

CITY OF EUREKA SPRINGS  
 COUNCIL MEETING  
 TUESDAY, FEBRUARY 24,

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

OLD BUSINESS:

1. Ordinance No. 1776, amending the noise ordinance, Chief Hyatt (for second reading)

NEW BUSINESS:

1. Ordinance No. 1770, remand to Planning Commission for Public Hearing.
2. Ordinance No. 1780, Amending Ordinance No. 1436 authorizing the City's membership in the Carroll County Solid Waste Authority. (first reading).
3. Ordinance No. 1781, amending Ordinance No. 1733 pertaining to the agreement by the council with the First Street Parking Lot, Ms. Dickens (first reading)
4. Ordinance No. 1778, amending Chapter 4.16.05 pertaining to Occupation License procedure, Ms. Dickens. (first reading)
5. Ordinance No. 1779, Providing a pay back plan for others to utilize a water or sewer line that was initially paid by a private person. Ms. Dickens. (first reading)
6. Cancellation of Agenda Setting Meeting March 17, 1998
7. City Clerks request to destroy certain 1992 City Records,

Ms. Lee

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

Vacancies:

Cemetery Commission, Position 3, expires 2-15-98

Solid Waste Advisory Committee, Residential Representative

Waste Hauler

Representative

ANNOUNCEMENTS:

McClelland Engineering, Sewer, Sidewalks, Parks, Grant Work

in Progress

Old Police Building—Renovation of some city offices

Mo-Ped Committee Report

ADJOURNMENT:

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TUESDAY, February 24th, 1998**

Mayor Barbara O'Harris called the meeting to order at 9 a.m., on Tuesday, February

24th, 1998, in the Council Room of the Western District Courthouse.

PRESENT:

Mayor O'Harris, Alderpersons Zeller, Seratt, Christman, Watson, and Freeland. Alderman Jeffrey was absent.

ALSO PRESENT:

Bill Wilson, Richard Smith, Alan Long, David Dempsey, Kirby Murray, Nikki Salazar, Jay Miner, 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 accept the agenda. All were in favor, 5/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of February 10, 1998. The vote to approve the minutes was 5/0/0.

OLD BUSINESS:

1. Ordinance #1776, Amending the Noise Ordinance, Chief Hyatt, (second reading):

The motion was made and seconded to suspend the rules and place Ordinance #1776 on its second reading by title only. All were in favor, by roll call, 5/0/0.

Mr. Young read the ordinance by title only.

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

NEW BUSINESS:

1. Ordinance #1770, the sidewalk ordinance, to approve remanding it to the Planning Commission for a new public hearing on it. Alderman Freeland asked what is different from the last time there was a public hearing on this. City Planner, Kim Dickens, said that they have been researching ordinances and gathering information, this time and hopefully everyone will have done their homework. It should be very different this time. Several of the council expressed that they would like the problem to be solved in a way that is safe, aesthetically sound, and would take the heavy burdens of paying exorbitant costs to fix the sidewalks off of everybody. The council members voted 5/0/0, to approve.

2. Ordinance #1780, Amending Ordinance #1436, authorizing the City's membership in the Carroll County Solid Waste Authority, (first reading):

The motion was made and seconded to place Ordinance #1780 on its first reading in its entirety. All were in favor, 5/0/0.

Alderman Zeller asked if this is always handled this way.

Mr. Miner said that the Nucleus is the Mayor or her designee, and the County Judge.

They tell the members of the council everything that is done.

Mr. Young read the ordinance in its entirety.

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

3. Ordinance #1781, amending Ordinance #1733, pertaining to the agreement by the Council with the Flint Street Parking Lot, Ms Dickens, (first reading): The idea is that since there is solid rock in the area where the parking lot was to be built, and the cost prohibitive to put in water and sewer lines, and break up all that rock to build restrooms, Mr. Bill Wilson, and Richard Smith are offering to give

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restrooms instead. That is the amount they planned to spend on building their restrooms. They have re-done the plan and the parking lot will be on the second level, with the landscaping that was discussed before. The Council discussed the amount of the money offered.

Mr. Wilson said that unless the Council agrees to the proposal, they do not want to go out and get the money. So the Council agreed to wait to read the ordinance, until financing was attained. Mr. Wilson asked for a straw vote, to get an idea how the Council felt. A straw vote was taken: Alderman Fredland abstained. The rest voted yes. The straw vote was 4/0/1.

4. Ordinance #1778, amending Chapter 4.16.05 pertaining to Occupation  
The motion was made and seconded to postpone this issue until the March 10th Council meeting. The vote was favorable, 5/0/0.

5. Ordinance #1779, Providing a payback plan for others to utilize a water or sewer line that was initially paid by a private person, Ms. Dickens, (first reading):  
Mr. Miner is researching the legalities, and how other cities do this. There was a motion and a second to postpone until the March 10th Council meeting. All were in favor, 5/0/0.

6. Cancellation of the March 17th agenda-setting meeting:  
The motion was made and seconded to cancel the March 17th agenda-setting meeting. All were in favor, 5/0/0. The Mayor, Council, and Mr. Young will be going to the Governor's Conference.  
Mr. Young reminded everybody that the rooms were reserved, and if anyone had a change of plan, they should let him know immediately.

7. City Clerk's request to dispose of certain 1992 City records:, Clerk Lee:  
Ms. Lee said that this is a common practise done every year. The records that need to be kept are, and the rest are destroyed so that there is room for last year's records. She said

that Don Matt goes through them as they are disposed of and watches for anything that should not be disposed of. A motion was made and seconded to approve the disposal. All were in favor, 5/0/0.

MAYOR'S COMMENTS: Channel 13 gave the City some bonus commercials in their special program "America in the 40's" which was to air Wednesday, February 25, 1998. The motion was made and seconded to adjourn. All were in favor, 5/0/0.

The meeting was adjourned at 9:45 a.m.

MOVED:

Barbara A. O'Harris, Mayor

ATTEST:

Mary Attn Lee, City Clerk—Treasurer