

4:00 Food Truck workshop

5:15 Budget workshop

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, October 24, 2016 6 p.m.
AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: October 10, 2016

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Review of 2016 and plans for 2017, when available

CAPC – Pos. 4 – review 1/2017 -- expires 6/30/20. Review of 2016 and plans for 2017, when available

Hospital – Pos. 4 – vacant – expires 6/1/16. Review of 2016 and plans for 2017, when available

Parks -- Review of 2016 and plans for 2017, when available

HDC -- Review of 2016 and plans for 2017, when available

Cemetery – Pos. 5 – vacant – expires 2/15/17. Review of 2016 and plans for 2017, when available

PUBLIC COMMENTS:

NEW BUSINESS:

1. Resolution for Parks' Trails for Life grant – Mayor Berry
2. Recommendations for change in Code definition of “Bed and Breakfast” and the “200 ft. rule” – Planning Commission
3. Municipal League winter conference – Mr. Thomas and Mr. DeVito

UNFINISHED BUSINESS:

1. Resolution for Proportionate Share Agreement – Mr. McClung and Mr. DeVito
2. Status on prohibition of smoking in City parks – Mr. DeVito and Ms. Kendrick

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR COMMENTS

ADJOURNMENT

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, October 24, 2016 in the jury room in the Western District Carroll County Courthouse.

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

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mr. DeVito moved to approve the agenda. Mr. McClung seconded. Mr. Thomas added discussion of the Cemetery financial situation. Mr. DeVito seconded. Mr. Thomas added brief discussion of the Municipal League winter conference. Mr. DeVito seconded. Mayor Berry called for a vote on the amended agenda.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: October 10, 2016

Mr. DeVito moved to approve the minutes. Mr. McClung seconded.

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

CAPC – No report

Hospital – No report

Parks – No report

HDC – No report

Cemetery – Mr. Thomas spoke about the historical significance of the cemetery and scant resources to maintain the property. He asked for \$10,000 to be included in the 2017 budget if the tax passes, possibly from money currently listed in the Auditorium city budget line item.

PUBLIC COMMENTS:

Peg Adamson expressed concern about "muddled" information regarding the proposed .25% Auditorium tax. She asked Council to eliminate the confusion and get the word out on what the tax will actually support.

Ken Foggo offered feedback on a recent newspaper opinion, saying the complaints from the Arkansas Department of Environmental Quality (ADEQ) have not ended. He spoke about the revenues that were not used to pay down on bond debt, CAPC's use of tax revenue, and lack of need for a parking garage.

Betsy Rodier spoke of concern about a possible County tax increase and the wording in Ordinance 2245 Section 5. She felt strongly that any tax increase will hurt the economy.

Barbara Gavron noted the two hotels and grocery store that were once on her R-1 street and she supported the concept of having boarders in one's home. She said there is plenty of housing but no cheap housing, workers have to "earn their points" to find landlords, and B&Bs contribute to restoration.

Sandra Smith spoke about restorations done by B&B owners and higher-end guests who stay in B&Bs. She objected to the idea that an owner or manager must be on-site 24 hours a day, 7 days a week. Ms. Smith said her average guest now pays \$70.49 in taxes and was greatly concerned about another tax.

Patti Corcelli said Planning seems to be trying to reinvent the Bed and Breakfast laws. It was her position the laws work, and she took exception to defining "breakfast." Ms. Corcelli spoke about shopping anywhere but Eureka because of the taxes.

NEW BUSINESS:

1. Resolution for Parks' Trails for Life grant

Mr. Mitchell moved to discuss. Ms. Schneider seconded. Bill Featherstone presented background information on the grant proposal. Ms. Kendrick favored having a performance bond to protect the City from having to repay the grant funds. Mr. Featherstone proposed a legal agreement with the School District to guarantee repayment to the State if the Community Center Foundation doesn't maintain the lease. He said the application deadline was the following Friday at 5:00, and it would not go forward unless the City is "off the hook."

Discussion followed about possible default, the Arkansas Parks and Tourism grant cycle, the School Board meeting the following evening, and modifying the resolution to ensure protection for the City. City Attorney Tim Weaver made written changes to the proposed resolution.

Ms. Kendrick made a motion to assign the resolution a number and read it for passage. Mr. DeVito seconded.

Mr. Weaver read the resolution changes. A roll call vote followed.

Motion carried 6/0/0. Mr. Weaver read **RESOLUTION NO. 691 A RESOLUTION SUPPORTING THE AUTHORIZING OF THE DIRECTOR OF PARKS TO APPLY FOR A TRAILS FOR LIFE GRANT FROM THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM FOR THE EXERCISE TRAIL PROJECT LOCATED AT THE COMMUNITY CENTER.**

2. Recommendations for changes in Code definition of "Bed and Breakfast" and the 200 ft. rule"

Mr. McClung moved to discuss. Ms. Schneider seconded. Planning Commission Chair Pat Lujan read the proposed change for new Conditional Use Permit requests in R-1 within a 200 ft. radius of existing CUP properties.

Mr. Lujan began reading proposed changes for Boarding Houses and B&Bs, and registration regarding primary domiciles. Following discussion about approved Planning minutes and materials provided to Council, Mr. Mitchell moved to postpone until the next meeting. Mr. DeVito seconded.

Motion carried 6/0/0.

3. Municipal League winter conference

Mr. Mitchell moved to discuss. Ms. Schneider seconded. Mayor Berry spoke about the January training for new Commissioners and Council members.

Mr. Thomas spoke about his experience when he first signed up for the conference and objected to having Council members' travel approved through the Mayor. He favored Council deciding whether they would send a Council member to a meeting. Mr. Mitchell agreed and suggested a budgeting method. Following discussion of the approximate cost per person per conference, the topic was postponed for a 2017 budget meeting.

UNFINISHED BUSINESS:

1. Resolution for Proportionate Share Agreement

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

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 692 A RESOLUTION AUTHORIZING THE MAYOR OF EUREKA SPRINGS, ARKANSAS, TO EXECUTE A PROPORTIONATE SHARE AGREEMENT FOR THE STATE DISTRICT COURT JUDGESHIP BASE SALARY TO BE SHARED AMONG SEVEN EQUAL PARTIES**

2. Status on prohibition of smoking in City parks

Mr. Mitchell moved to discuss. Ms. Kendrick seconded. There was no update from Parks on the topic. Mr. DeVito asked Mayor Berry to contact them. Interpreting this as a motion, Mr. Mitchell seconded.

Motion carried 6/0/0.

AGENDA SETTING:

Ms. Schneider added discussion of funds for the Cemetery. Mr. Thomas seconded.

Mayor Berry added the Voiers' request for a lease renewal.

CITY COUNCIL COMMENTS:

Mr. McClung spoke about the City being at a crossroads with what needs to be done with water and the sewer plant. He emphasized the need for the 1% tax to get the City back onto sure footing for the future.

Mr. DeVito spoke about the impact if the tax does not pass. He also favored building a parking structure and considered the tax leading to a means to do so.

Mr. Mitchell spoke about the timeline proposed for infrastructure repairs after the tax passes, and about the CAPC's detailed plan to address their obligation toward the Auditorium.

Ms. Schneider spoke about the 1% mostly visitors will pay to fix things they, too, are using. She told a story about her son dealing with a 19 foot alligator after the hurricane in Savannah.

Ms. Kendrick said she supports the 1% tax. She said if there were ever a chance for the Auditorium, this is it. The .25% will go to an independent Auditorium Commission. She urged people to vote for the tax.

MAYOR'S COMMENTS:

Mayor Berry referenced conversations about the tax and noted misunderstanding about the .25% tax to provide means for an autonomous Auditorium Commission. It would function separately from the CAPC. He also said the City is one of the largest water users, particularly the water line to the sewer plant. The budget line item (tracking the tax) will be available for anyone to monitor.

Mayor Berry read a list of upcoming events.

ADJOURNMENT:

Mr. DeVito moved to adjourn. Mr. McClung seconded.

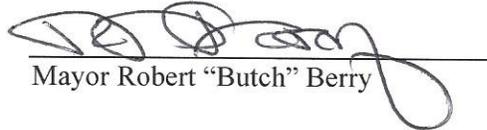
Motion carried 6/0/0. The meeting ended at 8:25 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry