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*5:15 – April 2022 budget review*

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING  
Monday, June 13, 2022  
6 p.m.  
AGENDA**

**CALL TO ORDER  
ROLL CALL, ESTABLISH QUORUM  
PLEDGE OF ALLEGIANCE  
APPROVAL OF THE AGENDA  
APPROVAL OF THE MINUTES: MAY 23, 2022**

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

**Planning** – Pos. 4 – **vacant** – expires 7/1/24. Application from **Susan Harman**  
**CAPC** -- Pos. 4 – **vacant** – expires 6/30/24  
**Hospital** – Pos. 5 – **vacant** – 6/1/27  
**Parks** – Pos. 3 – **vacant** – expires 5/1/24  
**HDC**  
**Cemetery**

**PUBLIC COMMENTS -- 3 minutes for each citizen**

**UNFINISHED BUSINESS**

**NEW BUSINESS:**

1. Update on the 2020 Legislative audit report for the Parks Commission – Mr. McClung
2. Update on the 2020 Legislative audit report for the Cemetery Commission – Mr. McClung
3. Discussion of bidding Black Bass Dam – Mayor Berry
4. Discussion of bidding chemical storage building – Mayor Berry
5. Ordinance for voting wards applying Census data – A.C.A. 14-43-311
6. North Main Street property bids – Mayor Berry

**AGENDA SETTING  
CITY COUNCIL COMMENTS  
MAYOR'S COMMENTS  
ADJOURNMENT**

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

**MONDAY**

**JUNE 13, 2022**

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, June 13, 2022, in the Auditorium at 36 S. Main St.

**PRESENT:** Mayor Berry, Council members Terry McClung, Harry Meyer, Melissa Greene, Nick Roberts, Bill Ott, Autumn Slane (remotely), City Attorney Forrest Jacobi, and City Clerk Treasurer Ann Armstrong

**PLEDGE OF ALLEGIANCE**

Mayor Berry led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Mayor Berry called for a motion to approve the agenda. Mr. McClung said he so moved. Mr. Meyer seconded. The Mayor added discussion of the N. Main St. bids. A vote on the amended agenda followed.

Motion carried 6/0/0.

**APPROVAL OF THE MINUTES:** May 23, 2022

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

Motion carried 6/0/0.

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

**Planning** – Mr. McClung moved to approve Susan Harman for position 4. Mr. Ott seconded. Motion carried 6/0/0.

**CAPC** – One position is open.

**Hospital** – There is one vacant seat.

**Parks** – Two positions are open.

**HDC**

**Cemetery**

**PUBLIC COMMENTS:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**1. Update on the 2020 Legislative audit report for the Parks Commission**

Mayor Berry asked for a motion to discuss. Mr. McClung said he so moved. Mr. Meyer seconded.

Motion carried 6/0/0.

Parks Director Scott Miskiel summarized the resolution of issues noted in the audit. He said it was apparent when he was appointed Interim Director in late 2020, the books were not in order. The chart of accounts has been revised, and a separate bank account was set up for the 1/8 cent sales tax deposits to prevent co-mingling of funds.

Bank reconciliations were corrected and brought up to date, and approved by a second person before going to the Commission. Cash receipts are now sequentially numbered and maintained as hard copies as well as electronically.

Mr. Miskiel cautioned the next audit may have some issues since the improvements he

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described took place in 2021.

**2. Update on the 2020 Legislative audit report for the Cemetery Commission**

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

L.B. Wilson, Chair of the Commission, said the current Commissioners were not members in 2020. Bank reconciliations have been brought up to date, including 2021. The requirement for a second signature is in practice, and a new computer has been purchased for the financial reports of the Commission only.

Mr. Wilson said the Secretary/Treasurer position has been separated into two positions. The use of a credit card by staff or by Commissioners has been eliminated. He stated all projects are put out for bid and lesser prices are sought for purchases.

**3. Discussion of bidding Black Bass Dam**

Mr. Meyer moved to discuss. Ms. Greene seconded. Mayor Berry spoke about a FEMA (Federal Emergency Management Agency) grant of \$300,000 and COVID relief funds that can be used for the dam repair.

Engineer Bill Hathaway provided drawings of the proposed repair plan. He confirmed stones that have fallen to the base of the dam face will remain as fill for the bottom layer. The stairstep design of the dam face will allow the dissipation of energy if water overtops the dam. The base will also be moved outward. The horizontal surfaces will be concrete and the vertical surfaces will be stone.

Mr. Ott moved to put it out for bid. Ms. Greene seconded. Mayor Berry spoke about having received an extension on the FEMA grant. He said the City Attorney could look into whether the CAPC could help with some funding since the dam is part of the Parks system.

Motion carried 6/0/0.

**4. Discussion of bidding chemical storage building**

Mr. Meyer moved to discuss. Ms. Greene seconded. Mayor Berry estimated the present cost of chemicals for the waste treatment plant at \$225,000 a year. ADEQ (Department of Environmental Quality) approved the building plans provided to Council.

Public Works Director Dwayne Allen spoke about additional and rising freight costs, and estimated the building could be paid for in three years with the savings by purchasing in bulk.

Following confirmation that the funding would come from I&I (Infrastructure and Improvements) funds, Mr. McClung moved to put it out for bid. Mr. Meyer seconded.

Motion carried 6/0/0.

**5. Ordinance for voting wards applying Census data**

Mr. McClung moved to discuss. Mr. Meyer seconded. Mr. Meyer moved to assign the ordinance a number and read it. Mr. McClung seconded.

Motion carried 6/0/0. **ORDINANCE NO. 2325 AN ORDINANCE REDISTRICTING THE EUREKA SPRINGS ELECTION WARDS AND APPLYING 2020 CENSUS DATA WITH AN EMERGENCY CLAUSE** was read.

Mr. McClung moved to (approve) Ordinance No. 2325 on the first reading. Mr. Meyer seconded.

Motion carried 6/0/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2325 by title only for the second reading. Mr. Meyer seconded. A roll call vote was taken.

Motion carried 6/0/0. The Clerk Treasurer read the Ordinance title.

Mr. McClung moved to (approve) Ordinance No. 2325 on the second reading. Mr. Meyer seconded.

Motion carried 6/0/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2325 by title only for the third and final reading. Mr. Meyer seconded. A roll call vote followed.

Motion carried 6/0/0.

The Ordinance title was read. Mr. McClung moved to approve Ordinance No. 2325 on the third reading. A roll call vote was taken.

Motion carried 6/0/0.

Mr. McClung moved to read the emergency clause. Mr. Meyer seconded. A roll call vote followed.

Motion carried 6/0/0. The emergency clause was read.

**6. North Main Street property bids**

Mr. McClung moved to discuss. Mr. Meyer seconded. One of the bids was for \$33,000 and the second was for \$36,101.

Mr. Ott moved to accept the larger bid. Mayor Berry added "the \$36,101 by Jerald Pate." Mr. McClung seconded.

Motion carried 6/0/0.

**AGENDA SETTING:** No new items were added.

**COUNCIL COMMENTS**

Mr. Ott spoke about having enjoyed air conditioned venues.

Mr. Roberts expressed gratitude for the road work being done by Public Works.

Mr. Meyer agreed with Mr. Ott.

**MAYOR'S COMMENTS**

Mayor Berry summarized the upcoming events schedule.

**ADJOURNMENT**

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

Motion carried 6/0/0. The meeting ended at 6:48 p.m.

**ATTEST:**

  
\_\_\_\_\_  
City Clerk Treasurer Ann Armstrong

**APPROVED:**

  
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Mayor Robert "Butch" Berry

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