

CITY OF CHEROKEE VILLAGE, ARKANSAS
City Council Minutes
November 18, 2004

The monthly meeting was called to order at 7:00 PM Thursday, November 18, 2004 by Mayor Ray Maynard. The meeting was held at City Hall. The Pledge of Allegiance was recited, and he called for the roll call.

ROLL CALL:

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

Also Present: Susan Maynard, City Clerk/Treasurer, Judge R.T. Starken

Absent: None

MINUTES: Motion to approve the October 21, 2004 minutes as corrected was made by Mr. Thompson and seconded by Mr. Stokes. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

TREASURER'S REPORT: Motion to accept the October financial report was made by Mr. Thompson and seconded by Mr. Schultz. With a voice vote of eight ayes, 0 nays, motion carried unanimously. Reports will be filed for audit.

CORRESPONDENCE: None

REPORTS:

Homeland Security: None

Municipal Planning & Development:

FireWise Grant: The Company that was awarded the contract advised us it would be unable to fulfill its obligations, so we advertised for bids again, with one bid received for \$40,000. Motion to provide and approve FireWise Mitigation Grant Community Risk Assessment contract was made by Mr. Fenton and seconded by Mr. Thompson. With a roll call vote of eight ayes, 0 nays, motion carried unanimously.

Planning & Zoning: In packet.

Police Dept.: Chief Goodwin reported 200 kids came for Halloween Trick or Treat. There was no vandalism or accidents. They have a budget worked out that the department can live with.

Street Dept.: They are doing regular fall work of mowing, cutting brush and cleaning ditches.

District Court: Mayor Maynard has talked with Mark Johnson, Sharp Co. District Court Judge-Elect regarding our court which will be dissolved the end of this year. The state legislature is working on a bill containing an emergency clause (HB1003) that is set to be passed in January which will allow the Sharp County District Court to be held in two locations. We should be able to hold our court here in February.

UNFINISHED BUSINESS:

School resource officer: A letter from Sheriff Weaver was presented, saying he hasn't heard any news on the approval or disapproval of the grant.

City Hall landscaping: Tabled until December meeting.

Fire Dept. - Contract with SID: Mr. Schultz made a motion to move and act upon Agenda Item "D" before "C". Mr. Torbit seconded. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

The agreement between the Water Dept. and SID was discussed. After much discussion of the contract the Mayor asked for a poll of the Council as to its positive feeling of the Agreement of Sale and Lease of Real Property between the SID and the City regarding the Fire Dept. All members replied favorably for the Agreement.

Ordinance establishing: Mayor Maynard asked Mrs. Maynard to read **An Ordinance to establish a fire department for the City of Cherokee Village, Arkansas, and to prescribe the duties for said members of the fire department.** Mr. Schultz made a motion to accept the second reading of the Ordinance. Mr. Thompson seconded. Discussion. Mr. Bartlett made a motion change Section 2 by adding "subject to approval of the City Council" after "Said Fire Chief shall be appointed by the Mayor", seconded by Mr. Stokes. The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, no; Lew Hagerman, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, no; Tom Thomson, no; and Ray Torbit, yes. With a vote of five ayes, three nays, motion carried. Mr. Schultz made a motion to accept the second reading of the Ordinance as amended. Mr. Thompson seconded. Discussion. The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, yes; Lew Hagerman, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, yes; Tom Thomson, yes; and Ray Torbit, yes. With a vote of eight ayes, 0 nays, motion carried.

Mr. Thompson made a motion to waive the rules and place the Ordinance on its third and final reading. Mr. Fenton seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, yes; Tom Thomson, yes; Ray Torbit, yes; and Lew Hagerman, yes. With a vote of eight ayes, 0 nays, motion carried.

Mrs. Maynard read the Ordinance, title only, for the third time. Mr. Fenton made a motion to accept the Ordinance. Mr. Torbit seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, yes; Tom Thomson, yes; Ray Torbit, yes; and Lew Hagerman, 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 2004-12.**

Mr. Schultz made a motion to accept the contract "Agreement of Sale and Lease of Real Property" between the SID and the City regarding the Fire Department, and to allow the Mayor to sign the contract. Mr. Stokes seconded. Discussion. The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, yes; Lew Hagerman, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, yes; Tom Thomson, yes; and Ray Torbit, yes. With a vote of eight ayes, 0 nays, motion carried.

