

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, August 26, 2013 6 p.m.
AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: August 12, 2013

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 1 – vacant – expires 7/1/14. Pos. 4 – Jim Morris – expired 7/1/12
Pos. 5 – Melissa Greene – expired 1/1/13

CAPC – Pos. 2 – vacant – expires 6/30/14. Pos. 4 – vacant – expired 6/30/13

Hospital – Pos. 1 -- Anna Ahlman – expired 6/1/13

Parks – Pos. 2 – Ruth Hager – expired 5/1/13

HDC

Cemetery – Pos. 4 – vacant -- expires 2/15/14

PUBLIC COMMENTS:

UNFINISHED BUSINESS:

1. Ordinance No. 2187 Commercial recycling of glass and cardboard – 3rd reading
2. Ordinance No. 2188 Extending 200 ft. rule to all residential zones – 3rd reading
3. Land Bank – Mr. Purkeypile and Mr. McClung

NEW BUSINESS:

1. Schedule workshop for 2014 budget in late October or early November – Mr. Mitchell and Ms. Schneider

2. Schedule workshop date for “Clean City” ordinance toward the end of August – Mr. Mitchell and Mr. Purkeypile

3. Discussion regarding closing Spring St. -- Ms. Schneider and Ms. Zeller

4. Discussion regarding recycling conference in September – Ms. Schneider and Mr. DeVito

5. Resolution for Parks’ bridge loan – Mayor Pate

6. Resolution for Christmas parking – Mayor Pate

7. Ordinance to increase parking space rate for special events – Mayor Pate

8. Firemen’s Pension Board resolution – Mayor Pate

9. Town Hall meeting recap – Mr. Mitchell and Ms. Schneider

AENDA SETTING

CITY COUNCIL COMMENTS

MAYOR’S COMMENTS

ADJOURNMENT

Mayor Morris Pate called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, August 26, 2013, in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Morris Pate, Aldermen David Mitchell, Joyce Zeller, Dee Purkeypile, Terry McClung, Mickey Schneider, City Attorney Tim Weaver, and City Clerk/Treasurer Ann Armstrong
ABSENT: James DeVito (with notice)

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Pate led the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA:

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Mayor Pate added the nomination of Steve Beacham for Planning Position #1. He added Tom Walker/Firemen's Pension Board to New Business and proposed to discuss as the first item. Mr. Mitchell added New Business #9 for a follow-up on the Town Hall meeting. Ms. Schneider seconded. Mr. Mitchell tabled discussion of the "Clean City" ordinance until the next meeting. Ms. Schneider seconded. Mayor Pate called for approval of the amended agenda.

Motion carried 5/0/0.

APPROVAL OF THE MINUTES: August 12, 2013

Mr. McClung moved to approve the August 12, 2013 minutes. Mr. Purkeypile seconded.

Motion carried 5/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Mr. Mitchell made a motion to approve Steve Beacham for Position #1 for Planning. Ms. Schneider seconded. Motion carried 5/0/0.

Beverly Blankenship said Planning Commissioners will be going to training in Fayetteville September 5 and 6. There will be a public hearing for a setback variance for 39 Benton St. and a new construction review for 85 S. Main. She requested additions to the agenda: re-zoning 80 Mountain St., removal of 80 Mountain from the list of R-1 buildings used for religious purposes, "intimate theater" as a conditional use in C-3, a multi-family dwelling ordinance, and street vacating procedures.

CAPC – no report

Hospital – no report

Parks – no report

HDC – no report

Cemetery – no report

PUBLIC COMMENTS:

Darlene Schrum again objected to the Arts Council proposal for closing Spring St. to traffic and parking. Considering Fall the best time for Eureka's economy, she favored focusing on the shops and stopping the proposal once and for all.

Arnold Lehman, owner of the New Orleans Hotel, spoke against closing Spring St., noting the problem with getting to the Hotel parking. He expressed concern for safety in an emergency.

Mel Shipley again opposed closing Spring St. and noted this is the opinion of the majority of shop owners on Spring St. He thanked Council for their time.

Marjie Anderson said she hoped (Council) would go with the majority of shop owners who are opposed to closing Spring St. She recalled the chaos when a downtown restaurant caught on fire, and she favored use of highway locations for art venues.

Tom Tharp spoke about Ray Dotson's presence in town. He objected to operating legally while Mr. Dotson continues to not. He called for discussion of the issue.

UNFINISHED BUSINESS:

1. **Ordinance No. 2187 Commercial recycling of glass and cardboard – 3rd reading**

City Council

8/26/13

1

Mr. Purkeypile moved to discuss. Ms. Schneider seconded. Ms. Schneider spoke in favor of adding language regarding scavenging. Following discussion about existing regulations against going through others' trash, and adding language about plastic and cans, Mr. McClung motioned to place Ordinance No. 2187 for its third reading by title only. Ms. Zeller seconded. Discussion continued regarding talking with (Carroll County Solid Waste), postponement and fines. Mr. McClung withdrew his motion. Ms. Zeller withdrew her second. Mr. Mitchell motioned to table until the first meeting in September. Mr. Purkeypile seconded.

Motion carried 5/0/0.

2. Ordinance No. 2188 extending 200 ft. rule to all residential zones – 3rd reading

Mr. Purkeypile moved to discuss. Mr. Mitchell seconded. Mr. McClung made a motion to read Ordinance No. 2188 for its third and final reading by title only. Mr. Mitchell seconded. A roll call vote followed.

Motion carried 5/0/0. Mr. McClung made a motion to approve Ordinance No. 2188 on its third and final reading. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0.

3. Land Bank

Mr. Purkeypile moved to discuss. Mr. Mitchell seconded. Bruce Levine confirmed the Parks Commission approved the proposed ordinance but they had not seen the final version. Discussion followed regarding forming the Committee, the 320 acres of town in which the City actually owns the streets, and sale of small isolated pieces of land the City could sell. Further discussion included ownership to the center of the streets that are platted rights-of-way, streets that have been leased, and adding funds from leases to the Land Bank.

NEW BUSINESS:

8. Resolution for the Firemen's Pension Fund

Mr. Mitchell moved to discuss. Mr. Purkeypile seconded. Tom Walker spoke about the process involved when the Board seeks a pension increase and confirmed the funds are separate from those of the City. Mr. McClung motioned to read and pass the resolution as proposed. Mr. Purkeypile seconded. Mr. McClung amended his motion to include adding a number. Ms. Schneider seconded.

Motion carried 5/0/0. A vote on the original motion to read and pass followed.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 623 ADOPTING PENSION REVIEW BOARD RULE #4.**

1. Schedule workshop for 2014 budget in late October or early November

Mr. Mitchell moved to discuss. Mr. Purkeypile seconded. Mr. Mitchell favored a workshop to review the historical budgets going back as much as five years, and using the concept of zero-based budgeting. Ms. Zeller favored hearing from the Department Heads. Following discussion regarding the third quarter numbers becoming available in November and challenging Department Heads to reduce total operating expenses, a workshop was scheduled for October 23 at 10:00 a.m. in the Mayor's office.

2. Schedule workshop date for "Clean City" ordinance toward the end of August

Tabled during approval of the agenda until the next meeting

3. Discussion regarding closing Spring St.

Ms. Schneider moved to discuss. Mr. Purkeypile seconded. Sandy Martin spoke about the Arts Council's intent to collaborate and to stimulate economic development through the creative economy. A compilation of the information gathered since January 2013 was provided. Ms. Martin spoke about Spring St., creative thinking, competition with the Northwest Corridor, and long-range planning. She expressed concern about losing ranking as the premier Northwest Arkansas Arts destination.

Recommendations included re-instating the Tourism Task Force, a City-wide "Euro-Eureka" theme, and collaboration with merchants for an "After 6" atmosphere.

Ms. Schneider motioned to have Mr. Weaver look into clarifying who decides whether to close a street for events. Mr. Mitchell seconded.

Motion carried 5/0/0. Further discussion included fairs on Center St., collecting and remitting taxes by the artists through their own tax numbers, use of parking lots, and performing and culinary arts.

4. Discussion regarding recycling conference in September

Ms. Schneider moved to discuss. Mr. Mitchell seconded. Ms. Schneider sought information about the conference scheduled at the Inn of the Ozarks. Mr. McClung made a motion for Ms. Schneider to go as (Council's) representative. Mr. Purkeypile seconded.

Motion carried 5/0/0.

5. Resolution for Parks' bridge loan

Mr. Mitchell moved to discuss. Mr. Purkeypile seconded. Mr. McClung made a motion to assign a number and to read and pass the resolution for the Parks' bridge loan. Mr. Purkeypile seconded.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 624 A RESOLUTION MAKING A 2013 BUDGET ADJUSTMENT.**

6. Resolution for Christmas parking

Mr. McClung moved to discuss. Ms. Schneider seconded. Mayor Pate clarified the resolution does not include the parking lots. Mr. Purkeypile made a motion to provide a number for the resolution, read it, and pass it tonight. Ms. Schneider seconded.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 625 A RESOLUTION REMOVING THE REQUIREMENT OF PAYING THE PARKING METERS ON SPRING STREET AND MAIN STREET AND ESTABLISHING FREE TWO HOUR PARKING FROM DECEMBER 1 THROUGH DECEMBER 31, 2013.**

7. Ordinance to increase parking space rate for special events

Mr. Purkeypile moved to discuss. Mr. McClung seconded. Ms. Schneider made a motion to give the ordinance a number and read it. Mr. Mitchell seconded.

Motion carried 5/0/0. Ms. Armstrong read **ORDINANCE NO. 2189 AN ORDINANCE AMENDING CHAPTER 8.48 OF THE MUNICIPAL CODE PERTAINING TO PARKING.** Mr. McClung motioned to approve Ordinance No. 2189 on its first reading. Ms. Schneider seconded.

Motion carried 5/0/0.

9. Town Hall discussion

Mr. Mitchell moved to discuss. Ms. Schneider seconded. Mr. Mitchell said he considered the Town Hall meeting a success in that the process was there, it was open, and the elected body chose to involve the citizens in a very important process. He recapped results shown in a graph which indicated infrastructure as the primary concern. Black Bass Dam was second and the Mill Hollow Bridge was third. Citizen comments were included. Mr. Mitchell indicated he would proceed with establishing action plans.

AGENDA SETTING:

Mr. Mitchell added rezoning 80 Mountain and removing 80 Mountain from the list of R-1 buildings used for religious purposes. Ms. Schneider seconded.

Mr. Mitchell added the new definition of "intimate theater" as a conditional use in C-3. Ms. Schneider seconded

Mr. Purkeypile added an update on Black Bass Dam. Mr. McClung seconded.

Ms. Schneider added discussion of the November meeting. Mr. Mitchell seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said it was a great Blue Grass Festival.

Ms. Schneider noted the final hearings (on the proposed SWEPCO transmission lines) began today in Little Rock. She said "Happy Birthday" to her newest daughter-in-law and noted the rescue of an eight-month-old boxer.

MAYOR'S COMMENTS:

Mayor Pate said a lawsuit has been filed by Ray Dotson regarding use of a motorized carriage. Mr. Weaver will be representing the City. Traffic citations can still be issued for traffic violations. Mayor Pate read a list of upcoming events.

ADJOURNMENT:

Mr. Mitchell moved to adjourn. Mr. Purkeypile seconded.

Motion carried 5/0/0. The meeting ended at 7:40 p.m.

ATTEST:


City Clerk/Treasurer Ann Armstrong

APPROVED:


Mayor Morris Pate