

Mayor Kathy Harrison called the regular meeting of the City Council to order at 6:00 p.m. Monday, March 27, 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:**

Ms. Weaver moved to approve the agenda. Mr. Rojek seconded.

Mr. McClung asked to have the correspondence with state Sen. Randy Laverty regarding the new bridge on Highway 62 west added to the agenda as New Business #4.

Ms. Blankenship said she wanted the Transit Department’s budget changes placed on the agenda for the regular meeting of April 10.

On approving the amended agenda, all voted aye. Motion passed 6/0/0

**APPROVAL OF THE MINUTES:** Feb. 27, 2006, March 13, 2006

**Feb. 27** – Ms. Blankenship moved to approve the minutes of the regular meeting of the City Council Feb. 27. Mr. Rojek seconded.

Mr. Berry asked that the letter from USI –Arkansas, Inc., consulting engineers, be outlining the proposed timeline for the construction of the new wastewater treatment plant be included in the minutes.

On approving the minutes of Feb. 27 as amended, all voted aye. Motion passed 6/0/0

**March 13** – Mr. McClung moved to approve the minutes of the regular meeting of the City Council March 13. Mr. Rojek seconded.

Mr. McClung asked about having information about the bidding for the city’s CDs and the awarding of the bid included in the minutes.

Mr. Berry said there was a typographical error on Page 4 Item #4 regarding Mr. Weaver’s name.

On approving the minutes of March 13 as amended, all voted aye. Motion passed 6/0/0

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

**Historic District Commission** – 2 Positions Mayor Harrison nominated Paul Faulk to fill Position 2.

City Council 3/27/06 1

CAPC – 2 Positions open

Planning Commission – 3 Positions open

**Parks and Recreation Commission** – 1 Position – Nominee Dan Bennett Mr. McClung moved to approve the nomination of Dan Bennett to Position 5. Ms. Carroll seconded. All voted aye. Motion passed 6/0/0

**Cemetery Commission-** Reinstate June Westphal Mr. McClung moved to approve the nomination of June Westphal for reinstatement on the Cemetery Commission. Mr. Rojek seconded. All voted aye. Motion passed 6/0/0 One position remains open.

**DEPARTMENT & COMMISSION REPORTS:**

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

**CAPC** – Ms. Sell read aloud the report from Executive Director Lynn Berry.

**Fire/EMS** – Mayor Harrison read aloud the report from Chief David Stoppel.

**Building** – Ms. Sell read aloud the report from Building Official Justin Fuson. Ms. Blankenship asked for a report for the April 10 meeting on the grease trap inspections.

**Planning** – Ms. Sell read aloud a report from Chairman Leah Karnes.

There was no parks or cemetery report.

**Financials** – Mayor Harrison presented financial reports to the Council including bank accounts with current interest and dispersing account balances.

Ms. Blankenship asked about the search for a financial director. Mayor Harrison said she has gone from 17 applicants to three candidates who are CPAs. She is planning to offer the job to one of the three.

Mr. McClung asked about the awarding of bids for four Certificates of Deposits that matured March 1. Mayor Harrison said Community First Bank of Eureka Springs won with a 6.01 interest rate.

## **OLD BUSINESS:**

### **1. Discussion of Ordinance #2012 trading a portion of Hines St., 2<sup>nd</sup> reading**

Ms. Blankenship moved to suspend the rules and place Ordinance 2012 on its second reading by title only. Mr. Rojek seconded. By roll call, all voted aye. Motion passed 6/0/0

Mayor Harrison read the title of Ordinance #2012 aloud.

Mr. Rojek moved to approve Ordinance #2012 on its second reading by title only. Ms. Blankenship seconded. All voted aye. Motion passed 6/0/0

### **2. Jo Ashing regarding sign ordinance amendment (Blankenship, Carroll)**

Ms. Ashing, owner of the 1876 Inn and Restaurant, read aloud a three-page statement in support of the use of persons waving and wearing t-shirts with commercial messages to attract attention to the motel and restaurant.

Council took no action on the issue.

**City Council 3/27/06 2**

### **3. Discussion of 911 special election lawsuit**

Mayor Harrison said there is no news on the resolution of the lawsuit. She postponed any discussion until “we have something in writing.”

## **NEW BUSINESS:**

### **1. Discussion of Resolution 527 amending 2006 budget**

Ms. Blankenship moved to read Resolution 527 aloud. Mr. Rojek seconded. All voted aye. Motion passed 6/0/0

Mayor Harrison said any changes to the budget should be done with ordinances, not resolutions. She quoted attorney David Schoen with the Arkansas Municipal League and state auditor Mark Marley as saying they prefer budgets be set by ordinance.

Mr. Weaver said either an ordinance or a resolution could be used, but it is better to stay with one system for adopting and amending, either ordinance or resolution, but not mixing the two in dealing with one budget.

Ms. Blankenship explained the budget amount changes.

Ms. Sell read Resolution 527 aloud.

### **2. Discussion of Resolution 528 regarding application for block grant funding for Police Department**

Ms. Blankenship moved to adopt Resolution 528. Mr. Rojek seconded. There was no discussion. All voted aye. Motion passed 6/0/0

Ms. Sell read Resolution 528 aloud.

### **3. Discussion of repealing 2005 Municipal Code Book, readopting 2000 Municipal Code Book**

Mayor Harrison and Ms. Sell explained the need for having the 2005 Municipal Code Book repealed or revised, as quickly as possible. Mr. Weaver said the book should not be repealed. The city should move forward on creating a new code.

Ms. Sell said she would contact the code book company in Florida which produced the 2000 code and the Arkansas Municipal League which produced the 2005 code regarding prices for updating and adding material to the book.

### **4. Discussion regarding the correspondence with state Sen. Randy Lavery regarding the new bridge on Highway 62 west.**

Copies of letters from Planning Commissioner Eric Scheunemann to Sen. Lavery and forwarding letters from Lavery to Dan Flowers of the Arkansas Highway and Transportation Department (AHTD) have been provided to the Council members. The letters ask for a re-design of the proposed bridge on Highway 62 west.

Ms. Carroll said she is very upset that Mr. Scheunemann had written letters as the secretary of the Planning Commission without the Commission or Council's knowledge or approval. She wants to know what action could be taken against him. She suggested he should be removed from the Commission.

Mr. Weaver asked for time to research the situation before giving an answer.

**City Council 3/27/06 3**

### **EXECUTIVE SESSION:**

Mr. Berry said he did not request an executive session, but a discussion of policies and procedures of how the building official's department continues to operate with the building official, a one-man department, gone.

Mr. Rojek suggested changing the discussion to New Business #5 regarding continuous operation of departments in the absence of department personnel. Council agreed so the discussion could be held.

Mayor Harrison said the building official has been on two-weeks' vacation, but came into his office on Fridays and Saturdays to issue permits and do inspections. He had put up notices in the City Hall and told trades people he would be out of the office at least two weeks ahead of time.

She said the Council had cut funding from the budget to allow an assistant for the building official to be hired.

Ms. Blankenship said she would like to have a workshop with the building official to hear what he needs and wants. She said someone should have been available to take his place when he was gone.

Mr. Berry moved to have a workshop at 5 p.m. Monday, April 10, prior to the next regular Council meeting, with the building official. Ms. Blankenship seconded. All voted aye. Motion passed 6/0/0

### **COUNCIL COMMENTS:**

**Mr. McClung** – said the CAPC needs a letter from the Mayor to Mr. Weaver asking him to visit with CAPC Operations Director Sheila Hulseley and one Commission member regarding steps and procedures for enforcement of collection ordinances.

**Ms. Blankenship** – said she wants a list of the 2006 Public Works projects, including streets, walls, utility lines.

**Mr. Rojek** – said a citizen had brought up the need for emergency warning sirens. He wanted to know if there is enough information for a discussion. Mayor Harrison said a grant is being prepared for funding for sirens. Mr. Rojek asked to have former Alderman Aaron Falotico's proposal for a mandatory recycling program on the Council agenda for the regular meeting of April 24.

**Ms. Carroll** – said she wants a report from Public Works Director Jay Wilson about projects planned for 2006. She wants to discuss forming a policy about who can speak at the Council table and whether or not two Council members should let someone make a presentation. She asked for the discussion to be on the May 8 agenda.

**MAYOR'S COMMENTS:**

Mayor Harrison announced the Eureka Springs School of the Arts has been awarded an Arkansas Heritage Month grant from the Arkansas Historic Preservation Program. Funding will be used to bring Bob Ebbendorf, an internationally known metal smith, to serve as curator for an exhibit of the work of the late Eureka Springs artist Elsa Freund at the New Moon Spa.

Eureka Springs craftsman Larry Williams has been chosen as the 2006 Arkansas Living Treasure by the Arkansas Arts Council as their part of Arkansas Heritage Month.

**City Council 3/27/06 4**

Williams was selected for his revival of the craft of making wooden specialty wood working planes in traditional 17<sup>th</sup> and 18<sup>th</sup> century designs. A reception for him will be hosted in Eureka Springs by the Arts Council during May.

**ADJOURNMENT:**

Mr. McClung moved to adjourn at 9:10 p.m. Mr. Rojek seconded. All voted aye. Motion passed 6/0/0

This is the signature page for the minutes of the March 27, City Council meeting.

---

Mayor Kathy Harrison

---

City Clerk-Treasurer Mary Jean Sell

