

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

**CITY OF EUREKA SPRINGS
COUNCIL MEETING**

Monday, February 10, 2020

6 p.m.

AGENDA

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

*****PUBLIC HEARING – Request to vacate alley east of Angle St. – A.C.A. 14-301-303**

APPROVAL OF THE MINUTES: Regular meeting – January 27, 2020

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – **vacant** – expires 7/1/20. Application from Mark Hicks

CAPC

Hospital

Parks – Pos. 6 – **vacant** – expires 5/1/21. Application from Cameron DeNoewer

HDC – Pos. 6 – will expire 3/7/20. Pos. 7 – will expire 3/7/20

Cemetery

PUBLIC COMMENTS -- 3 minutes for each citizen

UNFINISHED BUSINESS:

1. Ordinance No. 2292 Creation of Entertainment District – 3rd reading
2. Carroll Boone Water District rate increase – Mayor Berry

NEW BUSINESS:

1. Discussion of improving wages for employees from the budget – Ms. Schneider and Ms. Greene
2. Discussion of Council committees – Mr. Meyer and Ms. Schneider
3. Ordinance to vacate alley east of Angle St. in the Magnetic Bays Survey
4. Resolution for continuation of street tax
5. 4th quarter 2019 Financial report – A.C.A. 14-43-506
6. Discussion of the Parks meeting format – Mr. Thomas and Ms. Greene

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

FEBRUARY 10, 2020

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, February 10, 2020 in the Auditorium lobby at 36 S. Main St.

PRESENT: Mayor Berry, Council members Susan Harman, Bob Thomas, Terry McClung, Mickey Schneider, Melissa Greene, 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:

Mayor Berry called for a motion to approve the agenda. Mr. McClung said he so moved. Ms. Schneider seconded. Mr. Thomas added the Parks meeting format. Ms. Greene seconded. Motion carried 6/0/0. A vote on the agenda as amended followed.

Motion carried 6/0/0.

PUBLIC HEARING:

Mayor Berry called for a motion to open the public hearing to vacate the alley. Mr. McClung said he so moved. Ms. Greene seconded.

Motion carried 6/0/0. There were no public comments.

Mr. McClung moved to close the public hearing. Ms. Harman seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: January 27, 2020

Ms. Harman moved to approve. Ms. Greene seconded.

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Mark Hicks submitted an application for position 3. The vote will be taken at the next meeting.

CAPC – no report

Hospital – No report

Parks – An application was received from Cameron DeNoewer for position 6. Ms. Schneider re-nominated him. Mr. Meyer seconded.

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

HDC – No report

Cemetery – No report

PUBLIC COMMENTS:

Ferguson Stewart spoke about progress being made with repairing leaks, new business startups and an active community. He said to Council they're doing a good job and encouraged keeping it up.

Christopher Fischer said his comment was titled "Let's Do the Right Thing" and said the trails opportunity must be properly accommodated. It was his view that the donated property was to have been annexed, and it has yet to have an ordinance placing it under Parks' authority.

John Rankine assured Council the other co-owners and he would give the Entertainment District a try. He had concerns about extra staffing, liability, trash, plastic, and people filling up cups from flasks. Mr. Rankine said it will be confusing for a lot of people.

Pat Costner provided corrected information regarding Parks' general ledgers. She also questioned why the Parks Commission did not prepare for the 1/8c tax sunset. Ms. Costner noted some of the 2019 tax disbursement may show up in 2020 and favored hiring a good bookkeeper.

Damon Henke summarized the Mardi Gras and Chocolate Festival schedules.

UNFINISHED BUSINESS:

1. Ordinance No. 2292 – 3rd reading

Mr. McClung moved discuss. Ms. Greene seconded. Mr. Meyer spoke about the apprehension he understands some citizens have about an entertainment district.

Mr. Thomas moved to suspend the rules and read the Ordinance by title only for its third reading. Ms. Greene seconded. Ms. Schneider requested feedback on additional costs to the City with the expanded timeframe. A roll call vote followed.

Motion carried 4/2/0 with Mr. Meyer and Ms. Schneider voting "No." The Clerk Treasurer read the Ordinance title. Mr. McClung moved to approve. Ms. Greene seconded. Discussion followed about changing the start date. No change was made. A roll call vote was taken.

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

2. Carroll Boone Water District rate increase

A written comparison of customer costs for a 20c per 1000 gal. versus a 30c per 1000 gal. increase for water was provided. Mayor Berry noted that doing nothing would cost the City \$45,000 to \$50,000 a year. Following discussion of service fees and revenue the City would lose due to leaks, Ms. Harman moved to only increase what (Council) feels (the City) needs... 20c, the minimum. Ms. Greene seconded.

Mr. McClung amended to 30. Ms. Schneider seconded. A vote on the amendment followed.

Motion carried 5/1/0 with Ms. Harman voting "No." Mayor Berry called for a motion to assign a number and include the 30c for the rates and begin with the March billing.

Ms. Schneider moved to assign the ordinance a number and read it for 30c per 1000 gal. Mr. Meyer seconded.

Motion carried 6/0/0. **ORDINANCE NO. 2293 AN ORDINANCE INCREASING RATES FOR SERVICES RENDERED BY THE WATER SYSTEM OF THE CITY OF EUREKA SPRINGS, ARKANSAS; AND PROVIDING AN EMERGENCY CLAUSE** was read.

Mr. McClung moved to approve Ordinance No. 2293 on its first reading. Ms. Greene seconded.

Motion carried 5/1/0.

Mr. McClung moved to suspend the rules and read Ordinance No. 2293 by title only. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/1/0 with Ms. Harman voting "No." The Ordinance title was read. Mr. McClung moved to approve Ordinance No. 2293 on its second reading. Ms. Schneider seconded.

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

Ms. Schneider moved to suspend the rules and read Ordinance No. 2293 on its third reading. Ms. Greene seconded. Mr. McClung favored giving the residents a chance to know what's coming. Ms. Greene withdrew the second. Ms. Schneider withdrew the motion.

NEW BUSINESS:

1. Discussion of improving wages for employees from the budget

Ms. Schneider moved to discuss. Ms. Greene seconded. Ms. Greene asked what the protocol

for doing something like this would be. Discussion followed about figuring the costs and the 2018 Johanson report on cities with populations 500-2499 for sanitation and street department laborers. Further discussion included next year's budget, eight employees making just over minimum wage, and keeping dedicated people.

Mr. McClung moved to set up a workshop to discuss wages for Public Works and an overview of all departments. Ms. Greene seconded.

Motion carried 6/0/0.

2. Discussion of Council committees

Ms. Schneider moved to discuss. Mr. Meyer seconded. Mr. Meyer indicated his intent for Public Works wages to be considered by a committee as well as planning for those not hooked to the sewer. The Mayor considered connections to be part of a long-term plan.

Ms. Schneider spoke about reviewing protocol of (commissions.)

3. Ordinance to vacate alley east of Angle St. in the Magnetic Bay Survey

The Mayor called for a motion to discuss. Mr. McClung said he so moved. Ms. Greene seconded. Mr. McClung moved to assign the ordinance a number and read it for its first reading. Ms. Schneider seconded.

Motion carried 6/0/0. The Clerk Treasurer read **ORDINANCE NO. 2294 AN ORDINANCE VACATING AN ALLEY BETWEEN BLOCK 3 AND BLOCK 9 AND EAST OF ANGLE STREET IN THE MAGNETIC BAY SURVEY.**

Mr. McClung moved to approve Ordinance No. 2294 on its first reading. Mr. Meyer seconded.

Motion carried 6/0/0.

4. Resolution for continuation of street tax

The Mayor called for a motion to discuss. Ms. Greene said she so moved. Mr. McClung seconded. It was noted the resolution was requested by the Governor.

Ms. Greene moved to assign the resolution a number and read it into passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. **RESOLUTION NO. 772 A RESOLUTION BY THE CITY OF EUREKA SPRINGS SUPPORTING THE HOUSE JOINT RESOLUTION 1018 OF 2019 (HJR 1018 OF 2019), PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE A LEVY OF ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW** was read.

5. 4th quarter 2019 Financial report

The Clerk Treasurer provided the required 2019 report of receipts, payroll, the check register, bank balances and long term liabilities.

6. Parks: annexation of four parcels and discussion of a format for the workshop

Ms. Greene moved to approve. Ms. Harman seconded. In response to Mr. Thomas's question on the process for annexing, Mr. Weaver noted that of the three ways it can occur, in this case it would begin in the Mayor's office. It would be heard by the Quorum Court. Discussion followed about whether it would become part of Lake Leatherwood Park, use of the land without annexing, and actual ownership of LLCP.

Mr. Weaver confirmed he agreed with the Municipal League (attorney's) opinion the City can spend money on LLCP and on the parcels deeded to the City. If either is not used for the purpose for which it was given, it reverts to the previous owner.

Discussion followed on the meaning of "Master Plan" with Mr. Weaver saying it does not go into detail as it is a concept.

Ms. Harman requested copies of the master plan, the annexed land, ordinance and also the information on the tax. Mr. Thomas provided a written format for the workshop. He moved to

adopt that format for the workshop. Ms. Greene seconded. Discussion followed about one focused topic versus several topics for workshop discussion. A roll call vote followed.

Motion failed 2/3/1 with Mr. Meyer, Mr. McClung and Ms. Harman voting "No" and Ms. Schneider abstaining.

Ms. Greene moved to have a workshop about discussing the land, the master plan, Lake Leatherwood and the tax and the deeds related to Parks. Ms. Harman seconded.

Ms. Greene amended by adding there would not be public comments. Ms. Harman seconded.

Ms. Greene amended by adding that it would be a joint Council/Parks workshop and (Mr. Thomas's) preparation would be used. Ms. Harman seconded. A vote on the amendments followed.

Motion carried 6/0/0. A vote on the original motion followed.

Motion carried 6/0/0.

AGENDA SETTING:

Ms. Harman added a discussion of reserves. Ms. Greene seconded.

CITY COUNCIL COMMENTS:

Mr. Meyer said his daughter, an accountant friend, and he can put together the five year comparison (Mr. Thomas) was asking about if he can get the ledgers.

Mr. Thomas quipped about his chicken house and said he was glad to be here.

MAYOR'S COMMENTS:

Mayor Berry read an extensive list of upcoming Mardi Gras events.

ADJOURNMENT:

Mr. Meyer moved to adjourn. Mr. McClung seconded.

Motion carried 6/0/0. The meeting ended at 7:45 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry

City Council 2/10/20 4