

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

**MONDAY**

**JANUARY 29, 2018**

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, January 29, 2018, in the Auditorium lobby at 36 S. Main St.

**PRESENT:** Mayor Berry, Council members David Mitchell, Mickey Schneider, Bob Thomas, Melissa Greene, Kristi Kendrick, Terry McClung, and City Clerk Treasurer Ann Armstrong

**ABSENT:** City Attorney Tim Weaver (with notice)

**PLEDGE OF ALLEGIANCE:**

Mayor Berry led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA:**

Mr. McClung moved to approve. Ms. Schneider seconded. Mayor Berry added discussion of reconsidering the vote not broadcast. He called for a vote on the agenda as amended.

Motion carried 6/0/0.

**APPROVAL OF THE MINUTES: January 8, 2018**

Ms. Schneider moved to approve. Mr. Mitchell seconded.

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

**STATE OF THE CITY ADDRESS:**

Mayor Berry offered an overview of 2017 events, beginning with the budget freeze. He noted money was transferred into reserves for the first time in years. State and bond covenant requirements for water and sewer are now being met. Mayor Berry thanked the Council and Department Heads for their efforts in holding the line in all spending and summarized the accomplishments of the departments.

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

**Planning** -- Ms. Greene moved to approve Susan Harman for reinstating on the Planning Commission. Ms. Schneider seconded.

Motion carried 6/0/0. Two seats remain vacant.

**CAPC** -- No report. One seat is vacant.

**Hospital** -- Hospital Commissioners Michael Merry and Barbara Dicks spoke about the opportunity to purchase three lots adjoining the current hospital property. The purchase would allow expansion of the hospital and improve access.

Mr. Mitchell moved for the Hospital Commission to proceed with purchasing the land as described, for total price of up to \$142,000. Ms. Schneider seconded.

Motion carried 5/0/1 with Mr. McClung voting "No." One Commission seat is vacant.

**HDC** -- Ms. Schneider moved to re-seat Greg Moon on HDC. Ms. Greene seconded.

Motion carried 6/0/0.

The vote on John Nuckolls' application will take place at the next meeting. If seated, one vacant position would then remain.

**Cemetery** -- One vacancy

**PUBLIC COMMENTS:**

**Laura Jo Smole** expressed concern about the decision to no longer broadcast meetings having been made with no discussion. She requested reinstatement of broadcasting and closed captioning.

**Harold Meyer** objected to the discontinuation of broadcasting Council meetings and to the way it was done. He questioned the motives, said he did not believe it was because of costs and that it could only be called retaliation for being held accountable for responsibilities of elected servants of the taxpayers.

**Cameron Denoewer** spoke about a coalition of citizens and businesses who were ready to put fund raisers together to pay for the closed captioning. He objected to Council not asking questions, not embracing

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the community, not doing due diligence and asking for help.

**Beau Satori** added his support for going back to broadcasting. He favored having more people engaging with the City Council, watching the meetings live from home, broadcasting all commission meetings, and replaying all meetings.

#### **UNFINISHED BUSINESS:**

##### **1. Norris St. – lease update**

Mr. Mitchell moved to discuss. Ms. Schneider seconded. Mayor Berry noted the City Attorney has been ill and unable to finish the lease update for this property. He said he'd sent a letter notifying Dr. Beard that, until there is a formal lease, he (Dr. Beard) is on a month to month lease with the understanding that he is to be out by the end of March.

Mr. Mitchell made a motion that the Mayor, as Administrator of the City, appoint the Building Inspector to be the renovation superintendent of this project and start the process of developing the plans and timeline to develop Norris St. into the City's meeting space. Ms. Greene seconded.

Ms. Kendrick amended the motion to permit the Mayor to determine himself how the construction project is managed and not constrain by (Mr. Mitchell's) motion that makes the Code Enforcement Officer the general contractor. She then restated the amendment to delete the reference to the Code Enforcement Officer as the general contractor.

Mr. Mitchell withdrew his motion. Ms. Greene withdrew the second. Mr. Mitchell made to motion to engage Norris St. as the meeting center under development for the City of Eureka Springs. Ms. Greene seconded. Following discussion of the Norris St. property for rental income and other available meeting locations, a roll call vote was taken.

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

#### **NEW BUSINESS:**

##### **1. Ordinance to add Planning recommendations to Code/City Attorney's opinion of proposed B&B owner requirement**

Postponed

##### **2. 4<sup>th</sup> quarter financials**

Ms. Schneider moved to discuss. Ms. Kendrick seconded. The Clerk Treasurer provided the 4<sup>th</sup> quarter payroll, receipts, and check register, noting the bank balances and debt service information were included in the December summary reviewed earlier.

##### **3. Reconsideration of the vote to not broadcast meetings**

Mr. McClung moved to discuss. Ms. Schneider seconded.

Ms. Kendrick moved that the recording of Council and commission meetings be discontinued and that such meetings be recorded solely by the taking of minutes by the City Clerk. Motion failed for lack of a second.

Ms. Greene moved to reconsider the vote. Mr. Thomas seconded. Following Ms. Schneider's summary of the value of broadcasting meetings and Ms. Greene's view on broadcasting, a roll call vote was taken.

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

Mr. Mitchell moved to continue broadcasting, and that would include closed captioning all meetings to be totally A.D.A. compliant. Ms. Schneider seconded.

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

#### **AGENDA SETTING:** No new items were added.

Mr. Mitchell added an ordinance for paying down the bond payments. Mr. Thomas seconded.

Mr. Thomas added an update on the Dairy Hollow trail grant funds. Ms. Greene seconded.

#### **CITY COUNCIL COMMENTS:**

Mr. Mitchell clarified that, with a recent motion, his concern was for due diligence of financials before engaging with the Community Center rather than opposition to a Community Center. He then showed a picture of a billboard sponsored by a citizen to which he objected at length.



Mr. Thomas spoke about his appreciation for people letting him know in a kind and firm way their objections to the vote on no longer broadcasting. He favored improving behavior over cutting off the camera.

Ms. Schneider expressed her view of the billboard, noted tourism supports the City, and congratulated her Marine son, Jeremy, on becoming a Grandfather.

Mr. McClung said It's All Good!

**MAYOR'S COMMENTS:**

Mayor Berry said notice was received from the State Aid Street Committee the City will get a \$250,000 grant to overlay Hillside and Grand Ave.

He read an extensive list of February/Mardi Gras events.

**ADJOURNMENT:**

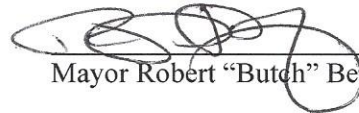
Ms. Greene moved to adjourn. Ms. Kendrick seconded.

Motion carried 6/0/0. The meeting ended at 7:00 p.m.

**ATTEST:**

  
City Clerk Treasurer Ann Armstrong

**APPROVED:**

  
Mayor Robert "Butch" Berry

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**5:15 Budget workshop**

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING  
Monday, January 29, 2018 6 p.m.**

**AGENDA**

**CALL TO ORDER**

**ROLL CALL, ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA**

**APPROVAL OF THE MINUTES: January 8, 2017**

**STATE OF THE CITY ADDRESS**

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

**Planning** – Pos. 4 – vacant – expires 7/1/18. Pos. 5 – vacant – expires 1/1/19. Pos. 6 – expires 1/1/21 -- **Susan Harman's application**

**CAPC** – Pos. 3 – vacant -- expires 6/30/19

**Hospital** – Pos. 7 – vacant – expires 9/7/20

**Parks**

**HDC** – Pos. 1 – vacant – expires 11/30/18. Pos. 3 – vacant -- expires 11/30/20. Pos. 7 -- vacant – expires 3/7/20

**Cemetery** – Pos. 4 – vacant – expires 2/15/20

**PUBLIC COMMENTS:**

**UNFINISHED BUSINESS:**

1. Norris St. lease update – Mayor Berry

**NEW BUSINESS:**

1. Ordinance to add Planning recommendations to Code/City Attorney's opinion of proposed B&B owner requirement – Mr. Mitchell and Ms. Adamson
2. 4<sup>th</sup> quarter financials – A.C.A. 14-43-506
3. Reconsideration of vote to not broadcast

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**