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ADMINISTRATIVE ASSISTANTS REPORT:**DEPARTMENT HEADS COMMENTS:****COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:****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 25, 1998 at 9 a.m.**

Mayor Barbara O'Harris called the regularly scheduled Eureka Springs City Council meeting to order at 9 a.m. on August 25th, 1998, in the Courtroom of the Western District Courthouse.

PRESENT:

Mayor Barbara O'Harris, Council persons Seratt, Christman, Watson, Zeller, and Jeffrey. Alderman Freeland was late.

ALSO PRESENT:

Kirby Murray, Earl Hyatt, Robert McVey, David Dempsey, Alan Long, Nikki Salazar, Beau Satori, Jack Holly, David Beauchamp, Kim Dickens, Jay Miner and Clerk Lee.

PLEDGE OF ALLEGIANCE:

Ms. Dickens 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 motion was made and seconded to approve the minutes of July 28th, 1998. With no discussion, all were in favor, 5/0/0.

The motion was made and seconded to approve the minutes of August 11th, 1998. With

no discussion, all were in favor, 4/0/1, with Alderman Jeffrey abstaining because he was absent from the meeting.

OLD BUSINESS:

1. Ordinance No. 1794, an ordinance for 1/4% sales tax for Parks and Recreation to be put on the November 1998 ballot, (first reading):

The motion was made and seconded to place Ordinance No. 1794 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.

Alderman Freeland came in and took his seat.

Mr. Miner explained that both Ordinance No. 1794, to levy the tax, and Ordinance No. 1796, to put the tax on the ballot, should be passed so that they will be ready to go on the ballot.

Alderman Seratt made the motion to add Ordinance No. 1796 to the agenda. Alderman Watson seconded. The Mayor asked that they withdraw their motion and second because there was a motion already on the floor. They withdrew their motion and second.

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The discussion went back to whether or not to even put the 1/4% sales tax on the ballot for the Parks and Recreation Commission. Nikki Salazar said that they have a plan now, for Lake Leatherwood, and for the parks. She said it would be a chance to find out what the citizens really wanted. The vote for the first reading was 5/1/0, with Alderman Zeller casting the negative vote.

The motion was made and seconded to suspend the rules and place Ordinance No. 1974 on its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. The vote was 5/1/0, with Alderman Zeller casting the negative vote.

The motion was made and seconded to further suspend the rules and place Ordinance No. 1974 on its third and final reading by title only. The vote was 4/2/0, with Alderman Zeller and Jeffrey voting no.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

There was more discussion about whether or not it should go on the ballot and by what date would it need to be passed and ready to go. Mr. Miner called the prosecuting attorney's office and he said no later than September 15th. The 30 day time does not apply, because all a referendum does is see that it goes to a vote of the people. This is simply putting this tax to the vote of the people. The final vote was 5/1/0, with Alderman Zeller voting no. The ordinance was passed.

Alderman Seratt made the motion to put Ordinance No. 1796 on the agenda and do it next. Alderman Christman seconded. All were in favor, 6/0/0.

The motion was made and seconded to place Ordinance No. 1796 on its first reading in its entirety. The vote was 5/0/0. Alderman Freeland was not present for the vote.

Ms. Dickens read the ordinance in its entirety.

Alderman Freeland returned.

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 No. 1796 on its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The motion was made and seconded to further suspend the rules and place Ordinance No. 1796 on its third and final reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The ordinance was passed.

2. Ordinance No. 1791, an ordinance regarding Carroll-Boone expansion, (third reading):

The motion was made and seconded to place Ordinance No. 1791 on its third and final reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

Beau Satori questioned whether the mayor and council knew what they were doing passing this ordinance. He said that the plant is not using their capacity now, and why would the city allow themselves to get involved with an expansion plan. He had figures with him that the Council

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with the other Mayors involved in the contract. The Council had listened and had all of the figures given to them at the presentation. Everyone was

proud that Carroll-Boone Water District is solvent enough to guarantee their own loan. None of the cities involved are in any way going to be involved in the water district's indebtedness.

Alderman Zeller said that thank God that they were thinking ten years in advance, instead of waiting until nine years from now and then deciding that something needs to be done about expanding.

Alderwoman Seratt called the question.

The vote on the question, which means a call to vote, was 6/0/0. The vote on the third and final reading was a unanimous 6/0/0.

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

The motion was made and seconded to suspend the rules and place Ordinance No. 1793 on its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

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

The motion was made and seconded to postpone until September 8, 1998. There was still a great deal of work to be done. However it seemed to be progressing. All were in favor, 6/0/0.

NEW BUSINESS:

1. Approval for the Jazz Festival, September 17-20, 1998.

Mr. Jack Holly explained that the Parks and Recreation Commission had voted not to allow any amplified music in Basin Park, until after a noise ordinance had been drafted and passed. He said he has several acts booked for the Jazz Festival and was seeking Council approval for those days. The Mayor asked Nikki Salazar if the Parks and Recreation Commission would agree with the vote and she said that they would.

The motion was made and seconded to approve. All were in favor, 6/0/0.

2. Ordinance No. 1795, and ordinance amending the 1998 budget, (first reading):

The motion was made and seconded to place Ordinance No. 1795 on its first reading. All were in favor, 6/0/0.

Ms. Dickens read the ordinance in its entirety.

The motion was made and seconded to approve the first reading. There was quite a bit of discussion, but the bottom line was that all of the Department Heads had met with Ms. Dickens and Mr. Beauchamp, and Mr. Beauchamp was satisfied that everything had been done to make the budget acceptable. Alderman Christman and Jeffrey said they were satisfied with the budget. All were in favor to approve the first reading, 6/0/0.

The motion was made and seconded to suspend the rules and place Ordinance No. 1795 on its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The motion was made and seconded to further suspend the rules and place Ordinance No. 1795 on its third and final reading by title only. The vote was 5/1/0, with Alderman Freeland casting the negative vote.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. The vote was 5/1/0 with

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The motion was made and seconded to read the emergency clause. The vote was 5/1/0, with Alderman Freeland casting the negative vote.

Ms. Dickens read the emergency clause.

The motion was made and seconded to approve. The vote was 5/1/0, with Alderman Freeland casting the negative vote.

Alderman Freeland passed out some information pertaining to the noise ordinance and asked the Council to read it over.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 10:50 a.m.

APPROVED:

Barbara A. O'Harris, Mayor

ATTEST:

**CITY OF EUREKA SPRINGS**

**COUNCIL MEETING  
TUESDAY, September 8, 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: August 25, 1998

OLD BUSINESS:

1. 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 of sidewalks. Set up workshop.
2. Approval of the use of the force account for sewer line replacement.
3. Ordinance No. 1793, an ordinance updating the Municipal Code book for current building codes (Third reading)
4. Ordinance No. 1789, an ordinance amending the noise ordinance. (First reading)

NEW BUSINESS:

1. Approval of the investigative committee for the purchase of the Sandy Bass Flaner Hill Parking lot.
2. Approval of the Ozark Folk Festival, Basin Park, Sept. 26 & 27
3. Approval of the Corvette Weekend, Basin Park, Oct. 2-4

MAYCRS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS: