

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES
May 18, 2000**

Mayor Beau Satori called the May 18, 2000 meeting to order at 7:05 p.m. It was held in the courtroom of the Western District Courthouse.

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

ALSO PRESENT: Alan Epley, Robert McVey, Rhys Williams, David Anderson, Tod Saufferer, Johnny Quinn, Joe Zickmund, Bruce Crabtree, Jon Loudermilk, Jack van Cautil, David White, Kelly Simon, Sherry Wilson, Kim Dickens, David Reuter and Clerk Lee.

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

APPROVAL OF THE AGENDA: The Council discussed postponing Item No. 1 under Unfinished Business and Item No. 4 under New Business until June 1st, 2000. The motion was made and seconded to approve the agenda as amended. The vote was 5/0/0.

APPROVAL OF THE MINUTES:

The motion was made and seconded to approve the minutes of the May 4th, 2000, City Council Meeting. There were no amendments. All were in favor, 5/0/0.

COMMISSION, COMMITTEE AND AUTHORITY REPORTS AND VACANCIES:

DEPARTMENT HEAD COMMENTS:

Parks Commission, Position 4, expires May 31, 2000: Bill Earngey said he would serve another term. The motion was made and seconded to approve Mr. Earngey. All were in favor, 5/0/0.

DEPARTMENT HEAD COMMENTS:

Fire Chief Robert McVey gave a short presentation to honor two of his employees who have gone through the Fire Academy and are now certified Fire Fighters. He presented badges to Rhys Williams and David Stoppel. Judge Alan Epley swore them in. Chief McVey then passed out a "hand-out" to be considered for the mid-year budget review.

Kirby Murray, Director of Public Works, announced that the Davie Resource Group will be cataloging the trees on City-owned property in the City. They will be setting up the database on the Tree Keeper program that was bought with grant money last year for Public Works. They will catalog by name, size, approximate age, and condition and location. There are two people working on this project, and they have a letter from Mr. Murray to identify themselves.

CITY ADMINISTRATOR'S REPORT:

Ms. Dickens reminded the Community of the Kid's Carnival to be held from 9:30a.m. to 5 p.m. on May 20th, 2000, in Harmon Park.

She said that McBride Distributing was asking for 13 Banners to be approved by the Council from June 1st through June 4th, which would be hung on the businesses and would say (Business Name) welcomes you to the Eureka Springs Blues Festival. After some discussion, the vote was 3/2/0, with Alderpersons Schrader and Taylor voting no. Mayor Satori voted yes so the final vote passed, 4/2/0.

Sally Thackery sent a proposal to have an Art-Mobile park next to the Auditorium for five days. The Art-Mobile is housed in the trailer of a tractor-trailer rig. It houses art from around the state. The motion was made and seconded to approve it. The vote was 5/0/0.

UNFINISHED BUSINESS:

Discussion of the Courtesy Shuttle:

The CAPC has allotted \$10,000 for the courtesy shuttle. Also, the downtown merchants are raising money for it. There was a discussion ranging from where it should go, to Alderman Schrader's strong suggestion that a contract should be drawn up and it should be very specific and clearly written as to when it should run and where.

The motion was made and seconded to having a meeting and discuss the Courtesy Shuttle only, on May 25th, 2000, at 2 p.m. All were in favor, 5/0/0.

Discussion of the waste water rate increase. (Johnny Quinn):

Mr. Quinn gave a short presentation on this subject. The bottom line was that it looks like Eureka Springs will not need a wastewater increase at this time. We are generating adequate funds for what is needed to get us started paying back our debt service for the changes to the treatment plant a year after it is up and running. In another year, the Council should look at the figures again. A change might be necessary then. He reminded the Council that in 2003, the City would retire the 1988 bond issue, at \$68,000 annually, which will free up some money.

Discussion regarding water rate increase. (Kim Dickens):

Ms. Dickens reminded the Council that the City has not had a rate increase for about ten years. Alderman Stoppel said that hydrant work and water main work money comes from the Water Department. There are seventeen hydrants that need work to help bring the City's ISO rating down. That benefits everyone because the cost of homeowner's insurance comes down when the ISO Commercial Risk Services, Inc. rating comes down. After some discussion, the motion was made and seconded to have an ordinance drawn up to increase the rates in very small increments each year and have it ready for the June 1st, 2000, City Council meeting. All were in favor, 5/0/0.

