

CITY OF EUREKA SPRINGS

CITY COUNCIL

REGULAR MEETING

MONDAY

FEBRUARY 23, 2009

Mayor Dani Joy called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, Feb. 23, 2009, in the jury room on the second floor of the Western District Carroll County Courthouse.

PRESENT: Mayor Dani D. Joy, Aldermen Robert "Butch" Berry, Beverly Blankenship, Patrick Brammer, James DeVito, Rob Wagner, City Attorney Tim Weaver, Finance Director Yvonne Kline, Mayor's Assistant Diane Wilkerson and City Clerk-Treasurer Mary Jean Sell CMC. Alderman Joyce Zeller was absent.

Mayor Joy read aloud a proclamation naming Feb. 23, 2009 as Rotary Day, honoring the founding of Rotary International on Feb. 23, 1905. Several members of Eureka Springs Rotary Club were on hand for the reading and presentation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Joy led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

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

Ms. Blankenship moved to add the minutes of the Feb. 13 special City Council meeting. Mr. Brammer seconded.

All voted aye. Motion passed 5/0/0

On the motion to approve the amended agenda, all voted aye. Motion passed 5/0/0

APPROVAL OF THE MINUTES: Feb. 9, 2009 and Special meeting Feb. 13, 2009

Feb. 9 – Ms. Blankenship moved to approve the minutes of the regular City Council meeting of Feb. 9, 2009. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0

Feb. 13 - Ms. Blankenship moved to approve the minutes of the special City Council meeting of Feb. 13, 2009. Mr. Berry seconded. Mr. Weaver said he was not present for the special meeting. All voted aye. Motion passed 5/0/0

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:

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

HDC – Position 5 – expires 11/30/11

Parks and Recreation – Position 2 – expires 5/1/13 – Re-nominated Ruth Hager Mr. Brammer moved to re-appoint Ruth Hager to Position 2. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0

CAPC –Position 3 – expires 6/30/11 Position 4 – expires 6/30/12

Cemetery – Positions 1, 2, 3 expire 2/15/12 Position 4 – expires 2/15/11 – Ken Fugate re-nominated for Position 3 Mr. Brammer moved to re-appoint Ken Fugate to Position 3. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0 Mayor Joy nominated June Westphal and Frank Green for re-appointments.

City Council 2/23/09 1

Hospital – Position 1 – expires 6/1/13 – Re-nominated Anna Ahlman Ms. Blankenship moved to re-appoint Anna Ahlman to Position 1. Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

Main Street Arkansas – Downtown Network Program Coordinator Glenna Booth presented a brief report on the effort to revitalize the program in Eureka Springs and to develop a plan of work for the group of volunteers. An organization meeting for volunteers will be held at 5:30 p.m. Thursday, March 12, at the Rock House Plaza.

Mayor Joy said the Tree City Committee has provided copies of the proposed ordinance for the Council's consideration.

Planning – Chairman Ken Pownall said the Planning Commission will review the proposed ordinance from the Tree City Committee.

PUBLIC COMMENTS: None

OLD BUSINESS:

1. Discussion of proposed ordinance to raise city water rates in line with Carroll

Boone increase. (3rd reading)

Ms. Blankenship moved to amend Section 5 adding the wording "February billing to be mailed in March of 2009." Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

Ms. Blankenship moved to approve the 3rd reading of Ordinance 2098 as amended. Mr. Brammer seconded. All voted aye. Motion passed 5/0/0

Mr. Brammer moved to read the emergency clause. Mr. DeVito seconded. By roll call, all voted aye. Motion passed 5/0/0.

Ms. Sell read the emergency clause aloud.

2. Discussion of 2008 budget clean up ordinance. (2nd reading)

Mr. Brammer moved to suspend the rules and place Ordinance 2095 on its second reading by title only. Mr. DeVito seconded. By roll call, four voted aye. Ms. Blankenship voted no. Motion passed 4/0/1 Mayor Joy read the title of Ordinance 2095 aloud.

Mr. Brammer moved to approve the second reading of Ordinance 2095 by title only. Mr. DeVito seconded. Four voted aye. Ms. Blankenship voted no. Motion passed 4/0/1

3. Discussion of city employee leave policy

During the regular meeting of Feb. 9, Mayor Joy had brought issues from employees regarding compensation for the days from Jan. 26 to Jan. 30 they were unable to work because the City Hall and other offices were without electrical power because of the ice storm.

Mr. DeVito moved to discuss. Mr. Berry seconded. By roll call, four voted aye. Mr. Brammer voted no. Motion passed 4/0/1

After a brief discussion, it was the consensus of the Council that the policy is administrative and is at the discretion of the mayor and city department heads.

City Council 2/23/09 2

NEW BUSINESS:

1. Discussion of Planning Commission's recommendation for 90-day moratorium on sign permits

Mr. Brammer moved to open discussion. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0

The letter from the Planning Commission recommended a 90-day moratorium on all sign permits. There was discussion about the types of signs to actually be prohibited.

Mr. DeVito moved that no new off-site signs be constructed. Mr. Berry seconded.

Mr. DeVito moved to amend his motion that no new off-site signs be constructed for 60 days. Mr. Berry seconded. Four voted aye. Ms. Blankenship voted no. Motion passed 4/1/0

On the amended motion, by roll call, four voted aye. Ms. Blankenship voted no. Motion passed 4/1/0

MAYOR'S COMMENTS:

Mayor Joy said she is bringing collection of water bills back to city hall from the public works office as of March 1. Bills can still be put in the drop box at the public works office and city hall in addition to paying the receptionist.

ADJOURNMENT:

Mr. DeVito moved to adjourn at 7:20 p.m. Mr. Berry seconded. All voted aye. Motion passed 5/0/0

This is the signature page for the minutes of the Feb. 23, 2009, regular meeting of the Eureka Springs City Council.

APPROVED:

Mayor Dani D. Joy

ATTEST:

City Clerk-Treasurer Mary Jean Sell CMC

City Council 2/23/09 **3**