

*Auditorium, with Covid-19 protocols*

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING**

Monday, June 8, 2020

6 p.m.

**AGENDA**

**Amended 3:00 p.m. 6-2-20**

**CALL TO ORDER**

**ROLL CALL, ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA**

**APPROVAL OF THE MINUTES:** May 25, 2020

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

**Planning**

**CAPC – application to renew for Pos. 4 – Bobbie Foster – will expire 6-30-24**

**Hospital – application from Jean Reed, RN for Pos. 2 – will expire 6-1-24**

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

**HDC**

**Cemetery**

**UNFINISHED BUSINESS:** none

**NEW BUSINESS:**

1. Proposed definition changes re: Bed and Breakfasts – Planning Commission
2. Appeal of temporary Entertainment District application denial – Ord. 2283, Sec. 9
3. Discussion of across-the-board 6% wage cuts – Mr. McClung and Ms. Harman
4. Discussion of amended 2020 budget – Mayor Berry
5. Acceptance of 2018 audit – Mayor Berry
6. Discussion of speed limit on Council and East Mountain – Mr. Meyer and Ms.

Schneider

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

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

**MONDAY**

**JUNE 8, 2020**

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, June 8, 2020 in the Auditorium 36 S. Main St.

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

**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. Greene seconded. Mayor Berry called for a vote on the agenda.

Motion carried 6/0/0.

**APPROVAL OF THE MINUTES:** May 25, 2020

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

Motion carried 6/0/0.

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

**Planning** – No report

**CAPC** – Ms. Schneider moved to reaccept Bobbie Foster. Ms. Greene seconded.

Motion carried 6/0/0.

**Hospital** – An application from Jean Reed, RN was submitted for position 2. The vote will be taken during the next meeting. Ms. Greene made a motion to renew Michael Merry for position 3. Ms. Schneider seconded.

Motion carried 6/0/0.

**Parks** – Position 7 is vacant and the term will expire on May 1, 2025.

**HDC** – No report

**Cemetery** – No report

**PUBLIC COMMENTS:**

**Leon Bert**, 15 East Mountain, wrote about the lack of sidewalks or shoulders on East Mountain Dr. where the daily count of cars is 590. He favored speed tables and suggested radar and lowering the speed limit.

**Tom Lewis** wrote in support of creating a safety corridor from the intersection of Hwy 62 to Echols St. by reinstalling speed bumps, reduction of the speed limit to 15 mph and continued patrol effort.

**Sally Lewis** favored speed tables to slow traffic and a speed limit of 15 mph. She wrote that she'd seen cars driving 50-60 mph on a street where small children and seniors live.

**Barbara Stanley**, Flint St. resident, noted the absence of a handrail on the downhill side of the sidewalk and excessive driving speeds day and night. Her concern was for someone swerving to avoid an animal and losing control of the vehicle.

**UNFINISHED BUSINESS:** none



## **NEW BUSINESS:**

### **1. Proposed definition changes re: Bed and Breakfasts**

Mayor Berry called for a motion to discuss. Ms. Greene said she so moved. Ms. Harman seconded. Ms. Schneider moved for a change from “meals” to “a meal.” Planning Commissioner Ann Sallee expressed her belief one lady lives across the street from her B&B and another B&B has owners who live out of town and are running it as an Airbnb. The new definition also proposes to add a new management certification to the yearly business license renewal process.

Mr. Meyer moved to approve the recommendations. Ms. Harman seconded.

Discussion continued about stipulations for waivers, letters that were sent regarding compliance, and problems for owners who need to go out of town during emergencies.

Mr. Thomas proposed an amendment eliminating the two sentences “The applicant and/or property owner shall certify in the application that the owners or a resident manager will occupy the premises when the lodging is open for business. This information must be certified each year when renewing the business license.” The motion failed for lack of a second.

The purpose for having legally non-conforming designations was restated. A vote on Mr. Meyer’s motion followed.

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

### **2. Appeal of temporary Entertainment District application denial**

Ms. Greene moved to discuss. Ms. Haman seconded. Mayor Berry noted the temporary entertainment district application that was denied had basically the same footprint as the proposed permanent district. He noted that conversations with the Police Chief and Public Works Director confirmed lack of staffing during this time.

Mr. Thomas observed the boundaries and proposed times have been changed, saying it was not really an appeal of the application submitted to (the Mayor). He deduced it was a different application that has not been viewed by department heads and should go through the regular process.

Ms. Harman moved to defer until the next meeting so it can be reviewed, as it appeared to be a new application. Ms. Greene seconded.

Mr. Thomas moved to deny the application because it is not the application that was denied by the Mayor. Ms. Schneider seconded.

Following discussion regarding motions for deferring taking precedence, Mr. Thomas moved to amend Ms. Harman’s motion to read that (Council denies) this appeal because they are not appealing the application that the Mayor denied. Mr. Meyer seconded. Following the Mayor’s request to do so, Mr. Thomas said he was amending Ms. Harman’s motion to read that (Council denies) this appeal because they are appealing a decision based not on the application before (Council) tonight.

City Attorney weighed in and said a motion to defer takes precedence over all. (Mr. Thomas) can’t amend the motion to table. A vote on the motion to defer followed.

Motion carried 4/2/0 with Mr. Meyer and Mr. Thomas voting “No.”

### **3. Discussion of across-the-board 6% wage cuts**

Mr. McClung moved to discuss. Ms. Harman seconded. Mayor Berry noted the summary of reductions that would result by cutting wages by 6% for the remainder of the year on both the General Fund and in those departments funded by enterprise funds. It was Mr. McClung’s observation that about \$9000 a month is not effective. Mayor Berry then began to speak about the next agenda item.

### **4. Discussion of amended 2020 budget**

With the proposal prepared to reflect the other changes requested, the difference between revenue and expenses would result in a balance of \$13,718.18. The Fire Department would be

unaffected by cuts and the Animal Control Officer (would retain his contract.)

Finance Director Lonnie Clark summarized the other changes in the current proposal. It was his recommendation to use it as the budget and continue to monitor carefully.

City Attorney Tim Weaver opined accepting (the document) by resolution would not be necessary.

Mr. Meyer moved to stick with this plan. Ms. Greene seconded.

Motion 6/0/0.

**5. Acceptance of the 2018 audit**

The Mayor called for a motion to discuss. Ms. Schneider said she so moved. Ms. Greene seconded.

Mr. Thomas moved to accept the 2018 Audit. Ms. Greene seconded.

Motion carried 6/0/0.

**6. Discussion of speed limit on Council and East Mountain**

Ms. Schneider moved to discuss the speed limit situation. Mr. Meyer seconded. Ms. Schneider said people are asking when the speed bumps are going to be reinstalled. She favored a speed table. Discussion continued about the cost of speed tables, the daily vehicle load of 590, the narrow roads, use of the radar machine and "rumble strips." Further discussion included speeding tickets, lowering the speed limit and places for officers to observe traffic.

Mr. Thomas moved for the Mayor to come to the next Council meeting with a definitive plan to deal with the speeding on East Mountain. Mr. Meyer seconded.

Motion carried 6/0/0.

Mr. McClung spoke about a proposal some people would like to present the City and moved to have a special meeting on Monday, June 15 at 6:00 in the Auditorium to hear it. Ms. Schneider seconded. The presenters was referenced as the WOW group.

Motion carried 6/0/0.

**AGENDA SETTING:**

Ms. Greene added a discussion of a Planning Commission workshop and a Parks workshop. Ms. Schneider seconded.

Mr. Thomas added discussion of the agenda setting process. Mr. Meyer seconded.

**CITY COUNCIL COMMENTS:**

Mr. Thomas said he was pleased to see the public and would like to go back to letting the public speak.

Ms. Greene said it's nice to see tourism back and the innovations, and she's happy to be here.

Ms. Schneider wished her Marine son a Happy 45<sup>th</sup> Birthday.

Mr. Harman said she wants to thank the individuals who came together with ideas for Six Weeks of Summer Fun.

Mr. Meyer noted the highest recent increase in Covid-19 cases has been in Washington and Benton Counties, but he was seeing more people wearing masks.

McClung said there are over 80 business people in town who have been involved in this Six Weeks of Fun process and he supported giving them an opportunity to be heard.

**MAYOR'S COMMENTS:**

Mayor Berry noted that, even with COVID, the census is still going on and a recent report lists Eureka Springs with a 56% response rate, the lowest in the County. It can be done on line. It's important to count everyone in the City as it impacts revenue.

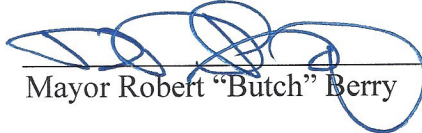
**ADJOURNMENT:**

Mr. McClung moved to adjourn. Mr. Meyer 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      6/8/20      4