

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**City Council Minutes**  
**February 17, 2005**

The monthly meeting was called to order at 7:00 PM Thursday, February 17, 2005 by Mayor Ray Maynard. The meeting was held at City Hall. The Pledge of Allegiance was recited; he called for the roll call and declared a quorum.

**ROLL CALL:**

Answer Roll Call: Jim Fenton, Lew Hagerman, Tom Henkels, Peter Martin, Angela Petersen, Russ Stokes and Jan Torbit

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

Absent: Scott Paul

**MINUTES:** Motion to approve the January 20, 2005 minutes was made by Mr. Fenton and seconded by Mr. Martin. With a voice vote of seven ayes, 0 nays, motion carried unanimously.

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

**CORRESPONDENCE:** Several of the Senior Center's computer users signed a "thank you" card which was read.

**REPORTS:**

**Fire Dept.:** Chief Taylor gave the January report. Nine fire runs, one controlled burn, assisted street department in cleaning culverts, one brush fire, assisted the Senior Center in a fire drill, one vehicle fire and one carbon monoxide poisoning. He has located a cab for Engine #1.

**Homeland Security:** No report.

**Municipal Planning & Development:**

The FireWise contractors have completed their research of the community, and are in the process of making the preliminary maps. They will be working on permanent maps. They will conduct a demo and a public meeting regarding the whole program.

**Planning & Zoning:** In packet.

**Police Dept.:** During January 44 citations were issued. We have acquired the night vision goggles. Beginning in February, we will have court back in our courtroom on the third Friday at 9:00 AM. Officer Ric Morris will graduate from certification school the first week in April. They are working on a shooting range for officers only.

**Street Dept.:** Jim Cherry gave the report which was in the packets.

## UNFINISHED BUSINESS:

**City Hall landscaping:** Master Gardener Rob Smith from Tri-County Farm & Ranch Supply gave us a presentation of how they would plant the median of the City Hall parking lot. The trees would be removed, electricity and a sprinkler system installed and low-maintenance bushes and flowers will be planted. The area should be established nicely by the 50<sup>th</sup> Anniversary Celebration. Motion to accept Mr. Smith's proposal as given and to start the prep work as soon as possible was made by Mr. Stokes and seconded by Mrs. Torbit. With a voice vote of seven ayes, 0 nays, motion carried unanimously.

**401(a) ordinance:** Mayor Maynard asked Mrs. Maynard to read **An Ordinance supporting the establishment of a defined contribution plan for the City of Cherokee Village, Arkansas.** Discussion. Mr. Maynard confirmed the 10% amount would be paid on straight time only, no overtime included. Mr. Stokes made a motion to waive the rules and place the Ordinance on its second reading, title only. Mr. Hagerman seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, yes; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of seven ayes, 0 nays, motion carried. Mrs. Maynard read the Ordinance, title only, for the second time.

Mr. Stokes made a motion to waive the rules and place the Ordinance on its third and final reading. Mrs. Torbit seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, yes; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of seven 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. Mrs. Torbit seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, yes; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of seven ayes, 0 nays, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2005-02**. The emergency clause was deleted.

**Animal Control:** Mayor Maynard stated that we continue to receive complaints on strays and animals-at-large. He also stated we have an ordinance that says we shall have an Animal Control officer to enforce the ordinance and a shelter. We either need to repeal the ordinance or amend it. Scott Paul had offered to take on the project of amending the ordinance. Andrea Fisher is heading up a Sharp County Animal Shelter. She has published an address to which to send gifts to see how many people in the community are interested in establishing one. She hasn't talked to Sharp County yet. Cheryl Marshal oversees a low-cost spay/neuter program. During the September and November clinics, 173 animals were taken care of. There will be another one in March, and there are already 46 people signed up. Motion to check with the Water Dept. to see if they would collect a fee on the water bills and remit it to us, and to get with Scott Paul on the ordinance amendment was made by Mr. Fenton and seconded by Mr. Hagerman. With a voice vote of seven ayes, 0 nays, motion carried unanimously.

Mr. Henkels had a complaint on the condition of Highway 289 leading to IESI. The Mayor said IESI took delivery of a broom and scraper and assures us they will keep the highway clean. Our Code Enforcer checked on the area this afternoon and reported it had been cleaned. A State Trooper contacted us on this issue and said he will cite trucks for unsecured loads going to the landfill.

## NEW BUSINESS:

The mayor gave his State of the City address, thanking the citizens for their support over the last year. 2004 goals accomplished were (1) the completing of the Street Dept. building; (2) a very successful chip seal project; (3) completion of Cherokee Lodge – the Senior Center serves close to 100 people per day; and (4) beginning the transition of the fire department from the Suburban Improvement District to the City.

In 2005, he is looking forward to (1) developing a rehabilitation program for the streets – he has located a roller; (2) finding a solution for animal control and (3) keeping within the 2005 balanced budget – the Lakeview School decision will decide this.

**Fire Dept. petty cash resolution:** Mayor Maynard asked Mrs. Maynard to read **A resolution establishing a petty cash fund of \$50.00 for the Fire Dept.** Mr. Henkels made a motion to accept the resolution. Mr. Stokes seconded the motion. Discussion. The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, yes; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of seven ayes, 0 nays, motion carried. This will be **Resolution 2005-04.**

**Sharp County Fire Contract resolution:** Mayor Maynard asked Mrs. Maynard to read the resolution authorizing the Mayor to execute the contract with Sharp County to provide rural fire protection and related services. Mr. Stokes made a motion to accept the resolution. Mr. Fenton seconded the motion. Discussion. Chief Taylor said they have received funds from the county for the last several years (approximately \$2,000) and the contract is needed to release these funds. The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, yes; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of seven ayes, 0 nays, motion carried. This will be **Resolution 2005-05.**

**2004 Amended Budget Ordinance:** Mayor Maynard asked Mrs. Maynard to read **An Ordinance for the adoption of the amended 2004 municipal budget.** Mr. Fenton made a motion to accept the first reading of the Ordinance. Mr. Stokes seconded. Discussion. The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, abstain; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of six ayes, one nay, motion carried. Mr. Fenton made a motion to waive the rules and place the Ordinance on its second reading, title only. Mr. Stokes seconded the motion. Discussion. The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, abstain; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of six ayes, one nay, motion carried. Mrs. Maynard read the Ordinance, title only, for the second time. Mr. Henkels made a motion to waive the rules and place the Ordinance on its third and final reading. Mr. Stokes seconded the motion. Discussion. Mayor Maynard asked for a roll call vote: The Clerk/Treasurer called the roll: Jim Fenton, yes; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, abstain; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of six ayes, one nay, motion carried. Mrs. Maynard read the Ordinance, title only, for the third time. Mrs. 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; Lew Hagerman, yes; Tom Henkels, yes; Peter Martin, abstain; Angela Petersen, yes; Russ Stokes, yes; and Jan Torbit, yes. With a vote of six ayes, one nay, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2005-03.** The emergency clause was deleted.

**Public comments:**

**MEETINGS AND ANNOUNCEMENTS:**

Thursday, February 18, 9:00 AM; District Court, City Hall  
Monday, February 21; PRESIDENT'S DAY – OFFICE CLOSED  
Tuesday, February 22, 1:00 PM; Computer Club, Cherokee Lodge  
Wednesday, March 2, 3:00 PM; Road Committee, City Hall  
Monday, March 7, 1:00 PM; Planning & Zoning Commission, City Hall  
Tuesday, March 8, 4:00 PM; Municipal Planning & Dev. Committee, Cherokee Lodge  
Tuesday, March 8, 6:00 PM; Cancer Support Group, City Hall  
Monday, March 14, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse  
Monday, March 14, 7:00 PM; Fulton County Quorum Court, Salem Courthouse  
Thursday, March 17, 7:00 PM; City Council Meeting, City Hall

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

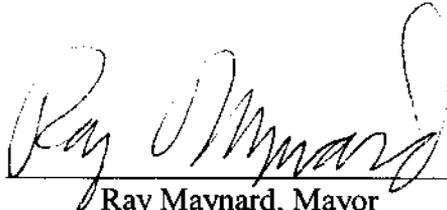
Re-cycling open every Tuesday 9:00 – 11:00 AM, weather permitting, City Hall Prkg Lot

**ADJOURNMENT:**

Motioned to adjourn was made by Mr. Martin and seconded by Mr. Hagerman. With a voice vote of seven ayes, 0 nays, motion carried unanimously. Meeting adjourned at 9:50 PM.

**DATE:** March 17, 2005

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

  
Ray Maynard, Mayor

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

  
Susan E. Maynard, Clerk/Treasurer