

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**City Council Minutes**  
**February 21, 2000**

The regular monthly meeting was called to order at 2:00 PM Monday, February 21, 2000 by Mayor Marjorie Rogers. The meeting was held at City Hall.

**ROLL CALL:**

Answer Roll Call: Chuck Bartlett, Marty Betz, Dan Dennis, Tom Paul, Roger Radebaugh, Louisa Relyea and Ray Torbit.  
Also Present: Susan Maynard, City Clerk/Treasurer and Mark Johnson, City Attorney  
Absent: Jay Torbit

**MINUTES:** Motion to approve the January 17 and February 1 minutes as presented was made by Mr. Betz and seconded by Mrs. Relyea. With a voice vote of seven ayes, 0 nays, motion carried unanimously.

**TREASURER'S REPORT:**

Financial reports were reviewed and will be filed for audit. Mrs. Maynard explained that per the Clerk's Handbook the Aldermen were to receive a Bank Reconciliation Report and Outstanding Check Report each month along with the other financial statements.

**CORRESPONDENCE:**

None

**REPORTS:**

**Police and Security:** Dan Dennis reported that the department has been working well with S.I.D. to backup the officers. We have purchased a 1999 Chevy Lumina as our third police car. It has 21,000 miles and has a purchase price of \$11,806.00. We are in the process of procuring five bulletproof vests through a Federal program. We have also started to advertise for Auxiliary Police.

**OLD BUSINESS:**

Mr. Bartlett gave a report of the history of the "Future Building Committee's" search for a City Hall building. Copy of which is attached. Dan Silberhorn, from the audience, gave a rebuttal. Much more discussion. Mrs. Rogers asked Mrs. Maynard to read Resolution 2000-02, **A Resolution for Authorization to Purchase Real Property**. Mr. Betz moved to accept the resolution. Mrs. Relyea seconded. Discussion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mrs. Relyea presented a resolution pertaining to the flood plain in Cherokee Village. Mrs. Rogers asked Mrs. Maynard to read Resolution 00-03. Mr. Dennis moved to accept the resolution. Mrs. Relyea seconded. Discussion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mrs. Relyea presented an ordinance establishing a flood damage prevention program. Mrs. Rogers asked Mrs. Maynard to read **An Ordinance approving and adopting an ordinance providing for the establishment of a flood damage prevention program for the City of Cherokee Village, Sharp and Fulton Counties, Arkansas, and for other purposes**. Mayor Rogers declared the Ordinance open for discussion. Mrs. Relyea moved to waive the rules and place the Ordinance on its second reading, title only. Ray Torbit seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

**2<sup>nd</sup> Reading** – Mrs. Maynard read the Ordinance, title only.  
Discussion –

Mr. Betz moved to waive the rules and place the Ordinance on its third and final reading, title only. Mr. Dennis seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

**3<sup>rd</sup> and Final Reading** – Mrs. Maynard 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; Tom Paul, yes; Roger Radebaugh, yes;  
Louisa Relyea, yes; Ray Torbit, yes.

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

It will be **Ordinance 00-02**.

Mr. Betz, representing the Environmental Committee, presented a contract for Solid Waste Collection Services from Independent Environmental Services, Inc. (IESI), copy attached. The term of the agreement shall be for 36 months with a target starting date of April 1, 2000. Residential pickup will be \$8.97 per month, per unit. Residences requiring back door pickup due to a physical limitation shall not incur any additional cost, provided a doctor's certificate verifying such limitation can be provided to the contractor. Residences desiring back door pickup or twice a week pickup shall be charged \$17.00 per month. Commercial accounts exceeding residential limits will be required to negotiate directly with the contractor. The contractor will bill and collect on residential accounts and remit 5% of the billing to the City for enforcement and administration costs. Any resident who will be away for at least four consecutive pickups may request not to be billed for these pickups. The contractor will also provide roll off containers for the City's annual Spring Cleanup at no charge. Mr. Bartlett made a motion to accept the contract as presented. Mrs. Relyea seconded. With a roll call vote of seven ayes, 0 nays, motion carried. Mr. Betz said the Committee will start the process of sending out notices to all residents of the City.

#### **NEW BUSINESS:**

Mrs. Rogers asked Mrs. Maynard to read Resolution 00-04, **A Resolution Appointing a Municipal Health Officer, Fixing His Duties; Declaring an Emergency and for Other Purposes**. Mr. Dennis moved to accept the resolution. Mr. Betz seconded. There was discussion regarding his duties. With a roll call vote of seven ayes, 0 nays, motion carried.

Barbara Hrezo, Planning & Zoning Commission Secretary, presented an Amendment to the building permit fee schedule. Mr. Johnson suggested we make up an Ordinance for this and action was tabled until the March meeting.

Mrs. Hrezo then presented an ordinance for business permits. Mayor Rogers had Mrs. Maynard read the first reading of **An Ordinance prescribing and establishing a permit and code to do business with the City of Cherokee Village, Arkansas; to levy an annual occupation fee for the carrying on of certain business, trades, occupations, industries, vocations, callings and professions within the City of Cherokee Village, Arkansas; establishing the time when such fee shall be paid, collection and enforcement thereof; provide supervision and regulation for the welfare and future development of the business community of the City of Cherokee Village, Arkansas; declaring an emergency and for other purposes**. Mrs. Rogers asked for discussion and Mrs. Hrezo answered the council's questions. It was decided to eliminate the emergency clause, have three separate readings and change Section 3 to Section 2. A motion was made by Chuck Bartlett to approve the first reading. Mrs. Relyea seconded the motion. With a roll call vote of five ayes, 2 nays, motion carried.

**ANNOUNCEMENTS:**

Mrs. Maynard reminded the Committee Directors to hand in a list of the committee's objectives and also to turn in an estimated time frame in which they will use their budgeted funds.

- Monday, March 6, 2:00 PM; Working Session, City Hall – Judge Crawford and our JP's will have a "Town Meeting"
- Tuesday, March 7 – Election of District 31 Senator
- Monday, March 13, Sharp Co. Quorum Court; 6:00 PM, Ash Flat
- Monday, March 13, Fulton Co. Quorum Court; 7:00 PM, Salem
- Monday March 13, 2:00 PM; POA Meeting – City to give program
- Monday, March 20, Regular Council Meeting; 2:00 PM, City Hall

**ADJOURNMENT:**

Motioned to adjourn was made by Mr. Betz and seconded by Mrs. Relyea. With a voice vote of seven ayes, 0 nays, motion carried.

**Meeting adjourned at 4:15 PM.**

DATE: March 20, 2000

APPROVED: Marjorie Rogers  
Marjorie Rogers, Mayor

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