

Mayor Kathy Harrison called a special meeting of the Eureka Springs City Council to order at 6:03 p.m. Friday, Sept. 8, 2006, in the jury room of the Western District Carroll County Courthouse.

PRESENT: Mayor Kathy Harrison, Aldermen Beverly Blankenship, Robert "Butch" Berry, Penny Carroll, Rick Rojek, Lori Weaver, City Attorney Tim Weaver, CAPC Director Lynn Berry and City Clerk-Treasurer Mary Jean Sell. Alderman Terry McClung was absent.

Mayor Harrison said the purpose of the meeting was to consider a request from the City Advertising and Promotion Commission (CAPC) Council members to waive the city's bidding procedure to accept a proposal to take down old holiday lighting in the downtown area, install permanent electrical connection boxes, to put up and remove lights for this year's holiday season.

Ms. Blankenship moved to place Ordinance #2028, An Ordinance to Waive the Bid for Expenditures by the CAPC for Christmas Light Rental and Declaring an Emergency, on its first reading. Mr. Berry seconded.

Ms. Berry said city Fire Marshall Jim Kelley is requiring the outside holiday lighting be brought up to the adopted state electrical code this year, meaning lights cannot be hard wired into the buildings and will only be allowed to be up 90 days.

She had a meeting with Mr. Kelley, Building Official Marion Chrysler, Mayor Harrison, Ms. Blankenship and representatives of SWEPCO and The Service Group, the potential contractor for the work.

Ms. Berry said if we purchase the lights, they will have to be replaced every three years. Approximately \$6,000 of the proposal is to install 76 permanent, weatherproofed electrical boxes on buildings. The rest of the cost is the taking down of the existing lights, installing new lights and removing them in 90 days.

Lighting is planned from the top of Planer Hill/intersection of Hwy. 62 and 23; along Hwy. 23/Main Street to the Grand Central Hotel; up Spring Street from Main to the Palace Hotel, including the Carnegie Public Library and Crescent Spring Gazebo. The proposal includes a large lighted sign advertising Dickens of a Christmas.

Ms. Berry said local master electrician/contractor Don Alberson has agreed to oversee the installation of the electrical boxes.

She said she had gotten the names of four companies who do this type of work from the Association of Christmas Lights in Florida. She has chosen The Service Group because of its quote of \$40,000 and its location in Battlefield, MO.

Ms. Weaver said she was uncomfortable waiving the bidding process. This project should have gone out for a bid.

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Ms. Blankenship said the state auditor had told her the Council could say this was a "professional services bid."

Ms. Carroll wanted to know what would happen if the Council did not approve waiving of the bid.

Ms. Berry said she had made a commitment to the State of Arkansas to participate in the Trail of Lights statewide holiday promotion at the first of the year.

Beau Satori said he wants the city to own whatever lighting or decorations are put up. He would rather use the same amount of money to purchase additional decorations, not just lighting buildings.

Dani Wilson said it is irresponsible to throw away \$35,000 on something the city doesn't own.

Pat Matsukis said as a resident she is disappointed that these particular funds are being given to the CAPC. She feels like this is a waste of money and that there are designers in town who could do much more with the funds.

Ms. Blankenship said business owners had asked her to light the downtown area to bring visitors to town to bolster business.

Mr. Weaver said he has a problem with the emergency clause attached to the ordinance. He does not believe there is an emergency if the electricity is not turned on.

Speaking as a citizen, Mr. Weaver said the wiring doesn't have to be done by a lighting company, a master electrician could do it. He said the CAPC is moving too fast on this project.

Mr. Berry agreed the old lights need to be taken down and replaced. He likes the promise of The Service Group to maintain the lights and to replace bulbs while the lights are up.

Mayor Harrison asked if the CAPC had seen or read the agreement. Ms. Berry said no.

Mayor Harrison said the CAPC has not voted on the lights or made any commitment for funding.

Ms. Carroll called the question to stop discussion. Mr. Berry seconded. By roll call, all voted aye. Motion passed

5/0/0

On the motion to place Ordinance 2028 on its first reading, four voted aye. Ms. Weaver voted no. Motion passed

4/0/1

Mayor Harrison read Ordinance 2028 aloud.

Ms. Carroll moved to approve Ordinance 2028 on its first reading. Ms. Blankenship seconded. Four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

Ms. Blankenship moved to suspend the rules and place Ordinance 2028 on its second reading by title only. Mr. Berry seconded. By roll call, four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

Ms. Sell read the title of Ordinance 2028 aloud.

Ms. Blankenship moved to approve the second reading of Ordinance 2028 by title only. Mr. Rojek seconded. Four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

Ms. Blankenship moved to suspend the rules and place Ordinance 2028 on its third reading by title only. Mr. Berry seconded. By roll call, four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

Ms. Sell read the title of Ordinance 2028 aloud.

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Ms. Blankenship moved to approve the third reading of Ordinance 2028 by title only. Mr. Berry seconded. Four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

Ms. Blankenship moved to read the emergency clause. Mr. Rojek seconded.

Mr. Weaver suggested amending the emergency clause to refer to Mr. Kelley's attached letter regarding the safety of the city.

Mr. Berry moved to amend the motion to have the emergency clause "include Fire Marshall Kelley's attached letter, but not limited thereunto." Mr. Rojek seconded. Four voted aye. Ms. Weaver voted no. Motion passed 4/0/1

On the motion to read the emergency clause as amended, four voted aye. Ms. Weaver voted no.

Mayor Harrison read the emergency clause aloud.

ADJOURNMENT:

Ms. Blankenship moved to adjourn at 7:17 p.m. Mr. Berry seconded. All voted aye. Motion passed 5/0/0

This is the signature page for the special City Council meeting Sept. 8, 2006.

Mayor Kathy Harrison

City Clerk-Treasurer Mary Jean Sell

