

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
THURSDAY, June 1, 2000
AGENDA**

CALL TO ORDER*ROLL CALL*, ESTABLISHMENT OF QUORUM

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF THE AGENDA:

APPROVAL OF THE MINUTES: May 18, 2000

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES: Plan

Commission- Position 7- Expires Jan 1, 2000

CAPC- Position 4- June 30, 2000

Planning Commission- Position 4- July 1, 2000

DEPARTMENT HEAD COMMENTS:**CITY ADMINISTRATOR'S REPORT:****UNFINISHED BUSINESS:**

1. Discussion regarding Ordinance 1840, Flood Loss Prevention. (Second Reading)
2. Discussion regarding sewer line repairs under public streets. (Jack Byrne)
3. Discussion regarding Ordinance 1841, Animals, Animal Licensing, Fines and Fees. (First Reading)
4. Set up meeting/workshop for a comprehensive parking and traffic plan.
5. Discussion regarding a standard intake or input form for citizens requests. (Ernst Schrader)
6. Discussion regarding review of the cost of defense by the Harrington Law Firm in the Ordinance 1818, price sign suit. (Ernst Schrader)

NEW BUSINESS:

1. Discussion regarding CCSW to assume recycling collections. (Roger Miner)
2. Discussion regarding citizens petition to remove a Planning Commissioner.
3. Discussion regarding banners for Street Rod Car Show, June 9-11, 2000.

CITY COUNCIL COMMENTS:**MAYOR'S COMMENTS:****ADJOURNMENT**

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES
June 1, 2000**

The June 1, 2000 meeting was called to order at 7:08 p.m. Mayor Beau Sauer presided over the meeting.

which was held in the Courtroom of the Western District Courthouse.

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

Alderson Freeland.

ALSO PRESENT: Kirby Murray, Lisa Liggett, Mike Mathis, Jack Byine, Roger Miner, Joe Zickmund, Ed Leswig, Jon Lucdermilk, City Administrative Assistant Kim Dickens, City Attorney Sherry Wilson, Deputy City Clerk Laura Jo Smole and about twenty members of the public.

PLEDGE OF ALLEGIANCE

Mayor Satori led the Pledge of Allegiance.

APPROVAL OF AGENDA

There was a request to reorder the agenda by considering items one and two of new business after item two of old business. Alderson Sumpter moved to approve the agenda as amended. Alderson Taylor seconded. The agenda was approved by voice vote, 5-0-0.

APPROVAL OF THE MINUTES

The minutes of the Mar 18, 2000 meeting were amended. Alderson Schrader moved to accept the minutes of the May 18th meeting as amended. Alderson Stoppel seconded. There was no discussion. The minutes were accepted by voice vote, 4-0-1 (Alderson Jeffrey abstained).

CITY OF EUREKA SPRINGS COUNCIL MEETING MINUTES

June 1, 2000

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES

The mayor announced his nomination of Britt Evans for position four of the City Advertising and Promotion Commission.

DEPARTMENT HEAD COMMENTS

Lisa Liggett - Transit - Ms. Liggett distributed two reports: An April 2000 financial statement and a comparison of April and May ridership for the years 1999 and 2000. Ms. Liggett noted the significant increase in ridership, attributing the trend to the all-day pass available this year.

CITY ADMINISTRATIVE ASSISTANT COMMENTS Kim

Dickens - none.

UNFINISHED BUSINESS

Ordinance 1840 (Flood Loss Prevention, Second Reading). Alderson Stoppel moved to suspend the rules and read Ordinance 1840 by title only. Alderson Taylor seconded. There was no discussion. The motion was approved by roll call vote 5-0-0.

Ms. Dickens read Ordinance 1840 by title. Alderson Stoppel moved to approve the Ordinance. Alderson Taylor seconded. Alderson Schrader opened the discussion by stating that he would vote no and expressed his reasons for doing so. Ms. Dickens stated that the engineer, Mr. Mike Mathis, was present to address issues. Mr. Mathis stepped to the microphone. He reviewed the contents of the ordinance and the Federal definitions and standards upon which the proposed changes were based. He further stated that the Ordinance gives the City no additional authority. After further discussion, there was a voice vote. The Ordinance passed on its second reading 4-1-0 (Alderson

Schrader voted no).

Discussion regarding sewer line repairs under public streets. Ms. Dickens opened the discussion with a review of current sewer line repair policy. Jack Byrne and Richard Turner approached the microphone and stated their request that City Council may make an exception to policy and either extend the sewer main to their property line or absorb the cost of repair to their sewer line for the portion that exists under the street (79 feet). Mr. Byrne brought a site plan of the line, which he gave to the Council. Mr. Murray distributed copies of current city policy to the Alderpersons. He further stated that

it has been policy for many years that the property owner is responsible for the sewer line from the house to its connection to the main.

He then address questions from the Council and Messers. Byrne and Turner about the repair to the line and the types of materials that may be used. The discussion continued for some time.

Alderson Jeffrey moved to extend the sewer main 79 feet. Alderson Schrader seconded. During the following discussion, the Aldersons, petitioners, and Mr. Murray discussed the potential costs should this policy change be extended to all potential petitioners. Sewer taps were also discussed. It was also proposed that a survey be done of sewer lines still needing repair and that an estimate be developed of the cost.

After additional discussion Alderman Jeffrey moved to postpone his earlier motion until the next meeting. Alderman Schrader seconded. After discussion Alderman Jeffrey withdrew both of his motions on the floor.

