

**5:15** June Budget review

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

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING**

Monday, July 22, 2019

6 p.m.

**AGENDA**

**CALL TO ORDER**

**ROLL CALL, ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE**

**\*\*\*\*PUBLIC HEARING – Request to vacate alley east of Kimberling Alley – A.C.A. 14-301-303**

**APPROVAL OF THE AGENDA**

**APPROVAL OF THE MINUTES: July 8, 2019**

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

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

**CAPC – Pos. 3 – expired 6/30/19**

**Hospital**

**Parks**

**HDC**

**Cemetery**

**PUBLIC COMMENTS -- 3 minutes for each citizen**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

1. Ordinance for aggregate in sidewalks – Mr. McClung and Ms. Schneider
2. Ordinance for Animal law changes re: animals on unoccupied property – Ms. Greene and Ms. Harman
3. Ordinance for Food Trucks at special events – Ms. Greene and Ms. Schneider -- **postponed**
4. Ordinance re: permanent structures at Food Truck lottery sites – Ms. Greene and Ms. Schneider -- **postponed**
5. Discussion about Council meeting place at the Auditorium – Ms. Greene and Mr. Thomas
6. Ordinance to vacate alley east of Kimberling Alley
7. Resolution for the Mayor to do business with the City

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

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

**MONDAY**

**JULY 22, 2019**

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

**PRESENT:** Mayor Berry, Council members Terry McClung, Melissa Greene, Harry Meyer, 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.

**PUBLIC HEARING – Request to vacate alley east of Kimberling Alley**

There were no public comments on this request.

**APPROVAL OF THE AGENDA:**

Mayor Berry postponed New Business #2 and added a resolution for the Mayor to do business with the City. He requested a vote on the agenda as amended.

Motion carried 6/0/0.

**APPROVAL OF THE MINUTES: July 8, 2019**

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

Motion carried 6/0/0.

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

**Planning** – One vacancy

**CAPC** – Ms. Greene moved to approve the application for Position 3 for Greg Moon. Ms. Schneider seconded.

Motion carried 6/0/0.

**Hospital** – No report

**Parks** – No report

**HDC** – No report

**Cemetery** – No report

**PUBLIC COMMENTS:** none

**UNFINISHED BUSINESS:** none

**NEW BUSINESS:**

**1. Ordinance for aggregate in sidewalks**

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

Mr. McClung moved to assign the ordinance a number and put it on its first reading. Ms. Schneider seconded.

Motion carried 6/0/0. The Clerk Treasurer read **ORDINANCE NO. 2280 AN ORDINANCE AMENDING TITLE 9.08 OF THE EUREKA SPRINGS MUNICIPAL CODE WITH REGARD TO CONSTRUCTION, REPLACEMENT AND REPAIR OF SIDEWALKS FOR PUBLIC USE.**

Mr. McClung moved to approve Ordinance No. 2280 on its first reading. Ms. Greene seconded.

Motion carried 6/0/0.

**2. Ordinance for Animal law changes**

Postponed during approval of the agenda

**3. Ordinance for Food Trucks at special events**

Mr. Thomas noted the decision made during the workshop would need a vote at the table. He said Council decided there should be a survey of the restaurant owners in town.

It was Mayor Berry's position that, because the survey would be done administratively, there was no need for Council to vote on anything. The topic was opened for discussion which included correct process, contents of the proposed survey and Code requirements.

Mr. Thomas moved to ask the Mayor to develop a questionnaire and bring it back to the table for Council to look at. Mr. Meyer seconded.

Motion carried 6/0/0.

**4. Ordinance re: permanent structures at Food Truck lottery sites**

Ms. Schneider moved to discuss for a final decision. Ms. Greene seconded. Mr. Thomas moved to remove consideration of this ordinance. Ms. Greene seconded.

Ms. Harman said she understood that because the lottery locations are privately owned, the owners could decide to do whatever they wanted to and would have to go through the approval process as a private land owner to the various parties that are required by Code. A vote on the motion to remove consideration followed.

Motion carried 6/0/0.

**5. Discussion about Council meeting place in the Auditorium**

Ms. Greene moved to discuss the meeting place at the Auditorium. Mr. Thomas seconded. Ms. Greene recalled the votes to have the meetings in the Auditorium and for an elevator. Mayor Berry said (the City) did not get the grant and an architect will proceed with the drawings to put out for bids the elevator and bathrooms for downstairs. Those will be presented to Council.

**6. Ordinance to vacate alley east of Kimberling alley**

Ms. Greene moved to discuss. Ms. Schneider seconded. Mr. McClung moved to assign the ordinance a number and read it for the first reading. Ms. Schneider seconded.

Motion carried 6/0/0. **ORDINANCE NO. 2281 AN ORDINANCE VACATING AN ALLEY BETWEEN BLOCK 19 AND BLOCK 18 IN THE CLAYTON SURVEY** was read.

Mr. McClung moved to approve Ordinance No. 2281 on its first reading. Mr. Meyer seconded.

Motion carried 6/0/0.

**7. Resolution for the Mayor to do business with the City**

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

For the grant for the Fire Station, USDA Rural Development wants approval from Council for the Mayor do unpaid design work. Ms. Greene moved to assign the resolution a number and read it. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. **RESOLUTION NO. 757 A RESOLUTION PROVIDING FOR THE EMPLOYMENT OF MAYOR TO DO BUSINESS WITH THE CITY OF EUREKA SPRINGS WHILE SERVING AS MAYOR** was read.

**AGENDA SETTING:**

No new items were added.

**CITY COUNCIL COMMENTS:**

Mr. Thomas said he was not trying to force (the Mayor) to do anything.

Ms. Greene said it's nice it cooled off.



Ms. Schneider summarized the highly successful Eureka event.  
Mr. Meyer said he saw six of those bicycle guys eat eight large pizzas.  
Mr. McClung thanked the Mayor for volunteering his time and expertise to the Fire House.

**MAYOR'S COMMENTS:**

Mayor Berry read a list of upcoming events.

**ADJOURNMENT:**

Mr. McClung moved to adjourn. Mr. Meyer seconded.  
Motion carried 6/0/0. Meeting adjourned at 6:46 p.m.

**ATTEST:**

  
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City Clerk Treasurer Ann Armstrong

**APPROVED:**

  
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Mayor Robert "Butch" Berry