

COTTER CITY
COTTER COUNCIL REGULAR MINUTES
August 22, 2024
6:00 p.m.
COUNCIL CHAMBERS

The Regular meeting of the Cotter City Council was called to order at 6:00 p.m. and roll call was taken by Mayor Caradine. Present were: Council Members Chuck Sugg, Joe Bass, Carolyn Gill, Mertice Kray, Ben Woodard, and Linda McCarthy.

The invocation was given by Councilwoman Mertice Kray followed by the recitation of the Pledge of Allegiance by all present.

REPORTS

In the first order of New Business, Councilwoman Carolyn Gill moved to accept the minutes of a meeting of the City of Cotter, Arkansas, City Council held on July 25, 2024, with a second provided by Councilman Joe Bass. **Motion passed unanimously.**

July Financials were included in the packets
Public Works Department Report was given by Justin Morrow
Fire Department Report was given by Chief Lyle Jack
Police Department Report was given by Sergeant Michael Patterson
Building Permit Report was given by Andrea Kray
Planning & Zoning Commission Report-none at this time
Cotter/Gassville Sewer Commission was given by Carolyn Gill
Tree Advisory Board Report-none at this time

UNFINISHED BUSINESS

In the first order of Unfinished Business, Councilwoman Mertice Kray moved to table Ordinance 2024-07 - An Ordinance Establishing Construction Permit Application and Fees with a second provided by Councilman Ben Woodard. **Motion passed unanimously.**

NEW BUSINESS

In the first order of New Business, Council considered Resolution 2024-16 – A Resolution adopting Baxter Country 2023 Hazardous Mitigation Plan prepared by NWAEDD. Councilman Joe Bass moved to pass Resolution 2024-16 – A Resolution adopting Baxter Country 2023 Hazardous Mitigation Plan prepared by NWAEDD with a second provided by Councilman Chuck Sugg. **Motion passed unanimously.**

In the second order of New Business, Council considered Resolution 2024-17 - Consider Resolution 2024-17 to set the annual tax levy (Mills) assessed in 2024 to be collected in 2025. Councilwoman Linda McCarthy moved to pass Resolution 2024-17 - Consider Resolution 2024-17 to set the annual tax levy (Mills) assessed in 2024 to be collected in 2025 with a second provided by Councilman Ben Woodward. **Motion passed unanimously.**

In the third order of New Business, the Cotter-Gassville Chamber of Commerce representatives Jason Nazarenko and Karen Montgomery presented Council a three year in the making new City logo for use in banners and signage around town. The Chamber has set aside a \$7000 budget for material expenditures for the rebranding of the City's signage and light post banners and flags.

In the fourth order of New Business, local ambassadors of our community addressed Council proposing a Historic Entertainment District being designated in the Downtown Area of Cotter call the "Cotter River District". Jason Nazarenko invited Sheriff Montgomery, Mayor Adams of Mountain Home, and City Attorney Roger Morgan as guests to answer questions as Mountain Home has had an Entertainment District. He explained that the Cotter River District mirrors the current Commercial and Multiple Use Zones in the downtown area and doesn't not include any portions of either park near the vicinity. He then invited Nicole Hatchet to address Council. She shared her perspective as a business owner and hopes this endeavor brings

about a surge of economic development from citizens and tourists alike. Her vision is to promote Cotter's history while promoting the future.

Discussion to the purchase of alcohol and walking around with open containers was addressed. The cup must be only 16 oz and clearly marked with a label approved by the City. Public intoxication was addressed and festival and event organizers will pay a fee of \$250.00 per event and must provide their own security and traffic control.

John Montgomery stated he had lots of questions with their Entertainment District 5 years prior as they were the first in Arkansas. He stated he hasn't had one complaint or issue from the District in all that time. He also states that he is a resident of Cotter and he personally wouldn't want to live anywhere else. He asks as a citizen that Council support the Ordinance.

Mayor Adams stated that the Entertainment District hasn't been a problem and has been a positive thing. It has increased property values and met the need of providing tourists after hour opportunities after spending the day on the lakes to spend money in the town. He further states that Cotter won't see the benefits overnight, but the City will see benefits.

Jane Hatchet adds that Mayor Adams has expanded the Entertainment District by 2 blocks and has extended the hours from only evenings to daytime hours.

Mayor Caradine stated he loved Jason's vision and that he and his wife, Julia, has this same vision when first moving to Cotter. He feels the need for slow growth and sees the opportunity of establishing the Entertainment District. He stated he encouraged Jason Nazarenko and the committee to work with the City Attorney Roger Morgan to draft this Ordinance and then he himself worked with Roger Morgan to add to the Ordinance.

Bob Zdora stated he used to own Our Cotter Cabin on Combs and he former VRBO/Air BnB guests wanted something like this when visiting the area.

As Jason Nazarenko was unaware of the changes Mayor Caradine proposed, so Mayor Caradine asked Jason to read the Ordinance paragraph by paragraph, so Council members could ask questions.

Discussion was had about cups and labels. Mayor Caradine suggested placing a date on the label for the day it was issued, but that solution isn't listed anywhere in the Ordinance.

1. A question was asked about stopping people from going to their cars and refilling from a personal bottle. The answer is you can't stop them.
2. Will signage will be placed in the District designation the area? Yes, it will.

Councilman Joe Bass asks if events are occurring in the Big Spring Park, could people come up to the Entertainment District and get their drinks and head back down to the park? No, it is two separate events and open containers aren't allowed out the Entertainment District area.

Sharon Kaster asked whose responsibility is it if people are over served? It was explain that no business would possible risk their insurance by overserving patrons.

Hearing no further discussion, Mayor Caradine proceeded with the Agenda.

In the fifth order of New Business, Council considered placing Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District" on its 1st reading by title only. Councilman Ben Woodard moved to place Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District" on its 1st reading by title only with a 2nd provided by Councilwoman Linda McCarthy. **Motion passed 5 in favor with 1 Councilwoman Mertice Kray opposed.**

Recorder/Treasurer Andrea Kray read Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District". She then stated that this was its 1st reading by title only and without an Emergency Clause, this Ordinance would be placed on the September Agenda for consideration of its 2nd reading.

Councilwoman Linda McCarthy interjected by moving to "Suspend the Rules" and to place Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District" on its 2nd reading by title only. Councilman Chuck Sugg seconded this motion. Mayor Caradine then called for a vote. Councilmen Chuck Sugg and Ben Woodard and Councilwoman Linda McCarthy all voted in favor and Councilwomen Mertice Kray and Carolyn Gill voted against. Councilman Joe Bass did not verbally or physical cast a vote at this point in the process. He was unclear on the voting process and asked about the suspension of the rules. City Attorney Roger Morgan explained that a 2/3 vote was needed to suspend the rules to place this Ordinance on its second reading. Recorder/Treasurer Andrea Kray explained that he could abstain, but that an abstention was basically a "no" vote and the motion would fail.

Mayor Caradine again called for a vote on the open motion. Councilmen Chuck Sugg, Joe Bass, Ben Woodard and Councilwoman Linda McCarthy all voted in favor and Councilwomen Mertice Kray and Carolyn Gill voted against. **Motion carried.**

Councilman Chuck Sugg then moved to "Suspend the Rules" and to place Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District" on its 3rd reading by title only with a second provided by Councilwoman Linda McCarthy. Councilmen Chuck Sugg, Joe Bass, Ben Woodard and Councilwoman Linda McCarthy all voted in favor and Councilwomen Mertice Kray and Carolyn Gill voted against. **Motion carried.**

Councilman Chuck Sugg then moved to "Suspend the Rules" and adopt Ordinance 2024-08 - An Ordinance Establishing an Historic Entertainment District in the Downtown Cotter called the "Cotter River District" on its 3rd reading by title only with a second provided by Councilman Ben Woodard. Councilmen Chuck Sugg, Joe Bass, Ben Woodard and Councilwoman Linda McCarthy all voted in favor and Councilwomen Mertice Kray and Carolyn Gill voted against. **Motion carried.**

In the sixth order of New Business, Mayor Caradine asked Council to set a Public Hearing for September 26, 2024, at 6:00 pm for a grant application approval with the money to be used for the Youth Center. Councilman Ben Woodard moved to set a Public Hearing for September 26, 2024, at 6:00 pm with a second provided by Councilwoman Linda McCarthy. **Motion passed unanimously.**

INFORMATION

During Information Mayor Caradine shared that the paving on Harding Blvd Paving had been completed by ARDOT. Mayor is still collecting survey forms in support of the ARDOT Intersection Improvement Program Grant for a Traffic Light at Hwy 412. Forms need to be sent in by September 30, 2024. The Baxter Country Clerk's Office approved the petition referendum request for Off-Premises Alcohol Sales on Sunday for the November 5, 2024 ballot. The Cotter Farmer's Market in Big Spring Park every Saturday from 7 am – 5 pm. Email cotterfarmersmarket@gmail.com for more information. The City Council elections will be held on November 5, 2024. Mayor Caradine updated Council on the approved and pending grant projects. The next Coffee with the Mayor is scheduled for September 20, 2024, at 8:00 a.m. at Cotter Bridge Market, and the next Council Meeting is September 26, 2024.

SIGN-UP SHEET REQUESTS

Justin Morrow updated Council on the Down Syndrome Awareness BBQ Fundraiser. Sponsors are being gathered and he is looking for volunteers for parking. There will be a glow walk at 7:00 pm.

Justin Morrow updated Council on the Cotter's Farmers Market. It is rapidly growing and changing every weekend. He had people drive down from Branson and people visiting from the Washington state. He asked Council about adding railroad tie stairs down into the market and Council gave approval. He also thanked Shelia Wingard for the donation of the banners.

AUDIENCE ANNOUNCEMENTS

None at this time.

COUNCIL COMMENTS

Councilman Chuck Sugg states he is proud to be on Council. He is happy for the employees and can't find fault with anything. He thanks everyone for attending.

Councilman Joe Bass concurs what others are saying and loves the Cotter area. He is not moving as Cotter is a special place. He enjoys helping people like Sue Horn and feels Cotter has made a positive step.

Councilwoman Carolyn Gill explained that she wasn't against the Entertainment District and her no vote was because she felt this wasn't an emergency and the Ordinance didn't need to be passed as one.

Councilwoman Mertice Kray thanked everyone in attendance and shared she'd recently visited Sue Horn and what a precious citizen she was.

Councilman Ben Woodward thanked everyone for attending and is excited about the Entertainment District.

Councilwoman Linda McCarthy thanked everyone for attending and appreciated the work put into the presentations. She also shared she attended Tina Cole's "Are you grant ready?" training and learned a lot.

Councilwoman Mertice Kray moved to adjourn with a second provided by Councilman Ben Woodard. **Motion passed unanimously.** Meeting ended at 8:40 p.m.

APPROVED:


Mayor MacGeorge Caradine

ATTEST:


Recorder/Treasurer Andrea Kray