

**CITY OF EUREKA SPRINGS
COUNCIL MEETING MINUTES
NOVEMBER 4TH, 2002**

Alderman Kelly Simon as Mayo Pro Tem, called the November 4th, 2002, meeting to order at 7 p.m. in the jury room of the Western District Courthouse.

PRESENT: Mayor Satori and Aldermen Simon, Money, Harrison, and DeVito. Sumpter and Dozier were absent.

ALSO PRESENT: Ed Leswig, Diane Murphy, Kirby Murray, Shep Russell, Dennis Hunt, Tom Tharp, Ada Jensen, Bill King, Don Underwood, Jon Seaman, Kim Dickens, and Clerk – Treasurer, Mary Ann Lee.

PLEDGE OF ALLEGIANCE:

Mr. Simon led in the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mr. DiVito made the motion to approve the agenda. Ms. Money seconded. The vote was 4/0/0.

APPROVAL OF THE MINUTES:

No Minutes.

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:

None.

ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens reported that the dry wall went up last week on the storage building behind the Police Facility.

The City is still waiting for word from Arkansas Soil and Water to send back the paperwork. It may be spring, now, before the work on the Lake Leatherwood Dam gets started, but everything is moving forward.

On November 12th, 2002, at 5:30 p.m., the City will hold a Public Hearing on the bond information that will be presented here tonight. The meeting will be held in the jury room of the Carroll County Courthouse. A special Council Meeting will be held immediately after.

Ms. Dickens said she and Ms. Murphy will be working on the budget. She asked the Council if they wanted the budget balanced or if they just wanted all of the figures. The general consensus was for them to balance the budget and bring all of the figures so the Council can make decisions base on the actual figures.

UNFINISHED BUSINESS:

Discussion regarding Ordinance No. 1903, an ordinance amending Chapter 110, Section 424 of the Eureka Springs Municipal Code increasing rates for services

rendered by the sewer system of the City of Eureka Springs, Arkansas, and prescribing other matters relating thereto:

Mr. DeVito made the motion that Ordinance No. 1903 be placed on its first reading in its entirety. Ms. Money seconded. The vote was 4/0/0.

Mr. Russell read the ordinance in its entirety.

Mr. DeVito made the motion to approve. Ms. Money seconded. The vote was 3/1/0, with Mr. Simon voting no.

Mayor Satori came in while Mr. Russell was reading the ordinance.

Discussion regarding Ordinance No. 1904, and ordinance amending Chapter 110, Section 184, of the Municipal Code increasing rates for services rendered by the water system of the City of Eureka Springs, Arkansas; and prescribing other matters relating thereto:

Mr. DeVito made the motion to place Ordinance No. 1904 on its first reading in its entirety. Ms. Money seconded. The vote was 4/0/0.

Mr. Russell read the ordinance in its entirety.

Mr. DeVito made the motion to approve. Ms. Harrison seconded.

Mr. Simon said there will be a referendum.

Ms. Dickens said she wanted everyone to understand that it is possible the ADEQ can come in, take over the system and charge the citizens whatever they deem necessary to get the work done that has to be done.

The Council didn't seem to think that would happen.

Ms. Dickens mentioned that James Clark was in charge of the numerous addresses that have fixed their sewer lines which were smoke tested and were in definite need of repair. Since he took over, the lines at 239 addresses had been fixed.

Ms. Murphy said there is \$400,000 to \$500,000 in reserves. It doesn't even begin to meet the immediate need.

The vote was 3/1/0, with Kelly Simon voting no. Mayor Satori voted yes, so she made the vote 4/1/0.

Discussion regarding Ordinance No. 1905, and ordinance authorizing the issuance and sale of water and sewer revenue bonds in the maximum principal amount of \$2,000,000 in order to finance extensions, betterments and improvements to the city's sewer system; providing for the payment of the principal and the interest on the bonds; prescribing other matters relating thereto; and declaring an emergency:

Mr. DeVito made the motion to place Ordinance No. 1905 on its first reading in its entirety. Ms. Money seconded. The vote was 3/1/0, with Kelly Simon voting no. Mayor Satori voted yes, so that brought the vote to 4/1/0.

Mr. Russell said the reading of the ordinance would take about 30 minutes. He and Mr. Hunt took turns reading the ordinance and the emergency clause.

Mr. DeVito made the motion to approve. Ms. Money seconded. The vote was 4/0/0.

Discussion regarding Ordinance No. 1901, an ordinance creating a Construction Board of Adjustments and Appeals:

Mayor Satori read the letter from Mr. Keiklack advised that state law does not make provision

for the forming of this board.

Mr. Simon he thought the council should accept the attorney's legal opinion.

Discussion regarding route for animal-drawn vehicle at 217 N. Main St.:

Ms. Lockhart had turned in a route to go with her application.

Mr. Simon said we had already approved her route (up Mill Hollow) and we should not go any further.

The council took no further action.

Discussion regarding Ordinance No. 1894, an ordinance amending in its entirety Chapter 110 of the Municipal Code pertaining to utilities. (2nd reading):

Mr. DeVito made the motion to suspend the rules and place Ordinance No. 1894 on its second reading by title only. Mr. Simon seconded. All were in favor, 4/0/0.

Ms. Dickens read the ordinance by title only.

Mr. DeVito made the motion to approve. Mr. Simon seconded. All were in favor, 4/0/0.

Discussion regarding Ordinance No. 1895, an ordinance adopting and enacting a new Municipal Code to require the installation and maintenance of grease traps, interceptors and separators, and providing a penalty:

Mr. DeVito made the motion to suspend the rules and place Ordinance No. 1895 on its second reading by title only. Mr. Simon seconded. All were in favor, 4/0/0.

Ms. Dickens read the ordinance by title only.

Mr. DeVito made the motion to approve. Mr. Simon seconded. All were in favor, 4/0/0.

Some of the B & B owners came to let the City know that they are willing to co-operate in any way they can.

NEW BUSINESS:

None.

CITY COUNCIL COMMENTS:

Mr. DeVito thanked the candidates running for office for running clean campaigns.

MAYOR'S COMMENTS:

Mayor Satori invited the citizens to go out to Lake Leatherwood and look at all of the work that has been done.

Mr. DeVito made the motion to adjourn. Mr. Simon seconded. All were in favor, 4/0/0. The meeting was adjourned at 7:45 p.m.

This is the signature page for the November 4th, 2002, City Council minutes.

APPROVED:

Mayor Beau Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer