

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, January 9, 2023, in the Auditorium at 36 S. Main St.

PRESENT: Mayor Berry, Council members Melissa Greene, Steve Holifield, Harry Meyer, Autumn Slane, David Avanzino, Terry McClung, City Attorney Forrest Jacobi, and City Clerk Treasurer Ida Meyer

ABSENT: None

PLEDGE OF ALLEGIANCE

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Mayor Berry called for a motion to approve the agenda. Ms. Greene moved to approve the agenda. Ms. Slane seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: December 12, 2022

The mayor called for a motion to approve the minutes. Mr. Meyer moved to approve the minutes for December 12. Ms. Slane seconded.

Motion carried 5/0/1 with Steve Holifield abstaining due to not having been at the table.

INTRODUCTION TO BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

The mayor introduced Jacob Coburn as the new Building Inspector/Code Enforcement Officer.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – No report

CAPC – Mr. Meyer moved to appoint Chris Jones to the CAPC Position 2. Ms. Greene seconded.

Mayor Berry discussed the nomination process with Mr. Holifield.

A voice vote was taken then a roll call vote followed to confirm.

Motion carried 4/2/0 with Ms. Slane and Mr. Avanzino voting “no”.

Ms. Slane reported on her experience as City Council Commissioner on the CAPC for 2022

Mr. McClung discussed appointing new Chair to replace Jeff Carter as current chair.

Hospital – No report

Parks – Ms. Greene moved to nominate Rodd Gray to the Parks Commission Position 1. Mr. Avanzino seconded.

Motion carried 6/0/0.

Ms. Greene moved to nominate Mariellen Griffith to the Parks Commission Position 3. Mr. Holifield seconded.

Motion carried 6/0/0.

HDC – Ms. Greene moved to nominate Kelli Ladwig to the HDC Position 5. Mr. Holifield seconded.

Motion carried 6/0/0.

Cemetery – Application from David Danvers for Position 3 was provided. Votes will be taken at the next meeting.

PUBLIC COMMENTS

William Lawlor, from the Bridgeford House, expressed opposition to the parking ordinance, discussed Planning study of residents on Spring St. on parking issues, and suggested throwing away ordinance. He also discussed the legality of the ordinance.

Peter Graham, member of the HDC, discussed his meeting with Barbara Wilks of the hospital commission about the renovations being done at Eureka Springs Hospital. He encouraged members of the council to tour hospital and support the grant opportunities for renovation funds.

Linda McBride, 264 Spring St., discussed the process that led to the ordinance for parking district on Spring St. and expressed support for the section of Spring St. chosen by the Planning commission due to road hazards. She requested any city council member operating a business with a CUP recuse themselves from voting on the ordinance due to conflict of interest.

UNFINISHED BUSINESS

1. Ordinance for parking district on Spring St.

Mr. Meyer moved discuss. Ms. Greene seconded. The ordinance as amended at the last meeting was provided.

Mr. Meyer moved to remove the three “Whereas” statements from the beginning of the ordinance at the city attorney’s advice. Ms. Greene seconded.

Mr. McClung discussed with Mr. Jacobi about listing the purpose of the ordinance in the beginning. A roll call vote followed.

Motion failed 3/3/0 with Autumn Slane, Terry McClung, and David Avanzino voting “no”.

Ms. Greene made the motion suspended the rules and read Ordinance #2332 by title only. Mr. Meyer seconded.

Table discussed ordinance presented by Ms. Greene about legal nonconforming entities and residential parking. Mr. McClung also discussed the amendment made at the previous meeting and the issue of daytime visitors with the table. Ms. Tandy-Sallee of the Planning Commission asked for clarification of what was removed and amended from the previous meeting.

Mr. McClung moved to amend the ordinance with Section 7A stating “The owner of any vehicle parked in violation of any term or requirement of this Code section shall be subject to a citation and a fine of not less than \$20.00 nor more than \$70.00 per violation. Each 24-hour period that lapses without correction of the violation shall constitute a separate violation.” Mr. Meyer seconded. The table discussed residential vs CUP commercial property parking. Ms. Tandy-Sallee also presented diagram in council packets. A voice vote followed for the amendment.

Motion carried 6/0/0.

A voice vote followed for the reading by title only.

Motion carried 6/0/0.

Mr. Avanzino moved to approve the ordinance on second reading. Mr. McClung seconded.

Motion carried 6/0/0.

NEW BUSINESS

1. Rules of procedure for 2023

Mr. Meyer moved to discuss. Ms. Greene seconded.

Mayor Berry discussed the options for the rules.

Ms. Greene moved to adopt the abridged version of Robert’s Rules of Order. Mr. Meyer seconded.

Motion carried 6/0/0.

2. Election of City Council Representatives on the CAPC

Mayor requested anyone interested in serving to raise their hands to be considered for the CAPC position. Clarification was made that council members could not vote for themselves.

Council members wrote their first nomination on a paper ballot. The Clerk Treasurer took the paper ballots, counted them, and read the results.

The votes were as followed:

- Harry Meyer- 2
- David Avanzino- 2
- Autumn Slane- 1
- Steve Holifield- 1

Due to failure to reach a quorum, a vote was retaken on paper ballots.

The votes were as followed:

- Harry Meyer- 2

- David Avanzino- 2
- Autumn Slane- 1
- Steve Holifield- 1

Due to failure to reach a quorum, a vote was taken a third time on paper ballots.

The votes were as followed:

- Harry Meyer- 2
- David Avanzino- 2
- Autumn Slane- 1
- Steve Holifield- 1

Ms. Slane moved to nominate David Avanzino to the CAPC. Mr. McClung seconded. A roll call vote followed.

Motion failed 2/3/1 with Ms. Greene, Mr. Meyer, and Mr. Holifield voting “no” and Mr. Avanzino abstaining.

Ms. Greene moved to nominate Harry Meyer to the CAPC. Mr. Holifield seconded. A roll call vote followed.

Motion failed 2/3/1 with Mr. McClung, Mr. Avanzino, and Ms. Slane voting “no” and Mr. Meyer abstaining.

Ms. Greene moved to nominate Steve Holifield to the CAPC. Mr. Meyer seconded. A roll call vote followed.

Motion carried 4/2/1 with Mr. Avanzino and Mr. McClung voting “no”, Mr. Holifield abstaining, and Mayor Berry adding an “aye”.

Mr. McClung moved to nominate Autumn Slane to the CAPC. Mr. Avanzino seconded.

Motion failed 2/3/1 with Ms. Greene, Mr. Holifield, and Mr. Meyer voting “no” and Ms. Slane abstaining.

Ms. Slane will remain in the seat until a replacement is voted in as discussed.

3. Set meeting dates for 2023

Mr. Meyer moved to set the meeting dates to the second and fourth Mondays of every month. Mr. McClung seconded.

Motion carried 6/0/0.

4. Pro tempore for 2023

Mayor Berry explained the purpose of the Mayor Pro Temp.

Ms. Greene moved to nominate Terry McClung for the position of Mayor Pro Temp. Mr. Meyer seconded.

Motion carried 6/0/0.

5. Discussion of 2023 Budget

Mr. Meyer made the motion to discuss. Mr. McClung seconded.

Mr. McClung moved to create a resolution to approve the budget as presented. Mr. Meyer seconded.

Motion carried 6/0/0.

AGENDA SETTING

Ms. Greene made a motion to discuss electronic use at the table. Mr. Holifield seconded.

COUNCIL COMMENTS

Mr. McClung welcomed Steve Holifield.

Mr. Meyer hoped everyone could come to an agreement on the CAPC position in the future and welcomed Mr. Holifield.

Ms. Slane encouraged business owners to attend CAPC meetings to express their opinions.

Ms. Greene brought up occurrences at the previous CAPC meeting and addressed the issues she had with previous CAPC applicants.

Mr. Holifield thanked everyone for welcoming him to the table and expressed his enjoyment while running for the position. He also thanked Mr. Ott for his service.

Mr. Avanzino welcomed Clerk Treasurer Ida Meyer and Mr. Holifield. He addressed the Spring St parking issue and the events of the previous CAPC meeting.

MAYOR COMMENTS

Mayor Berry welcomed Ms. Meyer, Mr. Holifield, and Mr. Avanzino to their positions and expressed he was looking forward to the new year. Mayor Berry also discussed the LIHEAP heating assistance program, the Black Hills gas line replacement that will continue on Spring St., and the broadband assistance survey for Eureka Springs.

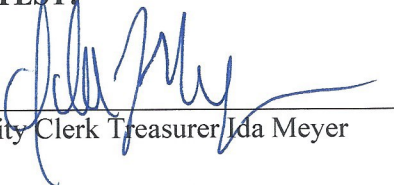
ADJOURNMENT

Mayor Berry asked for a motion to adjourn.

Mr. McClung so moved. Mr. Meyer seconded.


Motion carried 6/0/0.

ATTEST:



City Clerk Treasurer Ida Meyer

APPROVED:



Mayor Robert "Butch" Berry

