

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES
JANUARY 22, 2001**

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

PRESENT:

Mayor Satori, David Stoppel, Bryan Sumpter, Kelly Simon, Kathy Harrison, James DeVito, and Jack Dozier.

ALSO PRESENT:

Kirby Murray, Diane Murphy, Bob McVey, Bill Eamgey, Bill King, Susan Loure, Lisa Liggett, Sherry Wilson, Dickens, Don Matt, 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 and seconded to approve the agenda. All were in favor, 6/0/0.

APPROVAL OF THE MINUTES:

City Council Meeting on January 4th, 2001:

The motion was made and seconded to approve the January 4th, 2001, Council Meeting Minutes.

Under Unfinished Business, the third paragraph: Alderman Stoppel made the motion and Alderman Sumpter seconded.

Under CAPC appointments, Alderman Simon abstained from voting when he was nominated, and not Alderman DeVito.

The vote to approve as amended, 6/0/0.

Special City Council Meeting on January 9th, 2001:

The motion was made and seconded to approve the January 9th, 2001, Special Council Meeting Minutes.

The correction was that the meeting adjourned at 10 a.m.

The voted on the amended minutes was 6/0/0.

Special City Council Meeting on January 16th, 2001

The motion was made and seconded to approve the January 16th, 2001, Special Meeting Minutes.

Alderman Sumpter said his name was misspelled everywhere it was used.

The vote on the amended minutes was 6/0/0.

Due to the absence of the City Clerk, the Minutes from the December 7th, and December 21st, 2000 Council meetings were not ready. They will be ready for the February 5th, 2001 meeting.

THE STATE OF THE CITY ADDRESS: A copy of the State of the City Address will be included at the end of these minutes.

COMMISSION, COMMITTEE: AND AUTHORITY REPORTS AND VACANCIES:

Planning Commission, Position 2, expiration date, January 1, 2002: The Mayor had nominated William

Mayo.

The motion was made and seconded to approve William Mayo. All were in favor, 6/0/0.

Planning Commission, Position 5, expiration date, January 1, 2004: Mayor Satori had nominated Rod McGuire. *The motion was made and seconded to approve Rod McGuire. All were in favor, 6/0/0.*

Mayor Satori then nominated Raymond Dilfield for Position No. 4 on the Historic District Commission and Karen Brawley for Position No. 5 on the Parks Commission.

Alderman Simon brought up the subject of reactivating the Parking Authority.

The Mayor said parking is the third highest source of revenue in the City.

Ms. Dickens said that several citizens have suggested that the Tourism Advisory Committee could possibly do work with the parking problem and some of the other problems. Alderman DeVito said that the Tourism Advisory Committee had been very effective in working out the problems they had been given to work on. He said it enlists the aid of private citizens who may have some new ideas.

Mayor Satori said the Planning Commission had been working and bringing ideas to the Parking Authority. Alderman Harrison said she had conversations with a flow-engineer, when she was in Little Rock, and she said he would come and do a study at no cost to the City.

Alderman Sumpter suggested that the subject be put on the agenda for the next meeting. Perhaps the City could contact the Parking Authority and the Planning Commission and plan a workshop to exchange ideas.

DEPARTMENT HEAD COMMENTS:

Lisa Liggett, Director of Transit, reported that the City would be getting a new trolley to replace Trolley No. 6, which was retired by the State in 2000. The new trolley will cost \$259,137. The City will have to come up with \$51,827.

Bids will be going out on Trolley No. 1 this week. The deadline for bids is February 12th, 2001.

Trolley maps should be in by March 1st, 2001.

Fire Chief Robert McVey introduced Gary Smith to the Council. He has been a volunteer firefighter for 2 years and is an EMT. He has chosen to go to Paramedic School on his own. He is replacing one of the employees who left the City's employ to pursue a different career. Chief McVey said when the men train to be paramedics, they do it on their own and with a lot of commuting, which shows the amount of dedication it takes.

CITY ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens announced that the bids for the Police Department Building were opened on January 9th, 2001. Patriot of Bentonville is the company who received the bid on the Their bid came in at \$396,515. which is a very good bid.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

Discussion regarding Water District Fluoridation:

Judy Echenrode and her husband attended the meeting. Ms. Echenrode had lived in this area for eight years and worked for Dr. John Spurlin, a dentist in Berryville. She said the difference in the dental decay rate between towns with fluoridated water, and non-fluoridated water was like night and day. One hundred and forty five million people are drinking fluoridated water in our country today. Children benefit 50% and

adults benefit 30% in lower dental problems. Fluoridation is one part per million on gallons of water. Consumer reports support the scientific proof that fluoridation is not detrimental to our health. Fluoridation costs 20 to 50 cents per person annually. She answered an alderman who asked if any filter system would filter out the fluoridation for those who didn't want it. She said it was easy to filter out. She said that the rest of the cities in Carroll County agreed to have the Carroll-Boore Water District fluoridate the water.