Alderman Jeffrey moved that on June 15th, the Council consider the City absorbing the costs of tearing up the street and replacement of the line for the 79 feet. Alderman Schrader seconded. During discussion, it was repeated that a study was needed. It was recommended that the property owners proceed as if they were responsible for the entire cost.

NEW BUSINESS

Discussion regarding Carroll County Solid Waste to assume recycling collections Roger Miner was present to represent CCSW.

Alderson Stoppel moved to hear Mr. Miner and consider the proposed contract amendment. Alderson Sumpter seconded. The council and Mr. Miner discussed the disposition of assets and equipment. Mr. Miner explained that this amendment would provide for an expansion of recycling services. Alderson Stoppel moved to approve the contract after review by Ms. Wilson. Alderson Taylor seconded. By voice vote the motion was approved 5-0-0. By voice vote the original motion was approved 5-0-0.

At this time the Council took a short break.

After reconvening the Council continued with the agenda.

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CITY OF EUREKASPRINGS COUNCIL MEETING MINUTES June 1, 2000

Citizens petition to remove a Planning Commissioner. Joe Zickmund approached the Council and presented them with the original and copies of a petition for the removal of Commissioner Carolyn Green from the Planning Commission. The petitions were signed by 415 persons, 380 of which are residents of Eureka Springs or who work in the city. Mr. Zickmund read the petition and explained the events that caused this action. The Council and Mr. Zickmund then discussed the issue and the requested action. Alderson Jeffrey requested that this item be continued on the next agenda with the possibility that there may be a motion to dismiss. Mr. Zickmund thanked the Council for their time.

UNFINISHED BUSINESS

Ordinance 1841 (First Reading). Alderson Sumpter requested that the item be postponed to the June 15th

meeting. He announced a meeting on Wednesday, June 8th at 1:30 p.m. at the Courthouse with the Chief of Police, the Animal Control Officer, himself, and any concerned citizens to discuss possible revisions to the ordinance.

Comprehensive Parking and Traffic Plan. Ms. Dickens brought to the Council's attention that there are a large number of studies on parking and traffic. She showed them a portion of the number are asked if in lieu of copying all of them, the Alderpersons could come in at their convenience to review them and select excerpts that could then be copied.

The discussion of loading zones will be placed on the June 15th agenda. Ms. Dickens reminded the Alderpersons that the Chief of Police is waiting to hear from them.

Next there was a brief discussion of citizen responses to the new red zone in front of Basin Spring Park.

Standard Input Form. Alderperson Schrader reviewed the form. Ms. Dickens presented a memo with her response and questions concerning the form. Alderperson Schrader requested that the topic be postponed until June 15th in view of the late hour and he would distribute his printed response.

NEW BUSINESS

Request for Approval of Special Event Banners. Permission has been requested from the Council for the temporary hanging of banner for the Street Rod Festival and the Native American PowWow. There was a discussion of the banners. It was noted that groups may not hang banners prior to receiving permission from the Council. Alderperson Sumpter moved to approve the banner requests. Alderperson Taylor seconded. A voice vote of 3-2-0 (Alderpersons Taylor and Schrader voted no) required the vote of the Mayor, who voted yes for a final vote of 4-2-0.

CITY COUNCIL COMMENTS

Alderperson Sumpter stated that he would like to schedule a joint Council and Historic District Commission meeting to discuss shrinking the Historic District. A brief discussion revealed that the size of the district could not be altered by the Council, however they may be able to reduce the area of the Commission's active supervision.

EXECUTIVE SESSION

Alderperson Stoppel moved to open an Executive Session concerning a personnel item. Alderperson Schrader seconded. The room was cleared and the session was held.

At the conclusion of the session the Council meeting was reconvened. The Mayor stated that no action was taken at this time.

CITY COUNCIL COMMENTS (continued)

Alderperson Jeffrey brought to the Council's attention that South Armstrong was designated by current Municipal Code at a one-way street uphill. He stated that the traffic direction had not been restored

since the completion of highway repairs to Hwy 23. The traffic direction will be corrected the next day by Public Works.

Alderperson Stoppel reminded the citizens to vote on the Special Ballot issued on Tuesday, June 6th.

Alderperson Schrader reminded the eligible citizens to vote on Tuesday, June 13th for the Republican run-off.

COUNCIL MEETING MINUTES

June 1, 2000

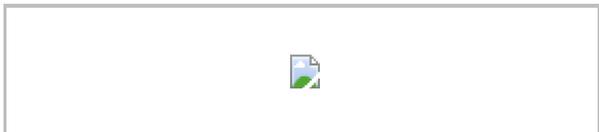
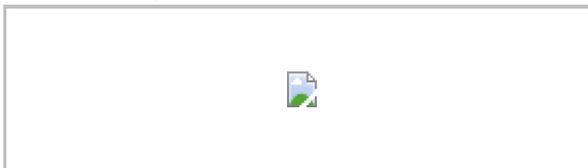
MAYOR'S COMMENTS

The Mayor reported on the current status of City Advertising and Promotion Commission Gross Receipts tax collections regarding the Passion Play. The Department of Finance did not commit to an opinion, and he is now seeking an opinion from the Attorney General office. Ms. Wilson stated that at this time there is no problem collecting the tax until a court of law determines the tax is illegal.

ADJOURNMENT

Aldersperson Stoppel moved to adjourn. Aldersperson Sumpter seconded. By voice vote the meeting was adjourned at 11:15 p.m.

APPROVE:



ATTEST:

Minutes prepared by LauraJo Smole, Deputy City Clerk.