

CITY OF EUREKA SPRINGS

CITY COUNCIL

REGULAR MEETING

MONDAY

JULY 13, 2009

Mayor Dani Joy called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, July 13, 2009, in the jury room on the second floor of the Western District Carroll County Courthouse.

PRESENT: Mayor Dani D. Joy, Aldermen Beverly Blankenship, Patrick Brammer, James DeVito, Joyce Zeller, City Attorney Tim Weaver, and City Clerk-Treasurer Mary Jean Sell CMC. Alderman Robert "Butch" Berry and Rob Wagner were absent.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Joy led the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

Mr. DeVito moved to approve the agenda. Ms. Blankenship seconded.

Ms. Blankenship noted that Ordinance 2105 is on the agenda for its third reading, not the second.

Mayor Joy asked to postpone Old Business Item #4, appeal of property owner regarding review of plan for covering portion of parking lot at 109-113 N. Main from Basin Park Hotel by Planning Commission, and Item #5, discuss repair of parapets on City Auditorium, to the meeting of regular meeting of Aug. 27. Mr. Brammer moved to postpone Items #4 and #5 to a regular meeting on or before Aug. 24. Mr. DeVito seconded. All voted aye. Motion passed 4/0/0
On the motion to approve the agenda as amended, all voted aye. Motion passed 4/0/0

APPROVAL OF THE MINUTES: June 22, 2009 Special meeting July 1, 2009

June 22 - Mr. DeVito moved to approve the minutes of the regular City Council meeting of June 22, 2009. Mr. Brammer seconded. All voted aye. Motion passed 4/0/0

July 1 - Mr. DeVito moved to approve the minutes of the special City Council meeting of July 1, 2009. Mr. Brammer seconded. All voted aye. Motion passed 4/0/0

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:

CAPC – City Advertising and Promotion Commission (CAPC) Chairman Richard Grinnell nominated Alvin Byrd to continue in Position 1, which expired June 30. Mr. DeVito moved to reappoint Mr. Byrd to Position 1 on the CAPC. Mr. Brammer seconded. All voted aye. Motion passed 4/0/0

Planning - Position 1- expires 7/1/11 Position 2 - expires 1/1/11 Position 7 – expires 1/1/12 Position 4 – expires 7/1/12 – Re-nomination Jim Morris Ms. Blankenship moved to re-appoint Jim Morris to Position 4. Mr. Brammer seconded. All voted aye. Motion passed 4/0/0

Hospital – Position 2 – expires 6/1/14 – Re-nomination Bill Fort Mr. Brammer moved to re-appoint Bill Fort to Position 2. Ms. Blankenship seconded. All voted aye. Motion passed 4/0/0

Planning – Mayor Joy nominated Mickey Schneider to Position 7 on the Planning Commission/Board of Zoning Adjustment and nominated David Mitchell for Position 1.

Parks – Position #3 – expires 5/1/12 Position #6 – expires 5/1/12 Mayor Joy nominated Draxie Rogers to retain Position 3 and Daniel Jackson to retain Position 6.

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Planning – Ms. Blankenship moved to appoint Mickey Schneider to Position 7 on the Planning Commission. Ms. Zeller seconded. All voted aye. Motion passed 4/0/0.

PUBLIC COMMENTS:

Five persons said they were opposed to the installation of parking meters instead of continuing to use pay stations for the parking lot around the Western District Carroll County Courthouse and north of the City Auditorium block.

One person spoke in support of the Parks Commission's proposal for a land bank.

OLD BUSINESS:

1. Discussion of the Artery on First Street.

Ms. Blankenship moved to open discussion. Mr. DeVito seconded. All voted aye. Motion passed 4/0/0.

(Note: There is an on-going discussion to develop a contract between the City and Charlotte Buchanan for use of the concrete wall on which The Artery, a display of four foot by eight foot painted panels mounted to the wall, is located.) Mr. Weaver said Glamorama Productions (Ms. Buchanan's company) is registered as a for-profit organization in Arkansas and is current with its taxes. He has a contract prepared for Ms. Buchanan to sign. Mr. Brammer and Ms. Zeller said they wanted to review the contract before it is signed.

2. Discussion of Leatherwood Bridge proposed annexation

Mr. Brammer moved to open discussion. Mr. DeVito seconded.

(Note: The State of Arkansas has notified the city that it will tear down the bridge across Leatherwood Creek on Highway 62 west near the entrance to Lake Leatherwood Park if the city or county do not want to maintain it. The city would like to retain the bridge as part of the park entrance. Carroll County actually owns the property and would have to deed it to the city for continued use and maintenance.)

Mr. Weaver said Parks Director Bruce Levine has gotten an estimate of \$1,000 for the survey/creation of a property description for the bridge. He is still waiting on a decision from the Carroll County Quorum Court on sharing the expense for the survey.

Mr. Brammer moved to authorize Mr. Weaver to give the Quorum Court up to 50 percent or \$1,000 for the survey and land description. Ms. Zeller seconded. All voted aye. Motion passed 4/0/0

3. Ordinance 2105 updating fire safety code, third reading

Ms. Blankenship moved to suspend the rules and place Ordinance 2105 on its third reading by title only. Mr. DeVito seconded. By roll call, all voted aye. Motion passed 4/0/0

Ms. Sell read the title of Ordinance 2105 aloud.

Mr. DeVito moved to amend Ordinance 2105 in Section 2 (b) changing to Chapter 45 in Volume 1. Ms. Blankenship seconded. All voted aye. Motion passed 4/0/0

Mr. Brammer moved to approve Ordinance 2105 as amended on its third reading. Ms. Blankenship seconded. All voted aye. Motion passed 4/0/0

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NEW BUSINESS:

1. Request from ESDN for Sidewalk Sale Sept. 18-20

Ms. Sell presented a letter from Eureka Springs Downtown Network (ESDN) Executive Director Jacqueline Wolven regarding a proposed city-wide sidewalk sale Sept. 18-20 with a penny carnival in Basin Park.

Council members agreed it was a good promotional idea and determined individual garage sale permits were not needed.

2. Discussion of land bank

Parks Director Bruce Levine presented a proposal to establish a land bank. The plan includes selling the pieces of city-owned property that will never be developed for public use. He has identified 93 parcels of city-owned land and 11 spring reservations owned by the city in fee simple title, outside of the designated green zones and rights-of-way. Twenty-eight of them are developed and 65 are not. The proposal would put the land into use categories.

Funds from the sale of the property would be put into a fund to purchase other properties for the city.

Mr. Levine asked for \$5,000 as seed money to start the land bank. Council will consider the request in the up-coming mid-year budget review.

Mayor Joy set a budget workshop for 4 p.m. Monday, July 20, in the council room.

ADJOURNMENT:

Mr. Brammer moved to adjourn at 7:37 p.m. Mr. DeVito seconded. All voted aye. Motion passed 4/0/0

This is the signature page for the minutes of the regular Eureka Springs City Council meeting of Monday, July 13, 2009.

Mayor Dani D. Joy

City Clerk-Treasurer Mary Jean Sell CMC

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