

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING  
THURSDAY, May 6, 1999  
7:00 P.M.  
AGENDA**

CALL TO ORDER  
ROLL CALL, ESTABLISHMENT OF QUORUM  
PLEDGE OF ALLEGIANCE TO THE FLAG  
APPROVAL OF THE AGENDA:  
APPROVAL OF THE MINUTES: March 22, 1999 April 1, 1999 April 2, 1999 April 15, 1999

**COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:**

Parks Commission- Position 3- Expires May 31, 1999  
Plan Commission- Position 4- Expires July 1, 2000  
Cemetery Commission- Position 4- Expires February 15, 2002- Frank Green  
CAPC Commission- Position 3- Expires June 30, 1999  
Hospital Commission- Position 2- Expires June 1, 1999  
DEPARTMENT HEAD COMMENTS

**CITY ADMINISTRATOR'S REPORT:**

**UNFINISHED BUSINESS**

1. Approval of purchase contract for Runge property.
2. Vehicle location program for Transit (Lisa Liggett)
3. City Policy on Water Shut-off (Diane Murphy)
4. Discussion on installation of speed bumps (Kirby Murray)

**NEW BUSINESS**

1. Council to set permit fee for Noise Ordinance (Kim Dickens)
2. Informational/sales carts (Pat Fitzsimmons)
3. Presentation on Parking (Ed Leswig and Bruce Knapp)
4. Ordinance No. 1810. To waive bidding for a used truck cab and chassis (Kirby Murray)
5. Ordinance No. 1811. To waive bidding for purchasing materials for installation of imprinted concrete. (Kirby Murray)
6. Approval of three reserve officers and one new officer (Earl Hyatt)
7. Proclamation for National Tourism Week May 2-8, 1999

**CITY COUNCIL COMMENTS:**

**MAYOR'S COMMENTS:**

**ADJOURNMENT**

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING MINUTES**

**MAY 6, 1999**

Mayor Beau Satri called the May 6th, 1999, meeting of the Eureka Springs City Council to order at 7 p.m. in the Courtroom of the Carroll County Courthouse.

PRESENT: Mayor Beau Satri and Alderpersons Freeland, Taylor, Schrader, Jeffrey, Stoppel, and Sumpter.

ALSO PRESENT: Rcyal Alcott, Ed Leswig, Robert McVey, Nikki Salazar, Lisa Liggett, Denise McVey, Robert Miller, Libby Freeland, Bruce Knapp, David Beauchamp, Earl Hyatt, Pat Matsukis, Butch Berry, and a few more who did not sign in.

PLEDGE OF ALLEGIANCE: Ms. Dickens led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA: The numbering on Ordinance #1610 and #1811 is turned around. Alderman Jeffrey made a motion to approve the agenda and Alderman Stoppel seconded. All were in favor, 6/0/0.

**APPROVAL OF MINUTES:**

March 22, 1999, City Council Meeting, Postponed by Alderman Schrader from the April 15th Meeting. Alderman Freeland made the motion to approve. Alderman Schrader seconded. All were in favor, 6/0/0.

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**CITY OF EUREKA SPRINGS  
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MAY 6, 1999**

April 1, 1999, Regular City Council Meeting:

Alderman Jeffrey made the motion to approve. Alderman Schrader seconded.

On Page 6, Alderman Jeffrey pointed out that it was \$90,000, and not \$80,000 for the Runge property, and then on the last page when he asked the Mayor about the Transit study, the Clerk left out a sentence, that the Mayor would cover that answer under Mayor's Comments.

All were in favor, 6/0/0.

April 2, 1999, Special Council Meeting:

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

April 15, 1999, Special Council Meeting:

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

April 15, 1999, Regular City Council Meeting:

Alderman Schrader made the motion to approve. Alderman Jeffrey seconded. Alderman Freehand suggested that the Chief Hyatt quote about an ordinance being written be taken out completely. All were in favor, 6/0/0.

**COMMISSION, COMMITTEE AND AUTHORITY REPORTS AND VACANCIES:**

Parks Commission-Position 3-Expires May 31, 1999: Mayor Satori recommended that Glen Strange fill that position.

Planning Commission-Position 4-Expires July 1, 2000. The Mayor had nobody in mind at that time. David Fithian resigned.

Cemetery Commission-Position 4-Expires February 15, 2002, Frank Green:

Alderwoman Thompson made the motion to approve Frank Green. Alderman Schrader seconded. All were in favor, 6/0/0. Alderman Jeffrey said it was highly unusual to have a citizen on two commissions. Mayor Satori said that both have historical significance. Ms. Dickens said that the Cemetery Commission has taken on the huge job of trying to get on the Historic Register. A lot of work will be required. Mr. Green has lived here for most of his life, and is very excited and enthusiastic about being involved in the process.

CAPC Commission-Position 3-Expires June 30th, 1999: Sue Ely's position expires.

Hospital Commission-Position 2-Expires June 1, 1999. The Mayor had nobody in mind at that time.

**DEPARTMENT HEAD COMMENTS:**

Libby Freehand gave a report on what is going on at the Auditorium. She announced that the Eureka Junior Players gave the Auditorium a donation of \$314.83 which they would like to go toward some lighting. The Bed and Breakfast Cabins and Cottages donated \$225 for something to benefit the Auditorium. She combined those and purchased lights. Now you can see the front of the stage and it is wonderful! She announced that the Lane House has another production called Chronic Youth. Cajun Festival is coming along. Chubby Carrier is on Saturday night. He has been here before and sold out. The Cajun Connection will be here on Friday night. The dates of the Cajun Festival are the 16th and 17th of July.

Lisa Liggett of Transit reported that fare revenue is up about \$1200 from March of last year. Expenses are up a bit from last year, due to the transition period. Operating expenses are up due to the insurance on the two new vehicles, which was about \$9,000. April did seem a little bit down, probably because of the cold weather.

She filled the position of book keeper. Ms. Julie Fredrick started May 6th, 1999. May 18th through the 20th is a mandatory Drug and Alcohol training session. Ms. Liggett and Ms. Fredrick are going. The State is wants to develop a mandatory State drug and alcohol policy. The man from Chance is here showing the mechanics any charges on the new trolley and checking it out.

**ADMINISTRATIVE ASSISTANTS REPORT:**

Ms. Dickens reported that the City received a letter from Reck Wallis, Superintendent of Schools, asking everyone to attend a Crisis Management Team meeting on Monday May 10th, 1999 at 7 p.m. The meeting will be held in the Eureka Springs Elementary School cafeteria.

Mr. Wallis said it takes all of the community's effort to ensure a positive, healthy environment for our students.

She said that Monday May 10 was the deadline for applications for Building ~~~missing~~~

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**CITY OF EUREKA SPRINGS**

**COUNCIL MEETING MINUTES****MAY 6, 1999****UNFINISHED BUSINESS:****Approval of the Purchase Contract for the Runge Property:**

The clerk had passed out copies of the purchase contract. The contract calls for a copy of the most recent survey. Alderman Jeffrey said the City may want to have our own survey done. The rental sign will give the City some income.

Pat Matsukis asked why the City is buying this property.

Mayor Salori said that the plans have charged for the top of Planer Hill. The State Highway Department is going to re-design the top. The City has a grant to do a fountain there in the middle on the island, and now, there may not be an island. This is the entrance to our downtown Historic District. The property will be beautified and the fountain feature can be put there. It is at the top of the hill where the new sidewalk will end.

Ms. Matsukis said she didn't see any continuity in the progression. First we considered Sandy Bass' property and now we are buying this piece.

Alderman Jeffrey said the Vision Plan envisions gateways to the City. This is the main gateway to the City.

Mayor Salori said anything that is done to enhance the ridge top enhances the downtown. Alderman Schrader said he was all for the idea but was worried about spending the money. He said this Council has got to sit down at the table and make some long range Capital plans for spending. He said not just a couple of years, but five years down the line. The City needs to think and plan ahead.

Alderman Jeffrey said that he agreed, and that they could extend Capital Expenditures two years and then three and so on, when the budget meetings are held. Mayor Salori said the date of possession of the Runge property was moved to January 31, 2000 and when he contacted Mr. Runge, to find out why, he said it was because of his licenses. The Mayor also spoke with Mr. Sanders, who is flexible about whether the signboard can be moved in case it is necessary.

Alderman Freeland made the motion to read Resolution 456. Alderman Stoppel Seconded. All were in favor, 6/0/0.

Ms. Dickens read the resolution.

Alderman Stoppel made the motion to approve and Alderman Jeffrey seconded. Alderman Jeffrey said that "Section 15" had been left out of the description and needed to be in there.

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

The vote on the Resolution was 6/0/0.

**Vehicle Location Program for Transit. (Lisa Liggett):**

Ms. Liggett said five vehicles need radio systems. The old radios can no longer be repaired. The system Ms. Liggett has been looking at is \$35,000. It enables her office to be aware of any problems on the road. It can show her where each driver is and how far away he is. It can pinpoint any problems in scheduling, and how to keep the trolleys running more efficiently. It would keep her in constant contact with the drivers. The computer software is specially built for the City.

If the City could wait until the new budget cycle, the State could help with a grant. Ms. Liggett said the radios are needed now. They would be compatible with the system, so that if the Council wants to wait until next year, and go for the whole system, the State would help us. The State grants are generally 80%/20%, with the State paying the 80%. She also said there is a payment plan that the City could use.

Alderman Freeland said that when we have \$2,000,000 in rolling stock, it seems reasonable to spend the added funds to make the system more efficient. He made the motion to approve a \$2200 amendment to the Transit Budget to go towards radio systems for the trolleys. Alderwoman Taylor seconded. Alderman Freeland withdrew his motion. Alderman Sumpter made the motion to amend the motion to change it to 20% of the overall cost of the system. Alderman Jeffrey seconded. All were in favor, 6/0/0. Alderman Sumpter asked what the City wanted to do about the rest of the system. The general consensus was to wait until next year, and get a grant to help us buy the rest of the system.

**City Policy on Water Shut-Off. (Diane Murphy):**

Diane Murphy was unable to attend, so David Beauchamp was there to answer any questions. Alderman Stoppel said he didn't want to see any shut-offs on Friday for the weekend. Mr. Beauchamp said that traditionally the City does not shut off water on the weekends. Alderman Stoppel said he would like to see it written into the policy so that a City employee is not left to make the decision. Alderman Freeland wants to make sure that everyone is treated the same.

There was discussion about what to do if you do find yourself without water for the weekend. The answer was to call the Police Department and they will locate whoever is on call, and then that person will call the citizen. The person on call cannot collect the \$45. It has to be paid to the water department.

Ms. Dickens took the proposed policy back to be revised to say that nobody will have their water cut off on Friday.

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**CITY OF EUREKA SPRINGS  
COUNCIL MEETING MINUTES  
MAY 6, 1999**
**Discussion on the installation of speed bumps. (Kirby Murray):**

Mr. Murray passed out hand-outs to the Council earlier in the week to explain the cost of speed bumps.

Mr. Murray stated that he is against speed bumps because it punishes everyone for what the offenders are doing. He thought approaching the judge to raise the fines was a good idea. Speed bumps are noisy in the middle of the night. It is \$413 per installation. Alderman Schrader questioned the cost. Mr. Murray said that they must be installed properly in order to be legal. After more discussion Alderwoman Taylor

made the motion to install two speed bumps on Flint Street on a trial basis, to be re-evaluated in 6 months. Alderman Schrader seconded. The vote was 5/1/0, with Alderman Sumpter voting no.

**NEW BUSINESS:**

**Informational/Sales Carts (Fat Fitzsimmons):**

Ms. Fitzsimmons and business owners there by the Eureka Live building think there should be carts parked there by the parking lot or across the street and people should be allowed to sell their crafts there. The Mayor said that the peddler's license ordinance would have to be rewritten.

Alderman Jeffrey made the motion to refer this to the Planning Commission. Alderman Schrader seconded. All were in favor, 6/0/0.

**Presentation on Parking (Ed Leswig and Bruce Knapp):**

Mr. Leswig said the City needs to utilize existing lots, such as the Sandy Bass property on Planer Hill, the lot at the High School, and the lot at the Railroad Station. He said it was just an idea so far. He said the Planer Hill lot is impossible to identify. It has no signage to say park here, it does not indicate to a stranger in town that it is okay to park there and there is nothing to attract people there.

Some of the ideas that were put forth were discussed. Perhaps a surplus trolley could run from these lots all day long for free rides to people parking there. The Trolley would run from the High School lot to the Planer Hill Lot, to the Railroad Station lot all day long and drop people at the Trolley Dept downtown as it goes by. It would be a short, free trolley ride for everyone wanting to use these lots. All pickups and drop-offs would be inside the parking lots. The trolley would run 10am to 10pm.

The idea also was presented to utilize the upper part of Benton Street for parking and it would be one-way up the hill. It would not be done, of course, on the part of the street that has residences and businesses on it.

The idea of hiring high school people to dress in Eureka Springs t-shirts and be parking attendants in the different lots was brought up. They would be available as goodwill ambassadors, and could give directions.

Mr. Leswig also touched on the idea of having metal trolley tokens struck annually for riding the trolleys, and businesses could pass them out to encourage people to use the trolleys.

Chairman Bruce Knapp from the Parking Authority said these are some of the best ideas that have evolved in a long time. Everyone has the perception that Eureka Springs has no where to park. The problem often is that they don't want to park far from where they shop. The shop owners park in the parking meart for their customers. The transit needs to be efficient and is an integral part of how the parking lots will work.

Mr. Leswig said he does not want to denigrate what is already being done, but he does think transit could be more effective.

Alderman Schrader said the upper lot at the train station is very rough. He said the traffic patterns at the High School are difficult, and he does not believe anyone will accept the parking on the upper part of Benton.

Alderman Freeland said that this town has what other places build fakes to emulate. You just can't go out and find this anywhere else.

Ms. Dickens said she will meet with property owners and Mr. Leswig and Mr. Knapp if they want to meet.

Mr. Knapp said not to kill ideas before they ever start. At least do some research, and do things in stages until we are sure they won't work. He said if the transit system is looking to make a profit, they are losing the point. The point is to move people to where they need or want to go. Alderman Jeffrey said the ideas are worth investigating.

(note: 518 of the minute book Q is a duplicate page)

**CITY OF EUREKA SPRINGS  
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The motion was made and seconded to have a ten minute recess. All were in favor, 6/0/0.  
The meeting was recessed at 9:25 p.m. The meeting reconvened at 9:35 p.m.

It was discovered that the ordinance numbers on Ordinance No. 1810, and 1611 were turned around. This will be corrected.

**Ordinance No. 1810. To waive bidding for a used truck cab and chassis. Kirby**

**Murray**: Mr. Murray explained that he is looking for a used vehicle to mount the sewer jetting machine on. It weighs 10,000 pounds. The vehicle it is mounted on now is breaking down often.

Alderman Freeland made the motion to place Ordinance No. 1810 on its first reading. Alderwoman Taylor seconded. All were in favor, 6/0/0.

Ms. Dickens read the ordinance in its entirety.

Alderman Jeffrey made the motion to approve. Alderman Stoppel seconded. Alderman Schrader objected to the emergency clause.

Alderman Schrader made the motion to amend the ordinance to exclude the emergency clause. Alderwoman Taylor seconded. Alderpersons Schrader, Taylor and Sumpter voted yes, and Alderpersons Freeland, Jeffrey and Stoppel voted no. Mayor Satori voted yes, so the vote was 4/3/0.

The vote on the first reading was 6/0/0.

Alderman Jeffrey made the motion to suspend the rules and place Ordinance No. 1810 on its second reading by title only. Alderman Stoppel seconded. All were in favor, 6/0/0. Ms. Dickens read the ordinance by title only.

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

Alderwoman Taylor made the motion to further suspend the rules and place Ordinance No. 1810 on its third and final reading by title only.

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

Ms. Dickens read the ordinance by title only.

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

Someone said that Kirby Murray can buy his truck by June 5th.

Ordinance No. 1811. To waive bidding for purchasing materials for installation of imprinted concrete. (Kirby Murray): Mr. Murray explained that he and James Clark and Eric Torgersen went to school to learn the technique for concrete, the imprinted concrete. He would like permission to buy the package that goes with the classes. The package is \$14,900. The company would waive the cost of the classes, which is \$600, and the City could buy the package for \$14,300. It is not a budgeted item, and that is why Mr. Murray has come before the council. Also, it is the only package they can buy. If they buy from another company, they have to go through their school to learn their technique. Alderman Freeland made the motion to place Ordinance No. 1811 on its first reading. Alderman Sumpter seconded, All were in favor, 6/0/0.

Ms. Dickens read the ordinance in its entirety.

Alderman Jeffrey made the motion to approve. Alderman Stoppel seconded. Remarks were made again about the emergency clause. Mr. Murray said that all sidewalk work stopped about 7 months ago. He said they had to wait for the sidewalk ordinance and all the time that it involved. Then they had to wait until school was open to them. Alderman Jeffrey said for public input, they should leave the emergency clause in and read the ordinance for two meetings.

Alderwoman Taylor made the motion to remove the emergency clause. Alderman Schrader seconded. Alderman Taylor thought about Alderman Jeffrey's idea and withdrew her motion. She said it really could be called an emergency situation. Alderman Schrader withdrew his second. The vote on the first reading was 6/0/0.

Approval of three reserve officers and one new officer. (Chief Hyatt):

Chief Hyatt explained that Officer Sam Dunham had resigned and taken a position in Huntsville. He also has three people who would like to be reserve officers. Nick Samac and Jessica Newberry are already trained. Thomas Achord is currently in school, and will be getting out at the end of May, 1999. They each volunteer their time for 16 hours per month. The City purchases uniforms, footwear, vests and sometimes firearms, and pays for their exams. These officers have the same responsibilities as regular police. They are carefully screened before their applications are considered.

Chief Hyatt said he would like the Council to approve Chris Wages to fill Officer Dunham's position as a full time officer. He has excellent qualifications.

The Chief also asked the Council for approval of Dale Gunwald for a part time position as an officer downtown. His position is covered in the Budget. He will work Friday, Saturday.

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**MAY 6, 1999**

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

Proclamation for National Tourism Week, May 2-8, 1999:

Mayor Satori read the Proclamation for National Tourism week, May 2nd through May 8th, 1999.

Waiving permits for the May Fire Arts Festival:

The City Clerk said that the Parks Commission does not charge a fee for people to be in the parks now. The only questionable booth was a tie die booth. The clerk cited the peccolig ordinance. No other action was taken.

Council to set permit fee for Noise Ordinance. (Kim Dicken):

The Council discussed at length the fees for Permits. Two permits will be needed. One will be for businesses who have outdoor seating and live music. The other will be for any organization who wants amplified music or an MC on a microphone for a car show or any event that would call for this. Several amounts were discussed and a straw vote was taken. Alderman Jeffrey had suggested to charge \$50,00 for an annual fee and \$25,00 for the temporary permits. The straw vote was 4/2/0, with Alderman Stoppel and Sumpter voting no. A resolution will be prepared for the next regularly scheduled Council meeting.

Mayor Satori said he appreciated everyone's concern and support during a hard time.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 11:00 pm.

ATTEST: