

**CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
JUNE 3RD, 2002**

Mayor Satori called the June 3rd, 2002 meeting to order at 7:05 p.m. The meeting was held in the Jury Room of the Western District Courthouse.

PRESENT:

Mayor Satori and Aldermen DeVito, Dozier, Money, Sumpter and Simon. Harrison was late.

ALSO PRESENT:

Rick Petersen, Bill King, Mary Jean Sell, Ed Leswig, Joe Zickmund, Sandi Wall, Joe Easton, Lawrence Dyson, Gayle de la Houssaye, Diane Stull, Linda Jo Davis, Tim Hitty, Lisa Blazian, Misha Talan, Cat Welch, Anthony Gragg, Gene Pierce, Bobby Miller, Tom Kruse, Holly Burk, Lana J. Walker, Tony Walker, Ayn Dartzler, Scooter Mitchell, Vicki Brown, D. K. Sunday, Michelle Schneider, William Douglas Moore, Maryevelyn Jones, Stan Shaw, Matthew Concha, Joey Gullaur, Tiffany Ellis, Debi Walker, Kyle Egan, A. Taylor, W. F. Sands, Richard Quick, Rad Hahn, Pearl Brick, Joseph Oswald, Ricky Forester, Lawrence Suchand, Ted Danish, Roger Johnson, Karen Jo & Alan Vennes, Karen Lindblad, Frances Bloch, Kathy McCurry, Susan Ann Walker, Marianne Tomaszkiwz, Tim Brown, Gary Claxton, Steve Schneider, Alan Muyskins, Nathan Huff, Cindy Duncan, Johnna Denton, Britt Evans, John Mitchell, Patty Corcelli, and D. Swanson. David Goad, Mark Barron, Roger Patton, and Jimmy Estes from Arkansas Game and Fish were present with some of their other members. Kim Dickens, Bill Ames and Clerk Lee. There were more that didn't sign in.

PLEDGE OF ALLEGIANCE:

Mayor Satori led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Number 3 of Unfinished Business was postponed until the June 17th, 2002 meeting. Number 1 should be removing the moratorium on noise permits and number 2 should be the discussion regarding moped liability insurance.

Number 1 under New Business regarding the deer situation was moved to just below the City Administrator's Report. The motion was made and seconded to approve the agenda as amended. All were in favor, 5/0/0. Ms. Harrison had not yet arrived.

APPROVAL OF THE MINUTES:

May 20th, 2002 –No Minutes.

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:

DEPARTMENT HEAD COMMENTS:

Mayor Satori had nominated Haley Tomlinson for Position 5 on the Parks Commission.

Mr. Simon made the motion to approve Haley Tomlinson for Position 5 on the Parks Commission.

Mr. DeVito seconded. All were in favor, 5/0/0.

ADMINISTRATIVE ASSISTANT'S REPORT:

None.

DEPARTMENT HEAD REPORT:

None.

Discussion regarding an Ordinance to stop feeding the deer within the City Limits, (DeVito/Sumpter)(A representative from Game and Fish will be attending tonight):

Ms. Dickens introduced David Goad from Arkansas Fish and Game. Mr. Goad is the Assistant Chief of the Wildlife Division of the Arkansas Fish and Game Commission. Last year they helped Bull Shoals with a controlled hunt which was successful. The deer population has exploded from 500 in the early 1900's to over a million now. Their natural enemies have either been killed or have moved completely out of the state. There are problems with lyme disease from the ticks the deer carry. The deer cause accidents, and they eat the gardens that people plant.

The business of the commission is resource management.

Hunting is the most feasible way to manage the overpopulation. Moving the deer is extremely expensive.

They would be glad to help the City set up a controlled hunt. It is done with standard bows and arrows. Each hunter has to pass courses and an exam.

The deer are donated to Farmers and Hunters feed the Hungry.

Ms. Harrison asked if there are contractors that do this kind of hunting. Mr. Goad said they would need to be paid.

Mr. Dozier asked about people who feed the deer. Mr. Goad said they really are not doing the deer a favor. He said it gives the deer a chance to congregate, and when they do, disease is easily passed to the ones that are healthy. Also, it encourages them to keep coming back, to trespass and do damage to gardens and plantings.

The hunters will shoot from stands, and they will be shooting down. Property owners can allow or not allow them to put up deer stands. Trespassing is a criminal violation, and the hunting permit does not excuse such a violation.

The gentlemen said they would be happy to help in any way they could if the City should decide to do this.

UNFINISHED BUSINESS:

Discussion regarding removal of the moratorium on noise permits:

Mr. Simon said that the moratorium is hurting people's business. He quoted Chief Hyatt, who feels that the ordinance in effect now is not easy to read or follow. He has said that the terrain is the basic problem. Sound carries in strange ways, and is worse in some areas than others. The City could change the ordinance, or the business owners could make an extra effort to block the sound.

Ms. Dickens said that there not that many businesses who have annual outdoor noise permits.

There are two which draw complaints all of the time.

Mr. Sumpter made the motion to lift the moratorium on annual noise permits with the understanding that all of the rules will be enforced.

Mr. Simon seconded.

