

**City of Dyer Regular  
City Council Meeting  
June 22, 2021**

The meeting was called to order by Mayor Paul Brown at 6:30 pm on June 22, 2021, and the pledge of allegiance was said.

Roll Call:

Alderman Rhonda Rowell present

Alderman Jeff Baxter present

Alderman Richard Swearingen present

Alderman Myrna Burns present

Alderman Katherine Fry present

Alderman Donna Staton present

Public Forum:

Tracee McKenna from WAPPADIDI Fun Park grant and how to get one for City of Dyer. City site visit from State next week. If awarded it would be up to \$75,000. We are not eligible for several grants due to the low to moderate income percentage for Dyer and it is the data must determine eligibility is 51% and Dyer is at 35%. Door to door survey would be needed to show the LMI percentage. Goal is to get 100% participation. This survey is good for 3 years.

Marilyn Kiser asked Jeff Baxter if he made phone calls, he told Evie he would make to the ADEQ. It is my understanding they must be called before any clearing or dirt work is completed. It must be inspected and if this doesn't happen the person is fined. Jeff stated he is not doing the work. Marilyn asked if anyone has the status of the planning commission. Several members do not know anything about it. Alderman Staton stated she was always told it is the city council who is the planning commission. Ordinance passed to combine the planning commission and city council into one was brought up by the City Attorney. Marilyn went on to say that the planning commission must have regular meetings, or it is not legal. City Council has monthly meetings, and we need to add a planning commission line item to agenda. Marilyn has asked if Mayor has contacted municipal league since there have been so many discrepancies with the City Attorney and he states just that one time. Marilyn wanted to know if the city council being the planning commission has been verified with the league. Marilyn presented a packet to the City Attorney and Alderman Rhonda Rowell of legal documents asking for an explanation and states she feels it constitutes a conflict of interest with you voting on anything pertaining to the lawsuit. The property I was referring to last month that Alderman Rowell's wife sells is on River Vista and if she sells property, I believe both she and Alderman Rowell benefit from it.

Alderman Rowell stated that the property that is in the lawsuit has nothing to do with the property that is mentioned. Marilyn alleged that Alderman Rowell is buying Mr. Morrell property and paying him approximately \$1000 monthly. Alderman Rowell stated I am not buying his property. This is a past transaction. I am not buying anything from him. Letters along with documentation have been mailed to the prosecuting attorney, the ethics commission and to Judge Medlock asking for a preventative injunction it is not only me but

several other Dyer Citizens that have sent letters. Alderman Rowell states that this is not a purchase of property, it is a debt owed. I am not buying anything from them. Marilyn alleged that the council had backing from the Morrell's, Alderman Rowell states there was nothing purchased by the Morrells and there was no money given to me by them. Jeff, Richard and Donna you had backing. Alderman Donna Staton stated she had no signs and no money given to me. Richard states he had no financial assistance I did not put a sign up. I did not knock-on doors. Marilyn states Mike Morrell put out signs for you guys and it was asked if it was illegal to have citizens put out signs for candidates. Alderman Rowell states in 2019 I owned the property up there until I was forced into annexation in June 2019 by the city. At that time, we felt like there were things done wrong, I made a poor business decision. I became in default and the property went back to Mike and Brenda Morrell and they took up the lawsuit. Then as time goes on what you see here is me paying for my bad mistake. What you see here on Harmony Road is a quit claim deed to that property in the deal to resolve the bad decision. They offered to pay for signs, and I said no because this is exactly what would happen. Exactly what you have created, you have created nothing but havoc with this. Time goes on and the election happens and here we are. We asked the mayor to mediate with the Morrells and take it off the council so you wouldn't have anything to say but he chose to another route. We the council decided to sit down and mediate with the Morrell's as we asked to do in the beginning. The property in the lawsuit has nothing to do with the listings. Marilyn brought it up that there was a meeting last night and it was explained that it was Alderman Rowell, Tammy Coombes, Recorder Treasurer and Alderman Katherine Fry left because she stated we would be accused of having a special secret meeting. Mayor Brown spoke up and said it was about the employee handbook that was talked about last meeting. Alderman Donna Staton asked to speak, and she states that we had a meeting with the Morrell's and their lawyer and us and our lawyer there were items that came to light during the discussion, and I have tried to keep this under wraps to protect Veronica. Veronica billed the Morrell's a per door charge for sewer starting in March 2020, the council did not even discuss a sewer charge. That is the one of the biggest things we are having to pay back to the Morrell's is because Veronica took it upon herself to charge this. Veronica states that when you charge per unit for water it must be done with sewer also. No other multifamily units were not charged. I also would like for someone to pay for an audit of payroll for all the overtime that she and Lonnie received for working the last umpteenth years. Mayor hits his gavel and states we are way off.

Public hearing called to discuss variance.

Debby Ferguson states she is here to answer questions that anyone may have about the variance. Alderman Katherine Fry asked if we are reducing the acreage from 5 acre to 3 acre lots will this be on Dyer Sewer or will this be individual septic systems. She was told that it would be septic system. Alderman Fry states some constituents asked about this.

Closing of the public on the variance.

City Attorney presented the variance, and a motion was made by Alderman Katherine Fry and seconded by Alderman Donna Staton to approve Variance and exhibit A.

Roll Call:

Alderman Rhonda Rowell yes

Alderman Jeff Baxter yes

Alderman Richard Swearingen yes  
Alderman Myrna Burns yes  
Alderman Katherine Fry yes  
Alderman Donna Staton yes

Question by Recorder Treasurer asking since City Council is Planning Commission can we not just add a line item on the agenda, so we have documentation that it was addressed and City Attorney states yes.

Approval of May 2021 Minutes was made by Alderman Katherine Fry and seconded by Alderman Myrna Burns.

Roll Call:

Alderman Rhonda Rowell yes  
Alderman Jeff Baxter yes  
Alderman Richard Swearingen yes  
Alderman Myrna Burns yes  
Alderman Katherine Fry yes  
Alderman Donna Staton yes

Approval of May 2021 Financials.

Mayor has asked for Sanitation trash cart account to deposit money into for the future purchases of trash carts.

General, Street, Water Sewer Bank registers and financials in packet. A motion was made by Alderman Donna Staton and seconded by Alderman Katherine Fry.

Roll Call:

Alderman Rhonda Rowell yes  
Alderman Jeff Baxter yes  
Alderman Richard Swearingen yes  
Alderman Myrna Burns yes  
Alderman Katherine Fry yes  
Alderman Donna Staton yes

Mayor Report:

Water Works director resigned on June 7<sup>th</sup>, and we have hired 2 people. Kimberly Aldridge and Layne Welch. We are still going to try and get a summer person.

Water and Sewer guy Rick McClellan has proposed contract for \$1500 month. He states I am here to help Dyer and can until you get someone licensed.

A motion was made to have Mayor enter a contract with REM construction for Water and Sewer management July 2021 by Alderman Richard Swearingen and seconded by Alderman Katherine Fry.

Roll Call:

Alderman Rhonda Rowell yes  
Alderman Jeff Baxter yes  
Alderman Richard Swearingen yes

Alderman Myrna Burns yes  
Alderman Katherine Fry yes  
Alderman Donna Staton yes

**Mayor Report:**

When we set the budget in January, we discussed an outside guy. We discussed using this salary for doing projects. We are looking at roof replacement and eaves for City Hall and Community Building and have BIDs we are looking at.

Trash Carts invoice was different than quote and it cost more than originally quoted.

Advertisement for 4<sup>th</sup> of July Festivities at the Community building will be inside and outside.

There will be a baking competition and a quilt square competition. There will be hamburgers and hot dogs for sale to benefit the fire department fund raiser.

We are going to try and partner with the school to get lunches for kids in town.

The storage units are good to go, and they will be starting on them soon.

Clean up ordinances are in progress. Due to the rain the ditches have been hard to take care of.

There are properties here in town owned by people out of town. Police Chief is getting with City Attorney to figure out best way to serve those within the timely manner. Alderman Rowell states we need to clean up our own areas to be an example to others.

**City Attorney:**

Resolution passed last month. We are passing the variance tonight.

Chief of Police: Gave reports of monthly activity.

Fire Chief: Gave reports of monthly activity.

**New Business:**

Resolution for Fun Park. 2021-06-22-01

A motion to adopt resolution 2021-06-22-01 to obtain grant for Fun Park was made by Alderman Donna Staton and seconded by Alderman Katherine Fry.

**Roll Call:**

Alderman Rhonda Rowell yes

Alderman Jeff Baxter yes

Alderman Richard Swearingen yes

Alderman Myrna Burns yes

Alderman Katherine Fry yes

Alderman Donna Staton yes

Alderman Rhonda Rowell gave update on Employee handbook. Template from Municipal League handbook reviewed and adjusted to meet the needs of the city.


**Old Business:**

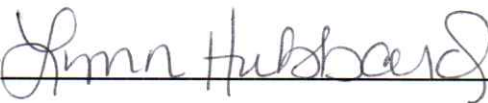
Adjournment: A motion to adjourn was made by Alderman Katherine Fry and seconded by Alderman Donna Staton.

**Roll Call:**

Alderman Rhonda Rowell yes  
Alderman Jeff Baxter yes  
Alderman Richard Swearingen yes  
Alderman Myrna Burns yes  
Alderman Katherine Fry yes  
Alderman Donna Staton yes

Meeting was adjourned at 7:52pm.

Mayor  072721

Recorder Treasurer  072721