

Mayor Kathy Harrison called the regular City Council meeting to order at 6:02 p.m. Monday, June 26, 2006, in the jury room of the Western District Carroll County Courthouse.

**PRESENT:** Mayor Kathy Harrison, Aldermen Robert “Butch” Berry, Penny Carroll, Terry McClung, Rick Rojek, Lori Weaver, City Attorney Tim Weaver, Fire Chief David Stoppel, City Advertising and Promotion Commission Director Lynn Berry, Parks and Recreation Director Bruce Levine 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 accept the agenda as presented. Mr. Rojek seconded. All voted aye. Motion passed 5/0/0

**APPROVAL OF THE MINUTES: June 12, 2006**

Mr. McClung moved to approve the minutes of the regular meeting of June 12. Mr. Rojek seconded. All voted aye. Motion passed 5/0/0

**COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:**

Historic District Commission – 1 Position

**CAPC** –1 Position – Mayor Harrison nominated Joyce Zeller for the gift shop position.

**Planning Commission** – 2 Positions – Nominee Marc Acuff Mr. McClung moved to approve the nomination of Marc Acuff. Mr. Rojek seconded. All voted aye. Motion passed 5/0/0

**DEPARTMENT & COMMISSION REPORTS**

CAPC, Fire/EMS, Cemetery, Planning, Parks, Financials

**CAPC** – Ms. Berry gave her monthly activity report. She commended Operations Manager Sheila Hulsey on having “no findings” in the recent audit of CAPC accounts by state auditor Mark Marley. This is the 10<sup>th</sup> of 11 years for the same report for Ms. Hulsey’s work. The CAPC will start having an “open mic”/public comments at the beginning of each regular monthly meeting.

**Fire/EMS** – Chief Stoppel gave his report, including that the construction of the new fire truck/ambulance building at 144 W. Van Buren is expected to start very soon. He is still waiting on attorneys to resolve the 911 dispatch situation and to draw an intergovernmental agreement regarding the financing of the operations.

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**Cemetery** – Ms. Sell said a meeting of the Cemetery Commission is scheduled for 7 p.m. Wednesday, June 28.

**Planning** – Ms. Sell read the report from Chairman Leah Karnes. She explained the information in the letter regarding the request to rezone the Swiss Villa Apartments and Carroll House Apartments, both on Pivot Rock Road, from R-2 to R-3, Multiple Family. Mayor Harrison said she would add proposed Ordinance 2021 for the rezoning to the agenda for the regular meeting of July 10.

**Parks** – Mr. Levine gave an activity report. He said the Community Building still needs a fire suppression system before the kitchen area can be approved by the city’s Fire Marshall. He said he has talked with state officials regarding repair of the bank collapse in Leatherwood Creek adjacent to the handicapped trail. Stone from the nearby highway construction area will be provided by the state to reinforce the bank area.

Mr. Levine presented a budget for the hiring of another gardener and seasonal assistant for the maintenance of the all

of the city's gardens, not just those under the parks' jurisdiction. Ms. Carroll moved to hire a full-time employee and part-time employee and to have an interdepartmental agreement between the Parks and Public Works Department drawn up. Mr. Rojek seconded. All voted aye. Motion passed 5/0/0

**Financials** – CPA Dawn Allen reported on the closing figures for the 2005 budget and the creation of new journal entry line items to reflect debt service accounts.

Mayor Harrison reminded the Council of a workshop at 5 p.m. Friday, June 30, to start the mid-year budget review. She said an ordinance will have to be written reflecting the budget changes and mid-year adjustments.

### **OLD BUSINESS:**

#### **1. Discussion of City Attorney position (Blankenship, Berry)**

Although Ms. Blankenship was absent, she had sent copies of proposed Ordinance 2020 amending the City Attorney's duties to Council members. There was discussion of the changes.

Mr. McClung moved to place Ordinance 2020 on its first reading. Ms. Carroll seconded. By roll call, Mr. McClung, Mr. Berry and Ms. Carroll voted aye. Mr. Rojek and Ms. Weaver voted against. Motion failed for lack of four votes.

Ms. Weaver moved to take a short recess at 7:35 p.m. Mr. McClung seconded. All voted aye. Motion passed 5/0/0 Meeting resumed at 7:50 p.m.

#### **2. Discussion of 2005 budget reflecting closing actuals.**

This item was discussed with Ms. Allen during the Financials discussion.

#### **3. Discussion of deer problem within city limits.**

Carl Ennis gave a presentation on the increasing deer population and problems within the city limits. He presented information from North Carolina State University with suggestions of how to deal with/eliminate a deer population.

Mr. Berry said the city had tried several years ago to deal with/eliminate the problem, but had been unsuccessful in finding any workable solutions. He said there had

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been a special election on a proposed limited hunt, which had been rejected by voters. He said the state legislature has passed a law making it possible for persons owning acreage abutting city limits to harvest 10 does.

No action was taken on Mr. Ennis' suggestions.

### **NEW BUSINESS:**

#### **1. Discussion of Ordinance 2019 raising Mayor's salary to \$12,000 Jan. 1, 2007**

Ms. Weaver moved to place Ordinance 2019 on its first reading. Mr. Rojek seconded. Mr. Rojek, Ms. Weaver and Ms. Carroll voted aye. Mr. Berry and Mr. McClung voted against. Mayor Harrison voted aye. Motion passed 4/0/2  
Mayor Harrison read Ordinance 2019 aloud.

Ms. Weaver moved to approve Ordinance 2019 on its first reading. Mr. Rojek seconded. Ms. Weaver and Ms. Carroll voted aye. Mr. Berry and Mr. McClung voted against. Mayor Harrison voted aye. Motion passed 4/0/2

### **CITY COUNCIL COMMENTS:**

**Mr. McClung** reminded everyone of the CAPC's open mic at 7 p.m. on the fourth Wednesday of each month during the regular meeting. He urged everyone to get involved.

**Mr. Rojek** read a statement regarding the petition being circulated to abolish the CAPC and the CAPC tax. He asked those who have signed it to reconsider and remove their names. He offered to talk with anyone interested in the issue.

**Mr. Berry** reminded everyone of the Fourth of July celebration at Lake Leatherwood.

### **MAYOR'S COMMENTS:**

Mayor Harrison read a list of up-coming events.

**ADJOURNMENT:**

Mr. Berry moved to adjourn at 8:17 p.m. Mr. Rojek seconded. All voted aye. Motion passed 5/0/0

This is the signature page for the minutes of the June 26, 2006, regular meeting of the Eureka Springs City Council.

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Mayor Kathy Harrison

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City Clerk-Treasurer Mary Jean Sell

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