

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

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, December 13, 2021
6 p.m.
AGENDA**

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE**

*****PUBLIC HEARING – to vacate a portion of Paxos St. between blocks 12 and 13
Freeman Addition
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: November 22, 2021**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

**Planning – Pos. 3 – vacant – expires 7/1/23. Pos. 6 – vacant – expires 1/1/24 – vote on
Meghan Morris. Pos. 5 – application to renew – Ferguson Stewart
CAPC – Pos. 4 – vacant -- expires 6/30/24.
Hospital -- Pos. 4 – vacant – expires 6/1/26
Parks – Pos. 1 – vacant – expires 5/1/22. Pos. 4 – vacant – expires 5/1/25
HDC
Cemetery**

PUBLIC COMMENTS: 3 minutes per speaker

UNFINISHED BUSINESS: none

NEW BUSINESS:

1. Ordinance to vacate a portion of Paxos St. between Blocks 12 and 13 – Templeton – A.C.A 14-301-302(c)
2. Ordinance for one at-large Parks commissioner – Mayor Berry
3. Resolution amending No. 810 COVID funds for employees – Mayor Berry
4. Discussion of expanding food truck lottery sites – Ms. Greene and Ms. Slane
5. Resolution to trade excavators – Mayor Berry
6. Discussion of December 27 meeting

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

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

MONDAY

DECEMBER 13, 2021

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, December 13, 2021, in the Auditorium at 36 S. Main St.

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

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

PUBLIC HEARING – to vacate a portion of Paxos St:

Charles Templeton, applicant, said the purpose for vacating would be to join the lots his wife and he own.

The Public Hearing was closed.

APPROVAL OF THE AGENDA:

Ms. Greene moved to approve the agenda. Mr. Roberts seconded. Mayor Berry added the renewal application from Ferguson Stewart for the Planning Commission, a resolution regarding trading excavators, and discussion of a meeting on December 27.

The Mayor called for a motion to approve the agenda as amended. Mr. Ott said he so moved. Mr. McClung seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: November 22, 2021

Ms. Greene moved to approve the minutes for November 22, 2021. Mr. Meyer seconded.
Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Ms. Greene moved to approve Meghan Morris for Planning Commission position 6. Mr. McClung seconded.

Motion carried 6/0/0. Mr. McClung moved to approve (the renewal application from) Ferguson Stewart. Mr. Ott seconded.

Motion carried 6/0/0.

CAPC – Position 4 is vacant.

Hospital – Position 4 is open.

Parks – Positions 1 and 4 are vacant.

HDC

Cemetery

PUBLIC COMMENTS:

Ferguson Stewart, 7 Harvey Rd., spoke about food insecurity and noted the presence of the Flint Street Food Bank, Cup of Love Ministries, and food drop off location at Penn Memorial Church. He encouraged people to bring extra food to one of those centers.

UNFINISHED BUSINESS: none

NEW BUSINESS:

1. Ordinance to vacate portion of Paxos St. between Blocks 12 and 13

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

Motion carried 6/0/0. The Clerk Treasurer read **ORDINANCE NO. 2316 AN ORDINANCE VACATING A PORTION OF PAXOS STREET BETWEEN BLOCKS 12 AND 13.**

Mr. McClung moved to approve Ordinance No. 2316 on its first reading. Mr. Meyer seconded.

Motion carried 6/0/0. Mr. McClung moved to suspend the rules and read Ordinance No. 2316 on the second reading by title only. Mr. Meyer seconded. A roll call vote was taken.

Motion carried 6/0/0. The Ordinance title was read.

Mr. McClung moved to approve Ordinance No. 2316 on its second reading. Mr. Meyer seconded.

Motion carried 6/0/0.

2. Ordinance for one at-large Parks commissioner

The Mayor asked for a motion to discuss. Mr. Ott said he so moved. Ms. Slane seconded. State law allowing up to two Parks commissioners to live outside the City limits was noted. Mr. Ott supported having two members. Ms. Greene seconded.

Motion carried 6/0/0.

Mayor Berry suggested that, in Section 1., the word “without” be changed to “outside.” Mr. Ott said he so moved. Mr. McClung seconded.

Motion carried 6/0/0.

Ms. Greene moved to give the ordinance a number and read it. Mr. Ott seconded.

Motion carried 6/0/0. **ORDINANCE NO. 2317 AN ORDINANCE AMENDING THE ENABLING ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, REGARDING THE MAKEUP OF THE CITY PARKS COMMISSION** was read.

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

Motion carried 6/0/0. Ms. Greene moved to suspend the rules and place Ordinance No. 2317 on its second reading by title only. Mr. Ott seconded. A roll call vote followed.

Motion carried 6/0/0. The Ordinance title was read.

Mayor Berry called for a motion to approve. Mr. Ott said he so moved. Ms. Greene seconded.

Motion carried 6/0/0.

Ms. Greene moved to suspend the rules and place Ordinance No. 2317 on its third reading by title only. Mr. Ott seconded. A roll call vote was taken.

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

Ms. Greene moved to approve the third reading. Mr. Meyer seconded. A roll call vote was taken.

Motion carried 6/0/0. Ms. Greene moved to invoke the Emergency Clause and read it. Mr. Meyer seconded. A roll call vote followed.

Motion carried 6/0/0. The Emergency Clause was read.

3. Resolution amending No. 810 COVID funds for employees

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

It was noted the previous Resolution had a mathematical error due to not having counted all the people to whom the funds would be paid.

Mr. Meyer moved to assign the resolution a number and read it for passage. Ms. Slane seconded. A roll call vote followed.

Motion carried 6/0/0. **RESOLUTION NO. 813 A RESOLUTION TO CORRECT A PORTION OF SECTION 1 OF RESOLUTION NO. 810 PASSED BY THE EUREKA SPRINGS CITY COUNCIL AT ITS REGULAR MEETING ON NOVEMBER 22, 2021,** was read.

4. Discussion of expanding food truck lottery sites

Ms. Greene moved to discuss. Ms. Slane seconded. Ms. Greene spoke about the advantages of food trucks on the highway. She favored adding three spots. Discussion followed about eliminating the lottery, rules in other cities, and other existing options currently in Code.

Ms. Greene moved to ask (the City Attorney) to write an ordinance to increase the Hwy. 62/23 zone and add three more spots. Another lottery for the additional three would be held. (It was clarified that would be five in that sector, with a total of eight in all sectors.) Mr. Ott seconded.

A roll call vote was taken.

Motion carried 5/1/0 with Mr. Meyer voting "No."

5. Resolution to trade excavators

Mayor Berry asked for a motion to discuss. Mr. Ott said he so moved. Ms. Greene seconded. Parks Director Scott Miskiel and Sam Dudley offered background on the two excavators and the reason for the trade. Mr. McClung moved to assign the resolution and read it for passage. Ms. Greene seconded. A roll call was taken.

Motion carried 6/0/0. **RESOLUTION NO. 814 A RESOLUTION TO AUTHORIZE TRADING OF EXCAVATORS BY PARKS DEPARTMENT** was read.

6. Discussion of December 27 meeting

The Mayor called for discussion. Mr. Ott said he so moved. Ms. Slane seconded.

Following brief discussion, Mr. Ott moved to have no meeting. Ms. Slane seconded.

Motion carried 6/0/0.

AGENDA SETTING: No new items were added.

CITY COUNCIL COMMENTS:

Mr. McClung wished everyone a Merry Christmas.

Mr. Meyer read a statement regarding the responsibility of preserving historic homes and about suing volunteer commissioners. He asked Mr. Ott to please resign

Ms. Slane wished everyone Merry Christmas and Happy New Year.

Ms. Greene spoke about loss of contributing historic homes.

Mr. Roberts wished everyone Merry Christmas, Happy New Year, and the start of the new year with a better note.

Mr. Ott spoke about the appeal process for Historic District Commission (denials), and about Santa Claus.

MAYOR'S COMMENTS:

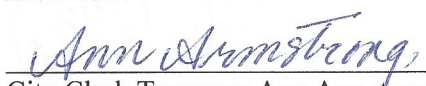
Mayor Berry thanked the Parks Commission, Public Works and the shop keepers who decorated for the Christmas holiday. He asked that people take a short survey to measure their internet speed in order to move forward with getting broadband.

ADJOURNMENT:


Mr. McClung moved to adjourn. Ms. Slane seconded.

Motion carried 6/0/0. The meeting ended at 6:59 p.m.

ATTEST:


City Clerk Treasurer Ann Armstrong

APPROVED:


Mayor Robert "Butch" Berry
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