

**ORDINANCE NO. 2212**

**AN ORDINANCE FOR THE PURCHASE AND INSTALLATION OF WATER METERS FOR THE PUBLIC WATER SYSTEM OF THE CITY OF EUREKA SPRINGS, ARKANSAS**

**WHEREAS**, the City of Eureka Springs, Arkansas ("the City") is currently experiencing an undesirable amount of unaccounted water loss and the city is committed to improving its infrastructure while maintaining reasonable rates and fees; and

**WHEREAS**, the Director of Public Works has determined that a major portion of the City's water loss is from water meters, either worn out or improperly installed, by size and type; and

**WHEREAS**, the Mayor and Director of Finance have verified that the funding is available and that the replacement of water meters is prudent and necessary; and

**WHEREAS**, the resulting increased revenues shall be for the sole purpose of maintaining and repairing the water distribution system, which will allow the City to continue to provide their customers with high quality, efficient and reliable water service in a manner that maintains the resources entrusted to its care.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:**

**Section 1.** The City Council of the City of Eureka Springs, Arkansas shall fund this project with \$152,000 from W/S Improvements and \$325,000 from General Capital Certificate Account in two stages. Phase One shall replace insufficient meters one inch and greater while Phase Two shall consist of the remaining insufficient smaller meters.

**Section 2.** The Director of Public Works shall be authorized to utilize \$282,000 in funds to implement Phase One, consisting of \$220,000 for the purchase of the meters, \$12,000 for the installation of the meters and \$50,000 for hardware related to this project.

**Section 3.** The Director of Public Works, once Phase One is completed, shall be authorized to utilize \$195,000 in funds to implement Phase Two, consisting of \$175,000 for the purchase of the meters, \$10,000 for the installation of the meters and \$10,000 for hardware related to this project.

**Section 4.** All Ordinances and Resolutions and parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 9<sup>th</sup> DAY OF JUNE, 2014.**

**APPROVED:**



Morris R. Pate, Mayor

**ATTEST:**

  
Ann Armstrong, City Clerk/Treasurer

All present voted "Aye" – James DeVito, David Mitchell, Joyce Zeller, Terry McClung, David Mitchell, and Mickey Schneider