

CITY OF EUREKA SPRINGS

510 COUNCIL MEETING MINUTES APRIL 15, 1999

The April 15, 1999 regularly scheduled council meeting was called to order at 7 p.m. Mayor Pro Tem David Jeffrey presided over the meeting, which was held in the Courtroom of the Western District Courthouse. Mayor Pro Tem David Jeffrey was voted in at the Special City Council Mtg. that preceded the regular meeting.

PRESENT: Mayor Pro Tem Jeffrey, and Alderpersons Taylor, Schrader, Sumpter, Stoppel and Frøeland.

ALSO PRESENT: Kirby Murray, Ed Leswig, Robert McVey, Lisa Liggett, David Beauchamp, Enid and Carl Swartz, David White, Kim Dickens, Tom Laub, and Clerk Mary Ann Lee.

PLEDGE OF ALLEGIANCE:

Ms. Dickens in led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mayor Pro Tem said the Council had just had a special meeting about purchasing the property at the top of Planer Hill. They did not take any action and he wanted to put that on the agenda, number one under Unfinished Business. Alderman Stoppel mentioned that two things had not been put on the agenda; one the vehicle purchase ordinance, and the other, the shut-off policy for the water.

The Clerk passed out the buying of a vehicle for the Fire Department, ordinance #1809, to the Council. It was placed as item no. 4 under Unfinished Business.

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

APPROVAL OF THE MINUTES:

March 22, 1999 minutes which was the special meeting about wastewater rates. Alderman Schrader took exception to the word inhumane that the clerk used and she said she would listen to the tape again and amend the minutes. Alderman Schrader made the motion to postpone the approval to the May 6th meeting.

Alderman Stoppel seconded. All were in favor, 6/0/0.

The April 1st, April 2nd April 15th and March 22nd minutes will be on the agenda for May 6th;

Mayor Pro Tem Jeffrey announced an executive session. The session began at 7:05 p.m.

The meeting reconvened at 7:30 p.m.

Mayor Pro Tem Jeffrey announced that the City Council voted unanimously to terminate the employment of Marvin Hawkins as Building Inspector.

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:

Ms. Dickens said that Frank Green would like to be considered for the Cemetery Commission, Position 4, that would expire February 15, 2002. He will keep his seat on the HOC Commission also.

Alderman Stoppel reported that he missed the Solid Wastes meeting. He wrote the date down on the wrong day and apologized for not being there.

DEPARTMENT HEAD COMMENTS:

Kirby Murray reported that the striping of the parking lot should take place either Monday or Tuesday. Also, work is continuing on the old police building.

Alderman Sumpter asked about the new curbs for the parking lots around the Courthouse. Most of the design was the Mayor's. Mr. Murray said that the handicapped ramps serve two purposes. They are for wheel chairs and also they keep the water from rushing down Benton Street, across and around the courthouse to the Auditorium, which has always been a problem in a heavy rain.

Police Chief Hyatt was asked by the Taste of Eureka People to close Center Street between Spring Street and Mountain, again this year. The hours would be from 10 a.m. through 4 p.m., on Saturday, May 8th, 1999.

Alderman Schrader made the motion to allow Center Street to be closed between Spring Street and Mountain on May 8th, 1999 from 10 a.m. through 4p.m. Alderman Stoppel seconded. All were in favor, 6/0/0.

Chief Hyatt said our new pay stations were giving them fits. He reported that a technician came recently and babysat our new parking pay stations for a few days and they are doing well.

ADMINISTRATIVE ASSISTANT COMMENTS:

A grant has been completed today for the sidewalk from the Auditorium to the Trolley Depot. It was ever night expressed. The City is hoping for some grant money to put in a sidewalk, and hopefully, it will be limestone.

Ms. Dickens then called Don Matt up to the front. On April 11, 1999 Mr. Matt completed 20 years of service with the City. He was presented with a plaque commemorating "20 years of loyal and cheerful service". Those present expressed their gratitude and appreciation with warm applause and Mr. Matt thanked them for the privilege and opportunity to live and serve in such a beautiful community.

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UNFINISHED BUSINESS:

Runge Property: Mayor Pro Tem Jeffrey explained that before the meeting, the Council held a special meeting and walked over the Runge property because it has been suggested that the City buy the property. Alderman Freeland made the motion to consider the purchase of the Runge property. Schrader seconded.

Alderman Jeffrey described the property as being approximately one third of an acre, at the top of Planer Hill. At this time there is a used car lot and a moped rental place there. Mr. Runge wants \$99,000, and the use of the property for one year from the date of closing.

After more discussion, Alderman Freeland and Alderman Schrader withdrew their motions. Alderman Freeland made a motion to make an offer to purchase for \$99,000 and provide usage of the property until the end of the year, December 31, 1999. Mayor Pro Tem Jeffrey seconded. The money would come from General Fund Capital Reserves. All were in favor, 6/0/0.

Increasing Wastewater Rates (Ordinance No. 1808):

Alderman Freeland made the motion to suspend the rules and place the ordinance on its third and final reading by title only. Alderman Stoppel seconded. It was mentioned that there were a couple of changes. Ms. Dickens said she could read the ordinance with the changes as they will read. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only and added the changes in their proper places. Alderman Stoppel made the motion to approve. Alderman Sumpter seconded. Discussion followed. The vote was 6/0/0, in favor.

Discussion of traffic and parking problems (Alderpersons Taylor & Shrader:

Alderwoman Taylor then said that the police were doing nothing about the speeding problem and mentioned a great many calls that she was getting. Chief Hyatt said the machine that she had suggested in a earlier meeting had been set up and the problem was that people would see how fast they were going and slow down and as soon as they were beyond the machine, they would speed up again. He said there are two officers on duty each day. There is not enough man power to provide the kind of coverage that the public expects. They do the best they can. He said he is very concerned about the speeding problem and he has seen the results of speeding when he has had to work accidents. He just doesn't know how to cover a town this size without more help. He said the City could approach the judges and ask them to raise the fines for second and third offenders. He said if the fines are higher, and the court costs are \$75, and the insurance goes up because of it, people have a tendency to slow down.

Alderman Schrader brought up the illegal parking in loading zones downtown at DeVito's. The main offenders are two vehicles from the Basin Park Hotel. Chief Hyatt said increasing the fines would help the situation. He knows that this is an area where there are constant parking problems. He said the loading zone could be shortened there and that might help the problem. Alderman Schrader also mentioned that people going to church at St. James Episcopal Church have been given tickets. Chief Hyatt said they park too close to a fire hydrant, and those must be kept clear.

OrdinanceNo. #1809, Purchasing Used Vehicle for Fire Department:

Alderman Sumpter made the motion to place Ordinance No. 1809 on its first reading in its entirety. Alderman Freeland seconded. All were in favor, 6/0/0.

Ms. Dickens read the ordinance in its entirety.

Alderman Sumpter made the motion to approve. Alderman Freeland seconded. Alderman Freeland said he would feel more comfortable if a yin number were included. All were in favor, 6/0/0.

Mayor Pro Tem Jeffrey made the motion to suspend the rules and place Ordinance No. 1808 on its second reading by title only. Alderman Sumpter seconded. All were in favor, 6/0/0. Ms. Dickens read the ordinance by title only.

Alderman Sumpter made the motion to approve. Alderman Schrader seconded. All were in favor, 6/0/0.

Mayor Pro Tem Jeffrey made the motion to further suspend the rules and place Ordinance No. 1808 on its third and final reading by title only. Alderman Sumpter seconded. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

Alderman Sumpter made the motion to approve. Alderman Stoppel seconded. All were in favor, 6/0/0.

Alderman Freeland made the motion to read the Emergency Clause. Alderman Schrader seconded. All were in favor, 6/0/0.

Ms. Dickens read the Emergency Clause.

Alderman Sumpter made to motion to approve. Alderman Freeland seconded. All were in favor, 6/0/0.

Alderman Sumpter made to motion to recess ~missing portion~~

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NEW BUSINESS:

Blues Festival (Sally Riker):

Ms. Riker's request for this year was for the Council to allow beer to be sold in the Auditorium. The Blues Festival will pay the Auditorium 10 % of selling price on everything that is sold, including beer, tapes and CD's, and t-shirts. She said they have hired security from Tulsa and people will not be able to take alcoholic beverages out into the street. They will have insurance again this year.

Ms. Dickens asked that a time be set with Earl Hyatt, Sally Riker and herself to co-ordinate the festival. Alderwoman Taylor made the motion to allow beer and wine to be sold in the Auditorium during Blues Festival which is June 3rd through the 5th, 1999. Alderman Schrader seconded. The question was asked from the audience if she collected CAPC tax. She said that it would be redundant for a City Festival to pay the tax to the City. The vote was 6/0/0.

Vehicle Location Program for Transit. (Lisa Liggett):

Lisa Liggett came before the Council asking for a new communication system.

The one she would like for them to consider would be a great help in monitoring the vehicles and keeping in touch with them. She will get cost comparisors and check into whether Transit would be eligible for an 80 % grant.

The motion was made and seconded to recess for 10 minutes. All were in favor, 6/0/0. The meeting was recessed at 9:15 p.m. and reconvened at 9:25 p.m.

A motion was made and seconded to amend the agenda again to place item number 8 to be next on the agenda. All were in favor, 6/0/0.

Proclamation for National Crime Victim's Week, May 9-15, 1999:

Ms. Dickens then read the Proclamation for National Crime Victim's Week, May 9-15, 1999.

Policy on local vendors and services. (Kim Dickens):

Ms. Dickens said that several business people and several council members have raised the question are we using local vendors for our services. She asked for discussion. Mayor Pro Tem Jeffrey said he has heard the same thing. People are hired outside the City to do services when there are businesses available here in the City that can do them. Alderman Stoppel said our policy should be to use City vendors first. The intent was questioned as to what exactly is the problem?

Generally speaking, the Administrative Department does do this. Alderman Freeland said

the trickle down effect of buying here in the City is tremendous.

Towing was mentioned, and the City only has only one towing service. Chief Hyatt said that the City should be careful about banning out of town towing services. If a tourist gets in an accident, and needs a car towed back to their home, or more than one accident happens within a short time span, a wrecker or towing service needs to be available.

Deaton's from Holiday Island would like to be on a rotation towing list. There is nothing in the records to say no, as long as they comply with our laws. They bought a business license, and they are paying city tax.

Chief Hyatt said that we have two towing services here now, Johnson's J & J, and Deaton's. The Chief went on to say that there are many reasons for towing. Sometimes the police call wreckers from other cities to come and tow a car back to where it originated.

Mayor Pro Tem Jeffrey said it would be nice to have an impound yard within the City limits. It is a hardship, especially for the tourists, to have to drive clear to Holiday Island to pick up an impounded car.

Ms. Dickens said the City would put together a short policy at the Department Head level that whenever possible or feasible the City use city vendors and services within the city limits.

Personnel Policy Handbook Revisions. (Kim Dickens):

Ms. Dickens had passed out a list of revisions, whether spelling, or change. She talked about page five and six, where it talks about the introductory period. It is redundant and has been removed, since the City is an at will employer.

The education policy was added. They added a policy for health insurance benefits at certain stages. There was some dialog added to the political activity section.

A computer, Email, and internet usage policy was introduced at the Four County Solid Wastes meeting. An employee cannot use the internet for personal gain, use colorful or explicit language; in other words these tools are to be used for City business only.

Ms. Dickens said she wanted to explain some of the Employee Assistance Program. She said it can be added to the personnel policy. It has been presented to the Department Heads. On the alcohol and drug, it is zero tolerance. If you are caught, on the job, using alcohol or drugs, you are terminated immediately. The employee assistance program involves counseling for almost any kind of problem as related to drugs and alcohol. This service can be available for each city Employee for \$2100 annually. It is Ozark Guidance and they have a new office in Berryville.

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Alderman Freeland said he was against zero tolerance.

Alderman Sumpter made the motion to approve the revisions and additions to the Personnel Policy Handbook.

Alderman Stoppel seconded. The vote was 5/1/0, with Alderman Freeland voting no.

March for Jesus Parade, May 22, 1999 at 10 a.m.:

The March for Jesus Parade will begin at the Crescent Hotel, and end at Basin Park. People will begin to gather at the Crescent at 9 a.m.

Alderman Freeland made the motion to approve. Alderwoman Taylor seconded. All were in favor, 6/0/0.

Proclamation—National Historic Preservation Week-May 9-15, 1999:

Ms. Dickens read the Proclamation for National Historic Preservation Week.
The motion was made and seconded to approve, and all were in favor, 6/0/0.

Classical Music Festival Banner, April 16-25:

Alderwoman Taylor made the motion to allow the Classical Music Festival Banner to be put up from April 16, 1999, to April 25, 1999. Alderman Sumpter seconded. All were in favor, 6/0/0.

CITY COUNCIL COMMENTS:

Alderman Freeland mentioned the letter left in his box from Stanley Shaw wanting information on liquor licenses and who is allowed to buy one either annually or temporarily.

Mayor Pro Tem, David Jeffrey mentioned the Community Blood Drive on April 26th, 1999, from 12 to 6p.m.

Alderman Freeland made the motion to adjourn. Alderman Sumpter seconded and all were in favor, 6/0/0. The meeting was adjourned at 10 p.m.

APPROVE:

ATTEST: