

Mayor Kathy Harrison called the regular meeting of the City Council to order at 5 p.m. Monday, Jan. 23, 2006, in the jury room of the Western District Carroll County Courthouse.

PRESENT: Mayor Kathy Harrison, Aldermen Robert “Butch” Berry, Beverly Blankenship, Penny Carroll, Terry McClung, Rick Rojek, Lori Weaver, City Attorney Tim Weaver and City Clerk-Treasurer Mary Jean Sell.

PLEDGE OF ALLEGIANCE:

Mayor Harrison led the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

Mr. McClung moved to approve the agenda. Mr. Rojek seconded.

Mayor Harrison moved Ordinance #2014 to the first item of discussion so EMS representatives could return to duty as quickly as possible. She added Resolution #523 as New Business Item #2.

Mr. Berry asked to add election of a mayor pro tem. He moved to defer discussion of Ordinance #2011 to the budget workshop scheduled for Tuesday, Jan. 24, and then bring it back to the agenda for the Feb. 13 meeting. Mr. Rojek seconded.

All voted aye to approve the agenda as amended. Motion passed 6/0/0

APPROVAL OF THE MINUTES: Jan. 9, 2005

Ms. Blankenship moved to approve the minutes of the Jan. 9 regular City Council meeting as presented. Mr. Rojek seconded. All voted aye. Motion passed 6/0/0

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:

Hospital Commission – Position 6 – Expires 9/7/05

Historic District Commission – Position 2 – Expires 11/30/07 Position 4 - Expires 11/30/04 **Position 5** – Expires 11/30/08- Jeff Jeans nominated - Mayor Harrison said Mr. Jeans has withdrawn his name from nomination. She nominated Doug Breitling for the position.

CAPC – Position 4 – Expires 6/30/08 Position 1 – Expires 6/30/08

Planning Commission – Position 1 – Expires 7/1/05 Position 6 - Expires 1/1/06 **Position 7** Expires 1/1/09 – Ken Foggo – reinstatement - Ms. Blankenship moved to re-instate Mr. Foggo to Position 7. Ms. Weaver seconded. Four voted aye. Mr. McClung voted nay. Ms. Carroll abstained. Motion passed 4/1/1

Parks – Position 5 – Expires 5/1/06 Mayor Harrison said Haley Tomlinson has resigned from the position. She nominated Larry Harrison.

DEPARTMENT & COMMISSION REPORTS

CAPC, Fire/EMS, Building/Harmon Park Community Building, Cemetery, Planning, Parks, Update on waste treatment plant project

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Written reports were provided from CAPC, Fire/EMS and Building Department.

Mr. Berry said he has given a set of stamped drawings to the Building Official for the improvements to the Harmon Park Community Center kitchen renovation. There is some discussion about what size grease trap would be appropriate.

Ms. Blankenship said she has talked with the Building Official regarding the drainage ditch on Steel Street. Mayor Harrison said Mr. Fuson is going to write a letter to the appropriate property owners about correcting the problem.

OLD BUSINESS:

1. Discussion of Ordinance #2014, regarding ambulance fees, 3rd reading

Ms. Blankenship moved to suspend the rules and place Ordinance #2014 on its third reading by title only. Mr. Rojek seconded. By roll call, all voted aye. Motion passed 6/0/0

Mayor Harrison read the title of the ordinance aloud.

Mr. Rojek moved to approve Ordinance #2014 on its third reading by title only. Ms. Blankenship seconded. All voted aye. Motion passed 6/0/0

2. Discussion of CAPC festival guide production.

Mr. Weaver said he had not received any new information from the Municipal League regarding the publication. He said Municipal League attorney David Schoen thinks it is improper for the city to compete with local business. Mr. Weaver said the Municipal League recommended writing an ordinance to allow the publication.

Mr. McClung said the ads for the publication have been sold and it is ready to be printed.

Bill King, publisher of the *Lovely County Citizen*, said he would like to see at least a resolution passed to not endorse the publication because it is against local businesses.

The discussion ended with no action being taken at this time.

3. Discussion of Ordinance #2015 vacating an unnamed alley between Peerless Ave. and Highway 62.

Mr. McClung moved to place Ordinance #2015 vacating an unnamed alley between Peerless Ave. and Highway 62 on its first reading. Mr. Berry seconded. All voted aye. Motion passed 6/0/0

Mayor Harrison read the ordinance aloud.

Council agreed the two adjoining landowners would pay \$200.00 each for their share of the vacated alley.

Mr. McClung moved to approve Ordinance #2015 on its first reading. Mr. Rojek seconded. Five voted aye. Ms. Weaver voted no. Motion passed 5/1/0

4. Discussion of Old Stone Church lawsuit settlement agreement - Per request of Council, attorneys reached a settlement, judge has signed the order

Mr. Weaver said the judge has signed the order rezoning the property at 80 Mountain St. as C-3, quiet use commercial, with the exemption order that the property never be used as a restaurant. He said a copy of the order will be put with the title to the property.

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5. Election of a mayor pro tem.

Mr. McClung nominated Ms. Weaver. Mr. Berry seconded. Ms. Weaver refused the position. Three voted aye. The motion failed for lack of a fourth vote.

Ms. Carroll nominated Mr. Berry. Ms. Blankenship seconded. Five voted aye. Mr. Berry voted no. Motion passed 5/0/1

NEW BUSINESS:

1. State of the City Address

Mayor Harrison read her address aloud.

2. Discussion of Resolution #523, supporting an application for an Arkansas Department of Economic Development ACE Energy efficiency grant for the City of Eureka Springs, Arkansas.

Ms. Blankenship asked for more advanced notice of resolutions in the future.

Mayor Harrison said Economic Development Coordinator Glenna Booth has written this grant for funds which will

be matched with other grant funds to provide solar lighting for The ARtery on First St.

Ms. Weaver moved to read Resolution #523. Ms. Blankenship seconded. All voted aye. Motion passed 6/0/0
Mayor Harrison read the resolution aloud.

COUNCIL COMMENTS: There were none.

MAYOR'S COMMENTS:

Mayor Harrison encouraged everyone to attend the OARS benefit this evening.

ADJOURNMENT:

Mr. McClung moved to adjourn at 6:15 p.m. Ms. Weaver seconded. All voted aye. Motion passed 6/0/0

This is the signature page for the minutes of the regular City Council meeting of Jan. 23, 2006.

Mayor Kathy Harrison

City Clerk-Treasurer Mary Jean Sell