

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**Special City Council Meeting Minutes**  
**October 30, 2003**

Mayor Ray Maynard called the special meeting to order at 1:55 PM Thursday, October 30, 2003. The meeting was held at City Hall.

**ROLL CALL:**

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

Also Present: Ray Maynard, Mayor, Susan Maynard, City Clerk/Treasurer, R. T. Starcken, Attorney

Absent: Tom Garner, City Attorney

Mayor Maynard stated this special council meeting was called to consider the rezoning of the Tularenos Addition of Cherokee Village to comply with the Affordable Housing Act 624, which requires municipalities to have at least one subdivision where both manufactured and conventional homes can be built.

Mayor Maynard asked Mrs. Maynard to read the first of an emergency reading of **An Ordinance to amend Ordinance 99-2 approving and adopting that the certain zoning documents and technical codes known as the Cherokee Village Zoning Code, establishing permit fees and penalties for violation thereof and for other purposes.** Mr. Thompson made a motion to accept the Ordinance. Mr. Fenton seconded. Mr. Torbit asked if it was intended to be limited to two off street parking places. It was noted that this was in agreement with the other residential district parking regulations within the City.

Mr. Schultz made a motion to amend the Ordinance to delete the first paragraph of Section 3 of the proposed ordinance. Through the action of Mr. Thompson's request for Mr. Schultz to repeat the motion, it was seconded. Mayor Maynard declared the motion open for discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Chuck Bartlett, no; Jim Fenton, no; Wally Schultz, Yes; Russ Stokes, no; Tom Thompson, no; Ray Torbit, no; Scott Paul, no; and Jim West, no. With a vote of one aye, seven nays, motion failed.

Mr. Darnier noted that the description of the location for the rezoning should be revised to clarify that the lot numbers stated lots number through number vs. lots number – number. Mr. Bartlett made a motion to revise the Ordinance to delete the dash and add the word "through" to describe the lot numbers. Mr. West seconded. With a voice vote of seven ayes, 1 nay, motion carried.

Mayor Maynard requested a roll call vote to accept the first reading of this Ordinance. The Clerk/Treasurer called the roll:

Chuck Bartlett, yes; Jim Fenton, yes; Wally Schultz, no; Russ Stokes, yes; Tom Thompson, yes; Ray Torbit, yes; Scott Paul, yes; and Jim West, yes. With a vote of seven ayes, one nay, motion carried.

Mayor Maynard asked for a motion to waive the rules and place the Ordinance on its second reading, title only. Mr. Fenton made a motion to waive the rules and place the Ordinance on its second reading. Mr. Thompson seconded the motion. Discussion. Mr. Bartlett questioned why this was considered an emergency. Mayor Maynard stated that it was to protect existing homeowners.

Mr. Schultz made a motion to amend the Ordinance to delete Section 5 of the proposed ordinance. Motion failed due to lack of second.

Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Chuck Bartlett, yes; Jim Fenton, yes; Wally Schultz, no; Russ Stokes, yes; Tom Thompson, yes; Ray Torbit, yes; Scott Paul, yes; and Jim West, yes. With a vote of seven ayes, one nay, motion carried.

Mrs. Maynard read the Ordinance, title only, for the second time.

Mr. Schultz made a motion to amend the Ordinance to delete Section 5 of the proposed ordinance. Motion failed due to lack of second.

Mayor Maynard asked for a roll call vote for the second reading. The Clerk/Treasurer called the roll:

Chuck Bartlett, yes; Jim Fenton, yes; Wally Schultz, no; Russ Stokes, yes; Tom Thompson, yes; Ray Torbit, yes; Scott Paul, yes; and Jim West, yes. With a vote of seven ayes, one nay, motion carried.

Mayor Maynard asked for a motion to waive the rules and place the Ordinance on its third and final reading, title only. Mr. Torbit made a motion to waive the rules and place the Ordinance on its third reading. Mr. Stokes seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Chuck Bartlett, yes; Jim Fenton, yes; Wally Schultz, no; Russ Stokes, yes; Tom Thompson, yes; Ray Torbit, yes; Scott Paul, yes; and Jim West, yes. With a vote of seven ayes, one nay, motion carried.

Mrs. Maynard read the Ordinance, title only, for the third time. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll:

Chuck Bartlett, yes; Jim Fenton, yes; Wally Schultz, no; Russ Stokes, yes; Tom Thompson, yes; Ray Torbit, yes; Scott Paul, yes; and Jim West, yes. With a vote of seven ayes, one nay, motion carried.

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

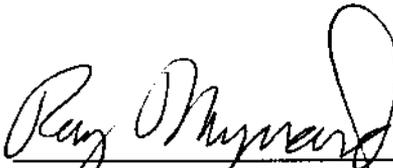
It will be **Ordinance 2003-11**.

**ADJOURNMENT:**

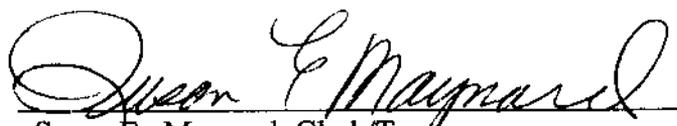
Motioned to adjourn was made by Mr. Torbit and seconded by Mr. Stokes. With a voice vote of eight ayes, 0 nays, motion carried unanimously. Meeting adjourned at 2:30 PM.

DATE: November 13, 2003

APPROVED: \_\_\_\_\_

  
Ray Maynard, Mayor

ATTEST: \_\_\_\_\_

  
Susan E. Maynard, Clerk/Treasurer