
City of Dyer Meeting Agenda

Location: 305 North Washington

Date: 6/23/2020

Time: 5:30 Pm

Agenda details:

I. Call to order

II. Pledge of Allegiance

III. Roll Call

IV. Public Forum

V. Approval of Minutes

a. May 26th , 2020

[Dyer City Council May 26th 2020](#)

VI. Approval of Financial

a. May, 2020

[General Street Payroll May 2020](#)

[Water sewer Sanitation May 2020](#)

[Balance Sheet May 2020](#)

VII. Department Reports

a. Mayors Report Bill Morse

b. Administrative Assistant Report Veronica Robins

Census update

Fun Park Grant Update.

c. Police/fire Chief Josh Winford

VIII. Unfinished Business

Ward rezoning (must suspend reading rule this meeting and pass) [Ward Map](#)

Resolution to sell police cars [Resolution Remove Property and Sell](#)

IX. New Business

Fireworks Ordinance [Ordinance Fireworks sale](#)

[Ordinance Repealing Annexation Ordinance 2020 Amended Emergency Clause](#)

X. Adjournment

**Dyer City Council
Minutes
May 26, 2020**

The Dyer City Council Meeting was called to order on May 26, 2020 at 5:30 pm by Mayor Bill Morse.

Roll Call Completed by Recorder Treasurer Lynn Hubbard

Alderman Donna Staton present

Alderman Robert Porter present

Alderman Myrna Burns present

Alderman Nancy Smith present

Alderman Randy Beard present

Alderman Katherine Fry absent

No Public Forum.

The council reviewed the April 28,2020 meeting minutes and a motion to approve was made by Alderman Robert Porter and seconded by Alderman Myrna Burns.

Roll Call:

Alderman Donna Staton yes

Alderman Robert Porter yes

Alderman Myrna Burns yes

Alderman Nancy Smith yes

The council reviewed the April 2020 Financials and a motion to approve was made by Alderman Myrna Burns and seconded by Alderman Nancy Smith.

Roll Call:

Alderman Donna Staton yes

Alderman Robert Porter yes

Alderman Myrna Burns yes

Alderman Nancy Smith yes

Mayor Report:

Mayor Morse gave update on loan for Police Car and supplies to equip the car.

Lights and lettering have been applied to the car. Cage is being installed, cage was donated by Hot Springs Sheriff Department and was picked up by our department. City Attorney reminded Administrative Assist not to forget the tax-free loan rate there is a tax return that must be filed, and he and admin assist can get together on completion of that.

Alderman Randy Beard connected via phone after technical difficulties with Zoom.

Administrative Assistant Report:

Veronica Robins reported Sanitation Truck was taken to Whit's Truck repair and air leaks had to be repaired in engine and manifold etc. Total cost was \$1924.54 and requested we pay this from Sanitation Reserve until transfers can take place and would replace the amount at that time. A motion was made to approve the use of this by Alderman Randy Beard and Alderman Donna Staton seconded.

Roll Call:

Alderman Donna Staton yes

Alderman Robert Porter yes

Alderman Myrna Burns yes

Alderman Nancy Smith yes

Alderman Randy Beard yes

Police/Fire Chief Josh Winford:

Josh is back in academy this week.

Chris Green fire department first responder and city employee is unable to do any first responder calls at this time until further direction.

Unfinished business: Resolution to dispose of 4 cars. This will be carried to June 2020 council meetings.

New Business:

Gary Goff requested that the widening of Line Street begin at corner of Line and River Road. Consensus was that this should be added to the list of projects to complete. Finances, manpower and weather are an issue at this time. Ditch work needs to be completed on River Road and Porter Place before we start anymore new projects.

Adjournment: A motion was made to adjourn by Alderman Robert Porter and seconded by Alderman Donna Staton.

Roll Call:

Alderman Donna Staton yes

Alderman Robert Porter yes

Alderman Myrna Burns yes

Alderman Nancy Smith yes

Alderman Randy Beard yes

General Fund, Payroll Fund, Street Fund
Statement of Revenue and Expenditures

Acct	Current Period Jan 2020 May 2020 Actual	Year-To-Date Jan 2020 May 2020 Actual	Annual Budget Jan 2020 Dec 2020	Annual Budget Jan 2020 Dec 2020 Variance	Jan 2020 Dec 2020 Percent of Budget
Revenue & Expenditures					
Revenue					
2017 DC Police Car Loan Reven	20,000.00	20,000.00	0.00	(20,000.00)	0.0%
4210 Act 833 Revenue	0.00	0.00	4,208.42	4,208.42	0.0%
4180 Community Bldg Rent	275.00	275.00	1,625.00	1,350.00	16.9% <i>Down</i>
4200 Community Building Deposit Fu	100.00	100.00	0.00	(100.00)	0.0%
4240 Crawford County:Crawford Cou	8,596.20	8,596.20	13,306.98	4,710.78	64.6%
4100 Franchise Fee	14,383.75	14,383.75	28,269.46	13,885.71	50.9%
4280 General Election	40.00	40.00	0.00	(40.00)	0.0%
4320 Interest Income	403.16	403.16	0.00	(403.16)	0.0%
4500 Miscellaneous Incom	10.00	10.00	0.00	(10.00)	0.0%
4061 Municipal 4 Lane Highway	8,689.39	8,689.39	0.00	(8,689.39)	0.0%
4062 Municipal Highway Severance	349.73	349.73	0.00	(349.73)	0.0%
4063 Municipal Special Distribution	16,458.76	16,458.76	0.00	(16,458.76)	0.0%
4090 Municipal Wholesale Fuel Tax	2,328.37	2,328.37	0.00	(2,328.37)	0.0%
4120 Permit Income	283.00	283.00	5,272.30	4,989.30	5.4%
4360 Reimbursement Income	35,830.60	35,830.60	0.00	(35,830.60)	0.0%
4380 Reverse NFS Fee	90.00	90.00	0.00	(90.00)	0.0%
4020 State of AR City Sales Tax	14,329.28	14,329.28	35,187.23	20,857.95	40.7% <i>Down</i>
4040 State of AR County Sales Tax	45,102.93	45,102.93	104,322.15	59,219.22	43.2% <i>Down</i>
4060 State of AR MLM0100	2,571.80	2,571.80	1,904.32	(667.48)	135.1%
4080 State Turn Back	2,829.88	2,829.88	0.00	(2,829.88)	0.0%
4160 Ticket Revenue	14,284.25	14,284.25	40,955.87	26,671.62	34.9% <i>Down</i>
4900 Transfer In	24,904.69	24,904.69	0.00	(24,904.69)	0.0%
Revenue	\$211,860.79	\$211,860.79	\$235,051.73	\$23,190.94	
Gross Profit	\$211,860.79	\$211,860.79	\$235,051.73	\$0.00	
Expenses					
6100 Advertising and Promotion	88.16	88.16	0.00	(88.16)	0.0%
6140 Automobile Expense	0.00	0.00	5,000.00	5,000.00	0.0%
6160 Bank Service Charges	30.00	30.00	0.00	(30.00)	0.0%
6180 Check Printing Charge	0.00	0.00	500.00	500.00	0.0%
6200 Clothing	54.56	54.56	0.00	(54.56)	0.0%
6220 Community Bldg Deposit Refun	100.00	100.00	0.00	(100.00)	0.0%
6240 Community Event	453.16	453.16	0.00	(453.16)	0.0%
6280 Computer and Internet Expense	1,042.73	1,042.73	1,500.00	457.27	69.5%
6300 Continuing Ed	0.00	0.00	1,000.00	1,000.00	0.0%
6320 Continuing Ed - Hotel	0.00	0.00	500.00	500.00	0.0%
6340 Continuing Ed - Meals	0.00	0.00	500.00	500.00	0.0%
6360 Continuing Ed - Mileage	0.00	0.00	500.00	500.00	0.0%
6380 Council Pay	3,500.00	3,500.00	15,000.00	11,500.00	23.3%
6400 Crawford Jail Fees	2,840.00	2,840.00	12,000.00	9,160.00	23.7%
6420 Drug Testing	0.00	0.00	250.00	250.00	0.0%
6440 Dues and Subscriptions	1,749.25	1,749.25	800.00	(949.25)	218.7% <i>UP</i>
6480 Equipment Purchases	19,765.99	19,765.99	0.00	(19,765.99)	0.0%
6520 Fire Calls & Meetings	1,707.95	1,707.95	2,400.00	692.05	71.2%
6560 Fuel	1,637.71	1,637.71	0.00	(1,637.71)	0.0%
6580 Fuel - Unit 3	125.67	125.67	0.00	(125.67)	0.0%
6600 Fuel - Unit 3418	730.53	730.53	2,000.00	1,269.47	36.5%
6620 Fuel - Unit 3980	246.02	246.02	2,000.00	1,753.98	12.3%
6640 Fuel - Unit 7191	0.00	0.00	2,000.00	2,000.00	0.0%
6660 Fuel - Unit 7923	137.00	137.00	2,000.00	1,863.00	6.9%

General Fund, Payroll Fund, Street Fund
Statement of Revenue and Expenditures

Acct		Current	Year-To-Date	Annual Budget	Annual Budget	Jan 2020
		Period	Jan 2020	Annual Budget	Jan 2020	Dec 2020
		Jan 2020	Jan 2020	Jan 2020	Dec 2020	Percent of
		May 2020	May 2020	Dec 2020	Variance	Budget
		Actual	Actual			
Revenue & Expenditures						
Expenses						
6680	Hazardous Material Fund	0.00	0.00	292.00	292.00	0.0%
6040	Health Insurance	10,226.32	10,226.32	15,922.20	5,695.88	64.2%
6700	Insurance - Property & Liabili	6,829.00	6,829.00	6,000.00	(829.00)	113.8% <i>up</i>
6720	Insurance - Vehicle	1,197.75	1,197.75	3,250.00	2,052.25	36.9%
6740	Insurance - Worker's Comp	3,630.00	3,630.00	4,000.00	370.00	90.8%
6800	Legal Services	5,475.00	5,475.00	15,822.00	10,347.00	34.6%
6820	Licenses	25.00	25.00	800.00	775.00	3.1%
	Medical Bill Expense	230.00	230.00	0.00	(230.00)	0.0%
6020	Payroll Taxes	5,859.24	5,859.24	17,094.08	11,234.84	34.3%
6860	Permit Inspections	509.53	509.53	3,500.00	2,990.47	14.6%
6880	Professional Fees	475.49	475.49	0.00	(475.49)	0.0%
6940	ReImbursement	1,396.03	1,396.03	0.00	(1,396.03)	0.0%
6960	Repairs & Maint	2,506.17	2,506.17	0.00	(2,506.17)	0.0%
6980	Repairs & Maint - Buildings	1,684.31	1,684.31	10,000.00	8,315.69	16.8%
7000	Repairs & Maint - Vehicles	3,240.05	3,240.05	0.00	(3,240.05)	0.0%
7020	Returned Checks / Charge Back	60.00	60.00	0.00	(60.00)	0.0%
6000	Salaries	39,132.49	39,132.49	80,578.59	41,446.10	48.6% <i>Down</i>
	Street Loan Payment Expense	9,000.00	9,000.00	0.00	(9,000.00)	0.0%
7080	Supplies	13,084.24	13,084.24	0.00	(13,084.24)	0.0%
7100	Supplies - Office Supplies	1,819.37	1,819.37	800.00	(1,019.37)	227.4% <i>up</i>
7120	Supplies - Postage	289.32	289.32	0.00	(289.32)	0.0%
8000	Transfer Out	23.24	23.24	0.00	(23.24)	0.0%
7210	Utilities - Cable	532.00	532.00	0.00	(532.00)	0.0%
7160	Utilities - Electric	4,811.03	4,811.03	7,289.49	2,478.46	66.0% <i>up</i>
7180	Utilities - Gas	4,002.12	4,002.12	4,773.70	771.58	83.8% <i>up</i>
7200	Utilities - Telephone	3,927.61	3,927.61	6,958.91	3,031.30	56.4%
	Expenses	\$154,174.04	\$154,174.04	\$225,030.97	\$70,856.93	
	Revenue Less Expenditures	\$57,686.75	\$57,686.75	\$10,020.76	\$0.00	
	Net Change in Fund Balance	\$57,686.75	\$57,686.75	\$10,020.76	\$0.00	

Fund Balances

Beginning Fund Balance	62,064.40	62,064.40	0.00	0.00	0.0%
Net Change in Fund Balance	57,686.75	57,686.75	10,020.76	0.00	0.0%
Ending Fund Balance	119,751.15	119,751.15	0.00	0.00	0.0%

Statement of Revenue and Expenditures

	Current Period May 2020 May 2020 Actual	Year-To-Date Jan 2020 May 2020 Actual	Annual Budget Jan 2020 Dec 2020	Annual Budget Jan 2020 Dec 2020 Variance	Jan 2020 Dec 2020 Percent of Budget
Revenue & Expenditures					
Revenue					
Interest Income	70.69	582.15	0.00	(582.15)	0.00%
Reimbursement Income	0.00	15,070.06	0.00	(15,070.06)	0.00%
Water Meter Deposit	675.00	2,242.23	0.00	(2,242.23)	0.00%
Water Tap Fee	0.00	670.00	0.00	(670.00)	0.00%
Water/Sewer/Sanitation Income	37,085.42	159,025.21	385,470.00	226,444.79	41.25% <i>Down</i>
Revenue	\$37,831.11	\$177,589.65	\$385,470.00	\$207,880.35	
Gross Profit	\$37,831.11	\$177,589.65	\$385,470.00	\$0.00	
Expenses					
Audit Fees	0.00	1,700.00	4,500.00	2,800.00	37.78%
Automobile Expense	0.00	0.00	5,000.00	5,000.00	0.00%
Check Printing Charge	0.00	0.00	500.00	500.00	0.00%
Clothing	0.00	0.00	1,200.00	1,200.00	0.00%
Community Event	0.00	0.00	1,500.00	1,500.00	0.00%
Computer and Internet Expenses	0.00	0.00	2,500.00	2,500.00	0.00%
Continuing Ed	0.00	0.00	2,000.00	2,000.00	0.00%
Continuing Ed - Hotel	0.00	0.00	1,500.00	1,500.00	0.00%
Continuing Ed - Meals	0.00	0.00	1,000.00	1,000.00	0.00%
Continuing Ed - Mileage	0.00	0.00	350.00	350.00	0.00%
Dues and Subscriptions	0.00	24.95	1,000.00	975.05	2.50% <i>Down</i>
Emergency Sanitation	0.00	0.00	3,500.00	3,500.00	0.00%
Equipment Purchases	0.00	0.00	13,000.00	13,000.00	0.00%
Excise Tax	1,896.00	9,053.00	12,857.00	3,804.00	70.41% <i>up</i>
Fuel	478.06	3,330.44	5,000.00	1,669.56	66.61% <i>up</i>
Health Insurance	996.46	4,477.92	15,000.00	10,522.08	29.85%
Insurance - Property & Liabili	0.00	0.00	3,500.00	3,500.00	0.00%
Insurance - Vehicle	0.00	1,254.46	2,000.00	745.54	62.72%
Insurance - Worker's Comp	0.00	0.00	2,458.00	2,458.00	0.00%
Legal Services	256.25	1,537.50	3,075.00	1,537.50	50.00%
Licenses	0.00	0.00	2,000.00	2,000.00	0.00%
Payment - USDA	672.00	3,360.00	0.00	(3,360.00)	0.00%
Payroll Taxes	410.46	3,324.93	8,937.00	5,612.07	37.20%
Professional Fees	74.95	588.03	1,000.00	411.97	58.80%
Pumping	0.00	0.00	3,000.00	3,000.00	0.00%
Repairs & Maint	0.00	2,197.17	0.00	(2,197.17)	0.00%
Repairs & Maint - Vehicles	1,924.54	3,849.09	5,000.00	1,150.91	76.98%
Salaries	5,362.33	40,769.60	117,892.00	77,122.40	34.58%
Sanitary Landfill Fees	1,251.07	6,710.32	10,800.00	4,089.68	62.13% <i>up</i>
Sewer Purchase	7,120.50	31,848.82	52,484.00	20,635.18	60.68% <i>up</i>
Supplies	801.13	5,243.44	10,000.00	4,756.56	52.43%
Supplies - Office Supplies	0.00	0.00	3,000.00	3,000.00	0.00%
Supplies - Postage	0.00	0.00	1,500.00	1,500.00	0.00%
Utilities - Electric	888.22	4,649.55	3,500.00	(1,149.55)	132.84% <i>up</i>
Utilities - Telephone	98.30	492.28	1,200.00	707.72	41.02%
Waste Water Test Fees	0.00	0.00	650.00	650.00	0.00%
Water Meter Deposit Forfeiture	150.00	342.23	0.00	(342.23)	0.00%
Water Meter Refund	150.00	267.77	0.00	(267.77)	0.00%
Water Purchase	7,999.84	36,194.63	51,575.00	15,380.37	70.18% <i>up</i>
Expenses	\$30,530.11	\$161,216.13	\$353,978.00	\$192,761.87	
Revenue Less Expenditures	\$7,301.00	\$16,373.52	\$31,492.00	\$0.00	
Net Change in Fund Balance	\$7,301.00	\$16,373.52	\$31,492.00	\$0.00	

Water & Sewer Fund
Statement of Revenue and Expenditures

	Current Period May 2020 May 2020 Actual	Year-To-Date Jan 2020 May 2020 Actual	Annual Budget Jan 2020 Dec 2020	Annual Budget Jan 2020 Dec 2020 Variance	Jan 2020 Dec 2020 Percent of Budget
Fund Balances					
Beginning Fund Balance	225,355.87	216,283.35	0.00	0.00	0.00%
Net Change in Fund Balance	7,301.00	16,373.52	31,492.00	0.00	0.00%
Ending Fund Balance	232,656.87	232,656.87	0.00	0.00	0.00%

Report Options

Fund: Water & Sewer Fund
 Period: 5/1/2020 to 5/31/2020
 Detail Level: Level 1 Accounts
 Display Account Categories: No
 Display Subtotals: No
 Revenue Reporting Method: Budget - Actual
 Expense Reporting Method: Budget - Actual
 Budget: Water & Sewer Budget

General Fund, Street Fund, Water & Sewer Fund
Balance Sheet
For Period Ending 5/31/2020

Book Value
May 2020
Actual

Assets

Current Assets

Cash

Fire Act 833	22.43	-
General Fund Checking	49,245.06	
Police - ER Vehicles	20.63	
Police - Highway Funds	127.53	
Police - Jail Fees	286.37	
Police - Public Safety	234.47	
Police - Warrant Fees	3,197.58	
Sanitation Operations Checking	902.84	
Sanitation Reserve Checking	20,454.25	
Street CD	19,500.07	
Street Fund Checking	26,982.72	
W/S Operations & Maintenance	189.93	
Water CD	33,869.42	
Water Depreciation Checking	(0.06)	-
Water FHA Checking	3,113.41	
Water Meter Checking	18,254.70	
Water Revenue Checking	23,677.35	
Water/Sewer Reserve Checking	120,822.63	
XFire Dept Checking	(22.43)	
XPolice - Child Passenger	39.31	
XPolice Checking	(3,885.26)	-

Other Current Assets

Internal Transfer Clearing	28,424.40	
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Total Current Assets \$345,457.35

Total Assets \$345,457.35

Liabilities

Current Liabilities

Payroll Liabilities

Clothing Deduction Payable	(37.95)	
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Other Current Liabilities

Payroll Due to Payroll Fund	1,811.76	
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Total Current Liabilities \$1,773.81

Total Liabilities \$1,773.81

Fund Balance

Accumulated Surplus (Deficit)

Fund Balance	343,683.54	
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Total Fund Balance \$343,683.54

Total Liabilities and Equity \$345,457.35

CITY OF DYER, ARKANSAS
ORDINANCE NO# 2020-04-28-02

AN ORDINANCE ADOPTING A REVISED WARD MAP FOR THE CITY OF DYER, ARKANSAS.

WHEREAS, the City of Dyer, Arkansas, has changed its municipal boundaries;

WHEREAS, the City of Dyer, Arkansas, needs to update its map for its municipal wards;

WHEREAS, Western Arkansas Planning and Development Inc. has assisted in developing a proposed map for the City of Dyer, Arkansas;

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

SECTION 1: The ward redistricting plan, depicted on the map attached hereto and made a part hereof, be and is hereby adopted, with said map to serve hereafter as the official ward map for the City of Dyer, Arkansas.

SECTION 2: SEVERABILITY

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or unlawful, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3: EMERGENCY CLAUSE

Whereas it is of the utmost urgency that the City of Dyer, Arkansas, have an up-to-date ward redistricting plan to ensure proper voting and representation for the citizens of our city to maintain proper municipal services including police, fire, water, and sewer services; therefore an Emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____ 2020.

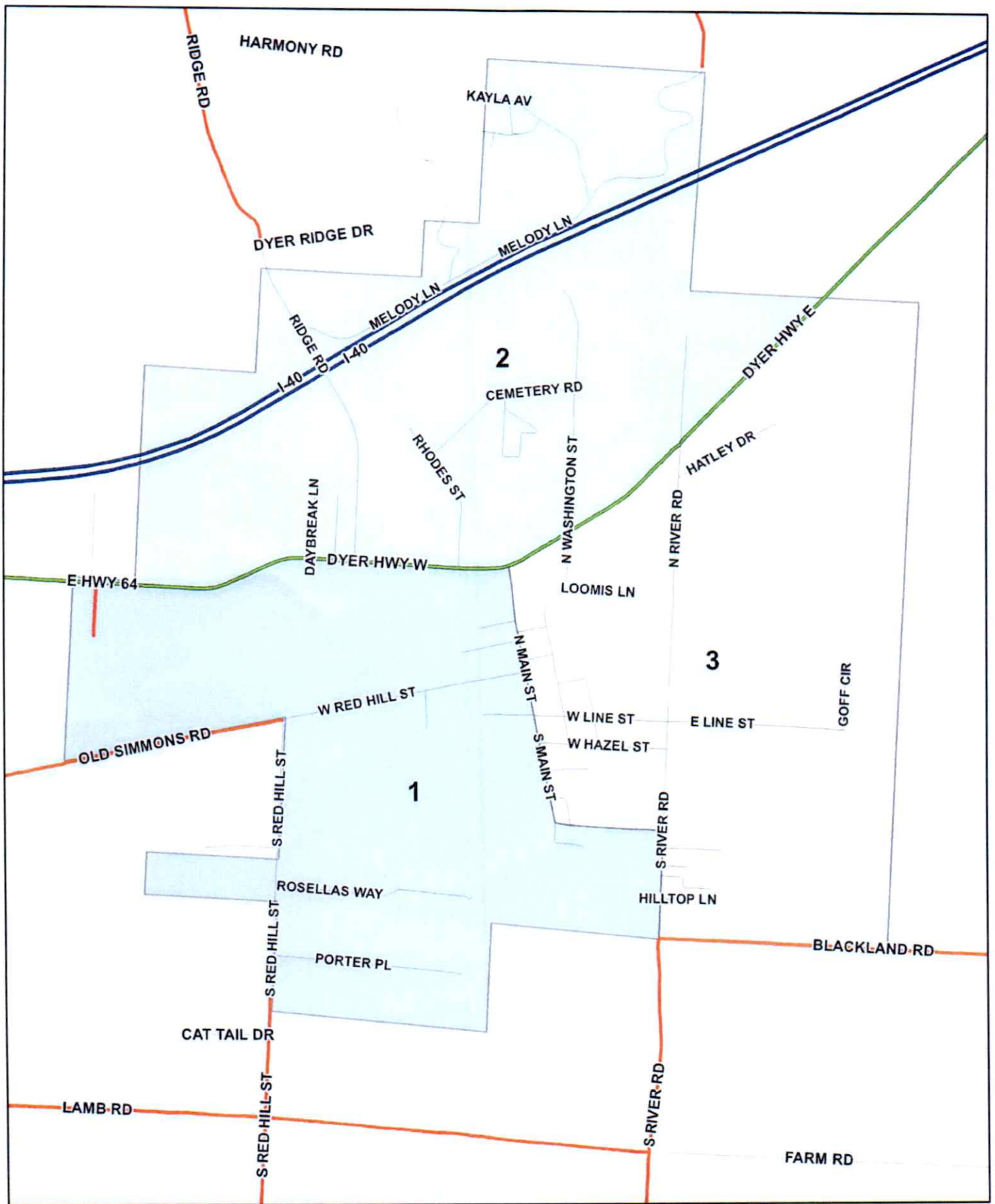
APPROVED:

ATTESTED:

MAYOR

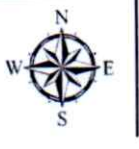
RECORDER/TREASURER

1st Reading 4/28/2020
For
Against



Dyer Wards Map
DYER, AR
CRAWFORD COUNTY

Western Arkansas Planning & Development District, Inc
 1109 S 16th St ~ Fort Smith, AR 72901
 479-785-2651 ~ Fax 479-785-1964



CITY OF DYER, ARKANSAS

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY, REMOVING THE PROPERTY FROM THE FIXED ASSET LIST, AND PROVIDING FOR THE METHOD OF SALE FOR SAID SURPLUS PROPERTY.

WHEREAS, the City of Dyer has certain property that has reached the end of its useful life for the city and is no longer being used by the City;

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

SECTION 1: The City Council of the City of Dyer hereby declares the following property as surplus:

(Description with VIN or Serial Number or Inventory Control Number)

SECTION 2: The identified property shall be removed from the fixed asset list and disposed of by public sale in the method described herein.

SECTION 3: The Mayor or his designated representative shall run a newspaper advertisement in any legal newspaper indicating that the City shall take sealed bids for the property.

SECTION 4: Sealed bids shall be accepted for fifteen (15) days following the first publication of the notice in the newspaper with bid closing at noon on the said fifteenth (15th) day. Bids shall be opened at the first regular city council meeting following bid closing.

PASSED AND APPROVED THIS 23RD DAY OF JUNE 2020.

MAYOR

RECORDER/TREASURER

DYER, ARKANSAS

ORDINANCE NO. _____

AN ORDINANCE PERMITTING THE SALE OF FIREWORKS AT RETAIL WITHIN THE CITY OF DYER, PROVIDING A PENALTY FOR VIOLATION THEREOF, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 20-22-711 allows the sale and use of fireworks within the State of Arkansas from June 20 through July 10 and December 10 through January 5 of each year;

WHEREAS, municipalities are permitted to have greater restrictions on fireworks if they so choose;

WHEREAS, the City Council of the City of Dyer, Arkansas, believes that permitting the sale of fireworks within the city will benefit the economy and not harm its citizens;

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

Section 1. Retail sales of permissible fireworks, as defined in Ark. Code Ann. § 20-22-708, shall be permitted within the municipal boundaries of Dyer, Arkansas, on the same schedule as permitted by state law.

Section 2. That every person, firm or corporation wishing to sell fireworks at retail within the corporate limits of Dyer, Arkansas, shall obtain an annual permit from the City of Dyer, Arkansas.

Section 3. The Mayor or his representative is directed to establish the necessary forms and procedures for implementing this permit requirement.

Section 4. The annual permit shall have a fee of fifty dollars (\$50.00). Permit fees shall be given to the Dyer Fire Department for its use and operation.

Section 5. Temporary sale locations including but not limited to tents, temporary booths, and trailers must be removed and the sale location cleaned prior to midnight on the day following the end of the permitted sales window.

Section 6. Any person failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00), and each day that said condition shall exist shall be considered a continuing offense subject to an additional fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) per day.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8.

PASSED AND APPROVED ON THIS THE 26TH DAY OF SEPTEMBER 2017.

APPROVED:

ATTEST:

Mayor

Recorder/Treasurer

CITY OF DYER, ARKANSAS

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. _____ ,
DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer, Arkansas, passed an ordinance calling for a special election on the question of annexation;

WHEREAS, the City of Dyer has been named in litigation from landowners located within the proposed annexation area;

WHEREAS, the City of Dyer sought to complete the annexation prior to the deadline for the 2020 census;

WHEREAS, with the pending litigation, even if the City of Dyer should prevail in the litigation, it would prevent the annexation from being counted in the 2020 census; and

WHEREAS, with the litigation and the census deadline passing, it does not make fiscal sense to proceed with the expense of litigation;

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

SECTION 1: Ordinance No.: _____ is hereby repealed.

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: Emergency Clause. 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 ordinance will create a significant financial burden upon the city without the expected gains from increased census count such that the financial condition of the City would be negatively impacted reducing the ability of the City to provide essential services to the citizens of Dyer such that 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 _____ DAY OF _____.

APPROVED:

ATTESTED:

MAYOR

RECORDER/TREASURER