

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, April 24, 2023, in the Auditorium at 36 S. Main St.

**PRESENT:** Mayor Robert “Butch” Berry, Council members Melissa Greene, Steve Holifield, Harry Meyer, David Avanzino, Autumn Slane, Terry McClung, and City Attorney Forrest Jacobi.

**ABSENT:** None.

**PLEDGE OF ALLEGIANCE**

Mayor Berry led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Mr. McClung moved to approve the agenda for April 24, 2023. Mr. Meyer seconded.  
Voice vote carried 6/0/0.

**APPROVAL OF THE MINUTES:** April 10, 2023

Minutes were unavailable. Deferred to the next meeting agenda.

**COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:**

**Planning** – No report

**CAPC** – Pos. 3 – **vacant** – expires 6/30/23

**Hospital** – No report

**Parks** – Pos. 3 – **vacant** – expires 5/1/24; Pos. 5 – **vacant** – expires 5/1/26

Table was given Parks financial report and an application from Jonathan Teigen.

**HDC** – Pos. 4 – **vacant** – expired 11/30/22

**Cemetery** – No report

**PUBLIC COMMENTS**

The following citizens made public comments:

1. Ferguson Stewart, 7 Harvey Rd

**UNFINISHED BUSINESS**

**1. Resolution in opposition HB1591 “AN ACT TO AMEND THE ARKANSAS RETAIL PET STORE 9 CONSUMER PROTECTION ACT OF 1991...” – Melissa Greene**

Ms. Slane made a motion to discuss. Mr. Greene seconded.

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

Motion carried 6/0/0 by roll call vote.

The resolution was read by the Clerk Treasurer and assigned number 836.

**2. Discussion of annual inspections for short-term and long-term rentals – David Avanzino**

Jacob presented photos and checklists and discussed the topic with the table.

Mr. McClung suggested a workshop with the community before an ordinance is drafted.

Mayor Berry stated there will be a workshop for an ordinance.

**NEW BUSINESS**

**1. Resolution to waive bidding to purchase a financial and operating system for the Eureka Springs Hospital – Mayor Berry**

Ms. Greene made a motion to discuss. Mr. Holifield seconded.

Mr. McClung made a motion to defer discussion to the next meeting. Mr. Meyer seconded.

Motion carried 6/0/0 by voice vote.

**2. Resolution for public hearing to vacate Inman Street between Block 12 & Block 13 Lots 1&2 – A.C.A. 14-301-302**

Mr. McClung made a motion to discuss. Mr. Meyer seconded.  
Application and supporting documentation were supplied to the council by the Clerk Treasurer.  
Mr. McClung made a motion to pass a resolution for the public hearing. Ms. Slane seconded.  
Motion carried 6/0/0 by roll call vote.  
The resolution was read by the Clerk Treasurer and assigned number 837.

**3. First quarter 2023 financial summary – A.C.A 14-43-506**

Mr. McClung made a motion to discuss. Ms. Slane seconded.  
Clerk Treasurer Ida Meyer presented the quarterly financial summary.

**4. Ordinance amending ordinance 1797 – Mayor Berry**

Mr. McClung made a motion to discuss. Mr. Greene seconded.  
Mr. McClung moved to assign the ordinance a number and read the ordinance on its first reading. Ms. Greene seconded.  
Motion carried 6/0/0 by voice vote.  
The Clerk Treasurer read the ordinance and assigned it number 2337.  
Mr. McClung moved to approve ordinance 2337 on its first reading. Mr. Meyer seconded.  
Motion carried 6/0/0 by voice vote.  
Mr. McClung moved to suspend the rules and read ordinance 2337 for its second reading by title only. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the ordinance by title only on its second reading.  
Mr. McClung moved to approve ordinance 2337 on its second reading. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. McClung moved to suspend the rules and read ordinance 2337 for its final reading by title only. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. McClung move to approve ordinance 2337 on its third reading. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. McClung moved to invoke the emergency clause. Mr. Avanzino seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the emergency clause.

**5. Ordinance permitting Charissa Litherland to hold employment with the city – Mayor Berry**

Mr. McClung made a motion to discuss. Mr. Holifield seconded.  
Mr. McClung made a motion to assign the ordinance a number and read it for passage. Mr. Meyer seconded.  
Motion carried 6/0/0 by voice vote.  
The Clerk Treasurer read the ordinance and assigned it number 2338.  
Mr. McClung moved to approve ordinance 2338 on its first reading. Mr. Avanzino seconded.  
Motion carried 6/0/0 by voice vote.  
Mr. McClung made a motion to suspend the rules and read ordinance 2338 for its second reading by title only. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the ordinance for its second reading by title only.  
Mr. McClung made a motion to approve ordinance 2338 on its second reading. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. McClung made a motion to suspend the rules and read ordinance 2338 on its final reading by title only. Mr. Avanzino seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the ordinance for its third reading by title only.



Mr. McClung made a motion to approve ordinance 2338 on its third reading. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. McClung moved to invoke the emergency clause. Mr. Meyer seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the emergency clause.

**6. Ordinance permitting Christine Santimore to hold employment with the city – Mayor Berry**

Mr. McClung made a motion to discuss. Mr. Meyer seconded.  
Mr. Meyer made a motion to assign the ordinance a number and read it for passage. Ms. Greene seconded.  
Motion carried 6/0/0 by voice vote.  
The Clerk Treasurer read the ordinance and assigned it number 2339.  
Mr. Meyer moved to pass ordinance 2339 on its first reading. Mr. McClung seconded.  
Motion carried 6/0/0 by voice vote.  
Mr. Meyer made a motion to suspend the rules and read ordinance 2339 for its second reading by title only. Ms. Slane seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read ordinance 2339 for its second reading by title only.  
Mr. Meyer made a motion to pass ordinance 2339 on its second reading. Ms. Greene seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. Meyer made a motion to suspend the rules and read ordinance 2339 on its final reading by title only. Ms. Slane seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the ordinance for its third reading by title only.  
Mr. Meyer made a motion to pass ordinance 2339 on its third reading. Mr. Greene seconded.  
Motion carried 6/0/0 by roll call vote.  
Mr. Meyer moved to invoke the emergency clause. Mr. Holifield seconded.  
Motion carried 6/0/0 by roll call vote.  
The Clerk Treasurer read the emergency clause.

**AGENDA SETTING**

Ms. Slane added an update on the Highway 62 sidewalk project.  
Mr. Meyer added a discussion of water and sewer rates.

**COUNCIL COMMENTS**

Mr. Holifield gave an update on the CAPC hiring committee.  
Ms. Greene gave remembrance to Jim Morris, a former planning commissioner who had recently passed away.  
Ms. Slane thanked Michael Akins, Jacob Coburn, and Ferguson Stewart for speaking at the meeting.  
Mr. Meyer gave remembrance to Gates Magoo, a local who had recently passed away.  
Mr. McClung thanked everyone for a successful weekend.

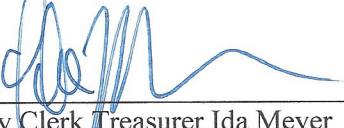
**MAYOR'S COMMENTS**

Mayor Berry thanked Public Works for their work on the water leak on Alexander Street the previous week and went over upcoming events.


**ADJOURNMENT**

Mr. McClung motioned to adjourn. Mr. Meyer seconded.  
Voice vote carried 6/0/0.  
The meeting was adjourned at 7:12 pm.

**ATTEST:**

  
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City Clerk Treasurer Ida Meyer

**APPROVED:**

  
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Mayor Robert “Butch” Berry



**RESOLUTION NO. 838**

**A RESOLUTION TO WAIVE BIDDING TO PURCHASE FINANCIAL AND OPERATING SYSTEM**

**WHEREAS**, the City of Eureka Springs Public Hospital Commission deems it appropriate to procure financial and operating system to replace the existing system which will no longer allow for compliance with the Center for Medicare and Medicaid Services reporting requirements; and,

**WHEREAS**, The financial and operating system will be procured from Cerner Corporation 2800 Rockcreek Parkway, Kansas City, Missouri 64117; and,

**WHEREAS**, The Eureka Springs Hospital Commission has made every effort to locate any additional vendors for this system and have failed to identify any which meet the requirements for a rural critical access hospital.

**WHEREAS**, this purchase is budgeted and will be paid for from the operating funds of the Hospital and will be at a cost lower than the current system.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:**

**Section 1.** The City Council does waive bidding and authorizes the allocation of one hundred twenty-nine thousand four hundred ninety dollars (\$129,490.00) for one-time implementation and fifty thousand dollars (\$50,000.00) monthly to purchase a financial and operating system.

**PASSED AND RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 8<sup>TH</sup> DAY OF MAY, 2023**

**APPROVED:**



Robert D. "Butch" Berry, Mayor

**ATTEST:**



Ida Meyer, Clerk Treasurer

