

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, December 10, 2018 6 p.m.**

AGENDA

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

****PUBLIC HEARING – Identifying and prioritizing the needs of the City****

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: November 26, 2018

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 3 – vacant – expires 7/1/20. Pos. 5 – vacant – expires 1/1/19

CAPC – Pos. 2 – vacant -- expires 6/30/22

Hospital

Parks

HDC

Cemetery

PUBLIC COMMENTS -- 3 minutes for each citizen

NEW BUSINESS:

1. Resolution for an Arkansas Community and Economic Development Program grant – Mayor Berry
2. Resolution for Fair Housing – Mayor Berry
3. Resolution for an Anti-displacement Plan – Mayor Berry
4. Resolution Prohibiting Excessive Force – Mayor Berry
5. Resolution Designating Grant Administrator – Mayor Berry
6. Resolution to Accept Thorpe/Pilon property – Mayor Berry

UNFINISHED BUSINESS:

1. Regulations on making food trucks permanent installations – Mayor Berry
2. Ordinance re: collection of expenditures for clean-up – Mayor Berry

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

DECEMBER 10, 2018

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, December 10, 2018, in the Auditorium lobby at 36 S. Main St.

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

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

PUBLIC HEARING – Identifying and prioritizing the needs of the City

Catherine Baker, the Community and Economic Development Coordinator with Northwest Arkansas Economic Development District, Inc. addressed Council regarding Community Development Block Grant opportunities and the five resolutions before them.

She noted Black Bass Dam is a project for which funding options are continually sought. Increasing the size of a water line for the waste water treatment plant is one of the 2019 goals. One citizen expressed concern about waste water lines. An elevator to access the lower level of the Auditorium could come through another funding source.

Ms. Baker offered contact information and welcomed additional suggestions.

Mayor Berry closed the public hearing.

APPROVAL OF THE AGENDA:

Mayor Berry called for a motion to approve the agenda. Ms. Schneider said she so moved. Ms. Greene seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: November 26, 2018

Mayor Berry asked for motion to approve the minutes. Ms. Greene said she so moved. Ms. Schneider seconded.

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Two seats are vacant.

CAPC – One seat is vacant.

Hospital – No report

Parks – No report

HDC – No report

Cemetery – No report

PUBLIC COMMENTS:

Larry Kenemore spoke about Stat Med system of disposal for prescription drugs, showing a mailing container designed to neutralize drugs in minutes. He said this would help get dangerous drugs off the streets, address the opioid crisis, and help prevent contamination of drinking water by incorrect disposal.

James DeVito asked that Council consider the implications of possibly not having a hospital. He spoke of hospital management history and the current situation. Mr. DeVito suggested that the hospital could house all of the City offices.

NEW BUSINESS:

1. Resolution for an Arkansas Community and Economic Development Program grant

Mayor Berry called for a motion to discuss. Ms. Greene said she so moved. Mr. McClung seconded. Mr. McClung moved to assign the resolution a number and read it for passage. Mr. Meyer seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 743 A RESOLUTION AUTHORIZING THE CITY OF EUREKA SPRINGS TO SUBMIT AN ACEDP (ARKANSAS COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAM) GRANT APPLICATION TO THE STATE OF ARKANSAS.**

2. Resolution for Fair Housing

Mr. Thomas moved to open discussion on the Fair Housing and Equal Opportunity Policy resolution. Mr. McClung seconded. Ms. Greene moved to assign the resolution a number and read it for passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 744 A RESOLUTION AFFIRMING EUREKA SPRINGS' FAIR HOUSING AND EQUAL OPPORTUNITY POLICY.**

3. Resolution for Anti-displacement Plan

Mr. Thomas moved to discuss the Anti-displacement Plan resolution. Mr. Meyer seconded. Ms. Greene moved to assign the resolution a number and read it for passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 745 A RESOLUTION ESTABLISHING AN ANTIDISPLACEMENT PLAN FOR THE CITY OF EUREKA SPRINGS IN COMPLIANCE WITH ACEDP (ARKANSAS COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAM) GRANTS**

4. Resolution Prohibiting Excessive Force

Mr. Thomas moved to discuss NB #4, related to Excessive Force by Law Enforcement. Ms. Schneider seconded. Ms. Greene moved to assign a number and read it for passage. Mr. McClung seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 746 A RESOLUTION TO ESTABLISH A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT UNDER THE CITY OF EUREKA SPRINGS' JURISDICTION AGAINST INDIVIDUALS ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS.**

5. Resolution Designating Grant Administrator

Mr. Thomas moved to discuss NB #5, related to the CDBG Grant Administrator. Ms. Greene seconded. Ms. Schneider moved to give the resolution a number and read it for passage. Ms. Greene seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 747 A RESOLUTION DESIGNATING NWAEDD (THE NORTHWEST ARKANSAS ECONOMIC DEVELOPMENT DISTRICT) AS THE CDBG GRANT ADMINISTRATOR FOR THE CITY OF EUREKA SPRINGS WATER/WASTEWATER GRANT PROJECT.**

6. Resolution to Accept Thorpe/Pilon property

Mayor Berry called for a motion to discuss. Ms. Schneider said she so moved. Mr. Meyer seconded. Mayor Berry noted the property is right behind the Transit building on Hwy 62.

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

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 748 A RESOLUTION TO ACCEPT CERTAIN REAL PROPERTY.**

UNFINISHED BUSINESS:

1. Regulations on making food trucks permanent installations

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

Building Inspector Bobby Ray met with the property owner and let him know the requirements for converting the food truck.

2. Ordinance re: collection of expenditures for clean-up

Mayor Berry called for a motion to discuss. Ms. Schneider said she so moved. Ms. Greene seconded. Ms. Schneider spoke about payment plans and an option to turn the property over to the City. Mr. Weaver cautioned against strong arming people into giving up their properties. Making the offer of accepting property could be considered by the court to be a veiled threat. He noted the Code referenced in the ordinance would be for any (maintenance) violation of City Code.

Following discussion of the Code sections to which the ordinance would apply, Mr. Weaver agreed to add a statement that it's applicable to the entire Code.

Ms. Greene moved to give the ordinance a number and read it with the modifications by the (Attorney.) She then amended to say give the ordinance a number and read it. Mr. McClung seconded.

Ms. Schneider made a motion to defer until it's complete so (Council) can do all the proper readings in order, appropriately, at one time. There was no second. A vote on the first motion followed.

Motion carried 5/1/0 with Ms. Schneider voting "No." Ms. Armstrong read **ORDINANCE NO. 2274 AN ORDINANCE AMENDING THE MUNICIPAL CODE 5.04.04 COLLECTION OF EXPENDITURES FOR CLEAN-UP.** Mr. McClung moved to approve the previously read Ordinance for its first reading. Mr. Thomas seconded.

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

AGENDA SETTING:

Mr. Buford added the Planning Commission request to reduce the number of members down to five. Ms. Greene seconded.

Ms. Schneider added discussion of changing the Food Truck lottery. Ms. Greene seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said Merry Christmas.

Mr. Meyer said he hopes the next snow storm will be as bad as the last one.

Mr. Buford noted this will be his last meeting and thanked Council for allowing him the opportunity.

Ms. Schneider said Merry Christmas and Happy New Year.

Ms. Greene thanked Mr. Buford and expressed her admiration for him.

Mr. Thomas said Merry Christmas.

MAYOR'S COMMENTS:

Mayor Berry thanked Mr. Buford for his service. He read a list of upcoming events.

ADJOURNMENT:

Ms. Greene moved to adjourn. Mr. McClung seconded.

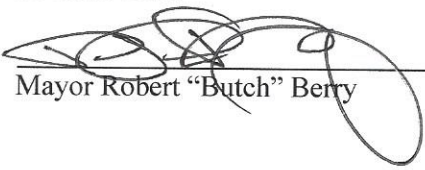
Motion carried 6/0/0. The meeting ended at 7:05 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry