

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES**

April 16, 2001

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Mayor Beau Z. Satori called the meeting to order on April 16th, 2001, at 7:08 p.m. in the Council Room. The meeting was held in the Carroll County Courthouse.

PRESENT:

Mayor Satori, Aldermen Bryan Sumpter, Kelly Simon, Kathy Harrison, James De Vito, and Jack Dozier. Alderman David Stoppel was absent.

ALSO PRESENT:

Kirby Murray, Lisa Liggett, The Giagnis from Elite Fleet, Mary Jean Sell, Sherry Wilson, Kim Dickens, Rhonda Tanton, and Clerk Lee.

PLEDGE OF ALLEGIANCE:

Mayor Satori led in the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

The motion was made to postpone the Pathway of Love discussion until the May 7th, 2001, council meeting. All were in favor, 5/0/0.

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 April 2, 2001.

The amendments were noted. The vote to approve the minutes as amended was 5/0/0.

COMMISSION, COMMITTEE: AND AUTHORITY REPORTS AND VACANCIES:

Alderman Simon said that one of the names of the two he had given Mayor Satori was directly involved in both restaurant and entertainment, and would be interested in serving on the CAPC. Mayor Satori said he would be interested in talking to Alderman Simon about it after the meeting.

DEPARTMENT HEAD COMMENTS:

Lisa Liggett, Director of Transit, reported that there was an interest in buying Trolley No.1. The parties offered \$25,000, and said their bid was firm. The trolley has been stored outside for the last three years, and has not been used during that time. The trolley has been released by the State for a long time. The State does not encourage the City to use a trolley that has been released for a full time trolley. They are usually used for back up. The City has two retired trolleys, and two mini buses, to use for back up. The wood on trolley #1 is beyond repair, and there is a lot of maintenance work needed to improve it to their standards. There was some discussion about trying to get them to pay more. Generally, the Council does not encourage bids under \$30,000.

The motion was made and seconded to accept the price offered (\$25,000). The vote was 5/0/0.

The Public Works Director, Kirby Murray, was asked about the status of the Planer Hill Sidewalk, and he said the State Highway Department has the plans right now, and the City is waiting for their okay. It should be coming any time now.

CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens said that the Parks Commission would like a member of the Council to sit in with them, and oversee their long range plans for Lake Leatherwood. They had approached Alderman Sumpter, who said

he would be glad to be their liaison from the Council.

A letter was read from Chief Hyatt, who spoke about the plans to use the basement of the Auditorium as a temporary skate park. He felt that the Police Department should take on the responsibility of overseeing the project.

The motion was made and seconded to approve the P.D. to oversee the project.

The vote was 5/0/0.

The motion was made and seconded to approve sound permits to be issued for Carroll County Cruisers, who hold their car shows in Fine Mountain Village, and will be using amplified sound from 8 a.m. to 4 p.m. All were in favor, 5/0/0.

Ms. Dickens received a call from Senator John Fitch, who said the City was awarded a \$90,000 grant to build a meeting room onto the new Police Department, when it is built.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1869, amending Chapter 2, Section 2-145, City Attorney, (second reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1869 on its third and final reading by title only. All were in favor, 5/0/0.

Ms. Dickens read the ordinance by title only.

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

Discussion regarding taxi/limousine issues

City Attorney, Sherry Wilson, explained this subject. The state gives cities the power to regulate taxis. The City can license, but the legislature has not granted specific authority to cities to regulate limousines. There was some discussion about there not being a description of a limousine in the State codes. The bottom line is the City can only license them, but cannot regulate them, at this time, and the City Municipal Code has no description of a limousine either.

The motion was made and seconded to postpone this subject until the May 7th, 2001 Council Meeting.
The vote was 5/0/0, in favor.

Discussion regarding the availability of Peerless Street. (Stoppel):

Ms. Dickens said that after investigation, it was found that Peerless is not an open street. Nothing can be done about it now, because the Parks Commission considers it green space, and they have called a moratorium on green space for eighteen months.

Discussion of City cell phones. (Dozier, Sumpter):

Alderman Sumpter said he just can't justify the expense of the City spending over \$10,000 for 21 cell phones. He can't see why the City should have so many.

Ms. Dickens said she would find out from each department head who had phones, and why they are needed.

Alderman DeVito said why not make the department heads responsible for justifying each phone, and when each contract is up. Then, when the contracts are up on each phone that is not needed, they can be discontinued. The idea was accepted.

NEW BUSINESS:

There was none.

COUNCIL COMMENTS:

Alderman Simon made the suggestion that an ordinance be drafted to collect CAPC tax from the newly added businesses passed by the legislature. He said the City should be ready before hand so that it won't have to be rushed through.

Alderman DeVito said the City should do something to recognize Senator Fitch's efforts the champion the needs of Eureka Springs. There were some ideas discussed. The Mayor suggested that the City make July 1st, 2001, Senator John Fitch Day, to honor him. The details were to be worked out later. Mr. DeVito reminded the community that the Community Development Partnership Meeting will be held April 17, 2001, at 6:30 p.m. in the Auditorium.

MAYOR'S COMMENTS:

The Mayor expressed the gratitude of the City to the National Trust for Historic Preservation. They have designated Eureka Springs as one of their dozen distinctive destinations in America. This is not only an honor, but it will impact America's recognition of this City. The person who is mainly responsible for this is the Southwest District Director for the National Trust, Daniel Carey. October 11th, last year they did a walking tour of Eureka Springs. May 11th, 2001, Mr. Carey will be here to present a formal award to the City. Mother's Day kicks off National Preservation Week. Other than the fact that Eureka Springs is the most distinctive historic City in the nation, the National Trust has continued to cultivate an interest in this City due to Ned Shank. He was an intern for the National Trust in 1981. He was in the group involved in creating our State alliance for Historic Preservation in 1981.

The motion was made and seconded to adjourn. All were in favor, 5/0/0. The meeting was adjourned at 8:03 p.m.

This is the signature sheet for the April 16th, 2001 City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer