

5:15 *February Budget review*

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

**CITY OF EUREKA SPRINGS
COUNCIL MEETING**

Monday, April 22, 2019

6 p.m.

AGENDA

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: April 8, 2019

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – **vacant** – expires 7/1/20. Pos. 7 – **vacant** – expires 1/1/21

CAPC – Pos. 1 – **vacant** – expires 6/30/21

Hospital

Parks

HDC

Cemetery

***Fire Chief's presentation on Firewise**

PUBLIC COMMENTS -- 3 minutes for each citizen

UNFINISHED BUSINESS:

1. Ordinance addressing animals in hot cars – Ms. Greene and Ms. Harman

NEW BUSINESS:

1. Ordinance for aggregate in sidewalks – Mr. McClung and Ms. Schneider
2. Discussion of Code on waiving fees and Council discretion – Mr. Thomas and Ms.

Greene

3. Update on Norris St. property – Mr. McClung and Ms. Schneider
4. Procedural item: Public Comment Letters
5. 1st quarter financial report – A.C.A 14-43-506

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

APRIL 22, 2019

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, April 22, 2019 in the Auditorium lobby at 36 S. Main St.

PRESENT: Mayor Berry, Council members Susan Harman, Bob Thomas, Mickey Schneider, Harry Meyer, Melissa Greene, Terry McClung, 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. Mr. McClung said he so moved. Ms. Greene seconded. Motion carried 6/0/0.

APPROVAL OF THE MINUTES: April 8, 2018

Mayor Berry called for a motion to approve the minutes. Ms. Schneider said she so moved. Mr. McClung seconded.

Motion carried 5/0/1 with Ms. Greene recusing due to absence.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Two vacancies

CAPC – An application from Debbie Reay was received. Ms. Harman moved to approve Debbie Reay for position 1 on the CAPC. Ms. Greene seconded.

Motion carried 6/0/0.

Hospital – No report

Parks – Draxie Rogers and Steven Foster sent applications. Ms. Schneider moved to re-accept Draxie. Ms. Greene seconded.

Motion carried 6/0/0. Ms. Schneider moved to re-accept Steven Foster. Ms. Greene seconded.

Motion carried 6/0/0.

HDC – No report

Cemetery – No report

Firewise Program – Captain Shane Stanley said the program is about creating defensible spaces around structures. Travis Haile, with the Forestry Commission, noted the Fire Department is the local program partner for the wild land urban interface. People are able to learn to reduce the fuel around their homes. The animal shelter and Police Station have been cleared of ground fuel through Firewise.

PUBLIC COMMENTS:

Ferguson Stewart reminded everyone of the Tourism Trade Show the following day and encouraged people to welcome the new business (Turtleback Ridge Family Fun on E. Van Buren) to town.

Bob Jasinski favored more wall murals and the refurbishing of those here that are fading. He offered his view of ADA requirements for tenant/owner situations and for B&Bs, and suggested not eliminating letters as public comments due to some people's inability to attend meetings in person.

UNFINISHED BUSINESS:

1. Ordinance addressing animals in hot cars

Ms. Greene moved to discuss. Ms. Harman seconded. Ms. Schneider asked if nests of blankets for pets in cold cars would be adequate. Mr. Weaver opined the proposed ordinance is already going to make enforcement difficult and noted officers have discretion as to appropriate action. State statutes are in place that address mistreatment of animals. He said an ordinance would give the option of a punishment less severe than the State.

Ms. Greene moved to give the ordinance a number and read it. Ms. Harman seconded.
Motion carried 6/0/0. Ms. Armstrong read **ORDINANCE NO. 2278 AN ORDINANCE AMENDING THE EUREKA SPRINGS MUNICIPAL CODE TO PROHIBIT ANIMAL SUFFERING.**

Ms. Greene moved to approve the first reading. Ms. Harman seconded.
Motion carried 5/1/0 with Mr. McClung voting “No.”

NEW BUSINESS:

1. Ordinance for aggregate in sidewalks

Mr. Weaver is working with the Historic District Commission on this, so the item was postponed.

2. Discussion of Code on waiving fees and Council discretion

Mr. Thomas moved to discuss. Ms. Greene seconded. Mr. Thomas expressed concern that when discussion of waiving fees took place, the City Attorney was not present and an error was made. He spoke about his understanding of what the ordinance does allow. Mr. Weaver agreed to review what took place. It was suggested that Council members also review the recording.

3. Update on Norris St. property

Ms. Schneider moved to discuss. Mr. Meyer seconded. Mayor Berry said he thought the appraisal would be done this week.

4. Procedural item: Public Comment Letters

Ms. Harman favored submission of letters if people are unable to attend. Mayor Berry spoke about Council members receiving the letters in their packets but not reading them aloud at the meeting. Mr. Weaver advised reading letters into the record and setting restrictions such as the three minute limit set for spoken comments. He suggested using the number of words. Following his agreement that State law does not require public comments, Ms. Schneider noted we represent the people.

Discussion continued about who might read them aloud, sending letters to the Mayor and newspapers, Mr. Thomas moved to establish a rule that Council people cannot read letters from the general public during meetings. Mr. McClung seconded.

Motion carried 4/2/0 with Ms. Schneider and Ms. Harman voting “No.”

5. 1st quarter financial report

Ms. Armstrong brought printouts of receipts, check registers and payroll, and noted the comparative bank balances and list of long term liabilities were provided earlier in the evening. The information is open for review.

AGENDA SETTING:

Mr. Thomas added discussion of the City’s most recent master plan. Ms. Greene seconded.

Ms. Schneider added discussion of the previous animal law changes. Ms. Greene seconded.

Ms. Schneider added discussion of appointing someone to read letters. Ms. Harman seconded.

Mr. Meyer added a discussion with Public Works Director Dwayne Allen on street projects. Ms. Greene seconded.

Mr. McClung added discussion of “uber” and “lyft” in Eureka Springs. Mr. Thomas seconded.

CITY COUNCIL COMMENTS:

Ms. Greene said she’s glad to be here.

Ms. Schneider thanked the powers that be after her husband’s accident this weekend, and said she hopes everyone had a happy Easter.

Mr. Meyer said it’s a beautiful springtime.

Mr. McClung agreed with Mr. Meyer.

MAYOR’S COMMENTS:

Mayor Berry read a list of upcoming events.

ADJOURNMENT:

Mr. McClung moved to adjourn. Ms. Greene seconded.
Motion carried 6/0/0. Meeting adjourned at 7:12 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry

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