

in favor, 6/0/0. Alderman Schrader then made the motion to suspend the rules and add the Ronald McDonald House Proclamation to the agenda. Alderman Stoppel seconded, and all were in favor, 6/0/0.

APPROVAL OF THE MINUTES: City Council Meeting Minutes of December 8th, 1998, and January 7th, 1999.

December 8th, 1998:

Mr. Stoppel and Mr. Satori were at the meeting, and Mr. Freeland and Mr. Jeffrey were on the Council. They said the minutes were satisfactory. The motion was made and seconded to approve the minutes. All were in favor, 6/0/0.

Approval of the minutes of January 7th, 1999:

There were some typos, and a word needed changing. The motion was made and seconded to approve the minutes as amended. All were in favor, 6/0/0.

Alderman Freeland left.

MAYOR'S STATE OF THE CITY ADDRESS; Mayor Satori said he hadn't prepared a State of the City Address. He gave a talk about how he sees the City to be at this time. He said the Council and he would be examining the budget and re-structuring the budget. His State of the City Address will be on February 18th, 1999. The actual birthday of the City is Valentine's Day, February 14th, 1999. He said he intends to take serious action to make changes that will instill success into small businesses. He said the City needs to maximize all of its services. He said the Departments are in good shape. The City employs about 100 employees, and they love their jobs. It is up to the City to provide benefits and salaries to keep them. Mayor Satori said that every Department needs more. The City will do the best they can. He believes that the marketing of the City is where the answers lie. He said that there will be no more new studies about what needs to be done. He said action will be taken on what we already know. Mayor Satori said that the City is rushing head long toward the year 2000. It will be a time of tremendous change. We will have to work together. We need to understand that we are all responsible for each other. The town is everyone's responsibility. We may be the only 19th Century town in the world. We have a lot to offer and we want the world to know it! Alderman Freeland returned.

Unfinished Business:

1. Council procedures for 1999. It was the Mayor's suggestion to put this on the agenda because of the situation that arose over nominations. It was not addressed at the first meeting. Our procedure for dealing with the timeliness of nominations needs to be included in the regular procedures.

Alderwoman Taylor made the motion to discuss and come up with a procedure for the nominations of the City's commissioners. Alderman Schrader seconded. The vote was 6/0/0. Alderman Schrader said he thought that there

could be no reason not to wait for two weeks after the nomination has been made by the Mayor. Alderwoman Taylor

said that

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Alderman Freeland said that resumes are very helpful. Ms. Dickens said that it is the Council's respons to at least call a nominee, and speak with them.

After more discussion, Alderman Freeland made the motion that nominations be made at a regular mee and the next regular meeting they be voted upon. Alderman Schrader seconded. The only nominations the Council makes are the Council representatives to the C.A.P.C, and any vacancies on the Council. rest are done by the mayor. Mayor Satori said that he wouldn't want to take too long to get things done. said,

however, that State Law, for good reason, requires that Council actions take time.

Alderman Schrader said it is a citizen's duty to help the mayor find nominees. The vote on Alderman Freeland's motion was 6/0/0.

Alderman Schrader said that he had four items that were given to the mayor and he had not put them on agenda. Ms. Dickens said that with the volume of work that crosses the mayor's desk, perhaps the pers should give the work to her, and she will see that it is discussed with the Mayor, and contact the person will not be put on the agenda. The only limitations the mayor was aware of was that some councils limit amount of times an item can be brought up during the year. Alderman Freeland suggested that anyone an item for the agenda bring it to Kim and have her put copies in the boxes.

Alderman Schrader said that "Council Procedures" should remain on the agendas until all of them are s the year.

2. Date for Special Election on Noise Ordinance No. 1797. The Election Commission has set April 13th as the day they would like the election held. Alderman Freeland made the motion to accept April 13th, 1999 Special Election on the noise ordinance. Alderwoman Taylor seconded. All were in favor, 6/0/0.

3. 1999 City Budget: Days and times were set to hold budget workshops. Alderwoman Taylor made the motion to hold sessions on Tuesday, January 26th, 1999, at 2 p.m., Wednesday, January 27th, 1999, at 2 p.m., and a Special Meeting, Thursday, January 28th, 1999 at 2 p.m. to perhap finish discussion and to vote. Alderman Sumpter seconded. All were in favor, 6/0/0.

NEW BUSINESS:

1. Proclamations for Hospice Awareness Day and Ronald McDonald House, and Share A Heart Camp City Administrator, Kim Dickens read a Proclamation honoring Hospice Awareness Day, which is Febr 10th, 1999. She also read a Proclamation for Ronald McDonald House's annual Share A Heart Campaign which be

January 22nd. They have read hearts for a person to sign as they donate a dollar. Ronald McDonald House Ozarks has served 56 Carroll County families. When families find themselves in desperate situations, they don't always know where to turn. Ronald McDonald House lends a compassionate helping hand.~

At this point the Mayor reminded the audience that if they hadn't signed in, they should so that the clerk have a record of attendance.

2. The Mayor gave his reason for his veto of the election by the Council of two members of Council to : on the CAPC.

He said he felt that those nominations, just as other nominations, should have the two weeks for public He said an action can be vetoed by the Mayor, within five days of the action, and the Council may over-ride his veto four votes.

The veto was presented to and received by the City Clerk and is filed in

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Alderman Jeffrey made the motion to postpone the vote on any nominations until February 4th, 1999. Alderman Freeland seconded.

The voice vote was 6/0/0.

Nominations were then made to be considered for the two seats on the CAPC.

Alderman Freeland nominated Alderwoman Becky Taylor.

Alderman Stoppel nominated Alderman David Jeffrey.

Alderman Schrader nominated Alderman Bill Freeland.

Alderman Jeffrey nominated Alderman Bryan Sumpter.

Alderman Sumpter seconded all four nominations.

Alderman Freeland made the motion for recess. Alderman Sumpter seconded. The Mayor declared a 12 m break. The meeting was recessed at 8:48, and reconvened at 9 p.m.

3. Ordinance No. 1604, Section 1, 4.16.07 Performing Musicians and Artists (Nikki Salazar):

Ms. Salazar said that the U.S. Supreme Court had passed down a ruling that Cities can't charge for a perm play in the parks.

She is asking the Council to have an amended ordinance written. Alderman Sumpter made the motion for I Dickens, working with

the City Attorney, to prepare an ordinance to amend Ordinance No. 1604. Alderman Jeffrey seconded. The vote was 5/0/1, with

Alderwoman Taylor abstaining.

4. Animal Control (Earl Hyatt):

Chief Hyatt said that this is probably already in the budget since we budget for animal control every year. He a memo stating what his ideas are. One of these is that the person would work by contract, and not be considered a employee of the city. The Clerk will put the memorandum in at the end of the minutes in the minute book. The contractor will answerable to the Chief of Police.

Alderman Sumpter made the motion to enable the chief to advertise for a contractor to fill the need for an ar control person.

Alderman Jeffrey seconded. All were in favor, 6/0/0. Chief Hyatt said the software is already set up to handle for animals that have been through the system, with his goal being enforcement.

5. Rural Advocacy Council Grant- Robert McVey.

Chief McVey explained the Rural Fire Board. The State Legislature has set up enabling laws to form this bo. Annual memberships are \$25 for land that has no structure on it, and \$50. with structures. Right now they have about \$17,000. in They would like permission to apply for a grant. They would like to buy a 2,000 tanker so they can take water with them when they need

Alderman Jeffrey made the motion to approve their permission to apply for a grant. Alderwoman Taylor seconded. The roll call vote was with Alderman Schrader voting no.

6. CAPC Tourism Bond- Transit Department- Dave Jeffrey. Alderman Jeffrey explained that the indebtedness could be paid off and then the

CAPC could pay the City, and it would save a lot of interest dollars. After much discussion, the Council said would like Alderman Jeffrey to look into any other options, to investigate and inform the Council and Mayor.

7. Kettle Campground Sewer:

Mr. Kirby Murray gave a short history of the sewerling of Highway 62 East. Basically, the people who are sew have paid a good deal of the cost of the sewer projects. The Walden Group paid for their own. The owners of

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hook them into the line. The cost will be \$5,180. All other costs would be paid by the campground. The line would go from Kettle Campground to the Exxon Station property. All of the easements are in hand. Alderman Stoppel made the motion to approve the expenditure of \$5,180 for the Kettle Campground project. Alderwoman Taylor seconded. All approved, 6/0/0.

8. Appointment of a new Police Officer, (Earl Hyatt):

Chief Hyatt presented John Contreras for the vacancy on the Police Force. He said the gentleman's qualifications include the necessary training, and his background check was extensive. Alderman Freeland made the motion to approve Mr. Contreras. Alderman Sumpter seconded, and the vote was unanimous, 6/0/0.

9. Removal of City Advertising and Promotion Commissioners:

Mayor Satori said he had studied the minutes for the last ten years. He said that he was not satisfied with the way three of the commissioners voted on many issues. He said he would present a profile on each of the commissioners to be removed, which are Randy Wolfenbarger, Marvin Shephard, and Jon Loudemilk. He said he planned to re-structure the CAPC. Mayor Satori spoke at length of his reasons. He asked for a Special Meeting to be held to vote on the subject.

Alderman Taylor made the motion to call a meeting Tuesday, January 26th, at 7 p.m., for the purpose of voting on removing CAPC commissioners Randy Wolfenbarger, Marvin Shepard, and Jon Loudemilk. Alderman Schrader seconded. The vote was 5/0/1, with Alderman Jeffrey abstaining.

10. Removal of City Planning Commissioners:

Mayor Satori said he was not happy with the direction the Planning Commission has been heading. He also said he did not believe that a real estate person should be on the commission. He said he feels the removals would enable the City to create a stronger commission. He named Sid Boutwell, Jack Dosier, and Scott Ruffson as the commissioners he wanted to remove. He called for a motion to set a date and time for a Special Meeting to vote on the removal. Alderman Schrader made the motion to set the second meeting immediately after the seven o'clock meeting to consider the removal of the three named commissioners. Alderman Freeland seconded.

Alderman Sumpter left. The vote on the Second Special Meeting was 5/0/0.

Mayor Satori had appointed Kathy Harrison for Position 2 on the Planning Commission. Alderman Taylor made the motion to confirm Kathy Harrison for the position. Alderman Schrader second. The vote was unanimous, 5/0/0.

Cemetery Commission nominee is Samuel Ingles. Also Jane La Rue has volunteered for Position Four. The expiration date for the that position is February 15, 1999. The mayor said that he wants people who will hold meetings and give reports on funds and really get interested in the commission. He would like to hear a report about improvements along with the possibility of bathrooms, now that the new sewer line will be going in.

Alderman Taylor made the motion and Alderman Jeffrey seconded to adjourn the meeting at 11:20 p.m. All were in favor, and the meeting was adjourned at 11:20 p.m.

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APPROVED:



ATTEST:

Mary Ann Lee, City Clerk-Treasurer

January 13, 1999

Mary Ann Lee City Clerk
44 S. Main
Eureka Springs, Arkansas

Dear Ms. Lee:

On January 7, 1999 the City Council of Eureka Springs voted to approve the selection of Alderman Dave Jeffrey and Alderman Bill Freeland to the Council positions for the CAPC. At the time of this motion and approval the City Council had neglected to address the procedures for nominations to commissions but, had expressed a desire that nominations be made at least one week prior to voting in order to take in citizen input. With these considerations in mind I do hereby veto the selection of Dave Jeffrey to the CAPC. And do separately veto the selection of Alderman Bill Freeland to the CAPC

Furthermore, I intend to place nomination procedures on the January 21, 1999 agenda for City Council discussion and determination.

Sincerely,

Bau Satori

Mayor

received
1/13/99

Mary Ann Lee, Notary

Carroll County State of Arkansas
My Commission Expires May 12, 2005