

CITY OF CHEROKEE VILLAGE, ARKANSAS
City Council Minutes
September 20, 1999

The regular monthly meeting was called to order at 1:00 PM Monday, September 20, 1999 by Mayor Marjorie Rogers. The meeting was held at City Hall.

ROLL CALL:

Answer Roll Call: Chuck Bartlett, Marty Betz, Dan Dennis, Louisa Relyea, Roger Radebaugh, Jay Torbit and Ray Torbit.

Absent: Tom Paul, Susan Maynard, City Clerk/Treasurer and Mark Johnson, City Attorney

MINUTES:

Motion to approve the August 17, 1999 minutes as presented was made by Louisa Relyea and seconded by Dan Dennis. With a voice vote of seven ayes, motion carried unanimously.

TREASURER'S REPORT:

Financial reports were reviewed and will be filed for audit.

CORRESPONDENCE:

None

REPORTS:

Airport: Mrs. Relyea reported the Airport Commission has decided to postpone the overlaying of the airport taxiway until next spring. They have received a 75/25 grant, and they have received a bid from Delta Paving. The Airport facilities were a factor in Century Telephone's moving from the area. She gave an update of several projects in various stages. She feels the airport is moving right along in the right direction.

Animal Control: Dan Dennis reported the Committee is in the process of hiring a new Animal Control Officer.

Budget: Roger Radebaugh presented an estimated 2000 budget. He explained this was only to see where we are now and where we may be next year. An official 2000 budget will be prepared and presented later this year. Jay Torbit asked if Mr. Pickens of Entergy had gotten back to us with estimated franchise fee figures. Mrs. Rogers reported he had not, but she would call him and see where they are.

Census: Ray Torbit reported he is waiting on supplies from the Census Bureau. There has been a good response from the public as to volunteering to help take the census. We will send a note to the Census Bureau with a list of census workers.

Committee for Future Building: No report.

Emergency Services: Mrs. Relyea reported the Department of Emergency Services has changed its name to Arkansas Department of Emergency Management. There will probably be separate sections for different disasters. The Committee met with a radioman regarding the installation of a warning siren system that is very expensive. An alternative option would be for the residents to purchase weather alert monitors. These machines emit a loud tone then broadcast the emergency warning. They also have a battery back up.

Environmental/City Promotion: Mr. Betz announced the Committee has spent a lot of time researching and preparing a mandatory waste pickup contract. They have received Mammoth Spring's document - they have a municipal water department, and each water hookup is assessed a waste pickup fee, with the water company doing the billing. The term "landfill legal" is very confusing. It is the Committee's understanding that lumber, building materials, bricks, paint and concrete cannot be put in a landfill. The question is "what do you do with construction materials"? He has talked with Tom Hrezo.

Mr. Betz presented a pamphlet "Burning trash: your health...up in smoke" which he got from Fayetteville. Also from the Mammoth Spring contract it was learned of the necessity of the contract hauler to go to the nearest state certified landfill. IESI is a state-certified landfill, but there are contractors in the City that don't use this landfill. ACE will still have the recycling truck in the grocery store parking lot every Tuesday from 9:30 - 12:30.

Investigation Committee for Election of S.I.D. Commissioners: Oral Henderson announced the Committee met and has been going through all materials given to them by Municipal League attorney Mr. Schoen. They are in the process of checking on costs of mailing ballots to landowners. The second ballot would have to go by registered mail. This would be an expensive process. Opinion Poll results: 196 poll ballots received, with 175 "Yes" votes (164 residents and 11 non-residents), 20 "No" votes (16 residents and 4 non-residents) and 1 "No Opinion" (resident). The Committee should have a report for the Council by the next regular Council meeting. There was discussion regarding the property tax removal - would this abolish S.I.D.? Mr. Henderson answered various questions regarding the election of S.I.D. Commissioners.

Municipal Development and Planning: Jay Torbit reported the Committee had its first meeting September 14. There are ten members, including Mr. Torbit: Don Arwood, Paul Cole, Jim Fenton, Oral Henderson, Jerome Norwood, Louisa Relyea, Ruth Reynolds, Eben Daggett and Bob Riederich. The Committee laid the groundwork for some rules.

Planning and Zoning: Barbara Hrezo introduced an ordinance to amend the Cherokee Village Zoning Code, Ordinance 99-2. There were two spelling corrections, and she answered various questions pertaining to this new ordinance. New commercial property to be developed on the Hiway is a boat showroom.

Police and Security: Dan Dennis reported the Police Commissioners will meet with Sheriff Powell, Judge Harold Crawford and Michelle Huff on October 1. The radio antennas will be placed on existing CV Water Work's water towers. Police Chief interviews are continuing.

Roads: Jay Torbit reported that the Road Committee would meet with S.I.D. as soon as S.I.D. forms a road committee.

Website: Mr. Henderson reported there is an additional fee of \$39.95 per year to register our website with 400 top search engines. This amount will be donated to the City. Motion to approve the payment by the City of an additional fee of \$39.95, not to exceed \$100 was made by Chuck Bartlett and seconded by Ray Torbit. With a voice vote of seven ayes, motion carried unanimously.

OLD BUSINESS:

Mayor Rogers reported on the "\$4,000 problem" with the state. She has written to all our senators and representatives and has received five letters in return. She is giving all correspondence to the papers, as with the post office.

Franchise fee ordinances have been tabled for now, as per the 2000, budget they are not needed.

NEW BUSINESS:

Mrs. Rogers asked Jay Torbit to read **An Ordinance for the adoption of rules and regulations concerning weapons use in the City of Cherokee Village, both Fulton and Sharp Counties, Arkansas.** Mayor Rogers declared the Ordinance open for discussion. After much discussion and changes to the document (spelling and grammar errors corrected), Louisa Relyea moved to waive the rules and place the Ordinance on its second reading, title only. Marty Betz seconded the motion. With a roll call vote of seven ayes, motion carried.

2nd Reading - Mr. Torbit read the Ordinance, title only.

Discussion -

Chuck Bartlett moved to waive the rules and place the Ordinance on its third and final reading, title only. Louisa Relyea seconded the motion. With a roll call vote of seven ayes, motion carried.

3rd and Final Reading - Mr. Torbit read the Ordinance, title only, for the third time.

Discussion -

After discussion – Shall this ordinance pass?

The Mayor called the roll:

Chuck Bartlett, yes; Marty Betz, yes; Dan Dennis, yes; Roger Radebaugh, yes; Louisa Relyea, yes; Ray Torbit, yes; Jay Torbit, yes.

Having been read three times, this Ordinance is declared passed.

It will be **Ordinance 99-12**.

Mrs. Rogers will check on bowhunting. There may need to be an additional ordinance for no hunting. Chuck Bartlett motioned to have the area game wardens come to a Council meeting and answer questions. Louisa Relyea seconded. With a voice vote of seven ayes, motion carried unanimously.

Mayor Rogers had Jay Torbit read the first reading of the new ordinance presented by Planning and Zoning, **An Ordinance to amend the Cherokee Village Zoning Code adopted by Ordinance 99-2 and for other purposes**. Mrs. Rogers asked for discussion and Mrs. Hrezo answered the council's questions. A motion was made by Chuck Bartlett to approve the first reading. Marty Betz seconded the motion. With a roll call vote of seven ayes, motion carried.

ANNOUNCEMENTS:

Ray Torbit had been asked if the City would like to be involved with the Festival of Lights for the Christmas season. It was decided that the City as such should not be involved, but Mayor Rogers asked that individuals think about volunteering to help.

Marty Betz made a motion to end "Alderman's Day" due to lack of public lack of interest. Chuck Bartlett seconded the motion. With a voice vote of seven ayes, motion carried unanimously.

City Council Working Session; Monday, October 4, 2:00 PM at City Hall
P.O.A. Meeting, Club Fair; Monday, October 11, 2:00 PM at Omaha Center
Quorum Court; Monday, October 11, Sharp County-6:00 PM, Fulton County-7:00 PM
City Council Meeting; Monday, October 18, 1:00 PM at City Hall

ADJOURNMENT:

Motioned to adjourn was made by Chuck Bartlett and seconded by Dan Dennis.

Meeting adjourned at 3:00 PM.

DATE: October 18, 1999

APPROVED: Marjorie Rogers
Marjorie Rogers, Mayor

ATTEST: Susan E. Maynard
Susan E. Maynard, Clerk/Treasurer