

**CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
OCTOBER 15th, 2001**

+++++

Mayor Beau Z. Satori called the October 15th, 2001, meeting to order at 7 p.m. in the Jury Room of the Carroll County Courthouse.

PRESENT:

Mayor Satori, and Aldermen DeVito, Dozier, Simon, Sumpter, Harrison, and Stoppel.

ALSO PRESENT: Ray Dillfield, Gayle Money, L. J. Smole, Dan Bennel, Bill Ames, Sherry Wilson, Kim Dickens, 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:

The motion was made and seconded to approve the minutes of October 1st, 2001, as amended. All were in favor, 6/0/0.

COMMISSION, COMMITTEE: AND AUTHORITY REPORTS AND VACANCIES:

None.

DEPARTMENT HEAD COMMENTS:

L. J. Smole, Interim Transit Director, asked the Council to approve the winter route for the green route. It will go from the Transit Office to downtown, and all the way to the Train Depot and up Hillside to Spring Street and back. The route will last about six weeks, through the 16th of December. *The motion was made and seconded to approve. All were in favor, 6/0/0.* Ms. Smole said they would look at the revenue and come back to the Council after Thanksgiving, if it was necessary.

CITY ADMINISTRATIVE ASSISTANT'S COMMENTS:

None.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1884, levying a tax on all real and personal property, (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1884 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.

Discussion regarding Ordinance No. 1885, Armstrong Street, (Third Reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1885 on its third and final reading by title only. The vote was 5/1/0, with Alderman Sumpter voting no. Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve. The vote was 5/1/0, with Alderman Sumpter voting no.

Discussion regarding Ordinance No. 1886, amending Title 2, Section 2-22, Purchases, (Third reading):

The motion was made and seconded to suspend the rules and place Ordinance No. 1886 on its third and final reading by title only. The vote was 5/1/0, with Alderman Simon voting no.

Ms. Dickens read the ordinance by title only.

The motion was made and seconded to approve.

Alderman Simon spoke again in favor of the bidding process.

Alderman Sumpter said the this was in line with State Law.

Alderman Stoppel said the Council can put any project out for bids.

The vote on the third reading was 5/1/0, with Alderman Simon voting no.

Discussion regarding Transit Committee's recommendations on rates, fares, and hours of operation:

Dan Bennett, Chairman of the Transit Committee, explained the thinking behind the recommendations.

The proposed rates for 2002 were:

Daily passes:

Children, 6 and under, accompanied by a fare-paying adult —Free.

Children, 7-12, accompanied by a fare-paying adult—\$1.00.

Children, 13 and over, and adults — \$3.50.

Monthly passes:

Adults - \$5.00.

Dial-A-Ride—Those without monthly passes, \$1.00.

For Green Route—Either daily pass or \$1.00.

The proposed hours for 2002:

March (Schedule 1)

Friday and Saturday

Green route — 10-8

Other routes — 1-8

Sunday

All routes — 10-5

April (Schedule 2)

Thursday, Friday and Saturday

Green route — 10-8

Other routes — 1-8

Sunday

All routes — 10-5

May through October (Schedule 3):

Friday and Saturday

All routes – 9-8

Sunday through Thursday

All routes – 9-5

November and December (Schedule 1)

Friday and Saturday

Green route – 10-8

Other routes 1-8

Sunday

All routes – 10-5

The proposed routes for 2002:**Purple route:**

From the downtown depot south to Hwy 62, west on 62 to 259 West Van Buren (March, November and December) returning east on 62 to Hwy 23, turning North on 23 returning to depot. During the months of April through October, the route will continue west, past 259 West Van Buren to the Tromcrown Chapel, turning around there to return to the depot.

Green route:

From the downtown depot north on Hwy 23 to 199 North Main (the railroad depot), turning back southward on Hillside Avenue to Spring Street, continuing southerly (Downhill) on Spring Street, turning south onto Main Street, returning to the depot.

Red route:

No change from 2001. Will run the historic loop in a counter-clockwise direction.

Yellow route:

From the downtown depot south on Hwy 23 to Hwy 62, turning east on 62 to Hwy 23 South, turning south on 23 to 251 Huntsville Road, turning around north at that location to Hwy 62, turning east to Pine Mountain Village, then returning west on 62 to Hwy 23 north, and returning to the depot.

Blue route:

From the downtown depot, proceeding as an express to the Pine Mountain Village, continuing to Onyx Cave Road and returning to Passion Play Road, turning North to the Passion Play Grounds, returning to Hwy 62 and turning west on Hwy 62 to Pine Mountain Village, and then continuing as an express to the downtown depot.

Both Mr. Bennett and Ms. Smole said there would be more signage and information available to let people know where the routes would go and how long they would take.

Ms. Smole assured the Council that Mr. McMillan at the State Highway Department was supportive. As to questions about the cost of the changes, she said there are no significant changes in costs. She said the CAPC would be producing more information about the Transit System.

Alderman DeVito thanked the Transit Committee for their innovative ideas and hard work.

Alderman Simon asked why the City was running the green route when it served such a small area. Mayor Satori said that the Train Station is a destination point and there are small

businesses all along that route.

The motion was made and seconded to approve the routes, rates, and hours as presented. The vote was 4/2/0, with Aldermen Simon and Dozier voting against.

NEW BUSINESS:

Discussion regarding Ordinance No. 1883, authorizing the issuance of a tax bond for the purpose of financing a portion of the cost of capital improvements to Lake Leatherwood Dam. (All readings):

The ordinance is not ready. Postponed to the November 5th, 2001, meeting.

Discussion regarding the Moped Franchise. (Stoppel/Sumpter):

Alderman Stoppel said he had not seen anyone renting a moped who was wearing the Department of Transportation (DOT) approved helmets, (which is according to the franchise rules). He has seen them wearing cute little colored bicycle helmets.

Alderman Sumpter said he went there and looked and all he saw were the small helmets.

Ms. Dickens brought in two DOT helmets that Mr. Peterson said he had been using.

Alderman Stoppel said those helmets had not been used, and he felt that Mr. Peterson heard we were discussing the helmets and went out and got some. He said this subject was covered when Mr. Peterson applied for a franchise, and he was tired of people only complying with the law when they were caught in non-compliance.

Alderman Stoppel made the motion to write a letter to Mr. Peterson that the City was suspending his franchise until he could prove to the City that he had always used DOT helmets. Alderman DeVito seconded.

City Attorney, Sherry Wilson, explained "due process" to the Council. She said Mr. Peterson should be notified to come to a council meeting to address the issue. He then has 15 days to respond in writing. If he does not appear, then his franchise can be revoked.

Alderman Sumpter amended the original motion. *His motion was to amend the motion to say that the City believes Mr. Peterson is in violation of his franchise agreement and he is not using DOT helmets; he must come to the next City Council Meeting and fines can be levied on him and his riders for not using the approved helmets; and he must cease and desist renting mopeds without people wearing the DOT helmets. Alderman DeVito seconded the amendments.*

The vote on the amendment was 5/1/0, with Alderman Stoppel voting no.

The vote on the original motion was 6/0/0.

Ms. Dickens reminded the Council that the Mayor's/ Finance Department/ and Court Budget Meeting was scheduled for Monday, October 22, 2001 at one p.m.

COUNCIL COMMENTS:

Alderman DeVito said the City needs CAPC nominations.

MAYOR'S COMMENTS:

Mayor Satori said he had visited New York City. He spoke of the devastation and the shock and denial. He said the Fire Department lost all of their veteran workers, and 500 vehicles. There were three zones established around the devastation; the emergency traffic area, then the re-routed regular traffic, and then the sight-seeing traffic. He said traffic control alone was a huge job. He spoke to various city employees. He said the City of New York has had to build a bureaucracy

to deal with the generosity of our nation.

The motion was made and seconded to adjourn. All were in favor, 6/0/0. The meeting was adjourned at 8:40 p.m.

This is the signature sheet for the minutes of October 15th , 2001.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer