

City of Dyer, Arkansas  
Resolutions and Ordinances  
Adopted by the City Council

- 2015-01-27-01 - Ordinance - Elected Official Salaries
- 2015-01-27-03 - Resolution - City Council Policies and Procedures
- 2015-02-24-01 - Ordinance - Maintenance of Animals Within City Limits
- 2015-04-28-01 - Ordinance - Land Maintenance Within City Limits
- 2015-10-27-01 - Ordinance - Tax Levy
- 2015-10-27-02 - Ordinance - Goff Electrical LLC Contract

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2015-01-27-01

AN ORDINANCE SETTING THE SALARIES OF THE ELECTED OFFICIALS OF DYER, ARKANSAS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

**WHEREAS**, the Arkansas Municipal League has recommended that the City Council of the City of Dyer, Arkansas establish the salaries of elected officials by ordinance;

**WHEREAS**, the Dyer City Council has determined that it does not wish to change the salaries of elected officials but desires to continue the current salaries and confirm the salary by ordinance as recommended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DYER, ARKANSAS, AS FOLLOWS:

**SECTION 1:** Effective March 1, 2015, the compensation for Dyer elected officials shall be as shown below:

Mayor	\$650 monthly
Recorder/Treasurer	\$200 monthly
City Council Members	\$100 monthly

**SECTION 2:** All prior ordinances or provisions of ordinances in conflict herewith are hereby repealed effective March 1, 2015.

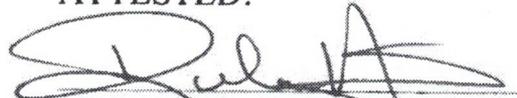
**SECTION 3:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the need to establish salaries by ordinance so that the municipal government may continue to operate and without the ordinance herein, the City may cease to operate putting the health, safety, and welfare of the citizens at risk. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 27 DAY OF January, 2015.

APPROVED:

  
MAYOR

ATTESTED:

  
RECORDER/TREASURER

## **CITY OF DYER, ARKANSAS**

**RESOLUTION NO. 2015-01-27-03**

**A RESOLUTION SETTING THE POLICIES AND PROCEDURES FOR THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS.**

WHEREAS, the Dyer City Council has determined that the city will be better served with a set of formally adopted policies and procedures governing the operation of the City Council of Dyer, Arkansas.

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:**

### **SECTION 1: MEETING SCHEDULE**

The City Council will meet at 7:00 p.m. at the City of Dyer, City Hall, City Council Chambers, on the fourth Tuesday of each month.

A regularly scheduled meeting cannot be cancelled prior to the meeting's date and time. It can be cancelled if, after 15 minutes past the start time, a quorum is not present

If a quorum is present, but the mayor is absent, the city Recorder/Treasurer shall serve as president pro tempore.

### **SECTION 2: AGENDA**

The Mayor shall delegate collection, initial organization, and distribution of the final draft of the agenda to the City Recorder/Treasurer; however, the Mayor shall maintain responsibility for and control of the agenda. At a regular meeting of the City Council, the Council, by majority vote, may rearrange the order of the agenda.

All items for discussion at regular City Council meetings shall be organized under the following headings:

1. Invocation
2. Pledge of Allegiance
3. Call to order by Mayor
4. Roll Call by the City Recorder/Treasurer
5. Approval of Previous Meeting Minutes
6. Approval of Financials
7. Department Reports
8. Unfinished business
9. New business
10. Public Comments
11. Adjournment

Any citizen of Dyer may have an item placed on the agenda by contacting the City Recorder/Treasurer no later than 12:00 p.m. noon on the Thursday immediately preceding each regular city council meeting, except when the regular meeting time has changed due to holidays or rescheduling of the meeting. In such cases the deadline for agenda items will be adjusted to reflect the new meeting time. All items for discussion or action at the regular city council meeting shall be included in a Final Agenda provided by the Recorder/Treasurer to the Aldermen, the Mayor, and the City Attorney no later than 12:00 p.m. noon on the Friday immediately preceding the regular city council meeting unless adjusted due to a rescheduled council meeting.

Any ordinance or resolution which was not included on the Final Agenda may only be brought before the Council after approval by majority vote of the City Council.

The City Council shall provide thirty (30) minutes during each regular council meeting for public comment on non-agenda business. Each individual is required to limit his or her comments to five (5) minutes. The City Council reserves the right to suspend the rules for extra time, if necessary.

### **SECTION 3: SPECIAL AND EMERGENCY MEETINGS**

If during a regular city council meeting the council schedules a special meeting, the date, time, and place and reason for the meeting shall be stated and proper notice as required by the Arkansas Freedom of Information Act shall be made.

The mayor shall also post the notice of the meeting at City Hall and if practicable other city owned signage.

A public hearing may also be scheduled by a majority vote of the City Council as to date, time, place, and subject. The discussion shall be only on one subject. The meeting shall be noticed just as a special meeting.

An emergency meeting may be scheduled if three council members agree, or if the Mayor decides that an emergency meeting is necessary. The required two (2) hour notice shall be given as required by the Arkansas Freedom of Information Act and if practicable the Mayor shall provide the same notice as for any other meeting.

#### **SECTION 4: PARLIAMENTARY RULES**

Unless specifically addressed in this resolution, the City Council of the City of Dyer shall follow the parliamentary rules as described in the *Procedural Rules for Municipal Officials* as published by the Arkansas Municipal League in the December 2008 edition. Copies of said pamphlet shall be maintained at city hall for inspection by the public. The public or officials may order individual copies by contacting the Arkansas Municipal League.

#### **SECTION 5: PUBLIC COMMENT**

The citizens of Dyer shall be allowed to make public comments at city council meetings subject to the procedures in this resolution. Public comments shall only be made during the public comment period unless an Alderman shall recognize a citizen during the discussion of an agenda item.

All public comments shall be limited to five (5) minutes unless the City Council shall by majority vote move to suspend the rules to allow more time. Public comments shall be made to the City Council as a whole and may not be directed to any individual. A question may be asked of council members or city employees, but must be directed through the Mayor or other presiding officer.

Citizens desiring to make public comments during the comment period must sign up on the sheet in the back of the council chamber prior to the start of any city council meeting. Citizens may not make comments until recognized by the Mayor or presiding officer.

Individuals shall stand, if able, and speak as loudly and clearly as possible. Immediately after being recognized by the Mayor or presiding officer, the individual making a public comment must state his or her full name and legal address for the record.

Repetitive comments should be avoided. All members of the public are requested to accord the utmost courtesy to members of the City Council, to other members of the public, and to city staff or employees, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

## **SECTION 6: DECORUM**

There will be no smoking or tobacco usage of any kind allowed in the City Hall. With the exception of on-duty emergency services personnel, cell phones and pagers must be turned off or put in silent mode and not used within the Council Chambers during meetings.

## **SECTION 7: CODE OF ETHICS**

### **(a) General**

Aldermen, other elected city officials and the city's administrative officers and department heads occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion both to the legality and to the propriety of such transactions.

### **(b) Conflict of Interest**

Aldermen, other elected officials and the city's administrative officers and department heads shall refrain from making use of special knowledge or information gained by virtue of their elected office or position before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors, and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve

to deny any of the above-mentioned of their legal rights and privileges available to all Dyer citizens.

(c) Responsibility to All Citizens

Aldermen, other elected officials and the city's administrative officers and department heads shall conduct themselves so as to bring credit upon the city as a whole and so as to set a good example of good ethical conduct for all citizens of the community. Aldermen other elected officials and the city's administrative officers and department heads shall bear in mind at all times their responsibility to all Dyer citizens, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, sex, or the economic or social position of individual citizens.

(d) Responsibility to Disclose

In an effort to allow the public full knowledge of financial and personal interests, Aldermen and other elected officials are expected to file an annual statement of financial interest as required in Ark. Code Ann. § 21-8-701. Aldermen, and other elected officials and the city's administrative officers and department heads are also expected to disclose any business or financial interest which could affect or be affected by decisions of the City Council, other elected city officials or the city's administrative officers or department heads. This language shall be interpreted to include real estate holdings and business or financial interests held by the individual, his/her spouse, children, parents or siblings or beneficial interests in a partnership, corporation or any other legal entity.

Aldermen, and other elected officials and the city's administrative officers and department heads shall also disclose any familial relationships with any other city official or employee which could affect or be affected by decisions of the City Council, the Mayor, a city administrative officer or department head.

The financial and familial disclosures should be made in writing and filed with the City Recorder/Treasurer before February 1<sup>st</sup> of each year; any

changes in disclosure information during the year must be filed with the City Recorder/Treasurer within thirty (30) days of such change.

No non-elected city officials and employees are required to include his or her home address on disclosure documents per Ark. Code Ann. § 25-19-105

PASSED AND APPROVED THIS 27 DAY OF JANUARY, 2015.



MAYOR



RECORDER/TREASURER

**CITY OF DYER, ARKANSAS**

**ORDINANCE NO. 2015-02-24-01**

AN ORDINANCE REGULATING THE KEEPING OF ANIMALS WITHIN THE CITY OF DYER, REPEALING CONFLICTING ORDINANCES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

**WHEREAS**, the City Council of the City of Dyer deems it advisable to update its ordinances regarding the keeping of animals within the city in order to protect the safety and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DYER, ARKANSAS, AS FOLLOWS:

**SECTION 1:** No person shall own, keep, or harbor any dog within the city unless such dog is vaccinated as herein provided.

**SECTION 2:** All dogs and cats over three (3) months of age within the city shall be vaccinated against rabies once each year by a licensed veterinarian, who will issue to the owner a durable metal tag and a certificate of vaccination. Tags must be attached to the collar or harness of the dog or cat and be worn at all times. Tags are not transferrable from one dog or cat to another dog or cat.

**SECTION 3:** An owner of an animal shall maintain his premises in such a manner as not to constitute either a private nuisance to adjoining property owners or a nuisance to the public generally. Pens in which animals are confined or maintained shall be cleaned regularly so that they are kept free from offensive odors, which would disturb any person residing within a reasonable distance of said premises; and the animals themselves shall be restrained in such a fashion that noise emanating therefrom shall not be disturbing to such persons. Special care shall be given to ensure that a barking dog(s), maintained at any location, shall not bark or howl in an excessive manner so as to disturb neighboring individuals. The Dyer Police Department shall attempt to ensure that the owners of dogs that engage in excessive barking or howling shall control said dog(s) and stop the excessive barking or noise, especially during the hours of 9:00 p.m. to 7:00 a.m.

**SECTION 4:** (a) An owner of a dog, whether vaccinated or unvaccinated shall confine such dog within an adequate fence or enclosure or within a house, garage or other building, or shall confine such dog with a chain or leash affixed to the dog's collar and attached to some substantial stationary object adequate to prevent the dog from running at large. No dog shall be confined, on a chain that is affixed to a stationary object that is closer than fifteen (15) feet to the nearest

residential structure other than the structure occupied by the animal's owner. It shall further be the duty of any owner or keeper of any dog to keep such dog under such control so as to:

- (1) Prevent such dog from becoming a danger to persons or property, or trespassing upon another person's property without that person's permission; and
- (2) Prevent such dog from running at large upon the streets, sidewalks, alleys, parks, or other public places of the city.

(b) A vicious animal is one that has the propensity to attack or bite humans or other domestic animals, ~~attacks or bites humans or other domestic animals~~, or otherwise jeopardizes the well-being of humans or other domestic animals. An owner of a vicious animal shall confine it within a building or secure enclosure and not release it therefrom unless it is securely muzzled. Any vicious animal trespassing or running at large is hereby declared a nuisance and may be impounded, ordered confined by the police department, or killed if impoundment is not possible without risk or physical harm to any person. Further, in any prosecution of an owner or keeper of any such vicious animal for trespassing or running at large, the municipal court may, upon conviction entered, order that such animal be humanely destroyed. The court may further order that an animal seized by the police department not be returned to the animal's owner, after the conviction of the owner in municipal court for a violation of state law or the provisions of this ordinance, until such time as court ordered fees are paid, or other court ordered conditions are met.

(c) Every female dog or cat in heat shall be kept confined in a building or secure enclosure or in a veterinary clinic or hospital or in a kennel in such a manner that such female dog or cat cannot come into contact with another dog or cat, except for intentional breeding purposes. No more than four (4) dogs or four (4) cats, older than three (3) months of age, may be kept at any residential structure or premises.

(d) It shall be unlawful for any owner or person having control of any chickens, ducks, or other fowl within the city to permit them to run at large.

(e) It shall be unlawful for any owner or person having control of any cats to permit them to run at large. Further, the owners of cats shall maintain those animals on their own premises in a manner so as to not annoy their neighboring property owners. The owners of cats shall ensure that their cats shall not damage or soil property (flower beds, vehicles, screens, etc.) or annoy persons with fighting or excessive noise, especially late at night. Failure to maintain a cat or cats in a manner so as to not annoy neighboring property owners, or so as to avoid property damage, shall be considered a violation of this ordinance. The police department shall not be obligated to attempt to impound a cat upon the complaint

of its running at large unless the person so complaining has already detained the cat.

(f) It shall be unlawful and a violation of this ordinance for the owners of any domestic livestock to permit said livestock to run at large within the city. This shall not include the inadvertent or accidental escape of livestock from their usual enclosure provided that the enclosure is maintained in good order to a reasonable standard. However, the inadvertent or accidental escape of the same livestock from their usual enclosure more than four (4) times in any six (6) month period shall create a rebuttable presumption that the enclosure was not maintained in good order to a reasonable standard.

**SECTION 5:** Any animal at large or otherwise in violation of the provisions of this ordinance may be impounded by taking the animal to the Fort Smith Humane Society and shall be held there for a period of seventy-two (72) hours and unless within such time the owner or keeper of the dog contacts the Fort Smith Humane Society and pays all fees and costs of impounding the dog and acquires a license and license tag from the City of Dyer if not previously obtained, the dog may be humanely destroyed or ownership transferred to the Fort Smith Humane Society for potential adoption of the dog by a suitable person. Provided, however, that if the dog carries its owner's address, the City of Dyer shall give the dog's owner at least five (5) days' notice by certified letter of the date of the proposed destruction of the dog.

**SECTION 6:** (a) The provisions of this ordinance shall be enforced by the Dyer Police Department and by the City Attorney, upon receipt of a complaint, or violation observed by them.

(b) No person shall interfere with, hinder, or harass the Dyer Police Department or its officers in the performance of their duties or seek to release any animal in the custody of the department, except as herein provided.

(c) The Police Department is hereby authorized to issue citations to any person for violation of any provision of this ordinance. Such citation shall designate the offense charged and shall require the person so charged to appear before the Dyer Municipal Court on a date certain to answer the charges therein contained.

(d) Any person violating this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), and if such violation be continued, each day's violation shall be a separate offense. The maximum fine per day for a continuing violation shall be two hundred fifty dollars (\$250). For second and all subsequent violations of this ordinance in any twelve (12) month period, the minimum fine shall increase by one hundred dollars (\$100) up to the maximum amount allowed of five hundred dollars (\$500).

(e) In addition to the punishment provided in paragraph (d) of this section the court may impose additional conditions that must be satisfied by the owner of the animal.

**SECTION 7:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the current hazard of animals running at large within the City of Dyer and the conditions of animals kept within the city and the hazards these conditions pose to the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 24 DAY OF February, 2015.

APPROVED:



MAYOR

ATTESTED:



RECORDER/TREASURER

## **CITY OF DYER, ARKANSAS**

### **ORDINANCE NO. 2015-04-28-01**

**AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE USE AND MAINTENANCE OF ALL LANDS LOCATED WITHIN THE CITY LIMITS OF DYER, ARKANSAS; GIVING THE MAYOR AUTHORITY TO APPOINT A REPRESENTATIVE WHO SHALL HAVE FULL AUTHORITY TO, AT ANY GIVEN TIME, INSPECT PROPERTY FOR EXISTING CONDITIONS WHICH CREATE ONE OR MORE OF THE FOLLOWING DANGERS: HEALTH, FIRE OR FLOODING; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:**

**SECTION 1:** All property owners within the City of Dyer are required to cut weeds and grass growing thereon, remove garbage, rubbish, and other unsanitary or unsightly articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsightly things, place or condition which might become a breeding place for mosquitoes, flies, rodents, reptiles, and germs harmful to the health of the community. Said aforementioned conditions shall include but shall not be limited to the following: unused furniture, unmounted tires or wheels, limbs or other brush, building materials, abandoned toys, etc. Weeds, grass, or brush allowed to grow over six (6) inches high shall be deemed a violation of this section except on those lands which constitute one contiguous tract larger than two (2) acres in size.

**SECTION 2:** All land constituting one contiguous tract larger than two (2) acres in size within the City of Dyer must be cut, i.e. mowed, brushhogged, or cut and bailed for hay, at least twice each calendar year, with the first cutting occurring no earlier than May 1<sup>st</sup> and no later than July 1<sup>st</sup> and the second or final cutting occurring no earlier than September 1<sup>st</sup> and no later than October 15<sup>th</sup> of each year. This practice will control unsightly growth and reduce fire hazards during dry and dead seasons. Property may be exempt from mowing if sufficient numbers of livestock grazing on the land control growth of weeds, grass, or brush to less than six (6) inches of height.

**SECTION 3:** Any automobile or other conveyance including but not limited to trailers, wagons, bicycles, motorcycles, race cars, tractors, farm implements, farm equipment, construction equipment, and similar items (hereinafter "conveyance"), sitting on blocks with tires removed or sitting disabled or used as a storage for garbage or that does not have current licensing registration and valid insurance where required for operation upon the public streets, roads, and highways within this state will be considered as one or more of the conditions described in Section 1 and a removal order will be

issued. If a conveyance has not been moved for a period of ninety (90) days a rebuttable presumption shall arise that the conveyance is disabled. This section shall not apply to conveyances kept or stored inside buildings or other structures of a nature that when all doors are closed the conveyance is not visible from any public street or adjoining landowners' property.

**SECTION 4:** If any property owner shall suffer the loss either total or partial of a house or trees by fire or storm, it shall be the owners' responsibility to remove debris from the property. The debris shall be removed within ninety (90) days from the date of the loss.

**SECTION 5:** From and after the passage of this ordinance all burning will be governed by the laws, ordinances, regulations, and other requirements or restrictions imposed by the county or state.

**SECTION 6:** If any property owner shall fail or refuse to correct the offending condition(s) set forth in this ordinance within the times fixed by this ordinance after receiving such notice from the City, he or she shall, upon conviction be fined \$75.00, and each day that such property owner refuses to comply with this ordinance after the expiration of the time limits provided shall be considered a separate offense, and will be fined \$75.00 per day until the offending condition is corrected or abated.

**SECTION 7:** After an on-sight inspection by the Mayor's representative and a formal notice issued by the City, the offending property owner(s) will have seven (7) days to comply. An additional seven (7) days may be granted if the property owner(s) can show just cause as to why a grace period is needed, the grace period will be granted only by the Mayor's representative and recorded by with the City Clerk.

**SECTION 8:** Pursuant to Ark. Code Ann §§ 14-54-901 *et seq.* the City of Dyer may take necessary steps to clean-up or abate any condition that is a violation of this ordinance seven (7) days after written notice has been provided to the property owner or lien holder and shall take the necessary steps to perfect a lien pursuant to state statute for the costs of said work.

**SECTION 9:** In case the owner of any lot or other real property is unknown or his whereabouts is not known or is a non-resident of this State, then a copy of the written notices hereinabove referred to shall be posted upon the premises and before any action to enforce such lien shall be had, the City Recorder/Treasurer shall make an affidavit setting out the facts as to unknown address or whereabouts of non-residents, and thereupon service of publication as now provided for by law against non-resident defendants may be had and an attorney ad litem shall be appointed to notify the defendant by registered letter addressed to his last known place of residence if same can be found.

**SECTION 10:** All prior ordinances that conflict with the terms and provisions of this ordinance are hereby repealed.

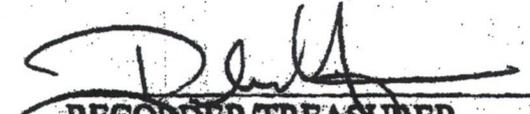
**SECTION 11:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the currently existing unsightly and unsanitary conditions existing within the City of Dyer and the hazards these conditions pose to the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF APRIL 2015.

APPROVED:

ATTEST:

  
MAYOR

  
RECORDER/TREASURER

**CITY OF DYER, ARKANSAS**

**ORDINANCE NO. 2015-10-27-01**

**AN ORDINANCE FOR THE CITY OF DYER LEVYING A TAX FOR GENERAL MUNICIPAL PURPOSES FOR THE YEAR 2015, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.**

**WHEREAS, the City of Dyer, Arkansas, is a duly incorporated city of the second class pursuant to the laws of the State of Arkansas;**

**WHEREAS, the City of Dyer must have funds to operate the city and provide city services to its citizens, and can only obtain the necessary funding by levying a 5 mill tax on personal property and a 5 mill tax on real estate for the general municipal purposes of the city;**

**WHEREAS, the City of Dyer has levied a tax in the past at this same amount, kind, and purpose such that this ordinance does not cause any change in circumstance to any citizens; and**

**WHEREAS, the need to fund the city government is immediate so that there is no lapse in services to the citizens such as police protection, an emergency exists such that this ordinance should go into effect immediately.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:**

**SECTION 1:** The City of Dyer shall levy a tax pursuant to the Arkansas Constitution as amended for general municipal purposes for the year 2015 on all taxable real and personal property in the City of Dyer, Arkansas, fixed at a rate of 5 mills on personal property and 5 mills on real property on the dollar of the assessed valuation of all real and personal property subject to taxation in the City of Dyer, Arkansas.

**SECTION 2:** A certified copy of this ordinance once adopted shall be furnished to the County Clerk of Crawford County, Arkansas, such that the Quorum Court of Crawford County, Arkansas, may include this levy in the general levy for the year 2015 and cause the same to be entered upon the tax books and collected as required by law.

**SECTION 3:** All prior ordinances that conflict with the terms and provisions of this ordinance are hereby repealed.

**SECTION 4:** If any court of competent jurisdiction shall declare any portion of this ordinance illegal or otherwise unenforceable, the remaining provisions shall remain in full force and effect.

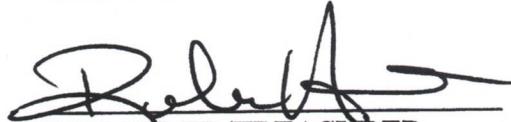
**SECTION 5:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the need to continue funding the operation of the City of Dyer and for the provision of municipal services to the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 27<sup>th</sup> DAY OF OCTOBER 2015.

APPROVED:

  
MAYOR

ATTEST:

  
RECORDER/TREASURER

**CERTIFICATION**

I, the City Recorder/Treasurer of Dyer, Arkansas, certify that the foregoing ordinance was passed by a vote of 4 to 0 and the included emergency clause was passed by separate vote of 4 to 0 by the City Council of Dyer, Arkansas, at its regular meeting held on October 27, 2015, such that the ordinance was duly adopted and approved and an emergency was declared.

  
Recorder/Treasurer

**CITY OF DYER, ARKANSAS**

**ORDINANCE NO. 2015-10-27-02**

AN ORDINANCE AUTHORIZING ELECTRICAL INSTALLATION, REPAIR, AND/OR MAINTENANCE CONTRACTS BETWEEN THE CITY OF DYER, ARKANSAS AND GARY GOFF/GOFF ELECTRICAL LLC, REPEALING ANY OTHER CONFLICTING ORDINANCES, AND OTHER RELATED PURPOSES.

WHEREAS, Arkansas law contained in Ark. Code Ann. § 14-42-107 (b) (1) provides that “[n]o alderman, council member, official, or municipal employee shall be interested, directly or indirectly, in the profits of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting aldermen, council members, officials, or municipal employees to conduct business with the city and prescribing the extent of this authority.”

WHEREAS, Dyer currently does not have an ordinance permitting officials to contract with the City; and

WHEREAS, the City Council of the City of Dyer believes it to be in the best interests of the citizens of the City to permit officials to enter into contracts with the City due to the small size of the City.

THEREFORE, be it ordained by the City Council of the City of Dyer, Arkansas, as follows:

**SECTION 1:** The City of Dyer, Arkansas, is hereby permitted to enter into reasonable and customary in the industry contracts for electrical work including but not limited to the following: new installation, electrical repair, electrical system maintenance, and electrical system design with the City’s current alderman (Gary Goff) or his company Goff Electrical LLC.

**SECTION 2:** Any other City ordinance or provision of any City ordinance purporting to act under A.C.A. § 14-42-107 prohibiting City officials from holding interests in contracts with the City of Dyer is hereby repealed.

**SECTION 3:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the need to have open and honest government without the actual or appearance of impropriety, nepotism, or

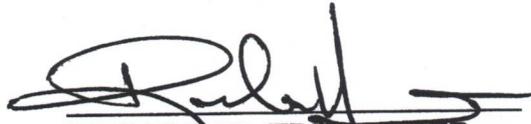
favoritism and due to the overwhelming public sentiment that could result in a breach of the peace without the immediate repeal of the aforementioned ordinance. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 27<sup>th</sup> DAY OF OCTOBER .

APPROVED:

ATTESTED:

  
MAYOR

  
RECORDER-TREASURER