

Mayor Pate called the special meeting of the Eureka Springs City Council to order Wednesday, November 21, 2012 in the jury room on the second floor of the Western District Carroll County Courthouse. The purpose of the meeting: **to waive bidding on 820 feet of Lake Lucerne Road improvements, and declaring an emergency clause.**

PRESENT: Mayor Pate, Aldermen Ken Pownall, James DeVito, Parker Raphael, Butch Berry, City Attorney Tim Weaver and Mayoral Assistant Diane Wilkerson

ABSENT: Karen Lindblad, Lany Ballance and City Clerk/Treasurer Ann Armstrong

Mr. Pownall moved to discuss. Mr. DeVito seconded. Mr. Pownall moved to assign an ordinance number and read said ordinance. Mr. DeVito seconded. A voice vote followed.

Motion carried 4/0/0.

The Mayor assigned the number: 2168. Mr. Berry sought to have the Public Works Director include "820 ft" in his proposal.

Mayor Pate noted the engineer believed eight inches of base material with two inches of asphalt should last 15-20 years. He called for a vote on the first reading.

Motion carried 4/0/0.

Mayor Pate read **ORDINANCE No. 2168 AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR WIDENING AND PAVING 820 FEET OF LAKE LUCERNE ROAD AND DECLARING AN EMERGENCY.**

Mr. DeVito moved to approve Ordinance No. 2168 on its first reading. Mr. Berry seconded.

Mr. Pownall moved to add "from the intersection of Greenwood Hollow Road". Mr. DeVito seconded. Mr. Pownall amended his motion to read "from the intersection of Greenwood Hollow Road for a distance of 820 feet". Mr. DeVito seconded. A voice vote on the amendment followed.

Motion carried 4/0/0.

Mr. Pownall moved to add "because it does not meet fire code requirements". It was modified to "because it does not meet requirements of the International Building Code". Mr. Berry seconded. A voice vote on the amendment followed.

Motion carried 4/0/0.

Mr. Pownall moved to approve Ordinance No. 2168 on its first reading, as amended. A voice vote followed.

Motion carried 4/0/0.

Mr. DeVito moved to suspend the rules and to place Ordinance No. 2168 on its second reading by title only. Mr. Pownall seconded. A roll call vote followed.

Motion carried 4/0/0. Mayor Pate read the Ordinance title.

Mr. Berry moved to approve Ordinance No. 2168 on its second reading. Mr. Pownall seconded. A voice vote followed.

Motion carried 4/0/0.

Mr. DeVito moved to suspend the rules and to place Ordinance No. 2168 on its third reading by title only. Mr. Pownall seconded. A roll call vote followed.

Motion carried 4/0/0. Mayor Pate read the Ordinance title.

Mr. Pownall moved to approve Ordinance No. 2168 on its third reading. Mr. DeVito seconded. A roll call vote followed.

Motion carried 4/0/0.

Mr. Raphael moved to suspend the rules, read the emergency clause, and approve the emergency clause. Mr. DeVito seconded. A roll call vote followed.

Motion carried 4/0/0.

Mr. Berry moved to place on the Agenda discussion of impact fees for the Eureka Springs Schools. Mayor Pate noted the current Street Fund balance is \$147,152. Less \$38,000 the balance will be \$109,152.

Mr. Pownall moved to have the Mayor sign the Ordinance that evening. Mr. DeVito seconded.

Motion carried 4/0/0.

ADJOURNMENT:

Mr. DeVito moved to adjourn. Mr. Pownall seconded.
Motion carried 4/0/0.

This is the signature page for the minutes of the special meeting of the Eureka Springs City Council on November 21, 2012.

ATTEST:


City Clerk/Treasurer Ann Armstrong

APPROVED:


Mayor Morris Pate

Aldermen who voted "Aye" – Parker Raphael, Ken Pownall, James DeVito, and Butch Berry

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