

5:00 workshop -- Food Trucks

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, August 8, 2016 6 p.m.
AGENDA**

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: July 25, 2016**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Pos. 1 – vacant – expires 7/1/17.
CAPC
Hospital – Pos. 5 – vacant – expires 6/1/17
Parks
HDC
Cemetery – Pos. 5 – vacant – expires 2/15/17

PUBLIC COMMENTS:

NEW BUSINESS:

1. 2015 Budget clean-up resolution – Mayor Berry
2. Discussion of solution for speeding on East Mountain – Mayor Berry
3. Amicus brief/show of support for Fayetteville's non-discrimination ordinance – Mr. DeVito and Mr. Mitchell
4. Discussion of need for written resolutions – Mr. Thomas and Mr. Mitchell
5. Discussion of solar grant options for the waste water treatment plant – Ms. Schneider and Mr. Mitchell
6. White St. Fire Station bid award announcement – Mayor Berry

UNFINISHED BUSINESS:

1. Ordinance to vacate a portion of Hickory St. and deed two segments of Girkin property to the City – Mr. McClung and Mr. Mitchell
2. Ordinance No. 2244 1% Sales Tax – amendments and 3rd reading
3. Ordinance No. 2245 Ballot Title – 3rd reading

**AGENDA SETTING
CITY COUNCIL COMMENTS
MAYOR'S COMMENTS
ADJOURNMENT**

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

MONDAY

AUGUST 8, 2016

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, August 8, 2016 in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Berry, Aldermen Terry McClung, Mickey Schneider, James DeVito, Kristi Kendrick, Bob Thomas, David Mitchell, 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. McClung moved to approve the agenda. Mr. DeVito seconded. Mayor Berry added an announcement regarding the bid opening. He requested to have that as the first item for discussion under New Business. A vote on the amended agenda followed.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: July 25, 2016

Mr. DeVito moved to approve. Mr. McClung seconded.

Motion carried 6/0/0 with Ms. Kendrick voting.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – An application from Ann Tandy-Sallee for Position 1 was provided. Mayor Berry encouraged Council members to give her a call before a vote at the next meeting.

CAPC – No report

Hospital – No report

Parks – No report

HDC – No report

Cemetery – No report

PUBLIC COMMENTS:

Karen Lindblad, resident since 1976 and retail business owner, spoke about getting the City to live within its means rather than increasing taxes. She noted that tax collections are up for food since people have to eat when they visit. Ms. Lindblad said retail is struggling and increased taxes will "kill the golden goose."

NEW BUSINESS:

6. White St. Fire Station bid award announcement

Mr. McClung moved to discuss. Mr. DeVito seconded. Dick Titus was the only bidder and his bid was \$51,500. Mr. McClung moved to approve and accept the offer to purchase. Mr. Mitchell seconded. Mr. Weaver noted a deed will be prepared.

Motion carried 6/0/0. Mr. Titus offered heartfelt thanks for all the help in bringing this about.

1. 2015 Budget clean-up resolution

Mr. DeVito moved discuss. Ms. Kendrick seconded. In answer to Mr. McClung's question regarding Debt Service, Lonnie Clark confirmed the majority of that is sales tax revenue to cover bond payments. He noted the resolution is a listing of what was budgeted and what was actually spent. Mr. Clark said the reserves used were about \$500,000.

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

Motion carried 6/0/0. Ms. Armstrong read **RESOLUTION 686 A RESOLUTION AMENDING THE 2015 ADOPTED BUDGETS FOR THE CITY OF EUREKA SPRINGS, ARKANSAS, FOR THE YEAR 2015; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN AND FOR OTHER PURPOSES.**

2. Discussion of solution for speeding on East Mountain

Mr. DeVito moved to discuss. Ms. Kendrick seconded. Mayor Berry said he'd prefer speed ramps and the cost is about \$7,500 each. A grant application has been initiated for ten of them. Less expensive speed bumps will be installed and will help to show if they're in the appropriate spots. Discussion followed about possible use of cameras, additional signage when the speed bumps are set, and the "overlook" sign.

Ms. Kendrick made a motion to ask the State to remove the sign. Mr. DeVito seconded.

Motion failed 2/4/0 with Mr. Mitchell, Mr. Thomas, Ms. Schneider, and Mr. McClung voting "No."

3. Amicus brief/show of support for Fayetteville's non-discrimination ordinance

Mr. DeVito moved to discuss. Mr. Mitchell seconded. Mr. DeVito spoke about showing support as the City of Fayetteville is being challenged on their anti-discrimination ordinance. Mr. Weaver spoke of amicus briefs as typically written by a non-profit group to show support for one side or the other in a lawsuit. He cautioned that it might damage Eureka Springs' reputation with the courts. He suggested a resolution could get "more press."

Mr. Mitchell made a motion to develop a resolution supporting the City of Fayetteville in its efforts toward non-discrimination ordinances and any other legal action that they are taking to support diversity. Ms. Schneider seconded.

Motion carried 6/0/0.

4. Discussion of need for written resolutions

Mr. Thomas moved to discuss the need for written resolutions. Mr. DeVito seconded. Mr. Thomas provided information from Roberts Rules of Order and spoke in favor of being more formal. He also provided an example of a previously passed resolution for a moratorium clearly defining Council's intent and the time limit.

Following discussion, Mayor Berry acknowledged the Council's agreement to use Roberts Rules of Order.

5. Discussion of solar grant options for the waste water treatment plant

Ms. Schneider moved to discuss. Mr. Mitchell seconded. Ms. Schneider asked Jerry Landrum to offer suggestions for powering the plant during off-hours so as to reduce electric bills.

Mr. Landrum provided handouts on community shared solar opportunities, and an energy production sheet charting energy produced at the Echo Clinic as well as CO2 (carbon dioxide) emissions not produced. Information on financing, confirmation of the City's Climate Action Plan agreeing to produce 2.5 megawatts of solar power, and a summary of City electric bills for June 2016 were recapped. Installation costs and rates of return were addressed.

Mr. Landrum reviewed mock ups of potential installations on public and private properties in town. Mr. Mitchell spoke about a cost benefit analysis for the treatment plant. Selling tax credits, an estimate of potential solar production at the treatment plant, and installation locations were discussed. It was noted Property Assessed Clean Energy (PACE) for energy improvement districts was approved by the legislature for commercial enterprise but not governmental or residential installations. Opportunities for grants and for Federal participation at Transit will be explored.

UNFINISHED BUSINESS:

1. Ordinance to vacate a portion of Hickory St. and deed two segments of Girkin property to the City

Mr. Weaver said Mr. Epley is working on converting the hand written descriptions to maps and they have not been reviewed. It was agreed Mr. McClung would assist in clarifying steps to be taken to complete the maps.

2. Ordinance No. 2244 1% Sales Tax – amendment and 3rd reading

Mr. Mitchell moved to discuss. Ms. Schneider seconded. The addition of a new section in both pending ordinances was noted. Adding the word "improvements" in two places in Section 5 was suggested.

Mr. DeVito moved to amend Ordinance No. 2244 and read the new Section 2. (sunset clause). He also added the word "improvements" after the word "Auditorium's" and after the word "infrastructure's" in Section 5 and read that section. Ms. Schneider seconded. A roll call voted followed.

Motion carried 6/0/0. Mr. DeVito moved to suspend the rules and place Ordinance No. 2244 on its third reading as amended. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Ordinance title.

Mr. DeVito moved to approve Ordinance No. 2244 on its third reading. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0.

Mr. DeVito moved to invoke the emergency clause. Mr. Mitchell seconded. Discussion followed regarding the reason for an emergency clause and when collections would begin if the tax passes. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Emergency Clause.

3. Ordinance No. 2245 Ballot Title – 3rd reading

Mr. DeVito moved to discuss. Mr. McClung seconded. Mr. DeVito moved to amend Ordinance No. 2245 and read the new Section 2. (sunset clause). He also added “August 8, 2016” to Section 1. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0.

Mr. DeVito moved to suspend the rules and place Ordinance No. 2245 as amended on its third reading by title only. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Ordinance title.

Mr. DeVito moved to approve Ordinance No. 2245 on its third reading. Ms. Schneider seconded. A roll call vote followed.

Motion carried 6/0/0.

Mr. DeVito moved to invoke the emergency clause. Ms. Schneider seconded.

Mr. Thomas apologized to the citizens for his not having been aware of the deadlines and getting the ordinances done on a timely basis.

Mr. Mitchell spoke in favor of keeping citizens apprised of relevant facts and why the increase is being requested.

A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Emergency Clause.

AGENDA SETTING:

Mr. DeVito added outlawing smoking in all City parks. Mr. Mitchell seconded.

CITY COUNCIL COMMENTS:

Mr. McClung said he’s looking forward to the Cate Brothers on Saturday in the Park. He said the Brubeck Quartet will be here in September.

Mr. Mitchell welcomed Ms. Kendrick to the table.

Ms. Schneider noted The Eureka starts on Friday. She’ll be donating proceeds from her homemade energy bars to the Disable American Veterans.

Ms. Kendrick said she looks forward to working with all members of the Council, Mayor, and City Clerk and to serving Eureka Springs.

MAYOR’S COMMENTS:

Mayor Berry spoke about the workshop on Food Trucks and said an ordinance will be prepared for discussion.

He spoke about the perception of waste in the government and his belief the City is operating as efficiently as possible in all departments. Information on cost overruns on the sewer plant construction ten years ago and payment of bond issues will be made available to the public to clarify the need for the tax increase.

Upcoming events were announced.

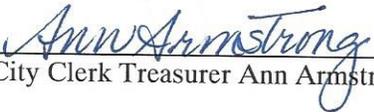
ANNOUNCEMENT:

Nick Samac was announced as the new Fire Chief.

ADJOURNMENT:

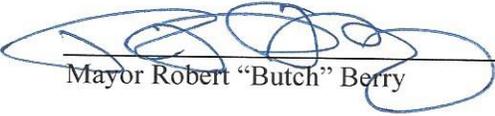
Mr. DeVito moved to adjourn. Mr. McClung seconded.
Motion carried 6/0/0. The meeting ended at 7:50 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry