

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES
AUGUST 3, 2000**

The August 3, 2000 meeting was called to order at 7:00 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, Freeland and Sumpter. Alderwoman Taylor was absent.

ALSO PRESENT: Kirby Murray, Ed Leswig, Debbie Frisbie, Janet Minkalis, Kelly Simon, Barbara Dicks, Ned Shank, Kathy Harrison, Bob Jeffreys, David Anderson, Ron Morrison, David White, Mary Jean Sell, Don Matt, Kim Dickens, Sherry Wilson, and Clerk Lee.

PLEDGE OF ALLEGIANCE: Mayor Satori led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Ms. Dickens said "the Woods" was not ready to be discussed, so it was taken off the agenda. Items one and two under new business were postponed until the August 17th meeting, because the council wanted to wait until after the workshops on the tree ordinance and the parking/loading zones. Also the discussion about the amendment to the Carroll County Solid Waste contract regarding rates was postponed until the August 17th meeting. The motion was made and seconded to approve the agenda as amended. All were in favor, 5/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of the July 20th, 2000 City Council meeting. The amendments were noted. The vote to approve was 5/0/0.

COMMISSION, COMMITTEE AND AUTHORITY REPORTS AND VACANCIES:

There were no recommendations.

DEPARTMENT HEAD COMMENTS:

There were no comments.

Alderman Jeffrey suggested to the Mayor that he might fill the empty positions on the Parking Authority and the Council might consider restructuring the commission to consider on-street parking as well as off-street parking. A re-structured authority might be able to solve some of the ongoing parking and loading problems.

CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens advised the Council that she will be gone part of Tuesday, all of Wednesday and all of Thursday.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1841, Animals, Animal Licensing, Fines, and Fees, (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1841 on its third and final reading by title only. The vote was 3/2/0, with Aldermen Freeland and Stoppel voting no. Mayor Satori voted yes, which brought the numbers to 4/2/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

There was a long discussion. One of the main concerns was the cost of fines and fees. The council did not want to make the cost prohibitive for people to own pets. Ms. Wilson explained that the ordinance that is in effect now has larger fines than the new ordinance. Also, she explained that the way the old ordinance is written, it is hard to prosecute. This ordinance is similar to an ordinance that she had prosecuted in the area where she lived before. There was much discussion and disagreement at the council table. The motion was made and seconded to postpone the vote until the August 17th, 2000, council meeting. The vote was 4/1/0, with Alderman Sumpter voting no.

Ms. Wilson encouraged people to call her office and talk to her about their concerns before the next meeting.

NEW BUSINESS:

Discussion regarding Ordinance No. 1846, amending the 2000 adopted budget. (First reading):

The motion was made and seconded to place Ordinance No. 1846 on its first reading in its entirety. All were in favor, 5/0/0.

Ms. Dickens read the ordinance in its entirety.

The motion was made and seconded to approve.

Alderman Stoppel had to abstain because of a conflict of interest. The vote was 4/0/1.

The motion was made and seconded to suspend the rules and place Ordinance No. 1846 on its second reading by title only. The roll call vote was 5/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

Alderman Stoppel had to abstain because of a conflict of interest. The vote was 4/0/1.

The motion was made and seconded to further suspend the rules and place Ordinance No. 1846 on its third and final reading by title only. The roll call vote was 5/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

Alderman Stoppel had to abstain because of a conflict of interest. The vote was 4/0/1.

The motion was made and seconded to read the emergency clause. All were in favor, 5/0/0.

Ms. Dickens read the emergency clause.

The motion was made and seconded to approve. All were in favor, 5/0/0.

Discussion regarding Ordinance No. 1847, an ordinance amending Section 2.40.10, Fire Department. (First reading):

The motion was made and seconded to place Ordinance No. 1847 on its first reading in its entirety. The vote was 5/0/0.

Ms. Dickens read the ordinance in its entirety.

The motion was made and seconded to approve.

Alderman Stoppel explained that the changes are to update the ordinance to reflect the prices Medicare allows. The vote on the first reading was 5/0/0.

Discussion regarding proposed diversion of semi trucks down Grand Avenue:

Ned Shank from Dairy Hollow, and Ron Morrison from Tall Pines came to speak against the State Highway Department's plan to divert large vehicles from Highway 23 North through Grand Avenue to Highway 62 West. The Highway Department has plans to do this for the next three years, while the sewer lines are being replaced and then the cement highway will be replaced. The width of the avenue will not handle large vehicles.

The motion was made and seconded that signage be put up to keep large vehicles from using Grand Avenue and that the City will contact the State Highway Department to be sure they have a

plan that does not depend on Grand Avenue for re-routing. All were in favor, 5/0/0.

Discussion regarding installing speed humps on Mountain Street:

Ms. Dickens said that the Council had received in their packets several letters and a petition presented by Debbie Frisbie, who represents the people on Mountain St. Police Chief Hyatt, and Public Works Director Murray have reviewed this problem. Almost everyone on the street has signed the petition. Ms. Frisbie said the problem just keeps getting worse. She said she brought a list of 78 license plate numbers of speeders going well over the 15 mph speed limit. Those were the ones you could read. Some people are going so fast, you cannot get their licenses. Ms. Frisbie said when she bought the house, in 1995, there were no tickets being given out on Eureka St., Mountain St. or Rogers Alley. They were told that since there were no speed limit signs on those streets, the judge would throw the tickets out. They worked and got the signs put up. The speeders go right through the stop sign. For the most part, the people who are doing the speeding are people who live here.

Mayor Satori said that a bill will be going before the State Legislature to legalize photo-radar systems for state wide use. That will be voted on in session in January. Arkansas Municipal League and Mayors' groups support this bill.

Ms. Dickens said that Chief Hyatt and Mr. Murray both had input into the policy that was put into the Council's packet for this meeting. Neither were adverse to the policy. It was agreed, however that something should be done now, and the policy can be discussed at a later time.

Ms. Dickens said that Mountain Street fits the criteria and there should be no problem putting speed humps on the street. The people asked for humps from between Spring Street and White Street. They will be a different kind than were installed on Flint Street.

The motion was made and seconded to grant the request for speed humps on Mountain Street. The vote was 3/2/0, with Aldermen Stoppel and Sumpter voting no. Mayor Satori voted yes, so that brought the vote to 4/2/0.

Permission for banner, "Antique Auto Festival", September 6-10, 2000:

The motion was made and seconded to approve the festival banner. All were in favor, 5/0/0.

Permission for banners (12), "Annual Carroll County Cruisers", August 5-6, 2000:

The motion was made and seconded to approve. All were in favor, 5/0/0.

Discussion regarding the trail of lights:

The Holiday Promotion Committee asked that the City's Christmas Lights be put up by November 11th, 2000.

The motion was made and seconded to approve the lights for November the 11th, 2000. The Mayor was opposed to the lights going on before November 20th. Several members were opposed to them going up that early.

The motion was made and seconded to amend the date to November 13th. The vote was 4/1/0, with Alderman Stoppel voting no.

The motion was made and seconded to amend the date to November 18th. The vote was 4/1/0, with Alderman Sumpter voting no.

The vote to have the City lights turned on by November 18th, 2000 was 4/1/0, with Alderman Sumpter voting no.

COUNCIL COMMENTS:

There were none.

MAYOR'S COMMENTS:

There were none.

The motion was made and seconded to adjourn. All were in favor, 5/0/0. The meeting was adjourned at 9:05 p.m.

APPROVED:

Beau Zar Satori, Mayor

ATTEST:

Mary Ann Lee, City Clerk-Treasurer