

TURN OFF ALL ELECTRONIC DEVICES, AS THEY INTERFERE WITH THE RECORDING EQUIPMENT

CITY OF EUREKA SPRINGS

COUNCIL MEETING

Monday, January 13, 2020

6 p.m.

AGENDA

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: December 9, 2019

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 2 – expired 1/1/20 – application from Tom Buford. Pos. 3 – vacant – expires 7/1/20.

CAPC -- Pos. 1 – vacant – expires 6/30/21. Pos. 5 – vacant – expires 12/31/20 -- City Council seat. Pos. 6 – vacant – expires 12/31/20 -- City Council seat

Hospital

Parks

HDC

Cemetery

PUBLIC COMMENTS -- 3 minutes for each citizen

NEW BUSINESS:

1. Hospital employee transition – Mayor Berry
2. Carroll County Solid Waste rate increase – Mayor Berry

UNFINISHED BUSINESS:

1. Ordinance for Permanent Entertainment District, with sunset clause – Mr. McClung and Ms. Harman
2. Discussion of 2020 budget – Mayor Berry
3. Ordinance No. 2290 Animal care on unoccupied property – 3rd reading

NEW BUSINESS (cont'd):

3. Set meeting dates for 2020
4. Pro tempore for 2020
5. Rules of procedure for 2020
6. Resolution to set a public hearing date for vacating an alley east of Angle St. – A.C.A. 14-301-302 (c)

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

JANUARY 13, 2020

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, January 13, 2020 in the Auditorium lobby at 36 S. Main St.

PRESENT: Mayor Berry, Council members Mickey Schneider, Terry McClung, Melissa Greene, Susan Harman, Bob Thomas, Harry Meyer, City Attorney Tim Weaver and City Clerk Treasurer Ann Armstrong

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Ms. Harman moved to approve the agenda. Ms. Greene seconded.
Motion carried 6/0/0.

APPROVAL OF THE MINUTES: December 9, 2019

Ms. Harman moved to approve. Ms. Greene seconded.
Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Mr. McClung moved to approve Tom (Buford for Position 3.) Ms. Greene seconded.

Motion carried 5/0/1 with Ms. Schneider recusing.

CAPC – It was noted an application was received from Jeff Carter. Mr. McClung moved to approve. Ms. Greene seconded.

Motion carried 6/0/0. Ms. Greene moved put Terry McClung back on. Ms. Harman seconded.

Motion carried 6/0/0. Ms. Greene nominated Susan Harman for the other position. Mr. McClung seconded.

Motion carried 5/1/0 with Ms. Schneider voting "No."

Hospital – No report

Parks – No report

HDC – No report

Cemetery – No report

PUBLIC COMMENTS:

Bill Poague, 1 Wood Circle, spoke about his inquiries into why yellow bags are required for trash pickup. He expressed his belief the City should be making a profit from the sales.

Diane Murphy, 53 Vaughn, recognized efforts made in researching the Entertainment District and offered her support for the proposal. She said she felt the sunset clause was a good decision.

Damon Henke, 19 Thomas, opined that a lot of us aren't approaching the Entertainment District proposal from the 30,000 ft. level. He expressed his belief there's a difference between the power drinkers from the past and the more responsible younger drinkers.

Laurie Smole, 17 Pivot Rock Rd., noted there are quite a few City employees earning less than \$12 an hour, congregated mostly in Public Works. The Department is losing employees who

can (earn) substantially more elsewhere, and she favored getting people to a living wage.

Autumn Slane, spoke about making the Entertainment District decision based on the needs of this town and said this is a step toward the future.

NEW BUSINESS:

1. Hospital employee transition

Ms. Harman moved to discuss. Mr. McClung seconded. Mayor Berry cautioned that the City is still under contract with Allegiance, noting the possibility of a lawsuit, and advised being careful about extraneous conversations.

Dr. John House, Commission Chair, summarized events leading up to the resolution for Hospital payroll. In order for the Hospital Commission to process payroll for the employees, the decision must be in the Council minutes. He reported the company hired to aid in the transition has helped to identify and fix problems.

Discussion followed regarding the Commission providing funds for payroll, audits to serve as checks and balances, financial reports separate from those Council sees regularly, and Commission funds saved for this purpose.

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

Motion carried 6/0/0. **RESOLUTION NO. 768 A RESOLUTION TO ACCEPT DUTIES REGARDING HOSPITAL STAFF BENEFITS** was read.

2. Carroll County Solid Waste rate increase

Mayor Berry called for a motion to discuss. Mr. McClung said he moved. Ms. Harman seconded.

Phil Jackson, Director, noted the CPI (Consumer Price Index) for the last 12 months was used to calculate the increase. Disposal rates have gone up as have costs for equipment maintenance, payroll and insurance. He said the listed changes were for 3.25%, 44c for the average user. He confirmed there was no need for a resolution approving the increase.

UNFINISHED BUSINESS:

1. Ordinance for Permanent Entertainment District, with sunset clause

Ms. Harman moved to discuss. Ms. Greene seconded. A summary of the 88 responses to most recent survey was provided and read. Of the 25 alcohol beverage license holders, 9 responded with 8 in favor and 1 against.

Following discussion of efforts to assess community response, the perception that younger people are not power drinkers and the continued 50/50 +/- survey responses, Mr. Thomas moved to assign a number to the ordinance and read it for the first time. Ms. Greene seconded.

Chief Young addressed concerns about additional policing costs, followed by a voice vote on the motion.

Motion carried 4/2/0 with Mr. Meyer and Ms. Schneider voting "No."

The Clerk Treasurer read **ORDINANCE NO. 2292 AN ORDINANCE TO AUTHORIZE THE CREATION OF A PERMANENT ENTERTAINMENT DISTRICT WITH SUNSET CLAUSE**. Mr. McClung moved to approve Ordinance No. 2292 on its first reading. Ms. Harman seconded.

Mr. McClung favored bio-degradable cups and no wrist bands. Discussion followed about cups with printed District information.

Mr. Thomas provided and read six proposed amendments. He moved to amend with those additions. Ms. Greene seconded.

Motion carried 6/0/0. Mr. McClung moved to add a clause regarding the Council's ability to suspend operations by resolution. Ms. Greene seconded.

Motion carried 6/0/0. Discussion followed regarding criteria for determining the success or failure of the District. A vote on approval of the first reading (with amendments) followed.

Motion carried 5/1/0 with Ms. Schneider voting "No."

2. Discussion of 2020 budget

Ms. Harman moved to discuss. Ms. Greene seconded. Finance Director Lonnie Clark noted \$145,000 was added to Capital Improvements for the auditorium. Mr. McClung moved to approve the budget as presented for 2020. Ms. Harman seconded.

Mr. Meyer moved to defer for a workshop the following Monday. Ms. Greene seconded. Mr. Meyer withdrew the motion. Ms. Greene withdrew the second.

Mr. Thomas said he'll be making a motion to add line items to show Parks tax money received and Parks tax money sent (to Parks.) He'll also ask again for \$3,000 for City Council travel.

Mr. Meyer moved to defer until the next Monday (workshop.) Ms. Greene seconded.

Motion carried 6/0/0.

3. Ordinance No. 2290 Animal care on unoccupied property

Ms. Haman moved to discuss. Ms. Greene seconded. Ms. Greene moved to suspend the rules and read Ordinance No. 2290 on its third reading by title only. Ms. Harman seconded. A roll call vote followed.

Motion carried 6/0/0. The Ordinance title was read. Mr. Thomas moved to approve Ordinance No. 2290 on its third reading. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0.

NEW BUSINESS:

3. Set meeting dates for 2020

Ms. Harman moved to discuss. Ms. Greene seconded. Ms. Greene moved to keep the meeting dates for the second and fourth Mondays each month. Ms. Schneider seconded. Ms. Greene withdrew her motion. Ms. Schneider withdrew the second. Ms. Greene moved to keep the meeting dates of the second and fourth Mondays at 6:00 with the exception on the fourth Monday (Council) will have a budget meeting at 5:15. Ms. Schneider seconded.

Motion carried 6/0/0.

4. Pro tempore for 2020

Ms. Schneider moved to select Bob (Thomas) as the Pro tem again. Ms. Greene seconded.

Motion carried 6/0/0.

5. Rules of procedure for 2020

Mr. Thomas moved to use Roberts Rules of Order for procedure for 2020. Ms. Harman seconded.

Motion carried 6/0/0.

6. Resolution to set a public hearing date for vacating an alley east of Angle St.

Ms. Greene moved to set a public hearing for the vacating of an alley east of Angle St. Ms. Harman seconded. A roll call vote was taken.

The Clerk Treasurer read **RESOLUTION NO. 769 A RESOLUTION TO SET A PUBLIC HEARING DATE FOR CONSIDERATION OF VACATING AN ALLEY EAST OF ANGLE ST. IN THE MAGNETIC BAYS SURVEY.**

AGENDA SETTING:

Ms. Schneider added (Council) email notifications of special events. Ms. Greene seconded.

Mr. Thomas added an update from the Planning Commission on the review of the Vision Plan. Ms. Greene seconded.

Ms. Harman added a workshop with the Hospital Commission after February 1. Ms. Greene

seconded.

Mr. Meyer added discussion of the employee manual and its conflicts with Code. Ms. Schneider seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said he's looking forward to another exemplary year in Eureka Springs.

Mr. Meyer said he's optimistic too.

Ms. Schneider said she wishes people would slow down and get answers before jumping into stuff.

Ms. Greene said she's expecting an exemplary year too.

MAYOR'S COMMENTS:

Mayor Berry wished everyone a Happy New Year, belatedly. He read a list of upcoming events.

ADJOURNMENT:

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

Motion carried 6/0/0.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry