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**CITY OF EUREKA SPRINGS
COUNCIL MEETING AGENDA
TUESDAY October 14, 1997
9:00 A.M.
AGENDA**

CALL TO ORDER
ROLL CALL, ESTABLISHMENT OF QUORUM
PLEDGE OF ALLEGIANCE TO THE FLAG
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES:
Regular Council Meeting, August 26, 1997
Regular Council Meeting, September 9, 1997
Regular Council Meeting, September 23, 1997
Regular

OLD BUSINESS:

1. Ordinance No. 1767, Cemetery meetings established, (second reading)
2. Ordinance No. 1762, Protection of the trees, (second reading)
3. Ordinance No. 1768, request from CAPC regarding professional services (for second reading)
4. Ordinance No. 1766, (To be postponed for workshop, ready for third reading)

NEW BUSINESS:

NEW BUSINESS:

1. Ordinance No. 1770, amending the sidewalk ordinance, (to be postponed to 10-28-97)
2. Ordinance No. 1769, Parking permits downtown
3. Resolutions No. 443 and 443-A, support of the assisted living grant project.
4. Authorization for Transit Dept. to prepare bid package for 8020 grant match and dispose of an existing old trolley. Mr. C. Fargo

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS: Mayor O'arris will appoint Diare McClelland to position 5 Hospital Commission Terms will expire 6-1-02

ANNOUNCEMENTS:

- Take Leatherwood Annexation, waiting for three publication
- Directional signage report,
- Vision Plan, Postpone 10-14-97, Discussion 10-7-97
- Sidewalk Ordinance, Postpone 10-14-97, Discussion 10-7-97
- Sign Ordinance, Postpone 10-14-97, Discussion 10-7-97
- McClelland Engineering, Sewer, Sidewalks, Parks, Grant Work in Progress Vacancy, Position 5, Parking Authority, Term expired 9-1-97
- Position 4, Planning Commission, Term expires 7-1-00
- Position 1, Planning Commission, Term expires 7-1-99
- Position 2, Parks & Rec. Commission, Term expires 5-98

ADJOURNMENT

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Mayor Barbara O'Harris called the Council Meeting to order at 9 am. on Tuesday, October 14, 1997, in the Council room in the Western District Courthouse.

PRESENT:

Mayor O'Harris, and Alderpersons Seratt, Jeffrey, Christman, Freeland, Dickens and Watson.

ALSO PRESENT:

Nikki Salazar, Parks Director, Charles Fargo, Lisa Liggett, Kirby Murray, Earl Hyatt, Carolyn Green, Ginny Willett, Kurt Jordan, David McNeal, Troy Bush, David Beauchamp, Jay Miner, Don Young, and Clerk Lee. If anyone else attended, they did not sign in.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Don Young led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

The motion was made and seconded to move Item 3 from New Business, Resolution #443 and #443-A, and move it into Item 1 under Old Business. Then Item 4 from New Business, Authorization for Transit Dept., was moved to Item 2 under Old Business. All were in favor, 6/C/O.

APPROVAL OF THE MINUTES:

City Council Meeting Minutes of: August 26, September 9, and September 23.

Council Meeting Minutes of August 26th, 1997:

There were a few small corrections, and then the motion was made and seconded to approve the minutes as amended. All were in favor, 6/C/O.

Council Meeting Minutes of September 9, 1997:

The Motion was made and seconded to approve. All were in favor, 6/C/O.

Council Meeting Minutes of September 23, 1997:

The motion was made and seconded to approve. Alderman Freeland said he made some comments that he wanted in the minutes. The Clerk said she would get with him and get the amendments.

The motion was made and seconded to approve the minutes as amended. All were in favor, 6/C/O.

OLD BUSINESS:

1. Resolutions #443 and #443-A, support of the assisted living grant projects:

Alderman Seratt made the motion to read and Alderman Christman seconded.

Mr. Young read the resolutions in their entirety.

The motion was made and seconded to approve. The vote on each resolution was 6/C/O.

2. Authorization for Transit Department to prepare a bid package for 80-20 grant match for a new trolley and dispose of an existing old trolley. Mr. Fargo:

The 1984 trolley that would be sold, was released by the State. After a certain amount of time and mileage the State quits inspecting the trolley and releases the older trolleys and they are not used unless they are needed. It is considered time to change out or trade. This trolley was a demonstrator and the City paid \$117,000 for it. Mr. Fargo said he is reasonably sure he can get enough for it to pay the 20% of the new trolley.

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Alderman Freeland asked if it couldn't be used to fill in and he said he does not see trolleys going by often enough. He was told that the trolleys go by his place of business approximately 15 times in a day.

Alderman Seratt made the motion to approve and Alderman Watson seconded. The roll call vote to approve was 6/O/O.

3. Ordinance #1767, Cemetery Meetings established, (second reading):

The motion was made and seconded to suspend the rules and place

Ordinance #1767 on its second reading by title only. By roll call, all were in favor, 6/O/O.

Mr. Young read the ordinance by title only.

The motion was made and seconded to approve. The roll call vote was,

€/€/0.

The motion was made and seconded to further suspend the rules and place Ordinance #1767 on its third and final reading by title only. By roll call, the vote was €/0/0.

Mr. Young read the ordinance by title only.

The motion was made and seconded to approve. The roll call vote passed, €/€/0.

4. Ordinance # 1762, Protection of Trees:

The motion was made and seconded to suspend the rules and place Ordinance #1762 on its second reading by title only. By roll call, the vote was 6/€/0.

Mr. Young read the ordinance by title only.

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

The motion was made and seconded to further suspend the rules and place Ordinance #1762 on its third and final reading by title only.

Mr. Young read the ordinance by title only.

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

5. Ordinance #1768, Request from CAPC regarding professional services, (second reading):

The motion was made and seconded to place Ordinance #1768 on its second reading by title only. By roll call, all were in favor, €/0/0. Mr. Young read the ordinance by title only.

The motion was made and seconded to approve.

There was another long discussion, in which misgivings were voiced and opinions aired. The misgiving was that the CAPC seemed to be going backwards in that they are using the Chamber Director as interim Director of the CAPC for the next three months. Alderwoman Watson feels that there is not continuity now. Alderman Fredland said that he does not blame the members of the CAPC, but that he feels the commission is regressing. The roll call vote to pass was 5/1/0, with Alderwoman Dickens voting no.

6. Ordinance #1766, the Vision Plan:

The motion was made and seconded to postpone until the November 11th, 1997, meeting. Alderwoman Seratt said she is ready to vote now and that she can see no reason to have another workshop and wait another three weeks.

Alderman Jeffreys said that if anyone on the Council has misgivings, for

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any reason, he thought that there was no harm in having another workshop. By roll call the vote on the postponement was 4/2/0. Alderwoman Seratt and Alderman Fredland voted no.

Alderwoman Dickens suggested that the workshop be held before the November 4th Agenda-setting meeting, at 6 p.m.

The motion to that effect was made and seconded and the vote was €/0/0.

NEW BUSINESS:

1. Ordinance #1770, amending the sidewalk ordinance, (to be postponed to

10-28-97):

The motion was made and seconded to postpone Ordinance #1770, until the October 28th, 1997, Council Meeting, and it is to be discussed at the October 21st Agenda-setting. By roll call, the vote was 6/€/0.

2. Ordinance #1769, Parking permits for workmen for downtown area:

The motion was made and seconded to place ordinance #1769 on its first reading in its entirety. All were in favor, 6/€/0.

Mr. Young read the ordinance in its entirety.

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

The motion was made and seconded to suspend the rules and place Ordinance #1769 on its second reading by title only. All were in favor, €/€/0.

Mr. Young read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, €/€/0.

The motion was made and seconded to further suspend the rules and place Ordinance #1769 on its third and final reading by title only. By roll call, the vote was 5/1/0, with Alderman Fredland against.

Mr. Young read the ordinance by title only.

The motion was made and seconded to approve. By roll call, the vote was 5/1/0, with Alderman Freeland voting no. Alderman Freeland said the contractors and workmen should have a chance to respond.

3. Ordinance #1771, Vicious Animal Ordinance:

The motion was made and seconded to place Ordinance #1771 on its first reading in its entirety. All were in favor, 6/0/0.

Mr. Young read the ordinance in its entirety.

The motion was made and seconded to approve. All were in favor, 6/0/0. The motion was made and seconded to suspend the rules and place Ordinance #1771 on its second reading by title only. By roll call, the vote was 6/0/0.

Mr. Young read the ordinance by title only.

The motion was made and seconded to approve. By roll call, all were in favor, 6/0/0.

Mr. Miner then explained to the Council that the Mayor is responsible for the budget and presenting it to the Council. Mayor O'Harris said she and David Beauchamp had discussed the budget. She said that the City had made the decision not to go into the reserves, and at this time, the reserves have been gotten into. She said that the Council should decide what the reserves should be used for, instead of having so many emotional upheavals during the year.

Mr. Beauchamp replied that there are always more capital improvements projects than the City has money for. The Council needs to set priorities to decide what the money will be spent for. Mr. Miner corrected Mr. Beauchamp in that the budget is completed and the Mayor brings it to the Council. It is at that time that the Council gets involved in the budget. Then the decision will be made.

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Alderman Dickers said that each department head should do a five year plan. Using it for an example, she said she would hate to see Police Chief Hyatt come before the council next year, for five new squad cars. She said the City should be setting aside money every year for contingencies.

Alderman Freeland said it is not easy to make decisions in the four meetings per year. He feels that there should be more input. Mayor O'Harris asked Kirby Murray, when he started to work on his 1998 budget. He said it started at the beginning of the year, and it is an ongoing project. Kurt Jordan agreed. You don't just sit down and do a budget in a few hours. The Department Heads get a lot of input into their departments. That is part of their jobs. Then they sit down with Mr. Young and go over what they will need in the next year.

Mr. Beauchamp said again that the citizens should have more input and Mr. Freeland agrees.

MAYOR'S COMMENTS:

The Mayor read the Proclamation for Miracle Marketing, thanking them for being loyal to the City of Eureka Springs in bringing their marketing show here for several years.

She asked how Gail Larimer and Larry Trollett were doing with the presentation for the Arkansas Hall of Fame visit. Mr. Young said it was going very well.

Mayor O'Harris reported on her experiences in going over applications for the hiring of a City Planner. She said that she and Lamont Richie, former chairman of the Planning Commission, went over the applications. The City drew 6 applications, and five were sent from Arkadelphia. Those applications had been advertised for, and then the storms destroyed part of their city and a planner had to go on the back burner for them. The Mayor and Mr. Richie had narrowed it down to two, who had the qualifications the City needs. Those two people had taken higher paying jobs. It was discouraging.

She and Mr. Richie suggested that to get the planning started, perhaps they could hire two people on a part time basis. She read a letter that Mr. Richie had written to the Council outlining the premise behind the idea.

The Council was disappointed and voiced several negative opinions about hiring anyone part time, and doing things piece-meal. There will be more discussion about what to do about the results of the advertisement.

The Mayor had proposed Diane McClelland for the Hospital Commission, Position #5. The motion was made and seconded to approve. All were in favor, 5/0/1, with Bill Freeland abstaining because he hadn't spoken with her. Mayor O'Harris said she will be announcing some people for other positions next week.

ADMINISTRATIVE ASSISTANTS REPORT:

Mr. Young announced a boil order for 24 Glenn, 5 Faxes, and on Emporia, 1,3,8,9,10,11,13,14,16,20,21,22,25,26,27,28,32,33,35,38,40,100,101, and Mr. Standing Bear's house. This boil order should be lifted by October 17th.

He announced the Snake Dance parade down Benton St. from 5 to 6 p.m.

Mr. Wallace wants to get the community involved with the school.

Sales tax is up 7 tenths of 1%.

In about thirty days, we will be an Official Weather Bureau reporting station. It is an important step that has taken a long time to reach

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Mr. Murray said that the Solid Wastes Consultant that has been doing the study here, Roger Miner, will give a presentation of the City Council. The Meeting will either be October 27, 29, or 31st. The Mayor of Berryville asked that it be a daytime meeting, if possible. Mr. Miner said it will be apparent when the presentation is given, whether the City should put this out for bids or become a solid waste hauler. The contract with Freeman's is up on February 7th.

The discussion was about logistics— whether the meeting room will be open, whether Wednesday, October 29 at 10 a.m. would work for everyone. The Clerk said that the meeting can be taped and that would be available. The Mayor said the video would also be available to be watched. The meeting was definitely set for Wednesday, October 29th, 1997, at 10 a.m.

Kurt Jordan came to present some problems about 911 numbering, and the Mayor said they should be brought to the Agenda-setting meeting.

The motion was made and seconded to go into executive session for a personnel matter, which was brought up by Alderwoman Dickens. All were in favor, 6/0/0.

Alderman Freeland asked for a 5 minute recess, which was agreed upon. The recess started at 10:50 and ended at 10:55. The executive session started at 10:56 a.m. and ended at 11:55 a.m.

The Mayor turned the meeting over to Alderwoman Seratt. Alderwoman Seratt said that Alderwoman Dickens had called the executive session to discuss the Building Inspector and the enforcement of our ordinances around the City. She said that they had determined in the session that the Council is going to help Marvin Hawkins, the Building Inspector, with some new forms and some new ways to see that the codes are met and that the inspections are done unbiased and properly and that he has their full support. The Council has asked him to make a list of ordinances that he considers that don't have enough teeth. The Council will be helping with that.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 11:57 a.m.

APPROVED:

ATTEST: