

ORDINANCE NO. 2023- 04

**AN ORDINANCE OF THE CITY OF FAIRFIELD BAY,
ARKANSAS, APPROVING HIRING OF
PART-TIME EMPLOYEE
FOR THE CONFERENCE CENTER
OF THE CITY OF FAIRFIELD BAY;
DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES**

WHEREAS, The State of Arkansas prohibits any City from undertaking certain official government activities with public servants, which includes public appointees, public employees, and public officials, “that are not available to others except as may be otherwise provided by law” in accordance with Ark. Code Ann. § 21-8-304(a); and

WHEREAS, there is an opening for a part-time support-staff employee for the Conference Center, a lack of qualified candidates other than Randy Sikes (“Applicant”), and an urgent need to staff the Conference Center adequately, given a vacancy that has been open for more than thirty (30) days; and

WHEREAS, Applicant is the brother-in-law of the current Mayor, Jackie Sikes, and would not be qualified to work for the Conference Center absent City Council authorization by Ordinance, as provided in Ark. Code Ann. § 21-8-304(a); and

WHEREAS, the Mayor, the City, the Recorder-Treasurer, and the Conference Center Director now ask the City Council to review and approve the hiring of Randy Sikes as a part-time support-staff employee at the Conference Center for the City of Fairfield Bay, in accordance with the previously-approved Budget, as amended from time to time, and further as authorized by Ark. Code Ann. § 21-8-304(a);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF FAIRFIELD BAY, ARKANSAS, that:

1. This Ordinance is NOT TO BE CODIFIED as it will not be part of the Municipal Code.
2. NOT TO BE CODIFIED: The City Council has had ample opportunity to review the issues, and has inquired about the vacancies at the Conference Center.
3. NOT TO BE CODIFIED: The City hereby RATIFIES, CONFIRMS, AND APPROVES the hiring of Randy Sikes as a part-time employee at the Conference

Center, not to exceed thirty (30) hours per week, as authorized by Ark. Code Ann. § 21-8-304(a), as an at-will part-time employee. Mr. Sikes shall report to the Conference Center Director.

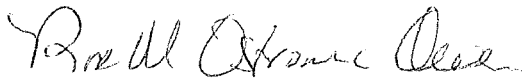
4. **NOT TO BE CODIFIED:** The City hereby APPROVES the Mayor's authority to hire Randy Sikes, as a part-time at-will employee, at the same hourly rate of pay as previous Conference Center support staff, provided that his hourly pay falls within the previously-approved Budget for the City of Fairfield Bay, and comports with the pay of the former Conference Center support staff. Hourly pay shall not be increased without approval of the City Council by Ordinance.
5. **NOT TO BE CODIFIED:** The City further stipulates and directs that the authority set forth herein shall expire on December 31, 2023, at midnight; the authority set forth herein requires a separate Ordinance for extension, if the next Budget Ordinance continues to authorize the position, and the pay rate.
6. **NOT TO BE CODIFIED:** The City reserves the right to terminate this authorization and approval upon passage of an appropriate Ordinance revoking this authority, provided that at least one (1) week's notice is provided to Mr. Sikes, in advance of the repeal of this Ordinance. Nothing herein shall provide Mr. Sikes any substantive rights: he is hired as, and shall remain, an at-will employee of the City of Fairfield Bay. The City may terminate the employment of Mr. Sikes at any time, for any lawful reason, or for no reason, with or without notice, and with or without cause. Likewise, Mr. Sikes may resign from employment at any time, for any lawful reason, or for no reason, with or without notice, and with or without cause.
7. **NOT TO BE CODIFIED: EMERGENCY CLAUSE:** Because of the potential danger to public peace, health, and safety, that will result from the lack of sufficient support staff at the Conference Center, AN EMERGENCY IS HEREBY DECLARED TO EXIST, and this Ordinance being necessary for the peace, health, safety, and general welfare of the City and its Citizens, IT SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON AND AFTER ITS PASSAGE.
8. **NOT TO BE CODIFIED: SEVERABILITY CLAUSE:** If any provision of this Ordinance, or the application thereof, to any person or circumstance is held invalid for any reason, such invalidity shall not affect other provisions or applications of this Ordinance, which shall be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Dated this 24th Day of April, 2023.



Honorable Jackie Sikes
Mayor, City of Fairfield Bay, Arkansas

Attest:



Rose O. Owen, Recorder-Treasurer

Prepared: AJ Kelly,
City Attorney