CITY OF EUREKA SPRINGS
CITY COUNCIL MEETING MINUTES
MAY 6TH, 2002

Mayor Satori called the May 6, 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, Harrison, Sumpter and Simon.

ALSO PRESENT:
Rick Petersen, Bill King, Mary Jean Sell, Ed Leswig, Kirby Murray, Kim Dickens, Bill Ames and Clerk Lee.

PLEDGE OF ALLEGIANCE:
Mayor Satori led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:
The Mayor will make a nomination for the Parks commission.
The motion was made and seconded to approve the agenda as amended. All were in favor, 6/0/0.

APPROVAL OF THE MINUTES:
The motion was made and seconded to approve the minutes. The amendment was noted. All were in favor, 6/0/0.

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:
DEPARTMENT HEAD COMMENTS:
Mayor Satori said that Dan Bennett had agreed to serve another term on the Planning Commission. The motion was made and seconded to approve. All were in favor, 6/0/0.

The Mayor said that Bruce Levine was willing to serve another term on the Parks Commission. The motion was made and seconded to approve. All were in favor, 6/0/0.

The Mayor nominated Haley Tomlinson to Position 5 on the Parks commission.

ADMINISTRATIVE ASSISTANT'S REPORT:
The City did purchase three ambulances at 76% of the appraised value. One is a 2001 Ford, one is a 2000 Ford, and one is a 1999 Chevrolet.

DEPARTMENT HEAD REPORT:
Kirby Murray, Director of Public Works, came to announce that the maple tree at Sweet Spring would have to be removed. It has a huge hole in it and is hollow inside, and is dangerous. Three tree experts have warned that it is a danger and must come out. The City has tort immunity unless gross negligence is proven. Mr. Murray said being told by three experts and not doing it could be gross negligence.
He said the City would plant a good sized Maple tree back. Also he wants to put a dogwood tree in there.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1887, an ordinance amending Chapter 114, Zoning, pertaining to parking lots. (Third Reading):

The motion was made and seconded suspend the rules and place Ordinance No. 1887 on its third reading by title only. All were in favor, by roll call, 6/0/0.
Ms. Dickens read the ordinance by title only.
Alderman Sumpter made the motion to approve and Alderman Simon seconded. All were in favor, 6/0/0.

NEW BUSINESS:

Discussion regarding moped liability insurance:

Rick Petersen came to let the City know that the insurance company he has been dealing with will no longer underwrite moped insurance. Nor will other companies he has contacted. So, by May 24th, 2002, he will not have liability insurance. He read the letter his insurance company sent him, stating that it was not because of anything he had done. They simply will not renew it or write it from now on. He left it to the Council to let him know what he will need to do. Ms. Dickens will contact the attorneys and ask them to give the City an opinion.

Discussion regarding amending 2002 Budget, to add a code enforcement officer:

Mayor Satori said he wanted someone to handle the writing of citations and letters contacting citizens who were in violation, along with other duties. He said that the Building Inspector is covered over, he is so busy. He stated that the City has talked about hiring an enforcement officer for a long time but that nothing had ever been done.

Alderman Dozier said that he believed that Mr. Underwood, the building inspector, is trying to do a good job, even though he is not qualified. He said it is a contractor's job to be sure the project is ready for inspection when the inspector gets there, which can add hours to an inspector's day if it is not ready to inspect.
He said he had spoken to Mr. Underwood at length. He said that commissioners should not be calling Mr. Underwood with problems. He said that the commissioners should be calling their chairperson. He said there are not proper chains of command set up at City Hall, if these people are calling the building inspector.

Alderman Simon said he had suggested before that a couple of the police officers be trained. They are out and about, any way and should be able to check out problems while they are. He said where would the money come from?

Alderman DeVito said there needs to be better utilization by the staff at City Hall.
Alderman Dozier said he would make himself available to help Don Underwood.

Alderman DeVito said he would sponsor an ordinance that any condemnation of properties should come before the City Council. Alderman Simon said he would co-sponsor such an ordinance.

Alderman Sumpter made the motion that Ms. Dickens, Chief Hyatt, and Mr. Underwood meet and discuss the feasibility of training police officers for enforcement. Alderman Simon seconded. All were in favor, 6/0/0.

Discussion regarding the City's nepotism:
Two 16 year olds have been hired by the Auditorium to sell tickets. They are the daughters of two of the employees of the Auditorium. The City Council was being asked to waive the City's nepotism policy.
Alderman DeVito said by not following the City's personnel policy, it was unfair to the other kids in town who could sell tickets as well as these kids can. That is why we have the policy. He said that if they had special talents that set them apart for the job he might consider waiving the policy, but that is not the case. The general consensus was the same.
The Council did not waive the nepotism policy.

Discussion regarding an Ordinance to stop feeding the deer within the City:
Alderman DeVito said he believes such an ordinance would be the first step in handling the deer population. He said that lyme disease is carried by deer ticks.
He made the motion to have an ordinance drawn up to stop feeding the deer.
Alderman Simon seconded.
Alderman Dozier said he would like to have someone from Arkansas Fish and Game come and speak to the Council about the problem before he supports such an ordinance.
Alderman DeVito said he would table the motion until then. Alderman Simon seconded. The vote was 6/0/0.
Ms. Dickens said she would call and have someone come and speak to the Council.

Discussion regarding the bid award to Greer Excavating for $36,600 for a storage building:
Greer Excavating had the second to low bid, but the building they would build would be a better quality building.
Ms. Dickens gave the specs on the building. It would be built on the police property and would be a much higher quality. Mr. Underwood and Chief Stoppel
Discussed this and felt it would be around $42,000.
Alderman DeVito made the motion to postpone for more information.
Alderman Money seconded. All were in favor, 6/0/0.

CITY COUNCIL COMMENTS:
None

MAYOR'S COMMENTS:
None.

The motion was made and seconded to adjourn. All were in favor, 6/0/0.
The meeting was adjourned at 8:35 p.m.

This is the signature sheet for the May 6th, 2002, City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer