

**March 18<sup>th</sup>, 2019**  
**Bay City Council Meeting**  
**Bay Municipal Building**  
**220 Elder Street, Bay AR**  
**Special Meeting**  
**7:00pm**  
**Agenda**

- 1. Invocation**
  - 2. Call Meeting to Order / Roll Call**
  - 3. Certification of Municipal Classification Change for the City of Bay becoming a City of First Class by Ordinance 2019-1**
  - 4. Ordinance 2019-2 ( Establishing office of City Attorney )**
  - 5. Adjournment.**
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**BAY SPECIAL CITY COUNCIL MEETING  
220 ELDER STREET, BAY ARKANSAS  
BAY MUNICIPAL BUILDING-CONFERENCE ROOM**

**MARCH 18, 2019  
7:00 pm**

**MAYOR KIRBY CALLED THE MEETING TO ORDER AT 7:00 pm**

**INVOCATION: Councilmember Larry Hall**

**ROLL CALL: The following councilmembers were present: Larry Hall, Lori Robertson, Philip VanWinkle, and David Milam. The following councilmembers were absent: Donnie Davis, Curtis Hogan**

**OTHER DEPARTMENTS: None**

**GUESTS: Kellee Kirby and Leslie Bates**

**(No approval of minutes) \*to be presented at next regular scheduled meeting**

**Mayor Kirby first went over the city's status as officially a First Class City. The Secretary of State Office recorded it on March 4, 2019, and forwarded the paper work to the Craighead County Clerk's office for filing. The County recorded and filed the change on March 12, 2019. Mayor Kirby passed out the documents concerning the change. No further discussion.**

**ORDINANCE 2019-2: "AN ORDINANCE ESTABLISHING THAT THE OFFICE OF THE CITY ATTORNEY WILL BE APPOINTED; APPOINTING WARREN E. DUPWE AS BAY ARKANSAS CITY ATTORNEY, AND SETTING THE COMPENSATION FOR CITY ATTORNEY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES"**

**Mayor Kirby summarized key points in the ordinance. After a short discussion: Lori Robertson made a motion to read and pass the "emergency clause"/Seconded by Larry Hall/No further discussion/all ayes/motion passed/Mayor Kirby read the emergency clause. Motion to accept the emergency clause by VanWinkle/Seconded by Robertson/no further discussion/all ayes/motion passed 4/0.**

**Motion to read Ordinance 2019-2 in full by VanWinkle/Seconded by Milam/no further discussion/all ayes/motion passed 4/0. Mayor Kirby read Ordinance 2019-2 in full. Motion to accept the reading by Hall/Seconded by Milam/no further discussion/all ayes/motion passed 4/0.**

Motion to read Ordinance 2019-2 by heading only by Milam/Seconded by Hall/no further discussion/all ayes/motion passed 4/0. Mayor Kirby read the heading. Motion to accept by VanWinkle/Seconded by Milam/no further discussion/all ayes/motion passed 4/0.

Motion to read Ordinance 2019-2 heading only for third and last time by Hall/Seconded by Robertson/no further discussion/all ayes/motion passed 4/0. Mayor Kirby read the heading from Ordinance 2019-2 for the third and final reading. Motion to accept by Hall/Seconded by VanWinkle/No further discussion/all ayes/motion passed 4/0.

There being no further business;

Motion to adjourn by VanWinkle/Seconded by Milam/No further discussion/all ayes/motion passed 4/0 Meeting adjourned.

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Darrell Kirby, Mayor

  
Attest: Sandi Ladd Griffin, Rec/Treasurer

# STATE OF ARKANSAS

SECRETARY OF STATE

**FILED**  
**MAR 12 2019**  
**KADE HOLLIDAY**  
COUNTY & PROBATE COURT CLERK

## CERTIFICATION OF MUNICIPAL CLASSIFICATION CHANGE

I, John Thurston, Secretary of State for the State of Arkansas, and as such, keeper of the official municipal classification records for the State, do hereby certify that the:

**City of Bay**

has chosen by Ordinance No. 2019-1 to become classified as a

**City of the First Class.**



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Secretary of State on this 6<sup>th</sup> day of March, 2019.

*John Thurston*

John Thurston  
Secretary of State

FILED

MAR 12 2019

KADE HOLLIDAY  
COUNTY & PROBATE COURT CLERK

ORDINANCE NO. 2019- 1

AN ORDINANCE DESIGNATING THE CITY OF BAY, ARKANSAS, AS A CITY OF  
THE FIRST CLASS AND FOR OTHER PURPOSES.

WHEREAS, the General Assembly of the State of Arkansas adopted Act 269 of 1971 providing that cities of the second class, having a population of 1,500 or more could become cities of the first class; and,

WHEREAS, the City of Bay, Arkansas, according to the regular Federal Census taken in 2010, has a population of more than 1,500 persons,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY, ARKANSAS;

Section 1. That from and after the passage of this Ordinance, the City of Bay, Arkansas shall be a first class city, as provided by the laws of the State of Arkansas, and shall have all of the rights, powers, privileges and duties provided for cities of the first class under the laws of the State of Arkansas.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed. Adopted this 11<sup>th</sup> of February, 2019.

APPROVED:

Dan R. Kirby  
MAYOR

ATTEST:

Sandi Lass Higgins  
CITY CLERK

FIRST READING THIS DAY Waived rules and suspend

SECOND READING THIS DAY all reading requirements

THIRD READING THIS DAY for this Ordinance in  
February 11<sup>th</sup> 2019  
minutes



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