It was announced that the permits are issued from July 1st, 2002 through June 31st, 2003.

Gayle de la Hussaye said she didn't understand why there were so many problems all at once. She said she has created several venues, and that it is very hard to make a living here with all of these problems.

The question was called. The vote to call the question was 6/0/0.
The vote on the motion was 6/0/0.

The Mayor called a recess for 10 minutes. The meeting recessed at 8:40 p.m.
The meeting reconvened at 8 :50 p.m.

NEW BUSINESS:

Discussion regarding Eureka Springs Business District (Jack Moyer):

Mr. Moyer, who is the Manager of the Basin Park Hotel, handed out a packet of information on how much the Basin Park Hotel's revenue stream has grown since 1995. The information also listed things that would help the downtown businesses.
It listed several plans that would improve the Hotel.

Second Phase Requests include:

The development of a Valet Parking Service which the hotel would manage and the City would benefit.

Complimentary usage of the City's Main St. parking lot from 5 p.m. until 10 a.m.

Complimentary usage of the bandshe for weddings of 100 guests or more for periods of one hour if reserved one month in advance.

Development of Coupon Booklet featuring downtown merchants. Coupons would be an added incentive for guests to visit all shops offering a discount or "special offer".

The Support and Development of a "Spring Street Entertainment District" from upper Mountain St. to the Spring and Center intersection.

Improvements on the Hotel Loading and Parking procedures.

Management and control of the hotels access and load in.

Beautification and logistical improvements.

Ms. Dickens suggested that they have a meeting or meetings with Mr. Moyer, Department Heads and Ms. Dickens to discuss and work out ideas before the discussion comes back to the council table.

Mr. Sumpter made the motion to have Ms. Dickens, necessary department heads, and Mr. Moyer meet to discuss valet parking. Mr. Dozier seconded.

Mr. Moyer said they were ready to discuss multiple projects if necessary.

Mr. Sumpter said he thought they ought to cover one project at a time until it was begun, and then they could discuss another.

UNFINISHED BUSINESS:**Discussion regarding moped liability insurance:**

Mr. Petersen still maintains that there is no insurance available. He said that the City can either alter the ordinance or he can change what he has people sign.

The legal opinion from the state laws says that the ordinance should not be altered, and the rental moped must be insured. The council could take no other action.

NEW BUSINESS:**Discussion regarding the rules and regulations for Fire Department Volunteers:**

Mr. Pettus from the Fire Department said that the revisions to the rules and regulations were approved by the members of the Fire Department.

Mr. Sumpter made the motion to the revisions to the rules and regulations.

Mr. DeVito seconded.

Ms. Dickens raised some concerns, and one of them was "reasonable distance from the City" at the end of Article 18.

Mr. Sumpter amended his motion to exclude the "reasonable distance" sentence in Article 18.

The vote was 6/0/0.

Discussion regarding Mayor's cell phone:

Mr. Sumpter made the motion to have Diane Murphy cancel the Mayor's cell phone contract, and to no longer provide the position of Mayor with a cell phone.

Mr. Dozier seconded.

Mr. Sumpter said he does not understand why the mayor's phone bills are so high.

Mr. DeVito said that after all of the discussions they've had at the council table on this subject, he would have expected the bills to go down. That has not been the case. If the Mayor would keep regular office hours there wouldn't be so many calls after hours.

Mr. Dozier said that he had brought this to the council last year the calls ranged from \$50 per month, to \$600 per month. He said at that time the council chose not to do anything about it.

Mr. Joe Zickmund said from January, 2002 through April 2002, the phone bill was \$1400. He felt the citizens needed to know that. He had spoken to the Clerk, who had not seen any money for reimbursement, but also that it may have come in to someone else. He felt that the Mayor was acting irresponsibly.

Bill King said he liked the idea of the Mayor having a cell phone.

Mayor Satori said he always tries to pay for his own calls. He says this was just an attempt to undermine the Mayor's office.

Mr. DeVito said if Mr. Satori would go to City Hall for a couple of hours he could make the needed calls.

The motion was made and seconded to call the question. The vote was 5/1/0, with Ms. Harrison

voting no.

The vote on the motion to remove the Mayor's cell phone was 5/1/0, with Ms. Harrison voting no. Mayor Satori said he would turn in his cell phone the next morning.

CITY COUNCIL COMMENTS:

Mr. DeVito said by no means did he vote on this to undermine the Mayor's authority. He is attempting to act responsibly with the City's finances.

Mr. Dozier said he had gotten complaints about Debbie Frisbie doing work without the proper permits, and selling fish. He said if the commissioners aren't willing to follow the code, don't expect the rest of the City's residents to do. He said those commissioners should be removed.

Ms. Harrison said Ms. Frisbie is not in business to sell fish. She raises them as a hobby.

MAYOR'S COMMENTS:

Last Friday was L.J. Smole's last day as Transit Director. Tuesday, June 4th, 2002, Lamort Richie will take over the job of interim Transit Director.

The motion was made and seconded to adjourn. All were in favor, 6/0/0.
The meeting was adjourned at 9:30 p.m.

This is the signature sheet for the June 3rd, 2002, City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer

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