

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**City Council Minutes**  
**March 17, 2003**

The semi-monthly meeting was called to order at 2:00 PM Monday, March 17, 2003 by Mayor Ray Maynard. The meeting was held at City Hall. The Pledge of Allegiance was recited.

**ROLL CALL:**

Answer Roll Call: Chuck Bartlett, Jim Fenton, Scott Paul, Wally Schultz, Russ Stokes, Ray Torbit, Tom Thompson and Jim West

Also Present: Susan Maynard, City Clerk/Treasurer

Absent: Tom Garner, City Attorney

**MINUTES:** Motion to approve the minutes as presented was made by Mr. Stokes and seconded by Mr. Schultz. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

**FINANCIALS:** Mrs. Maynard explained some questions that came up. Mr. Bartlett asked that the Council receive these statements earlier than just before the meeting. Mrs. Maynard explained that Union Planters had lost the Street Dept. statement and had finally faxed it. Motion to accept the financials as presented was made by Mr. Stokes and seconded by Mr. Thompson. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

**CORRESPONDENCE:** None.

**COMMITTEE/DEPT. REPORTS:**

**Animal Control:** Glen Galloway was appointed chair. He is in the process of researching the possibility of establishing a permanent shelter, visiting various shelters in the area, and researching grants.

**Environmental:** We are still short of members on the committee. They are presently working on the annual Spring Clean-Up scheduled for April 12 with a rain date of April 19. Our current contract with I.E.S.I. calls for up to six roll-offs per year. Sites will be at the City Hall parking lot, behind King-Rhodes parking lot and at the Onaga Fire Station. People will need a slip from their service dealer saying all the Freon has been released from refrigerator units, etc. There will be monitors at each site.

**Homeland Security:** They held a meeting last week. They are still organizing, and are receiving much cooperation from Fulton and Sharp Counties. Mayor Maynard has spoken with Senator Miller who is in the process of getting us a grant for Hazardous Material cleanup.

**Municipal Planning & Development:** The committee has agreed to merge with the Promotion Committee, and are in the midst of its formation.

**Police:** Chief Goodwin reported on February as follows: the Auxiliary had put in 346 hours; the department traveled 5,400 miles, issued 42 citations, 24 warrants and 20 arrests. He has received

no further information on the "\$1" cars. They are in the process of working with Homeland Security, and Mr. Cross is building a VIPS/Reserves Program. Three officers have been radar certified.

Planning & Zoning: The Commission has recommended, and the Mayor appointed, Charles "Chubby" DeLoach as Building Inspector. He worked for Cargill as a factory and OSHA inspector.

Mr. Thompson gave a report on the Commission's annexation recommendations. They found little if any advantage to the pursuit of the Ordinance Method of annexation. They therefore recommended that the City Council reject the proposed motion before it to annex the islands now surrounded by the City, and they would encourage these areas to proceed with the Petition Method of annexation. Dora` Lee Schaffert, from the audience, stated she pays \$830 for street maintenance of Hickory Lane and \$100 for fire protection. All residents of this area have property owners' cards. If they can't be annexed, she asked that they be removed from the Entergy and CenturyTel franchise fees list.

Cleanup report – involves 15 areas. They are first concentrating on abandoned and non-operating vehicles.

The Commission passed an RV storage amendment, which will be brought to the Council.

Roads: The part-time group is still in the process of cleaning up brush from the December, 2002 ice storm. We have through the end of this month to finish the project.

#### **UNFINISHED BUSINESS:**

Employee Handbook: Mrs. Maynard read **A resolution adopting the amendment to the Employee Policies and Procedures Manual for the City of Cherokee Village.** Motion to adopt the resolution as read was made by Mr. Stokes and seconded by Mr. Fenton. The Mayor asked for discussion. With a roll call vote of eight ayes, 0 nays motion carried. It will be **Resolution 2003-04.**

Interest Rates: The rates are changing, and Mr. Schultz and Mr. Thompson are reviewing them.

CenturyTel Franchise Fees: We have received our first check. The Mayor is working with Skipp Lane to straighten this out.

Island Annexation: Mr. Schultz asked the annexation of the islands be taken off the table. Motion to proceed with the procedures to annex the islands was made by Mr. Bartlett. Motion to accept the recommendation of the Planning & Zoning Commission to not proceed with the ordinance method of annexation of the islands but to encourage the petition method was made by Mr. Thompson and seconded by Mr. West. Much discussion, including the fact that the City would have the expense of a Fire Dept. and street maintenance, and those annexed would not be paying for it. With a roll call vote of seven ayes, 1 nay (Bartlett), motion carried.

#### **NEW BUSINESS:**

Street Fund Petty Cash Resolution: Mrs. Maynard read **A resolution establishing a petty cash fund of \$100.00 for the Street Dept.** Motion to adopt the resolution as read was made by Mr. Schultz and seconded by Mr. Stokes. The Mayor asked for discussion. With a roll call vote of eight ayes, 0 nays motion carried. It will be **Resolution 2003-05.**

Building Inspector Resolution Amendment: Mrs. Maynard read **A resolution amending Resolution 99-1 appointing a Building Inspector, fixing the Building Inspector's compensation and duties.** Motion to adopt the resolution as read was made by Mr. Schultz and seconded by Mr. Stokes. The Mayor asked for discussion. With a roll call vote of eight ayes, 0 nays motion carried. It will be **Resolution 2003-06.**

Occupation Permit Fee Code Ordinance Amendment: Mayor Maynard asked Mrs. Maynard to read the first reading of **An Ordinance to amend the Cherokee Village annual occupation permit fee code adopted by Ordinance No. 2000-03.** Mayor Maynard declared the Ordinance open for discussion. Mr. Schultz made a motion to accept the first reading of the ordinance. Mr. Thompson seconded the motion. With a roll call vote of eight ayes, 0 nays, motion carried.

Permit Fees and Penalties Ordinance Amendment: Motion to table this ordinance for further review was made by Mr. Bartlett and seconded by Mr. Fenton. With a voice vote of eight ayes, 0 nays, motion carried.

Weather radio: Emergency power generator has come in, and the system should be operational within 60 days.

**PUBLIC COMMENTS:** Alan Kimber read a letter to the Council regarding "specific obligations and responsibilities that the City is required to assume." He also suggested reading his attached Arkansas Attorney General's opinion very carefully. Mr. Fenton asked Mr. Kimber just what he was asking of the Council, to which Mr. Kimber's reply was not clear. Mr. Schultz made a motion to enter Mr. Kimber's letters and AG opinions into the minutes of this meeting, and that the Council be given a written document from the Municipal League regarding this matter. Mr. Torbit seconded the motion. With a roll call vote as follows, motion was defeated: Chuck Bartlett, yes; Jim Fenton, no; Scott Paul, no; Wally Schultz, yes; Russ Stokes, no; Tom Thomson, no; Ray Torbit, yes; Jim West, no. Mr. Fenton then suggested that Mr. Kimber get the Legislature to change the S.I.D. rules or take the issue to court.

#### **ANNOUNCEMENTS:**

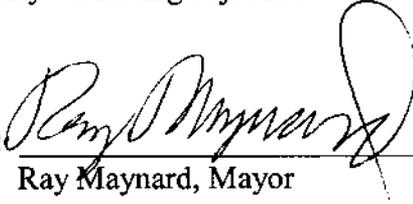
Wednesday, March 19, Noon; Chamber of Commerce lunch, Fountain Place  
Thursday, March 27, 9:00 AM; District Court Trial Day, City Hall  
Thursday, March 27, 6:00 PM; Town Hall Meeting, City Hall  
Wednesday, April 2, 300 PM; Road meeting, City Hall  
Sunday, April 6; Daylight Savings Time begins  
Monday, April 7, 1:00 PM; Planning & Zoning meeting, City Hall  
Thursday, April 10, 9:00 AM; District Court, Plea Day, City Hall  
Thursday, April 10, Noon; CVBA, Loujo's Deli  
Thursday, April 10, 6:00 PM; City Council Meeting, City Hall  
Friday, April 11; Village Pride roadside cleanup  
Saturday, April 12; Citywide Cleanup

Monday, April 14; Spring River Chamber of Commerce sponsored Circus, Tri-County Ranch  
Monday, April 14, 6:00 PM; Sharp Co. Quorum Court, Ash Flat Courthouse  
Monday, April 14, 7:00 PM; Fulton Co. Quorum Court, Salem Courthouse  
Tuesday, April 15, 2:00 PM; HPOA, Omaha Center  
Wednesday, April 16, Noon; Chamber of Commerce lunch  
Friday, April 18; Good Friday  
Saturday, April 19; Rain date for Spring Cleanup  
Sunday, April 20; Easter  
Thursday, April 24, 9:00 AM; District Court, Trial Day, City Hall  
Thursday, April 24, 6:00 PM; Town Hall meeting, City Hall  
Thursday, April 24, 6:30 PM; Quad City Meeting, Ash Flat City Hall  
Sat & Sun, April 26 & 27; CVBA sponsored Couples Golf Scramble  
Senior Citizen's Center open every Monday and Wednesday, 11 - 3,  
unless otherwise noted; lunch at 11:30 AM, Thunderbird Center.  
Re-cycling, every Tuesday 9 - 12, weather permitting, City Hall parking lot.

**ADJOURNMENT:**

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

DATE: April 10, 2003

APPROVED: 

Ray Maynard, Mayor

ATTEST 

Susan E. Maynard, Clerk/Treasurer