

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

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, July 8, 2019
6 p.m.
AGENDA**

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: June 24, 2019**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – **vacant** – expires 7/1/20. Pos. 4 – **vacant** – expires 7/1/21-- **vote on application from Katie Hendrickson.** Pos. 7 – **vacant** – expires 1/1/21 – **vote on application from Laura Jo Smole**

CAPC – Pos. 3 – expiring 6/30/19

Hospital

Parks

HDC

Cemetery

Set date for workshop on Food Trucks at special events and re: permanent structures at Food Truck lottery sites

PUBLIC COMMENTS -- 3 minutes for each citizen

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Strategic Alliance Memorandum – Jeff Salzar
2. Appointment of Council member to Planning – Mr. Thomas and Ms. Greene
3. Ordinance for aggregate in sidewalks – Mr. McClung and Ms. Schneider
4. Ordinance for Animal law changes re: animals on unoccupied property – Ms. Greene and
5. Ordinance for Food Trucks at special events – **pending** -- Ms. Greene and Ms. Schneider
6. Ordinance re: permanent structures at Food Truck lottery sites – **pending** -- Ms. Greene and Ms. Schneider
7. Discussion of transients in town – Ms. Greene and Ms. Schneider
8. Discussion of an amendment for the new fireworks ordinance – Ms. Schneider and Ms. Greene
9. Consideration of an entertainment district in Eureka Springs – Mr. Thomas and Ms. Greene
10. Date for mid-year budget review – **July 22 -- 5:15 Budget Review** -- Mr. Thomas and Mr. McClung

**AGENDA SETTING
CITY COUNCIL COMMENTS
MAYOR'S COMMENTS
ADJOURNMENT**

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

MONDAY

JULY 8, 2019

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, July 8, 2019 in the Auditorium lobby at 36 S. Main St.

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

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mr. McClung moved to approve the agenda. Ms. Harman seconded. New Business items 3, 4, 5 and 6 were postponed. Ms. Harman added a second to New Business # 4. A vote to approve the amended agenda followed.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: June 24, 2019

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

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Mr. McClung moved to approve the application from Katie Hendrickson. Ms. Greene seconded.

Motion carried 6/0/0.

Ms. Schneider moved to accept Laura Jo Smole. Ms. Greene seconded.

Motion carried 6/0/0.

CAPC – (Position 3) expired at the end of June.

Hospital – No report

Parks – No report

HDC – No report

Cemetery – No report

Workshop date for Food Trucks at special events and re: permanent structures: July 15, 2019 at 3:00 p.m. in the Auditorium lobby

PUBLIC COMMENTS:

It was proposed that 2 people cede their time to a third person who would speak for 9 minutes. Council took no action.

Mel Shipley spoke about the possible closing of Spring St. at certain times and allowing people to walk around with alcohol. He said when the street is closed, his business dies. He said 6:00 p.m. is plenty of time, and there are people who live on Spring St. Loud noise was of concern.

Laura Lee Wilcox, owner of 310 Spring, objected to a home occupation at 304 Spring St. It was her belief alterations to the property were not to be made. She said that Melissa Greene and Glenna Booth had both signed off on it, and the approval will be appealed.

Robert Waters spoke in behalf of Marilyn Sloas, Miss Piggy and Fat Boy. He said the (latter two) are registered support animals. He asked that Council reconsider the decision to have keeping the animals a crime.

Mark McGee spoke about potbellied pigs as pets rather than livestock and asked Council to give a second thought to what most animals can do for you, and the deep level of comfort they bring.

Marilyn Sloas spoke about the laughter the potbellied pigs bring to tourists and guests. She asked that Council reconsider and let the pigs hang out and be peaceful. Ms. Sloas said livestock is for meat purposes, and she is not going to eat her kids.

Keith Parnell, 151 W. Van Buren, spoke in support of Marilyn. He noted she'd talked about everyone here as warm and welcoming, getting along well and open to different ideas. It was part of the reason he moved here, and allowing her pigs would speak to the nature of the community.

Laura Jo Smole, 17 Pivot Rock #2, spoke about the need for sidewalks on East Mountain and on Pivot Rock as well as for transit. She expressed a belief there's also a need there for two small pocket parks with fenced areas for children to play and with picnic tables.

UNFINISHED BUSINESS: none

NEW BUSINESS:

1. Strategic Alliance Memorandum – Jeff Salzar

Mayor Berry called for a motion to discuss. Mr. McClung said he so moved. Mr. Meyer seconded.

Ed Haddock described building a multi-year partnership with the town through Small Business Administration capital access programs. Response to flooding with disaster assistance, help with selling goods and services to the Federal Government and one-on-one counseling and training are also parts of their mission.

Jeff Salzar, North West Arkansas Senior Area Manager and the local contact, clarified the Memorandum is to recognize the desire to work together to grow economically the foundation for small businesses.

Mr. McClung moved to approve the Strategic Alliance Memorandum between the United States Small Business Administration and the City of Eureka Springs. Ms. Greene seconded.

Motion carried 6/0/0.

2. Appointment of Council member to Planning

Ms. Greene moved to discuss. Mr. Meyer seconded. Mr. Thomas moved to postpone appointment of a Council member to the Planning Commission until there is a need -- when Planning reaches four members or less. Ms. Greene seconded.

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

3. Ordinance for aggregate in sidewalks

Postponed during approval of the agenda

4. Ordinance for Animal law changes re: animals on unoccupied property

Postponed during approval of the agenda

5. Ordinance for Food Trucks at special events -- pending

6. Ordinance re: permanent structures at Food Truck lottery sites – pending

7. Discussion of transients in town

Ms. Greene moved to discuss. Ms. Schneider seconded.

Police Chief Brian Young spoke about having observed transients come through town for the last 30 years. Some of the people referred to as transients actually live here. Officers do make consensual contact with them and issue citations if needed. A rash of recent break-ins were by two people who were not transients and they are now in jail.

Ms. Harman asked how many places in Eureka Springs do accept transients or the homeless, that assist them. Chief Young responded with a few names but had no information on how long they're allowed to stay.

Mr. Meyer recognized the need for seasonal workers who later move on.

Chief Young said he can't arrest someone for being homeless, unless they're breaking the law (e.g., camping on City property or on someone else's property.)

8. Discussion of an amendment for new fireworks ordinance

Ms. Schneider moved to discuss. Ms. Greene seconded. Ms. Schneider said she understands many people would like to have fireworks at Lake Leatherwood and not in town, for safety, and are not pleased that the City would claim tort immunity if their homes burn. Ms. Greene spoke about hearing from people on N. Main whose windows shook and rattled and whose animals were upset. Further discussion referenced calls of complaint, and post-show booms.

Ms. Schneider said she would like to have an amendment added to the ordinance that these not be held within the historic City limits. She said that was a motion. Ms. Greene seconded.

Motion failed 2/4/0 with Mr. Thomas, Mr. Meyer, Ms. Harman and Mr. McClung voting "No."

9. Consideration of an entertainment district in Eureka Springs

Mr. Thomas moved to discuss. Ms. Greene seconded. Mr. Thomas favored citizen input, and moved to create a committee of representatives from the tavern and restaurant industries, other businesses and private citizens to talk about where it will be, what the limits of it will be, what the constraints on it will be. Mayor Berry asked if he could qualify and have a member of the City Council and Planning Commission and a Chamber member. The list concluded with these additions as well: a Police Officer, restaurant/lounge (2 people), a Citizen and a merchant. Ms. Greene seconded.

Chief Young expressed concerns about people with open alcohol, terrain, young people who have not been IDed, and fights.

Mr. McClung amended the motion to have a decision timeframe – six months. Mr. Thomas seconded. A vote on the amendment followed.

Motion carried 6/0/0. A vote on creating a committee was taken.

Motion carried 6/0/0.

In response to Mayor Berry's question, Mr. Thomas agreed to be the Council representative.

10. Date for mid-year budget review

Mayor Berry noted the next item for discussion. Ms. Greene said she so moved. Mr. Meyer seconded. Mr. Thomas moved to hold the mid-year budget review at 4:30 on July 29 in the Auditorium lobby. Mr. McClung seconded.

Motion carried 6/0/0.

AGENDA SETTING:

Ms. Greene added discussion about the Council meeting place at the Auditorium. Mr. Thomas seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said it's good to be here.

Mr. Meyer said he enjoyed the fireworks and thinks we need to do it again.

Ms. Schneider apologized to the citizens for her lack of temper control at the last meeting.

Ms. Greene clarified that she had not signed anything regarding 304 Spring St. and that she'd asked the speaker and her lawyer to quit using (Ms. Greene's) name.

Mr. Thomas read from news articles the background on how the livestock discussion came to the Council table.

MAYOR'S COMMENTS:

Mayor Berry read a list of upcoming events.

ADJOURNMENT:

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

Motion carried 6/0/0. Meeting adjourned at 7:21 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry