

**CITY OF EUREKA SPRINGS
COUNCIL MEETING AGENDA
TUESDAY, September 23, 1997
9:00 A.M.**

3. Ordinance No. 1762, Protection of the trees, (first reading)
4. Ordinance No. 1768, request from CAPC regarding professional services.

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

ANNOUNCEMENTS:

Lake 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 5, Hospital Commission, Term expires 6-1-02

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

**CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 23, 1997**

Mayor Barbara A. O'Harris called the meeting to order at 9 a.m. on Tuesday, September 23, 1997, in the Courtroom.

PRESENT:

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

ALSO PRESENT:

Earl Hyatt, Sharon Hamm, Lisa Liggett, Jay Miner, Don Matt, Nikki Salazar, Jack Moyer, David Mc Neal, David Beauchamp, Don Young and Clerk Lee.

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

APPROVAL OF THE MINUTES:

The minutes will be ready for the next Council Meeting on October 14th, 1997.

OLD BUSINESS:

No Old Business.

**CITY OF EUREKA SPRINGS
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TUESDAY, September 23, 1997**

9:00 A. M.

NEW BUSINESS:

1. Approval of plans and authorization to proceed with re-modeling of old police building: Alderman Freeland scanned the plan and then held it up for the T.V. camera so the citizens could see the plans. Mr. Tom Johnson, the architect, has stayed well within the money that has been allocated. \$50,000 has been budgeted, and this project should come in at \$38,000. Mr. Johnson had added some built-ins so that it would cut down on the amount to be spent on furniture.

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

2. Ordinance #1767, Cemetery meetings established, (first reading):

There was discussion about whether one meeting or less a year was appropriate. Some people were under the impression that people were moving their loved ones out of there because the cemetery is not being kept up. Mayor O'Harris and Mr. Young both said that they had driven through and that the cemetery is being kept up very well. It is an old cemetery with a lot of trees, so it is never going to look like some of the ones with green velvet grass, but it looks good. Because of the rocks and terrain, equipment breaks down quite often.

Mayor O'Harris said that she did not believe that anyone knew how much time and

dedication has been given over the years. Tom Beck, the Chairman of the Commission, spends many hours a week taking care of business, and running to Springdale for parts and equipment, and he has done this for years. Everyone who works on the Commission, and for it, do an excellent job. She said that we appreciate all of the Commissioners who give so generously of their time.

Alderman Freeland said he is not of trying to be critical of old or new monuments; nor does he mean to be critical of the Cemetery Commission. His concern is whether we allocate them enough money to do the job. It is the gate-way to the City from the east. He wondered if there weren't day to day problems that come up that the Commission should meet over. Mr. Young said that the City just allocated \$6000 more to last them until the end of the year. Mr. Beck handles the day to day things, and Fred Hopkins sells graves. He is an employee of the Commission.

The motion was made and seconded to place Ordinance #1767 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. By roll call, all were in favor, 5/0/0.

3. Ordinance #1762, Protection of the trees, (first reading):

The motion was made and seconded to place Ordinance #1762 on its first reading in its entirety. All were in favor, 5/0/0.

Mr. Young, and Alderwomen Dickens and Watson read the ordinance in its entirety.

The motion was made and seconded to approve.

First there were some punctuation errors to be taken care of. Then the Council discussed the ordinance. Fines will be paid into the General Fund and receipted as such. Trees should be re-planted until they live. This ordinance has more flexibility than the original way it was written. Alderman Freeland suggested that the fine money be put into a line item that would be used for trees and parks and replanting or beautifying. By roll call, the vote on the first reading was 5/0/0.

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4. Ordinance #1768, request from CAPC regarding professional services:

The motion was made and seconded to place Ordinance #1768 on its first reading in its entirety. By voice, the vote was 5/0/0.

Mr. Young read the ordinance in its entirety. The motion was made and seconded to approve. Alderwoman Watson asked why the CAPC needed this. It was explained that this ordinance will only be in effect for one year, to allow the CAPC to continue with the provider (the Chamber) for the year 1998, and to give the CAPC more time to develop a contract with whoever the provider of the Administrative Services Contract will be in future. If there is a

change, this will help keep the transition simple and smooth.

Alderwoman Watson asked to read that state statute that was referred to in the ordinance, and then was asked to read it out loud.

Alderwoman Watson painted a dark picture of the cost of a Director for the CAPC and equipment and office space. Alderman Jeffrey said that the discussion was not about a director, but about treating the Chamber contract as a professional service.

Alderman Freeland said that he had heard that the CAPC was considering going back to the old way of doing with the Chamber Director also the CAPC Director.

Mayor O'Harris said that it has not been voted on, but yes, it had been discussed. However, it would not be the "old way". There would be a new contract for next year, and the Chamber Director would be an interim director until one could be hired. His duties would be carefully listed in the contract, and he would be required to fulfill that part of the contract. Alderman Jeffrey also explained that it would be a part of the contract with the Chamber, and it would not be a separate wage for the Chamber Director. He said that the State Auditor has commented year after year about the CAPC not going out for bids on this contract and they are trying to remedy that.

Mr. Miner, the City Attorney, said that the CAPC is definitely getting their money's worth. Mrs. Whitt has access to all of the records and books both from the Chamber and from the CAPC. She is keeping a beautiful set of records, which will be needed for the development of the contract. The records are being made available to all the members of the CAPC. He said that this idea is a good way for the CAPC to assess whether or not they want the Chamber to be their provider.

Mayor O'Harris said that the CAPC has a goal to have \$300,000 in reserves in three years. Their main concern is that Eureka Springs goes forward. The vote on the amended ordinance, which cleans up the typos and adds the year 1998, was 5/0/0.

Mr. Young reported that the Transit Department must have a Public Hearing as required by the State. They would like to have it preceding the Agenda-setting Meeting on October 21st at p.m. The Agenda-setting Meeting will immediately follow the Public Hearing.

5. Miracle Marketing (inadvertantly left off of the agenda), Jack Moyer:

Mr. Moyer explained that Miracle Marketing is the gift show that comes to Eureka each spring and fall for Thursday, Friday, and Monday, Tuesday of March and of August. They represent 500 exhibitors, 2400 buyers, and exposure of our town to 26 different states.

Miracle Marketing is at the level of capacity in its current facilities and needs to expand in order to maintain its relationship with Eureka Springs. They would like to engage the 10,000 square feet of banquet space at the Basin Park Hotel. The drawback is access.

They requested the following:

In the year, 1998, March 6, 7, 9, and 10 and August 7, 8, 10, and 11; in the year 1999, March 5, 6, 8, and 9 and August 13, 14, 16, and 17; and in the year 2000, March 3, 4, 6, and 7 and August 11, 12, 14, and 15; these dates would require the police department to reserve the yellow curb at the North end of The Basin Park Hotel from the beginning of the loading zone and extending 162 North for loading of exhibitors. They would also reserve the yellow curb beginning at Victorian Reflections and extending 174' South for loading of exhibitors, and reserve the existing zone by the park for the loading of exhibitors.

Alderman Freedland said in future times the Auditorium basement will be a good place to expand to.

The motion was made and seconded to approve. All were in favor, 5/0/0. More discussion followed about how loyal this company has been to keep coming here. The Council asked the Mayor to do a Proclamation for them. The vote to approve was 5/0/0.

Mr. Moyer thanked the Council for their cooperation.

MAYORS COMMENTS:

Mayor O'Harris asked Chief Hyatt to address the Council on the next Parade. Chief Hyatt said that there will be a Walk for Jesus on October 4th, at 10:30 a.m. It is sponsored by the Ministerial Alliance. It will start at the Crescent, come down Crescent Drive and end at the Court House. He said that the parade will take approximately 45 minutes and traffic shouldn't be any problem to manage.

ADMINISTRATIVE ASSISTANT:

Mr. Young announced the results of the recent raffle on behalf of the Community Center Committee. Mr. Young thanked the community for their overwhelming support for the raffle held at Acord's. They needed \$20,000 to get the matching funds and they raised \$33,000. They are still accepting donations.

The next project will be for the Senior Citizens Program. Collections have not started yet but they will be soon.

Alderman Freedland mentioned that it had been several weeks since the Council talked about Citizen's Awareness of Crime Prevention. He said that he would like to offer his time. Chief Hyatt said there is a lot of free information out there. Municipal League, Crime Watch Association, McGruff, and the internet are some who have good information. The Police Department has been working on a couple of programs to do during the winter, to deal with shoplifting and hot checks, and safety. He said he would accept help gladly, from anyone who would like to help. Mr. Young and Alderman Freedland then volunteered.

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

The meeting was adjourned at 10:22 a.m.

