

Review of August financials: 5:00 p.m.

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, September 22, 2014 6 p.m.
AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: September 8, 2014

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 1 – Steve Beacham – expired 7/1/14. Pos. 2 – Mickey Schneider (temp.) – expires 1/1/17.

CAPC – nominations: Pos. 3 -- Ken Ketelsen and Pos. 7 – Charles Ragsdell

Hospital – Pos. 2 – Suzanne Tourtelot – expired 6/1/14

Parks – Pos. 6 – vacant -- expires 5/1/19

HDC –

Cemetery – Pos. 2 – vacant – expires 2/15/15. Pos. 4 – Henry Romanski – expired 2/15/14.

PUBLIC COMMENTS:

UNFINISHED BUSINESS:

1. Update on disposal of yard waste – Ms. Schneider and Mr. Mitchell
2. Ordinance No. 2214 Multi-family – **postponed, pending Planning action**
3. Discussion of fluoride – Ms. Schneider and Ms. Zeller
4. Discussion of parking garage – Mr. DeVito and Mr. Purkeypile
5. Cost estimates for contracting jetter and sewer camera use – Mr. Purkeypile and Ms. Schneider
6. Discussion of tree trimming – Ms. Schneider and Mr. Mitchell
7. Discussion of the hospital and bonding company – Mr. McClung and Mr. DeVito

NEW BUSINESS:

1. Ordinance for six two-hour parking spaces by the Library – Mr. McClung and Mr. Purkeypile
2. Appraisal for two fire stations – **pending scheduling** -- Ms. Schneider and Mr. Mitchell
3. Ordinance No. 2217 Ad Valorem – 3rd reading
4. Discussion of having Hospital Commission meetings taped/occur in the jury room – Mr. DeVito and Mr. Purkeypile
5. Status/cost of the new Public Works building – Mr. McClung and Mr. Purkeypile
6. Summary of the Tourism workshop – Mr. Purkeypile and Mr. Mitchell

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

**CITY OF EUREKA SPRINGS
CITY COUNCIL**

REGULAR MEETING

MONDAY

SEPTEMBER 22, 2014

Mayor Pate called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, September 22, 2014, in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Pate, Aldermen David Mitchell, Terry McClung, Dee Purkeypile, James DeVito, Joyce Zeller, Mickey Schneider, City Attorney Tim Weaver, and City Clerk/Treasurer Ann Armstrong

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Pate led the Pledge.

APPROVAL OF THE AGENDA:

Mr. DeVito moved to approve. Mr. Purkeypile seconded. Mr. Purkeypile moved to delete New Business item #7. Ms. Schneider postponed Unfinished Business item #1. Mayor Pate called for a vote on the amended agenda.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: September 8, 2014

Mr. DeVito moved to discuss. Mr. McClung seconded. Mr. McClung moved to approve. Mr. Purkeypile seconded.

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – no report

CAPC – Mayor Pate noted the nomination of Ken Ketelsen. Mr. McClung moved to approve Ken Ketelsen for Position 3. Mr. DeVito seconded.

Motion carried 6/0/0. Ms. Schneider moved to approve Charles Ragsdell for Position 7. Mr. DeVito seconded.

Motion carried 5/1/0 with Mr. Mitchell voting “No.”

Hospital – no report

Parks – no report

HDC – no report

Cemetery – no report

PUBLIC COMMENTS:

Rachel Brix provided information about the Animal Welfare Act and Carson and Barnes Circus citations for safety violations and animal cruelty. She read from Code a section prohibiting animal abuse and asked Council to enact an ordinance prohibiting circuses in Eureka Springs.

Delia Marcom asked for Mickey Schneider to send the Freedom of Information Act request to the Carroll Boone Water District.

Roseanna Stone asked Council to vote to have Mickey Schneider send the FOIA request right away so as to keep the water clean and free of chemicals that hurt our bodies.

Charles Stanley asked for follow through on the FOIA request from the Carroll Boone Water Authority. He was strongly opposed to adding fluoride to the water.

Jasmine Stanley thanked the Council for their help in keeping the water clean and pure.

Darlene Schrum asked Council to vote for Mickey Schneider to send Carroll Boone Water District the FOIA request. She thanked Council for everything they’re trying to do.

UNFINISHED BUSINESS:

1. Update on disposal of yard waste

Postponed during approval of the agenda

2. Ordinance No. 2214 – Multi-family – postponed, pending Planning action

3. Discussion of fluoride

Mr. Mitchell moved to discuss. Mr. Purkeypile seconded. Ms. Schneider spoke about the provided Freedom of Information request and noted the City Attorney said it must come from an individual. She asked for a vote to back her sending the FOIA request. Ms. Schneider said it is to show due diligence and the right to assure our people that only the best fluoride is being used. Discussion included Public Health Policy, questionable sources for fluoride, and five verbal shows of support for Ms. Schneider's efforts.

4. Discussion of parking garage

Mr. DeVito moved to discuss. Mr. Purkeypile seconded. Mr. DeVito spoke about having had a preliminary meeting about the Walton Family Foundation and the need to go through a private organization to put in the request. He was considering the Community Development Partnership (CDP), the group through which the grant for refurbishing the Auditorium was secured. Mr. DeVito motioned to remove the item from the agenda. Mr. Purkeypile seconded.

Motion carried 6/0/0.

5. Cost estimates for contracting jetter and sewer camera use

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Mr. Purkeypile spoke about P&P Plumbing's offer to reduce the regular price for jetting from \$300 an hour to \$125 an hour. Snaking would be reduced from \$125 an hour to \$85 an hour. The regular charge for camera use would be reduced from \$175 an hour to \$79 an hour. There would be no retainer and the company would be on call 24/7. Public Works Director Dwayne Allen had noted the National Pollution Discharge and Elimination Systems (NPDES) permit requirement for a licensed operator to be present. A camera for larger lines will still be needed. Historical data could be used to estimate future costs for budgeting purposes.

6. Discussion of tree trimming

Mr. Purkeypile moved to discuss. Mr. Mitchell seconded. In response to Ms. Schneider's inquiry about feedback regarding local citizens' pictures and complaints, Mayor Pate said he thought the questions had all been answered by Jeff Milford and Chuck Easterling. Ms. Schneider read from the 1927 Ordinance establishing fees and rights granted to the providers of electricity. She favored taking steps to assure less damage in future trimming and asked that the City Attorney write a new section of guidelines. Mr. Weaver opined much of what occurred was between private property owners and a third party entity and the City does not have much say. Discussion included courts as arbitrators, arborists on site, Eureka as a Tree City, and finding the middle ground. Mr. DeVito recommended that Ms. Schneider research and find anything from other cities that have a solution.

7. Discussion of the hospital and bonding company

Mr. McClung moved to discuss. Mr. Mitchell seconded. Mr. McClung said the Finance Director received a letter from the bonding company confirming what has been discussed. He equated it to a letter of commitment subject to certain conditions. Mr. Weaver noted the absence of contact from (Allegiance) and agreed to forward the bonding company's letter to Allegiance.

NEW BUSINESS:

1. Ordinance for six two-hour parking spaces by the Library

Mr. Purkeypile moved to discuss. Mr. Mitchell seconded. Mr. DeVito moved to assign the ordinance a number and place it on its first reading. Ms. Schneider seconded.

Motion carried 6/0/0. Ms. Armstrong read **ORDINANCE NO. 2218 AN ORDINANCE TO AMEND LIBRARY PARKING.**

Discussion followed about adding hours to the signs for clarification. Mr. DeVito moved to approve Ordinance No. 2218 on its first reading. Mr. McClung seconded.

Motion carried 6/0/0. Mr. DeVito moved suspend the rules and place Ordinance No. 2218 on its second reading by title only. Mr. Purkeypile seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Ordinance title. Mr. DeVito moved to approve Ordinance No. 2218 on its second reading. Mr. McClung seconded.

Motion carried 6/0/0. Mr. DeVito moved to suspend the rules and place Ordinance No. 2218 on its third reading by title only. Mr. Purkeypile seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Ordinance title. Mr. DeVito moved to approve Ordinance No. 2218 on its third reading. Mr. McClung seconded. A roll call vote followed.

Motion carried 6/0/0.

2. Appraisal for two fire stations – pending scheduling

3. Ordinance No. 2217 Ad Valorem – 3rd reading

Mr. Mitchell moved to discuss. Mr. DeVito seconded. Mr. DeVito moved to suspend the rules and place Ordinance No. 2217 on its third reading by title only. Mr. Mitchell seconded. A roll call vote followed. Motion carried 6/0/0. Ms. Armstrong read the Ordinance title. Mr. DeVito moved to approve Ordinance No. 2217 on its third reading. Mr. Mitchell seconded. A roll call vote followed. Motion carried 6/0/0.

4. Discussion of having Hospital Commission meetings taped/occur in the jury room

Mr. DeVito moved to discuss. Ms. Schneider seconded. Mr. DeVito said that given the nature of a \$15-20 million hospital and the City having to come up with \$1 million to provide sewer to said hospital, it should be available to the public to view what the Hospital Commission is doing at this important time in the City. He said it could be taped and re-broadcast. Mayor Pate agreed to ask the Commission.

5. Status/cost of the new Public Works building

Mr. McClung moved to discuss. Mr. Purkeypile seconded. Mr. McClung referenced the letter from Dwayne Allen wherein it was said plans have been sent to the State for approval and total project costs are being finalized. Mayor Pate confirmed cost changes will have to be approved by Council. In response to Mr. Mitchell's inquiry as to why there was not competitive bidding, Mr. McClung recalled trying to get it done expeditiously because the old building was in sad shape.

6. Summary of the Tourism workshop

Mr. Purkeypile moved to discuss. Mr. DeVito seconded. Mr. Purkeypile recapped attendance and the CAPC tax report that indicates we're barely maintaining. Another workshop was scheduled for Thursday, September 25 at 10:00 a.m. at the Chamber of Commerce. The effort is to move toward a commission or task force with the Mayor's input. Mr. Purkeypile noted funds are not being put back into City reserves.

AGENDA SETTING:

Mr. Purkeypile added a summary of the next Tourism workshop. Mr. Mitchell seconded.

Ms. Schneider added discussion of changing the CAPC limits on City residency to an at-large seat from within Carroll County. Mr. McClung seconded.

Ms. Schneider added a discussion with Parks regarding the circus. Mr. Mitchell seconded.

Ms. Zeller added a review by the City Attorney regarding options other than discussion with Parks regarding the circus. Ms. Schneider seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said he enjoyed the Dancing With the Stars performance and the Jazz Festival programs.

Mr. Mitchell thanked people who attended the Economic Development/Tourism workshop. He's looking forward to measurable action.

Ms. Schneider noted her granddaughter won second place in West Fork's first Westfest.

MAYOR'S COMMENTS:

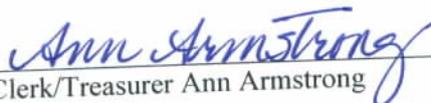
Mayor Pate read a list of upcoming Community events and noted the City is not sponsoring Bikes, Blues and Barbeque.

ADJOURNMENT:

Mr. McClung moved to adjourn. Mr. Purkeypile seconded.

Motion carried 6/0/0. The meeting ended at 7:15 p.m.

ATTEST:


Clerk/Treasurer Ann Armstrong

APPROVED:


Mayor Morris Pate