

Mayor Kathy Harrison called the regular City Council meeting to order at 6:00 p.m. Monday, June 12, 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. Berry moved to approve the agenda. Mr. Rojek seconded.

Ms. Blankenship asked about a discussion of the bids for financing the construction of the fire truck/ambulance facility. Mayor Harrison said she would announce the results during the financial discussion.

Mayor Harrison said CPA Dawn Allen is not able to attend tonight's meeting to discuss the final numbers of the 2005 budget. She will be able to attend the June 26 regular Council meeting. Mayor Harrison said an ordinance would not be necessary for adopting the final numbers for the budget.

On the motion to approve the agenda as discussed, all voted aye. Motion passed 6/0/0

APPROVAL OF THE MINUTES: May 22, 2006

Mr. Rojek moved to approve the minutes of the regular Council meeting of May 22 as presented. Ms. Blankenship seconded. All voted aye. Motion passed 6/0/0

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:

Historic District Commission – 1 Position

CAPC – 2 Positions open – Nominees Michael Drennon, Robert McCool for gift shops Mayor Harrison said both nominees have withdrawn their names from consideration. Mr. McClung read a letter from Mr. McCool to Mayor Harrison discussing his disappointment in not being contacted about his nomination in a timely manner.

Planning Commission – 2 Positions – Mayor Harrison nominated Marc Acuff.

DEPARTMENT & COMMISSION REPORTS

Police, Transit, HDC, Building, Public Works, Financials

Building - Mayor Harrison introduced Marion Chrysler as the interim building official. She read aloud Ms. Chrysler's credentials and said she would become the permanent building official once she has passed the Arkansas licensing tests.

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Transit – Ms. Sell read aloud the report from Director Lamont Richie.

Public Works – Mayor Harrison read aloud the report from Director Jay Wilson.

Ms. Blankenship asked if the situation regarding paying a parks employee from the street fund to care for the city's gardens had been resolved. She said another employee is needed to assist DonE Allen with the gardens, but there is some question about the actual arrangement.

Mr. Weaver suggested an agreement be written setting out the terms of the payment of expenses between the two departments.

Police – There was no report.

Financials – will be discussed in the June 26 meeting.

OLD BUSINESS:

1. Discussion of City Attorney, City Clerk, Mayor's positions (Blankenship

Berry)

Ms. Blankenship said she has brought up this matter because if any changes are to be made to the City Attorney's duties, they should be made now, before the filing period opens for the term starting in January of 2007. She said electing the City Attorney is the right thing to do, but she wants to remove the portions of Ordinance 1932 that make the attorney a representative of the city's commissions.

Mayor Harrison said the Municipal League represents the City in some lawsuits and she and the Council have the authority to hire other lawyers as needed.

The discussion halted at 7:05 p.m. for open microphone.

Open Mic

The purpose of open mic is to allow residents to address the Council on any topic. The Council does not engage in questions or discussion of the issues at this time.

Karen Lindblad – asked the Council to keep the City Attorney's position at the full duties. She said it is important to the City Attorney at the Council table during discussions to assist with ordinance changes and other legal matters. She asked that the City Clerk-Treasurer's job be kept at full-time as well. The City Clerk has overall knowledge of the city's records, resources and information. It is a good use of tax dollars to have both of these officials working full-time.

The meeting and discussion of the City Attorney's position resumed at 7:08 p.m.

Ms. Blankenship moved to table the discussion to the regular meeting June 26. Mr. McClung seconded. She said she would send an ordinance to Council for consideration, but she will not be at the next meeting. On the motion, five voted aye. Ms. Weaver opposed. Motion passed 5/1/0

2. Discussion of Ordinance 2019 to adjust 2005 budget reflecting closing actuals.

Mayor Harrison said the financials would be discussed during the June 26 meeting.

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3. Discussion of deer problem within city limits

No one came forward to discuss the deer problem.

NEW BUSINESS:

1. Discussion of City Clerk position (Blankenship, Berry)

Ms. Blankenship said she has brought up this matter because if any changes are to be made to the City Clerk's duties, they should be made now, before the filing period opens for the term starting in January of 2007. She read excerpts from the state statutes and city ordinances regarding the city clerk's duties.

There was discussion of how the clerk's duties were handled by city employees during the two and a half years the job was part-time, prior to Feb. 15, 2005.

Ms. Sell said the specific duties of the clerk might not be a full-time position, but a large part of the every day job is answering questions from residents about zoning, signage, the Municipal Code, etc. She believes it is important to have a full-time City Clerk as a contact person for residents and visitors.

There was no action taken regarding the City Clerk-Treasurer's position at this time.

Mr. McClung moved to take a short break at 7:30 p.m. Mr. Berry seconded. All voted aye. Motion passed 6/0/0
The meeting resumed at 7:38 p.m.

2. Discussion of Mayor's position (Blankenship, Berry)

Ms. Blankenship said Eureka Springs has a full-time Mayor on a part-time salary of \$6,000. She is in favor of doubling the salary.

Mayor Harrison asked the Council to remember that she is not provided with a cell phone or medical insurance as other city department heads are.

Mr. Berry said he would rather see an assistant hired for the Mayor. He asked the Council to be mindful of budget issues when discussing salary increases.

Ms. Blankenship moved to have an ordinance written for a \$12,000 annual salary for the Mayor starting with the new term Jan. 1, 2007. Ms. Carroll seconded.

There was some additional discussion.

Ms. Carroll called for the question to stop the discussion. Ms. Blankenship seconded. All voted aye.

On the motion for the ordinance, four voted aye. Mr. McClung and Mr. Berry voted against. Motion passed 4/2/0

3. Discussion of alternative to CAPC (Blankenship)

Ms. Blankenship said she understands there is a petition being circulated in town to do away with the CAPC (City Advertising and Promotion Commission) and the CAPC tax. She is concerned about what will happen should the measure be approved in an election and how the town will be able to survive. She said many business owners have talked to her and they do not want the tax abolished.

Mr. Weaver said the citizens of the community have the right to strike or add law to the city by petitions and a vote of the people. He said the Council members, as individuals, can talk with residents and educate them about the consequences of

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abolishing the tax, but city funds cannot be spent on any type of campaign.

CITY COUNCIL COMMENTS:

Mr. McClung said he endorses the CAPC and the work it is doing. Funding is needed to stabilize the CAPC and to help it, and the city, grow. It would hurt the community if the tax disappears and would increase the burden on the city's finances.

Ms. Blankenship asked residents and business owners to get involved, to talk with CAPC Commissioners and make their voices heard. The Council needs to hear your voices.

Mr. Rojek agreed with Mr. McClung and Ms. Blankenship that the loss of the CAPC and tax revenue would be devastating to the community. He said no one has ever called him and talked with him about the CAPC. He would welcome calls and conversations. He announced the second Infomania is Tuesday, June 13, from 1 to 4 p.m. at the Inn of the Ozarks Convention Center. Speaker is Paul Vitale who will talk on "Dazzle Them With Customer Service."

Mr. Berry said he wants citizens to get involved, go to CAPC meetings or call Commissioners or Council members to find out what losing the revenue could mean. He encouraged everyone to get involved.

Ms. Carroll thanked Ms. Blankenship for her hard work and research regarding tonight's discussions.

Ms. Weaver congratulated citizens on taking a stand.

MAYOR'S COMMENTS:

Mayor Harrison said the Bank of Eureka Springs had bid the lowest amount, 4.93 percent, on the five-year financing of the \$452,522.00 needed for the construction of the fire truck/ambulance facility.

She asked Council members to set a workshop to begin the mid-year budget review. They agreed on 5 p.m. Friday, June 30.

ADJOURNMENT:

Ms. Blankenship moved to adjourn at 8:32 p.m. Mr. Berry seconded. All voted aye. Motion passed 6/0/0

This is the signature page for the minutes of the regular City Council meeting June 12, 2006.

Mayor Kathy Harrison

City Clerk-Treasurer Mary Jean Sell

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