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**CITY OF EUREKA SPRINGS
COUNCIL MEETING
TUESDAY, November 10, 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: October 13, 1998 October 27, 1998

OLD BUSINESS:

1. Ordinance No. 1770, an ordinance amending Chapter 9, Section 9.04.3 Sidewalks, of the Municipal Code of the City of Eureka Springs, revising requirements for building and maintaining sidewalks. (First reading)
2. Approval of the sale of a few vacant lots to Jess and Betty Green.

NEW BUSINESS:

1. Approval of the Transit Drug and Alcohol Policy.
2. Approval of the purchase of a new trolley.
3. Approval to instruct McClelland Engineering to begin process for Lake Leatherwood Dam structural enhancement.
4. Approval of Christmas Parade on Sunday, November 15, 1998 at 6:00pm.

MAYORS COMMENTS:

ADMINISTRATIVE ASSISTANT'S REPORT:

DEPARTMENT HEADS COMMENTS:

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS:

Plan Commission- Position 6- Sid Boutwell

CITY OF EUREKA SPRINGS**CITY COUNCIL MEETING****TUESDAY, NOVEMBER 10, 1998, 9:00 a.m.**

Mayor Barbara A. O'Harris called the November 10th, 1998, Council Meeting to order at 9 a.m. in

the Western District Courthouse, in the courtroom.

PRESENT:

Mayor O'Harris, and Alderpersons Zeller, Christman, Jeffrey, Fredland, Watson and Seratt.

ALSO PRESENT:

Bob McVey, Kirby Murray, Lisa Liggett, Ed Leswig, Don Matt, 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, 6/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of October 13, 1998. Mr. Jeffrey pointed out that on page three, the word "money" in the second paragraph should indeed be "water". Also on page seven there was a redundant line, that showed up on page eight. All were in favor to approve the minutes as amended. 6/0/0

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minutes as amended, 6/0/0.

The motion was made and seconded to approve the minutes of October 27, 1998. With no further discussion, the vote to approve was 6/0/0.

Mayor O'Harris announced a boil order for Jackson Street caused by a broken water line. The earliest the order could be lifted was November 12th. People will be contacted when the boil order is lifted.

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).

Ms. Dickens explained that the Council cannot over-ride any decisions pertaining to the Historic District Commission covered by state law, so the ordinance will have to be re-done again. The motion was made and seconded to postpone the first reading until the November 24th, 1998 Council Meeting. All were in favor, 6/0/0.

2. Approval of the sale of a few vacant lots to Jess and Betty Green. The Parks and Recreation Commission has given the City permission to sell that greenspace. It is not suitable for their use. They did, however, suggest that the City might give the \$5000. to them. No action was taken by the Council on this request. Alderwoman Seratt made the motion that the City sell the lots for \$5000. Then Resolution No. 1453 was passed out. Alderwoman Seratt made the motion to read Resolution No. 1453 and Alderman Jeffrey seconded. All were in favor to read, 6/0/0. Ms. Dickens read the resolution. All were in favor to approve, 6/0/0.

Alderman Freeland asked about the legality of it and Mr. Miner referred him to State Law 1454-30-2. The money will automatically go into the General Fund.

NEW BUSINESS:

1. Approval of the Transit Drug and Alcohol Policy, Lisa Liggett

Ms. Liggett said that the policy was in the process of being amended by the State, and was not quite ready.

The motion was made and seconded to postpone to the November 24th, 1998 Council meeting. All were in favor 6/0/0

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CITY OF EUREKA SPRINGS CITY COUNCIL MEETING TUESDAY, NOVEMBER 10, 1998, 9:00 a.m.

2. Approval of the purchase of a new trolley. Alderwoman Seratt made the motion to approve for the purpose of discussion. Alderwoman Watson seconded.

Ms. Liggett said the new trolley is a 80%-20% proposition. The State pays the 80%. She said they would sell a 1986 trolley which is twelve years old and has 127,000 miles on it. Our share would be \$48,000. and the trolley the City would sell should bring at least that much.

The new diesel engines and diesel fuel emission has been improved a great deal. The vote to

approve was 6/0/0.

3. Approval to instruct McClelland Engineering to begin process for Lake Leatherwood Dam structural enhancement.

There has been a great deal of discussion with the State. Since they feel that the work should all be done at once, they are willing to help the City with Grant money and financing.

McClelland Engineering will update the cost estimates. The vote to approve was 6/0/0.

4. Approval of the Christmas Parade on Sunday, November 15, 1998 at 6 p.m.:

Alderman Zeller made the motion to approve and Alderman Seratt seconded. All were in favor, 6/0/0.

Mayor O'Harris then asked Joyce Zeller to tell about some of the things going on for the Christmas Season.

Ms. Zeller said that Coca Cola is a big sponsor for the Boys and Girls Clubs of America. They, along with some businesses in Eureka Springs have donated money so that there will be good prizes for decorations of homes and businesses. She said that prizes will range from \$900 first prizes to \$400 second prizes in four categories.

Basin Park Hotel along with the C.A.P.C. has donated money to decorate Basin Park for Christmas. Ms. Zeller listed some of the activities that will take place in November and December including special sale days and the Chocolate Extravaganza and the tram tours of lights. She said there has been some outcry because the Christmas Parade is before Thanksgiving, but she said the parade is partly to promote sales and we have to get it going early if the businesses are to do well. She said that there will be rack cards out all over town describing and promoting the holiday season.

MAYOR'S COMMENTS:

Thursday, December 3rd at 1:30 p.m. the Council will have a workshop on the LARC Study. It may involve setting up a tourism task force.

The CAPC has withdrawn Ordinance No. 1799 at this time. The ordinance would add more businesses to collect the CAPC tax. The commission would like more time to study the idea.

There is nothing to report on the Sandy Bass parking lot offer. The City cannot afford the selling price at this time.

McClelland Engineering has been working on alternatives for updating the Wastewater Treatment Plant.

Alderman Seratt asked that they be put on the agenda for the November 17th Agenda-setting meeting.

The Parking Authority has been given the responsibility of working on the Planer Hill parking and other parking. They have until February 1st, 1998 to work up workable recommendations on this problem.

Mayor O'Harris proposed that Sid Boutwell fill Position 6 on the Planning Commission. The Council voted unanimously to approve, 6/0/0.

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She also reported that the State Highway Department will be tearing up the old concrete between

Benton Street and the beginning of Spring Street. She said they estimate that they will be finished by Christmas, depending on the weather.

Changes in animal control will be put on the November 17th, 1998 agenda for the Agenda-setting meeting.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 9:35 a.m.

Robert McVey, the Fire Chief, said they had an on the ground practise emergency drill at Lake Leatherwood. He will report on that at a later date.

ADMINISTRATIVE ASSISTANT'S REPORT:

Nothing at this time.

APPROVED:

BARBARA A. O'HARRIS, MAYOR

ATTEST:

MARY LEE, CITY CLERK-TREASURER

**SPECIAL COUNCIL MEETING
TUESDAY, November 17, 1998
7:00 P.M.**

Approval of Ordinance No. 1804, an Ordinance Levying a Tax on all
Real and Personal Property in the City of Eureka Springs,
Arkansas.

CITY OF EUREKA SPRINGS
SPECIAL CITY COUNCIL MEETING
TUESDAY, NOVEMBER 17, 1998, 7:00 P.m.

Mayor Barbara A. O'Harris called the November 17th, 1998, Special City Council Meeting to order at 7 p.m. in the Western District Courthouse jury room. The purpose of the meeting was to pass Ordinance No. 1804, an ordinance setting the millage for the year 1999.

PRESENT:

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

ALSO PRESENT:

Kim Dickens, and those who did not sign in. Ms. Dickens explained that the Courty Clerk had notified the City Clerk that the ordinance setting the millage must be in her office within the next two days.

Alderman Jeffrey made the motion to place Ordinance No.1804 on its first reading in its entirety.

Alderman Christman seconded. All were in favor by voice vote, 4/0/0.

Ms. Dickens read the ordinance in its entirety.

Alderman Jeffrey made the motion to approve. Alderman Christman