



CITY OF EUREKA SPRINGS

CITY COUNCIL

REGULAR MEETING

MONDAY

May 24, 2010

Mayor Pro-Tem Robert Butch Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, May 24, 2010, in the jury room on the second floor of the Western District Carroll County Courthouse.

PRESENT: Mayor Pro-Tem Robert Butch Berry, Aldermen Beverly Blankenship, Patrick Brammer, James DeVito, Mickey Schneider, Joyce Zeller, City Attorney Tim Weaver, City Clerk-Treasurer Mary Jean Sell CMC.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Pro-Tem Berry led the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

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

Ms. Blankenship moved to postpone Old Business Item #2, discussion of underground channel/tunnel repairs, to the next regular meeting, Monday, June 14.

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

APPROVAL OF THE MINUTES: May 10, 2010

Mr. DeVito moved to approve the minutes of the regular City Council meeting of Monday, May 10, 2010. Ms. Zeller seconded.

Ms. Blankenship noted on Page 1 in the approval of the minutes of April 26, 2010, the vote should have been 5/0/1. Mr. Berry abstained because he was absent.

On the motion to approve the minutes of May 10, 2010, as amended, all voted aye. Motion passed 5/0/0

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND VACANCIES:

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

Position 6 - expires 1/1/12

Parks - Position 1 - expires 5/01/12, Nominated Melissa Sisco Ms. Schneider moved to approve the nomination of Melissa Sisco to Position 1. Ms. Blankenship seconded. All voted aye. Motion passed 5/0/0

Position 4 - expires 5/01/15 Re-nominated Joanne Gaupner Mr. Brammer moved to re-appoint Joanne Gaupner to Position 4. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0

Position 5 - expires 5/01/11

Position 7 - expires 5/01/15 Re-nominated Bill Featherstone Ms. Schneider moved to approve the re-nomination of Bill Featherstone to Position 7. Mr. DeVito seconded. All voted aye. Motion passed 5/0/0

PROCLAMATION FOR OPERA IN THE OZARKS 60TH ANNIVERSARY, Mayor Pro-Tem Berry read aloud a proclamation from Mayor Dan Joy naming May 24, 2010, for Opera in the Ozarks 60th season and for the many contributions to the culture and history of the Greater Eureka Springs and Northwest Arkansas.

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PUBLIC COMMENTS:

Valarie Leverett, asked for the City to designate more free parking spaces for handicapped persons, and to try and make the city more handicapped accessible.

Three persons asked the Council not to move the location of the City Council and city commission meetings.

Rick Bright asked for repairs of the potholes in the streets, particularly the one on Armstrong St.

Four persons spoke in support of Eureka Kids and its various programs of support for the community.

OLD BUSINESS:

1. Discussion of ordinance to vacate unnamed alley lying between Lots 8-11 and Lot 7, Block 10, Bays Survey, off Magnetic Road, 3rd reading

Ms. Blankenship moved to suspend the rules and place Ordinance 2121 on its third reading and final by title only. Mr. DeVito seconded. By roll call, Ms. Schneider, Ms. Zeller, Mr. DeVito and Ms. Blankenship voted aye. Mr. Brammer voted no. Four voted aye. One voted no. Motion passed 4/1/0

Ms. Sell said the contractor for the project had reviewed the legal description of the property in the ordinance and found it to be correct.

Ms. Sell read the title of Ordinance 2121 aloud.

Ms. Blankenship moved to approve Ordinance 2121 on its third reading by title only. Mr. DeVito seconded.

Ms. Zeller asked if it is legal for the City to charge \$800 for the alley. Mr. Weaver said the Municipal League has confirmed the City's authority to sell the land.

On the motion, four voted aye, Mr. Brammer voted no. Motion passed 4/1/0

2. Discussion of moving city meetings to another location

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

Ms. Schneider said citizens who have talked to her want the meetings to be broadcast live and to remain in the current location. Mayor Pro-Tem Berry said he had talked with Mayor Joy this afternoon and it is his understanding that the Eureka Springs School Board is not sure they want to allow the meetings in their meeting room in the administration building/superintendent's office for security and clean-up reasons.

Mr. DeVito moved to table the discussion until information is available that the School Board is willing to allow the meetings there. Mr.

Brammer seconded. Four voted aye. Ms. Schneider voted no. Motion passed 4/1/0

NEW BUSINESS:

1. Review of City Attorney position

Ms. Blankenship moved to open discussion, Mr. Brammer seconded, Ms. Blankenship,

Ms. Schneider and Mr. DeVito voted aye, Mr. Brammer and Ms. Zeller voted no, Mayor Pro-Tem Berry voted aye to open discussion, Motion passed 4/2/0

Ms. Blankenship said she has brought up the city attorney's position because the post will be up for election this fall. If there are to be any changes in his duties, now is the time to make them, so potential candidates can know what the job is. City Council 5/24/10 2

There was discussion of the city attorney's specific duties as outlined in Ordinance 1932. He is currently being paid \$75 per hour for criminal work, \$100 per hour for civil work and \$150 per meeting he attends.

Ms. Blankenship moved to leave the city attorney's duties as they are. Ms. Zeller seconded. All voted aye. Motion passed 5/0/0

2. Discussion of Eureka Kids' contract for use of Community Building in Harmon

Park

Ms. Schneider moved to open discussion, Mr. Brammer seconded.

Ms. Blankenship said the current five year lease will expire in August. She said they need to show how they have fulfilled the contract and the City needs to show what it has cost the city and whether or not the City wants to renew the contract.

Barb Dunnam, Eureka Kids' director, gave some information about the number of programs and number of persons served by the programs.

Ms. Blankenship moved to place the item on the agenda for the next regular meeting, Monday, June 14. Mr. DeVito seconded. All voted aye.

Motion passed 5/0/0

ADJOURNMENT:

Mr. Brammer moved to adjourn at 7:25 p.m. Mr. DeVito 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, May 24, 2010.

APPROVED:

ATTEST:

Mayor Dan D. Joy

City Clerk-Treasurer Mary Jean Sell CMC