

CITY OF EUREKA SPRINGS COUNCIL MEETING MINUTES

October 7th, 1999

The October 7, 1999 meeting was called to order at 7:12 p.m. by Mayor Beau Satori. It was held in the courtroom of the Western District Courthouse.

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

ALSO PRESENT: Kate Allen, Michelle Harrington, Glenn Strange, Ed Leswig, Bob McVey, Lisa Liggett, Janet Minkalis, Bill Eamgey, Charles Thurman, Kirby Murray, Nikki Cherry, Earl Hyatt, Diane Murphy, Jack Van Caulil, Kathy Harrison, David White, Jeff Pratt, Brent Updegraph, Fred Widger, Iavenya Schenck, Kim Dickens, Tom Lark, and Clerk Lee. More people may have attended but they did not sign in.

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

APPROVAL OF THE AGENDA:

The agenda was amended to put items 2, 8, 10, and 11 as number one under New Business. Item one would be number two, and items 4 & 5 would be reversed in order, under New Business. The motion was made and seconded to approve the agenda as amended. All were in favor, 6/0/0.

APPROVAL OF THE MINUTES:

The clerk noted the amendments to the minutes. The motion was made and seconded to approve the minutes as amended. All were in favor, 6/0/0.

COMMISSION, COMMITTEE AND AUTHORITY REPORTS AND VACANCIES:

Pat Matsukis was nominated for Position 4, on the Planning Commission, which expires July 1, 2000. Alderman Jeffrey voiced his concerns about her nomination. It was suggested that the Council wait to vote until Ms. Matsukis could be present. The motion was made and seconded that the matter be postponed until the October 21st, 1999 Council Meeting. The vote was 5 yes, and Alderman Jeffrey voted no, 5/1/0.

Bill Brooks resigned from Position No. 2 of the Parks and Recreation Commission. That position expires May 31st, 2003. Glenn Strange is the new Chairman of the commission. Cynthia Hudson was nominated to fill Mr. Brooks' position.

DEPARTMENT HEAD COMMENTS

Fire Chief McVey reported that the Fire Department had spent time in the schools teaching grade school children about fire safety.

There will be an open house at the Fire Station on Saturday, October 9th, 1999. Anyone who has a fire extinguisher that needs to be serviced can bring it to the Fire Station at that time for the nominal fee of \$10.00.

The grant was submitted and was accepted from the Office of Rural Services, and the City is eligible. It is for a grant of \$15,000. The rest of the bill for the tanker truck will be paid by the Rural membership, the Fire Truck Association and the volunteers. They are looking for the best buy for the money. The Chief said he suspected it would cost in the \$80,000 range. He said the collection rate on ambulance charges is now 80%.

Diane Murphy reported that she has been working on the budget, and there will be detail to justify every item, line item by line item.

Most of the Department Heads information is in. The Commissions are about done. It should be ready for the November 4th, 1999 City Council meeting.

Nikki Cherry was named Young Professional of the Year by the Arkansas Recreation and Parks Association. She reported that she received a magazine called Hooked on the Outdoors. The magazine had several pictures and a small article on the Fat Tire Club, Lake Leatherwood and Eureka Springs. It was six full pages with pictures. The Commission has received permission to advertise for bids.

Kirby Murray explained that the State Health Department has a new requirement. It is called a consumer confidence report. It is designed to give the consumer confidence about the quality of their water and the City has to publish it in the newspaper. It is a good thing. The Grand Avenue re-routing is coming along. The City has secured almost all of the easements necessary. The road will cut through a portion that is out of the City Limits, and may need to be annexed.

Mr. Murray reported that his sojourn in "jail" at the Crescent Hotel raised \$816 for the Muscular Dystrophy Association. He called 18 people and almost all came through very generously to get him out of "jail".

CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens said she and Mr. Murray had been working for another grant out of Emergency Management to help with the Lake Leatherwood Dam project and they did not get the grant. They have to start over again.

The Mayor has signed the Wastewater Improvement Contract with the City engineers.

She said the last two weeks in October will be the time for three lawsuits to go to court; Rose Hall, et al, Paula Stitz, and the one with Patricia Davis and a police officer.

UNFINISHED BUSINESS:

Ordinance No. 1818, prohibiting outdoor price signs at lodging facilities, second reading:

The motion was made and seconded to place Ordinance No. 1818 on its second reading in its entirety. All were in favor, 6/0/0.

Mayor Satori read the ordinance in its entirety.

The motion was made and seconded to approve.

There was another long discussion.

Alderman Schrader had passed out a long memo.

Alderman Jeffrey took exception to it.

Alderman Freeland said that the ordinance is well worth testing in the courts if it comes to that.

Administrative Assistant Dickens said it would be worth trying for a year before rushing it to court.

Alderman Taylor said people keep calling it price fixing. Nobody is trying to tell anyone how much they can charge for their rooms.

Michelle Harrington said the ordinance is tailored to the situation in Eureka Springs.

Several people spoke to the Council for both sides of the issue.

The vote was 5/1/0, with Alderman Schrader voting no.

The motion was made and seconded to suspend the rules and place Ordinance No. 1818 on its third and final reading by title only. The vote was 2/4/0, with Aldermen Sumpter and Jeffrey voting yes, and the rest voting no.

The motion was made and seconded to recess for ten minutes. All were in favor, 6/0/0. The meeting reconvened at 9:13 p.m.

Ordinance No. 1820, changing the number of Parks commissioners from 5 to 7, second reading:

The motion was made and seconded to place Ordinance No. 1820 on its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

The Mayor said it was his idea to expand the membership. He said with the responsibilities that keep growing, as plans go forward, he felt that it would be good to have more people to work with. The vote on the second reading was 4/2/0 with Aldermen Sumpter and Jeffrey voting no.

Year 2000 Transit Department Fares, Routes and Hours of Operation:

Lisa Liggett handed out a sheet with her recommendations on it.

They were as follows:

ROUTES: Leave all routes the same as the current map; delete the Green Route.

FARES:

\$3.50 All Day Pass (6 and under free).
\$2.00 One way fare.

HOURS OF OPERATION:

March, Saturday and Sunday, 9 a.m. to 5 p.m.

April 1st to Memorial Day Weekend, 9 a.m. to 5 p.m., 7 days.

Memorial Day Weekend through Labor Day, 9 a.m. to 6 p.m. Sunday through Friday and 9 a.m. to 8 p.m. Saturday.

Tuesday after Labor Day through Oct. 31, 9 a.m. to 5 p.m. Sunday through Friday; 9 p.m. to 8 p.m. on Saturday.

Nov. 1 through December 16th, 9 a.m. to 5 p.m. Saturday and Sunday.

After some discussion the motion was made and seconded to accept Ms. Liggett's recommendations. Then the motion was made and seconded to amend Ms. Liggett's recommendations and drop the \$2.00 one-way pass and have an all day \$3.00 pass. The vote was 3/3/0, with Stoppel, Schrader, and Taylor voting yes, and Jeffrey, Freeland and Sumpter voting no. Mayor Satori voted yes, so the final vote was 4/3/0.

The motion was made and seconded to cut the purple route in half (which is that it would travel from the trolley depot west and back). The vote was 5/1/0, with Alderman Stoppel voting no.

The vote on the whole package as amended was 5/1/0, with Alderman Stoppel voting no.

NEW BUSINESS:

Permission to close Center Street and a portion of First Street for Folk Festival, and fly a small banner:

Permission for a banner for Fire Department. Robert McVey:

Permission for Holiday Parade. Saturday, November 13, 1999:

Permission for banner for Mad Woman of Chailot. 10-8 through 10/26:

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

Discussion regarding Chamber "Destination Shopping" Promotion. (Jack Moyer):

Mr. Moyer explained the concept to the Council. He asked for three things:

He asked that the parking meters on Spring Street be bagged starting November 13th and continuing until December 24th. They propose to use festive Christmas bags.

He said that the Chamber of Commerce and the C.A.P.C. are each putting in approximately \$9700 to create signage that will be clear and concise to direct people during the construction on 23 North downtown, which is scheduled to begin on November 15, 1999. He is asking the City to contribute \$2000 toward this signage.

The third thing was he asked for a shuttle to go from the Visitor's Center to Pine Mountain Village to Gaskin's Switch and then downtown, to run on Thursdays from 10 a.m. to 2 p.m. He said that an independent contractor would be cheaper to run than the trolleys. It would charge \$25.00 hourly and there would be 24 hours, or six Thursdays to run. It would cost about \$600.

The Council said that the trolleys will run on Saturday and Sunday from November 1st through December 16th.

The motion was made and seconded to approve the three items as presented, to get into discussion. After some discussion Alderman Stoppel made the motion, and it was seconded, to amend the motion and change the dates for bagging the meters to November 29th through December 24th, 1999. Then Alderwoman Taylor made the motion to amend to include not using the trolleys on the specified Thursdays.

There was more discussion about how many actual hours a shuttle would run, and that it would be much cheaper to use an independent contractor at \$25 per hour, four hours a day for six days than it would be to run a vehicle from the Transit Department.

Alderwoman Taylor rescinded her motion.

Alderman Stoppel made the motion to amend the motion about bagging the meters to include \$600 for the cost of an independent contractor to provide shuttle service and it was seconded.

The vote on the amendment was 6/0/0. The vote on the main motion was 6/0/0.

Discussion of the continuation of the Courtesy Shuttle, Ed Leswig:

Mr. Leswig asked the Council two questions:

Did they want to continue the Courtesy Shuttle through the holiday season, or discontinue it for this year at the appointed time, October 31st, 1999.

Is the Council interested for next year?

The Council decided to stick to the original plan and discontinue the shuttle. The motion was made and it was decided that no motion was needed so it was withdrawn. The motion was made that the City should provide the shuttle for the year 2000. That motion was also withdrawn. The Council did agree, however, that the shuttle was very successful and it should be used again next year.

Request for authorization for a quit claim deed at #2 Singleton, Kathy Harrison:

The request was to have authorization for the Mayor and the City Clerk-Treasurer to sign a quit claim deed to a very small piece of property of the City's that has a corner of the porch built on it. This is to avoid having to go to court to prove adverse possession. The porch has been on this piece of property since long before 1927, so it definitely belongs with the existing property. The Parks Commission was also in favor. The motion was made and seconded to allow the Mayor and Clerk to sign the deed with the understanding that the City Attorney would agree. All were in favor, 6/0/0.

Property Insurance Bids via competitive bidding, (Ernst Schrader):

The motion was made and seconded to postpone until the October 21st, 1999 City Council Meeting. All were in favor, 6/0/0.

Ordinance No. 1821, an ordinance to regulate the preservation of trees, (First Reading):

The motion was made and seconded to postpone until the October 21st, 1999 City Council Meeting. All were in favor, 6/0/0.

Discussion regarding bid for installation of sidewalk in front of Courthouse, (Kirby Murray):

Mr. Murray reported that there was only one bid. It was from Bruce Wright. Mr. Wright submitted two bids to do the work in the bid package.

The first bid included removal of all the existing concrete, and hauling it away. It was \$34,425. The alternative bid was to have Public Works remove the material and haul it, and then they would do the work. That bid was \$25,225. The sidewalk will be replaced with limestone with a minimum thickness of 3 inches, and concrete for the three driveways.

The motion was made and seconded to accept the alternative bid of \$25,225. All were in favor, 6/0/0.

Setting a date for Halloween Trick or Treat:

The question came up as to what night to trick or treat since Halloween falls on a Sunday, this year.

The decision was that it falls on Sunday, and that is the logical time to do it.

COUNCIL COMMENTS:

Alderman Jeffrey suggested that the next agenda reflect the offer of the Passion Play to collect CAPC tax starting in the year 2000. He was assured that it would be.

MAYOR'S COMMENTS:

Mayor Satori attended a meeting of Flood Plain Management. While there he collected names and addresses to contact for information. They discussed the dam and also the flooding that sometimes occurs that runs under City buildings.

The deadline for T21 Grants is October 29th, 1999. Marty Dozier is writing a grant to apply for a half a million dollars to be used for burying utility lines.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 12:05 a.m.

APPROVED:

Beau Zar Satori, Mayor

ATTEST:

Mary Ann Lee, City Clerk-Treasurer