

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

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

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

**Planning – Summary of 2015, and goals for 2016  
CAPC  
Hospital – Pos. 1 – vacant – expires 6/1/18  
Parks – Pos. 1 – vacant -- expires 5/1/17  
HDC – Summary of 2015, and goals for 2016  
Cemetery – Pos. 2 – vacant – expired 2/15/18 – application from Peg Adamson  
Pos. 4 – vacant – expires 2/15/17**

**PUBLIC COMMENTS:**

**UNFINISHED BUSINESS:**

1. Ordinance No. 2236 – Home Occupation CUPs – 2<sup>nd</sup> reading
2. Ordinance No. 2237 – Home Storage of Contractor Materials – 2<sup>nd</sup> reading

**NEW BUSINESS:**

1. Ordinance for re-zoning 120 S. Main from R-1 to C-1 – Mr. DeVito and Mr. Mitchell
2. Resolution for Valic employee retirement plan – Mayor Berry
3. Ordinance for adjusting EMS fees – Mayor Berry
4. Financial reports – Mr. Mitchell and Ms. Schneider

**AGENDA SETTING**

**CITY COUNCIL COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

**CITY OF EUREKA SPRINGS**

**CITY COUNCIL**

**REGULAR MEETING**

**MONDAY**

**FEBRUARY 8, 2016**

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

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

**ABSENT:** James DeVito (with notice)

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

Mayor Berry led the Pledge.

**APPROVAL OF THE AGENDA:**

Mr. McClung moved to approve. Ms. Schneider seconded. Mr. Mitchell added discussion of financial reports to New Business. Ms. Schneider seconded. Mr. McClung moved to approve the amended agenda. Mr. Mitchell seconded.

Motion carried 5/0/0.

**APPROVAL OF THE MINUTES: January 25, 2016**

Ms. Schneider moved to approve. Mr. McClung seconded.

Motion carried 5/0/0.

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

**Planning** – Chair Steve Beacham summarized plans for the coming year. He noted the new zoning map will allow high resolution viewing of lots. The Arkansas Planning Association will hold training for commissioners. Mr. Beacham spoke briefly about the City Development Committee, food trucks, tour homes, light industry, and traffic flow. Public input was encouraged.

**CAPC** – No report

**Hospital** – One vacant position

**Parks** – One vacant position

**HDC** – Chair Dee Bright reviewed the Commission's mission. She touched on the recent workshop regarding roofs. Ms. Bright referenced programs through which technical assistance and grant funds are available, and assistance provided for restoration of the St. James bell tower and Carnegie Library steps. She spoke of tax credits for restoration of contributing buildings.

**Cemetery** – Mayor Berry said an application from Peg Adamson has been received and will be taken up at the next meeting.

**PUBLIC COMMENTS:** none

**UNFINISHED BUSINESS:**

**1. Ordinance No. 2236 – Home Occupation CUPs – 2<sup>nd</sup> reading**

Mr. McClung moved to suspend the rules and place Ordinance No. 2236 on its second reading by title only. Ms. Schneider seconded. A roll call vote followed.

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

Mr. McClung moved to delete the verbiage as requested by the City Attorney. Ms. Schneider seconded. Mr. Weaver noted the change would allow proper placement in Code.

Motion carried 5/0/0.

Mr. McClung moved to approve Ordinance No. 2236 on its second reading. Ms. Schneider seconded.

Motion carried 5/0/0.

**2. Ordinance No. 2237 – Home Storage of Contractor Materials – 2<sup>nd</sup> reading**

Mr. McClung made a motion to suspend the rules and place Ordinance No. 2237 on its second reading by title only. Ms. Schneider seconded. A roll call vote followed.

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

Mr. McClung moved to approve Ordinance No. 2237 on its second reading. Ms. Schneider seconded.  
Motion carried 5/0/0.

#### **NEW BUSINESS:**

##### **1. Ordinance for re-zoning 120 S. Main from R-1 to C-1**

Mr. McClung moved to discuss. Ms. Schneider seconded. Mr. McClung moved to give the ordinance a number and place it on its first reading. Ms. Schneider seconded.

Motion carried 5/0/0. Ms. Armstrong read **ORDINANCE NO. 2238 AN ORDINANCE AMENDING THE ZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS OF EUREKA SPRINGS, ARKANSAS, BORDERED PARTIALLY BY WEST MAIN STREET AND ARMSTRONG STREET.**

Mr. McClung moved to approve Ordinance No. 2238 on its first reading. Ms. Schneider seconded.

Motion carried 5/0/0.

Mr. McClung moved to suspend the rules and place Ordinance No. 2238 on its second reading by title only. Ms. Schneider seconded. A roll call vote followed.

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

Mr. McClung moved to approve Ordinance No. 2238 on its second reading. Ms. Schneider seconded.

Motion carried 5/0/0.

##### **2. Resolution for VALIC employee retirement plan**

Mayor Berry confirmed there is no change in the plan and this is a standard order of business. Mr. Mitchell moved to assign the resolution a number and read it for passage. Ms. Schneider seconded. A roll call vote followed.

Motion carried 5/0/0. Ms. Armstrong read **RESOLUTION NO. 675 A RESOLUTION AUTHORIZING AMENDMENT AND RESTATEMENT OF RETIREMENT PLAN VIA ADOPTION OF VALIC RETIREMENT SERVICES COMPANY RETIREMENT PLAN FOR GOVERNMENTAL EMPLOYERS.**

##### **3. Ordinance for adjusting EMS fees**

Mr. McClung moved to discuss. Mr. Mitchell seconded. Mayor Berry provided a list of current and proposed fees.

Fire Chief Randy Ates estimated a potential revenue increase of \$10,000 – \$20,000 annually. He spoke about standby fees, commercial incidents, hazardous material incidents, and facility assists. Chief Ates also noted some of the proposed fees are above Medicare and Medicaid caps. He spoke about private and secondary insurance, new permit fees, mileage charges, and nuisance calls. Mr. Mitchell complimented Chief Ates on his work on the issue.

Ms. Schneider moved to assign the ordinance a number and read it for the first time. Mr. Mitchell seconded.

Motion carried 5/0/0. (The Ordinance No. will be corrected at the next meeting since 2238 was used for the re-zoning ordinance.) **ORDINANCE NO. (2239) AN ORDINANCE AMENDING SECTION 2.44.09, REGARDING FIRE & EMS FEES AND PERMITS.**

In response to Mr. Thomas' question regarding billing, Chief Ates confirmed residents' bills will be cut to whatever their insurance would pay. For non-residents, the patient would be billed for the difference as allowable by law.

Mr. McClung motioned to approve Ordinance No. (2239) on its first reading. Ms. Schneider seconded.

Motion carried 5/0/0.

##### **4. Financial reports**

It was agreed to have workshops at 5:30 p.m. before the second Council meeting of each month to review finances, beginning in March 2016.

**AGENDA SETTING:** no additions

#### **CITY COUNCIL COMMENTS:**

Ms. Zeller said Love in a Small Town has been released answering the question, "What's it like to live here?"

Ms. Schneider expressed her views about the person who shot a doe illegally and did not track her. She said the doe is recuperating in the Schneiders' yard.

**MAYOR'S COMMENTS:**

Mayor Berry read a list of upcoming events.

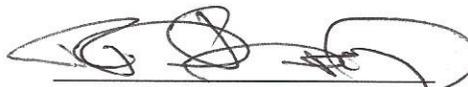
**ADJOURNMENT:**

Mr. McClung moved to adjourn. Mr. Mitchell seconded.  
Motion carried 5/0/0. The meeting adjourned at 6:55 p.m.

**ATTEST:**

  
Clerk Treasurer Ann Armstrong

**APPROVED:**

  
Mayor Robert "Butch" Berry