

<https://www.youtube.com/user/cityofeurekasprings/live>
5:15 – December 2021 budget review

**CITY OF EUREKA SPRINGS
COUNCIL MEETING**

Monday, February 28, 2022
6 p.m.
AGENDA

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: February 14, 2022**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – **vacant** – expires 7/1/23
CAPC -- Pos. 4 – **vacant** – expires 6/30/24
Hospital
Parks – Pos. 1 – **vacant** – expires 5/1/22. Vote on **Bren Marshall**.
HDC – Pos. 1 – **vacant** – expires 11/30/24
Cemetery

PUBLIC COMMENTS -- 3 minutes for each citizen

NEW BUSINESS

1. Update on vultures in Eureka Springs with Robert Byrd Sr., Director of USDA Wildlife Services – Mayor Berry
2. **Pedego** motorized bike franchise application – Terina Kaye Johnston – M.C. 4.24.02
3. 2021 4th quarter financials – A.C.A 14-43-506
4. Discussion of the mask mandate – Ms. Greene and Mr. Meyer

UNFINISHED BUSINESS

1. Update on German Alley/lower Mountain truck traffic – Mayor Berry
2. Update on shelter for impounded animals at the Police Department – Ms. Greene
3. Ordinance raising Clerk Treasurer's salary – Ms. Greene and Mr. Meyer
4. Ordinance raising Mayor's salary – Ms. Greene and Mr. Ott

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

**CITY OF EUREKA SPRINGS
CITY COUNCIL
REGULAR MEETING**

MONDAY

FEBRUARY 28, 2022

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, February 28, 2022, in the Auditorium at 36 S. Main St.

PRESENT: Mayor Berry, Council members Melissa Greene, Terry McClung, Harry Meyer, Bill Ott (remotely), City Attorney Tim Weaver, and City Clerk Treasurer Ann Armstrong
ABSENT: Nick Roberts (with notice) and Autumn Slane

PLEDGE OF ALLEGIANCE

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Ms. Greene moved to approve the agenda. Mr. McClung seconded. Ms. Greene added discussion of the mask mandate. Mr. Meyer seconded. A vote on the amended agenda followed.
Motion carried 4/0/0.

APPROVAL OF THE MINUTES: February 14, 2022

Ms. Greene moved to approve the minutes for February 14. Mr. Meyer seconded.
Motion carried 4/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – There is a vacancy in Position 3.

CAPC – Position 4 is vacant.

Hospital – No report

Parks – Ms. Greene moved to accept the application for Bren Marshall for Position 1. Mr. Meyer seconded.

Motion carried 4/0/0.

HDC – Position 1 is open.

Cemetery – No report

PUBLIC COMMENTS

1. **Susie Allen**, 11 Cliff St, said there was another accident over the weekend, and she had emails from the other two German Alley residents in favor of closing that street from Inman down to Cliff St.

2. **Ann-Marie Gula**, 1 German Alley, described the SUV getting wedged perpendicular to the road and a second driver's sliding toward it while attempting to reverse up the street. She was in support of having (lower) German Alley as a dead end.

3. **Belen Arriola**, 14 Cliff St., referenced the accidents at the same intersection and wondered how to let guests to Eureka Springs know that GPS is not reliable in town.

4. **James Wignall**, 15 Echols, spoke about the numerous repairs he's made to the metal work on homes at the intersection of Cliff and German Alley. He said if the SUV had not caught the rail, (Ms. Allen's personal residence, immediately below the intersection, would have been hit).

NEW BUSINESS

1. **Update on vultures in Eureka Springs with Robert Byrd., Director of USDA Wildlife Services**

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

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Using a power point presentation, Mr. Byrd provided a summary of the #2 reason he's called about damage to property, and to human health and safety – vultures. He spoke about differences between the red-headed turkey vultures and smaller black vultures, noting it's the black vultures that eat rubber from vehicles and rip dark roof shingles. A graph listed the Arkansas count of black vultures at 180,146.

The 1918 Migratory Bird Treaty Act prohibits anyone from taking or possessing vultures without a permit from the US Fish and Wildlife Services. Although depredation permits have processing fees, no permits are required for harassing vultures. Some methods that have been used are rotating rails, effigies, sonic booms, pyrotechnics, or propane cannons fired for 4-5 evenings when the birds are flying in to roost. Lethal removal after obtaining permits is an option for livestock producers.

Mr. Byrd agreed to assist the City with effigies prior to seasonal migration. He encouraged public outreach so people could understand what they would see and why.

2. Pedego motorized bike franchise

Postponed due to a change in location

3. 2021 4th quarter financials

Mr. Meyer moved to discuss. Mr. McClung seconded. The Clerk Treasurer provided the year-end reports for receipts, check registers, payroll, and long-term liabilities. Bank balances were not yet available.

4. Discussion of the mask mandate

Ms. Greene moved to discuss. Mr. McClung seconded. Following discussion of CDC recommendations, Mr. McClung moved to (end the requirement for masks in government buildings). Ms. Greene seconded.

Motion carried 4/0/0.

UNFINISHED BUSINESS

1. Update on German Alley/lower Mountain truck traffic

Mayor Berry called for a motion to discuss. Mr. McClung said he so moved. Mr. Meyer seconded. The Mayor spoke about having discussed German Alley with Department Heads, prior to the last ice storm. He said there were no objections to having lower German Alley one way going up. Signs for German Alley and lower Mountain St. for truck traffic and directions will be installed. The address for Google has not yet met with luck in updating map information.

Discussion continued regarding closing lower German Alley rather than making it one way. The Mayor agreed to speak with Department Heads about it.

2. Update on shelter for impounded animals at the Police Department

Ms. Greene moved to discuss. Mr. Meyer seconded. Ms. Greene provided photos of the fenced area with dog crates and dogs. Ms. Greene said the crates are insulated. She had not been able to find information about how dogs of prisoners are sheltered in other cities. Ms. Greene confirmed the dogs are the property of the Police Department until they're claimed by owners, and an agreement is being written for sheltering them at the Humane Society during inclement weather.

After speaking about the cost of bigger insulated dog houses, Ms. Greene moved to allocate \$700 for (the Animal Control Officer) to buy them. Mr. Meyer seconded.

Motion failed 3/1/0 with Mr. McClung voting "No."

It was agreed the funds would come from the Police Department budget.

3. Ordinance raising Clerk Treasurer's salary

Mr. Meyer moved to discuss. Ms. Greene seconded. Ms. Greene moved to assign a number and read the Ordinance for the first reading. Mr. Meyer seconded.

Motion carried 4/0/0.

ORDINANCE NO. 2318 AN ORDINANCE AMENDING SECTION E OF CHAPTER 2.28.02 OF THE EUREKA SPRINGS MUNICIPAL CODE ESTABLISHING THE SALARY FOR THE CITY CLERK TREASURER OF THE CITY OF EUREKA SPRINGS

was read.

Ms. Greene moved to approve the first reading. Mr. Meyer seconded.

Motion carried 4/0/0.

4. Ordinance raising the Mayor's salary

Ms. Greene moved to discuss. Mr. Meyer seconded. Mr. Meyer spoke about how misleading it is to compare the populations of other towns to Eureka Springs for salaries.

Ms. Greene moved to assign the ordinance a number with the amendment of \$40,000 for the raise, and to read it for its first reading. Mr. McClung seconded, and noted the amount could still be amended.

Motion carried 4/0/0.

The Clerk Treasurer read **ORDINANCE NO. 2319 AN ORDINANCE AMENDING THE EUREKA SPRINGS MUNICIPAL CODE ESTABLISHING THE SALARY FOR THE MAYOR OF EUREKA SPRINGS.**

Ms. Greene moved to approve Ordinance No. 2319 on its first reading. Mr. Meyer seconded.

Motion carried 4/0/0.

AGENDA SETTING

Ms. Greene added discussion of food trucks.

CITY COUNCIL COMMENTS

Mr. Ott was glad he was able to attend remotely.

Mr. Meyer was thankful no one was hurt during the ice storm.

Mr. McClung was concerned about the bad condition of the public restrooms, but noted they were clean.

MAYOR'S COMMENTS

Mayor Berry agreed to have the restrooms repaired. He thanked Public Works for doing such a good job during the ice storm, noting there are about 300 miles of streets and two trucks.

ADJOURNMENT:

Mayor Berry called for a motion to adjourn. Mr. McClung said he so moved. Mr. Meyer seconded.

Motion carried 4/0/0. The meeting ended at 7:06 p.m.

ATTEST:


City Clerk Treasurer Ann Armstrong

APPROVED:


Mayor Robert "Butch" Berry