

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**City Council Minutes**  
**January 22, 2001**

The regular monthly meeting was called to order at 2:00 PM Monday, January 22, 2001 by Mayor Marjorie Rogers. The meeting was held at City Hall.

**ROLL CALL:**

Answer Roll Call: Chuck Bartlett, Marty Betz, Dewey Dark, Scott Paul, Tom Paul, Louisa Relyea, Jack Stroup and Ray Torbit.  
Also Present: Susan Maynard, City Clerk/Treasurer  
Absent: None

Mayor Rogers introduced the three new Aldermen as follows: Dewey Dark, Ward 1 Position 1; Scott Paul, Ward 4 Position 2; and Jack Stroup, Ward 2 Position 2.

**MINUTES:** Motion to approve the December 18 minutes as corrected was made by Mr. Betz and seconded by Mrs. Relyea. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

**TREASURER'S REPORT:**

Financial reports were reviewed and will be filed for audit. Mrs. Maynard explained the year-end actual-to-budget figures.

**CORRESPONDENCE:**

Mayor Rogers passed out copies of Attorney Mark Johnson's resignation letter. Mr. Johnson, present, explained that his court dates with Judge Hilburn coincide with the Council meetings. He also feels it would be a savings for us to hire an attorney for civil matters and one who could prosecute cases for our Municipal Court. He then offered his resignation. A motion to accept Mr. Johnson's resignation was made by Mr. Bartlett and seconded by Mr. Torbit. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

**REPORTS:**

**Airport:** Ray Maynard introduced an amendment to Ordinance 2000-06. Rodney Clark of the Federal Aviation Administration has suggested we pass this as soon as possible so the airport is in line with Federal regulations for future grants. Discussion. Mr. Betz asked whether there were structures involved or just tall trees. Mr. Maynard responded that if there are trees too tall for the flight path, they need to be trimmed or taken down. He says the airport has been in violation since inception because of the tall trees surrounding it. Much discussion.

Mrs. Rogers asked Mrs. Maynard to read **An amendment to amend airport regulations adopted by ordinance 2000-06 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. Mr. Stroup seconded the motion. With a roll call vote of eight ayes, 0 nays, motion carried.

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

Discussion –

Mrs. Relyea moved to waive the rules and place the Ordinance on its third and final reading, title only. Mr. Betz seconded the motion. With a roll call vote of eight 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 Clerk/Treasurer called the roll:

Mr. Bartlett, yes; Mr. Betz, yes; Mr. Dark, yes; Scott Paul, yes; Tom Paul, yes; Mrs. Relyea, yes; Mr. Stroup, yes; Mr. Torbit, yes.

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

It will be **Amendment 2001-01**.

Some discussion on the Ash Flat annexation. Mr. Maynard volunteered to talk with their mayor with someone else and discuss the matter. He has talked with Nix Hall already.

**Roads:** Mr. Maynard reported that the Pottawattamie job still needs approximately \$4,000 of rock for the shoulder work, which needs to be done as soon as possible. His committee will be meeting in the next few weeks. \$325,000 was budgeted for the job, with only \$304,482 spent so far.

Mayor Rogers has been talking with the State Dept. of Roads regarding speed limits, city limit signs and the curve on Iroquois Dr. at Moonbeam.

**Animal Control:** No report.

**Building Committee:** Mr. Bartlett reported that the carpet is being laid and will be finishing up the Council room. Municipal Court will be held there Thursday. The office will be closed January 30 & 31 for the move. The committee has decided to repair the roof instead of the parking lot. The renovations may be 5% over the original \$150,000. Mr. Daggett is giving us the City Hall and Police Dept. signs. We have sent Mr. Daggett a letter requesting rental payment.

**Census:** Mr. Torbit said we should know the count by March 31.

**Emergency Services:** Mrs. Relyea reported she would be attending FEMA training the week of February 3 - 10 in Conway. FEMA is paying for the school.

**Environmental:** Mr. Betz announced there are complaints about garbage not being picked up. I.E.S.I. is to send us a list of all the overdue clients. Some have been turned over to Planning & Zoning. On the positive, we received \$8,876 in franchise fees for the third quarter. The Committee will be getting together with Village Pride regarding "Keep Arkansas Beautiful".

**Municipal Development and Planning:** Scott Paul reported they are discussing City Park's and the possibility of working with S.I.D. for a recreation center. If the Council has ideas, concerns, etc. please call him. There will be a meeting January 24, 6:30 PM. The question was raised, "Do we need a Parks Committee?"

**Planning and Zoning:** Ed Rigwood, new director, reported 2000 figures as follows: 247 remodel, seven new commercial and five new home permits for a total of \$2,293,426 worth of new construction in the Village. It was said again that, across the entire country, when interest rates are up, new home starts are down and there is more remodeling. Raine Kerrigan is the new Code Enforcer.

**Police and Security:** Hobie Weisman reported an exemplary job was done during the ice and snow storms. Many emergency runs for prescriptions for the elderly. We have only one four-wheel drive vehicle so studded tires were purchased for one of the other cars. During 2000, the Auxiliary and Reserve Units put in over 3,000 volunteer hours working parades, traffic control and performing office duties. There are four new Reserve Officers. Two of the other Reserve Officers are attending a 100-hour certification school in Mountain Home. Upon completion, they will be promoted to the Auxiliary.

Mayor Rogers gave the following report on the E9-1-1 meeting: in attendance were Sharp County Judge Harold Crawford, JP Marc Goings (Sharp County Budget Director), CV Police Commissioners Floyd Hannon and Ray Maynard, CV JPs Greg Prenger and Bob Evins and herself. They discussed the Sharp County E9-1-1 budget of \$142,147. There is a need of one full time dispatcher and two part time dispatchers. The department is in need of an additional \$34,214 to keep services as they are now. During 2000, E9-1-1 handled 3,086 calls. The temporary solution would be to form a new board, not handled by Quorum Court, to come up with a "White Paper" for the next two years. There would be representatives from all four cities involved. The Spring River Paramedic Ambulance Service has voted to give the \$34,000. No cities will have to adjust the budgets. The money the cities would have paid to the ambulance service will be transferred to E9-1-1. No equipment will be moved and there will be some staff changes.

**Investigation Committee for Election of S.I.D. Commissioners:** Oral Henderson reported he is still in contact with Senator Miller.

**Website:** Mr. Henderson said the website has been revised to include Fountain Place.

**Cherokee Village Promotion:** Mr. Henderson reported he had emailed the minutes of their last meeting to the Clerk who will pass them out. He also has made up a press release and is starting a campaign to raise the money to fund the KAIT ad and the brochure.

#### **OLD BUSINESS:**

Mr. Torbit asked about cable franchise fees and road right-of-ways. Mr. Daggett now collects these fees. Mr. Johnson, from the audience, suggested negotiating with Mr. Daggett on these fees. Mrs. Maynard needs an opinion

from the Attorney General as to who owns the roads, etc. due to "GASB 34". If we own them, we will need to have them appraised and declare them as assets by 2005. Mr. Bartlett volunteered to talk to Mr. Daggett.

Mrs. Relyea reported a "handshake" agreement with Mr. Daggett of \$1 per year for 50 years on the property at the South Entrance for two signs. They still need a plat survey.

**NEW BUSINESS:**

Mayor Rogers reported on a meeting she attended that was held at the newly incorporated City of Briar Cliff, near Mountain Home. Topic of discussion was what to do with vacant lots going back to the State. Suggestion was made to have a shorter waiting period (now two years). Then after warranty deed a person could get a quick claim deed. Attendees will be talking to Charlie Daniels, the Municipal League and their representatives for more information as to resolve this situation.

Scott Paul and Barbara Hrezo have met and talked with Tom Garner regarding his being our City Attorney. They had good feelings about the meeting and discussed needs and expectations. He seemed receptive, and they talked about fees and availability. He would like to have things faxed in advance to him, including the agenda. It was suggested that people put in writing what they need him to do and give this to the Mayor, who would fax it to him. There would be a trial period of three to four months at an hourly rate.

Mrs. Rogers asked Mrs. Maynard to read Resolution 2001-01, **A resolution appointing a municipal attorney, fixing the attorney's compensation and duties; declaring an emergency and for other purposes.** Mr. Torbit moved to accept the resolution. Mrs. Relyea seconded. Discussion. With a roll call vote of eight ayes, 0 nays, motion carried.

**ANNOUNCEMENTS:**

Thursday, January 25, 9:00 AM; CV Municipal Court, new City Hall building  
Tuesday & Wednesday, January 30 & 31; OFFICE CLOSED - MOVING DAYS  
Thursday, February 1; New City offices OPEN.  
Monday, February 5, 2:00 PM; Working Session, City Hall  
Thursday, February 8, Noon; CVBA Luncheon, Elks Club  
Thursday, February 8, 1:00 PM; Municipal Court Plea Day, City Hall  
Monday, February 12, 6:00 PM; Sharp Co. Quorum Court, Ash Flat Courthouse  
Monday, February 12, 7:00 PM; Fulton Co. Quorum Court, Salem Courthouse  
Monday, February 19; President's Day, OFFICE CLOSED  
Thursday, February 22, 9:00 AM; Municipal Court Trial Day, City Hall  
Monday, February 26, 2:00 PM; Council Meeting, City Hall

**ADJOURNMENT:**

Motioned to adjourn was made by Mr. Bartlett and seconded by Mrs. Relyea.

Meeting adjourned at 4:10 PM.

DATE: February 26, 2001

APPROVED: Marjorie Rogers  
Marjorie Rogers, Mayor

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