Alderman DeVito said he was majored in chemical engineering. He said he didn't believe that we should hold the other cities in the county hostage for a minority that didn't believe in fluoridation. Alderman Stoppel said about ten years ago the citizens voted against having fluoridated water.

Alderman Sumpter asked that the City Attorney prepare a resolution and Ms. Dickens include it for the February 5th, 2001 agenda.

Discussion regarding Ordinance No. 1859, the 2001 Budget. (All readings):

The motion was made and seconded to place Ordinance No. 1859 on its first reading in its entirety. All were in favor, 6/0/0.

Ms. Dickens read the ordinance in its entirety.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The motion was made and seconded to suspend the rules and place Ordinance No. 1859 in its second reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The motion was made and seconded to further suspend the rules and place Ordinance No. 1859 on its third and final reading by title only. All were in favor, 6/0/0.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. All were in favor, 6/0/0.

The motion was made and seconded to read the emergency clause. All were in favor, 6/0/0.

Ms. Dickens read the emergency clause.

The motion was made and seconded to approve. All were in favor, 6/0/0.

Discussion regarding City Council Members appointing to Commissions:

Alderman Sumpter made the motion to ask the City Attorney to write an ordinance or resolution to allow the Council members to nominate commissioners and Alderman Simon seconded.

Alderman Simon said the main reason he agrees with the idea because it would help to have full commissioners.

Mayor Satori said all nominees can be forwarded to his office. He then contacts them and if they want to serve, he nominates them before the Council.

Alderman Dczier said he thought that each commissioner go through an application process. He also said he thought the Council should be able to remove commissioners.

City Attorney said she had not seen any precedent that would allow commissioners to nominate people for their own commissions. The commissioners serve at the pleasure of the Council. She did not have much

information about the Council doing nominations.

Alderman Harrison said the rules are there because they are needed and she was opposed to it.

Alderman Simon said he would vote against this now, as long as the commission seats are filled, but if a problem arises in keeping them filled, he will bring it up again.

The vote was 3/3/0. Stoppel, Dozier, and Sumpter voted yes. Simon, DeVito, and Harrison voted no. The motion failed.

The motion was made and seconded to go into Executive Session for a personnel matter. All were in favor, 6/0/0.

The Executive Session began at 8:40 p.m. and ended at 8:55 p.m. The session was to present the credentials of Phillip Senn, as a prospective Building Inspector.

The motion was made and seconded to approve the hiring of Phillip Senn for the position of Building Inspector. All were in favor, 6/0/0. Mr. Senn was to begin on February 1, 2001.

COUNCIL COMMENTS:

Alderman DeVito said he and Jeff Russell, Director of the Eureka Springs Visitor's Center, would be going to Little Rock to meet with Senior Senator John

Fitch to craft legislation that would add attractions to the taxing system of the CAPC.

Alderman Harrison had received several calls about ice standing on Armstrong.

Also there were calls about the three ordinances that haven't been finished. The CUP part of the zoning ordinance, the tree ordinance, and the landscaping ordinance. She said everyone feels these are in limbo and need to be dealt with.

Ms. Dickens said they are with attorneys, and as soon as they are finished, they will go back to the Planning Commission.

Alderman Harrison also asked the status of the prosecutions that were to be filed against people who had not repaired leaky sewer lines, and illegal parking lot, and illegal parking on City property.

The City Attorney said that final warning letters are going out. If they are ignored, charges will be filed.

Alderman Dozier was concerned about the problems with the Pathway of Love. He asked what the City would have to do to get the rest of the bricks set, and get the whole thing settled. Ms. Wilson said there is an injunction right now, and nobody can do anything. There are three things that can be done. The judge can make the injunction permanent, modify it, or dismiss it. Nothing can be done until it is settled. He said that if the rest of the bricks could be laid, and they not be torn out, the whole thing could be settled in five minutes.

Ms. Wilson said she would be meeting with Susan Loume, Parks Director, in the next few weeks, now that the Lake Leatherwood project seems to be getting off the ground. There is also a lawsuit from a former employee that needs to be taken care of.

Alderman Harrison said she had heard from some of the shop owners downtown about the dust from the gravel. Alderman Stoppel said pray for rain. It would cut down on the dust. The Public Works Department is trying to recycle as much of the gravel as possible.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 9:10 p.m.

This is the signature sheet for the January 22nd, 2001 City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer