

5:15 Budget workshop

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, September 26, 2016 6 p.m.
AGENDA**

**CALL TO ORDER
ROLL CALL, ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE
APPROVAL OF THE AGENDA
APPROVAL OF THE MINUTES: September 12, 2016**

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning

CAPC – Pos. 4 – vacant – expires 6/30/20

Hospital – Pos. 4 – vacant – expires 6/1/16

Parks

HDC

Cemetery – Pos. 5 – vacant – expires 2/15/17

PUBLIC COMMENTS:

NEW BUSINESS:

1. Update from the CAPC on plans for the Auditorium – Mr. Mitchell and Ms. Schneider
2. Discussion of applications for commission seats – Mr. Thomas and Mr. Mitchell
3. 2nd quarter financial report – A.C.A. 14-43-506
4. Annual ordinance for real and personal property taxes – Mayor Berry
5. Resolution for Police Department grant

UNFINISHED BUSINESS:

1. Ordinance No. 1628 Lands under the Jurisdiction of Parks, and proposals with supporting documents – Ms. Kendrick and Mr. DeVito

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR COMMENTS

ADJOURNMENT

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

MONDAY

SEPTEMBER 26, 2016

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6 p.m. Monday, September 26, 2016 in the jury room in the Western District Carroll County Courthouse.

PRESENT: Mayor Berry, Aldermen Bob Thomas, David Mitchell, Mickey Schneider, Terry McClung, James DeVito, Kristi Kendrick, 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 the agenda. Mr. McClung seconded. Mayor Berry added a resolution for a grant for the Police Department. Mr. DeVito moved to approve the agenda as amended. Mr. McClung seconded.

Motion carried 6/0/0.

APPROVAL OF THE MINUTES: September 12, 2016

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

Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – No report

CAPC – Mayor Berry said there was a new application for Damon Henke. Mr. McClung made a motion to appoint Damon Henke to the CAPC. Mr. DeVito seconded. Mr. Thomas called point of order and said it was the same motion made a month ago and (Council) is in the same session, so it is not appropriate.

Mayor Berry said, in his opinion, it was a new application and could be submitted. He noted Council could override the decision. Mr. Weaver concurred. Mr. DeVito said the CAPC has the authority to appoint whom they want and went to extraordinary lengths to reappoint Mr. Henke to the Commission.

Ms. Kendrick suggested that Mr. McClung withdraw his motion and said she was prepared to make a motion to confirm CAPC's nomination. The motion and second were withdrawn. Ms. Kendrick made a motion that the Council confirm the CAPC's nomination of Damon Henke. Mr. McClung seconded.

Mr. Mitchell expressed concern about the Chamber website that had Mr. Henke's lodgings at the top of the search options while he served there as Interim Director. Mr. Mitchell spoke about some feedback from a Chamber employee and Mr. DeVito called point of order, saying it was hearsay and innuendo. Mr. Mitchell pressed on, addressing self-promotion.

Ms. Kendrick spoke about previous hesitance to renew the nomination, beliefs in how the CAPC must fund and book the Auditorium, and her present support of Mr. Henke.

Discussion continued regarding the timeframe for the application, absence of restriction in the CAPC application process, and Mr. Henke's contributions to the Commission. Public perception, increased CAPC tax collections, and the five and ten year plans being developed by the CAPC for the AUD were considered. An opinion from former Attorney General Dustin McDaniel supported Council approval of CAPC nominations.

Mr. Mitchell made a motion to postpone indefinitely the nomination of Damon Henke to the CAPC. Ms. Schneider seconded. Following Mr. Weaver's recommendation for a time period, Mr. Mitchell amended the motion to be "until January 2017." Ms. Schneider seconded the amendment. Mayor Berry assured Mr. McClung that Mr. Henke could stay in the seat. A roll call vote followed.

Motion carried 4/3/0 with Mr. McClung, Ms. Kendrick, and Mr. DeVito voting "No" and Mayor Berry voting "Aye" to carry.

Hospital – No report

Parks – No report

HDC – No report
Cemetery – No report

PUBLIC COMMENTS:

Damon Henke spoke about the upcoming consultant's report on the CAPC and his three destination marketing websites. He said he's excited about his Commission position and looks forward to helping with the economic development of the City,

NEW BUSINESS:

1. Update from CAPC on plans for the Auditorium

Ms. Schneider moved to discuss. Mr. Mitchell seconded. Mr. Mitchell requested a timeline to go with information prepared for the tax that will be on the ballot.

Mr. DeVito said the CAPC is going through a re-evaluation top to bottom and the five-to-ten year plan will be made available as soon as possible. The Commission seems amenable to converting the \$110,000 investment in the Auditorium, if the sales tax passes, to begin promoting events in the Auditorium. There are multiple infrastructure needs that will be addressed, as well as setting up a commission to oversee the disbursement of the tax funds.

Discussion followed regarding voters' perceptions of the lack of focus on the Auditorium, the long-time tug-of-war over who will take care of what concerning the Auditorium, and the tax as the revenue stream to keep it a viable location.

It was generally agreed to keep the topic on the agenda.

2. Discussion of applications for commission seats

Mr. Thomas moved to discuss. Mr. Mitchell seconded. Mr. Thomas favored not allowing an applicant to reapply for the same commission, same seat, for one year if approval was denied by Council. Opportunity for new people to serve on commissions, experience and training, and empty seats on Planning and Cemetery being filled by Council members were discussed.

Mr. Weaver spoke about the Mayor bringing forth the names of candidates for all commissions except the CAPC. The capping of service would be capped by Council's vote, not by which names come to the table.

3. 2nd quarter financial report

Mr. DeVito moved to discuss. Mr. McClung seconded. Receipts, disbursements by department, bank balances, bonds and debt service, and payroll for the first six months were provided. Ms. Armstrong encouraged Council members to review the detailed reports.

4. Annual ordinance for real and personal property taxes

Mr. Mitchell moved to discuss. Mr. DeVito seconded. Mayor Berry said there has been no increase in taxes. This was annual confirmation of the rate.

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

Motion carried 6/0/0. Ms. Armstrong read **ORDINANCE NO. 2248 AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF EUREKA SPRINGS, ARKANSAS**. Mr. DeVito moved to approve Ordinance No. 2248 on its first reading. Mr. McClung seconded.

Motion carried 6/0/0.

Mr. DeVito moved to suspend the rules and place Ordinance No. 2248 on its second reading by title only. Mr. McClung seconded. A roll call vote followed.

Motion carried 6/0/0. Ms. Armstrong read the Ordinance title. Mr. DeVito moved to approve Ordinance No. 2248 on its second reading. Mr. McClung seconded.

Motion carried 6/0/0. Mr. McClung moved to suspend the rules and place Ordinance No. 2248 on its third reading. Mr. DeVito seconded. Following brief discussion, the motion was withdrawn.

5. Resolution for Police Department grant

Mr. Mitchell motioned to discuss. Mr. DeVito made a motion to assign the resolution a number and pass it on reading. Mr. McClung seconded. A roll call vote followed.

Motion carried 6/0/0. Mayor Berry confirmed it was a 100% grant so no funds from the City were required to purchase the ballistic vests.

Ms. Armstrong read **RESOLUTION NO. 690 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A**

WESTERN ARKANSAS PLANNING AND DEVELOPMENT DISTRICT GRANT AND EXPRESSING THE WILLINGNESS OF THE CITY OF EUREKA SPRINGS TO UTILIZE THE MONIES TO PURCHASE PROTECTIVE GEAR FOR THE POLICE DEPARTMENT.

UNFINISHED BUSINESS:

1. Ordinance No. 1628 Lands under the Jurisdiction of Parks, and proposals with supporting documents

Mr. DeVito moved to discuss. Mr. McClung seconded. Ms. Kendrick sought Council reaction to the proposal.

Mr. DeVito made a motion for a workshop. Ms. Schneider seconded. Discussion followed regarding preparing a list of questions resulting from the workshop for the City Attorney, and providing a summary of the work done by the Land Bank Committee.

Motion carried 6/0/0.

AGENDA SETTING: no new items were added

CITY COUNCIL COMMENTS:

Mr. McClung received confirmation Council will meet on Columbus Day.

Mr. Mitchell noted the Library will be having a presidential debate viewing at the annex.

Ms. Schneider said she's slowly healing after the crash.

MAYOR'S COMMENTS:

Mayor Berry said he'd added some things to the draft ordinance prepared by Ms. Armstrong and Mr. Thomas, and sent it to the City Attorney. A workshop will be arranged for discussion.

He assured Council the CAPC feels the pressure and the importance of establishing the support of the CAPC for the Auditorium. It was his understanding funding would still come from the CAPC for programming after the tax passes.

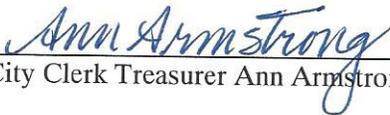
Mayor Berry read a list of upcoming events.

ADJOURNMENT:

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

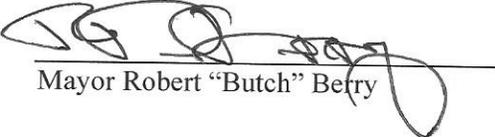
Motion carried 6/0/0. The meeting ended at 7:35 p.m.

ATTEST:



City Clerk Treasurer Ann Armstrong

APPROVED:



Mayor Robert "Butch" Berry