

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

MONDAY

DECEMBER 12, 2022

Mayor Robert “Butch” Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, December 12, 2022, in the Auditorium at 36 S. Main St.

PRESENT: Mayor Berry, Council members David Avanzino, Melissa Greene, Harry Meyer, Bill Ott, City Attorney Forrest Jacobi, and City Clerk Treasurer Ann Armstrong

ABSENT: Terry McClung and Autumn Slane (with notice)

PLEDGE OF ALLEGIANCE

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Mayor Berry called for a motion to approve the agenda. Mr. Meyer moved to approve the agenda. Mr. Ott seconded.

Motion carried 4/0/0.

APPROVAL OF THE MINUTES: November 28, 2022

The Mayor called for a motion to approve the minutes. Ms. Greene moved to approve the minutes for November 28. Mr. Ott seconded.

Motion carried 4/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – No report

CAPC – Two seats are open.

Hospital – No report

Parks – Applications from Rodd Gray for Positions 1 and from Mariellen Griffith for Position 3 were submitted. Votes will be taken at the next meeting. The Parks Director’s year-end report was provided.

HDC – An application from Kelli Ladwig for Position 5 was provided.

Cemetery – No report

PUBLIC COMMENTS

Susan Harman, 11 Summit, referenced Ord. No. 2173 that lists parking fines, each of \$20. It was her position the \$70 fine recommended by the Planning Commission for the Spring St. Parking District would avoid perceived bias from Police Officers. Ms. Harman favored clarity in the ordinance for the District.

Sharon Lawlor, from the Bridgeford House, said she believed their business is the only B&B in that section, and the proposed ordinance looks to be specifically directed to their business. Ms. Lawlor reiterated the impact of prohibiting use of public parking could be considered a taking of the business.

UNFINISHED BUSINESS

1. Ordinance for parking district on Spring St.

Mr. Meyer moved discuss. Ms. Greene seconded. The ordinance as amended at the last meeting was provided.

Ms. Greene was in support of a set fine. She spoke about multifamily housing and her recollection of requirements for parking. Ms. Greene moved to amend the (current draft) to add the (legal non-conforming) multifamily units. Following discussion, Ms. Greene agreed to do some research on the subject.

Ms. Greene moved to include in Ordinance 2332 a \$70 fine. Mr. Meyer seconded.

Mr. Jacobi explained how that would revoke all (parking) enforcement under the current Municipal Code, as understood by Chief Young and himself. Discussion continued regarding not putting a specific number.

Mr. Meyer withdrew the second and Ms. Greene withdrew the motion.

City Council 12/12/22 1

Mr. Meyer (moved to include) “not less than \$20 nor more than \$70.” Mr. Ott seconded. Mayor Berry added language regarding separate violations. Mr. Ott concurred.

Motion carried 4/0/0.

Following discussion about B&Bs that deserve parking, repairing King St. and how ordinances are written, it was agreed to postpone reading until the next meeting.

NEW BUSINESS

1. Ordinance to adjust procedure for paying City Attorney

Mayor Berry called for a motion to discuss. Mr. Ott said he so moved. Ms. Greene seconded.

Mr. Ott moved to give the ordinance a number and (place it on its first reading). Harry Meyer seconded. A voice vote followed.

Motion carried 4/0/0. The Clerk Treasurer read **ORDINANCE NO. 2333 AN ORDINANCE AMENDING SECTION 2.32.05 OF THE EUREKA SPRINGS MUNICIPAL CODE ESTABLISHING THE SALARY FOR THE CITY ATTORNEY OF THE CITY OF EUREKA SPRINGS.**

Mr. Meyer moved to approve. Mr. Ott seconded. A voice vote was taken.

Motion carried 4/0/0.

Mr. Meyer moved to suspend the rules and read Ordinance No. 2333 by title only. Ms. Greene seconded. A roll call vote followed.

Motion carried 4/0/0. The Ordinance title was read.

Mr. Meyer moved to approve Ordinance No. 2333 on its second reading. Mr. Ott seconded.

Motion carried 4/0/0.

Mr. Meyer moved to suspend the rules and read Ordinance 2333 on its third reading by title only. Mr. Ott seconded. A roll call vote was taken.

Motion carried 4/0/0. The Ordinance title was read.

Mr. Ott moved to approve. Ms. Greene seconded. A roll call vote followed.

Motion carried 4/0/0.

Ms. Greene moved to invoke the emergency clause and to read it. Mr. Meyer seconded. A roll call vote followed.

Motion carried 4/0/0. The emergency clause was read.

2. Ordinance to adjust procedure for paying City Prosecuting Attorney

Mayor Berry called for a motion to assign the next ordinance a number. Mr. Ott moved to assign the next ordinance regarding the Prosecuting Attorney a number and put it on its first reading. Mr. Meyer seconded. A voice vote followed.

Motion carried 4/0/0. **ORDINANCE NO. 2334 AN ORDINANCE AMENDING SECTION 2.33.05 OF THE EUREKA SPRINGS MUNICIPAL CODE ESTABLISHING THE SALARY FOR THE CITY PROSECUTING ATTORNEY OF THE CITY OF EUREKA SPRINGS** was read.

Mr. Meyer moved to approve. Mr. Ott seconded.

Motion carried 4/0/0.

Mr. Meyer moved to suspend the rules and read Ordinance No. 2334 on its second reading by title only. Ms. Greene seconded. A roll call vote followed.

Motion carried 4/0/0. The Ordinance title was read.

Mr. Meyer moved to approve Ordinance No. 2334 on its second reading. Mr. Ott seconded. A voice vote followed.

Motion carried 4/0/0.

Mr. Ott moved to suspend the rules and place Ordinance No. 2334 on its third and final reading by title only. Mr. Meyer seconded. A roll call vote was taken.

Motion carried 4/0/0. The Clerk Treasurer read the Ordinance title.

Mr. Ott moved to approve Ordinance No. 2334 on its third reading. Mr. Meyer seconded. A roll call vote followed.

Motion carried 4/0/0.

Ms. Greene moved to invoke the emergency clause and read it. Mr. Ott seconded. A roll call vote was taken.

Motion carried 4/0/0. The emergency clause was read.

AGENDA SETTING: No new items were added.

COUNCIL COMMENTS

Mr. Ott said the following Saturday would be the last day for Santa in the Park and thanked the citizens of Eureka Springs for allowing him to serve.

Mr. Avanzino encouraged business owners experiencing a slow time to stick with it because things will get better.

Ms. Greene said it is an honor to serve on (Council) and take care of the citizens and businesses.

Mr. Meyer wished everyone a Good Holiday.

MAYOR COMMENTS

Mayor Berry thanked Mr. Ott for his service on the City Council. He read an extensive list of upcoming Holiday events and wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

Mr. Ott moved to adjourn. Mr. Meyer seconded.

Motion carried 4/0/0. The meeting ended at 7:10 p.m.

ATTEST:



City Clerk Treasurer Ida Meyer

APPROVED:



Mayor Robert "Butch" Berry

