

ORDINANCE NO. 855

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF AIDING IN THE ACQUISITION, CONSTRUCTION, EQUIPMENT, AND EXTENSION OF A CITY HOSPITAL; AND DECLARING AN EMERGENCY.

WHEREAS, the Commissioners of the City of Eureka Springs, Arkansas, a city of the first class, have determined that it will be to the best interests of the City to issue general obligation bonds in the amount of \$85,000 to aid in the acquisition, construction, equipment, and extension of a City hospital, and this question must be submitted to the electors of the City; now, therefore,

BE IT ORDAINED by the Commissioners of the City of Eureka Springs, Arkansas:

SECTION 1. That a special election be held in the City of Eureka Springs, Arkansas, on the 17<sup>th</sup> day of August, 1965, at which there will be submitted to the electors the question of issuing \$85,000 in bonds for the purpose of aiding in the acquisition, construction, equipment, and extension of a City hospital, the bonds to be dated September 1, 1965, and to mature serially on September 1 of each year as follows:

\$ 1,000	in 1968 to 1971, inclusive
1,500	in 1972 to 1980, inclusive
2,000	in 1981 to 1986, inclusive
2,500	in 1987 to 1991, inclusive
3,000	in 1992 to 1995, inclusive
31,000	in 1996

SECTION 2. That the ballot for said election be in substantially the following form:

BALLOT  
Special Election  
City of Eureka Springs, Arkansas  
August 17, 1965

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Vote by placing an "X" in a square above the measure either  
for or against.

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For the issue of bonds in the amount of \$85,000

Against the issue of bonds in the amount of \$85,000

The bonds will be issued for the purpose of aiding in the acquisition, construction, equipment, and extension of a City hospital; will bear a rate of interest acceptable to the City, with the right of conversion to a lower rate or lower rates of interest upon the condition that by said conversion the City will receive no less and will pay no more than the City would receive or pay if the bonds were not converted; and will mature serially on September 1 of the years 1968 to 1996, both inclusive, but callable for payment prior to maturity at the City's option after five years.

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LIST OF VOTERS NUMBER \_\_\_\_\_

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SECTION 3. That said election shall be held and conducted and the vote thereof canvassed and the result declared under the law and in the manner now provided for municipal elections, so far as the same may be applicable, and the Mayor of the City of Eureka Springs is hereby authorized and directed to give notice of such election by an advertisement published weekly, once a week, for four times in the Times Echo, a newspaper published in the City of Eureka Springs and having a bona fide circulation therein, the last publication to be not less than ten days prior to the date of said election, and only qualified voters of the City of Eureka Springs shall have the right to vote at said election.

SECTION 4. That the result of said election shall be proclaimed by the Mayor and his proclamation shall be published one time in said newspaper; the result of said election as proclaimed by the Mayor shall be conclusive unless attacked in the courts within thirty days after the date of such proclamation.

SECTION 5. That in anticipation that the electors of the City will favor the bond issue, and in order to hasten the beginning of the proposed improvement, the Mayor and City Clerk are authorized and directed to advertise, according to the terms of Amendment No. 13 to the Constitution of the State of Arkansas, the public sale of the proposed bond issue, the form, time and place to be fixed by them, and in said notice they shall provide that the buyer may designate the trustee and place of payment of the issue, and shall set out the terms of call for prepayment.

SECTION 6. That a copy of this ordinance be given to the Carroll County Board of Election Commissioners so that the necessary election officials and supplies may be provided.

SECTION 7. That it is hereby ascertained and declared that there is immediate and urgent need for a City hospital in order to protect the health, lives and property of the inhabitants of the City of Eureka Springs; therefore, an emergency exists and this ordinance, being necessary for the preservation of the public peace, health and safety, shall be in force and take effect immediately upon and after its passage.

Passed: July 12<sup>th</sup>, 1965.

APPROVED:

Jan M. Bullock  
Mayor

Attest:

Albert Harp  
City Clerk

CERTIFICATE

I, the undersigned, City Clerk of Eureka Springs, Arkansas, hereby certify that the foregoing ordinance was duly passed by the Commissioners of said City at a meeting held July \_\_\_\_\_, 1965; that said meeting was duly called by the Mayor and attended by all of the Commissioners; and that the ordinance was passed by the unanimous vote of the Commissioners and is now of record in the minutes of said Commissioners.

CERTIFIED this 12<sup>th</sup> day of July, 1965, under the seal of said City.

Albert Harp  
City Clerk

EXCERPTS FROM MINUTES OF JULY 12, 1965  
MEETING OF CITY COMMISSIONERS

The City Commissioners of Eureka Springs, Arkansas, met in special session at 3 o'clock P.M. on the 12 day of July, 1965, in the COMMISSIONERS MEETING ROOM in said City, the regular meeting place of the Commissioners. There were present Mayor Jan M. Bullock, City Clerk ALBERT HARP, and CHARLES B. FREEMAN, being all of the Commissioners.

Commissioner BULLOCK introduced an ordinance entitled: AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF AIDING IN THE ACQUISITION, CONSTRUCTION, EQUIPMENT, AND EXTENSION OF A CITY HOSPITAL; AND DECLARING AN EMERGENCY, which was read in full by the City Clerk.

Commissioner BULLOCK moved that the rule requiring the reading in full of an ordinance on three different days be dispensed with. The motion was seconded by Commissioner HARP, and on roll call the following Commissioners voted:

Aye: TWO (2)

No: None.

ABSTAIN: ONE (1)

The Mayor declared that more than two thirds of the members composing the Commission had voted in favor of the motion to suspend the rule and that it was carried. Commissioner BULLOCK moved that the ordinance as read be adopted. This motion was seconded by Commissioner HARP, and on roll call the following Commissioners voted:

Aye: TWO (2)

No: None.

ABSTAIN: ONE (1)

The Mayor called attention to the fact that Section 7, the emergency section, must be adopted upon a separate roll call in order to be effective. The City Clerk read Section 7 again. Commissioner BULLOCK moved that the emergency section be adopted. This motion was seconded by Commissioner HARP, and on roll call the following Commissioners voted:

Aye: TWO (2)

No: None.

ABSTAIN: ONE (1)

The Mayor declared that the ordinance and the emergency section had been duly passed, and he signed the ordinance in open meeting, his signature was attested by the City Clerk under the seal of the City, and the ordinance (No. 855) became effective immediately.

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There being no further business, the meeting adjourned.

Attest:

Albert Harp  
City Clerk

Jan M. Bullock  
Mayor

CERTIFICATE

I certify the foregoing to be a true copy of the excerpts therein set out from the minutes of the meeting of the City Commissioners of Eureka Springs, Arkansas, held July 12<sup>th</sup> 1965, duly called and constituted as therein set out.

CERTIFIED under my hand and the seal of said City this July     , 1965.  
(Seal) Albert Harp  
City Clerk