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**CITY OF EUREKA SPRINGS
COUNCIL MEETING AGENDA
TUESDAY, MAY 27, 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 May 13, 1997

OLD BUSINESS

1. Ordinance No. 1700-A to amend Ordinance No. 1700, Zoning, (Second Reading)
2. Parking Authority, report, Mr. Shrum
3. Authorizing for signage to Historical District at 23 N at Planer Hill, Committee Report
4. Ordinance No. 1759, annexation of Mr. Charles Cross Property, Mr. L. Epley, (Third Reading)
5. Annexation of Lake Leatherwood
6. Ordinance No. 1758, relating to Fire and Ambulances, (Third Reading)
7. Transit Department, Personnel policy waiver
8. Ordinance No. 1755, Vacating Portions of Crook and Cliff Streets. Mr. A. Epley, (Third Reading)

NEW BUSINESS

1. Authorization to sell 1985 Trolley to provide funds for payment of new trolley. Mr. Fargo
2. Amend the 1997 Transit Budget, Mr. Fargo
3. 1997 Street Program, Mr. Murray
4. Request for a street light at #34 East Mountain from Bonnie Norman, Mr. Murray
5. Ordinance No. _____ prohibiting deceptive business practices, Mr. Miner

MAYORS COMMENTS

ADMINISTRATIVE ASSISTANT'S REPORT:**COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:**

1. Auditorium Commission, Position 1, expires August 11, 2000; Position 3 expires July 11, 1997; Position 7 expires July 11, 2001.
2. C.A.P.C. Commission,
3. Cemetery Commission,
4. Historic District Commission.
5. Hospital Commission,
6. Parking Authority
7. Parks and Recreation Commission,
8. Planning Commission
9. Carroll County Solid-Wastes Authority
10. District Four—County Solid-Wastes Management
11. Committee Eureka Springs Solid-Wastes Advisory
12. Committee: Tourism Advisory

ANNOUNCEMENTS: Workshop, Auditorium/Parks Commissions, June 5, 1997 6:30 PM

ADJOURNMENT

**CITY OF EUREKA SPRINGS
CITY COUNCIL MINUTES, REGULAR MEETING
TUESDAY, May 27th, 1997**

Mayor Barbara A. O'Harris called the regularly scheduled City Council Meeting to order at 9 a.m. on Tuesday, May 27th, 1997. The meeting was held in the jury room of the Western District Courthouse.

PRESENT:

Mayor Barbara A. O'Harris, Aldermen Christman, and Jeffrey, and Alderwomen Seratt and Dickens. Alderman Fredland was late and Alderwoman Watson was absent.

ALSO PRESENT:

Don Matt, Earl Hyatt, Kirby Murray, David McNeal, Richard Schrum, Alan Epley, Lisa Liggett, Charles Cross, David Beachamp, Jay Miner and Clerk Lee. Don Young, Administrative Assistant, was absent.

PLEDGE OF ALLEGIANCE:

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APPROVAL OF THE AGENDA:

Mr. Miner asked that #5 of New Business, Prohibiting deceptive business practices, be postponed until the June 10th Council Meeting, with discussion at the June 3rd meeting. Also Ordinance #1755 and Ordinance #1759 were moved, because of the attorney's court schedule. The motion was made and seconded to approve the agenda as amended. The vote was 5/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the Minutes of the May 13th Council Meeting. A small typo was found on page 5, and the minutes were approved, 5/0/0, as amended.

OLD BUSINESS:

1. Ordinance 1700-A, to amend Ordinance #1700, Zoning, (Second Reading):

The motion was made and seconded to suspend the rules and place Ordinance #1700-A on its second reading, by title only. All were in favor, 5/0/0.

Alderman Dickens read the ordinance by title only.

The motion was made and seconded to approve. With no discussion, the vote to approve was 5/0/0.

2. Parking Authority Report, Chairman Richard Schrum:

Chairman Schrum came to ask the Council's approval to clean up the property owned by the City on North Main Street. He said they checked the dimensions of the property against the legal description on the deed, and he showed an old rendering that was done some years ago to the Council. Mr. Schrum said they would like to clear some of the small trees, 12 inches and smaller back to where the bluff starts, and make it for free automobile parking. Some of the larger trees will be left for the natural beauty of the place. There are some nice bluffs and some nice rock formations there. It will not be for a special group of people, just first come, first serve. Most of the downtown employees who go to work early will have a pretty good shot at getting a parking place. It will help to take a little of the load from the downtown parking, and it will be free for those who have to come downtown every day.

Mr. Fargo has assured the Parking Authority that he will pick up passengers at the times necessary to get everyone to work on time. It will cost them a \$5

monthly trolley pass. It is peripheral parking, which is an issue with some people at this time.

The cost was discussed, and Mr. Schrum said the Parking Authority has about \$1500 to \$2000 to contribute and that he would have to talk to Don Young about it. He said it is City owned property and it can be used for something positive. He said that the Preservation Society is working on some nice looking trolley stops and maybe next year they would sponsor one for this parking lot.

Alderman Christman asked if the street lights will light the lot, and Mr. Schrum said that he would check but that most of the parking would be done during daylight. He said that Public Works would chip up most of everything that was cleared out, so there wouldn't be much to burn. There are two curb cuts, and there is drainage that already goes into a storm drain.

The motion was made and seconded to approve this project. The only objection was from Alderman Freeland because he felt it might end up costing the City more than anyone thought. The roll call vote was 4/1/0, with Alderman Freeland voting no.

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3. Authorization for Signage to Historic District at 23 N. and Highway 62,
Planer Hill:

Alderman Jeffrey said that Mr. Runge and Mr. Shepard were still talking but that Mr. Runge said that he would agree to what ever the Bullock's had agreed to for their side of the street. Nothing has been put in writing yet. The motion was made and seconded to postpone until the June 10th Council Meeting, and the vote was 5/0/0.

4. Ordinance #1 759, Annexation of the Charles Cross Property, Mr. Epley,
(Third Reading):

The motion was made and seconded to suspend the rules and place Ordinance #1759 on its third and final reading by title only. The roll call vote was 5/0/0.

Alderwoman Dickens read the ordinance by title only.

The motion was made and seconded to approve. By roll call, the vote was 5/0/0.

There was an emergency clause, which Mr. Lewis Epley said he would remove before it was published.

5. Annexation of Lake Leatherwood:

The motion was made and seconded to postpone until the next Council

meeting on June 10th, with discussion at the June 3rd Agenda-setting meeting. Mr. Miner had not gotten the word back about where the property touches the City. All were in favor, 5/0/0.

6. Ordinance

#1758, Relating to Ambulance Charges, (Third Reading):

The motion was made and seconded to place Ordinance #1758 on its third and final reading by title only. All were in favor, by roll call, 5/0/0.

Alderwoman Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor by roll call, 5/0/0.

7. Transit Department, Personnel Policy Waiver:

The motion was made and seconded to approve the waiver. Mr. Miner said that this should be revisited on an annual basis, and that if the situation arises with anyone else, it should come before the council. By roll call, the vote was 5/0/0.

8. Ordinance #1755, Vacating Portions of Crock and Cliff Streets, Mr. A. Epley, (Third Reading):

The motion was made and seconded to suspend the rules and place Ordinance #1755 on its third and final reading by title only. By roll call, the vote was 5/0/0.

Alderwoman Dickens read the ordinance by title only.

The motion was made and seconded to approve. It was approved by roll call vote, 5/0/0.

NEW BUSINESS:

1. Authorization to sell 1985 Trolley, to provide funds for payment of new trolley, Mr. Fargo:

Mr. Fargo explained that there is someone who is interested in buying the trolley and it will pay most or all of the cost of the new trolley. Chance Coach has a schedule with which they use a vehicle's mileage to ascertain what a vehicle is worth. This vehicle has 175,000 miles on it. Alderman Freeland had several concerns, one of which was whether or not the City should sell the trolley, and the other, the money we can the Transit Department. The Mayor asked David Beauchamp, the City's accountant, to

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explain to Alderman Freeland how we handle funds for the Transit Department at this time of the year.

Basically, what he said was that the Transit Department is a seasonal operation. Up until recently they have operated in the black, and even then, it has been customary that the City has loaned them money the earlier part of the year. This year, essentially, we are doing the same thing. Transit needs funds to get started, and the City gives it to the department, to be paid back at a later date. Historically speaking, we have never had a concern about it. Mr. Beauchamp went on to say that if you can't use the trolley, and someone wants to buy it for approximately enough money to pay our share of the new trolley, it makes sense to him to up-grade.

Mr. Miner presented the council with a resolution which advocates the sale of the trolley. The clerk went downstairs to get a number for the Resolution and to make copies for everyone.

While she was gone, the Mayor announced that the meetings will be held in the courtroom whenever possible. It is too noisy in the jury room with either the air conditioner on or when the windows are open and one hears the heavy traffic sounds.

The motion was made and seconded to read the resolution. The vote was 4/1/0, with Mr. Freeland voting no.

The Mayor asked Lisa Liggett of Transit to bring financials for each month to give to the Council, herself, Mr. Young and the Clerk.

3. Amend the 1997 Transit Budget, Mr. Fargo:

David Beauchamp explained that all of the trolley drivers are to wear new uniforms, because the Mayor thought that it would look much better. He said ordinarily, the Transit Department has \$2000 in their budget for uniforms. They need \$1800 to \$2000 to cover this expenditure. It is not going to come out of the City's general fund. It will come out of the Transit Budget as soon as they can pay it.

The Clerk came back.

The Transit Department will need approximately \$4000 until they can pay us back.

The motion was made and seconded to approve. By roll call, the vote was 5/1/0, with Alderman Freeland voting against.

4. 1997 Street Program:

Mr. Kirby Murray presented Scenario #2 on the street program. Alderman Jeffrey suggested that it is ambitious to consider any major construction on Grand Avenue at this time. He said the first thing should be to get the survey done and that could come out of the budget for this year. He had suggested to Mr. Murray that perhaps some work could be done on Dogwood Ridge. He

said there are eight residences and two businesses on that street. Mayor O'Harris asked Mr. Murray if he has permission from the property owners to take the next step to pave Grand Avenue. Mr. Murray has fairly recently received approval to stake out a route through the property owners' property and then later meet with them to work out a way to acquire the property needed.

Mr. Murray had prepared handouts for everyone explaining the new plan. He has already spent \$5,335 on Grand Avenue, with an estimated \$6700 more to be spent on the existing portion. Approximately \$7500 was spent on the Greenwood Road Sidewalk. This leaves \$80,465.

He will be working on Midway/Crockett which is near the High School. The next thing would be to widen Greenwood Road which is by the Middle and Grade Schools. Then he will work on a portion of Hillside, from King Street to Spring St.; then Dogwood Ridge and portions of the cemetery. Out of the \$100,000 budgeted for 1997, \$59,061 would be the total of that

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work, and the final \$21,404 would be used for Grand Avenue. Alderwoman Dickens made the motion to approve Scenario #2 of the 1997 Street Paving Program. Alderwoman Seratt seconded.

Alderman Jeffrey said that there had not been any paving done in Ward 1 for probably ten years. The roll call vote was 5/0/0.

4. Request for a street light at #34 East Mountain, from Bonnie Norman: A motion was made and seconded to approve the street light. Mr. Murray said that the cost is \$5.33 per month. Alderman Freedland asked what happens if the light shines in someone's eyes all night, and what can be done about it? Mr. Murray said that a strip can be put in the globe and that part won't shine into a house. The roll call vote was 5/0/0.

5. Ordinance No. _____ prohibiting deceptive business practices, Mr. Miner:

Mr. Miner had not finished the ordinance at that time. The motion was made and seconded to postpone until the June 10th meeting and discuss at the agenda-setting meeting. All were in favor, 5/0/0.

MAYOR'S COMMENTS:

Mayor O'Harris said she had written a letter to each of the commissioners of both the Parks & Recreation Commission and the Auditorium Commission, asking the members to attend the Agenda-setting Meeting. She based her letter on a joint meeting in which both commissions said they would agree to departmentalization

into two departments. Based on that Mr. Miner prepared two ordinances, and the Mayor thought they could discuss the ordinances in a calm and friendly way. People took offense who have served on the commissions from the beginning, the inference being that the City didn't appreciate what they had done. No such thing was ever intended. The Mayor said the City has never attacked those commissions, and as far as she knows the City has always built them up. Based on their reaction, and one person saying "we are all against it, so why are you doing this?", she would like to withdraw her support. If they all feel that way, then the City should let them remain departments. Alderwoman Dickens said that she would make the motion since it was her idea in the first place. She said as she has said many times, that she believes it would bring a cohesiveness to all the different departments within the City. She made the motion to remove this subject from the agenda. Alderwoman Seratt seconded.

Alderman Jeffrey said he would like to see the work session go on. Alderman Freeland said he would like to see a person at an administrative level who would have the responsibility of our public facilities and how they could work with a city planner.

There was much discussion as to whether or not a work session was necessary. The bottom line was that Mayor O'Harris and Alderwoman Dickens felt that nothing could really be accomplished by continuing to discuss the matter, since everyone was so violently opposed to it. The council ultimately decided to go ahead with the work session with Alderwoman Seratt acting as Chairperson. The vote on Alderwoman Dickens motion was 5/0/0. The vote on holding the work session was 4/1/0, with Alderwoman Dickens voting no.

The motion was made and seconded to adjourn. All were in favor, 5/0/0. The meeting was adjourned at 10:25 a.m.

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The motion was made and seconded to adjourn. All were in favor, 5/0/0. The meeting was adjourned at 10:25 a.m.

APPROVED:

**CITY OF EUREKA SPRINGS
COUNCIL MEETING AGENDA
TUESDAY, JUNE 10, 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 May 27, 1997

OLD BUSINESS

1. Ordinance No. 1700-A to amend Ordinance No. 1700, Zoning, (Third Reading)
2. Authorizing for signage to Historical District at 23 N at Planer Hill, Cmmittee Report
3. Annexation of Lake Leatherwood

NEW BUSINESS

1. Arkansas Entertainers Hall of Fame
2. Authorization to hire a City Planner
3. Set workshop date for vision plan
4. Authorization to offer Individual Medical Polic^y to those employees not covered by AML Health and Accident Insurance under the cafeteria plan, Resclution 442
5. Banners with advertisi^{ng} for the Zyde-Caj, Ms. Lariiner

MAYORS COMMENTS

ADMINISTRATIVE ASSISTANTS REPORT:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

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2. C.A.P.C. Commission,
3. Cemetery Commission,
4. Historic District Commission,
5. Hospital Commission,

6. Parking Authority
7. Parks and Recreation Commission,
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: