

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

**CITY OF EUREKA SPRINGS  
COUNCIL MEETING  
Monday, May 14, 2012 6 p.m.  
AGENDA**

**amended 5/15/12**

**CALL TO ORDER**

**ROLL CALL, ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF THE AGENDA**

**APPROVAL OF THE MINUTES:** April 23, 2012 meeting

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

**Planning** – Pos. 1 – Mickey Schneider – expired 7/1/11. Pos. 5 – vacant – 1/1/13. Pos. 7 – Deni Flaherty – expired 1/1/12

**CAPC** – Pos. 1 – vacant – 7/1/12. Pos. 3 – Lynn Bridwell – expired 6/30/11

**Hospital** – Pos. 4 – Pamela Crockett – expired 6/1/11. Pos. 6 – **vote on John Dolce** -- 9/7/15

**Parks** – Pos. 5 – vacant – 5/1/11

**HDC** – Pos. 3 – **vote on Dan Hebert** – 11/30/14. Pos. 4 – **vote on Susie Allen**. Pos. 7 – vacant – 3/7/14

**Cemetery** – Pos. 1 – June Westphal – expired 2/15/12. Pos. 2 – vacant – expires 2/15/14

**Yellow Bag Research Committee**

**Deer Hunt Committee**

**PUBLIC COMMENTS**

**UNFINISHED BUSINESS:**

1. Non-conforming Off-Premise Signs – Planning Commission
2. Hospital CEO and Accountant – Mr. Berry and Mr. Raphael
3. Auditorium Commission ordinance for referendum -- Mr. Berry and Mr. DeVito
4. Proposed Animal Drawn Vehicle ordinance – Mr. DeVito and Mr. Raphael
5. Ordinance to regulate Limousines – Mr. Raphael and Ms. Ballance
6. Ordinance 2151- 3<sup>rd</sup> reading – Mr. Pownall and Mr. Raphael
7. Discussion of water rate increase – postponed until review is completed -- Mr. Raphael and Ms. Ballance
8. Garden meters ordinance – Mr. Raphael and Ms. Ballance
9. Refunding Series 2007 Sales and Use Tax Bonds – scheduled for May 30 meeting -- Mayor Pate

**NEW BUSINESS:**

1. Move to Amend resolution – Mr. Raphael and Ms. Ballance
2. 2011 year-end budget resolution – Mayor Pate
3. Date for 2012 mid-year budget review – Mr. Raphael and Mr. Berry
4. Opposition to Water Fluoridation resolution – Ms. Ballance and Mr. Pownall
5. Action for non-participating Commissioners – Mr. Pownall and Ms. Ballance
6. Resolution for Digital/Electronic signs – Mayor Pate
7. Vacancy Ward 1, Position 1 – Mr. Pownall and Mr. DeVito
8. May 30 meeting date – Mr. Pownall and Mr. DeVito

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

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

**MONDAY**

**MAY 14, 2012**

Mayor Morris Pate called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, May 14, 2012, in the jury room on the second floor of the Western District Carroll County Courthouse.

**PRESENT:** Mayor Morris Pate, Aldermen James DeVito, Lany Ballance, Parker Raphael, Ken Pownall, Butch Berry, City Attorney Tim Weaver, and City Clerk/Treasurer Ann Armstrong

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

Mayor Pate led the Pledge of Allegiance to the Flag.

**APPROVAL OF THE AGENDA:**

Mr. DeVito moved to approve the agenda. Mr. Pownall seconded. Mr. Pownall moved to add New Business item #7: action on vacancy in Council Ward I, Position 1. Mr. DeVito seconded. Mr. Raphael postponed Unfinished Business item #5 until the second meeting in June. Mr. DeVito seconded. Mr. Pownall added New Business item #8: discussion of May 30 meeting date. Mr. DeVito seconded. Mayor Pate called for a vote on the amended agenda.

Motion carried 5/0/0.

**APPROVAL OF THE MINUTES:**

Mr. DeVito moved to approve the April 23, 2012 minutes. Mr. Pownall seconded. Ms. Ballance added to Unfinished Business item #2: "Ms. Ballance called Point of Order several times." Mayor Pate called for a vote on the amended minutes.

Motion carried 5/0/0.

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

**Planning** – Mayor Pate nominated Melissa Greene for Position 5 and Deni Flaherty for Position 7.

Commission Chair Beverly Blankenship noted three items for the next agenda: 1) removing the word "weekly" from the definition of dwelling units; 2) review of construction applications by Planning; and 3) review of Code Appendix A, legally non-conforming Bed and Breakfasts and Tourist Lodgings.

**CAPC** – Mr. DeVito reported for the first four months of 2012. January collections for December were up 4.8%. February collections were up 7.7%. March collections were up 12%, and April was up 19.73%. He said general revenues will increase accordingly.

**Hospital** – Mayor Pate withdrew the nomination for John Dolce.

**Parks** – no report

**HDC** – Mayor Pate noted the nominations of Dan Hebert for Position 3 and Susie Allen for Position 7. Mr. Pownall moved to approve Susie Allen for Position 7. Mr. Berry seconded. Ms. Ballance requested postponement so as to have an opportunity to contact the (nominees). Mr. Pownall noted the phone number on Mr. Herbert's application is not a working number. Mr. DeVito (seconded) postponement. Mr. Pownall withdrew his motion. Mayor Pate called for a vote.

Motion carried 5/0/0.

**Cemetery** – no report

**Yellow Bag Research Committee** – Ms. Ballance said there have been requests for drawstring bags by people who have difficulty with twist ties. She suggested adding continuation of use of yellow bags to the next general election ballot and moved to do so. Mr. DeVito called point of order, favoring putting this item on the agenda for two weeks notice to the public. Mr. Weaver noted the change could be made when the contract is renewed. Ms. Ballance moved to add discussion to the next agenda. Mr. Raphael seconded.

**Deer Hunt Committee** – Mayor Pate said 50 tags have been ordered and Game and Fish approved the application.

## **PUBLIC COMMENTS:**

**Mickey Schneider**, 38-year resident, said she is “throwing in her hat” for the (Council vacancy).

**Enid Swartz**, gave the City a gift of a DVD- Earth - the Operators Manual. She noted it addresses small cities and the challenge to become energy efficient and secure the environment. Ms. Swartz suggested a workshop for Council and a public viewing of the DVD in the Auditorium.

**Karen Lindblad**, business owner for 35 ½ years, thanked Dr. Kirkpatrick for serving on Council. She said would be willing to serve on Council again.

**Tom Tharp** said he hoped Council would vote for a (person) who is pro-business for both large and small business owners.

**Susan Tharp**, co-owner of Olden Days Carriages, read a prepared statement regarding requested Code changes (for Animal-drawn vehicles). She noted (deleted) section S was for the purpose of safety. Her experience is the danger of operating on any City streets before 4:00 p.m. Deleted section T was most important in that it addressed a recent ruling supporting the City’s right to regulate City-based commerce on State highways within City limits. Ms. Tharp also recommended the addition of specific franchise routes.

**Becky Gillette** thanked Council for putting the Move to Amend resolution on the agenda. She said the local Occupy group is working with others around the State for the Campaign Finance and Lobby Reform Act 2012. It would disallow accepting gifts from lobbyists. Campaign contributions would be limited to \$2,000 and come from individuals only. Ms. Gillette indicated that Arkansas has (an unusual) referendum process that allows the people to add issues to the ballot.

**Deni Flaherty**, Planning Commission member, expressed her willingness to serve on Council. She noted her 12 years of commission service in Florida and spoke about the need for communication.

## **UNFINISHED BUSINESS:**

### **1. Non-conforming Off-Premise Signs**

Mayor Pate said this has been postponed.

### **2. Hospital CEO and Accountant**

Mr. Pownall moved to discuss. Mr. Raphael seconded. Mayor Pate introduced the Hospital Accountant, Rusty Windle. Mr. Pownall noted the Council request to meet with the Commission and a later meeting held with the Mayor. He requested an update on the letter of intent to move forward with Allegiance building a new hospital within the City limits.

Chris Beddoe, of Allegiance Health Management, said a proposal was submitted. The Commission responded that they were unable to contribute money. Hospital Commissioner Pam Crockett said the law prevents giving funds from a non-profit to a for-profit entity.

Mr. Pownall objected to the meeting having been held without Council notification. Mayor Pate said he was obligated to notifying (the press) only.

In answer to Mr. Pownall’s question regarding a new hospital being “off the table”, Mr. Beddoe said he was not in a position to answer. He did confirm that Hospital employees are now Allegiance employees and the billing and Human Resources (HR) divisions have been moved to the Shreveport (LA) office. Mr. Beddoe encouraged Council to meet with the new Hospital Administrator, Jody Love.

In answer to Mr. Pownall’s question regarding the post-meeting teleconference with Mr. Ortego, Mayor Pate said to ask (*Citizen Reporter Nicky Boyette*). Off camera, Mr. Boyette said he was not notified. Mr. Beddoe said Mr. Ortego doesn’t work for Allegiance.

Jody Love, the new Hospital Administrator, welcomed visits to the full-service, working hospital.

Richard Reynolds, in-house Counsel for Allegiance, introduced himself. Ms. Ballance referenced State Statute 14-264-104(c) wherein the Commission is allowed to lease to a non-profit or benevolent organization. Mr. Reynolds was unable to respond without review. Ms. Crockett said Seth Ward, the Hospital’s attorney, referenced State Statute 14-265-103 and City Council Resolution No. 544. She offered background on the financial condition of the Hospital since 2005, a time when the Hospital was within \$30,000 of shutting its doors. Ms. Crockett confirmed that this is the only critical care hospital in Arkansas not (partially) funded by the city.

Mr. Pownall referenced an email from Municipal League Attorney David Schoen which indicated the possibility of a "voidable" contract. Mr. DeVito read from State statute 14-265-103 allowing the Commission to lease to any organization. He indicated the law does not (specifically prohibit) leasing to a for-profit.

Mr. Berry and Mr. Weaver noted the opinion (from Seth Ward) supporting the Commission's decision. Ms. Ballance reiterated that the purpose of the inquiries is to assure compliance with State and Municipal law.

Mr. Windle noted the legal fees listed in the audit were for clarifying contractual issues.

Mr. Pownall observed that having reached this point is a result of continuing lack of communication. Nicky Boyette responded to Mayor Pate's question regarding notification by saying sometimes he gets the information and sometimes he doesn't. Ms. Crockett confirmed the meetings are held on the third Monday of the month at the Echo Clinic.

Mr. Pownall asked the City Clerk to verify the jury room is not available on the third Monday of the month.

Ms. Ballance moved to take a ten minutes recess. Mr. Pownall seconded.

The Council recessed before the vote was completed.

**3. Auditorium Commission ordinance for referendum**

Mr. Berry moved to discuss. Mr. DeVito seconded. Mr. Weaver said the ordinance is not ready He's looking into the specifics of State law requirements for authorization to bring this to the people. Mr. Weaver said it should be ready by the next meeting. Mr. Berry moved to defer to the next meeting. Mr. DeVito seconded. Ms. Ballance called for discussion and suggested offering the voters two options. In addition to the ¼ cent tax option, redistribution of the current tax could be considered. Mr. DeVito objected and expressed his belief that (redistribution) would result in reduced revenue for the City and reduced advertising money for the CAPC.

Mayor Pate called for a vote on the motion to (defer).

Motion carried 5/0/0.

**4. Proposed Animal Drawn Vehicle ordinance**

Mr. DeVito moved to discuss. Mr. Raphael seconded. Mr. Weaver said he sent the draft to the Clerk earlier in the day and suggested postponement. Mr. Raphael moved to postpone. Mr. Pownall seconded.

Motion carried 5/0/0.

**5. Ordinance to regulate Limousines**

Postponed during Agenda Setting until the second meeting in June

**6. Ordinance 2151 – 3<sup>rd</sup> reading**

Mr. DeVito moved to discuss. Mr. Pownall seconded. Mr. Pownall moved to suspend the rules and place Ordinance No. (2151) on its third reading by title only. Mr. DeVito seconded. A roll call voted followed. All voted "Aye".

Motion carried 5/0/0. Ms. Armstrong read **Ordinance No. 2151 AN ORDINANCE AMENDING TITLE 6 TO CLARIFY CONTACT INITIATED BY VARIOUS CITY PERSONNEL WITH THE CITY ATTORNEY.** Mr. Pownall moved to approve Ordinance 2151 on its third reading. Mr. DeVito seconded. A roll call vote followed. All voted "Aye".

Motion carried 5/0/0.

**7. Discussion of water rate increase – postponed until review is completed**

**8. Garden meters ordinance**

Mr. Raphael moved to discuss. Mr. Berry seconded. Mr. Raphael moved to assign a number and read for discussion. Mr. DeVito seconded. Ms. Armstrong read **Ordinance No. 2152 AN ORDINANCE AMENDING CHAPTER 10 OF THE EUREKA SPRINGS MUNICIPAL CODE, SETTING CERTAIN FEES ON WATER RATES.** Ms. Ballance noted a missing hyphen. Following discussion, Mr. DeVito moved to approve Ordinance No. 2152 on its first reading. Mr. Pownall seconded. A voice vote followed.

Motion carried 5/0/0.

Mr. DeVito said he would like to suspend the rules and place Ordinance No. 2152 on its second reading by title only. Mr. Raphael seconded. Mr. DeVito noted this is to lessen the billing time. A roll call vote followed. All voted "Aye".

Motion carried 5/0/0. Ms. Armstrong read the Ordinance title.

Mr. Berry moved to approve the second reading by title only. Mr. DeVito seconded. A voice vote followed.

Motion carried 5/0/0.

## **9. Refunding Series 2007 Sales and Use Tax Bonds**

Postponed until the May 30 meeting

### **NEW BUSINESS:**

#### **1. Move to Amend resolution**

Mr. Raphael moved to discuss. Mr. DeVito seconded. Mr. Raphael moved to give the (resolution) a number and read it for discussion. Ms. Ballance seconded. A voice vote followed.

Motion carried 5/0/0. Ms. Armstrong read **Resolution No. 597 A RESOLUTION CALLING FOR AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD AND THE DOCTRINE OF MONEY AS SPEECH AND CLAIM OUR RIGHT TO SELF-GOVERNANCE.**

Ms. Ballance moved to adopt Resolution No. 597. Mr. Raphael seconded. Mr. Weaver reminded Council that Eureka Springs and all cities are corporations. He expressed the belief that, if the rights of the corporation are taken away by abolishing its status, it will have no power to act. In answer to Mr. DeVito's question, Mr. Weaver confirmed the resolution will not have the force of law. Mr. Weaver suggested addressing election laws. A voice vote followed.

Motion carried 4/1/0 with Mr. Berry voting "No".

#### **2. 2011 year-end budget resolution**

Mr. Berry moved to discuss. Mr. Pownall seconded. Mr. Pownall moved to assign a resolution number and read for discussion purposes. Mr. Raphael seconded. A voice vote followed.

Motion carried 4/1/0 with Ms. Ballance voting "No". Ms. Ballance said that since she had just received the information, she would move to postpone until the next meeting. There was no second.

Finance Director Lonnie Clark said the one page version is similar in wording and format to the year-end resolution for 2010. At the meeting on Friday, he understood a request to have the wording in the body of the resolution the same, and to change the Revenues side to include what was originally approved as well as the year-end amended numbers. The second page, Appropriations, lists appropriations as originally approved and the year-end amended figures.

Mr. Pownall said he would like to go with the one that was requested at the workshop. Mr. DeVito seconded. A voice vote followed.

Motion carried 4/1/0 with Ms. Ballance voting "No".

Mr. Berry moved to assign a number for the two page resolution adopting the 2011 budget for the City of Eureka Springs, for discussion. Mr. Pownall seconded. A voice vote followed.

Motion carried 4/1/0 with Ms. Ballance voting "No". Ms. Armstrong read **Resolution No. 598 A RESOLUTION AMENDING THE 2011 ADOPTED BUDGETS FOR THE CITY OF EUREKA SPRINGS, ARKANSAS, FOR THE YEAR 2011; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN AND FOR OTHER PURPOSES.**

Mr. Clark clarified that the Firemen's Pension Fund checks are paid from investments separate from the City's.

Mr. Pownall said the resolution does not rubber stamp the compilation of figures and does not approve departmental overspending. Ms. Ballance objected to wording in the resolution which confirms approval of overages. Mr. DeVito called point of order since he considered Ms. Ballance's comments inappropriate. Ms. Ballance asked for the ruling of the Chair. Mayor Pate agreed with Mr. DeVito. Ms. Ballance appealed the ruling of the Chair. Mr. Weaver confirmed that a positive vote would sustain Ms. Ballance's appeal. A voice vote on the ruling followed.

Ms. Ballance and Mr. Pownall voted "Aye". Mr. Berry and Mr. DeVito voted "No". Mr. Raphael abstained.

Motion passed 2/2/1 according to Mr. Weaver.

Mr. Pownall suggested removing/rewording Section 2, noting the agreement to not approve overspending by departments. Discussion followed regarding wording. Mr. Berry called point of order so as to move the process forward. He noted Council did not meet for mid-year budget adjustments. Mr. Berry called for the question. Mr. DeVito seconded. A voice vote followed.

Motion failed 2/3/0 with Mr. Raphael, Ms. Ballance, and Mr. Pownall voting "No".

Discussion followed regarding working as a group, the budget as a working document, and the absence of a mid-year budget resolution. Mr. DeVito moved to table until the next meeting. There was no second. Mr. Raphael moved to approve the resolution as is. Mr. Berry seconded. A roll call vote followed.

Motion carried 4/2/0. Mr. Raphael, Mr. Berry, Mr. DeVito voted "Aye". Ms. Ballance and Mr.

Pownall voted "No". Mayor Pate added his "Aye".

Ms. Ballance called for a ten minute recess. Mr. Pownall seconded.

Motion carried 5/0/0.

**3. Date for 2012 mid-year budget review**

Mr. Pownall moved to discuss. Mr. Raphael seconded. At Mr. Raphael's request, Ms. Armstrong agreed to find a date in June for the meeting.

**4. Opposition to Water Fluoridation resolution**

Ms. Ballance moved to discuss. Mr. Raphael seconded. Ms. Ballance spoke about the State mandate to fluoridate the water of some systems, noting the funding is not to come from public monies. She confirmed Eureka Springs has voted twice to not fluoridate and that other ingredients are as yet unknown. Ms. Ballance moved to direct the City Attorney to draft a resolution in opposition to having the water fluoridated, and including the two votes and (knowledge) of adverse effects on health. Mr. Pownall seconded. A voice vote followed.

Motion carried 5/0/0.

**5. Action for non-participating Commissioners**

Mr. Pownall moved to discuss. Ms. Ballance seconded. Mr. Pownall suggested a review of Commissioners who don't provide notification of absences or participate for (extended periods). In reply to Mr. DeVito's question, Mr. Weaver said he believes there are certain Commissioners whom Council does not have the authority to remove. Mr. DeVito moved to table until there is clarity of Council's authority, suggesting the next meeting. Mr. Raphael seconded. A voice vote followed.

Motion carried 5/0/0.

**6. Resolution for Digital/Electronic signs**

Mr. Raphael moved to discuss. Mr. DeVito seconded. Commission Chair Beverly Blankenship provided the May and July 2011 recommendations for Code changes. She spoke about the efforts to clarify current Code by (incorporating) two missing ordinances before adding the recommendations. Mr. Pownall acknowledged delays and moved to assign the resolution a number and read for discussion. Mr. Raphael seconded. A voice vote followed.

Motion carried 5/0/0. Ms. Armstrong read **Resolution No. 599 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, DECLARING A MORATORIUM ON APPROVAL OF ANY DIGITAL/ELECTRONIC SIGNS AS IT PERTAINS TO TITLE 7, SIGNS, OF THE MUNICIPAL CODE.**

Mr. Pownall suggested July 31 as the expiration date. Mr. Raphael seconded. A voice vote followed.

Motion failed 1/4/0, with Ms. Ballance, Mr. DeVito, Mr. Berry, and Mr. Raphael voting "No".

Following discussion, Mr. Berry suggested extending the moratorium for six months (until November 22, 2012). Mr. DeVito seconded. Mr. Berry noted, for the record, extenuating circumstances which prevented due diligence. A voice vote followed.

Motion carried 5/0/0. Discussion regarding the (future) ordinance clarifying Code followed.

A roll call vote on final approval of the six-month extension followed. All voted "Aye".

Motion carried 5/0/0.

**7. Vacancy in Ward 1, Position 1**

Mr. Pownall moved to discuss. Mr. Raphael seconded. Mr. DeVito moved to accept Dr. Kirkpatrick's resignation. Mr. Pownall called point of order since Dr. Kirkpatrick disqualified himself when moving out of Ward 1. He referenced State Statute 14-43-310. Following a question from Mr. DeVito, Mr. Weaver said the (usual) procedure is to wait one meeting. He observed this was not done when Janet Alexander resigned.

Ms. Ballance read from 14-43-411 (a)(1)(A), supporting filling the vacancy at the next regular Council meeting following the vacancy. Mr. Weaver opined Council should declare the vacancy first. Ms. Ballance moved to declare a vacancy for the Position of Ward 1, Position 1. Mr. Raphael seconded. Mr. Pownall suggested amending to include "as of May 3" since it was the date of the resignation (letter). Ms. Ballance seconded. A voice voted followed.

Motion carried 5/0/0.

Mr. DeVito favored allowing two weeks for more candidates to step forward. Mr. Raphael moved to nominate Karen Lindblad. Ms. Ballance seconded. DeVito said he did not feel it appropriate since Ms.

Lindblad has an active lawsuit against the City. Following discussion of newspaper publication dates and putting all names on the table at once, Mayor Pate asked Mr. Weaver's opinion on how to proceed. Although Mr. Pownall simultaneously called the question and Ms. Ballance seconded, Mr. Weaver noted Municipal League's absence of a position on the exact meaning of the language.

A roll call vote on Karen Lindblad's nomination followed.

Motion carried 3/2/0, with Mr. Berry and Mr. DeVito voting "No".

**8. May 30 Council meeting date**

Mr. Pownall moved to discuss. Mr. Raphael seconded. Mr. Pownall noted the cancellation of meetings which fall on holidays. He motioned for a special meeting to address only the bond refund issue. Ms. Ballance seconded. Following Mr. Weaver's comment regarding the water meter ordinance, Mr. Pownall amended his motion to include a second special meeting to address that issue. Ms. Ballance seconded. Mr. Pownall added "May 30 at 6:00 o'clock". Mr. Raphael seconded. A voice vote followed.

Motion carried 5/0/0.

**AGENDA SETTING:**

Mr. Raphael added the discussion of the Climate Action Plan resolution. Ms. Ballance seconded.

Ms. Ballance added discussion of the potential ability to restructure the CAPC tax. Mr. Pownall seconded.

Mr. Berry added the recommended revision of Appendix A from the Planning Commission. Ms. Ballance seconded.

Mr. Berry added building permits for parking lots, demolition and construction, as recommended by the Planning Commission. Mr. Raphael seconded.

Mr. Berry added defining weekly dwelling units, as recommended by the Planning Commission. Mr. Raphael seconded.

**COUNCIL COMMENTS:**

Mr. Berry thanked the three people who applied for the City Council vacancy. He congratulated Ms. Lindblad.

Mr. DeVito expressed his dissatisfaction with the process involved in (seating) the new Council member and in having Council members with active lawsuits against the City.

Mr. Pownall thanked the people who expressed an interest in being on Council and congratulated Ms. Lindblad.

Ms. Ballance thanked the people who stepped forward and Dr. Kirkpatrick for his service. She noted the expense involved in taking issues to court -- a last recourse.

Mr. Raphael congratulated Ms. Lindblad and thanked Cornerstone Bank for donating \$100,000 to various local organizations.

**MAYOR'S COMMENTS:**

Mayor Pate spoke about the absence of a Finance Director when the mid-year budget resolution was due. The voluntary (tax) contribution request for the Cemetery was handed back to the Commission. Mayor Pate spoke about where the budget overages took place. He noted the 12.32% increase in tax revenue and 17.6% increase in parking revenue. Mayor Pate then read a list of upcoming events.

**ADJOURNMENT:**

Mr. DeVito moved to adjourn. Mr. Berry seconded.

Motion carried 5/0/0. The meeting ended at approximately 9:20 p.m.

This is the signature page for the minutes of the regular Eureka Springs City Council meeting of Monday, May 14, 2012.

ATTEST:

  
City Clerk/Treasurer Ann Armstrong

APPROVED:

  
Mayor Morris Pate  
City Council      5/14/12      6