

This meeting was actually held on Feb. 2, 2004. The Jan. 26 meeting was postponed because of bad weather.

Mayor Kathy Harrison called the Jan. 26/Feb. 2 meeting of the City Council to order at 6 p.m. in the jury room of the Western District Carroll County Courthouse.

PRESENT: Mayor Kathy Harrison, Aldermen Robert "Butch" Berry, Penny Carroll, Karen Lindblad, Gayle Money, Bill Ott, Earl "Bud" Umland, Finance Director Diane Murphy, City Attorney Tim Weaver, Building Official Randy Mills, City Advertising and Promotion Commission (CAPC) Executive Director LeRoy Gorrell, Fire/EMS Chief of Emergency Services David Stoppel, Administrative Assistant Brenda Spencer and City Clerk Mary Jean Sell.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Harrison led the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

Ms. Money moved to approve the agenda. Mr. Umland seconded.

Mayor Harrison said Ordinance #1844 in Item #2 of Old Business should actually be #1943. New Business Item #5, reading of Ordinance #1942, adopting the 2004 budget, had been handled during a special council meeting Jan. 29, 2003.

Ms. Carroll asked for a second executive session to discuss severance packages.

Ms. Money moved to adopt the agenda as amended. Ms. Lindblad seconded. All voted aye. Motion passed.

APPROVAL OF THE MINUTES:

Ms. Money moved to postpone the reading of the minutes to the next meeting. Ms. Lindblad seconded. All voted aye. Motion passed 6/0/0

COMMISSION, COMMITTEE, AND AUTHORITY REPORTS AND VACANCIES:

Historic District Commission - Position 1 – Expires 11/30/06 – Janet Farthing nominated.

There was some discussion as to whether or not. Ms. Farthing had actually been nominated during the Jan. 12 meeting or her name just discussed. Council agreed to vote on her nomination in the Feb. 9 regular meeting.

Hospital Commission – Position 1 – Expires 9/7/05 – Dr. Jack Pritchard – vote

Ms. Money moved to approve Dr. Jack Pritchard for the Position 1 Hospital Commission post. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

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CAPC – Posts 6 and 7 – Expires 12/31/04 – nominations by council for council positions

Mr. Ott nominated Mr. Umland to Position 6. Ms. Money seconded. All voted aye. Motion passed 6/0/0

Mr. Umland nominated Ms. Money to Position 7. Ms. Lindblad seconded. Mr. Ott, Mr. Umland, Ms. Money, Ms. Lindblad voted aye. Mr. Berry and Ms. Carroll opposed. Motion passed 4/2/0

DEPARTMENT HEAD COMMENTS:

CAPC, Hospital, Fire/EMS, Finance and Building

CAPC Executive Director LeRoy Gorrell reported on a "positive press push" about Eureka Springs in recent months and the potential monetary value of national publicity generated by magazines, television and movie productions. He said the CAPC is partnering with the state in promotion projects for the opening of the Clinton Library in Little Rock in November. Advertisements used in printed media last year are now on the CAPC website.

There was no report from the Hospital Commission.

Fire/EMS Emergency Services Chief David Stoppel reported the several-year-old lawsuit against the Western Carroll County Ambulance District has been declared a "non-case" by a judge and the petitioner given one year to refile the case. The department has received a \$201,000 FEMA (Federal Emergency Management Agency) grant for equipment. Construction/renovation of the building at 146 E. Van Buren is 65 percent complete, but moving at a snail's pace.

Finance Director Diane Murphy reported the year-end financials are down in just about every city fund. It is the first time the general fund and transit department revenues have been down in several years. The general fund revenues were up, but expenses put the city "in the hole" by \$14,000. Street fund is down \$6,500 and water and sewer by \$10,000. She is preparing an ordinance to amend the 2003 budget, taking funds from the city's reserve accounts. She said the city's sales tax revenue of down approximately 5 percent from 2003, but within 1 percent of budget projections.

Building Official Randy Mills presented a report showing income from permit fees for the three months he has been on the job. Of the estimated 240 permits issued in 2003, \$19,800 in revenue was generated. His projected permits for 2004 are 400 generating \$30,000 in revenue. He is projecting \$16,000 revenue in grease traps for 2004.

NEW COUNCIL COMMITTEES- Bud Umland – Festival Committee

Butch Berry – Board of Appeals

Mr. Umland reported his committee is scheduled to have its first meeting at 10 a.m. Friday, Feb. 6.

Mr. Berry reported it will be necessary to "un-adopt" Appendix B of the International Building Code (IBC) to give the city authority to set up a Board of Appeals who are not qualified in the fields set out in the IBC. There are not local professionals in the fields required.

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Ms. Money moved to ask the city attorney to draft an ordinance repealing the adoption of Appendix B of the IBC in Ordinance #1902. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

Mayor Harrison asked Mr. Ott and Ms. Lindblad to serve on a committee to develop long and short-range visions plans for the direction of the city. Both agreed.

Ms. Money reported the **Salary and Wage Committee**, comprised of herself, Mayor Harrison, Ms. Murphy and Ms. Spencer, had interviewed two companies qualified and specializing in the analysis of job descriptions and salary structures to do an analysis of the city's employee and salary structure. She said one of the companies would also look at the personnel handbook and make recommendations. She said the results could be ready in three months.

OLD BUSINESS:

1. Discussion of adopting *Robert's Rules of Order*, time and place of meetings.

Ms. Money moved to use *Procedural Rules for Municipal Officials*, produced by the Arkansas Municipal League, as meeting procedure guidelines for 2004 instead of *Robert's Rules of Order*. Ms. Carroll seconded.

Ms. Lindblad moved to postpone the vote to the next meeting to give council members time to review the rules. Ms. Money seconded. All voted aye to postpone. Motion passed 6/0/0

Mr. Ott moved to continue holding council meetings at 6 p.m. on the second and fourth Mondays of each month. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

Mr. Ott asked if the council would continue to have the quarterly Public Forum meetings. Mayor Harrison said they would continue.

2. Discussion of waiving for 1 year – Ordinance 1943 – raising water rates by 1.4 percent (regular annual)

Ms. Money moved to place Ordinance 1943 on its first reading. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

Ms. Sell read the ordinance aloud.

Ms. Money moved to approve Ordinance 1943 on its first reading. Ms. Lindblad seconded. All voted aye. Motion passed.

Ms. Money moved to place Ordinance 1943 on its second reading by title only. Mr. Berry seconded. By roll call, all voted aye. Motion passed 6/0/0.

Ms. Sell read the title aloud.

Ms. Money moved to place Ordinance 1943 on its third reading by title only. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

Ms. Sell read the title aloud.

Ms. Money moved to approve Ordinance 1943 on its third reading by title only. Ms. Lindblad seconded. By roll call, all voted aye. Motion passed 6/0/0

Mr. Ott moved to read the emergency clause. Mr. Berry seconded. All voted aye.

Ms. Sell read the emergency clause aloud.

Ms. Money moved to approve the emergency clause. Ms. Lindblad seconded. All voted aye. Motion passed 6/0/0

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3. Discussion of fuel tanks and bids.

Mr. Umland moved to table the discussion of fuel tanks and award the fuel bids. Ms. Money seconded. Mr. Umland withdrew his motion and Ms. Money withdrew her second.

Mr. Ott moved to table discussion of fuel tanks to a future date. Mr. Umland seconded. All voted aye. Motion passed 6/0/0

Mr. Ott moved to accept Tad's Quickstop (Kathe Graham) bid of 5.1 cents discount on each gallon of fuel. Ms. Money seconded. All voted aye. Motion passed 6/0/0

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Ms. Money moved to have a break at 7:15 p.m. Ms. Lindblad seconded. All voted aye. Motion passed 6/0/0

The meeting resumed at 7:25 p.m.

4. Discussion of auditorium.

Mr. Berry expressed his concerns about the bidding process for projects done during the renovation of the auditorium:

(A) Why weren't local persons asked to bid on the carpet for the auditorium?

(B) Why invoices for work being done are going through Backstage Connections, the contractor?

(C) Whether or not representatives of the Arkansas Historic Preservation Program (AHPP) in Little Rock have approved of the proposed work?

(D) Has the issue of the fire alarm system been addressed?

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Mr. Ott added his concern about the work being done to insure the safety of the structure and whether or not the projects being accomplished are actually part of the original Saving America's Treasures grant proposal.

Mayor Harrison said bids had been advertised in local and state newspapers. Local carpet vendors were not able to handle the carpet order so Backstage Connections was asked to find a vendor who could complete such a large order in a short time. Many of the invoices are going through Backstage connections because they have hired sub-contractors for portions of the work.

Missy McSwain, federal grants coordinator for AHPP, is reviewing the project proposals as they are presented to her and forwarding them on to Washington, D.C.

She said the fire alarm and extinguisher situation has been taken care of with the Fire Marshall's guidance and inspection.

Building Official Randy Mills said he is in the auditorium several times as week. When structural or safety issues are discovered, they are taken care of as soon as possible and inspected. He said an old fire system had been found behind a

door and efforts are being made to look into the feasibility of putting in a workable fire hose.

Mayor Harrison finally commented that this is a CAPC project and not a council project.

City Attorney Tim Weaver told the council the funds being spent are not city funds, they are the funds from the tax revenues collected by the CAPC and that group determines how they are to be spent. He said a concerted effort has been made to bring in bids when it is practical, and almost everything has been bid out.

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Mr. Berry, Mr. Ott and Ms. Money asked for additional information about the project. Mayor Harrison said she would provide the bids, invoices, and accounting records.

5. Discussion of speed bumps (Money)

Ms. Lindblad moved to table the discussion to the next meeting. Ms. Money seconded. All voted aye. Motion passed 6/0/0

NEW BUSINESS:

1. State of the City Address

Mayor Harrison read her address to the council and public. Copy attached to the office copy of the minutes.

2. Discussion of grease trap franchise.

Mr. Mills explained it would be more efficient for area companies who provide a pumping service to remove grease and solids from grease traps to be able to pump more than two or three per trip. He said it would also lessen the cost to restaurant owners.

Ms. Money moved to have the building official look into the possibility of franchising the grease trap service. Ms. Carroll seconded. All voted aye. Motion passed 6/0/0

3. Discussion of parks lighting bid – Bruce Levine

Parks Director Levine and Parks Commission Chairman Bill Featherstone presented bids from All Service Electrical and Techline for lighting of the Lake Leatherwood Ball Fields and parking lot. Mr. Levine handed out a worksheet in which he had worked the bid amounts so they could be comparable for wood or steel posts, lighting fixtures, labor, switching gears, wire, etc. All Service had bid a total of \$204,226, using all steel poles, and \$175,817 using all wood poles. Techline bid a total of \$118,287 for steel poles.

Mr. Levine favors using wood light poles and Mr. Featherstone favors using the steel poles. Conversation went back and forth with council members about the merits of each, the various options and life expectancy of the poles for about half an hour.

Mr. Ott moved to go ahead with the lighting of the soccer field and parking area with Techline. Ms. Money seconded.

Mr. Featherstone asked if the motion could be amended to use Techline for the soccer field and the system of the commission's choice for the parking lot. Council agreed to the amendment.

All voted aye on the motion to use Techline for the soccer field and the system of the commission's choice for the parking lot. Motion passed 6/0/0

4. Discussion of creating an ordinance regarding the salary of the mayor and council compensation.

Ms. Money said she is requesting authorization to include the city council and elected officials in the job and salary analysis to be done by a consulting firm.

Mr. Ott moved to include the elected officials in the analysis. Ms. Money seconded. All voted aye.

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5. Read Ordinance #1942 – Adopting the 2004 budget.

This item was taken care of in a special meeting Jan. 29, 2004.

6. Executive session – regarding public works interim director.

Mayor Harrison adjourned the meeting at 9:07 p.m. for a short break before the executive session.

The meeting resumed at 9:35 p.m. Mayor Harrison said the council had agreed to offer the position to someone, but did not want to announce a name until she had talked with the individual.

7. Executive session – regarding severance package for former Public Works Director Kirby Murray.

Mayor Harrison adjourned the meeting at 9:36 p.m. to go into executive session. The meeting resumed at 9:47 p.m.

She announced there was no action taken regarding a severance package.

Mr. Ott moved to accept the person discussed during the executive session as interim public works director. Mr. Berry seconded. All voted aye. Motion passed 6/0/0

COUNCIL COMMENTS:

Ms. Money reminded the council that the next budget workshop is scheduled for 5 p.m. Monday, Feb. 9, prior to the 6 p.m. council meeting.

Mr. Umland commended the parks director, chairman and commission for working closely with the council on the lighting project.

Mr. Berry announced the public hearing on Ordinance 1942, regarding manufactured homes, is set for 6 p.m. Thursday, Feb. 26, during the Planning Commission's regular meeting. He thanked Kirby Murray for more than two decades of service to Eureka Springs and commended him for his dedication to the community.

Ms. Carroll also expressed her appreciation to Murray.

Ms. Lindblad wished Murray pleasant work across the river.

MAYOR'S COMMENTS:

Mayor Harrison said she hoped Murray was having a good time on his vacation. She said the sewer project bids would be awarded during the Feb. 9 meeting.

ADJOURNMENT:

Mr. Ott moved to adjourn at 9:57 p.m. Mr. Umland and Ms. Money seconded. All voted aye.

This is the signature page for the minutes of the Feb. 2 (1/26/04) City Council meeting.

Mayor Kathy Harrison

City Clerk Mary Jean Sell

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