

CITY OF EUREKA SPRINGS
 COUNCIL MEETING
 TUESDAY, July 14, 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:

OLD BUSINESS:

1. Ordinance No. 1780, 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, (First reading). (Postpone 7/28/98)
2. Ordinance No. 1779, an ordinance providing a payback plan for private persons utilizing an existing water/sewer line(s) that was initially paid for by a private citizen. (First reading)
3. Approval for additional directional signs.

NEW BUSINESS:

1. Ordinance No. 1791, an ordinance regarding Carroll-Boone expansion. (first reading)
2. Ordinance No. 1790, an ordinance to re-zone the First United Methodist Church property on Hwy. 23 to C-2 (First reading)
3. Ordinance No. 1792, an ordinance regarding a water tap for Paul Stroup on Rocithouse Road. (First Reading)
4. Approval of accepting donated property on North Main Street from Lee Pohl for the City to furnish restrooms.
5. Approval for the Yards and yards Yard Sale on August 14 & 15, 1998.
6. Approval of Christian Community Candlelight Walk and Cards, December 19, 1998 at 6:00 p.m.
7. Request from the Finance Department to set a policy for the payment of administrative fee for employee insurance.
8. Request from Department Heads to add an additional 2 ½% for annual employee salary adjustments.
9. Approval of banner on Spring Street for the week of 7/20/98 to 7/27/98 for Waterfest.

MAYORS COMMENTS:**ADMINISTRATIVE ASSISTANTS REPORT:****DEPARTMENT HEADS COMMENTS:****COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:**

Vacancies:

Planning, Position 5, expires 1-1-01, Mr. Leswick

Planning, Position 3, expires 7/1/98

CAPC, Position 2, expires 6/30/98, Mr. Loudemilk

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. 1789, an ordinance amending the noise ordinance.

**CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
JULY 14th, 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 July 14th, 1998, in the Council 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.

ALSO PRESENT:

Kirby Murray, Lisa Liggett, Kim Dickens, Ed Leswig, Earl Hyatt, David Dempsey, Alan Long, Nikkie Salazar, Beau Satori, Steve Miller, Patrick Henry, 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. The vote in favor was 5/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of June 23rd, 1998. The motion was made to postpone until the July 28th meeting because not everyone had read them. The vote to postpone was 5/0/0.

Mayor O'Harris called for an executive session at 9:05 a.m.

The meeting was reconvened at 9:25 a.m., Mayor O'Harris announced her appointment of Robert McVey as the new Fire Chief. She called for a motion. The motion was made and seconded to approve Mr. McVey for the Fire Chief position and the vote was 6/0/0. (David Jeffrey came to the meeting during the time of executive session). Alderman Jeffrey was present throughout the rest of the meeting.

Lisa Liggett came from the Transit Department to give a short report on how they are doing. They had a very good audit. The tram tours are doing very well. Local passes are up for June and already in July. Ridership is

always slower in April, May & June. It is about the same as last year. Alderman Freeland asked for a 6 month report, and Mayor O'Harris asked that Lisa include July to date.

Police Chief Earl Hyatt said that an officer with almost 10 years with the Police Department had been arrested in connection with parking meter money that has not been turned in. All of his credentials have been turned in along with his badge, uniform, and certification.

The generator is almost completely finished going on line. It was a bit larger in size than was expected, so it has taken more time to get it situated.

911 addresses are coming up well. Alderman Jeffrey asked if the addressing along Van Buren is being straightened out. He said it doesn't make sense along there. Chief Hyatt said that they measure every 40 feet and then gave a new address to that portion. He said that when the new Fire Chief comes, they will get together and work on getting it fixed. He reported that digital parking meters are about all that are available any more. Parts for the old meters that we have are not even available any more.

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 sidewalks. (First reading):
The motion was made and seconded to postpone until July 28th meeting. All were in favor, 6/0/0. Ms. Dickens explained that the

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2. 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, (First reading):

Ms. Dickens said Mr. Murray did a big job to get this ordinance ready for council.

The motion was made and seconded to place Ordinance No. 1779 on its first reading in its entirety. The vote was 6/0/0.

Ms. Dickens, and Alderwoman Zeller read the ordinance in its entirety. The motion was made and seconded to approve.

A discussion ensued, during which the subject was turned to another subject, which was whether to allow someone outside the City limits to hook into the City water lines.

The vote on Ordinance No. 1779 was 6/0/0.

3. Approval for additional directional signs. The motion was made and seconded to approve the directional signs on Kirby's list. The vote was 5/1/0, with Alderman Freeland voting no.

NEW BUSINESS:

1. Ordinance No. 1791, an ordinance regarding Carrdl-Boone expansion, (first reading):
The motion was made by Seratt and seconded by Jeffrey to place Ordinance No. 1791 on its first reading in its entirety. The favorable vote was 6/0/0.

Ms. Dickens read the ordinance in its entirety.

The motion was made by Jeffrey and seconded by Seratt to approve. A discussion then ensued, with Beau Satori stating that Eureka Springs paid for 14% of the water, and the City did not use 14%. That number was only our projected use.

Alderman Jeffrey said that number, the 14%, no longer would apply. We are now allowed whatever amount we need, and we will pay for what we use. Each time there is an expansion, there is a new contract and a new ordinance, so that the Council can approve or not approve.

In the discussion, it was made clear that the City would not be held responsible for the bonds. The Carrdl-Boone Water District will be solely responsible for the bond issue, and that is because they are financially sound and can borrow money on their own.

The vote on the motion was 6/0/0 to approve.

2. Ordinance No. 1790, an ordinance to re-zone the First United Methodist Church property on Hwy.23 to C-2, (first reading):

The motion was made and seconded to place Ordinance No. 1790 on its first reading in its entirety.

Ms. Dickens read the ordinance in its entirety.

The motion was made and seconded to approve. The vote was 6/0/0 to approve.

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

The motion was made and seconded to place Ordinance No. 1792 on its first reading.

The vote to approve was 6/0/0.

Ms. Dickens read the ordinance in its entirety.

Alderman Jeffrey made the motion to approve and Alderwoman Seratt seconded.

Alderwoman Zeller said the City needs to maintain control to keep people from building or developing something undesirable at our borders. Mr. Murray, Director of Public Works said some properties are too small to drill wells, although it is not the case in this instance. He said the reason other people were unwilling to vote to do this was that the City was getting close to the 14% they were contracted for with Carroll-Bonne. The point was made that the man could drill his own well and still do

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JULY 14th, 1998 at 9 a.m.**

City Attorney Miner said that the law says that we have an option but not an obligation to let people tap in from outside the City. He said that the City of Green Forest has extended their lines to outside the city, and they are making good money selling water.

Mr. Miner read the existing code

10.04.05.

The vote was 3/3/0. Alderpersons Jeffrey, Seratt and Christman voted yes.

Alderpersons Watson, Zeller, and Freeland voted no. The Mayor voted yes, which was the deciding favorable vote, 4/3/0.

4. Approval of accepting donated property on North Main Street from Lee Pohl for the City to furnish restrooms.

The general consensus was that the property was a bit too far down North Main Street, and would not justify the expense. No action was taken.

5. Approval for the "Yards and Yards" yard sale on August 14th and 15th, 1998. The motion was made and seconded to approve. All were in favor, 6/0/0.

6. Approval of Christian Community Candlelight Walk and Carols, December 19, 1998 at 6 p.m. Chief Earl Hyatt said he had no problem with the walk as long as nobody was using real candles. He was assured that the candles carried would be battery operated. The vote was 6/0/0.

7. Request from the Finance Department to set a policy for the payment of administrative fees for employee insurance: The motion was made and seconded to approve. All were in favor, 6/0/0.

8. Request from Department Heads to add an additional 2 1/2 % increase for annual employee salary adjustments:

2.5% has already been set aside for raises for the City's employees. The Department heads are asking for another 2 1/2 %, to make it a 5 % increase.

There was a long discussion. The Department Heads are working on a seven step plan, so that each employee will know what each step pays. Mr. Beauchamp said that in two more months, the budget will be drawn up for the coming year. The plan needs to be in place so that it can be implemented in 1999.

Alderman Zeller said her suggestion was that anyone who made \$20,000 or under should get 5%, those who made over \$20,000 should get 2%, and anyone making over \$30,000 should get nothing.

Chief Hyatt said that right now, he gives raises based on performance and need. He may give a raise of 1 1/2% at the top, and an 8 or 9 % at the bottom of the scale, if it is warranted.

Alderman Freeland was in favor of giving the increase of 2 1/2%. The vote was taken by roll call, 5/1/0. Alderman Freeland voted no.

9. Approval of banner on Spring Street for the week of 7/20/98 to 7/27/98 for Waterfest. The motion was made and seconded to approve. All were in favor, 6/0/0.

Chief Hyatt asked to present a personnel action request, even though it was not on the agenda. He asked that James Loudermilk be approved to be an officer. He has shown himself capable of improvement and has the makings of a good officer. The motion was made and seconded to approve. He was approved, 6/0/0.

Mr. Miner said that the department head raises should be discussed in open session. Executive sessions are for the purpose of considering employment, appointment, promotion, demotion, discipline or resignation of any public officer or employee.

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MAVORS COMMENTS:

The Mayor said that Department Head raises will be held in open session. She said the two people who received raises recently will not receive raises at this time. Department Head raises were built in to the budget automatically. Alderman Freeland made the motion to

postpone until the Council had more information. The motion died for lack of a second. The Department Head raises were built into the budget, and the 1998 Budget was already approved by the Council, so there was no need for a vote.

NEW BUSINESS:

Resolution No. 1451, regarding the Outdoor Recreation Grant ADMINISTRATIVE ASSISTANTS REPORT:

Ms. Dickens reported that the Sales and Use Tax was \$109,604.36, which is a year to date increase of 1.85 %.

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

The meeting was adjourned at 11:35 a.m

CITY OF EUREKA SPRINGS
COUNCIL MEETING
TUESDAY, July 28, 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: June 23rd and July 14th, 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 sidewalks, (First reading). (Postpone 7/28/98)
2. 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. (Second reading)
3. Ordinance No. 1791, an ordinance regarding Carroll-Boone expansion. (second reading)
4. Ordinance No. 1790, an ordinance to re-zone the First United Methodist Church property on Hwy 23 to C—2. (second reading)
5. Ordinance No. 1792, an ordinance regarding a water tap for Stroup on Rockhouse Road. (second reading)

NEW BUSINESS:

1. Resolution No. 1451, regarding the Outdoor Recreational Grant.,

2. Approval for Public Works be responsible for maintenance at the North Main Parking Lot