \$2500; however, it is the express intent of the City Council that employees, elected officials and family members of employees and elected by allowed to contract within the same limits. The spending limit in the ordinance shall be consistent with the contractual limits that are imposed upon employees and elected officials.

Section 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That due to the compelling need to comply with state law regarding waiving conflicts of interest concerning business arrangements and in particular city contracts and purchases with individuals or entities with close family or financial ties to city governing body members, city officials or employees, an emergency is hereby declared to exist and this ordinance being necessary to protect and promote the public peace, health and safety, and is hereby declared to be effective immediately from and after its passage.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other portions of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are declared to be severable.

Passed on this the 19th day of May, 2020

Approved:

Kevin A. Smith
Kevin Smith, Mayor

Attested:

Sandi Ramsey
Sandi Ramsey, City Clerk