

Mayor Pate called the special meeting of the Eureka Springs City Council to order at 3 p.m. Thursday, March 13, 2014 in the jury room on the second floor of the Western District Carroll County Courthouse. Mayor Pate stated the purpose of the meeting: **Discussion of the open-carry march planned for March 29.**

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

PUBLIC COMMENTS:

Peggy Hill, member of the Sandy Hook Promise, spoke about caring more for children and carrying guns as bullying. She said if this became a mean-spirited place she would move away.

Nancy Fuller, proponent of Second Amendment rights, expressed concern about not being able to control what happens in stairwells, parking lots and on streets. She said the days for open-carry were 100-150 years ago and was concerned about economic impact.

Chris Young spoke about the Arkansas State Police definition of "journey" saying "when you reach your destination, your journey is over." He considered this as an option in dealing with the people who would carry openly.

ACTION:

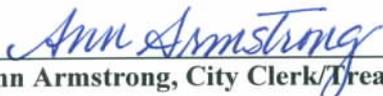
Mr. Purkeypile motioned to discuss. Mr. DeVito seconded. Police Chief Earl Hyatt referenced the portion of Act 746 which now says, "a person commits the offense of carrying a weapon if he or she possesses a handgun, knife, or club on or about his or her person in a vehicle occupied by him or her or otherwise readily available for use with a purpose to attempt to unlawfully employ the handgun, knife, or club as a weapon against a person". The police and prosecutors must now believe and prove the person has the intent or purpose to use the weapon unlawfully – with criminal intent. He referenced a statement by Representative Nate Bell, a sponsor of the House bill, clarifying the purpose: to allow people to openly carry in the state of Arkansas. Chief Hyatt noted the Attorney Generals' opinion was about another section, that of the "journey".

Discussion followed regarding the classification of those who are allowed to openly carry, other cities having restricted where and when marches occurred, and officers in peril when violating citizens' rights. If the group in question chooses to apply for a permit, then the location and time can be restricted. If they choose to not apply, there is nothing that can be done legally. Further discussion included shop owners' rights, posting signs, a public relations campaign, restricted areas, and not reacting to the people who are openly carrying.

ADJOURNMENT:

Mr. McClung moved to adjourn. Mr. Purkeypile seconded.
Motion carried 6/0/0. The meeting ended at 3:40 p.m.

ATTEST:


Ann Armstrong, City Clerk/Treasurer

APPROVED:


Morris Pate, Mayor