

Mayor Dani Wilson called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, Aug. 27, 2007, in the jury room on the second floor of the Western District Carroll County Courthouse.

**PRESENT:** Mayor Dani D. Wilson, Aldermen Patrick Brammer, Charlotte Buchanan, Rae Hahn, Kathy Harrison, Eric Scheunemann, Joyce Zeller, City Attorney Tim Weaver, City Advertising and Promotion Commission (CAPC) Director Jim Williams, Planning Commissioner Ken Pownall, Jay Stallard, grants administrator for the Northwest Arkansas Economic Development District in Harrison, and City Clerk-Treasurer Mary Jean Sell.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

Mayor Wilson led the Pledge of Allegiance to the Flag.

**APPROVAL OF THE AGENDA:**

Mr. Brammer moved to approve the agenda. Mr. Scheunemann seconded.

Mr. Brammer said he would like to remove Item #1 of Old Business regarding the loading zone at the intersection of Pine and Spring streets.

Ms. Zeller said she would like to remove Item 5 of Old Business regarding the no parking zone on Mountain St. She said the matter is settled.

Ms. Hahn said she would like a discussion of the safety of Black Bass Dam at New Business Item #2; annexation as New Business Item #3 and impact fees for new construction as New Business Item #4.

Ms. Buchanan said she wants to discuss purchase of equipment for webcasting of meetings as New Business Item #5.

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

**APPROVAL OF THE MINUTES:** Aug. 13, 2007, Amendment to June 11, 2007

**Aug. 13** - Ms. Hahn moved to approve the minutes of the regular City Council meeting of Aug. 13, 2007. Mr. Scheunemann seconded. All voted aye. Motion passed 6/0/0

**June 11** – Ms. Sell said the bond attorney has asked that the minutes of the regular meeting of June 11, regarding the reading and adoption of Resolution 541 be amended to include “and adopt” as part of the motion to read the Resolution. Ms. Zeller moved to add “and adopt” as requested. Mr. Brammer seconded. All voted aye. Motion passed 6/0/0

**DEPARTMENT HEAD AND COMMISSION REPORTS:**

Mayor Wilson announced a purchase order and central purchasing system will be implemented in city departments for bulk items.

Mayor Wilson read a letter from Fire Chief David Stoppel announcing his retirement and resignation from the Emergency Services Department, effective Aug. 28. She thanked him for his 22 years of service to the city.

**Tourism Advisory Council** – Chairman Mike Bishop gave a report on the activities of the Council and read aloud the list of members. The Council’s next meeting is 5:30 p.m. Tuesday, Aug. 28, at the Inn of the Ozarks.

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**PUBLIC COMMENTS:**

**Lany Ballance** said she wants an engineer to inspect Black Bass Dam. She is concerned about public safety regarding persons walking on the dam.

**Mickey Schneider** wants signage on the parking lots and meters that can be seen in the dark indicating hours of collection for parking fees.

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

Cemetery - Position 5, expiring 2/15/08

CAPC – Nominee Mike Drennon for the at-large seat Mr. Brammer moved to approve the nomination of Mike Drennon for the at-large seat. Ms. Zeller seconded. All voted aye. Motion passed 6/0/0

Parks – Position 2, expiring 5/1/08

**Planning Commission** – Mayor Wilson read aloud the letter from the Planning Commission/Board of Zoning Adjustment recommending a moratorium on Planned Unit Developments (PUDs) and subdivisions for 160 days or until new ordinances for PUDs and subdivisions are in place.

Mr. Scheunemann moved to accept the recommendation and place a 160-day moratorium on applications or until ordinances are adopted and in place. Ms. Hahn seconded. Four voted aye. Ms. Zeller and Mr. Brammer voted nay. Motion passed 4/2/0

**OLD BUSINESS:**

**1. Discussion of Ordinance 2061 adopting policy and procedures manual for city employees.**

Mr. Brammer moved to place Ordinance 2061 on its first reading. Ms. Zeller seconded. All voted aye. Motion passed 6/0/0

Ms. Sell read the ordinance aloud.

Mr. Brammer moved to approve Ordinance 2061 on its first reading, Mr. Scheunemann seconded. All voted aye. Motion passed 6/0/0

**2. Discussion of Resolution 543 concerning Parks application for grant funds**

Ms. Zeller moved to pass and adopt Resolution 543 as it stands and to amend Ordinance 2062, regarding the mid-year budget, to reflect \$15,000 for matching funds and this is to be the last request for funds for Lake Leatherwood. Mr. Brammer seconded. All voted aye. Motion passed 6/0/0

Mayor Wilson read Resolution 543 aloud.

**3. Discussion of Ordinance 2062 approving mid-year budget revisions.**

Mr. Brammer moved to place Ordinance 2062 on its first reading. Ms. Zeller seconded. All voted aye. Motion passed 6/0/0

Ms. Sell read Ordinance 2062 aloud.

Mr. Brammer moved to approve Ordinance 2062 on its first reading. Ms. Zeller seconded.

Mr. Brammer moved to amend the Parks and Recreation Commission line item to \$15,000. Ms. Zeller seconded. Five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

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On the motion to approve the first reading of Ordinance 2062 as amended, five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mr. Brammer moved to suspend the rules and place Ordinance 2062 on its second reading by title only. Ms. Zeller seconded. By roll call, five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mayor Wilson read the title of Ordinance 2062 aloud.

Mr. Brammer moved to approve Ordinance 2062 on its second reading by title only. Ms. Zeller seconded. Five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mr. Brammer moved to suspend the rules and place Ordinance 2062 on its third reading by title only. Ms. Zeller seconded. By roll call, five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mayor Wilson read the title of Ordinance 2062 aloud.

Mr. Brammer moved to approve Ordinance 2062 on its third reading by title only. Ms. Zeller seconded. Five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mr. Brammer moved to read the emergency clause. Ms. Zeller seconded. Mr. Brammer moved to suspend the rules and place Ordinance 2062 on its second reading by title only. Ms. Zeller seconded. By roll call, five voted aye. Ms. Harrison

voted no. Motion passed 5/1/0

Mayor Wilson read the title of Ordinance 2062 aloud.

Mr. Brammer moved to approve Ordinance 2062 on its second reading by title only. Ms. Zeller seconded. Five voted aye. Ms. Harrison voted no. Motion passed 5/1/0

Mayor Wilson read the emergency clause aloud.

Mr. Brammer moved to a 10 minute recess at 8:21 p.m. Ms. Hahn seconded. All voted aye. Meeting resumed at 8:44 p.m.

#### **4. Discussion of Highway 62 West**

Mr. Scheunemann reported meeting with the Northwest Carroll County Council at Grassy Knob on June 31.

Mr. Scheunemann asked to form a committee to discuss potential artwork for the new bridge on Highway 62 West of town. Mayor Wilson appointed him to serve as chairman.

### **NEW BUSINESS:**

#### **1. Discussion of resolutions regarding anti-displacement, civil rights,**

#### **designation, and fair housing relating to grant application for water line improvements on Prospect Ave.**

Mr. Brammer moved to read and adopted **Resolution 546** setting a need for a consultant to assist the city in the administration of a grant under the Arkansas Community and Economic Development Program. Ms. Zeller seconded. Mr. Brammer, Mr. Scheunemann, Ms. Zeller voted aye. Ms. Hahn and Ms. Buchanan voted no. Mayor Wilson voted aye. Motion passed 4/2/0

Ms. Harrison left the meeting during the discussion, at approximately 9:30 p.m.

Ms. Sell read Resolution 546 aloud.

Mr. Brammer moved to read and adopt **Resolution 547** prohibiting the excessive use of force by law enforcement agencies. Ms. Zeller seconded. Five voted aye. Motion passed 5/0/0

Mr. Brammer read Resolution 547 aloud.

Mr. Brammer moved to read and adopt **Resolution 548** regarding anti-displacement of

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low and moderate income dwellings. Ms. Zeller seconded. Five voted aye. Motion passed 5/0/0

Mayor Wilson read Resolution 548 aloud.

Mr. Brammer moved to read and adopt **Resolution 549** supporting fair housing in Eureka Springs. Ms. Zeller seconded. Five voted aye. Motion passed 5/0/0

Mayor Wilson read Resolution 549 aloud.

#### **2. Discussion of Black Bass Lake.**

Ms. Hahn moved to request the Parks and Recreation Commission postpone any work at Black Bass Dam. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

#### **3. Discussion of annexation.**

Ms. Hahn said she would like to look at areas for possible annexation into the city and to have it on the next Council agenda.

#### **4. Discussion of impact fees.**

Mr. Scheunemann moved to postpone discussion until the Sept. 10 Council meeting. Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

#### **5. Discussion of Pod casting meetings.**

Ms. Buchanan said she would get three proposals for Pod casting of meetings.

**EXECUTIVE SESSION:**

Ms. Hahn moved to go into executive session at 9:52 p.m. Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

Ms. Hahn moved to return to the Council meeting at 9:57 p.m. Ms. Zeller seconded. All voted aye. Motion passed 5/0/0

Mr. Brammer moved to appoint Jimmy Kelley as interim fire chief and to pay him the salary commensurate with the position as long as he holds the job. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

**ADJOURNMENT:**

Mr. Brammer moved to adjourn at 10:17 p.m. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

This is the signature page for the minutes of the Aug. 27, 2007, regular City Council meeting.

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Mayor Dani D. Wilson

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City Clerk-Treasurer Mary Jean Sell

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