

CITY OF EUREKA SPRING
COUNCIL MEETING
TUESDAY, May 26, 1998

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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. 1782, amending the sign ordinance to allow display of banners.
2. Ordinance No. 1780, sidewalk ordinance.
3. Ordinance No. 1779, *providing a pay back plan for private persons utilizing an existing water or sewer line(s) that was initially paid by a private person.*

NEW BUSINESS:

1. Ordinance No. 1786, annexation of Lot 24 and 25 in Harvey Estates.
2. Council directive to Mayor regarding letter of support for CETA.
3. Permission to the Parks Commission for Bike Race on July 12 at Lake Leatherwood Park.
4. Request from the Parks Commission to zone Lake Leatherwood Park to C-1
5. Consider 50/50 arrangement for paving on the unpaved portion of proposed city street leading to Ridgeview Assisted Living.
6. Resolution No. 448: A resolution expressing the willingness of the City of Eureka Springs to utilize Federal-aid Surface Transportation Program Enhancement Funds (Planer Hill Water Feature)
7. Resolution No. 449: A resolution expressing the willingness of the City of Eureka Springs to utilize Federal-aid Surface Transportation Program Enhancement Funds. (Planer Hill Sidewalk)

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT~

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

Vacancies:

Parks and Recreation, Position 2, expires 5/98 Re-Appoint, Bill Brooks

Planning, Position 5, expires 1-1-01, Appoint, Larront Ritchie

Planning, Position 6, expires 1-1-00, Appoint, Evelyn Cross

Hospital, Position 1, expires 6/1/98, Appoint, Betty Andrews

ONGOING PROJECTS:

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

ADJOURNMENT

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Mayor Barbara O'Harris called the meeting to order at 9 a.m., on Tuesday, May 26th, 1998, in the Court Room of the Western District Courthouse.

PRESENT:

Mayor O'Harris, Alderpersons Seratt, Christman, Watson, Freedland, and Jeffrey.
Alderwoman Zeller arrived after roll call.

ALSO PRESENT:

Alan Long, David Dempsey, Bill Douglass, David Stoppel, Robert Rizman, Gerald W. Owen, Earl Hyatt, Kim Dickens, Don Matt, Jay Miner and Clerk Lee.

PLEDGE OF ALLEGIANCE:

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APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

The minutes of the special Council Meeting had a couple of typos, and adjustments to be made. Alderman Jeffrey said he would like a chance to look more closely at the minutes and made the motion to postpone until the June 9th business meeting. Alderwoman Seratt seconded and all were in favor, 6/0/0.

At that time, the Mayor called for an executive session and the meeting was closed at 9:05 a.m. The meeting was reconvened at 9:30 a.m.

The Mayor announced her appointment of Gerald W. Owen to Fire Chief. Mr. Owen is from Rogers and has served as a captain, as well as a shift commander.

She called for a motion to approve. Alderwoman Watson made the motion to approve her appointment and Alderman Christman seconded the motion.

The vote was unanimous to approve, 6/0/0.

The Mayor thanked all of those who applied for the position, and said that it was not an easy decision.

The new Fire Chief will begin his job on June 15th. In the meantime, he will

be coming over on his day off.

Mr. Owen said he had accomplished the goals he had set for himself in the 25 years he worked over there. He said that everything just fell into place, with his retirement, and he is building a new home here.

4. He said he appreciated the appointment.

OLD BUSINESS:

1. Ordinance #1782, amending the sign ordinance to allow display of banners
2. Ordinance #1780, sidewalk ordinance
3. Ordinance # 1779, providing a pay back plan for private persons utilizing and existing water or sewer line that was initially paid for by a private person. These three ordinances were not ready. The motion was made and seconded to postpone them until the June 23rd Council Meeting and discuss them at the June 16th Agenda-setting Meeting. All were in favor, 6/0/0.

NEW BUSINESS:

1. Ordinance #1786, annexation of Lots 24 and 25 in Harvey Estates. The motion was made and seconded to place Ordinance #1786 on its first reading in its entirety. All were in favor, 6/0/0.

Ms. Dickens read the entire ordinance. The motion was made and seconded to approve.

Alderman Jeffrey suggested that the R-2 zoning be added to the ordinance, since that is the zoning of the land that is contiguous to this property. It was established that there is a home with an apartment and a duplex on the property, and it is proper in a R-2 zone. The Council directed Bill Douglas to add the zone to the ordinance.

The vote to approve was 6/0/0.

Alderman Freeland asked Kim Dickens her opinion on annexing this property. She said that the man is within his rights to ask to be annexed, and, although she would like to see more than one person annex at a time, she thought he should be allowed to go ahead.

2. Council directive to Mayor regarding letter of support for CETA. The Council directed the Mayor to write a letter of support for CETA. The motion was made and seconded and the vote, by roll call, was 6/0/0.

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3. Permission to the Parks Commission for the Bike Race on July 12th at Lake

Leatherwood Park.

The motion was made and seconded to approve. Nikki Salazar, Director of Parks and Recreation, said everything is going well. The vote in favor was unanimous, 6/0/0.

Ms. Salazar then explained the bike ride through town, that the Council is being asked to vote on. They would like to be seen, to help them to get sponsors for next year. They would like to start and end at the train station, and the route will be published. The police chief said he couldn't foresee a problem. The roll call vote was 6/0/0, in favor.

4. Request from the Parks Commission to zone Lake Leatherwood Park to C-i. Mr. Miner said anytime the Council makes a decision to change something in the zoning ordinance, there must be a public hearing just like the procedure for any individual. After discussion, Mr. Miner found that the Planning Commission will hold the public hearing.

The motion was made and seconded to ask the Planning Commission to hold a Public Hearing on the zoning of the Lake Leatherwood Park. All were in favor, 6/0/0.

5. Consider 50/50 arrangement for paving on the unpaved portion of proposed City street leading to Ridgeview Assisted Living:

The motion was made and seconded to approve the 50/50 arrangement following Kirby Murray's recommendation for paving. (His recommendation is to use 4 inches of crushed limestone, and 2 inches of hot mix.) The easements are all ready to sign, and Hutchins will do all of the work. Mr. Murray will be the contact person when decisions are needed on the job. Dr. Hopkins concurred with Mr. Murray's recommendation. It was mentioned that it is always a good deal for the City when a private entity offers to pay halves to do a project. The unanimous vote was 6/0/0.

6. Resolution #448: A resolution expressing the willingness of the City of Eureka Springs to utilize Federal-aid Surface Transportation Program Enhancement Funds, (Planer Hill Water Feature):

The motion was made and seconded to read Resolution #448. The vote was 6/0/0.

Ms. Dickens read the resolution.

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

7. Resolution #449: A resolution expressing the willingness of the City of Eureka Springs to utilize Federal-aid Surface Transportation Program Enhancement Funds, (Planer Hill Sidewalk):

The motion was made and seconded to read the resolution. The vote was 6/0/0.

Ms. Dickens read the resolution.

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

Mr. Murray said that no plans have been drawn up for the fountain at the top of Planer Hill. However, all of the engineering has been done and has been paid for, for the Planer Hill Sidewalk. It was asked if there were a time limit on the grants, and so far, none has been

mentioned.

ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens announced that the new maps are finished, and they look great! The City has new historic district maps, new street maps with the correct city limits, and with a Lake Leatherwood inset on it, and new zoning maps. Also, she had some small maps that are easy to copy. She said that the large maps will be sold to whoever wants them. She said that any time the City annexes property, the maps will be obsolete. They will be redone through the Mayor's office. Mr. Jeffrey said that the frame holding our big map was made so another map can be put in.

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She reported that she had the first meeting with the land use attorney, and the first draft of the new zoning ordinance is complete.

She believes the Sidewalk ordinance will be ready and through the Planning Commission by July 7th, 1998.

Ms. Dickens and Michelle along with the clerk will be working on getting the ordinances copied to send in for the codification. Alderman Freeland asked what the main benefit would be for the codification.

Ms. Dickens said that it will be very clear and concise. Everything pertaining to a subject will be together so that it is easy to read. You won't have to jump from place to place to find all of the information on a subject.

She said the City is saving a lot of money in that they are using a law student instead of an attorney. The difference is about \$90 an hour!

Mr. Miner said it is not a panacea for all of our ills, but it will be much easier to read.

Ms. Dickens said that the Department Heads know that they will need to make sure that they get their ordinances in order. She said once it is completed, it will be a continuing process.

COMMISSIONS, COMMITTEES, AND AUTHORITY:

The Mayor appointed Bill Brooks to serve a full term on the Parks &

Recreation Commission, Position #2 which will be up in May of 2005.
There were no objections.

The Mayor appointed Lamont Richey for Position #5 on the Planning Commission, which expires in January of the year 2001.
After much discussion, pro and con, the motion was made and seconded to postpone the vote until the June 23rd Council Meeting.

The Mayor appointed Evelyn Cross for Position #6 on the Planning Commission, which expires in January of the year 2000. There were no objections.

The Mayor appointed Betty Andrews for a seat on the Hospital Commission, Position #1, which expires June 1st, 1998. There were no objections.

The Mayor then introduced Bob Rizman, who is the Fire Chief of Eagle Rock, Golden, and Manno. He came to give certificates of appreciation to the New Fire Chief, and to Earl, with letters of appreciation to be sent to all who were involved. They helped find and move an injured 450 pound man from a wilderness area. He said we should all be proud to have such fine people working for this City.

The motion was made and seconded to adjourn the meeting. All were in favor, 6/0/0. The meeting was adjourned at 10:30 a. m.

ATTEST: