

**CITY OF CHEROKEE VILLAGE, ARKANSAS**

**City Council Minutes**

**February 18, 2002**

The Pledge of Allegiance was recited and a moment of silence observed. The semi-monthly meeting, held at City Hall, was called to order at 2:00 PM Monday, February 18, 2002 by Mayor Marjorie Rogers.

**ROLL CALL:**

Answer Roll Call: Chuck Bartlett, Marty Betz, Dewey Dark, Scott Paul, Louisa Relyea, Tom Paul and Ray Torbit.

Also Present: Susan Maynard, City Clerk/Treasurer; Tom Garner, City Attorney

Absent: Jack Stroup

**MINUTES:** Motion to approve the February 4 minutes as presented was made by Tom Paul and seconded by Mrs. Relyea. With a voice vote of seven ayes, 0 nays, motion carried unanimously.

**TREASURER'S REPORT:** January financial statements were reviewed and will be filed for audit. Mrs. Maynard said the final 2001 budget would be ready to pass at the next meeting. She also said we have received a check from I.E.S.I. for \$5,249.45 for 2001 franchise fees. She will check with the auditor to see if we can just leave it in the Revenue account or if we have to pay it on the building bond.

**CORRESPONDENCE:** Mrs. Maynard read a Thank You card from the Daughters of the American Revolution for letting them use our Council Room for their meeting.

Mr. Betz had invited Ross Cardin from the Arkansas Game and Fish Commission to speak at our meeting. Mayor Rogers explained Mr. Arnold's questions and concerns (from a past meeting). Mr. Cardin said Arkansas does have a trapping season for furbearers from November through last week. He doesn't know of anyone who actually traps as there is no market any more. He does trap for nuisance animal (except skunks) complaints and releases them into the wild south of Hardy in the Wildlife Management area. He also explained that as the deer population is overly high, he wouldn't like to see a total rule against all hunting and trapping. It is really hard to enforce. There are two officers in Fulton County and two in Sharp County (who patrol Cherokee Village). He also said one has the right to protect one's own property against these nuisances. Someone asked who makes the final decision as to when there are too many deer and they need to be culled. Mr. Cardin replied they usually look at larger areas (zones). It was asked if the City could decide within city limits. He thought we probably could, if the hunters would abide by our regulations and the State's. He will check with Little Rock to see if they have any information from working with other cities.

**REPORTS:**

**Airport:** Mrs. Relyea reported on the groundbreaking ceremony that was held for the new four-bay hangar.

**Roads:** Mr. Torbit said they would complete the Okmulgee project with a wedge coat and 2" layer of hot asphalt. They are looking at how to do Pontiac Dr. which has a lot of traffic and is in bad shape. It is really narrow, with narrow easements. They could possibly use heavier oil and bigger chips. Mr. Maynard has had a preliminary discussion with Highland, who has the first quarter mile from the four-

lane. S.I.D. is to complete the shoulders and ditch work on Pottawattamie Dr. He has talked with the police department, and they are in agreement that the western end of Pottawattamie Dr. could have a 40 MPH speed limit. He will also post curve signs with 25 MPH on either side of the sharp curve. The Street Dept. will continue to provide materials for chip & seal to S.I.D. Reworking of Allegheny is financially not feasible this year. They may look at various intersections to redo.

**Animal Control:** Mr. Garner is looking into amending the ordinance to include a maximum number of pets allowable in a home.

**Emergency Services:** No report.

**Environmental:** Mr. Betz reported more dumpsites have been cleaned up. The spring Citywide Cleanup is scheduled for April 6. He is going to attend the Keep Arkansas Beautiful seminar in Hot Springs next week.

**Municipal Development and Planning:** Tom Paul said they would meet February 20 at 6:30. The Senior Citizen's center averages 45 people for lunch. There were 150 people in attendance at the Valentine's Day dance. The band, good food and prizes were all donated.

**Planning and Zoning:** Tom Hrezo reported Wes Stowe would be volunteering to be able to assist him in inspections. We will only pay him mileage. The Commission is still working on amending one of its ordinances.

**Police:** Mr. Torbit said the Police Commission has been discussing problems that happen on the lakes. S.I.D. was called on one, and they said that was our jurisdiction. Four new cars have been ordered and the leas OK'd. Delivery will be within four to six weeks.

#### **OLD BUSINESS:**

Mrs. Rogers asked Mrs. Maynard to read the first reading of **An ordinance granting to Entergy Arkansas, Inc. it's successors and assigns, the exclusive right, privilege and authority to sell, furnish and distribute electric power and energy and erect, maintain, extend and operate a system for the distribution, transmission, furnishing or sale of electric power and energy to the City of Cherokee Village, Sharp County, Arkansas, within the utility's allocated service territory, and the inhabitants and all other consumers thereof, and to use the streets, alleys, bridges and other public grounds of the City in connection therewith; fixing the terms thereof, and for other purposes.** Mayor Rogers declared the Ordinance open for discussion. Mrs. Relyea made a motion to accept the ordinance. Mr. Bartlett seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mr. Betz made a motion to read the title only, with corrections, to the North Arkansas Electric Coop ordinance, as it is the same as the Entergy ordinance. Tom Paul seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mrs. Rogers asked Mrs. Maynard to read the first reading of **An ordinance granting to North Arkansas Electric Coop it's successors and assigns, the exclusive right, privilege and authority to sell, furnish and distribute electric power and energy and erect, maintain, extend and operate a system for the distribution, transmission, furnishing or sale of electric power and energy to the City of Cherokee Village, Fulton County, Arkansas, within the utility's allocated service territory, and the inhabitants and all other consumers thereof, and to use the streets, alleys, bridges and other public grounds of the City in connection therewith; fixing the terms thereof, and for other purposes.** Mayor Rogers declared the Ordinance open for discussion. Mrs. Relyea made a motion to accept the ordinance. Mr. Torbit seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mrs. Rogers asked Mrs. Maynard to read the first reading of An ordinance granting to CenturyTel, Inc., it's successors and assigns, the exclusive right, privilege and authority to sell, furnish and distribute telephone service and erect, maintain, extend and operate a system for the distribution, transmission, furnishing or sale of telephone service to the City of Cherokee Village, Sharp County and Fulton Counties, Arkansas, within the utility's allocated service territory, and the inhabitants and all other consumers thereof, and to use the streets, alleys, bridges and other public grounds of the City in connection therewith; fixing the terms thereof, and for other purposes. Mayor Rogers declared the Ordinance open for discussion. Mr. Dark made a motion to accept the ordinance. Mrs. Relyea seconded the motion. With a roll call vote of seven ayes, 0 nays, motion carried.

Mr. Torbit said he would like to clarify that, regarding Charter Cable, it says on their bills a franchise fee is paid to the city, but it is actually paid to Daggett Development.

**NEW BUSINESS:**

A question was raised in regards to the street vendors who set up by Papoose Park. S.I.D. no longer allows them to be there. Planning and Zoning has decided to designate four parking spaces of the city's parking lot for vendors to sell Arkansas products.

Mayor Rogers announced City Hall will allow candidates for election to visit and meet people, but no literature will be allowed.

**ANNOUNCEMENTS:**

Monday, February 18, President's Day; OFFICE CLOSED  
Thursday, February 28, 9:00 AM; District Court Trial Day, City Hall  
Monday, March 4, 2:00 PM; Council Meeting, City Hall  
Wednesday, March 6, 1:00 PM; Planning & Zoning meeting, City Hall  
Monday, March 11, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse  
Monday, March 11, 7:00 PM; Fulton Co. Quorum Court, Salem Courthouse

Senior Citizens Center open, every Monday and Wednesday, 11 - 3,  
unless otherwise noted, lunch at 11:30 AM, T-bird Center

**ADJOURNMENT:**

Motioned to adjourn was made by Mr. Bartlett and seconded by Mr. Betz. With a voice vote of seven ayes, 0 nays, motion carried unanimously. Meeting adjourned at 4:15 PM.

DATE: March 4, 2002

APPROVED: Marjorie Rogers  
Marjorie Rogers, Mayor

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