

**CITY OF EUREKA SPRING
COUNCIL MEETING MINUTES**

October 21, 2002

Mayor Beau Satori called the

October 21st, 2002 meeting to order at 7 p.m.

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

ALSO PRESENT: Ed Leswig, Lindy Akins, Kirby Murray, Jon Loudermilk, Larry Suchand, Don Underwood, Diane Murphy, James Clark, Kim Dickens, Jon Seaman, and Clerk Lee.

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Sumpter led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Ms. Harrison asked that an executive session be added as the last item on the agenda. Mr. Sumpter made the motion to approve the agenda as amended. Ms. Harrison seconded. 5/0/0.

APPROVAL OF THE MINUTES:

There was no meeting on September 2nd, 2002. Mr. DeVito made the motion to approve the minutes of September 16th, 2002. Ms. Money seconded. The amendments were noted. The vote on the minutes as amended was 5/0/0.

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:

Mayor Satori had recommended Eric Schuenemann for Position No. 4 on the Planning Commission.

Ms. Harrison made the motion to approve. Mr. DeVito seconded. The vote was 2/3/0, with Ms. Money, Mr. Sumpter and Mr. Simon voting no.

ADMINISTRATIVE ASSISTANT'S REPORT:

Ms. Dickens reported that the City is still waiting for a start date to do the preliminary test drills on the Lake Leatherwood Dam.

UNFINISHED BUSINESS:

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

The attorney advised against doing so. It was dropped from the agenda.

Discussion to amend the CAPC ordinance to change the make-up Of the Commission (DeVito/Sumpter):

Mr. DeVito and Mr. Sumpter are of the opinion that the Mayor does not need to be on the CAPC. Mayor Satori is of the opinion that the Mayor does.

Mr. DeVito spoke about enabling legislation, which may be changed in January, when the

new legislature convenes. He feels that there should be a member at large from either inside or outside the City.

Ms. Harrison said instead of the Mayor, the two council seats could be at-large positions.

Mr. Simon said that there will be a meeting on November 7th, 2002, to discuss the matter. It will be held at the CAPC offices.

NEW BUSINESS:

Discussion regarding the improvement to Highway 62 E. from the City Limits to the Kings River Bridge:

Mayor Satori read the letter to the State with regard to widening the highway from the City Limits to the Kings River Bridge.

Mr. Simon made the motion to draft a resolution of support.

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

Discussion regarding the application for an animal-drawn vehicle at 217 N. Main:

Ms. Lockhart had filed an application for a business called Angel Wings. The departure point will always be at Angel Wings, and it will be a wedding service only. The clerk pointed out that the application did not include a set route for the service. The motion was made and seconded to approve the Route up Mill Hollow Road. The vote was 5/0/0. The Council agreed that if Ms. Lockhart wanted any other route she would have to present it to the Council for approval.

Discussion regarding the final addendum for the parking lot at Mountain and Montgomery for the Basin Park Hotel:

Mr. DeVito made the motion to approve all recommendations including striping and signage.

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

Discussion regarding the placement of stop signs by the Arkansas Highway Department:

Kirby Murray explained that the highway department wants to place another stop sign at the junction of Spring St. and Highway 23, to make it a three-way stop.

Mr. Sumpter made the motion to accept the changes as drawn. Mr. Simon seconded. All were in favor, 5/0/0.

Mr. Sumpter made the motion to encourage them to do further study.

Mr. DeVito seconded. The vote was 5/0/0.

Discuss regarding Ordinance No. 1894, an ordinance amending in it's entirety Chapter 110 of the Municipal Code pertaining to utilities:

Mr. Sumpter made the motion to place Ordinance No. 1894 on its first reading in its entirety.

Mr. DeVito seconded.

Mayor Satori read in its entirety.

Mr. Sumpter made the motion to approve. Mr. DeVito seconded.

Ms. Murphy explained that this would make it possible to make adjustments on both water and sewer bills.

The vote was 5/0/0.

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

Mr. Sumpter made the motion to place Ordinance No. 1895 on its first reading in its entirety. Mr. DeVito seconded. All were in favor. 5/0/0. Mayor Satori read the ordinance in its entirety. Mr. DeVito made the motion to approve. Mr. Sumpter seconded.

James Clark spoke about the time limitations. Restaurants who need larger grease traps will have 1 year to have the work done. Restaurants who don't yet have grease traps will have 24 months to have the work done. He said it was based on the fact that it is so hard to find a plumber, along with the cost. More discussion followed.

Mr. DeVito suggested that more information should be given to residential inhabitants. Mr. Clark plans to make sure they are given what they need. The vote on the ordinance was 5/0/0.

Discussion regarding amending the water disconnect policy:

Mr. Sumpter made the motion to approve the amendments. Mr. DeVito seconded. All were in favor. 5/0/0.

Discussion regarding amending the water sewer adjustment policy:

Mr. Simon made the motion to approve the amendments. Mr. Sumpter seconded. The vote was 5/0/0.

Presentation and Discussion regarding the City of Eureka Springs wastewater facility:

Ms. Dickens said it looks like in order to comply with ADEQ the City will need more work on the system. Also, in order to pay for the work, there will have to be a 30 % increase in rates across the board.

Mr. Sumpter made the motion to give the staff permission to go forward, and to investigate our options. Mr. DeVito seconded. All were in favor. 5/0/0.

Executive Session:

An executive session was called at 8:25 p.m. The Council Meeting reconvened at 9:10 p.m. The session was about personnel. The decision at the meeting was that there would be a weekly report from the Building Inspector's office.

CITY COUNCIL COMMENTS:

Ms. Money asked that agendas be given to the Council in a more timely manner.

MAYOR'S COMMENTS:

None.

The motion was made and seconded to adjourn. All were in favor, 5/0/0.

The meeting was adjourned at 9:10 p.m.

This is the signature page for the October 21, 2002 City Council Minutes.

APPROVED:

Mayor Beau Z. Satori

ATTEST:

Mary Ann Lee, City Clerk-Treasurer