CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, September 14, 2015 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 24, 2015 and August 27, 2015 Special Meeting

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning
CAPC – Vote on Ken Ketelsen – Pos. 3
Hospital
Parks – Pos. 6 – vacant -- expires 5/1/19
HDC
Cemetery – Pos. 2 – vacant – expired 2/15/15

PUBLIC COMMENTS:

UNFINISHED BUSINESS:

1. Discussion of ordinance re: 2008 and 2010 Bonds – **tabled until meeting with bonding company has taken place** -- Mr. McClung and Mr. DeVito
2. Ordinance No. 2229 – Amending Code re: Alcohol sales -- 2nd reading

NEW BUSINESS:

1. Monthly budget update – Mayor Berry
2. Annual ordinance for real and personal property taxes – Ms. Zeller and Mr. Thomas
3. Discussion of CAPC/City Council meeting re: the Auditorium – Mayor Berry
4. Resolution for grant for solar panels – Mayor Berry
5. Ordinance for financing new tram – Mayor Berry
6. Resolution amending Transit budget – Mayor Berry
7. Ordinance waiving bidding for ladder truck, with emergency clause – Mayor Berry
8. Resolution for accepting FEMA grant (ladder truck) – Mayor Berry

AGENDA SETTING
CITY COUNCIL COMMENTS
MAYOR'S COMMENTS
ADJOURNMENT

CITY OF EUREKA SPRINGS
CITY COUNCIL
REGULAR MEETING **MONDAY** **SEPTEMBER 14, 2015**

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, September 14, 2015 in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Berry, Aldermen David Mitchell, Mickey Schneider, Bob Thomas, Joyce Zeller, Terry McClung, City Attorney Tim Weaver, and City Clerk Treasurer Ann Armstrong
ABSENT: James DeVito

PLEDGE OF ALLEGIANCE TO THE FLAG:
Mayor Berry led the Pledge.

APPROVAL OF THE AGENDA:
Mr. McClung moved to approve. Mr. Mitchell seconded. Mayor Berry deferred Unfinished Business #2. Mr. McClung confirmed that Unfinished Business #1 was deferred. Mayor Berry deferred New Business items 5 and 6 until the next meeting. He added a resolution for a Fire Truck grant, to be discussed before New Business #7. Mayor Berry called for a vote on the amended agenda.
Motion carried 5/0/0.

APPROVAL OF THE MINUTES: August 24, 2015 and August 27, 2015 Special Meeting
Mr. McClung moved to approve the August 24 minutes. Ms. Schneider seconded.
Motion carried 5/0/0.
Ms. Schneider moved to approve the August 27 Special Meeting minutes. Ms. Zeller seconded.
Motion carried 5/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:
Planning – No report
CAPC – Vote on Mr. Ketelsen's re-nomination remained postponed
Hospital – No report
Parks – No report
HDC – No report
Cemetery – No report

PUBLIC COMMENTS: none

UNFINISHED BUSINESS:
1. **Discussion of ordinance re: 2008 and 2010 Bonds – tabled until meeting with bonding company has taken place**
2. **Ordinance No. 2229**
Deferred during approval of the agenda

NEW BUSINESS:
1. **Monthly budget update**
Mayor Berry spoke about the budget being within the 60% range for expenditures across the board. Transit was slightly below in both revenue and expenses. The Fire and Police Departments were at about 60%. In the Fire Department, Mayor Berry noted vehicle operations included fuel. Public Works was about 5% below in revenue and over in expenses. The Carroll Boone rate increase of approximately $7,000 a month has not been passed onto the consumers.
Discussion followed regarding the rate increase and an analysis of revenue with the new water meters. Mayor Berry confirmed reserves have not been increased.
2. **Annual ordinance for real and personal property tax**
Mr. Mitchell moved to discuss. Ms. Schneider seconded. There was no increase in the annual tax

levy.

Mr. McClung moved to assign a number and read the ordinance into record. Ms. Schneider seconded.

Motion carried 5/0/0. Ms. Armstrong read **ORDINANCE NO. 2231 AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF EUREKA SPRIRINGS, ARKANSAS.**

Mr. McClung moved to approve Ordinance No. 2231 on its first reading. Ms. Schneider seconded.

Motion carried 5/0/0. Mr. McClung moved to suspend the rules and place Ordinance No. 2231 on its second reading by title only. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title. Mr. McClung moved to approve Ordinance No. 2231 on its second reading. Ms. Schneider seconded. A voice vote followed.

Motion carried 5/0/0. Mr. McClung moved to suspend the rules and place Ordinance No. 2231 on its third reading by title only. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title. Mr. McClung moved to approve Ordinance No. 2231 on its third and final reading. Ms. Schneider seconded. A roll vote followed.

Motion carried 5/0/0.

3. Discussion of CAPC/City Council meeting re: the Auditorium

Mayor Berry referenced the contract that will expire in January, for management of the Auditorium by the CAPC. A group meeting at the Auditorium has been suggested so Council can be updated on the work that needs to be done. Discussion followed regarding the first class performances that have poor attendance, the CAPC efforts to bring people to town, and full-season planning with advance ticket sales.
Further discussion included season tickets, development of an audience base, children's theater, and willingness of the town to fund the Auditorium.

A date will be set for a meeting at the Auditorium. Mr. McClung spoke of having the meeting open to the public and noted the CAPC has meetings the fourth Wednesday of the month.

4. Resolution for grant for solar panels

Ms. Schneider moved to discuss. Mr. McClung seconded. The application is for solar panels for the new maintenance building at Public Works. A mechanical and electrical engineer is drawing up MEP plans and Mayor Berry is preparing structural specifications so the project can be put out for bids in two to three weeks. The currently planned building will be more industrial and costly than originally discussed.

Mr. McClung moved to assign the resolution a number and read it for passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 665 A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR ARKANSAS DIVISION OF RURAL SERVICES PROGRAM FUNDS TO THE STATE OF ARKANSAS.**

5. Ordinance for financing new tram

Deferred during approval of the agenda

6. Resolution for amending Transit budget

Deferred during approval of the agenda

8. Resolution for accepting FEMA grant

Ms. Schneider moved to discuss. Mr. Mitchell seconded. Mayor Berry confirmed the Federal Emergency Management Agency (FEMA) has offered a grant for a new ladder truck that requires 5% matching funds. He referenced a 2011 loan to purchase ambulances which has been reduced to $60,000. His suggestion was to refinance the balance at a lower interest rate and add a loan for ($37,500).

Fire Chief Randy Ates confirmed the current ladder truck is just short of being 35 years old, fully depreciated and out of standard compliance. Discussion followed regarding maintaining a low Insurance Service Office (ISO) rating, and the design and range of the proposed ladder truck.

Mr. Mitchell motioned to assign the resolution a number and read it for passage. Ms. Schneider seconded.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 667 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A FEMA GRANT AND EXPRESSING THE WILLINGNESS OF THE CITY OF EUREKA SPRINGS TO UTILIZE THE MONIES TO PURCHASE A NEW LADDER FIRE TRUCK.**

7. Ordinance waiving bidding for ladder truck, with emergency clause

Ms. Schneider moved to discuss. Ms. Zeller seconded. Chief Ates spoke about the specifications for a ladder truck suitable for this terrain. After being granted funds, it was learned there is only one manufacturer producing that design. He noted there is one remaining demonstration model.

Mr. Mitchell moved to assign the ordinance a number and place it on its first reading. Mr. McClung seconded.

Motion carried 5/0/0. Ms. Armstrong read **ORDINANCE NO. 2232 AN ORDINANCE TO WAIVE COMPETITIVE BIDDING TO PURCHASE ONE (1) LADDER FIRE TRUCK FOR THE EUREKA SPRINGS, ARKANSAS, FIRE DEPARTMENT AND DECLARING AN EMERGENCY.**

Ms. Schneider moved to approve. Mr. Mitchell seconded. Chief Ates confirmed the truck would be available in 1½ months, and will come with a full manufacturing warranty.

Motion carried 5/0/0. Ms. Schneider moved to suspend the rules and read the Ordinance by title only. Mr. Mitchell seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title. Mr. McClung moved to approve Ordinance No. 2232 on its second reading. Mr. Mitchell seconded.

Motion carried 5/0/0. Mr. McClung moved to suspend the rules and read by title only. Mr. Mitchell seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title. Mr. Mitchell moved to approve the third reading. Mr. McClung seconded. A roll call vote followed.

Motion carried 5/0/0. Mr. Mitchell moved to read and enact the emergency clause. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read the emergency clause.

AGENDA SETTING:

Mr. Mitchell added a report from the Building Inspector on compliance with the Clean City ordinance and Demolition by Neglect. Second?

Mr. Mitchell added a report from the Public Works Director on results of the fluoride testing and potential testing for lead. Second?

Referencing the budget workshop scheduled for Monday, the 21st, Mr. McClung was assured efforts would be made to provide a monthly update by then. Mayor Berry said mid-year 2015 will be included and the 2016 Police and Building Department budgets will be available. A 5% reduction in expenses is one goal.

CITY COUNCIL COMMENTS:

Mr. Thomas said he appreciated the budget report attached to the monthly printout.

Mr. McClung asked about the fountain at the top of Planer Hill. The Mayor noted the builder, Lowell Johnson, was to have checked on the situation with the leak. He'll follow up.

Mr. McClung gave special recognition to Ron Sumner who organized the Jazz Weekend.

Ms. Schneider reminded everyone of voting in the School Board election and thanked Animal Control Officer Jim Evans for his help in rescuing a fawn trapped in her dog yard.

MAYOR'S COMMENTS:

Mayor Berry read a list of upcoming events.

ADJOURNMENT:

Mr. McClung moved to adjourn. Mr. Mitchell seconded.

Motion carried 5/0/0. The meeting adjourned at 7:10 p.m.

APPROVED:

Mayor Robert "Butch" Berry

ATTEST:

Ann Armstrong

Clerk Treasurer Ann Armstrong