

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, January 23, 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

Ms. Greene moved to approve the agenda for January 23, 2023. Mr. Avanzino second. Mayor Berry made an amendment to add discussion of a B&B moratorium on new business item 1, an amendment to vote on Danvers, Booth, and Wright for their respective commission positions, and a correction to new business item 7 to state “fourth quarter 2022”. Mr. McClung moved to approve the amended agenda. Mr. Meyer seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: January 9,2023

The mayor called for a motion to approve the minutes for January 9, 2023. Mr. McClung moved. Mr. Meyer seconded.

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – No report

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

Hospital – No report

Parks – No report

HDC – No report

Cemetery – Mr. McClung made the motion to approve David Danvers for the cemetery commission vacant seat. Ms. Greene seconded.

Motion carried 6/0/0.

Ms. Greene made the motion to approve Glenna Booth for renewal of position 4 on the cemetery commission. Mr. Holifield seconded.

Motion carried 6/0/0.

Ms. Greene made the motion to approve Bruce Wright for renewal of position 2 on the cemetery commission. Mr. McClung seconded.

Motion carried 6/0/0.

PUBLIC COMMENTS

Written comment read by the Clerk/Treasurer: **Rick Delaney**, 2 Charles Circle, discussed Spring St Parking Ordinance.

Garan Sachs aka Monica Savant, 9B College St, discussed SB43.

Ryan Morris, 52 Wall St., discussed proposed B&B moratorium.

Reese Robins, 612 Freeman St, Berryville, AR, discussed SB43.

Tony Freeman, 105 Breezy Point, discussed B&B moratorium.

Aspen Vaught, 105 Breezy Point, discussed B&B moratorium.

Chris Andrews, 7 Fairmount, discussed SB43.

Rodd Gray aka Patti LePlae Safe, 29 Linwood, discussed SB43.

Ethan Avanzino, 216 W Van Buren, discussed SB43.

Will Lawlor, 263 Spring St, spoke about Bridgeford house and Spring St Parking Ordinance.
Tom Reay, 50 Wall St, discussed lodging and B&B moratorium.
Bill Lawlor, co-owner of the Bridgeford House, discussed Spring St Parking Ordinance.
Sharon Lawlor, owner of the Bridgeford House, discussed Spring St Parking Ordinance.
Lyla Allison, 260 Meadowlark Lane and local realtor, spoke on B&B moratorium along with zoning and affordable housing.
Pat Matsukis, 5 Mountain St, spoke on SB43, moratoriums, and round-a-bout expenses.

UNFINISHED BUSINESS

1. Ordinance for parking district on Spring St.

Mr. Meyer moved to discuss. Ms. Greene seconded.
 Table discussed the ordinance for the Spring St Parking District.
 Mr. Meyer made the motion to read the ordinance #2332 by title only. Ms. Greene seconded.
 Motion carried 6/0/0 by roll call vote.
 Mr. Meyer moved to pass the Spring St Parking District on its third reading. Ms. Greene seconded.
 Motion carried 4/2/0 by roll call vote with McClung and Avanzino voting “no”.

2. Discussion/acceptance of 2023 budget (resolution)

Mr. Meyer moved to assign the budget resolution a number to be read. Ms. Greene seconded.
 Motion carried 6/0/0 by roll call vote.
 Resolution was assigned resolution number 831 and read by the City Clerk/Treasurer.

NEW BUSINESS

1. Discussion of B&B moratorium

Ms. Greene moved to discuss. Mr. Meyer seconded.
 Table discussed a B&B moratorium resolution.
 After discussion of public notice, Holifield moved to defer the reading to the next meeting. Mr. Avanzino seconded.
 Additional discussion was had between the table and Susan Harmon of the Planning commission.
 Voice vote was taken for motion to defer. 5/1/0 motion carried with Mr. Meyer voting “no”.

2. Discussion of electronic use at the table

Ms. Greene moved to discuss. Mr. Avanzino seconded.
 Ms. Greene discussed texting at the table.
 Ms. Greene made the motion to prohibit use of cell phones other than for research at the table. Mr. Holifield seconded.
 Further discussion about the item was had at the table.
 Motion failed by voice vote 1/5/0.

3. Discussion of a council budget committee

Mr. Meyer moved to discuss. Mr. Holifield seconded.
 Table discussed a finance committee comprising of council member specifically for reviewing the budget.
 Discussion was tabled.

4. Discussion of amending Section 11.12.01 Adoption: International Building Code

Mr. Meyer moved to discuss. Ms. Greene seconded.
 Mr. Meyer said he would like to make a resolution to adopt the 2022 international building code.
 Mayor Berry discussed that the building code was already adopted and presented adjustments to the current code book retention requirements.
 Discussion was tabled.

5. State aid city street program project resolution

Mr. McClung made the motion to discuss. Ms. Greene seconded.
Mayor Berry presented the resolution for state funding for street projects.
Mr. McClung moved to assign and read the resolution. Ms. Greene seconded.
Motion carried by roll call vote 6/0/0.
The resolution was assigned number 832 and was read by the City Clerk/Treasurer.

6. Discussion of Arkansas Senate Bill 43

Mr. Avanzino made the motion to discuss. Ms. Greene seconded.
Mr. Avanzino discussed Senate Bill 43 and called for an ordinance to speak out against the bill.
The table discussed along with Mr. Jacobi the impact of SB 43 on the city.
Mr. Avanzino moved to write a resolution in opposition of SB 43. Ms. Greene seconded.
Motion carried 6/0/0.
Mr. Avanzino moved City Council authorize the city attorney to obtain outside council to draft potential content neutral ordinances.
Mr. Avanzino and Ms. Greene rescinded the original motion and second after discussion with City Attorney.

7. Fourth quarter 2022 financial summary

Mr. Meyer moved to discuss. Mr. McClung seconded.
City Clerk/Treasurer Ida Meyer discussed the 4th quarter financial summary for 2022.

AGENDA SETTING

None.

COUNCIL COMMENTS

Mr. Holifield voiced his concerns with current state legislation.
Mr. Avanzino thanked everyone for their public comments and thanked Ida for the digital packets.
Ms. Greene made comments about fighting for our personal freedoms.
Ms. Slane spoke on our diverse community and the issues we face.
Mr. Meyer spoke on overstepping of the state government.
Mr. McClung said he's looking forward to seeing how the Spring St Parking District develops and voiced his concerns about the new ordinance.

MAYOR COMMENTS

Mayor Berry discussed the upcoming Mardi Gras events, paranormal weekend, and the annual Chocolate Lovers Festival. He also spoke about 2 awards the city received at the recent municipal league conference. Mayor Berry spoke about bigotry and the state legislature urging everyone to contact their senators and state representatives.

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