

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, April 10, 2023, in the Auditorium at 36 S. Main St.

**PRESENT:** Mayor Robert “Butch” Berry, Council members Melissa Greene, Steve Holifield, Harry Meyer, David Avanzino, Autumn Slane, and City Attorney Forrest Jacobi.

**ABSENT:** Council Member Terry McClung and City Clerk Treasurer Ida Meyer with notice.

**PLEDGE OF ALLEGIANCE**

Mayor Berry led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Mr. Avanzino moved to approve the agenda for April 10, 2023. Mr. Holifield seconded.  
Voice vote carried 5/0/0.

**APPROVAL OF THE MINUTES:** March 27, 2023

Mr. Meyer moved to approve the March 27, 2023 minutes. Mr. Holifield seconded.  
Voice vote carried 5/0/0.

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

**Planning** – No report

**CAPC** – Pos. 3 – **vacant** – expires 6/30/23

**Hospital** – No report

**Parks** – Pos. 3 – **vacant** – expires 5/1/24; Pos. 5 – **vacant** – expires 5/1/26

Ms. Greene moved to reapprove Ruth Goodwin Hager for Position 2 on the Parks Commission. Mr. Avanzino seconded.

Voice vote carried 4/1/0 with Mr. Meyer voting “no”.

**HDC** – Pos. 4 – **vacant** – expired 11/30/22

**Cemetery** – No report

**PUBLIC COMMENTS**

The following citizens made public comments:

1. Samantha Jones, Marketing Director for Eureka Springs Hospital
2. Lyla Allison, realtor with Century 21
3. Scott Bardin, interim tourism director for the CAPC

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**1. Discussion of ordinance to deed 6 feet of city property to 23 Norris – Mayor Berry**

Ms. Greene made a motion to discuss. Mr. Meyer seconded.

The table discussed the encroachment of the building on 23 Norris.

Ms. Greene moved to assign the ordinance a number and read it for its first reading. Mr. Avanzino seconded.

Motion carried by voice vote 5/0/0.

The ordinance was read by Ms. Greene and will be assigned a number when the City Clerk Treasurer returns.

Mr. Meyer moved to approve the ordinance on its first reading. Mr. Holifield seconded.

Motion carried by a voice vote 5/0/0.

Mr. Avanzino moved to suspend the rules and read the ordinance for its second reading by title only.  
Mr. Holifield seconded.

Motion carried by a voice vote 5/0/0.

Ms. Greene read the ordinance by title only.

Mr. Meyer moved to approve the ordinance on its second reading. Mr. Avanzino seconded.

Motion carried by roll call vote 5/0/0.

Ms. Greene moved to suspend the rules and read the ordinance for the third time by title only. Mr. Meyer seconded.

Motion carried by roll call vote 5/0/0.

Ms. Greene read the ordinance by title only.

Mr. Meyer moved to pass the ordinance on its third reading. Mr. Avanzino seconded.

Motion carried 5/0/0 by roll call vote.

**2. Discussion of ordinance to establish 15' trail easement along Spring St – Mayor Berry**

Mayor Berry introduced the Parks Director Sam Dudley to discuss the proposed trail easement.

Ms. Greene made the motion read the ordinance on its first reading. Mr. Holifield seconded.

Motion carried 5/0/0 by voice vote.

Ms. Greene read the ordinance on its first reading.

Mr. Meyer made the motion to approve the ordinance on its first reading. Mr. Holifield seconded.

Motion carried 5/0/0 by voice vote.

Ms. Greene moved to suspend the rules and read the ordinance on its second reading by title only. Mr. Holifield seconded.

Motion carried 5/0/0 by voice vote.

Ms. Green read the ordinance by title only.

Mr. Avanzino moved to approve the ordinance on its second reading. Mr. Holifield seconded.

Motion carried 5/0/0 by roll call vote.

Ms. Greene moved to suspend the rules and read the ordinance for the third time by title only. Mr. Holifield seconded.

Motion carried 5/0/0 by roll call vote.

Mr. Meyer moved to approve the ordinance on its third reading. Mr. Holifield seconded.

Motion carried 5/0/0 by roll call vote.

Ms. Greene moved to read the emergency clause. Mr. Avanzino seconded.

Motion carried 5/0/0 by roll call vote.

Ms. Greene read the emergency clause.

**3. Discussion of HB1591 “AN ACT TO AMEND THE ARKANSAS RETAIL PET STORE 9 CONSUMER PROTECTION ACT OF 1991...” – Melissa Greene**

Ms. Greene made a motion to discuss. Mr. Holifield seconded.

Table discussed House Bill 1591.

Ms. Greene moved the city attorney draft an ordinance in opposition to House Bill 1591. Mr. Meyer seconded.

Motion carried 5/0/0 by voice vote.

**4. Discussion of protection on city employees and commissioners – Melissa Greene**

Ms. Greene made a motion to discuss. Mr. Avanzino seconded.

The table discussed the harassment of city employees and measures that can be taken.

**5. Discussion of annual inspections for short-term and long-term rentals – David Avanzino**

Mr. Avanzino made a motion to discuss. Ms. Greene seconded.

The table discussed inspections of rental properties. Mayor Berry informed the table that the Building Inspector would be able to present at the next meeting as he was attending a seminar on code enforcement for residential properties and rentals.

**AGENDA SETTING**

None.

**COUNCIL COMMENTS**

Mr. Meyer announced the arrival of spring.  
Ms. Slane thanked the Crescent Hotel for another great Easter.  
Ms. Greene expressed her concerns on the removal of 2 Tennessee house representatives.  
Mr. Avanzino discussed how city officials can do their part to prevent harassment.  
Mr. Holifield gave an update on CAPC meeting times and thanked Scott Bardin for his work as interim director.

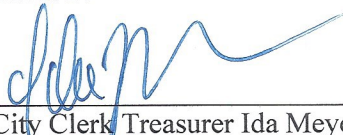
**MAYOR'S COMMENTS**

Mayor Berry discussed the treatment of city employees and commended the community for coming together for the Jesus Parade and Diversity Weekend. Mayor Berry also listed various upcoming events.

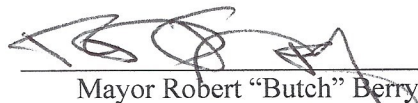
**ADJOURNMENT**

Mr. Holifield motioned to adjourn. Mr. Avanzino seconded.  
Voice vote carried 5/0/0.  
The meeting was adjourned at 7:01 pm.

**ATTEST:**

  
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City Clerk Treasurer Ida Meyer

**APPROVED:**

  
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Mayor Robert "Butch" Berry

