

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING MINUTES****April 20, 2000**

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Mayor Beau Satori called the April 20, 2000 meeting to order at 7:00 p.m.. It was held in the courtroom of the Western District Courthouse.

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

ALSO PRESENT: Bruce Crabtree, Jack Tuttle, Kirby Murray, Ed Leswig, David White, Earl Hyatt, Diane Murphy, Jack Dozier, Bill and Levenya Schenk, Jack Moyer, Kate Allen, Joe Zickmund, Kim Dickens, Sherry Wilson, Don Matt and Clerk Lee.

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

**APPROVAL OF THE AGENDA:**

Ms. Dickens asked the City Council to move the Earth Day Proclamation forward. The motion was made and seconded to move it to just above Department Head Comments. All were in favor, 6/0/0.

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

**APPROVAL OF THE MINUTES:**

The motion was made and seconded to approve the March 16<sup>th</sup>, 2000 minutes.

The amendments were noted. Alderman Schrader said he would get with the Clerk to redo what he objected to. The motion was made and seconded to postpone the minutes until May 4<sup>th</sup>. All were in favor, 6/0/0.

The motion was made and seconded to approve the minutes from April 6<sup>th</sup>, 2000. The amendments were noted. The motion was made and seconded to approve as amended. All were in favor, 6/0/0.

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

The Mayor had nominated Ken Fugate for Position 3 on the Cemetery Commission which expires February 15<sup>th</sup>, 2001. The motion was made and seconded to approve. All were in favor, 6/0/0.

At this time the Mayor read the Proclamation for Earth Day, April 29<sup>th</sup>, 2000. He then had a picture taken.

**DEPARTMENT HEAD COMMENTS:**

Chief Hyatt presented the name of Jerry Reddick to be appointed as a reserve police officer. He has completed his psychological training and his examinations. He is presently working as a jailer and dispatcher for the Carroll County Sheriff's Office. The reserve officer's pool is where the department looks for permanent officers. The motion was made and seconded to approve. All were in favor, 6/0/0.

Chief Hyatt brought up the Blues Festival. It is coming up fast. There is a question as to the funding that was to be paid by the CAPC to help fund more security people on the streets. He said the department only had eleven full time police officers, and he can only muster about eight. He said he was alerting the Council to the problem.

Mayor Satori said he would see to it that the subject of funding for security for the Blues Festival be put on the next CAPC Agenda.

Chief Hyatt was asked about the officer who was working traffic surveillance. He reported that there really wasn't enough time to have good statistics, but that it appeared to be working well. He said the number of calls complaining about speeders has been reduced considerably.

Diane Murphy, Director of Finance, said that because of a \$30,000 proposal submitted by the Boys and Girls Club, the Council budgeted \$10,000 to be used for youth services. The Boys and Girls Club has made a specific request for those funds in the amount of \$9,999. Ms. Murphy wanted the Council to approve the distribution of the funds and be sure that it was still the intent of the Council to do so.

Alderman Jeffrey said the Boys and Girls Club has a program in place and they are qualified to provide for the youth of the community for the summer. He made the motion to go ahead and appropriate the funds. There was no second at that time.

In the discussion that followed, the Council members were concerned about having a schedule of the events, services and times for the program the Boys and Girls Club had planned for the summer.

The motion was made and seconded to approve the \$9,999 request. The vote was 5/1/0, with Alderman Stoppel voting no.

Alderman Jeffrey amended the motion to give the Boys and Girls Club the first half of the money and request that they submit a schedule of events and services and times before they get the second half. Alderman Sumpter seconded it.

Alderman Schrader asked about drawing up a simple contract. Ms. Dickens explained that anytime the City pays out something like this, an invoice is submitted and is kept with a copy of the Bookkeeper's check.

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

Kirby Murray, Director of Public Works, gave a report on Grand Avenue. He said all of the excavation and dynamiting is finished. A water main had to be relocated. The next step is to start building up the roadbed and after that is completed, the City will advertise for bids and it will be paved.

He said that the stamped concrete driveways are not the same color as the rest of the sidewalk.

That was done on purpose. The sidewalk will turn a very dark gray after a period of time. The concrete has to cure for 10 days—The City is doing it in seven days.

Then it has to have a sealer on it. If it is done on a warm day, you can drive on it the next day.

Mr. Murray said the City has 4 water tanks on the system. They had a company come in. He said what used to be a lengthy process to clean and maintain now takes 20 minutes each. He said they gave him a written report and a videotape of the inspections. It is done every three years.

Last year Public Works received a grant to buy a "Tree Keeper" program. It is for maintaining records of all of the city "street trees". James Clark will keep track of all the tree trimming, planting and removal for the year plus the costs. This goes into our Tree City report every year for our Tree City designation. Once this program is loaded into the computer, it will contain information on every tree next to the street that is City property or right of way. The trees will be inspected and maintained annually and good records kept.

Alderman Schrader suggested that a written report on this program be given to the Planning Commission. Mr. Murray agreed.

The Mayor suggested that the top of the water towers be painted blue to make filming easier. Mr. Murray responded that the recommended paint is high gloss white to keep the water from getting too warm.

#### CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens invited the community to attend the Classic Music Festival. Friday night, April 28<sup>th</sup>, will be the wine tasting and cheese before the entertainment, and Saturday, April 29<sup>th</sup>, will be the concert at the Auditorium. Tickets for Friday will be \$15 and for Saturday, \$18.

Alderman Freeland added that it is really a special group and will be a great experience.

**UNFINISHED BUSINESS:****Discussion regarding Ordinance 1835, adopting new code for the City of Eureka Springs:**

The motion was made and seconded to place Ordinance No. 1835 on its third and final reading by title only. All were in favor, 6/C/O.

Ms. Dickens read the ordinance by title only.

Alderman Schrader made the motion to pull the planning commission portion of the code and set aside until later. There was no second.

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

**Discussion regarding Ordinance No. 1836, regarding Basin Park Parking (third reading):**

The motion was made and seconded to place Ordinance No. 1836 on its third and final reading by title only. All were in favor, 6/C/O.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. The discussion centered on what could be done to help the Basin Park with their loading and unloading problem, which is a major problem for them, and reorganizing loading zones with the idea of making them more efficient and enforceable.

Alderman Freeland made the motion to postpone and Alderman Sumpter seconded. It was suggested that a special meeting be set up to deal with the problem. The Mayor asked the Council to please pass the ordinance now so that it will be in effect for Blues Festival. In the meantime he assured Mr. Moyer that the City would be working on a solution.

Alderman Freeland called the question on postponement. Alderpersons Sumpter, Freeland and Taylor voted yes. Alderpersons Stoppel, Jeffrey and Sumpter voted no.

The vote to pass Ordinance No. 1836 on its third reading was 5/1/0, with Alderman Sumpter voting no.

Ms. Dickens said if nothing else, a committee could meet and go over the ordinance that Chief Hyatt had presented about loading zones that was brought before the Council about six months ago, and get something done that could be enforced.

The motion was made and seconded to have a special City Council meeting on April 27<sup>th</sup>. There was no second. Everyone was really busy that week.

The motion was made and seconded to instruct the City Attorney to prepare an ordinance addressing the loading zones by the May 4<sup>th</sup>, 2000 City Council Meeting. All were in favor, 6/0/0.

**Discussion regarding Courtesy Shuttle:**

The motion was made and seconded to postpone the discussion to the May 4<sup>th</sup> meeting. All were in favor, 6/0/0.

The motion was made and seconded to take a break, and all were in favor, 6/0/0.

The meeting recessed at 9 p.m. and reconvened at 9:12 p.m.

**NEW BUSINESS:****Discussion regarding Ordinance No. 1837, election by ward. (First Reading):**

The motion was made and seconded to place Ordinance No. 1837 on its first reading. The vote was 2/4/0, with Alderpersons Freeland and Schrader voting yes, and Stoppel, Taylor, Jeffrey and Sumpter voting no.

**Discussion regarding Ordinance No. 1838, repair of Lake Leatherwood Dam. (First reading):**

The motion was made and seconded to place Ordinance No. 1838 on its first reading in its entirety. All were in favor, 6/C/O.

Ms. Dickens read the ordinance in its entirety.

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

Mayor Satori said there is a bill in congress to address this issue, although it remains to be seen if it will help. Let your congressmen know how you feel.

**Discussion regarding Resolution No. 474, calling for special election on Police Facility:**

The motion was made and seconded to read Resolution No. 474, calling for a special election on the Police Facility. All were in favor, 5/1/0. Alderman Sumpter voted no.

Ms. Dickens read Resolution No. 474.

The motion was made and seconded to approve. There was discussion as to whether the petition title was proper because the Ordinance number was not mentioned. The vote was 4/2/0, with Alderpersons Stoppel and Sumpter voting no.

**Review Animal Licensing procedures. (Bryan Sumpter):**

Alderman Sumpter said he felt that the licensing for animals that haven't been spayed or neutered should be much more expensive than is in the City ordinances. He felt that the city was not strong enough in encouraging people to have their pets spayed and neutered. He also felt that the licensing procedure is awkward.

The fee that is paid when your animal has been picked up is \$65.

Alderman Freeland said it is a big issue. He believes that to begin by raising our fees is a beginning. Six or seven area veterinarians have had a meeting and are talking about forming a County association.

The City needs more revenue to support animal control. There is no technology involved in the way it is done now.

Aldermen Sumpter and Chief Hyatt will get together and decide what the legislative issues, procedural issues, and management software needs are.

**Set date for the transportation meeting (Bill Freeland):**

The date was set for May 16<sup>th</sup>, 2000, at 2 p.m. Ms. Dickens will contact everyone.

**Discussion of utilization of Benton Street for Parking. (Ed Leswig):**

This idea was voted on and presented a year ago from the Planning Commission.

Mr. Leswig said the idea is to make Benton Street one way going uphill from the bad weather gate to the other gate. He believes that this would be the time to try this, since Benton Street has been one way going uphill since last November. This would take care of the chronic problem of speeders down this hill. It would provide 56 free parking spaces along the left side of the street and they would be within easy walking distance of the downtown. He said there would not be much cost, just signage and paint.

The motion was made and seconded to draft an ordinance or the necessary instrument to implement this idea. All were in favor, 6/0/0.

The motion was made and seconded to leave Benton Street one way, at least for the time being. The vote was 5/1/0, with Alderman Stoppel voting no.

**COUNCIL COMMENTS:**

Both Alderman Freeland and Alderman Schrader voiced their disappointment to the other members of the Council that they didn't vote to put Ordinance No. 1837 on the ballot. All of the other members of the Council said they had received many phone calls asking them not to vote for the ordinance.

**MAYOR'S COMMENTS:**

There were no comments.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was 10:30 p.m.

APPROVED:

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Beau Zar Satori, Mayor

ATTEST:

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Mary Ann Lee, City Clerk-Treasurer