

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

2016-03-22-01 - Ordinance - Water Rates

2016-08-23-01 - Ordinance - Annexation

2016-09-27-01 - Ordinance - City Contracts with City Employees or Family

Members - Katherine Fry - Clerical/Office Work

2016-11-16-01 - Resolution - Tax Levy

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2016-03-22-01

AN ORDINANCE SETTING WATER RATES FOR CUSTOMERS OF ~~THE~~ DYER CITY WATER SYSTEM AND FOR OTHER RELATED PURPOSES.

WHEREAS, the cost of acquiring water has increased for the City of Dyer and these increases must be passed on to the customers and other users in order to maintain a fiscally responsible water system; and

WHEREAS, it is important that the City of Dyer' s water rates be increased.

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

SECTION 1: The amount to be paid for water usage for customers of the Dyer City Water System shall be a base rate of fifteen dollars and thirty-six cents (\$15.36) for the first 1,000 gallons of water used per billing cycle and thereafter five dollars and fifty-five cents (\$5.55) per 1,000 gallons on a pro rata basis determined by the user' s actual water consumption.

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to reflect the new rates and charges set out above.

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 the existing water rates were fiscally unsupportable and this ordinance will make the laws of the city more versatile and more responsive to the needs of the City and its citizens. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 22 DAY OF MARCH 2016.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2016-08-23-01

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF DYER, ARKANSAS; AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Dyer, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Dyer, is necessary for the orderly growth and development of the City;

WHEREAS, represent the actual growth of the municipality beyond its legal boundary;

WHEREAS, the lands are platted and held for sale or use as municipal lots, or whether platted or not, the lands are held to be sold as suburban property; or

WHEREAS, the lands are needed for proper municipal purposes.

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

SECTION 1. That there shall be submitted to the qualified electors of the City of and of the following described area, the question of the annexation of the following described territory to the City of Dyer:

A legal description identifying the area to be annexed is attached hereto as Exhibit A and made a part hereof.

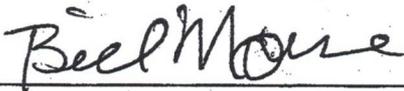
A map depicting said annexation area is attached hereto as Exhibit B and made a part hereof.

SECTION 2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a special election to be held on Tuesday, November 8, 2016, at the same time as the general election in compliance with A.C.A. 7-11-205. Once this ordinance takes effect, the City Recorder/Treasurer shall immediately notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

SECTION 9. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 30TH DAY OF AUGUST IN THE YEAR 2016.

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 A to O and the included emergency clause was passed by separate vote of A to O by the City Council of Dyer, Arkansas, at its special meeting held on August 30, 2016, such that the ordinance was duly adopted and approved and an emergency was declared.

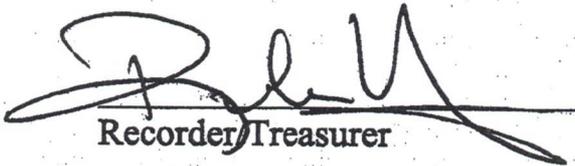

Recorder/Treasurer

EXHIBIT A

Legal Description for proposed Dyer, Arkansas, annexation election for November 8, 2016:

Those lands lying in Crawford County, Arkansas, more particularly described as:

That part of the NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH RANGE 30 WEST lying north of a line drawn from a point (35.4893 degrees latitude and -94.1510 degrees longitude) to a point (35.4915 degrees latitude and -94.1389 degrees longitude) also known as the northern line of the Union Pacific railroad right of way line;

The SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST;

The SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST; and

The EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST.

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2016-09-27-01

AN ORDINANCE AUTHORIZING CLERICAL & OFFICE WORK CONTRACTS WITH KATHERINE FRY AND FAMILY, 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 for clerical and office work; and

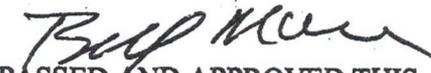
WHEREAS, the City Council of the City of Dyer believes it to be in the best interests of the citizens of the City to permit officials to enter into contracts with the City due to the small size of the City.

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 clerical and office work with the City's current alderwoman (Katherine Fry) or any of her immediate family members.

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 DAY OF September.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2016-11-16-01

AN RESOLUTION FOR THE CITY OF DYER LEVYING A TAX FOR GENERAL MUNICIPAL PURPOSES FOR THE YEAR 2016 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 resolution 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 resolution should go into effect immediately.

BE IT RESOLVED 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 2016 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 resolution 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 2016 and cause the same to be entered upon the tax books and collected as required by law.

PASSED AND APPROVED THIS _____ DAY OF NOVEMBER 2016.

APPROVED:

ATTEST:

MAYOR

RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Dyer, Arkansas, certify that the foregoing resolution was passed by a vote of ___ to ___ by the City Council of Dyer, Arkansas, at its meeting held on November _____, 2016, such that the resolution was duly adopted and approved.

Recorder/Treasurer