NEW BUSINESS:

Set up meeting/workshop for a comprehensive parking and traffic plan:

Mr. Freeland said he had done a lot of research on the internet and several nearby cities had hired a Traffic Engineering Consultant to study traffic patterns and study where parking is most needed. After a long discussion, the Council decided to gather information from the studies that have already been done, and later give it to the Planning Commission. A workshop on this subject will be set at the June 1st meeting.

Discussion regarding Ordinance No. 1840, Flood Loss Prevention, (Kim Dickens):

It has been found that our ordinance is not in line with the Flood Emergency Management Administration's regulations. Ms. Dickens said that all this ordinance does is to bring us into compliance with their regulations. Mrs. Wilson said the City is required to comply with their standards. The motion was made and seconded to place Ordinance No. 1840 on its first reading in its entirety. All were in favor, 5/0/0.

Mayor Satori read the ordinance in its entirety.

The motion was made and seconded to approve. After more discussion, the vote was 5/0/0.

Discussion regarding Ordinance No. 1841, Animals, Animal Licensing, fines and fees, (Bryan Sumpter):

The motion was made and seconded to place Ordinance No. 1841 on its first reading in its entirety. All were in favor, 5/0/0.

Mayor Satori read the ordinance in its entirety.

The motion was made and seconded to approve.

After much discussion which brought forth a lot of new ideas, the motion was made and seconded to postpone the vote on the first reading until the June 1st, 2000, Council Meeting. All were in favor, 5/0/0. In the meantime, the ordinance will be amended to include some of the new ideas.

The motion was made and seconded to take a ten minute recess. All were in favor, 5/0/0. The meeting was recessed at 9:30 p.m. and reconvened at 9:40 p.m.

Discussion regarding a standard intake or output form for citizens' requests, Ernst Schrader: Alderman Schrader said along with a form, the City could set up a database to keep track of questions and answers and actions. The general consensus was that it was a good idea. Alderman Schrader also gave everyone a form to consider.

Discussion regarding review of the cost of defense by the Harrington Law Firm in the Ordinance No. 1818, price sign suit (Ernst Schrader):

Alderman Schrader read through part of the findings of the judge on the court case and was convinced that the City should spend no more money on an appeal. He maintained that the actual cost to the City was in the neighborhood of \$30,000.

Mr. Jack van Caulil encouraged the City to continue with the appeal.

Sherry Wilson, City Attorney, said that nothing could be done to enforce the old ordinance until the Judge comes back with his written ruling. There is, however, a set time for an appeal.

The motion was made and seconded to postpone this discussion from meeting to meeting until the ruling comes in. The vote was 5/0/0.

Discussion regarding Ordinance No. 1824A, Passion Play to collect CAPC tax. (repeal)?

Ms. Dickens read a letter from Sherry Wilson, the City Attorney, who received a legal opinion from the Department of Finance and Administration on the collection of CAPC tax by the Great Passion Play. She said it would not be legal for them to collect CAPC tax unless they changed their status to business for profit according to Arkansas State Statutes.

Alderman Schrader made the motion to repeal the ordinance. He withdrew the motion.

Alderman Schrader made the motion to have the City Attorney draw up an ordinance to repeal Ordinance No. 1824A. Alderman Sumpter seconded.

Jon Loudemilk, CAPC commissioner, said that he felt that since the money already collected didn't belong to anyone, the CAPC should keep it.

Mrs. Wilson said that since the CAPC has not cashed the checks, they should be returned to the Passion Play, and let them handle what to do with it. The City should not take the money.

The vote on the motion to instruct the City Attorney to draw up an ordinance to repeal Ordinance No. 1824A was 5/0/0.

Permission for the Scootercade Parade 2000, August 17, 2000, at 1:00 p.m.:

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

COUNCIL COMMENTS:

The community was reminded to vote in the Primary Election on Tuesday, May 23rd, 2000. Early voting is in the County offices from 8:30 a.m. to 4:30 p.m.

MAYOR'S COMMENTS:

Mayor Satori reminded everyone that May 19th is the White Street Walk.

Also, the new director of the CAPC starts his job on June 1st.

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

adjourned at 10:50 p.m.

APPROVED:

Beau Zar Satori, Mayor

ATTEST:

Mary Ann Lee, City Clerk-Treasurer