

CITY OF CHEROKEE VILLAGE, ARKANSAS

City Council Minutes

June 3, 2002

The semi-monthly meeting was called to order at 2:00 PM Monday, June 3, 2002 by Mayor Marjorie Rogers. The meeting was held at City Hall. The Pledge of Allegiance was recited, and she called for a moment of silence.

ROLL CALL:

Answer Roll Call: Marty Betz, Dewey Dark, Scott Paul, Tom Paul, Jack Stroup and Ray Torbit.

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

Absent: Chuck Bartlett and Louisa Relyea

MINUTES: Motion to approve the May 7th, 2002 minutes as presented was made by Mr. Betz and seconded by Mr. Stroup. With a voice vote of six ayes, 0 nays, motion carried unanimously. Motion to approve the May 20th, 2002 minutes as corrected was made by Mr. Betz and seconded by Mr. Stroup. With a voice vote of six ayes, 0 nays, motion carried unanimously.

TREASURER'S REPORT: None

CORRESPONDENCE: None

REPORTS:

Roads – Ray Maynard gave a short report on the road situation. He said if the City takes over the roads from S.I.D., there would be considerable start up expense. We have received two Attorney General opinions which indicate the City is responsible for road maintenance. He has spoken with the Attorney General's office that stated that the S.I.D. assessment for roads may be limited so the property owners would not have to pay two entities for the roads. Mayor Rogers has consulted with David Schoen of the Municipal League for his opinion, but he needs further documentation. Don Schmitt, from the audience, asked why the City is even considering this. Mr. Stroup voiced his opinion on the roads. Mr. Maynard read from Attorney General's Opinion #2002-142 when asked whom the roads belong to. It says that once the public uses a road it is a public road. The Opinion states that the only way S.I.D. could terminate any responsibility was by dissolving. Any way we look at this, it will be a very expensive proposition. Melvin Ryan, from the audience, gave his opinion. Mr. Dark gave a strong protest against S.I.D.'s attitude. If we don't do this, we're the bad guys. He has discussed this with S.I.D. commissioners. Eugene Mitchell, from the audience, said we need all the information we can get from S.I.D. If they are not giving us all the information, they must be hiding something. He suggested we need their budget information for a projected one to three years. Mr. Schmitt stated that if we consider taking the roads, S.I.D. has 22% of their assessments budgeted for roads, so why would we even consider receiving less. We are all going to pay for this. Tom Paul said that we are responsible to the citizens, and we don't want to see the City deteriorate any more that it has already. Scott Paul said he didn't believe we had agreed to anything from S.I.D. Motion to continue to investigate and get a better handle on this matter was made by Mr. Betz and seconded by Mr.

Stroup. With a voice vote of six ayes, 0 nays, motion carried unanimously. Eugene Van Deman, from the audience stated that he has lived here since 1984 and at one time we had more roads than Jonesboro. "We're talking millions and millions of dollars. Something has to be done."

OLD BUSINESS:

Tom Hrezo reported that he and Chief Smith had talked with Entergy regarding the lights and banners on Hwy. 62/412. Tom says we need eight poles and ten lights and Entergy says five poles and seven lights. The proposal was for ten poles and ten lights, starting at the Fulton County line and ending at the South Entrance of Cherokee Village. Entergy will be responsible for the maintenance, and the City will be billed for the electricity at a less expensive rate than we are now. This is all being done to promote Cherokee Village and establish the boundaries along the hiway.

The Planning & Zoning amendment to Ordinance 99-2 was passed out for review. Any changes, contact Barbara Hrezo.

Mayor Rogers asked Mrs. Maynard to read **A resolution supporting legislation allowing local governments to enter into a non-disclosure agreement with the Arkansas Department of Finance and Administration regarding local sales tax collection information.** Motion to approve the resolution was made by Tom Paul and seconded by Mr. Betz. With a roll call vote of six ayes, 0 nays, motion carried.

NEW BUSINESS:

Mayor Rogers asked the Council to look over a resolution from Briar Cliff regarding lots going back to the state for non-payment of taxes. Please call the Mayor with any changes or suggestions. This will be presented to the Municipal League at the convention.

Mrs. Maynard reported on the Passport Application Acceptance Program. The City can collect a \$15 fee (which will change to \$30 in August), and has no liability nor do we approve the application. We only collect the application and fees and send them on to Passport Services. We would set certain hours in which to do this. The closest one to us is the Sharp County Clerk's office in Ash Flat - other than they, the offices are at least 50 miles away. People can come in from other states, also, as this is a Federal Program. Passport Services offers a one-day training session where you learn to spot the red flags for improper ID, etc. Even then, we go ahead and take the application, but alert Passport Services that this application is questionable. Mrs. Maynard feels this would be a useful service for our community. Passport renewals would go directly to Passport Services, and the City would get no fees for renewals. Motion to apply to offer this program at City Hall was made by Mr. Betz and seconded by Mr. Stroup. With a voice vote of six ayes, 0 nays, motion carried unanimously.

Mr. Garner reported he has a meeting tomorrow regarding the 36 acres from Daggett Development, and will let us know what happens.

Alan Kimber read from a prepared statement, mentioning Act 41 of 1941 as amended by Act 286 of 1968. Basically it says S.I.D. may not vacate any road that lies within its limits. There was much further discussion of S.I.D. and the City in regards to road maintenance.

ANNOUNCEMENTS:

Wednesday, June 5, 1:00 PM; Planning & Zoning meeting, City Hall
Thursday, June 6, 6:00 PM; Band Concert and Ice Cream Social, Town Center
Saturday, June 8, 7:00 – 1:00; Farmer's Market, City Hall
Monday, June 10, 6:00 PM; Sharp Co. Quorum Court, Ash Flat Courthouse
Monday, June 10, 7:00 PM; Fulton Co. Quorum Court, Salem Courthouse
Tuesday, June 11, 7:30 – 7:30; Run off elections, City Hall
Tuesday, June 11, 6:30 PM; Municipal Development & Planning, City Hall
Thursday, June 13, 9:00 AM; District Court Plea Day, City Hall
Thursday, June 13, Noon; CVBA Luncheon, Loujo's Deli
Thursday, June 13, 2:00 PM; State Emergency Director, Terry Gray, City Hall
Friday, June 14; FLAG DAY
Saturday, June 15, 7:00 – 1:00; Farmer's Market, City Hall
Saturday, June 15, 1:00 PM; Flag Day Ceremonies, Elk's Club
Sunday, June 16; FATHER'S DAY
Monday, June 17, 10:30; Circuit Court, Sharp County Courthouse, Ash Flat
Monday, June 17, 2:00 PM; Council Meeting, City Hall
Saturday, June 22, 7:00 – 1:00; Farmer's Market, City Hall
Thursday, June 27, 9:00 AM; District Court Trial Day, City Hall
Saturday, June 29, 7:00 – 1:00; Farmer's Market, City Hall

Senior Citizen's Center open every Monday and Wednesday, 11 – 3,
unless otherwise noted; lunch at 11:30 AM, Thunderbird Center.

ADJOURNMENT:

Motioned to adjourn was made by Mr. Dark and seconded by Mr. Stroup. With a voice vote of six ayes, 0 nays, motion carried unanimously. Meeting adjourned at 3:35 PM.

DATE: June 17, 2002

APPROVED: Marjorie Rogers
Marjorie Rogers, Mayor

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