

Mayor Dani Joy called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, Oct. 27, 2008, in the jury room on the second floor of the Western District Carroll County Courthouse.

**PRESENT:** Mayor Dani D. Joy, Aldermen Patrick Brammer, Eric Scheunemann, Rae Hahn, Kathy Harrison, Joyce Zeller, City Attorney Tim Weaver, Finance Director Yvonne Kline, Mayor's Assistant Diane Wilkerson, Public Works Director Dwayne Allen.

**PLEDGE OF ALLEGIANCE:** Mayor Joy led the Pledge of Allegiance to the Flag.

**APPROVAL OF THE AGENDA:**

Mr. Scheunemann moved to approve the agenda. Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

**APPROVAL OF THE MINUTES:** No minutes were available

**DEPARTMENT HEAD AND COMMISSION REPORTS:**

**Planning** – Commissioner Ken Pownall reported on two training schools he has recently attended.

Mr. Brammer moved to take a 10-minute break. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

Carroll County Judge Richard Williams addressed the Council regarding rumors of the closing of the Western District Carroll County Courthouse and the building of a new courthouse in Berryville.

**PUBLIC AGENDA REQUESTS:** None

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

Planning—Position 2 - expires 1/1/11 Position 7 – expires 1/1/09

**Position 3** – expires 7/1/10 - Nominee Mark Acuff Mayor Joy removed Mr.

Acuff's name from nomination because he has moved out of town.

**CAPC** –Position 3 lodging – expires 6/30/11 – Nominee Frank Green Mr. Brammer moved to approve the nomination of Frank Green to Position 3 on the CAPC. Ms. Zeller seconded. By roll call, Ms. Zeller and Mr. Brammer voted aye; Ms. Hahn and Ms. Harrison voted no; Mr. Scheunemann voted present. Motion failed 2/3/0

**OLD BUSINESS:**

**1. Discussion of proposal for impact fees.** (Harrison, Hahn)

Ms. Hahn moved to open discussion. Ms. Harrison seconded. By roll call. Mr. Scheunemann, Ms. Harrison, Ms. Hahn voted aye. Mr. Brammer, Ms. Zeller voted no. Motion failed 3/2/0.

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**2. Discussion regarding unsewered properties** (Mayor)

There was no motion for discussion.

**3. Discussion Ordinance 2091 regarding disposal of animal feces** (3rd reading)

(Mayor)

Ms. Zeller moved to suspend the rules and place Ordinance 2091 on its third reading by title only. Mr. Brammer seconded. Four voted aye. Mr. Scheunemann voted no. Motion passed 4/1/0

Mayor Joy read the title of Ordinance 2091 aloud.

Mr. Brammer moved to approve Ordinance 2091 on its third reading by title only. Ms. Zeller seconded. By roll call, Ms. Zeller, Mr. Brammer voted aye. Ms. Hahn, Ms. Harrison voted no. Mr. Scheunemann voted present. Motion failed 2/3/0

4. **Discussion of Ordinance 2092 setting real, personal property tax levies.** (3<sup>rd</sup> reading) (Mayor)

Mr. Brammer moved to suspend the rules and place Ordinance 2092 on its third reading by title only. Ms. Harrison seconded. Four voted aye. Mr. Scheunemann voted present. Motion passed 4/1/0  
Mayor Joy read the title of Ordinance 2092 aloud.

Mr. Brammer moved to approve Ordinance 2092 on its third reading by title only. Ms. Zeller seconded. By roll call, four voted aye. Mr. Scheunemann voted present. Motion passed 4/1/0

5. **Discussion of Ordinance 2093, mid-year budget revisions** (2<sup>nd</sup> reading) (Harrison, Hahn)

Mr. Brammer moved to suspend the rules and place Ordinance 2093 on its second reading by title only. Ms. Zeller seconded. Ms. Zeller, Ms. Hahn, Mr. Brammer voted aye. Ms. Harrison voted no. Mr. Scheunemann voted present. Mayor Joy voted aye. Motion passed 4/2/0

Mayor Joy read the title of Ordinance 2093 aloud.

Mr. Brammer moved to approve Ordinance 2093 on its second reading by title only. Ms. Zeller seconded. By roll call, four voted aye. Mr. Scheunemann voted present. Motion passed 4/1/0

6. **Discussion of engineering study for Black Bass Dam** (Hahn, Scheunemann)

Ms. Hahn moved to discuss. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

No action was taken.

7. **Discussion of tree management program** (Harrison, Hahn)

Mr. Scheunemann moved to discuss. Ms. Harrison seconded. . All voted aye. Motion Passed 5/0/0

No action was taken.

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**NEW BUSINESS:**

1. **Discussion of revisions to Resolution 555, free holiday parking** (Mayor)

Ms. Hahn moved to amend Resolution 555 to allow free parking after 1 p.m. along Spring and Main streets Nov. 10, 2008, to Jan. 31, 2009. Mr. Scheunemann seconded.

After discussion, Mr. Weaver said he would prepare a new resolution.

2. **Discussion of spraying of herbicides** (Scheunemann, Brammer)

Mr. Brammer moved to discuss. Mr. Scheunemann seconded. All voted aye. Motion passed 5/0/0

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

**ADJOURNMENT:**

Mr. Brammer moved to adjourn at 8:30 p.m. Ms. Harrison seconded. All voted aye. Motion passed 5/0/0

This is the signature page for the minutes of the regular Eureka Springs City Council meeting of Monday, Oct. 27, 2008.

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Mayor Dani D. Joy

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City Clerk-Treasurer Mary Jean Sell CMC

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