

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING AGENDA  
TUESDAY, APRIL 22, 1997  
9:00 AM**

**AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISHMENT OF QUORUM

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF THE AGENDA:

APPROVAL OF THE MINUTES: Regular Meeting April 8, 1997

OLD BUSINESS

1. Ordinance No. 1700-A to amend Ordinance No. 1700, Zoning, (First Reading)
2. Ordinance No. 1750, Parking, (Third Reading)
3. Authorizing for signage to Historical District at 23 N at Planer Hill, Committee Report
4. Ordinance No. 1751, Creation of Parks and Performing Arts Department, (for second reading)

NEW BUSINESS

1. Ambulance and Related Fire Services, Chief Jordan
2. Annexation of Lake Leatherwood,
3. Metro-Site proposal for Wireless Telecommunications, Mr. R. Thornton
4. Test pour of "Increte" near the Palace Hotel & Bath House
5. Vegetation Control at Lake Leatherwood and Black Bass Lake
6. Authorization to blast at the construction site, Red Carpet Inn, Highway 62 East
7. Authorization to close off selected streets downtown for the Taste of Eureka, Mr. James DeVito

MAYORS COMMENTS

ADMINISTRATIVE ASSISTANT'S REPORT:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

1. Auditorium Commission, Position 1, expires August 11, 2000
2. C.A.P.C. Commission,
3. Cemetery Commission,
4. Historic District Commission.
5. Hospital Commission,
6. Parking Authority
7. Parks and Recreation Commission, Position 5, expires May, 2001
8. Planning Commission
9. Carroll County Solid-Wastes Authority
10. Four-County Solid-Wastes  
Management District
11. Eureka Springs Solid-Wastes Advisory Committee
12. Tourism Advisory Committee:

#### ANNOUNCEMENTS

Public hearing on vacating Crook Street, 7 PM, May 6, 1997

Workshop, Carroll County Solid Waste Authority, 7 PM, May 8, 1997

#### ADJORNMENT

### **CITY OF EUREKA SPRINGS REGULARLY SCHEDULED COUNCIL MEETING APRIL 22, 1997**

Mayor Barbara O'Harris called the Council Meeting to order at 9 a.m. on Tuesday, April 22, 1997, in the jury room in the Western District Courthouse.

#### PRESENT:

Mayor O'Harris, and Councilpersons Dickens, Watson, Seratt and Freeland. Councilpersons Jeffrey and Christman were absent.

#### ALSO PRESENT:

David McNeal, Bill Earngey, James DeVito, Kirby Murray, Rudy Thornton, Rick Murphy, Kurt Jordan, Jimmy Kelly, Jack Moyer, David Beauchamp, Jay Miner, Don Matt, and Clerk Lee.

#### PLEDGE OF ALLEGIANCE:

### **CITY OF EUREKA SPRINGS**

### **266 REGULARLY SCHEDULED COUNCIL MEETING APRIL 22, 1997**

#### APPROVAL OF THE AGENDA:

The motion was made and seconded to approve the agenda as it is. All were in favor, 4/0/0.

#### APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of the April 8th City Council Meeting. With no discussion, the vote was 4/0/0.

#### OLD BUSINESS:

##### 1. Ordinance

#1700-A, amending Ordinance #1700, Zoning, First Reading:

Since Mr. Jeffrey was out of town, the Council decided to postpone the first reading until he gets back. The motion was made and seconded to postpone the first reading until the May 13th Council Meeting. Motion carried, 4/0/0.

##### - 2. Ordinance #1750, Parking, Third Reading:

The motion was made and seconded to suspend the rules and place Ordinance #1750 on its third and final reading by title only. The vote was 4/0/0.

City Attorney, Jay Miner, read the ordinance by title only.

With no discussion, the vote was 3/1, with Mrs. Dickens voting against.

The Mayor voted yes, so the motion carried, 4/1/0, and the ordinance passed.

3. Authorizing for Signage to Historic District at 23 N. at Planer Hill, Committee Report: Mr. Murray said that the committee had their meeting, and the only place that they can put the Historic District sign on the right, is on Mr. Runge's property. He said he would have to think about it, and he has not gotten back with Marvin Shepard as of yet.

##### 4. Ordinance #1751, Creation of Parks and Performing Arts Department, Second Reading:

Mr. Miner said he will be making some changes in the ordinance and it should be ready about the middle of next week.

The motion was made and seconded that the subject be postponed until the May 13th meeting, and discussion at the May 6th Agenda-setting meeting. All were in favor, 4/0/0.

#### NEW BUSINESS:

1. Ambulance—Kurt Jordan hadn't arrived due to an accident on Hwy 62 E., so the Council went on.

2. Annexation of Lake Leatherwood:

This subject was postponed to the May 13th Council Meeting, with discussion at the May 6th Agenda-setting meeting.

### 3. Metro-Site proposal for Wireless Telecommunications, Mr. Rudy Thornton:

Mr. Thornton gave the high lights of his presentation to the City at the Agenda-setting meeting. He said that his company is made up of telecommunication consultants. The proposal is to list City properties and to market those properties to all the carriers, both cellular and new advanced PCS/Personal Communications Service. There are seven licensed carriers as of February 1997. The Federal Government auctioned off additional space within the radio spectrum of frequencies to these carriers. These companies are looking for space to rent for wireless

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antenna sites. The antenna are not easy to spot and much preferable to towers going up all over town, and they bring in revenue for the cities involved in this program.

The Municipal League has approved this company for the consortium for Arkansas.

Mr. Thornton said that his company finds customers, puts them in touch with the City, and the City then draws up its own contract with the customer. Then his company acts as our agent. Most of the contracts with the cities are for 5 years. The City is not obligated until the lease has been paid. Then, Metro-Site receives 30% of the fee. Berryville, Green Forest, and Alpena are already with Metro-Site. The Mayor said she would like this to be done by ordinance, so it will come up at the May 6th Agenda-setting meeting and be voted on at the May 13th Council Meeting.

#### (1.) Ambulance and Related Fire Services, Chief Jordan:

Chief Jordan came in at this point and made his presentation. He had passed out a hand-out of the existing ordinance at the Agenda-setting meeting for the Council to look over. Every two years he looks at what the City charges and what Medicare will pay because charges for ambulance service are based on the amount Medicare will pay.

He said that 99% of the time, an EMT person is on the ambulance, in case one is needed, and of course, all medications and equipment that might be needed. He said the fees that we charge are not keeping up with the expense. He said the ordinance needed to be adjusted to reflect the areas that need to be raised, which he had marked on his hand-outs. Mr. Miner will draw up an ordinance to be ready

by May 6th.

Chief Jordan said that he has been working with Alan Epley, who is his Assistant Chief, to set up a plan for the rural district. He said it is a membership. The fee, per year, would be \$25 to \$55. All of the rural districts have this around us and they don't know why Eureka Springs does not. The people often give donations but they have dwindled. If the City Fire Department goes out of the City to put out fires, this is assurance that they will get some reimbursement.

The 911 Re-numbering will cost \$25,000 to \$30,000. The County will be of no help to us. Mayor O'Harris asked if it absolutely had to be done this year. Mr. Jordan said no. David Beauchamp, the City's Accountant, said put it in the budget and do it in 1998.

Mr. Freeland said that there is a flashing light available, that one could turn on for the ambulance. Jimmy Kelly said that he saw those at a show he attended and they would be effective. He also said the lights are not out of reach for the every day person to buy. It was suggested that the department might like to sell them at a nominal fee, and make a little money for the department.

Chief Jordan said they might put that in their budget for next year.

The Council took no action at this time, but they did want the money to renumber to be in the budget for 1998.

4. Test pour of "Increte" near the Palace Hotel & Bath House:

The Mayor said she received a report from Sheila Hulsey, which said: the pour has been approved by the HDC, Tourism Advisory Committee, the Historical Preservation Society, Kirby Murray, and Charles Fargo. By roll call vote, the Council approved the pour, 4/0/0.

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5. Vegetation Control at Lake Leatherwood, and Black Bass Lake:

Kirby Murray said that the Public Works Department has been using Rodeo, an herbicide designed to kill vegetation on the dams at Lake Leatherwood, and Black Bass Lake. He said that when you have a lake that is controlled by Arkansas Soil and Water, that is in excess of 50 acre feet of water, the dam must be kept clear of vegetation. Before the chemical was used, Public Works personnel had to repel off of the dam and chop everything away by hand. That damaged the stone dams and made the cracks larger so more vegetation could grow in the cracks. With Rodeo, the dams are kept clean, and the State was very happy when they inspected, recently. Rodeo is a product that is approved by about everyone. It doesn't bond with the water or

air, it bonds with the soil where the vegetation is. In the three years that Public Works has used it, it has done a good job. It is, however, an herbicide, and Mr. Murray said he would be more comfortable if the Council gave approval for its use:

Alderman Seratt made the motion to approve, and Alderman Watson seconded. All were in favor, by voice vote, 4/0/0.

6. Authorization to blast at the Construction site, Red Carpet Inn, Hwy. 62 East:

Mr. Murray said that Arlie Weems approached him to blast behind the Red Carpet Inn. The parking lot was not put in properly, and they are having to dig out behind, down to stable ground, and now they have hit rock. They want to put a new larger, stable parking lot in and a swimming pool. Mr. Murray said the person doing the blasting is very good at what he does. He did the blasting for the Whitley Lift Station, and nobody seemed to even know it was going on. The Council decided to postpone until Marvin can give them a report at the May 6th meeting.

7. Authorization to close off selected streets downtown for "Taste of Eureka":

James DeVito came to ask permission to set up a tent between the Auditorium and the Court House building for the Taste of Eureka, and also to block the section of First Street from the Auditorium to the Court House so that they can get back and forth with the food.

They are joining with the Classical Music Festival this year, and the festival is contributing funds. They will have a brass quintet available to play during the Taste of Eureka. It will have a new look, this year. By roll call, the Council approved the request, 4/0/0.

#### MAYOR'S COMMENTS:

The Mayor's only comments were to let people know how well George Christman is doing. He is keeping up with his City mail, and is astonishing the doctors.

The motion was made and seconded to adjourn. All were in favor, 4/0/0. The meeting was adjourned at 10:05 a.m.

#### APPROVED:

**Barbara A. O'Harris, Mayor**

**ATTEST:**

**Mary Ann Lee City Clerk-Treasurer**