

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, September 8, 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: August 25, 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 – Pos. 7 – Charles Ragsdell – expired 6/30/14

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 jetter and sewer camera – Mr. Purkeypile and Ms. Schneider
6. Tentative date for workshop to improve tourism – Mr. Purkeypile and Mr. Mitchell
7. Discussion of tree trimming – Ms. Schneider and Mr. Mitchell

NEW BUSINESS:

1. Discussion of extending parking time for 3 spaces by the Library – Ms. Zeller and Mr. McClung
2. Hazard Mitigation Plan – Osage Group
3. Appraisal for two fire stations – **pending scheduling** -- Ms. Schneider and Mr. Mitchell
4. Anti-discrimination ordinance – Mr. DeVito and Mr. Mitchell
5. Discussion of Treasurer portion of the Clerk/Treasurer's office – Mr. DeVito and Ms. Schneider
6. Discussion of the hospital and bonding company – Mr. McClung and Mr. DeVito
7. Annual Ad Valorem tax ordinance – Mayor Pate

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

**CITY OF EUREKA SPRINGS
CITY COUNCIL
REGULAR MEETING**

MONDAY

SEPTEMBER 8, 2014

Mayor Pate called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, September 8, 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, City Attorney Tim Weaver, and City Clerk/Treasurer Ann Armstrong

ABSENT: Mickey Schneider (with notice)

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Pate led the Pledge.

APPROVAL OF THE AGENDA:

Mr. Mitchell moved to approve. Mr. McClung seconded. Mr. Mitchell moved to postpone Unfinished Business items #1, 2, 3 and 7 and New Business item #3. Mr. Purkeypile seconded. Mayor Pate called for a vote on the amended agenda.

Motion carried 5/0/0.

APPROVAL OF THE MINUTES: August 25, 2014

Mr. DeVito moved to discuss. Mr. Purkeypile seconded. Mayor Pate called for a vote to approve.

Motion carried 5/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – no report

CAPC – no report

Hospital – no report

Parks – no report

HDC – no report

Cemetery – no report

Library – Director Loretta Crenshaw summarized the request to have two-hour parking for six spaces near the Library. She noted patrons have one-hour time frames for use of computers and many programs are an hour long. Ms. Crenshaw said some have chosen to use the Berryville library to avoid \$20 parking tickets.

PUBLIC COMMENTS: none

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

Postponed during approval of the agenda

4. Discussion of parking garage

Mr. Purkeypile moved to discuss. Mr. DeVito seconded. Mr. DeVito spoke about having a professional builder of parking garages talk with Council and about an upcoming discussion with a grant writer. He requested having the topic for the next meeting and noted he sent out a link with an interview regarding the Walton Family Foundation. Discussion included a possible cost of \$50,000 per space for the garage being constructed in Fayetteville, stringent requirements for foundations in the water drainage area, and the question of the City's ability to provide matching funds.

5. Cost estimates for jetter and sewer camera

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Mr. Purkeypile noted Dwayne Allen estimated the cost for a new jetter-camera combination unit at \$79,000. A six year old trailer-mounted jetter was estimated to have cost \$45,000. Discussion followed regarding hiring contractors, frequency of use,

camera use and design, antiquated pipes, tree roots, and liability. Mr. Purkeypile agreed to bring more information.

6. Tentative date for workshop to improve tourism

Mr. Purkeypile moved to discuss. Mr. Mitchell seconded. Mr. Purkeypile noted the workshop will be on Friday, September 12, in the Pine Room at the Inn of the Ozarks. It is intended to be a checkup on the status of tourism and potential economic development with the CAPC, Chamber and Commissions. Mr. DeVito spoke about the need to change with the times. Discussion continued about who comes to Eureka Springs, the experience they have, and sharing information regarding economic development.

7. Discussion of tree trimming

Postponed during approval of the agenda

NEW BUSINESS:

1. Discussion of extending parking time for 3 spaces by the Library

Mr. DeVito moved to discuss. Mr. McClung seconded. Ms. Crenshaw spoke about why six spaces are now in the request and provided a map. Mr. Weaver advised removing Church hours from the signs. Discussion followed regarding distance from shops, misuse of the handicap parking space, and designation of use.

Mr. McClung moved to instruct Mr. Weaver to prepare an ordinance to change the time for all six spots, including the handicapped spot, to two hours and put the signage for the Library. Mr. Purkeypile seconded. Mr. McClung noted the wording on the Loading Zone sign needs to be changed. Church parking times would be removed.

Motion carried 5/0/0.

2. Hazard Mitigation Plan

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Craig Hull spoke about the Plan having been presented to the Planning Commission. Cost benefit analysis and budgeting for focused projects will continue for the three major components: 1) use of existing State statutes for a self-governing Improvement District to address the drainage tunnels under buildings on Main St. and parts of Spring St., 2) repair of Black Bass Dam, and 3) repair of the sewer system. Mr. Hull noted that disasters that result in businesses going out of business for more than one week have about 37% reopening, primarily because of lack of sewerage.

Mr. Purkeypile said the option of elevating or relocating the lift station below Black Bass Dam is being discussed. It has been suggested that Parks consider taking responsibility for the dam and using tax money for repairs.

Mr. Hull will compile the public surveys and other information generated, engineering studies, and latest cost estimates. He will bring the Plan back for Council's adoption. Control of right-of-way will follow so as to deal with the drainage.

3. Appraisal for two fire stations – pending scheduling

4. Anti-discrimination ordinance

Mr. DeVito moved to discuss. Mr. Mitchell seconded. Mr. DeVito spoke about groups of people who stand to be discriminated against because there are not laws in place to deal with that. Fayetteville's ordinance was provided and he motioned for the City Attorney to see how it fits with Eureka Springs and develop an ordinance for the City. Mr. Mitchell seconded. Discussion included coverage through Federal and State statutes, Fayetteville's creation of a policing position, the City's employee handbook, Eureka as a family that does not discriminate, and equity in the community. Mr. Weaver opined discrimination of sexual orientation is not covered in all Federal areas of protection and the State "picks up a lot of the slack." A roll call vote was taken.

Motion failed 2/3/0 with Ms. Zeller, Mr. McClung and Mr. Purkeypile voting "No."

5. Discussion of Treasurer portion of the Clerk/Treasurer's office

Mr. DeVito moved to discuss. Mr. Mitchell seconded. Mr. DeVito expressed his view that the Treasurer part of the Clerk's title is unnecessary because of having a Finance Department. He spoke about previous administrations making the job part-time and the salary as out of line with the Mayor's. Mr. Purkeypile received confirmation from Ms. Armstrong that the job is more than full-time and noted the incoming Mayor spoke of intending to be part-time. Discussion continued regarding the Clerk/Treasurer as part of the checks and balances, the Mayor's job as more than part-time, and commensurate pay if the Mayor's

position were full-time.

Mr. DeVito made a motion to divide the Treasurer portion off of the description of the City Clerk and just have the position be defined as "City Clerk." There was no second.

Ms. Armstrong spoke about the design of the City government, full-time attention to the needs of the public, and encouraged Council to facilitate checks and balances with Finance.

6. Discussion of the hospital and bonding company

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Mr. McClung asked the Mayor to follow up in learning the City's status with the bonding company. Concerning the Hospital, Mr. Weaver indicated he has not reached the person who will initiate a contractual agreement and will follow up.

7. Annual Ad Valorem tax ordinance

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Mr. DeVito moved to place the ordinance without the emergency clause on its first reading. Mr. McClung seconded.

Motion carried 5/0/0. Ms. Armstrong read **ORDINANCE NO. 2217 AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF EUREKA SPRINGS, ARKANSAS.** Mr. DeVito moved to approve Ordinance No. 2217 on its first reading. Mr. Purkeypile seconded. A voice vote followed.

Motion carried 5/0/0. Mr. DeVito moved to suspend the rules and place Ordinance No. 2217 on its second reading by title only. Mr. Purkeypile seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title. Mr. DeVito moved to approve Ordinance No. 2217 on its second reading. Mr. Mitchell seconded. A voice vote followed.

Motion carried 5/0/0.

AGENDA SETTING:

Mr. DeVito added the having the Hospital Commission meetings taped/occur in the jury room. Mr. Purkeypile seconded.

Mr. McClung added the status/cost of the new Public Works building. Mr. Purkeypile seconded.

Mr. Mitchell added monthly reviews of the financials. Mr. McClung seconded.

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

Mr. Purkeypile added cost estimates for contracting jetting and camera use. Mr. Mitchell seconded.

Ms. Zeller added a discussion of enabling people who live outside of the City to serve on the CAPC Commission. Mr. McClung seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said he's looking forward to the Marsalises performance on Saturday night.

MAYOR'S COMMENTS:

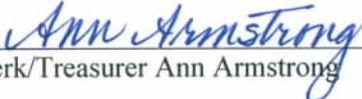
Mayor Pate read a list of upcoming Community events.

ADJOURNMENT:

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

Motion carried 5/0/0. The meeting ended at 7:35 p.m.

ATTEST:


Clerk/Treasurer Ann Armstrong

APPROVED:


Mayor Morris Pate