

CITY OF FAIRFIELD BAY
City Council Minutes
June 13, 2022

The regular monthly meeting of the Fairfield Bay City Council was called to order by Mayor Linda Duncan at 7:00 p.m. Monday, June 13, 2022. The meeting was held in the Fairfield Bay Conference Room.

ROLL CALL;

Don Bailey, Robert Otis, Patti Leitner, Ron Milligan and Doyle Scroggins were present. A.J. Kelly City Attorney and several area residents were also present.

APPROVE MINUTES:

Councilmember Bailey made a motion to adopt the minutes of the May 9, 2022 Special Meeting. Councilmember Leitner seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Financial Reports were submitted.

Councilmember Bailey made a motion to accept the financial report.

Councilmember Milligan seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried

CORRESPONDENCE:

No correspondence

REPORTS:

All other reports see written reports.

Department heads presented their reports.

Unfinished Business:

AN ORDINANCE OF THE CITY OF FAIRFIELD BAY, ARKANSAS, PREVENTING THE LOUD AND UNNECESSARY NOISE OF, AND PROHIBITING THE PRACTICE OF ENGINE COMPRESSION BRAKING; PROVIDING FOR PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Councilmember Otis made a motion to waive the rules and move to the third reading title only.

Councilmember Bailey seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance title only Third read.

Councilmember Otis made a motion to adopt the Ordinance.

Councilmember Bailey seconded the motion.

Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES.

Councilmember Otis made a motion to read the emergency clause.

Councilmember Bailey seconded the motion.

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the emergency clause.

Councilmember Otis made a motion to adopt the emergency clause.

Councilmember Bailey seconded the motion.

Roll Call: Robert Otis YES, Ron Milligan YES, Don Bailey YES, Patti Leitner YES, Doyle Scroggins YES.

This will Be Ordinance 2022-15

AN ORDINANCE OF THE CITY OF FAIRFIELD BAY, ARKANSAS, TO AMEND THE MUNICIPAL CODE; AND TO AMEND ORDINANCE NO. 2021-11 AND ORDINANCE NO.2021-18; AMENDING TITLE 14 OF THE MUNICIPAL CODE- ZONING; AMENDING CHAPTER 14.04-ZONING ORDINANCE; AMENDING SECTION 14.04.19- SPECIAL USE PERMITS; AMENDING REQUIREMENTS FOR APPLICATIONS, PER -CAPITA FEES FOR USE, AND REQUIREMENTS FOR INSPECTIONS AFTER COMPLAINT INVOLVED IN SPECIAL USE PERMITS FOR USE OF CERTAIN RESIDENTIAL PROPERTY AS SHORT TERM RENTAL PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Councilmember Otis made a motion to waive the rules and read the second reading, title only.

Councilmember Bailey seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance.

Councilmember Otis made a motion to adopt the Ordinance.

Councilmember Leitner seconded the motion.

Roll Call: Don Bailey YES, Ron Milligan YES Robert Otis YES, Doyle Scroggins Yes Patti Leitner YES.

AN ORDINANCE EXTENDING THE TEMPORARY SUSPENSION OF CONSIDERATION AND ISSUANCE OF SPECIAL USE PERMITS FOR SHORT TERM RENTALS IN R1-A AND R1-B SINGLE- FAMILY RESIDENTIAL ZONES; EXTENDING THE TEMPORARY MORATORIUM ON CONSIDERATION AND ISSUANCE OF SPECIAL USE PERMITS FOR SHORT TERM RENTALS IN SINGLE FAMILY RESIDENTIAL ZONING CLASSIFICATION AREAS ZONED R1-A AND R1-B UNTIL AUGUST 1, 2022; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Duncan read the Ordinance.

Councilmember Otis made a motion to adopt the Ordinance.

Councilmember seconded the motion.

Discussion.

Roll Call:

Councilmember Otis made a motion to waive the rules and move to the second reading, title only.

Councilmember Bailey seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance, title only.

Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.
Councilmember Otis made a motion to waive the rules and move to the third reading title only.
Councilmember Bailey seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, third read, title only.
Councilmember made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.
Councilmember Otis made a motion to read the emergency clause.
Councilmember Leitner seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the emergency clause.
Councilmember Otis made a motion to adopt the emergency clause.
Councilmember Leitner seconded the motion.
Roll Call: Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES.
This will be Ordinance 2022-16

**AN ORDINANCE TO UPDATE THE FAIRIFELD BAY MUNICIPAL CODE;
AMENDING TITLE 11, BUILDING AND CONSTRUCTION; AMENDING CHAPTER
11.32; PROVIDING FOR UPDATING THE ENERGY CODE BY RESOLUTION OF
THE CITY COUNCIL; AMENDING THE MUNICIPAL CODE; DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Duncan read the Ordinance.
Councilmember Otis made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Discussion: None
Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES.
Councilmember Otis made a motion to waive the rules and move to the second reading, title only.
Councilmember Bailey seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, second reading, title only.
Councilmember made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.
Councilmember Otis made a motion to waive the rules and move to the third reading title only.

Councilmember Milligan seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance, third read, title only.

Councilmember Bailey made a motion to adopt the Ordinance.

Councilmember Leitner seconded the motion.

Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.

Councilmember Otis made a motion to read the emergency clause.

Councilmember Milligan seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the emergency clause.

Councilmember Otis made a motion to adopt the emergency clause.

Councilmember Bailey seconded the motion.

Roll Call: Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES,

This will be Ordinance 2022-17

**AN ORDINANCE TO UPDATE THE FAIRFIELD BAY MUNICIPAL CODE;
AMENDING TITLE 11, BUILDING AND CONSTRUCTION; AMENDING CHAPTER
11.08; PROVIDING FOR THE UPDATING THE PLUMBING CODE BY RESOLUTION
OF THE CITY COUNCIL; REVISING THE REQUIRED TRAINING FOR OFFICERS;
AMENDING THE MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR
OTHER PURPOSES**

Mayor Duncan read the Ordinance.

Councilmember Bailey made a motion to adopt the Ordinance.

Councilmember Leitner seconded the motion.

Discussion None

Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES.

Councilmember Milligan made a motion to waive the rules and move to the second reading, title only.

Councilmember Bailey seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance, second reading, title only.

Councilmember Bailey made a motion to adopt the Ordinance.

Councilmember Milligan seconded the motion.

Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.

Councilmember Bailey made a motion to waive the rules and move to the third reading title only.

Councilmember Leitner seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the Ordinance, third read, title only.

Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES.
Councilmember Otis made a motion to read the emergency clause.
Councilmember Milligan seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the emergency clause.
Councilmember Otis made a motion to adopt the emergency clause.
Councilmember Bailey seconded the motion.
Roll Call: Robert Otis YES, Doyle Scroggins YES. Patti Leitner YES, Don Bailey YES, Ron Milligan YES,
This will be Ordinance 2022-18

**AN ORDINANCE TO UPDATE THE FAIRFIELD BAY MUNICIPAL CODE;
AMENDING TITLE 11, BUILDING AND CONSTRUCTION; AMENDING CHAPTER
11.24; PROVIDING FOR UPDATING THE MECHANICAL CODE BY RESOLUTION
OF THE CITY COUNCIL; REVISING THE REQUIRED TRAINING FOR OFFICERS;
AMENDING THE MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR
OTHER PURPOSES.**

Mayor Duncan read the Ordinance.
Councilmember Otis made a motion to adopt the Ordinance.
Councilmember Bailey seconded the motion.
Discussion None
Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES.
Councilmember Otis made a motion to waive the rules and move to the second reading, title only.
Councilmember Bailey seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, second reading, title only.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Milligan seconded the motion.
Roll Call: Ron Milligan YES, Doyle Scroggins YES, Patti Leitner YES Don Bailey YES, Robert Otis YES,
Councilmember Otis made a motion to waive the rules and move to the third reading title only.
Councilmember Leitner seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, third read, title only.

Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Milligan seconded the motion.
Roll Call: Robert Otis YES, Ron Milligan YES, Doyle Scroggins YES, Patti Leitner YES,
Don Bailey YES,
Councilmember Otis made a motion to read the emergency clause.
Councilmember Milligan seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the emergency clause.
Councilmember Bailey made a motion to adopt the emergency clause.
Councilmember Milligan seconded the motion.
Roll Call: Doyle Scroggins YES. Patti Leitner YES, Don Bailey YES, Ron Milligan YES,
Robert Otis YES,
This will be Ordinance 2022-19

**AN ORDINANCE TO UPDATE THE FAIRFIELD BAY MUNICIPAL CODE;
AMENDING TITLE 11, BUILDING AND CONSTRUCTION; AMENDING CHAPTER
11.24; PROVIDING FOR UPDATING THE ELECTRICAL CODE BY RESOLUTION
OF THE CITY COUNCIL; REVISING THE REQUIRED TRAINING FOR OFFICERS;
AMENDING THE MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR
OTHER PURPOSES.**

Mayor Duncan read the Ordinance.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Discussion None
Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES,
Robert Otis YES.
Councilmember Milligan made a motion to waive the rules and move to the second reading, title
only.
Councilmember Bailey seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, second reading, title only.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Milligan seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES,
Patti Leitner YES.
Councilmember Bailey made a motion to waive the rules and move to the third reading title only.
Councilmember Leitner seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, third read, title only.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Leitner seconded the motion.
Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES,
Patti Leitner YES.

Councilmember Otis made a motion to read the emergency clause.
Councilmember Milligan seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the emergency clause.
Councilmember Otis made a motion to adopt the emergency clause.
Councilmember Bailey seconded the motion.
Roll Call: Robert Otis YES, Doyle Scroggins YES. Patti Leitner YES, Don Bailey YES, Ron Milligan YES,
This will be Ordinance 2022-20

**AN ORDINANCE TO UPDATE THE FAIRFIELD BAY MUNICIPAL CODE;
AMENDING TITLE 11, BUILDING AND CONSTRUCTION; AMENDING CHAPTER
11.28; PROVIDING FOR UPDATING THE FIRE CODE BY RESOLUTION OF THE
CITY COUNCIL; REVISING THE REQUIRED TRAINING FOR OFFICERS;
AMENDING THE MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR
OTHER PURPOSES.**

Mayor Duncan read the Ordinance.
Councilmember Otis made a motion to adopt the Ordinance.
Councilmember Bailey seconded the motion.
Discussion None
Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES,
Robert Otis YES.
Councilmember Otis made a motion to waive the rules and move to the second reading, title only.
Councilmember Bailey seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, second reading, title only.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Milligan seconded the motion.
Roll Call: Ron Milligan YES, Doyle Scroggins YES, Patti Leitner YES Don Bailey YES,
Robert Otis YES,
Councilmember Otis made a motion to waive the rules and move to the third reading title only.
Councilmember Leitner seconded the motion.
Discussion: None
With a voice vote of five ayes and none opposed, motion carried.
Mayor Duncan read the Ordinance, third read, title only.
Councilmember Bailey made a motion to adopt the Ordinance.
Councilmember Milligan seconded the motion.
Roll Call: Robert Otis YES, Ron Milligan YES, Doyle Scroggins YES, Patti Leitner YES.
Don Bailey YES,
Councilmember Otis made a motion to read the emergency clause.

Councilmember Milligan seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the emergency clause.

Councilmember Bailey made a motion to adopt the emergency clause.

Councilmember Milligan seconded the motion.

Roll Call: Doyle Scroggins YES. Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES,

This will Ordinance 2022-21

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, ADOPTING THE 2014 ARKANSAS ENERGY CODE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Otis seconded the motion.

Discussion: None

Roll Call: Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES, Robert Otis YES.

This will be Resolution 2013-A

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, ADOPTING THE 2018 ARKANSAS STATE PLUMBING CODE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Otis made a motion to adopt the Resolution.

Councilmember Bailey seconded the motion.

Discussion: None

Roll Call; Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES, Don Bailey YES, Ron Milligan YES,

This will be Resolution 2014

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, ADOPTING THE 2021 ARKANSAS STATE MECHANICAL CODE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Milligan seconded the motion.

Discussion: None

Roll Call: Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES, Patti Leitner YES

This will be Resolution 2022-15

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, ADOPTING THE 2017 ARKANSAS STATE ELECTRICAL CODE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Otis seconded the motion.

Discussion: None

Roll Call: Patti Leitner YES Don Bailey YES, Ron Milligan YES, Robert Otis YES, Doyle Scroggins YES,
This will be Resolution 2022-16

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, ADOPTING THE 2021 ARKANSAS STATE FIRE PREVENTION CODE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Milligan seconded the motion.

Discussion: None

Roll Call: Robert Otis YES, Ron Milligan YES, Don Bailey YES Doyle Scroggins YES,
Patti Leitner YES

This will be Resolution 2022-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD BAY DECLARING A PUBLIC NUISANCE AT 113 FIRESIDE LANE; PROVIDING NOTICE OF POTENTIAL CONDEMNATION OF THE STRUCTURES AT 113 FIRESIDIE LANE AS A RESULT OF THE NUISANCE THEREON; IMPOSING A STATUTORY FINE IN THE EVENT OF FAILURE TO ABATE THE NUISANCE; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Milligan seconded the motion.

Discussion: None

Roll Call: Doyle Scroggins YES, Patti Leitner YES Robert Otis YES, Ron Milligan YES, Don Bailey YES

This will be Resolution 2022-18

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, AUTHORIZING THE MAYOR AND RECORDER- TREASURER TO INCREASE EXPENDITURES REQUIRED FOR MUNICIPAL HEALTH INSURANCE; APPROPRIATING FUNDS ACCORDINGLY; AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Milligan seconded the motion.

Discussion: Mayor Duncan explained why the Health Ins has gone up is because in 2020 and 2021 people were nit getting the health care they needed because of covid. And then this year they have gone back to the doctors.

Roll Call: Doyle Scroggins YES, Patti Leitner YES Robert Otis YES, Ron Milligan YES, Don Bailey YES

This will be Resolution 2022-19

A RESOLUTION OF THE CITY OF FAIRFIELD BAY, ARKANSAS, APPROVING THE FORM OF A MEMORANDUM OF UNDERSTANDING CONCERNING DONATIONS RECEIVED AND TO BE RECEIVED FOR THE PURPOSE OF SPONSORING A SPECIAL EVENT FOR THE CITY OF FAIRFIELD BAY; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; APPROVING THE LIMITATION ON RECEIPT OF FUNDS FOR THE SPECIAL EVENT; APPROPRAITING INCOME RECEIVED IN THE SPECIAL EVENT ACCOUNT TO BE USED IN PART TO PAY EXPENSES OF SPECIAL EVENT AND FOR OTHER PURPOSES.

Mayor Duncan read the Resolution.

Councilmember Bailey made a motion to adopt the Resolution.

Councilmember Milligan seconded the motion.

Discussion: None

Roll Call: Robert Otis YES, Ron Milligan YES, Don Bailey YES Doyle Scroggins YES, Patti Leitner YES

This will be Resolution 2022-20

Mayor Duncan read the resignation letter from Doug Landry. Mayor Duncan asked ro a motion to accept the resignation and to declare a vacancy in Ward 2 Position 2.

Councilmember Ron Milligan made a motion to accept the signation with regret.

Councilmember Leitner seconded the motion.

Discussion: None

With a voice vote of five ayes and none opposed, motion carried.

Mayor Duncan read the requirements for applying for a seat on the City Council.

Councilmember Bailey made a motion to adjourn.

Councilmember Otis seconded the motion.

Discussion None

With a voice vote of five ayes and none opposed, motion carried

Date

7/11/2022

ATTEST

Rose M Ostronic Owen

Rose M Ostronic-Owen, Recorder/ Treasurer

APPROVED

Linda A Duncan

Linda A Duncan, Mayor