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**CITY OF EUREKA SPRINGS  
COUNCIL MEETING**

Monday, June 27, 2022

6 p.m.

**AGENDA**

**CALL TO ORDER**

**ROLL CALL, ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA**

**APPROVAL OF THE MINUTES: June 13, 2022**

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

**Planning**

**CAPC -- Pos. 4 – vacant – expires 6/30/24**

**Hospital – Pos. 5 – vacant – expires 6/1/27 – Application from Kate Dryer**

**Parks – Pos. 3 – vacant – expires 5/1/24. Pos. 7 – vacant – expires 5/1/25**

**HDC**

**Cemetery**

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

**UNFINISHED BUSINESS**

1. Discussion of CAPC funds to assist in Black Bass Dam project – Mayor Berry

**NEW BUSINESS:**

1. Review of Planning Commission denial of rezoning request – 14 Washington – M.C. 14-08-07
2. Resolution for Black Bass Dam

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

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

**MONDAY**

**JUNE 27, 2022**

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, June 27, 2022, in the Auditorium at 36 S. Main St.

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

**PLEDGE OF ALLEGIANCE**

Mayor Berry led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Ms. Greene moved to approve the agenda. Mr. McClung seconded. Mayor Berry added a resolution to waive the bids for the stonework for Black Bass Dam. A vote on the amended agenda followed.

Motion carried 6/0/0.

**APPROVAL OF THE MINUTES: June 13, 2022**

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

Motion carried 6/0/0.

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

**Planning**

**CAPC** – Mr. Meyer moved to approve Mark Hicks for position 4. Mr. Roberts seconded.

Motion carried 6/0/0.

**Hospital** – Mayor Berry said there would be a vote on the application from Kate Dryer at the next meeting.

**Parks** – Two positions are open.

**HDC**

**Cemetery**

**PUBLIC COMMENTS**

**Ferguson Stewart**, 7 Harvey Rd., said the American Legion Post #9 birthday celebration will take place on July 11 at 6 p.m. at the post on Hwy. 23N, and Council is welcome to attend. He asked for patience in the months ahead and to not put more economic burden on businesses.

**UNFINISHED BUSINESS**

**1. Discussion of CAPC funds to assist in the Black Bass Dam project**

Mr. Ott moved to discuss. Ms. Slane seconded. Ms. Slane provided and read a portion of A.C.A. 26-75-606 regarding use of City Advertising and Promotion funds on repair and maintenance of public recreation facilities and parks.

Discussion followed about not using A&P funds for capital improvements, the Basin Park bandshell repairs, advertising focused on the outdoors, and the expenditure decisions that are the Commission's to make.

Mr. Jacobi spoke about the dam as infrastructure.

Mayor Berry noted he had requested an opinion from a Municipal League Attorney.

## NEW BUSINESS

### **1. Review of (Board of Zoning Adjustment) denial of rezoning request – 14 Washington**

Mr. Meyer moved to discuss. Ms. Greene seconded. Mayor Berry summarized the report from the Board of Zoning Adjustment Chair, Ann Sallee, confirming the Board's unanimous vote to deny rezoning from R-1 to C-3.

Mr. McClung spoke about opposing spot zoning. Following discussion of objections from neighboring property owners, Mr. Meyer moved to deny (re-zoning). Ms. Greene seconded. The process outlined in Code was discussed and Ms. Greene withdrew the second with a request for Mr. Meyer to withdraw the motion.

Mr. Meyer moved to affirm the decision of the (Board of Zoning Adjustment). Ms. Greene seconded.

Motion carried 6/0/0.

### **2. Resolution for Black Bass Dam**

Mr. Meyer moved to discuss. Mr. McClung seconded. Mayor Berry confirmed the fiscal cycle for FEMA (Federal Emergency Management Agency) grants ends June (30). Submitting the proposal before the end of the month would allow it to be within their 2022 budget. The resolution was prepared to waive bidding for stonework to repair the dam.

Mr. Ott moved to give the resolution a number and have it read into the record. Ms. Greene seconded. Discussion included contract documents yet to be prepared, time that approval from the State has taken, and where the stones would be stockpiled.

A roll call vote was taken.

Motion carried 6/0/0. **RESOLUTION NO. 820 A RESOLUTION TO AUTHORIZE THE MAYOR AND PUBLIC WORKS DEPARTMENT TO WAIVE BIDDING IN THE REPAIR OF BLACK BASS DAM** was read.

## AGENDA SETTING

Update on speed tables that will be installed – Mr. McClung and Mr. Ott

Update on the BKD audit – Ms. Slane

Discussion of the downtown (public) bathrooms – Mr. Roberts and Mr. Meyer

## COUNCIL COMMENTS

Ms. Slane thanked everyone for being open in discussing Black Bass.

Ms. Greene relayed words of praise for Officer Thomas and his professional handling of a traffic stop.

Mr. Ott reminded everyone to stay hydrated and keep their four-legged friends hydrated.

## MAYOR'S COMMENTS

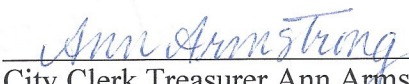
Mayor Berry summarized the upcoming events schedule.

## 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 6:40 p.m.

## ATTEST:

  
City Clerk Treasurer Ann Armstrong

## APPROVED:

  
Mayor Robert "Butch" Berry