

**CITY OF EUREKA SPRINGS
COUNCIL MEETING AGENDA
TUESDAY, October 28, 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 Meeting, October 14, 1997
Special Council Meeting, October 21, 1997, 911
Addresses
Special Council Meeting, October 21, 1997, Blues
Festival Use of the Auditorium

OLD BUSINESS:

1. Ordinance No. 1768, request from CAPC regarding professional services, (for third reading)
2. Ordinance No. 1771, Vicious Animal Ordinance, (for third reading)

NEW BUSINESS:

1. Ordinance No. 1770, amending the sidewalk ordinance, (for first reading)
2. Ordinance No. 1772, Noise Ordinance, (for first reading)
3. City Planner
4. Transit Dept: Hours of Operation; Fare Increase; Trolley Stop

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS: Mayor O'Harris will appoint Janet Epley to the Parking Authority, Position 5, term expires 9-1-2002; Scott Ruffison to the Planning Commission, Position 4, term expires 7-1-00 and Don Porter to the Planning Commission Position 1, term expires 7-1-99; Bill Brooks to the Parks and Rec. Commission, Position 2, term expires 5-98.

ANNOUNCEMENTS:

Lake Leatherwood Annexation, Judge Jackson to sign order.
McClelland Engineering, Sewer, Sidewalks, Parks, Grant Work in Progress
Work Shop Vision Plan, November 4, 1997 6:00 PM
Solid Waste Meeting, October 29, 1997, 10:00 AM

ADJOURNMENT

CITY OF EUREKA SPRINGS

CITY COUNCIL MEETING

TUESDAY, OCTOBER 28, 1997, 9 am.

The City Council Meeting was called to order by Mayor Barbara A. O'Harris at 9 am. on Tuesday, October 28, 1997, in the Jury Room of the Western District Court House.

PRESENT:

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

ALSO PRESENT:

David McNeal, James DeVito, Nikki Salazar, Earl Hyatt, Steve Bush, Linda Voyer, Lisa Liggett, Charles Fargo, David Beauchamp, Jan Jones, Jay Mirer, Don Matt, Don Young, and Clerk Lee.

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PLEDGE OF ALLEGIANCE:

Mr. Young led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

The motion was made and seconded to approve the agenda as it was. All were in favor, 5/0/0.

APPROVAL OF THE MINUTES:

October 14th City Council Meeting Minutes:

The motion was made and seconded to approve the October 14th Minutes.

All were in favor, 5/0/0.

October 21st, Special Council Meeting about 911 addressing:

The motion was made and seconded to approve the minutes. Alderman Jeffrey said that the "Streets" and "Roads" were not quite right and the clerk said she would check with Kurt Jordan and find out and correct the minutes.

The motion was made and seconded to approve the minutes as amended. All were in favor, 5/0/0.

October 21st, Special Council Meeting addressing the Fall Blues Festival:

The motion was made and seconded to approve the minutes. All were in favor, 5/0/0.

OLD BUSINESS:

1. Ordinance #1768, request from CAPC regarding professional services, (third reading):

Alderwoman Watson said she felt there should be more Council input into the CAPC. (The Mayor and two of the Council members are on the CAPC Commission). She also said that the discord that is often between the CAPC and the Chamber causes delays which, in turn causes problems for the businesses in town. She felt that she was not allowed to discuss things long enough and that if she brought them up at the Council meetings, she got her hands slapped.

Alderman Freeland agreed. He thought there should be further accountability. He really didn't care for the idea of the Chamber Director being involved again.

The vote on the third reading was in favor, 4/1/0, with Bill Freeland voting no.

Mr. James DeVito, a member of the CAPC, said that this is not the old Chamber all over again. This is not the old CAPC. He said that the CAPC has a great responsibility to the community. They want to come up with a good contract. He said that the structure of the Chamber of Commerce is changing, and so has the structure of the CAPC. He said that Marvin Shepard has been acting director. He respectfully thanked the Council for approving the ordinance.

2. Ordinance # 1771, Vicious Animal ordinance (third reading):

Alderwoman Seratt made the motion to suspend the rules and place

Ordinance #1771 on its third and final reading by title only. Alderman

Christman seconded. All were in favor, 5/0/0.

Mr. Young read the ordinance by title only.

Alderwoman Seratt made the motion to approve, with Alderman Christman

seconding. All were in favor, 5/0/0.

Alderman Jeffrey made the motion to read the emergency clause and it was seconded. All were in favor, 5/0/0.

Mr. Young read the emergency clause.

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

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Mr. Bush, the father of the young boy who was mauled, thanked the Council and said that it proved to him that the process works.

Mayor O'Harris announced that Monday, was the Fall Conference in Springdale and she would like to see as many of the Council there that could be there. She said there would be lots of information about State and Federal issues concerning municipalities.

NEW BUSINESS:

1. Ordinance #1770, Amending the sidewalk ordinance, (first reading):
The motion was made and seconded to postpone this reading until the November 12th Council Meeting. All were in favor, 5/0/0.

2. Ordinance #1772, Noise Ordinance, (first Reading):
The motion was made and seconded to place Ordinance #1772 on its first reading in its entirety. All were in favor, 5/0/0.

Mr. Young read the ordinance in its entirety.

The motion was made and seconded to approve.

Alderman Freeland asked if the ordinance is like that of Fayetteville.

Chief Hyatt said that it is with a bit of modification. He prefers that the officers

respond to a complaint rather than make the decision themselves.

He said things like loud speakers in peoples cars were covered by State Statutes, so this ordinance wouldn't be used to enforce that problem.

The vote was in favor, 5/0/0.

3. City Planner:

The motion was made and seconded to postpone until more information was available.

There was discussion about what the wage is for recent graduates, and how few planners there seem to be out there.

A City Planner will be a Department Head and will be hired by the Mayor.

Mayor O'Harris said that Marvin and Wilbur are working with a map that has all of the properties that the City owns. They also are working on going through the Code book and finding ordinances that don't have enough teeth to be enforceable.

4. Transit Department, Hours of Operation, Fare Increases, and Trolley Stop:

The Council voted on the three items individually.

First,

Mr. Fargo wants to cut back one hour on Saturday, which is to run until 8 p.m.

The motion was made and seconded to approve and all were in favor, 5/0/0.

Then, Mr. Fargo asked that the fares be raised. The all day pass would be \$3.50, and the one way pass would be \$2.

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

4/1/0, with Alderman Freeland voting no and the rest voting yes on each issue.

The third item was the suggested trolley stop up just past the New Orleans Hotel. Mr. Fargo said he had no problem with that and one had been there before. The motion was made and seconded to approve, and the roll call vote was 5/0/0.

ADMINISTRATIVE ASSISTANTS REPORT:

Sales and Use tax is up 13.38% for the month, from last year. The year to date figure is up 2.38% from last year.

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All bill orders are lifted.

Budget meetings are going well.

She said, 'We are the leaders. If we don't, why should anyone else

The mayor said that the Arkansas Division of Volunteers puts out a magazine and Eureka Springs' volunteers were listed. Our 966 volunteers have spent 27,921 hours of their time. The value to the City is \$550,935.

Mayor O'Harris reported that the Hall of Fame presentation that Gail Larimer and Larry Troilett gave at the Auditorium went so well. They really did a great job.

It was pointed out that after 5 years, there would be 5,000 square feet dedicated to the Arkansas Hall of Fame. Lewis Epley was there and gave some of the history of the town and the Auditorium and explained how much money had been spent and the commitment Eureka Springs feels to that building and the commitment our City Councils have always had to this City.

Alderman Watson said that the Auditorium staff had the place cleaned and looking so well. She said they really did a great job both upstairs and downstairs in the lowest level.

The Mayor went on to appoint Janet Epley to position #5 on the Parking Authority. The motion was made and seconded to approve. All were in favor, 5/0/0.

Mayor O'Harris appointed Scott Ruffson to position #4 on the Planning Commission to fill a term until July 1, 1999. The motion was made and seconded to approve. The roll call vote was 4/0/1, with Alderman Freeland abstaining.

Mayor O'Harris appointed Don Porter to position #1 on the Planning Commission to fill a term until July 1, 1999. The motion was made and seconded to approve. The roll call vote was 4/0/1, with Alderman Freeland abstaining.

Mayor O'Harris appointed Bill Brooks to position #2 on the Parks and Recreation Commission to fill a term until May of 1998. The motion was made and seconded to approve. The roll call vote was 5/0/0.

Kirby Murray reminded the Council of Mr. Roger Miners presentation on his Solid Wastes study that he was hired to do for the City. He said the presentation will be held in the Courtroom at 10 a.m. on Wednesday, October 29th. He hopes everyone can attend. It will be televised.

The motion was made and seconded to adjourn. All voted aye. The meeting was adjourned at 10:22 a.m.
APPROVED: