

TITLE 3
FISCAL AFFAIRS

Chapters:

- 3.04 Purchases
- 3.08 Sales and Use Tax
- 3.12 Financial Accounts

CHAPTER 3.04
PURCHASES

Sections:

- 3.04.01 \$20,000.00 or under
- 3.04.02 Over \$20,000.00
- 3.04.03 Approval of payments
- 3.04.04 Sale or exchange of supplies, materials or equipment valued at less than \$5,000.00

3.04.01 \$20,000.00 or under The Mayor, or his duly authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials and other things requisite for public purposes for the city of Mountain Home, Arkansas, and to make all necessary contracts for work or labor to be done, or material or other necessary things to be furnished for the benefit of the city where the amount of the expenditure for any purpose or contract does not exceed the sum of Twenty Thousand Dollars (\$20,000.00). (Ord. No. 2009-4, Sec. 1.)

3.04.02 Over \$20,000.00 Where the amount of expenditure for any purchase or contract exceeds the sum of Twenty Thousand Dollars (\$20,000.00), the Mayor, or his duly authorized representative, shall invite competitive bids thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids, in the presence of the Mayor, or his duly authorized representative. The contract shall be awarded to the lowest responsible bidder; provided, however, the Mayor, or his duly authorized representative, may reject any and all bids received. (Ord. No. 2009-4, Sec. 2.)

3.04.03 Approval of payments. The Mayor, or his duly authorized representative, may approve for payment out of any funds previously appropriated for that purpose, or disapprove any bills, debts or liabilities asserted as claims against the city, when funds on hand are adequate to pay such bills, debts or liabilities. That the payment or disapproval of any bills, debts or liabilities not covered by a previous appropriation shall require confirmation of the governing body.

1. Water/Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a – Trimble - R10 Model Rover, software and accessories for the purpose of mapping, construction needs, locating and planning. (Ord. No. 2014-2, Sec. 1)

Due to the availability of the equipment, the purchase amount & and compatibility requirements of our current system in place, competitive bidding is neither feasible nor practical. (Ord. No. 2014-2, Sec. 2)

2. That the Water/Wastewater Department is hereby authorized to purchase the Trimble - R10 Model Rover, software and accessories from Navigation Electronics, Inc. for a sum not to exceed \$ 33,000.00 (Thirty-Three thousand dollars). (Ord. No. 2014-2, Sec. 3)

3. The Water Department of the City of Mountain Home, Arkansas desires to purchase Sensus AMI Equipment & Water Meters for the purpose of metering water and reading meters automatically in the water distribution system. (Ord. No. 2014-12, Sec. 1)

Due to the nature of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2014-12, Sec. 2)

That the Water Department is hereby authorized to purchase Sensus AMI Equipment & Water Meters for a sum not to exceed \$3,000,000.00 (Three Million Dollars) from HD Supply Inc. (Ord. No. 2014-12, Sec. 3)

4. That the Street Superintendent is hereby authorized to purchase a used Wirtgen W1200FT Cold Milling Machine at a cost of \$147,500 from Equipment Resource Management. (Ord. No. 2014-13, Sec. 1)

That \$60,000 will be moved from line item 5200-43272 to line item 5200-43290. (Ord. No. 2014-13, Sec. 2)

That competitive bidding is not feasible or practical and is therefore waived. (Ord. No. 2014-13, Sec. 3)

5. That the Street Superintendent is hereby authorized to purchase a used DHC Cat dozer for a sum not to exceed \$28,000. (Ord. No. 2014-20, Sec. 1)

That \$15,000 will be moved from line item 5200-37788 and \$13,000 from 5200-43253 to a line item to buy a used dozer for \$28,000. (Ord. No. 2014-20, Sec. 2)

That competitive bidding is not feasible or practical and is therefore waived. (Ord. No. 2014-20, Sec. 3)

6. The Water Department of the City of Mountain Home, Arkansas desires to purchase a screw conveyor for the purpose of replacing an existing old unit that has deteriorated. (Ord. No. 2015-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2015-3, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a screw conveyor for a sum not to exceed \$35,000 (Thirty – five thousand dollars). (Ord. No. 2015-3, Sec. 3)

7. Water/Wastewater Department of the City of Mountain Home, Arkansas desires to purchase Trimble GPS equipment and accessories for the purpose of mapping, construction needs, locating and planning. (Ord. No. 2016-1, Sec. 1)

Due to the availability of the equipment, the purchase amount & and compatibility requirements of our current system in place, competitive bidding is neither feasible nor practical. (Ord. No. 2016-1, Sec. 2)

That the Water/Wastewater Department is hereby authorized to purchase the Trimble GPS equipment and accessories from Navigation Electronics, Inc. for a sum not to exceed \$ 35,000.00 (Thirty-Five thousand dollars). (Ord. No. 2016-1, Sec. 3)

8. The Water Department of the City of Mountain Home, Arkansas desires to purchase a shaftless screw conveyor assembly for the purpose of replacing the existing 1988 unit that is used for removing the bar screenings. (Ord. No. 2016-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2016-3, Sec. 2)

That the Water Department is hereby authorized to purchase a shaftless screw conveyor assembly for a sum not to exceed \$50,000 (Fifty thousand dollars) from BT Environmental. (Ord. No. 2016-3, Sec. 3)

9. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2017-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2017-3, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$65,746.00 (Sixty-Five thousand seven hundred and forty-six dollars) from Aeration Industries International. (Ord. No. 2017-3, Sec. 3)

10. The Street Department of the City of Mountain Home, Arkansas desires to purchase two (2) Dodge trucks for the purpose of replacing existing older vehicles. (Ord. No. 2017-6, Sec. 1)

Due to the nature of the purchase and the amount of the purchase, the Street Department would like to purchase locally, as the Street Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price.(Ord. No. 2017-6, Sec. 2)

That the Street Department is hereby authorized to purchase two Dodge trucks for a sum not to exceed \$32,472.00 each (Thirty-two thousand four hundred and seventy-two dollars) from Ultimate Auto Group, Mountain Home, AR. .(Ord. No. 2017-6, Sec. 3)

11. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2017-7, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the Water /Wastewater Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2017-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$53,234.00 (Fifty-Three thousand two hundred and thirty-four dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2017-7, Sec. 3)

12. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to do an emergency installation of a 16” Insta-Valve so a leak can be fixed on the distribution system. (Ord. No. 2017-15, Sec. 1)

Due to the urgent nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2017-15, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 25,000.00 (Twenty-Five thousand dollars, from Interstate Tapping Service Inc. (Ord. No. 2017-15, Sec. 3)

13. The Street Department of the City of Mountain Home, Arkansas desires to purchase three (3) Dodge trucks for the purpose of replacing existing older vehicles. (Ord. No. 2018, Sec. 1)

Due to the nature of the purchase and the amount of the purchase, the Street Department would like to purchase locally, as the Street Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2018, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge trucks for a sum not to exceed \$31,000.00 each (Thirty-one thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2018, Sec. 3)

14. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2018-3, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2018-3, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$55,000 (Fifty-five thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2018-3, Sec. 3)

15. That the Street Superintendent is hereby authorized to purchase a NetR9 Reference Station with Zephyr 3 Geodetic Antenna, for no more than \$24,000 from Navigation Electronics, Inc. 124 Toledo Dr. Lafayette, LA (Ord. No. 2018-4, Sec. 1)

That the Street Department is hereby authorized to purchase a Reference station not to exceed \$24,000 (Twenty-four thousand dollars). (Ord. No. 2018-4, Sec. 2)

That competitive bidding is not feasible or practical. (Ord. No. 2018-4, Sec. 1)

16. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of three (3) digester aerators/w float for the purpose of replacing existing 20 year old ones. (Ord. No. 2018-12, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-12, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three

(3) digester aerators/w float for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Environmental Technical Sales, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-12, Sec. 3)

17. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) NRRS Pumps for the purpose of replacing existing 20 year old ones. (Ord. No. 2018-13, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-13, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two (2) NRRS Pumps for a sum not to exceed \$46,000.00 (Forty-six thousand dollars) from Jack Tyler Engineering, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-13, Sec. 3)

18. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-02 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment.(Ord. No. 2018-16, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-16, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-02 triton aerator/mixer for a sum not to exceed \$65,746.00 (Sixty-five thousand Seven hundred and Forty-Six dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-16, Sec. 3)

19. The Street Department of the City of Mountain Home, Arkansas desires to purchase a 2014 Caterpillar Motor Grader for the purpose of replacing existing a 1984 Motor Grader. (Ord. No. 2018-18, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the street department would like to purchase this piece of used equipment by Government Surplus online bid, as the street department usually uses state bid to purchase with. Buying this piece of equipment used by Government Surplus online bidding is less than the state bid contracts with a comparable piece of equipment. (Ord. No. 2018-18, Sec. 2)

That the Street Department is hereby authorized to purchase a 2014 Caterpillar Motor Grader for a sum not to exceed \$235,549.00 from Online Site Govdeals selling for the Arkansas Game and Fish Commission to be paid out of the Road Construction account #5200-27100 and made into a new capital line item in the 2018 Budget. (Ord. No. 2018-18, Sec. 3)

20. The City of Mountain Home Street, Water & Sewer Departments desire to purchase Gasboy Hardware and Software replacing an aging, and inefficient existing Gasboy system. (Ord. No. 2018-20, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street, Water & Sewer departments would like to purchase this piece hardware and software from its sole source of compatibility. (Ord. No. 2018-20, Sec. 2)

That the Street, Water, and Sewer Departments is hereby authorized to purchase a Gasboy Hardware and Software system for a sum not to exceed \$30,000.00 (Thirty thousand dollars) from Hooten to be paid 50% out a new Capital line item from Street Department 5200-43302, 25% from a new capital line item from the Water Department 5601-46280, and 25% from a new capital line item from the Sewer Department 5602-46280 (Ord. No. 2018-20, Sec. 3)

Capital line item #5200-43302 shall be funded with \$15,000.00 from Street Department line item Fuel, Gas, and Oil #5200-32520. Capital line item #5601-46280 shall be funded with \$7,500.00 from Water Department line item Backhoe #5601-46071. Capital line item #5602-46280 shall be funded with \$7,500.00 from Sewer Department line item Backhoe #5602-46071. All of these amounts are in the 2018 budget. (Ord. No. 2018-20, Sec. 3)

21. The Street Department of the City of Mountain Home, Arkansas desires to purchase a 2012 Dodge Ram 5500 Bucket Truck for the purpose of replacing an existing 1994 Ford Bucket Truck. (Ord. No. 2019-1, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the street department would like to purchase this piece of used equipment from North Arkansas Electric Cooperative, as the street department usually uses state bid to purchase with New Vehicles. (Ord. No. 2019-1, Sec. 2)

That the Street Department is hereby authorized to purchase a 2012 Dodge Ram Bucket Truck for a sum not to exceed \$50,000.00 (Fifty Thousand Dollars) from North Arkansas Electric Cooperative to be paid out of the Road Construction account #5200-27100 (Road Construction) and made into a new capital line item in the 2019 Budget. (Ord. No. 2019-1, Sec. 3)

22. The Street Department of the City of Mountain Home, Arkansas desires to purchase of three (3) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2019-2, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street Department would like to purchase locally, as the street department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2019-2, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge Trucks for a sum not to exceed \$87,000.00 (Eighty Seven Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2019-2, Sec. 3)

23. The Street Department of the City of Mountain Home, Arkansas desires to purchase of Trimble R10 Survey GPS unit for the purpose of replacing existing an older GPS rover unit. (Ord. No. 2019-3, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole source provider. (Ord. No. 2019-3, Sec. 2)

The Street Department is hereby authorized to purchase a Trimble R10 Survey GPS rover unit for a sum not to exceed \$32,000.00 (Thirty Two Thousand Dollars) from Navigation Electronics Inc., Lafayette, LA. (Ord. No. 2019-3, Sec. 3)

24. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a sewer camera with transporter for the purpose of replacing an old sewer camera with transporter that has reached past their life expectancy. (Ord. No. 2019-4, Sec. 1)

Due to the nature of this replacement & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2019-4, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a sewer camera with transporter for a sum not to exceed \$25,000.00 (Twenty-five thousand dollars) from Scruggs Equipment Company, Inc. (Ord. No. 2019-4, Sec. 3)

25. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of three (3) digester aerators/w float for the purpose of replacing existing 20 year old ones. (Ord. No. 2019-6, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-6, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three (3) digester aerators/w float for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Environmental Technical Sales, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-6, Sec. 3)

26. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) NRRS Pumps for the purpose of replacing existing 20 year old ones. (Ord. No. 2019-7, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two (2) NRRS Pumps for a sum not to exceed \$46,000.00 (Forty-six thousand dollars) from Jack Tyler Engineering, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-7, Sec. 3)

27. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2019-8, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-8, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-8, Sec. 3)

28. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to do a repair of the electrical system at 201 North Water Pump Station. (Ord. No. 2019-9, Sec. 1)

Due to the nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2019-9, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 120,000.00 (One Hundred and Twenty

Thousand dollars, from Keathley Patterson for replacement parts & Crawford Electric for electrician services; also allow these cost to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-9, Sec. 3)

29. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2019-10, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2019-10, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$55,000 (Fifty-five thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2019-10, Sec. 3)

30. The Water / Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TH407C Telehandler for water/sewer construction purposes and to enhance better efficiency of the water / wastewater system. (Ord. No. 2019-14, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (The construction equipment is used) (Ord. No. 2019-14, Sec. 2)

That the Water / Wastewater Department is hereby authorized to purchase a TH407C Telehandler for a sum not to exceed \$60,000.00 (Sixty thousand dollars) from J. A. Riggs Tractor Company to be paid for out of the Capital R/R Fund account# 1000-13082-00. (Ord. No. 2019-14, Sec. 3)

31. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a deluxe chopper pump system for Carlile Highlands sewer lift station rehab purposes and to enhance better efficiency of the wastewater system. (Ord. No. 2019-18, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-18, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a deluxe chopper pump system for a sum not to exceed \$45,000 (Forty-Five thousand dollars) from JR Stewart Pump & Equipment Company to be paid for out of the Depreciation Fund account# 1000-13072-00. (Ord. No. 2019-18, Sec. 3)

32. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of grit removal equipment for the purpose of enhancing better efficiency of the wastewater removal process & extending the life of the grit chamber units. (Ord. No. 2019-31, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (this grit removal replacement equipment is proprietary and can only be purchased from one vendor) (Ord. No. 2019-31, Sec. 2)

That Wastewater Department is hereby authorized to purchase grit removal rehabilitation equipment for a sum not to exceed \$420,000 (Four Hundred & Twenty Thousand Dollars) from Smith & Loveless, Inc. to be paid for out of the 2019 W/S BOND checking account; coding to Account# 1000-13088-00. (Ord. No. 2019-31, Sec. 3)

33. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) digester aerators/w float & accessories for the purpose constructing the new digester - equipment which is inside the new concrete structure needs to match what is currently in place on the other existing digesters. (Ord. No. 2020-3, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2020-3, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three (3) digester aerators/w float for a sum not to exceed \$65,000 (Sixty-Five thousand dollars) from Environmental Technical Sales, Inc. to be paid for from the W/S 2019 Bond Money acct# 1000-13088-00. (Ord. No. 2020-3, Sec. 3)

34. The City of Mountain Home Fire Department desires to purchase a 2015 Sutphen SPH 100' Tower Ladder Truck for fire protection purposes.(Ord. No. 2020-24, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (The fire apparatus is used) 9Ord. No. 2020-24, Sec. 2)

That the City of Mountain Home Fire Department is hereby authorized to purchase a 2015 Sutphen SPH 100' Tower Ladder Truck for a sum not to exceed \$799,000.00 (Seven hundred ninety nine thousand dollars and no cents) from Brindlee Mountain Fire Apparatus, LLC to be paid for out of the Public Safety Tax Fund. (Ord. No. 2020-24, Sec. 3)

35. The Street Department of the City of Mountain Home, Arkansas desires to purchase of three (3) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2020-5, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street Department would like to purchase locally, as the street department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2020-5, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge Trucks for a sum not to exceed \$82,000.00 (Eighty Two Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2020-5, Sec. 3)

36. The Street Department of the City of Mountain Home, Arkansas desires to purchase 15 Glance Connectivity and Monitoring units from Temple, Inc. (Ord. No. 2020-6, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole source provider. (Ord. No. 2020-6, Sec. 2)

The Street Department is hereby authorized to purchase 15 Glance Connectivity and Monitoring units for a sum not to exceed \$75,000.00 (Seventy-Five Thousand Dollars) from Temple, Inc.in Decatur, AL. (Ord. No. 2020-6, Sec. 3)

37. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of four (4) RAS Pumps & four (4) WAS Pumps and accessories replacing existing pumps that are 20 & 30 years old. (Ord. No. 2020-7, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2020-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase four (4) RAS Pumps & four (4) WAS Pumps & accessories for a sum not to exceed \$185,000.00 (One hundred and eighty-five thousand dollars) from Jack Tyler Engineering, Inc. to be paid for from the W/S 2019 Bond Money acct# 1000-13088-00. (Ord. No. 2020-7, Sec. 3)

38. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2020-8, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical.(Ord. No. 2020-8, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00.(Ord. No. 2020-8, Sec. 3)

39. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to place a disconnect & manual transfer switch on the WTP generator to allow for the ability to bypass the generator and keep the plant up and running during times that the generator needs to be repaired at water treatment plant. (Ord. No. 2020-9, Sec. 1)

Due to the nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2020-9, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 45,500.00 (Forty-Five Thousand Five Hundred dollars, from Crawford Electric, Inc for electrician services. (Ord. No. 2020-9, Sec. 3)

40. The City of Mountain Home Parks and Recreation Department desires to purchase a Fixed Roof Top for the completion of the fixed stage at Hickory Park. (Ord. No. 2020-14, Sec. 1)

Tyler Truss Systems has provided a quote for the Fixed Roof Top and produced the lowest quote than other vendors in the amount of \$30,901.53, including shipping. Competitive bidding is not feasible or practical due to the fact that construction is due to start immediately. (Ord. No. 2020-14, Sec. 2)

That Farmers and Merchants Bank is donating \$75,000 to be paid at a rate of \$7,500 per year for ten years for the construction and materials of said permanent fixed stage. (Ord. No. 2020-14, Sec. 3)

That the yearly contributions of \$7,500 shall be put into a donation account for the Parks and Recreation Department to cover said costs of the construction of the stage. (Ord. No. 2020-14, Sec. 4)

41. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of one (1) Dodge Truck for the purpose of replacing existing older vehicles. (Ord. No. 2020-15, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2020-15, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase of one Dodge Trucks for a sum not to exceed \$28,500 (Twenty-eight thousand five hundred dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2020-15, Sec. 3)

3.04.04 Sale or exchange of supplies, materials or equipment valued at less than \$5,000.00. That the Mayor, or his duly authorized representative, may sell or exchange any municipal supplies, materials or equipment without competitive bidding if such supplies, materials or equipment have a value of less than Five Thousand Dollars (\$5,000.00). That no supplies, materials or equipment shall be sold without receiving competitive bids therefore if the value thereof exceeds the sum of Five Thousand Dollars (\$5,000.00); provided, however, if the Mayor shall certify in writing to the governing body that, in his opinion, the fair market value of such item or lot (to be disposed of in one unit) is less than Five Thousand Dollars (\$5,000.00), the same may be sold by the Mayor without competitive bidding.

CHAPTER 3.08

SALES AND USE TAX

Sections:

- | | |
|---------|-----------------------------|
| 3.08.01 | Levy of sales and use tax |
| 3.08.02 | Effective dates |
| 3.08.03 | Rebate |
| 3.08.04 | Defining single transaction |

3.08.01 Levy of sales and use tax. There is hereby levied a local sales (gross receipts) and use tax at the rate of one percent (1%) of the receipts from the sale at retail within the city of Mountain Home, Arkansas, of all items which are subject to taxation under the Arkansas Gross Receipts Tax Act of 1941, Act 386 of the 1941 Acts of Arkansas, as said Act has been heretofore or may be hereinafter amended, and under the Arkansas Compensating Tax Act of 1949, Act 487 of the 1949 Acts of Arkansas, as said Act has been heretofore amended, and by Act 990 of 1975 as amended by Act 133 of 1981. (Ord. No. 646, Sec. 2)

Under the authority of the Authorizing Legislation, there is hereby levied a three-eighths of one percent (0.375%) tax on gross receipts from the sale at retail within the City of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (Ark. Code Ann. §

26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (Ark Code Ann. § 26-53-101, et seq.), at a rate of three-eighths of one percent (0.375%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the “Public Safety Sales and Use Tax”). The

Sales and Use Tax shall be levied, and the net collections received after the State of Arkansas deducts its administrative charges shall be used solely for public safety purposes described herein. (Ord. No. 2017-13, Sec. 1)

That the question of the levy of three-eighths of one percent (0.375%) Public Safety Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Vote on the measure by placing an “X” in the square opposite the measure either for or against:

FOR adoption of a three-eighths of one percent (0.375%) local sales and use tax within the City of Mountain Home, Arkansas, with the revenues collected to be designated for the restricted purposes of public safety, for only supplementing and not replacing the City derived funding levels awarded to the Fire and Police Departments.

AGAINST adoption of a three-eighths of one percent (0.375%) local sales and use tax within the City of Mountain Home, Arkansas. (Ord. No. 2017-13, Sec. 2)

The Sales and Use Tax shall be used to supplement current and future fire and police department funding levels. The revenue generated from the three-eighths of one percent (0.375%) Sales and Use Tax will be allocated for the Fire Department needs and for the Police Department needs, as more specifically described herein. If passed, the revenues derived from the additional three-eighths of one percent (0.375%) Sales and Use Tax shall be deposited in the limited-purpose tax fund hereby created and known as the “Public Safety Tax Fund” to be earmarked and expended only for the following purposes:

- a. For the staffing of additional: firefighters, emergency medical service providers, and support personnel for the Fire Department, and police officers and support personnel for the Police Department.
- b. For the update and addition of all equipment and vehicles necessary to protect the citizens and to be able to retire aged equipment and vehicles as it becomes obsolete or costlier to maintain than its value.
- c. For the building, equipping, furnishing, and remodeling of Fire and Police Department stations and training facilities, and the City acquisition of land to place these facilities on. To reimburse the general fund up to 45% of the Fire and Police Departments’ actual Operating and Supplies cost for the previous budget year. (Ord. No. 2014-13, Sec. 3)

These restricted expenditures, acquisitions, and capital improvements must be used to meet or exceed National Fire Protection Association Standards for the Fire Department, and to meet or exceed the Commission on Law Enforcement Standards and Training; and the Arkansas Law Enforcement Accreditation Program standards for the Police Department. (Ord. No. 2017-13, Sec. 4)

A copy of this Ordinance shall be given to the County Board of Election Commissioners so that the necessary election officials and supplies may be provided. (Ord. No. 2017-13, Sec. 5)

The Mayor and City Clerk, for and on behalf of the City, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the qualified electors of Mountain Home, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by this Ordinance. (Ord. No. 2017-13, Sec. 6)

The Sales and Use Tax levied herein is in addition to any other lawfully levied sales and use tax of the City. (Ord. No. 2017-13, Sec. 7)

That this Ordinance shall not take effect until a special election is held on September 12th, 2017, on the question of levying the Public Safety Sales and Use Tax at which a majority of the Mountain Home electors voting on the question shall have approved the levy of the Sales and Use Tax. (Ord. No. 2017-13, Sec. 8)

In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjusted to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, as if such invalid or unconstitutional provision were not originally a part of this ordinance. (Ord. No. 2017-13, Sec. 9)

3.08.02 Effective dates. The effective dates of the various provisions of this chapter shall be those effective dates established in Section 2 of Act 990 of the 1975 Acts of Arkansas (Ark. Stat. Ann. Section 19-4514(e) (Repl 1980), as amended. (Ord. No. 646, Sec. 6)

3.08.03 Rebate. As authorized by statute, the city of Mountain Home, Arkansas, shall rebate, on an individual claim basis, taxes paid to the city pursuant to this ordinance which amount to more than Twenty-Five Dollars (\$25.00) as paid on a single transaction which exceeds Twenty-Five Hundred Dollars (\$2,500.00). (Ord. No. 646, Sec. 8)

3.08.04 Defining single transaction. The term "single transaction" for the purpose of the local sales and use tax, shall be defined according to the nature of the goods purchased, as follows:

- A. When two (2) or more devices in which, upon which or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold by a person or by a seller, each individual unit, whether part of a "fleet" sale or not, shall be treated as a single transaction for the purpose of the local sales tax.
- B. The charges for utility services, which are subject to the taxes levied under this chapter and which are furnished as a continuous service basis, whether such services are paid daily, weekly, monthly or annually, for the purpose of the local sales tax, shall be computed in daily increments and each such daily charge increment shall be considered to be a single transaction for the purposes of the local sales tax.
- C. For sales of building materials and certain supplies to contractors, builders or other persons for the construction of any single family residential structure, the erection of which requires the issuance of a building permit from the city of Mountain Home, a single transaction shall be considered the completed structure. The sales tax imposed by said ordinance as amended shall be levied based upon the final cost of the materials purchased to build said structure rather than upon the incremental sales of materials used in said construction. Only actual building material for which a city of Mountain Home sales tax was paid upon are allowed. Tools, paint brushes, blinds, light bulbs, equipment and rentals, grass seed or any lawn/landscape items, watering systems, shrubs, trees, top soil, mail boxes or mail box post, fencing, sandpaper, thinner, masking tape, satellite dish, smoke detector, alarm systems, washers, dryers, refrigerators, freezers or like appliances are not considered actually building material and will not be eligible for rebate. Legible, original invoices and a copy of each must be submitted to the City Clerk showing price paid and sales tax paid, the name and address of the business where purchase was made and the address and or lot number of the new structure. Original invoices will be returned and the city of Mountain Home will retain copies. Not more than one rebate per residence shall be paid and rebate requests must be submitted within six (6) months of completion of the structure. Completion shall be deemed to be the date upon which the single-family residential structure shall have been reported to the County Tax Assessor as complete. No receipt or invoice bearing a date of more than one year previous to that date of completion shall be eligible for a rebate. (Ord. No. 0-1-06, Sec. 1.)
- D. When two (2) or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purpose of the local sales tax.

- E. For groceries, drug items, dry goods and other tangible personal property and/or services not otherwise expressly covered in this section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt or statement, on which an aggregate sales tax figure has been reported and remitted to the state. (Ord. No. 725, Sec. 1)

CHAPTER 3.12

FINANCIAL ACCOUNTS

Sections:

- | | |
|---------|--------------------------------------|
| 3.12.01 | Records |
| 3.12.02 | Mountain Home District Court Account |
| 3.12.03 | Water & Sewer Improvement Bond |

3.12.01 Records Than any and all funds of any sort whatsoever of the city of Mountain Home, Arkansas, shall be reflected on the records and financial accounts of the city of Mountain Home, Arkansas. No elected official, department head or other employee of the city of Mountain Home, Arkansas shall keep, sequester or otherwise maintain any account or monies without said account or monies being reflected on the records and financial accounts of the city. (Ord. No. 02-19, Sec. 1.)

3.12.02 Mountain Home District Court Account Under the authority of Arkansas A.C.A. §16-17-129, there is hereby levied a \$5.00 fine to be levied on every defendant who pleads guilty, nolo contendere, or who is found guilty in the District Court of the City of Mountain Home, Arkansas. (Ord. No. 2020-13, Sec. 1)

The monies collected by the levy of this fine shall be deposited in the "Mountain Home District Court Account" until monthly settlement is made for court costs and fines. At this time, monies collected by the levy of this fine shall be deposited in the "Criminal Justice Account of the City of Mountain Home, Arkansas".(Ord. No. 2020-13, Sec. 2)

All monies collected by the levy of this fine shall be used solely to help defray the cost of transporting City of Mountain Home Prisoners. Said fee is subject to increase in accordance with the above referenced statute upon Council approval. (Ord. No. 2020-13, Sec. 3)

3.12.03 Water & Sewer Improvement Bond

- A. The City Council hereby finds and declares that the acquisition, construction and equipping of the Project is in the best interest of the City and the customers of the System.(Ord. No. 2014-15, Sec. 1)

Under the authority of the Constitution and laws of the State of Arkansas, including, particularly, Amendment 65 and the Act, there is hereby authorized the issuance of bonds of the City to be designated as “Water and Sewer Revenue Improvement Bonds, Series 2014”

(the “Series 2014 Bonds”), for the purposes of financing the Project and paying the costs of issuing the Series 2014 Bonds. The Mayor and City Clerk are hereby authorized to execute and deliver the Series 2014 Bonds to or upon the direction of the Underwriter. (Ord. No. 2014-15, Sec. 2 in part)

The Water and Wastewater Department of the City of Mountain Home is hereby authorized pay down in the amount of \$ 273,000 (Two hundred & Seventy-three thousand dollars) from the remaining total of funds in account #76123985 for the purpose of payment toward principle of the 2014 Series Water Bond. (Ord. No. 2016-11, Sec. 1) Payment with the purpose of a partial recall of the Series 2014 Bond; is in the best interest of the Water and Wastewater Department and the City of Mountain Home, Arkansas; and this Ordinance shall be in full force and effect from and after its passage. (Ord. No. 2016-11, Sec. 2)

- B. The City Council hereby finds and declares that the refunding of the Series 2013 Bonds is in the best interest of the City and the customers of the System. (Ord. No. 2017-16, Sec. 1)

Under the authority of the Constitution and laws of the State of Arkansas, including, particularly, Amendment 65 and the Act, there is hereby authorized the issuance of bonds of the City to be designated as “Water and Sewer Revenue Refunding Bonds, Series 2017” (the “Series 2017 Bonds”), for the purposes of refunding the Series 2013 Bonds and paying the costs of issuing the Series 2017 Bonds. The Mayor and City Clerk are hereby authorized to execute and deliver the Series 2017 Bonds to or upon the direction of the Underwriter (hereinafter defined) and in substantially the form thereof included in the Second Supplemental Trust Indenture (hereinafter defined) submitted to this meeting, with such changes as shall be approved by such persons executing the Series 2017 Bonds, their execution to constitute conclusive evidence of such approval. (Ord. No. 2017-16, Sec. 2 in part)

The Series 2017 Bonds shall not be general obligations of the City but shall be special obligations secured by and payable from the revenues of the System on a parity basis with the City's outstanding Series 2014 Bonds. The pledge of revenues securing the Series 2014 Bonds and the Series 2017 Bonds shall be on a prior and senior basis to the existing pledge of such revenues securing the City's Water and Sewer Revenue Bond, Series 2004 (the "Series 2004 Bond. (Ord. No. 2017-16, Sec. 2)

- C. The City Council hereby finds and declares that the acquisition, construction and equipping of the Project is in the best interest of the City and the customers of the System. (Ord. No. 2019-15, Sec. 1)

Under the authority of the Constitution and laws of the State of Arkansas, including, particularly, Amendment 65 and the Act, there is hereby authorized the issuance of bonds of the City to be designated as "Water and Sewer Revenue Improvement Bonds, Series 2019" (the "Series 2019 Bonds"), for the purposes of financing the Project and paying the costs of issuing the Series 2019 Bonds. The Mayor and City Clerk are hereby authorized to execute and deliver the Series 2019 Bonds to or upon the direction of the Underwriter. (Ord. No. 2019-15, Sec. 2 in part)

The Series 2019 Bonds shall not be general obligations of the City but shall be special obligations secured by and payable from the revenues of the System on a parity basis with the City's outstanding Series 2017 Bonds. The pledge of revenues securing the Series 2017 Bonds and the Series 2019 Bonds shall be on a prior and senior basis to the existing pledge of such revenues securing the City's Water and Sewer Revenue Bond, Series 2004 (the "Series 2004 Bond"). (Ord. No. 2019-15, Sec. 2)