

**CITY OF CHEROKEE VILLAGE, ARKANSAS**

**City Council Minutes**

**December 18, 2003**

The monthly meeting was called to order at 7:00 PM Thursday, December 18, 2003 by Mayor Ray Maynard. The meeting was held at City Hall. The Pledge of Allegiance was recited.

**ROLL CALL:**

Answer Roll Call: Scott Paul, Jim Fenton, Tom Thompson, and Ray Torbit

Also Present: Ray Maynard, Mayor, Susan Maynard, City Clerk/Treasurer,

Absent: Charles Bartlett, Russ Stokes, Wally Schultz and Tom Garner, City Attorney

**MINUTES:** Mayor Maynard asked if there were any changes/corrections to the November 13th 2003 minutes. Mrs. Maynard noted a change on page 4 to correct the voting on the Ordinance Establishing the Office, Duties and Compensation of Mayor for the City of Cherokee Village. Motion to approve the minutes as corrected was made by Mr. Thompson and seconded by Mr. Fenton. With a voice vote of four ayes, 0 nays, motion carried unanimously.

**TREASURER'S REPORT:** Mrs. Maynard presented the financial statement and answered several questions. She noted that the City had paid \$41,931.63 on the City Hall building debt, leaving just over \$60,000 owed. Motion to accept the report as presented was made by Mr. Thompson and seconded by Mr. Fenton. With a voice vote of four ayes, 0 nays, motion carried unanimously. Statements will be filed for audit.

Mayor Maynard presented a Certificate of Appreciation to Larry Cross for the many hours he volunteers to the Cherokee Village Auxiliary Police.

**CORRESPONDENCE:**

None

**COMMITTEE REPORTS:**

**POLICE DEPARTMENT:**

Police Chief Scott Goodwin explained a question asked earlier Mr. Torbit on the Police Department financials regarding payment made to an Auxiliary Officer. Chief explained that it is more efficient to pay an Auxiliary Officer to work part-time than to pay a full-time officer overtime.

**MUNICIPAL PLANNING AND DEVELOPMENT:** Mr. Fenton reported that they are continuing to work on the Sr. Citizen Center, the Milwaukee Trade Show and the feasibility studies.

**PLANNING & ZONING:** Mr. Thompson reported that P&Z has been busy during the month of December trying to get residents to clean up the garbage, junk and abandoned cars. They have sent 22 letters and talked with several other residents regarding these issues and have seen

positive results. Mr. Thompson asked for help to stack wood at one of these residents where the owner is disabled.

#### **OLD BUSINESS:**

**Alderman Position** – Mayor Maynard asked if there were any candidates who wish to be considered for the vacant alderman position to please state their intent and give an overview about them self. Mr. Lew Hagerman and Mr. George Gruger expressed their interest in the position. Mayor Maynard noted that he had also received a letter from Mr. Tim Randall who was interested in the position. At 7:15 p.m. Mayor Maynard adjourned the council to an executive session to review the candidates. The meeting resumed at 7:25 p.m. Mr. Paul made a motion to appoint Mr. Hagerman to the City Council. Mr. Thompson seconded. Mr. Steve Martin questioned why the council adjourned to an executive session. Mrs. Maynard stated that the Municipal League advised us this is the way it should be handled. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

**Phantom Property** – Mayor Maynard reported that he had obtained a copy of the original S.I.D. map and the property in question is shown within the S.I.D. boundaries when the City incorporated; therefore, it is within the City limits of Cherokee Village. This part of the City is an Island connected by Highway 62.

**Charter Cable** – Mayor Maynard stated that he had a conversation with Mr. Daggett regarding the cable contract. Mr. Daggett stated this was a contract between two private entities and neither he nor Charter Cable will divulge it. The Mayor stated this will probably have to be decided in court.

**Ordinance to Establish City Attorney** – Mayor Maynard asked Mrs. Maynard to read the third reading of an **Ordinance Establishing the Office of City Attorney for the City of Cherokee Village, Arkansas**. Mr. Torbit made a motion to accept the Ordinance. Mr. Fenton seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2003-13**.

**Ordinance Providing for Dual Check Signatures** - Mrs. Maynard read the third reading of **An Amendment to Ordinance 2002-06 Providing for Dual Check Signatures, and for Other Purposes**. Mr. Thompson made a motion to accept the Ordinance. Mr. Paul seconded. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2003-14**.

**Ash Flat Sign** – Mayor Maynard contacted Mayor Hall who told him that Mr. Krepps, owner of the land, had given him permission to put up the sign and told him the land was not in Cherokee Village. Mayor Hall will have their attorney send a letter responding to Mayor Maynard's letter and acknowledging the sign is within Cherokee Village city limits. Planning and Zoning will review the sign permit issue at their January meeting.

Senior Citizen Center – Irene Fenton gave a status update on the facility. She stated that she will be working to try to secure donations and looking for good deals on appliances. We have received some bids on the construction work and carpet installation. The projected cost to get the facility renovated is approximately \$20,000. The Council discussed the City budget regarding the Sr. Center and Mr. Fenton made a motion to use the remainder from the Municipal Development 2003 budget and move approximately \$3,500 from other unused funds budgeted in 2003 into the Municipal Development line item to make a total of \$5,000 toward the Senior Center. Mr. Paul Seconded. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

Ordinance amending the Technical Codes – Mrs. Maynard read the first reading of **An Ordinance to Amend Cherokee Village Ordinance 99-3 Adopting Various Technical Codes Relating to Inspection and Enforcement of Building Provisions as Provided in Said Codes Within Cherokee Village, Fulton and Sharp Counties Adopted February 15, 1999.** Mr. Thompson made a motion to adopt the ordinance. Mr. Fenton seconded. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

With the consideration of purchasing a new dump truck Mayor Maynard mentioned that White River Planning & Development has money they will loan at 3.5% interest.

New Street Department truck – Mayor Maynard stated that we have three dump trucks and one is in very poor condition and is only used in emergency situations. We need to look at buying another truck to replace the 1983 model. A used truck will cost approximately \$48,000; new trucks with the same accessories run about \$100,000 and we only have \$30,000 in the 2004 budget for a new truck. After much discussion, Mr. Torbit made a motion to change the draft of the 2004 budget to move \$20,000 from the Street Department Savings to the Vehicles line item for a total of \$50,000. Mr. Paul Seconded. Mayor Maynard asked if there was further discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

Mayor Maynard stated that the Street Committee had meet and discussed the mechanic position. Research shows that it will cost approximately \$27,000/yr. to hire a mechanic which is \$7,000 to \$8,000 more than shown in the 2004 budget. Instead of hiring eight full-time employees, they are proposing to hire seven full-time and two part-time employees. Not only will this make available funds for a full-time mechanic, it will provide a more efficient crew during the summer months when they're most needed and also, save approximately \$2,000 a year.

Mayor Maynard stated that they had reduced the 2004 Street Budget for uniforms to \$2,200 but need to change it back to \$3000, which is the same as 2003.

Mayor Maynard noted that we need to buy some small equipment, such as tire tools, pressure washer, hose, etc., for the new shop. He noted that if we needed to change a tire we would not be able to do that today. Mr. Torbit made a motion to add \$3,600 to the 2003 budget for small

equipment and tools. Mr. Paul seconded. With a voice vote of four ayes and 0 nays, motion carried.

Ordinance Establishing the Office of Mayor - Mayor Maynard asked Mrs. Maynard to read the second reading of **an Ordinance Establishing the Office, Duties and Compensation of Mayor for the City of Cherokee Village, Arkansas**. Mr. Thompson made a motion to accept the Ordinance. Mr. Fenton seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

Ordinance Establishing the Office of City Clerk/Treasurer - Mayor Maynard asked Mrs. Maynard to read the second reading of **an Ordinance Establishing the Office of City Clerk and Treasurer for the City of Cherokee Village, Arkansas**. Mr. Thompson made a motion to accept the Ordinance. Mr. Fenton seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Jim Fenton, yes; Tom Thompson, yes; Ray Torbit, yes; and Scott Paul, yes. With a vote of four ayes, 0 nays, motion carried.

Mrs. Maynard noted that the Municipal League Health Insurance is increasing \$20/mo. per employee in 2004, from \$260/mo to \$280/mo. The change is reflected in the budget.

Mr. Torbit questioned what happened to the video for the police car. Mrs. Maynard explained that this item is now part of the first responders grant.

Mr. Torbit requested a break down on salaries, benefits and taxes be shown on the last page of the 2004 budget.

#### **NEW BUSINESS:**

None

#### **PUBLIC COMMENTS:**

Pam Lueder mentioned that she was at the S.I.D. meeting last month and questioned what is going on with the Fire Department – will the City be taking it over? Mayor Maynard stated there is some issue with the Water Company and the Fire Department and does not want to rush into assuming the Fire Department until we find out what's going on.

There was some discussion for an ordinance regarding the Water Company cutting across roads.

Mayor Maynard announced there will be a Town Hall Meeting Tuesday, January 13, 2004, at 7:00 P.M. to discuss Animal Control.

#### **ANNOUNCEMENTS:**

December 24-2; Holiday Vacation – Offices Closed

Saturday, December 27, 7-10 PM; CVBA 2003 Celebration Dance, No. Rec. Ctr., live entertainment

Monday, December 29, 7:00 PM; Fulton Co. Quorum Court, Salem Courthouse

Thursday, January 1, 2004; New Year's Day – Offices Closed

Monday, January 5, 1:00 PM - Planning & Zoning Meeting, City Hall

Wednesday, January 7, 3:00 PM - CV Road Committee Meeting, City Hall

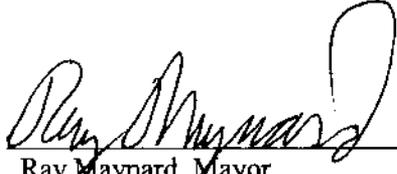
Thursday, January 8, 9:00 AM - District Court, City Hall  
Thursday, January 8, 4:00 PM - Municipal Planning & Development, City Hall  
Monday, January 12, 1:00 PM - Historical Society  
Monday, January 12, 6:00 PM - Sharp County Quorum Court  
Monday, January 12, 7:00 PM - Fulton Co. Quorum Court, Salem Courthouse  
Thursday, January 15, 7:00 PM - City Council Meeting, City Hall

Senior Citizens Center open, every Monday and Wednesday, 11 - 3,  
unless otherwise noted; lunch at 11:30 AM, T-bird Center  
Re-cycling open every Tuesday 9:00 - Noon, weather permitting, City Hall Parking Lot

**ADJOURNMENT:**

Motion to adjourn was made by Mr. Torbit and seconded by Mr. Fenton. With a voice vote of four ayes, 0 nays, motion carried unanimously. Meeting adjourned at 9:15 PM.

DATE: January 15, 2004

APPROVED: 

Ray Maynard, Mayor

ATTEST: 

Susan E. Maynard, Clerk/Treasurer