Mr. Schultz made a motion to make the letter from the Cherokee Village Water Works to the Mayor dated November 10, 2004 an official part of the minutes and be attached to the minutes, ordinance and agreement filed. Mr. Stokes seconded. With a voice vote of eight ayes, 0 nays, motion carried unanimously.

Sequoyah Dam guardrail: Tabled until December meeting.

Amendment to Ordinance 99-11: Mayor Maynard asked Mrs. Maynard to read **An Ordinance to amend ordinance 99-11 for the adoption of rules and regulations concerning garbage and trash disposal and regulating abandoned property, rubbish and abandoned motor vehicles.** Mr. Thompson made a motion to accept the second reading of the Ordinance. Mr. Bartlett seconded. Discussion. The Clerk/Treasurer called the roll: Chuck Bartlett, yes; Jim Fenton, yes; Lew Hagerman, yes; Scott Paul, yes; Wally Schultz, yes; Russ Stokes, yes; Tom Thomson, yes; and Ray Torbit, yes. With a vote of eight ayes, 0 nays, motion carried.

NEW BUSINESS:

Mayor Maynard called for the discussion of the 2005 budget, line item by line item. Discussion was held on the General fund administrative budget, then decided to continue with a working session on Monday, November 22 at 9:00 AM.

Public comments: Steve Martin asked about some sort of document being made to say the Fire Dept. can go outside the city limits to fight fires. Mayor Maynard said that would be a Mutual Aid agreement and would have to be addressed in a separate ordinance.

MEETINGS AND ANNOUNCEMENTS:

Saturday, November 20, 7:00 – 10:00 PM; Dance with Chubby the DJ, Cherokee Lodge
Tuesday, November 23, 1:00 PM; Computer Club, Cherokee Lodge
Wednesday, November 24, 3:30 PM; Strategic Planning Committee, Townhouse Meeting Room
Thursday and Friday, November 25 & 26; THANKSGIVING BREAK – OFFICE CLOSED
Wednesday, December 1, 3:00 PM; Road Committee, City Hall
Monday, December 6, 1:00 PM; Planning & Zoning Commission, City Hall
Tuesday, December 7, 4:00 PM; Municipal Planning & Dev. Committee, Cherokee Lodge
Thursday, December 9, 9:00 AM; District Court, City Hall
Monday, December 13, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse
Monday, December 13, 7:00 PM; Fulton County Quorum Court, Salem Courthouse
Tuesday, December 14, 1:00 PM; CV Historical Society, Omaha Center
Tuesday, December 14, 6:00 PM; Cancer Support Group, City Hall
Thursday, December 16, 7:00 PM; City Council Meeting, City Hall

Cherokee Lodge (Senior Citizens Center) open, Monday through Friday, 9 – 2,
unless otherwise noted; lunch at 11:30 AM

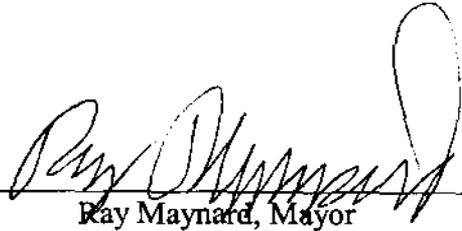
Re-cycling open every Tuesday 9:00 – 11:00 AM, weather permitting, City Hall Prkg Lot

ADJOURNMENT:

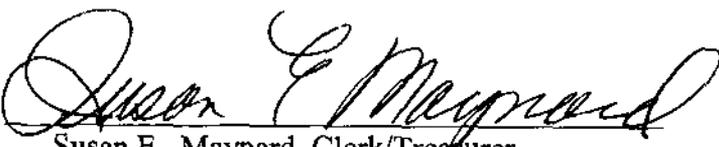
Motioned to adjourn was made by Mr. Torbit and seconded by Mr. Thompson. With a voice vote of eight ayes, 0 nays, motion carried unanimously. Meeting adjourned at 9:15 PM.

DATE: December 2, 2004

APPROVED:


Ray Maynard, Mayor

ATTEST:


Susan E. Maynard, Clerk/Treasurer