

FOOD TRUCK WORKSHOP 4:00

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, April 11, 2016 6 p.m.
AGENDA**

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: March 28, 2016**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 6 – vacant – expires 1/1/18

CAPC – Commission update

Hospital

Parks – Pos. 5 – renewal application for Jay Fitzsimmons – expires 5/1/16

HDC

Cemetery – Pos. 3 – vacant – expires 2/15/18

PUBLIC COMMENTS:

UNFINISHED BUSINESS:

1. Ordinance for expanding Parks Commission eligibility – Parks Commission

NEW BUSINESS:

1. Resolution for Eureka Springs as a Bee City – Parks Commission
2. Ordinance to waive bidding for self-contained breathing apparatus – Mayor Berry
3. Resolution for disposal of two fire trucks – Mayor Berry
4. 2008 > 2011 records to be destroyed – A.C.A. 14-59-114
5. Resolution in support of Rule 4 – E.S. Firemen's Pension Board
6. First meeting of the month February financials review – Mayor Berry
7. Discussion of sales tax – Mayor Berry

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

APRIL 11, 2016

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, April 11, 2016 in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Berry, Aldermen Terry McClung, Mickey Schneider, Bob Thomas, David Mitchell, Joyce Zeller, James DeVito, City Attorney Tim Weaver, and City Clerk Treasurer Ann Armstrong

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mr. DeVito moved to approve. Mr. McClung seconded.
Motion carried 6/0/0.

APPROVAL OF THE MINUTES: March 28, 2016

Mr. DeVito moved to approve. Mr. Mitchell seconded.
Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – One open position

CAPC – Commission Chair Ken Ketelsen provided an update from the first quarter of 2016. He said collections were up about \$32,000 compared with March 31, 2015. May Fine Arts will be the biggest media push until the Fall, with over 50 planned events. Precision digital marketing has been the primary focus. Mr. Ketelsen praised new events coordinator Dori Thomas.

Hospital – Mr. Mitchell said the Hospital lease will end on October 1, 2017.

Parks – Ms. Schneider moved to approve the renewal for Jay Fitzsimmons. Mr. McClung seconded.
Motion carried 6/0/0.

HDC – No report

Cemetery – One open position

PUBLIC COMMENTS: none

UNFINISHED BUSINESS:

1. Ordinance for expanding Parks Commission eligibility

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

Mr. Weaver said he'd not received the draft ordinance Planning was to have prepared. Mr. DeVito moved to table and Mr. Mitchell seconded.

Motion carried 6/0/0. Ms. Zeller enquired whether positions could be made available to residents of only one part of the county. Mr. Weaver indicated he'll look into the question.

NEW BUSINESS:

1. Resolution for Eureka Springs as a Bee City

Mr. DeVito moved to discuss. Ms. Schneider seconded. Bee keeper Ken Trimble represented the Parks Commission and noted the number of managed bee hives has declined more than 50% since 1988. He said that, of the 4000+ species of bees, about 95% are solitary. Mr. Trimble said about 85% of flowering trees, flowers, and bushes are pollinated by bees. He noted this resolution would make Eureka Springs the first Bee City USA in the state.

Mr. Mitchell moved to assign the resolution a number and read it for passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 678 A RESOLUTION APPROVING ESTABLISHING EUREKA SPRINGS, ARKANSAS AS A BEE CITY USA.**

2. Ordinance to waive bidding for self-contained breathing apparatus

Mr. McClung moved to discuss. Mr. DeVito seconded. Mayor Berry spoke about the recent notification by Rural Development that the City will be receiving a grant for self-contained breathing apparatus.

Discussion followed regarding an earlier estimate of \$8000 per unit, the amount of the grant, and the reference in the proposed ordinance to purchasing sixty units. Further discussion included purchasing ten units a year for three years, ambiguous language, and possibly striking the first clause in the ordinance.

Mr. McClung moved to strike the first "WHEREAS." Mr. Mitchell seconded.

Motion carried 6/0/0.

Mr. Mitchell moved to assign the ordinance a number and place it on the first reading. Mr. DeVito seconded.

Motion carried 6/0/0. Ms. Armstrong read **ORDINANCE NO. 2240 AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURPOSE OF PURCHASING SELF-CONTAINED BREATHING APPARATUS.**

Mr. Weaver recommended including a maximum cap on the number to be purchased.

Mr. DeVito moved to approve Ordinance No. 2240 on its first reading. Mr. McClung seconded.

Discussion continued regarding having budgeted \$80,000 for the apparatus, having applied for two separate grants, and the grant received to total \$80,898 including the City's portion. Further discussion resulted in a general agreement to purchase ten units.

Mayor Berry called for a vote on approval of the first reading as amended.

Motion carried 6/0/0.

3. Resolution for disposal of two fire trucks

Mr. DeVito moved to assign the resolution a number and read it for passage. Mr. McClung seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 679 A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS CITY PROPERTY THROUGH AUCTION.**

4. 2008 > 2011 records to be destroyed

Ms. Schneider moved to approve. Mr. DeVito seconded. Mayor Berry confirmed the yearly process.

Motion carried 6/0/0.

5. Resolution in support of Rule 4

Background on the purpose of the resolution for retired volunteer firemen was provided. Mr. DeVito moved to assign the resolution a number and read it for passage. Mr. McClung seconded. He clarified the fund was set up by the volunteers through their contributions each year and is separate from the newer LOPFI program. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION NO. 680 ADOPTING PENSION REVIEW BOARD RULE #4.**

6. First meeting of the month February financials review

Mr. Mitchell moved to discuss. Mr. DeVito seconded. Mayor Berry noted projected revenues in the General Fund were down by about \$39,000. Expenses were about .6% above budget.

7. Discussion of sales tax

Mr. Mitchell moved to discuss. Mr. DeVito seconded. Mayor Berry spoke about the depletion of the General Fund and increased demands for infrastructure repair, and Arkansas Department of Environmental Quality (ADEQ) requirements. Water and Sewer funds are supposed to equal 120% net operating and are short, although bond payments are being made on time. A five-year plan was offered for Water and Sewer.

The City is now eligible for grants from the Northwest Arkansas Economic Development District. Grants funds will be used to repair the drainage tunnel below Flint St. and City funds will be required as well.

A grant application has been submitted to Arkansas Historic Preservation for the Auditorium roof repair and it will require about \$20,000 in City funds.

Discussion followed regarding a possible tax on retail for the Auditorium. Mayor Berry also spoke about funds for infrastructure and to begin building reserves. Raising taxes and increasing water rates were the two options referenced. Discussion continued regarding general sales tax versus CAPC tax.

Mr. Weaver spoke about the CAPC tax that was collected in the past and where CAPC funds can be spent. He confirmed a general sales tax cannot be collected by just a portion of the consumer base. It was agreed more research will be done before the next meeting.

AGENDA SETTING: no additions

CITY COUNCIL COMMENTS:

Mr. McClung said he's enjoying the weather and waiting for the wind to die down.

Mr. DeVito favored getting the discussion about taxes going and noted sales tax is paid primarily by visitors.

Mr. Mitchell was pleased to be at the table with this group to work on a very tough problem.

Ms. Schneider congratulated her daughter-in-law on her first marathon.

Ms. Zeller called for the public to let her know what they think.

MAYOR'S COMMENTS:

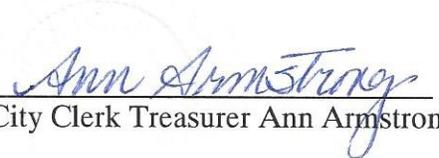
Mayor Berry said he appreciates the Council and their support. Upcoming events were mentioned by several people at the table.

ADJOURNMENT:

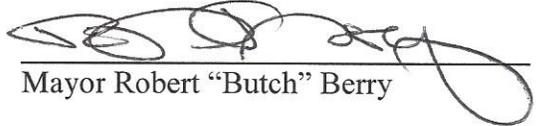
Mr. McClung moved to adjourn. Mr. DeVito seconded.

Motion carried 6/0/0.

ATTEST:


City Clerk Treasurer Ann Armstrong

APPROVED:


Mayor Robert "Butch" Berry