

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
TUESDAY, August 11, 1998
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: July 14 and July 28, 1998

OLD BUSINESS:

1. Ordinance No. 1779, an ordinance providing a pay back plan for private persons utilizing an existing water/sewer line(s) that was initially paid for by a private citizen. (Third reading)
2. Ordinance No. 1791, an ordinance regarding Carroll Boone expansion. (Third reading) (Postpone to 8/18/98)
3. Ordinance No. 1792, an ordinance regarding a water tap for Stroup on Rockhouse Road. (second reading)
4. Ordinance No. 1789, an ordinance amending the noise ordinance. (First reading) (Postpone to 8/18/98)

NEW BUSINESS:

1. Ordinance No. 1793, an ordinance updating the Municipal Code Book for current building codes. (First reading)
2. Approval for Trustees of the City pension program.
3. Approval of annual Volkswagen Parade, August 29, 1998 at 3:00pm.
4. Council approval for ¼% sales tax for Parks and Recreation to be put on November 1998 ballot.

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

Vacancies:

Planning Position 3, expires 7/1/98 - Robert Berry

ONGOING PROJECTS:

McClelland Engineering, Sewer, Sidewalks, Parks, Grant Work in Progress

Ordinance No. 1782, amending the sign ordinance to allow the display of banners.

Ordinance No. 1770, an ordinance amending Chapter 9, Section 9.04.03 Sidewalks, of the Municipal Code of the City of Eureka Springs, revising requirements for building and maintaining sidewalks.

Loading zone at 85 Main Street (Wagon Wheel Rest) - awaiting notification from State of Arkansas Highway Dept.

**CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
AUGUST 11, 1998 at 9 a.m.**

Mayor Barbara O'Harris called the regularly scheduled Eureka Springs City 1998, in the Council Council meeting to order at 9 a.m. on August 11th, Room of the Western District Courthouse

PRESENT:

Mayor Barbara O'Harris, Council persons Seratt, Christman, Watson, Zeller, and Freeland. Alderman David Jeffrey was not present.

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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 motion was made and seconded to approve the minutes of July 14th, 1998. With no discussion, all were in favor, 5/0/0.

The clerk said that the minutes of July 28th would be ready for the August 25th meeting. The motion was made and seconded to postpone the July 28th, 1998, meeting minutes to August 25th. All were in favor, 5/0/0.

At that time, Mayor O'Harris asked Fire Chief Robert McVey to give the Council a short report on the Fire Department. Chief McVey said he is basically collecting data, and prioritizing what needs to be corrected. The firemen are wearing their uniforms which gives them a more professional appearance.

Mayor O'Harris said he gave certification of all of the members to her and they had been put in the boxes for the Council.

Alderman Christman asked if he felt that there were enough volunteer firemen.

Chief McVey said that he would like to see more. There are around 25 at this time. Also they are looking to have an EMT class taught here in town. He said some of the volunteer firemen were interested in EMT training. He said he has some other ideas that he will bring up at a later time. He said that Rhys Williams would be there to report on a fire sometime during the meeting.

Nikki Salazar, Director of Parks reported that the Arkansas Trails Council from the state was here on Saturday. The meeting went very well. There were several people from the State and Federal parks and Forestry Departments. They were impressed with the trail at Leatherwood Park, and with the Park, in general. Nikki will be going to the Arkansas Trails Conference in September. In October, she will attend the Arkansas Recreation and Parks Association Conference. These conferences give members a chance to learn new methods and exchange ideas.

OLD BUSINESS:

1. Ordinance No. 1779, an ordinance providing a pay back plan for private persons utilizing an existing water/sewer line(s) that was initially paid for by a private citizen, (third reading): The motion was made and seconded to suspend the rules and place Ordinance No. 1779 on its third and final reading by title only. All were in favor, 5/0/0.

Ms. Dickens read the ordinance by title only.

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

2. Ordinance No. 1791, an ordinance regarding Carroll-Boone expansion, (third reading): The Mayor explained that she would like the council to postpone because she and some of the other mayors in the county would like to add another paragraph into the ordinance. They feel that they need some input into any indebtedness that may be entered into at any time by Carroll-Boone. They met with the board last week and it was decided to add the paragraph. The motion was made and seconded to postpone. All were in favor, 5/0/0.

3. Ordinance No. 1792, an ordinance regarding a water tap for Stroup on Rockhouse Road, (second reading):

The motion was made and seconded to put Ordinance No. 1792 on its second reading by title only. The vote was 4/1/0 with Alderman ~ partial line~

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4. Ordinance No. 1789, an ordinance amending the noise ordinance, (first reading):

The committee has not come up with an ordinance to read at this time. The committee has met, but nothing was really settled.

The motion was made and seconded to postpone until August 25th, for discussion on August 18th. All were in favor, 5/0/0.

NEW BUSINESS:

1. Ordinance No. 1793, an ordinance updating the Municipal Code Book for current building codes, (first reading):

Mr. Miner explained that the City must keep our codes current. We have voted to use certain codes, and these must be updated by making reference to the most recent editions.

The motion was made and seconded to place Ordinance No. 1793 on its first reading in its entirety. All were in favor, 5/0/0.

Ms. Dickens read the ordinance in its entirety.

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

2. Approval for the Trustees of the City pension program.

David Beauchamp said it made the trusteeship current with those that are working here.

All were in favor, 5/0/0.

3. Approval of annual Volkswagon Parade, August 29, 1998, at 3 p.m.:

All were in favor, 5/0/0.

4. Council approval for 1/4% sales tax for Parks and Recreation to be put on the November 1998 ballot:

The motion was made and seconded to approve. All were in favor, 5/0/0. Mr. Miner said there is no extra charge to put things on the ballot. Every thing that goes on the ballot must do so by ordinance. It would have to be passed on three readings, and have an emergency clause to be done in time.

Rhys Williams gave a report on a fire at a house on Spring Street. He said there was heavy smoke and fire coming from the cupola and heavy smoke coming from both ends of the attic. Randy Johnson was fire chief at the scene. The fire was under control in less than 30 minutes. Everyone was very complimentary about how the fire was handled. There were six paid firefighters and fifteen volunteers. There was one injury, Rhys. A section of the roof came off and struck his head, and he had minor burns on his wrist, and he is fine now, and ready to go.

Lisa Liggett passed out Statements of Financial Condition for the Transit Department and an update on July. She said it will take one more year to feel of the route revenue compared to last year. It is hard to compare the route revenue to last year because of the tram tours. She feels that the tram tours have taken some revenue from the red route.

The Mayor said that the Transit Department has total fixed assets of over three million dollars. She also said that we are using all of our rolling stock and we need to keep our trolleys up to date.

Lisa said there is no discussion of buying new rolling stock for this year.

The Mayor announced that budget amendments would be ready to present to the Council to be

discussed at the August 18th Agenda-setting Meeting.

Alderwoman Zeller asked about the amount of money to be awarded on the Weaver Case. Mr. Miner said they did not sue for an award. The remaining \$2000-\$3000 is what is left for lawyer's fees.

ADMINISTRATIVE ASSISTANT'S REPORT:

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She said they are looking for people to help with the census. The wage is \$8.5 to \$9 per hour. The job is part time work and it will last up to two years. The people must qualify, and they need to apply at the Employment Security Office either in Harrison or in Fayetteville.

Ms. Dickens said that the Noise Ordinance Committee will meet again on August 12, 1998 at 9 a.m. Alderman Freeland said the issue is an emotional one. There is one meeting to settle a whole lot of problems. It is not a simple issue. He would like to see them have a chance to save face and get the issue resolved. The citizens would like the City to solve the problem, but it is the citizens problem, and they need to be involved in solving it, Mr. Freeland said.

The Mayor asked the Council to approve Robert Butch Berry for Position 3 on the Planning Commission. The motion was made and seconded to approve. Alderwoman Watson said she had known Mr. Berry for years. She said he had indicated to her that if he were involved in an issue at any time, he would abstain from voting. She said he had always been fair in his dealings. Alderman Freeland said with Mr. Berry's experience in dealing with Historic issues in Little Rock, he would be an asset to Eureka Springs. All were in favor, 5/0/0.

The motion was made and seconded to adjourn the meeting. All were in favor, 5/0/0. The meeting was adjourned at 9:37 a.m.

APPROVED:

ATTEST:

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
TUESDAY, August 25, 1998
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: July 28 and August 11, 1998

OLD BUSINESS:

1. Ordinance No. 1794, an ordinance for ¼% sales tax for Parks and Recreation to be put on the November 1998 ballot.
(First reading)
2. Ordinance No. 1791, an ordinance regarding Carroll-Boone expansion. (Third reading)
3. Ordinance No. 1793, an ordinance updating the Municipal Code book for current building codes
(Second reading)
4. Ordinance No. 1789, an ordinance amending the noise