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**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, February 8, 2021
6 p.m.
AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

*****PUBLIC HEARING – to vacate eastern half of alley between lots 3 and 4 in block 3
Freeman Addition**

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: January 25, 2021

*****STATE OF THE CITY ADDRESS**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – vacant – expires 7/1/23

CAPC – Pos. 3 – expires 6/30/23

Hospital – Pos. 5 – vacant – expires 6/1/22 – vote on April Griffith

Parks – Pos. 5 – vacant – expires 5/1/21. Pos. 7 – vacant – expires 5/1/25

HDC

Cemetery

PUBLIC COMMENTS: 3 minutes per speaker

UNFINISHED BUSINESS:

1. Ordinance to Re-zone 38 Prospect to C-3 Quiet Commercial – McKimmey – M.C. 14.08.07 F(1)
2. Ordinance to Re-zone 44 Armstrong to C-1 Commercial – Kalmbach – M.C. 14.08.07 F(1)
3. Ordinance to Re-zone 46 Armstrong to C-1 Commercial – Treuer – M.C. 14.08.07 F(1)
4. Ordinance to accept the Pine Crest Subdivision – M.C. 15.04.05

NEW BUSINESS:

1. Ordinance to vacate eastern half of alley in Freeman Addition – Swenson – A.C.A 14-301-302(c)
2. Discussion of East Mountain and Pivot Rock Rd. sidewalks/bike paths – Ms. Smole and Mr. Meyer

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, February 8, 2021 in the Auditorium at 36 S. Main St.

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

ATTENDING REMOTELY: LauraJo Smole and City Attorney Tim Weaver

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

PUBLIC HEARING:

There were no public comments in support or in opposition to the application to vacate.
Mayor Berry closed the public hearing.

APPROVAL OF THE AGENDA:

Mayor Berry called for a motion to approve the agenda. Mr. Ott said he so moved. Mr. Meyer seconded. Discussion of sidewalks was postponed until the next meeting. A vote on the amended agenda followed.
Motion carried 6/0/0.

APPROVAL OF THE MINUTES: January 25, 2021

Mr. Ott moved to approve. Mr. McClung seconded.
Motion carried 6/0/0.

STATE OF THE CITY ADDRESS:

Mayor Berry summarized developments during 2020. He noted the impacts of the COVID 19 pandemic that began in March, and the development of Emergency Response and Economic Recovery Task Forces. A moratorium on events on City property was put in place, and City services were modified so as to continue delivery.
Developments in finances, Fire and Emergency services, the Police Department, Public Works, Transit, and CAPC were recapped. Mayor Berry summed up events that occurred with Parks, the Hospital and Hospital Commission, Code Enforcement and Building, the Historic District and Planning Commissions, and the solar project for City buildings. The Mask Making Brigade, the Answering the Call Crew, Echo Clinic and People Helping People, and City employees were acknowledged and thanked heartily.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

- Planning** – One seat is open.
- CAPC** – One seat is open.
- Hospital** – Mr. Ott moved to accept the appointment of April Griffith. Mr. McClung seconded. Motion carried 6/0/0.
- Parks** – Two seats are open seat
- HDC** – No report
- Cemetery** – No report

PUBLIC COMMENTS: none

UNFINISHED BUSINESS:

1. Ordinance to re-zone 38 Prospect to C-3 Quiet Commercial

The property owners were attending remotely.

Ms. Greene moved to discuss. Ms. Slane seconded. Ms. Greene moved to read the ordinance to re-zone 38 Prospect to C-3 Quiet Commercial on its first reading. Ms. Slane seconded.

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

The Clerk Treasurer read **ORDINANCE NO. 2302 AN ORDINANCE AMENDING THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS OF EUREKA SPRINGS, ARKANSAS, COMMONLY KNOWN AS 38 PROSPECT AVENUE.**

Ms. Greene moved to approve Ordinance No. 2302 on its first reading. Ms. Slane seconded.

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

2. Ordinance to re-zone 44 Armstrong to C-1 Commercial

The property owner was attending remotely.

Ms. Greene moved to discuss re-zoning 44 Armstrong to C-1 Commercial.

Mr. McClung seconded.

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

Motion carried 6/0/0.

