

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES**

August 20, 2001

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Mayor Beau Z. Satori called the August 20th, 2001, City Council meeting to order at 7:00 p.m. in the jury room in the Carroll County Courthouse.

PRESENT:

Mayor Satori, David Stoppel, Bryan Sumpter, Kathy Harrison, Jack Dozier, and Kelly Simon. James DeVito was absent. He was on his honeymoon.

ALSO PRESENT: Mary Jean Sell, Kim Dickens, Bill Ames Sherry Wilson and Clerk Lee. A few people came that did not sign in.

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF THE AGENDA:

Item 5 under Unfinished Business was continued. Item 1 under New Business will be placed on the September 4th, 2001 agenda.

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 for the August 6th, 2001, City Council Meeting. With an amendment by the Mayor noted, the vote was 5/0/0.

The motion was made and seconded to approve the minutes for the August 13th, 2001 Special City Council Meeting. All were in favor, 5/0/0.

COMMISSION, COMMITTEE: AND AUTHORITY REPORTS AND VACANCIES:

None.

DEPARTMENT HEAD COMMENTS:

There were none.

CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens reported that the exterior of the Police Department Building is 99% complete. The Police Chief and the Architect will do a walk through tomorrow to be sure all of the computer lines and phone lines are in the right place and then they will start the dry wall.

The bid for the Wastewater Improvements at the Wastewater Treatment Plant was opened on August 9th, 2001. J & L Construction of Huntsville, Ar. had the low bid. It was \$1,077,000.

The financing has not yet been completed on the Lake Leatherwood Dam project. Ms. Dickens is hoping they (Soil & Water) will let the City go out for bid so that we can get the project started. The financing will go on, it's just taking a little longer.

Main Street repairs are due to start November 1st, 2001. She is waiting for notification of the pre-construction meeting. Kirby Murray and she have met with several of the members of the North Main Street

Merchants Association, and the City is hoping for a smooth transition into the project for them.

The Pathway of Love problem is set for trial on September 11th, 2001.

Mr. Murray is taking bids for the street paving program. All that is left is the top portion of Lower Wall St. Easements must still be acquired by the City Attorney.

The Carroll County Solid Waste Authority has voted (all except Eureka Springs), to leave and move to another district. Mayor Satori is making calls to try to let Eureka Springs stay in the Four County Solid Waste Authority in some capacity.

The parking machine is broken in back of City Hall. We will receive a new paybox later in the year. In the meantime the old pay system is back in operation to alleviate the stress on the front desk at City Hall. The machine will be replaced without cost to the City.

Alderman Simon asked who would be representing the City in the Pathway of Love Trial. The City Attorney, Sherry Wilson said she would represent the City, and the Parks Commission has retained Russell Atchley to represent them.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1878, amending zoning ordinance (12 Month)(Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1878 on its third and final reading by title only. The vote was 4/1/0, with Alderman Dozier voting no.

Ms. Dickens read the ordinance by **title only**.

The motion was made and seconded to approve. The vote was 4/1/0, with Alderman Dozier voting no.

Discussion regarding Ordinance No. 1879, amending zoning ordinance (200 feet) (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1879 on its third and final reading by title only. The vote was 3/2/0, with Aldermen Stoppel and Dozier voting no. Mayor Satori voted yes, which made the final vote 4/2/0.

Ms. Dickens read the ordinance by **title only**.

The motion was made and seconded to approve. The vote was 3/2/0, with Aldermen Dozier and Stoppel voting no. Mayor Satori voted yes, which made the final vote 4/2/0.

Discussion regarding Ordinance No. 1880, amending the zoning ordinance. (Tourist Lodging) (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1880 on its third and final reading by title only. The vote was 3/2/0, with Aldermen Dozier and Stoppel voting no. The Mayor voted yes, to bring the final vote to 4/2/0.

Ms. Dickens read the ordinance by **title only**.

The motion was made and seconded to approve. The vote was 3/2/0, with Aldermen Stoppel and Dozier voting no. Mayor Satori voted yes and brought the final vote to 4/2/0.

Discussion regarding Ordinance No. 1881, amending the tree ordinance (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1881 on its third and final reading by title only. The vote was 4/1/0, with Alderman Dozier voting no.

Ms. Dickens read the ordinance by **title only**.

The motion was made and seconded to approve. The vote was 4/1/0, with Alderman Dozier voting no.

NEW BUSINESS:

Discussion regarding Ordinance No. 1882, Loading Zones:

The motion was made and seconded to place Ordinance No. 1882 on its first reading in its entirety. The vote was 5/0/0 in favor.

Ms. Dickens read Ordinance No. 1882 in its entirety.

The motion was made and seconded to approve.

There was a discussion about whether the shop owners were in agreement. The owners use the loading zone for loading and unloading. The problem is mostly at night when it is packed full of parked vehicles and causes a bottle neck at that location. The Police Chief approved this.

Alderman Simon said he was going to vote no, just because of the confusion over the loading zones.

Some are used for parking part time and some are not and the whole thing is very confusing to everybody. The vote was 3/2/0, with Aldermen Dozier and Simon voting no. Mayor Satori voted yes, which brought the vote to 4/2/0.

Alderman Simon said the numbers were wrong and made the motion that they should be corrected on the ordinance. Alderman Sumpter seconded. All were in favor, 5/0/0.

COUNCIL COMMENTS:

Aldermen Harrison and Stoppel wanted Armstrong Street turned around directionally, and wanted it on the agenda for the September 4th, 2001 meeting.

The Clerk reminded the Council that they had voted to turn it around after the ground was cut back for the sidewalk.

Alderman Dozier said he went to a Transit Committee meeting and they felt like they had wasted their time, and they had to start all over again. The businesses on the highway sell 40% of the tickets for the trolleys and they have no representation on the committee.

Alderman Stoppel said he thought they were helping the committee.

Aldermen Simon and Dozier said they want the discussion of City Cell Phones put back on the agenda for next time.

Mayor Satori called an executive session to discuss a personnel matter. The session began at 7:40 p.m. and reconvened at 8:15 p.m.

The motion was made and seconded to approve Don Underwood as City Building Inspector. The vote was 4/0/1, with Jack Dozier abstaining.

MAYOR'S COMMENTS:

None.

The motion was made and seconded to adjourn. All were in favor, 5/0/0. The meeting was adjourned at 8:20 p.m.

This is the signature sheet for the August 20, 2001 City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer