

5:15 – May 2020 budget review

<https://www.youtube.com/user/cityofeurekasprings/live>

**CITY OF EUREKA SPRINGS
COUNCIL MEETING
Monday, June 22, 2020
6 p.m.
AGENDA**

CALL TO ORDER

ROLL CALL, ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: June 8, 2020

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning

CAPC –

Hospital – Vote on application from **Jean Reed, RN** – Pos. 2

Parks – Pos. 7 – **vacant** – expires 5/1/25.

HDC

Cemetery

PUBLIC COMMENTS: 3 minutes per speaker

UNFINISHED BUSINESS:

1. Decision regarding temporary Entertainment District application – Mayor Berry
2. Plan for dealing with speeding on East Mountain – Mayor Berry

NEW BUSINESS:

1. Discussion of request to impose an administration fee on Level III applications – Historic District Commission
2. Discussion of Planning Commission workshop and Parks workshop – Ms. Greene and Ms. Schneider
3. Discussion of agenda setting process – Mr. Thomas and Mr. Meyer
4. Cities are essential resolution – Mayor Berry for the Municipal League
5. Resolution for fireworks on July 3rd – Mr. McClung and Ms. Harman
6. Resolution regarding masks – Mayor Berry

AGENDA SETTING

CITY COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

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

MONDAY

JUNE 22, 2020

Mayor Robert "Butch" Berry called the regular meeting of the Eureka Springs City Council to order at 6:00 p.m. Monday, June 22, 2020 in the Auditorium at 36 S. Main St.

PRESENT in person: Mayor Berry, Council members Bob Thomas, Melissa Greene, Harry Meyer, Terry McClung, Susan Harman, Mickey Schneider, and City Clerk Treasurer Ann Armstrong
PRESENT remotely: City Attorney Tim Weaver

PLEDGE OF ALLEGIANCE:

Mayor Berry led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mayor Berry called for a motion to approve the agenda. Ms. Greene said she so moved. Ms. Harman seconded. The Mayor postponed New Business #1 and added a resolution about face masks in Eureka Springs. He called for a motion to approve the amended agenda. Ms. Greene said she so moved. Mr. Meyer seconded.
Motion carried 6/0/0.

APPROVAL OF THE MINUTES: June 8, 2020 and June 15, 2020

Mayor Berry called for a motion to approve the minutes for June 8. Mr. McClung said he so moved. Mr. Meyer seconded.

Motion carried 6/0/0. Mayor Berry requested a motion for special meeting (minutes) on June 15. Mr. McClung said he so moved. Ms. Schneider seconded.
Motion carried 6/0/0.

COMMISSION, COMMITTEE, AUTHORITY REPORTS AND EXPIRED TERMS:

Planning – Ms. Greene moved to reinstate Ann Sallee for position 1 on the Planning Commission. Ms. Schneider seconded.
Motion carried 6/0/0.

Ms. Greene moved to reinstate Mark Hicks for position 3. Mr. McClung seconded.
Motion carried 6/0/0.

CAPC – No report

Hospital – Ms. Schneider made a motion to accept the application from Jean Reed for the Hospital Commission. Ms. Greene seconded.
Motion carried 6/0/0.

Parks – Position 7 is vacant and the term will expire on May 1, 2025.

HDC – No report

Cemetery – Bruce Wright submitted an application. The vote will take place at the next meeting.

PUBLIC COMMENTS:

Leon Bert, 15 East Mountain, wrote a letter of thanks acknowledging speedy resolution of the East Mountain Drive speeding problem.

Dee Rude wrote asking at what cumulative number of positive Covid-19 cases in Carroll County will the Mayor, Council and the merchants require the wearing of masks. It was Dee's position the only tool we have available to control the pandemic is the mask. "Wear it!"

UNFINISHED BUSINESS:

1. Decision regarding temporary Entertainment District application

Mr. Meyer said he'd make a motion. Ms. Greene seconded. Mayor Berry spoke of the application considered at the last meeting, noting it was not the one denied but another with a smaller district. It was denied based on the need for two officers and the petition against the Permanent Entertainment District.

2. Plan for dealing with speeding on East Mountain

It was noted there is a 15 mph zone from Water St. (the bottom of Flint) to Hwy. 62 and the speed bumps have been reinstalled. The radar unit is inoperable at this time.

NEW BUSINESS:

1. Discussion of request to impose an administration fee on Level III HDC applications

Postponed during approval of the agenda

2. Discussion of Planning Commission workshop and Parks workshop

Ms. Greene moved to discuss. Ms. Harman seconded. Ms. Greene expressed her belief things are changing for the better and asked to entertain having a workshop on the tree ordinance with Planning and another workshop with Parks on their finances. Mayor Berry said he'd see what can be set up with both of the Commissions.

Mr. Thomas requested answers to the questions that were submitted to Parks several months ago.

3. Discussion of agenda setting process

Ms. Harman moved to discuss. Ms. Greene seconded. Mr. Thomas spoke about how items were added to the agenda in the past. He explained the reasoning and, after some amending, moved to say that a Council person can add with no second, until the close of business Monday prior to a meeting. It would go on the agenda that is published. Council would still require a second at the table to keep it on the agenda. Ms. Greene seconded.

Motion carried 6/0/0.

4. Cities are essential resolution

Mayor Berry called for a motion to discuss. Ms. Greene said she so moved. Mr. Meyer seconded. The resolution was prepared by (attorneys at) the Municipal League for emergency support (federal funding) in rebuilding the economy.

Ms. Greene moved to assign the resolution a number and read it into passage. Ms. Schneider seconded. A roll call vote was taken.

Motion carried 6/0/0. **RESOLUTION NO. 778 EUREKA SPRINGS IS ESSENTIAL: IN SUPPORT OF FAIR, DIRECT FEDERAL EMERGENCY SUPPORT TO REOPEN AND REBUILD LOCAL AMERICAN ECONOMIES** was read.

5. Resolution for fireworks on July 3

Mr. McClung moved to discuss. Ms. Harman seconded. Discussion followed regarding local feedback, effect on pets, COVID cases increase, and having fireworks for a period of time rather than once.

City Attorney Tim Weaver weighed in to confirm it is only a resolution for a very limited purpose and a change in the law.

Mr. Thomas moved to amend the resolution to provide for a professional fireworks company with a \$1 million liability policy. Ms. Harman seconded.

Mr. Weaver suggested adding to Section 1, "Fireworks shall only be ignited by a licensed pyrotechnic company with sufficient proof of liability insurance of \$1 million." The words "of volunteers assisted by city personnel" were removed and replaced by "under the direction of city personnel." A voice vote on the amendment followed.

Motion carried 4/2/0 with Ms. Greene and Ms. Schneider voting "No."

Mr. McClung moved to assign the resolution, as amended, a number and to read it for passage. Ms. Harman seconded.

Following an impassioned comment from Ms. Schneider, Mr. McClung called the question. Ms. Harman seconded. The Mayor called for a roll call vote.

Several at the table understood the vote as being on the resolution rather than on calling the question.

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

6. Resolution for masks during the COVID pandemic

Ms. Harman moved to discuss. Ms. Greene seconded. The Mayor spoke about ordinances that have been written that are unenforceable and noted the Governor's mandate is not to be superseded. The resolution is to encourage people to wear masks in public places.

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

Motion carried 6/0/0. **RESOLUTION NO. 779 A RESOLUTION BY THE CITY OF EUREKA SPRINGS ENCOURAGING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC** was read.

AGENDA SETTING:

Ms. Harman added rules and guidelines for Council members during meetings. Ms. Greene seconded.

CITY COUNCIL COMMENTS:

Mr. Thomas expressed concern for disparaging others who think differently.

Ms. Greene spoke about the record crowds in town and the importance of tax revenue.

Ms. Schneider congratulated her daughter in law for passing her (U.S.) citizenship test.

Ms. Harman spoke about the expectations for respect at the Council table.

Mr. McClung said he was disappointed with the vote but he respects because it's part of the deal.

MAYOR'S COMMENTS:


Mayor Berry thanked Council for the two resolutions that passed.

ADJOURNMENT:

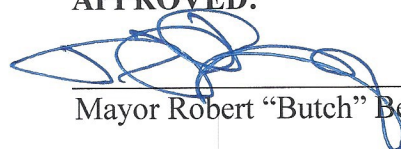
Mr. McClung moved to adjourn. Ms. Greene seconded.

Motion carried 6/0/0. The meeting ended at 7:26 p.m.

ATTEST:


City Clerk Treasurer Ann Armstrong

APPROVED:


Mayor Robert "Butch" Berry

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