ORDINANCE NO. 2303 AN ORDINANCE AMENDING THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS OF EUREKA SPRINGS, ARKANSAS, COMMONLY KNOWN AS 44 ARMSTRONG ST.
was read.

Mr. McClung moved to approve Ordinance No 2303 on its first reading. Ms. Greene seconded.

Motion carried 6/0/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2303 for its second reading by title only. Mr. Meyer seconded. A roll call vote followed.

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

Mr. McClung moved to approve. Mr. Meyer seconded. A voice vote followed.

Motion carried 6/0/0.

3. Ordinance to re-zone 46 Armstrong to C-1 Commercial

The property owner was attending remotely.

Mr. McClung moved to discuss. Mr. Meyer seconded.

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

Meyer seconded.

Motion carried 6/0/0.

ORDINANCE NO. 2304 AN ORDINANCE AMENDING THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS OF EUREKA SPRINGS, ARKANSAS, COMMONLY KNOWN AS 46 ARMSTRONG ST.
was read.

Mr. McClung moved to approve Ordinance No. 2304 on its first reading. Mr. Meyer seconded.

Motion carried 6/0/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2304 for its second reading by title only. Mr. Meyer seconded. A roll call vote followed.

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

Mr. McClung moved to approve. Mr. Meyer seconded. A voice vote followed.

Motion carried 6/0/0.

4. Ordinance to accept the Pine Crest Subdivision

Mr. Gustin was present to answer questions.

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

Mr. McClung moved to assign the ordinance a number and read it for its first reading. Ms.

Greene seconded.

Motion carried 6/0/0.

The Clerk Treasurer read **ORDINANCE NO. 2305 AN ORDINANCE ACCEPTING A NEW SUBDIVISION TO**

THE CITY OF EUREKA SPRINGS, ARKANSAS, TO BE KNOWN AS PINE CREST SUBDIVISION, AN ADDITION OF THE CITY OF EUREKA SPRINGS, ARKANSAS.

Mr. McClung moved to approve Ordinance No. 2305 on its first reading. Ms. Greene seconded.

Motion carried 6/0/0.

Ms. Greene moved to suspend the rules and read Ordinance No. 2305 by title only for its second reading. Ms. Slane seconded. A roll call vote followed.

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

Mr. McClung moved to approve Ordinance No. 2305 on its second reading. Mr. Meyer seconded. A voice vote followed.

Motion carried 6/0/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2305 for its third and final reading by title only. Ms. Greene seconded. A roll call vote followed.

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

Mr. McClung moved to approve Ordinance No. 2305 on its third and final reading. A roll call vote followed.

Motion carried 6/0/0.

In response to an inquiry from Mr. McClung, Mr. Gustin assured Council the property developer or property owners association is responsible for enforcing covenants.

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

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

NEW BUSINESS:

1. Ordinance to vacate eastern half of alley in Freeman Addition

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

Mr. McClung moved to assign the ordinance a number and read it for its first reading. Ms. Greene seconded.

Motion carried 6/0/0.

ORDINANCE NO. 2306 AN ORDINANCE VACATING THE EASTERN HALF OF AN ALLEY SOUTH OF PAXOS IN FREEMAN ADDITION BLOCK 3 was read.

Mr. McClung moved to approve Ordinance No. 2306 on its first reading. Mr. Meyer seconded.

Motion carried 6/0/0.

2. Discussion of East Mountain and Pivot Rock Rd. sidewalks/bike paths

Postponed during approval of the agenda

AGENDA SETTING: No new items were added.

CITY COUNCIL COMMENTS:

Mr. Ott asked that everyone remember Fat Tuesday in their hearts.

Ms. Greene thanked Mayor Berry, the Departments, Council, Commissions and citizens for keeping people safe and businesses open.

Mr. Meyer encouraged everyone to continue doing the same things in terms of safety.

Ms. Slane thanked the Mayor for the summary of achievements.

MAYOR'S COMMENTS:

Mayor Berry offered a vaccination update. He noted the small increase people will be seeing on their solid waste bills, the 3.5% raise Carroll County Solid Waste can do by right.

ADJOURNMENT:

Mr. Ott moved to adjourn. Mr. McClung seconded.
Motion carried 6/0/0. The meeting ended at 7:10 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry

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