TOWN OF FOUNTAIN LAKE,

7059 PARK AVENUE, FOUNTAIN LAKE, AR 71901

MINUTES FROM THE 229th TOWN COUNCIL MEETING. THIS WAS HELD ON JULY 8, 2024.

MEMBERS PRESENT WERE MAYOR JACK FIELDS, KARL LOWRY, HAROLD JAMES, JOSEPH REPICI AND NICK LOWRY. JIMMY ATTEBURY WAS ABSENT. ATTORNEY JUSTIN HURST WAS PRESENT AND MEMBERS FROM THE COMMUNITY WERE ALSO PRESENT.

THE MINUTES WERE HANDED OUT. A MOTION WAS MADE BY NICK LOWRY TO ACCEPT THEM AS READ AND IT WAS 2ND BY HAROLD JAMES. DISCUSSION WAS MADE FROM JOE REPICI SAYING HE WAS SILENT ON VOTING IN JUNES MEETING ABOUT SPENDING $20,000 ON ROAD PAVING. HE WAS INFORMED BY MAYOR JACK FIELDS THAT HE NEEDS TO GIVE A VERBAL VOTE ON VOTING MATTERS TO BE RECOGNIZED FOR BOARD DECISIONS THAT REQUIRE VOTING. ALL WERE IN FAVOR NONE OPPOSED.

THE FINANCIAL TOTALS WERE GIVEN OUT. A MOTION WAS MADE BY NICK LOWRY AND 2ND BY KARL LOWRY TO ACCEPT THEM AS WRITTEN. DISCUSSION WAS HELD ABOUT THE REMAINING GRANT FUND MONEY. ALL WERE IN FAVOR NONE OPPOSED.

FINANCIAL COMMITTEE: JOE REPICI BROUGHT TO THE BOARD THAT THE TOWN SPENT FUNDS ILLEGALLY ON A GATED AREA OF THE TOWN THAT HE WAS TOLD WAS LEGAL TO SPEND FUNDS FOR PAVING ON. THE CLERK TREASURER INFORMED MR. REPICI AND THE BOARD THAT SHE DID NOT KNOW THAT IT WAS ILLEGAL TO USE STREET FUNDS TO PAVE IN A GATED COMMUNITY UNTIL SHE CALLED THE MUNICIPAL LEAGUE. THE MAYOR THANKED MR. REPICI FOR BRINGING THIS TO THE BOARDS ATTENTION BUT SAID THAT MR. REPICI SHOULD OF REACHED OUT TO THE BOARD FOR REVIEW BEFORE GOING PUBLIC WITH INFORMATION THAT THE BOARD NEEDS TO KNOW AND STATING FALSE ACCUSATIONS ABOUT THE BOARD MEMBERS. KARL LOWRY ADDRESSED THE THE BOARD STATING THAT THE BOARD ASSUMED IT WAS LEGAL TO PAVE WITH IT GOING THROUGH THE COURT SYSTEM TO BE ANNEXED INTO THE TOWN AND HAVING THE TOWN ATTORNEY JODIE KEENER TO ASSIST WITH THE ANNEXATION.

ONCE IT WAS DETERMINED IT WAS ILLEGAL THERE WERE AND WILL NOT BE ANYMORE FUNDS SPENT IN THE GATED OTAZA LAKE UNTIL THE ENTRANCE WAY IS OPEN TO THE PUBLIC.

ROAD COMMITTEE: WAITING ON TIM JACKSON TO START MOWING.

OLD BUSINESS: NONE

NEW BUSINESS: MAYOR JACK FIELDS BROUGHT BEFORE THE BOARD THE ISSUE WITH ELK MEADOW TRAIL AND THE PRIVATE GATE ACROSS IT MAKING IT AGAINST THE LAW FOR THE TOWN TO MAINTAIN OR PAVE WITHIN ITS BOUNDARIES DUE TO IT NOT BEING A PUBLIC ROAD. ATTORNEY JUSTIN HURST WAS ADDRESSED WITH TRYING TO EXPLAIN A REMEDY TO THE SITUATION.

ATTORNEY JUSTIN HURST ADDRESSED THE BOARD AND MEMBERS OF THE COMMUNITY STATING CLEARY A MISTAKE HAS BEEN MADE BUT IT APPEARS NO ONE MALICIOUSLY WAS TRYING TO DO ANYTHING WRONG. THE QUESTION NOW IN FRONT OF THE BOARD IS HOW TO REMEDY THIS PROBLEM IN THIS SITUATION.

IN MR. HURST OPPINION IS THAT THERE IS A VERY GOOD REMEDY THAT HE WOULD HOPE THAT EVERYONE WOULD TAKE TO AVOID FURTHER ALLIGATIONS AGAINST THE TOWN OR WHOEVER IS CALLED BUT THE FACT IS THERE WAS SOME ADVICE THAT WAS GIVEN THAT WAS NOT PROPER. WE NEED TO MOVE PASS THAT AND ADDRESS THE SITUATION WE HAVE AT HAND.

MAYOR JACK FIELDS ADDRESSED THE BOARD AND SAID THAT WE NEED TO HAVE A PLAN ON WHAT NEEDS TO BE DONE. MR. JOE REPICI ASKED HAVE ANY OF THE ROADS THAT THE TOWN HAS ADOPTED BEEN LEGALLY MADE PUBLIC BY THE ORDINANCE THAT THE MUNICIPLE LEAGUE LAWYER TALKED ABOUT.

MAYOR JACK FIELDS TOLD THE BOARD THAT NO ONE EVER TOLD HIM OR THE BOARD THAT THE ROADS HAD TO BE DEDICATED. THIS IS THE FIRST TIME THE MAYOR HAS EVER HEARD ABOUT THIS.

MR. KARL LOWRY STATED THAT THERE ARE NO OTHER ROADS IN THE TOWN THAT ARE A GATED COMMUNITY OR ARE NOT FOR PUBLIC USE.

MAYOR JACK FIELDS STATED THAT WE WERE NOT TOLD WHEN WE ANNEXED THAT THE ROADS NEEDED TO BE DEDICATED.

MR. REPICI WANTED TO KNOW IF WE WOULD COME ON HIS PROPERTY AND PAVE HIS ROADS. THE MAYOR INFORMED HIM THEY ARE IN THE COUNTY. MR. REPICI STATED NO NO THE PRIVATE ROADS ON HIS PROPERTY WITH THREE HOUSES AND ROADS ALL IN BETWEEN AND THAT IT IS NO DIFFERENT THAT PRIVATE ROADS ARE PRIVATE ROADS.

THE MAYOR STATED IT WAS A MISTAKE AND THE CLERK TREASURER STATED NOBODY IS DISAGREEING WITH YOU.

MR. REPICI STATED WHEN I ASKED YOU GUYS WHY CANT WE WAIT AND DELAY A MONTH WHY DID YOU PUSH SO HARD ON IT WHEN WE ARE WAITING TO SAVE UP AND SPEND. IT WOULDNT OF MATTERED IF WE WAITED A MONTH TO GET THAT ROAD PAVED.

THE CLERK TREASURER STATED THAT IT HAD ALREADY BEEN UNDER DISCUSSION FOR A LONG TIME THAT THEY HAVE BEEN IN THE TOWN FOR 2 YEARS. MAYOR JACK FIELDS ASKED MR. REPICI IF HE REMEMBERED MR. HAROLD JAMES BRINGING US A

BID. MR. REPICI STATED YES I REMEMBER BUT I THOUGHT IT WAS WELL WE JUST CANT AFFORD THIS.

MORE DISCUSSION WAS HELD.

MAYOR JACK FIELDS SAID THAT THE TOWN WITH AN ATTORNEYS HELP WILL FIND OUT THE OPTIONS THAT ARE AVAILABLE AND THE TOWN WILL DECIDE THEN WHAT NEEDS TO BE DONE.

MR. REPICI WANTS TO KNOW IF THE TOWN HAS A MASTER ROAD PLAN.

A CODE OF CONDUCT FOR THE TOWN WAS HANDED OUT BY KARL LOWRY FOR THE BOARD MEMBERS TO LOOK OVER AND BRING TO THE NEXT BOARD MEETING FOR RECOMMENDATIONS ON CHANGES OR LEAVE IT AS IS FOR VOTING.

A MOTION WAS MADE BY NICK LOWRY TO ADJOURN AND IT WAS 2ND BY JOE REPICI. ALL WERE IN FAVOR, NONE OPPOSED.

MAYOR JACK FIELDS

CLERK/TREASURER TRACIE TAYLOR

SEAL OF MAYOR OF TOWN INCORPORATED 1999 FOUNTAIN LAKE, AR