

CITY OF CHEROKEE VILLAGE, ARKANSAS
City Council Minutes
November 17, 2005

The monthly meeting was called to order at 7:00 PM Thursday, November 17, 2005 by Mayor Ray Maynard. The meeting was held at City Hall. The Pledge of Allegiance was recited; he called for the roll and declared a quorum. He asked for a moment of silence remembering Willard Hudson, member of the Planning & Zoning Commission

ROLL CALL:

Answer Roll Call: Peter Martin, Scott Paul, Angela Petersen, Russ Stokes, Jan Torbit and Kent Viers

Also Present: Susan Maynard, City Clerk/Treasurer

Absent: Tom Henkels, R.T. Starcken, Attorney

AGENDA: Motion to add the Planning & Zoning issue with school buses to the agenda under new business was made by Mr. Stokes and seconded by Mr. Martin. Discussion. With a voice vote of six ayes, motion carried. Motion to add Ricky Crook, Sharp County Deputy Sheriff to the agenda under new business was made by Mr. Paul and seconded by Mr. Martin. Discussion. With a voice vote of six ayes, motion carried. Motion to adopt the agenda was then made by Mr. Stokes and seconded by Mr. Viers. Discussion. With a voice vote of six ayes, motion carried.

PUBLIC COMMENTS ON THE AGENDA: None

MINUTES: Motion to approve the October 20, 2005 minutes as presented was made by Mr. Viers and seconded by Mrs. Torbit. Discussion. With a voice vote of six ayes, motion carried. Motion to approve the November 3, 2005 minutes as corrected by changing the date from November 4 to November 3 was made by Mrs. Torbit and seconded by Mr. Viers. Discussion. With a voice vote of six ayes, motion carried.

TREASURER'S REPORT: Motion to accept the October financial report was made by Mr. Stokes and seconded by Mrs. Torbit. With a voice vote of six ayes, motion carried unanimously. Reports will be filed for audit.

CORRESPONDENCE: Mrs. Maynard read a letter from the Tri-County Solid Waste Disposal Authority asking that we continue funding the Authority at least at the same level as in 2005.

REPORTS:

Fire Dept.: Chief Mike Taylor gave the October report. Repairs of the ambulance bay have been completed, and the engine room insulation project has been finished. All repairs have been done by fire personnel.

Planning & Zoning: In packet. Mayor Maynard said building permits are up drastically and hopes it is the beginning of good things to come.

Police Dept.: Chief Goodwin gave the October report. Officer Ken Guidry is working out well for us.

Street Dept.: In packet.

UNFINISHED BUSINESS:

Amend Ordinance 99-10, Purchasing & Bidding: Motion to suspend the rules and read the Ordinance, title only, was made by Mr. Stokes and seconded by Mr. Viers. Discussion. With a voice vote of six ayes, motion carried. Mayor Maynard asked Mrs. Maynard to read **An Ordinance to amend ordinance 99-10 establishing a procedure for the purchasing, sale or exchange of property in the City of Cherokee Village, Arkansas; and for other purposes.** Motion to accept the second reading of the ordinance was made by Mr. Martin and seconded by Mr. Stokes. Discussion. The Clerk/Treasurer called the roll. Peter Martin, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of six ayes, motion carried.

2006 Budget Discussion: Motion to suspend the rules and read the Ordinance, title only, was made by Mr. Paul and seconded by Mrs. Torbit. Discussion. With a voice vote of six ayes, motion carried. Mayor Maynard asked Mrs. Maynard to read **An Ordinance for the adoption of the municipal budget.** Motion to accept the second reading of the ordinance was made by Mr. Viers and seconded by Mr. Martin. Discussion. Motion to remove the amount of \$4,000 for codification of ordinances was made by Mr. Martin and seconded by Mr. Paul. Discussion. The Clerk/Treasurer called the roll. Peter Martin, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of six ayes, motion carried. Motion to change the amount of \$3,000 for the Municipal Planning & Development committee to \$2,000 was made by Mr. Stokes and seconded by Mr. Martin. Discussion. With a voice vote of six ayes, motion carried. The Clerk/Treasurer called the roll to accept the second reading. Peter Martin, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of six ayes, motion carried.

Ward 3 Aldermanic vacancy: Mayor Maynard reported there was only one applicant to interview to fill the vacancy - June Chelsvig, a retired registered nurse and nursing director. She is active in the Highland Ladies of the Elks, C.V. Women's Club, Spring River Performing Arts and tutors 2nd grade special needs children. Motion to appoint June Chelsvig to fill the Ward 3 Position 2 vacancy was made by Mrs. Torbit and seconded by Mr. Stokes. Discussion. The Clerk/Treasurer called the roll. Peter Martin, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of six ayes, motion carried.

Planning & Zoning issue regarding parking of school buses in the city limits: Mrs. Maynard read Planning & Zoning Commissioner Thompson's memo dated November 10, 2005 to the Council. He said the Commission gives the unanimous decision that no changes be recommended to the existing prohibition of the parking of buses on residential property. Motion to allow buses to be parked per Mr. Martin's previously proposed amendment of Ordinance 99-2, Article 19-B, Item 4 (copy of amendment attached) was made by Mr. Martin and seconded by Mrs. Petersen. Much discussion. Mayor Maynard again suggested Planning & Zoning could issue "parking" permits to buses, motor homes, etc. Motion to table the issue until the December meeting, allowing Mr. Martin and Mr. Paul time to rewrite Mr. Martin's amendment, was made by Mr. Stokes and seconded by Mr. Martin. With a voice vote of six ayes, motion carried.

NEW BUSINESS:

Sharp County Chief Deputy Ricky Crook, on behalf of Sheriff Weaver, again asked the Council to consider paying Sharp County \$7,282.74 for non-emergency dispatching for the period of October - December, 2005; and budgeting \$29,130.96 for January - December, 2006. Cave City, Sidney, Highland and Williford have consented to pay, but Hardy and Ash Flat have tabled the issue until their respective December meetings. Mr. Martin said we need a contract so we know what we'll get. Mr. Stokes said the figure should be an average of the actual use over the previous five years use, or the County could also raise the millage. He would prefer an accurate account of the number of calls per entity. We should be charged on the basis of service provided. Mayor Maynard asked Mr. Crook to ask the Judge to meet with him to come up with a solution. Thirty thousand dollars is usurious.

Mr. Martin's meetings: The memo from Mr. Stokes dated April 8, 2005 was discussed again. Are Mr. Martin's meetings an official city function or a private meeting? Motion to allow Mr. Martin to continue his meetings here at City Hall was made by Mr. Martin and seconded by Mrs. Petersen. Mr. Martin said this is our time to discuss agenda items and anyone in the audience can participate. He also said that, because of this memo, he had changed the format of his meetings from an "open forum" to a discussion of the upcoming Council meeting agenda. Mr. Stokes said his original concern was a councilman conducting a meeting - that the councilman could be perceived as representing the whole governing body in some official capacity. He would be more comfortable if these meetings were not at a government facility. He would like to find out more specifically from Attorney David Schoen "is it permissible for one councilman to call a meeting to discuss the agenda prior to the general Council meeting? He asked the mayor to find out. Motion to table the issue until the December meeting for clarification was made by Mrs. Torbit and seconded by Mr. Viers. With a voice vote of six ayes, motion carried.

PUBLIC COMMENTS:

MEETINGS AND ANNOUNCEMENTS:

Friday, November 18, 9:00 AM; District Court, City Hall
Wednesday, November 23, 4:00 PM; Strategic Planning Committee meeting, Townhouse Bldg.
Thursday & Friday, November 24 & 25, Thanksgiving holidays; Offices CLOSED
Monday, December 5, 1:00 PM; Planning & Zoning Commission, City Hall
Monday, December 5, 6:00 PM; Festival of Lights, Town Center
Wednesday, December 7, 3:00 PM; Road Committee, City Hall
Monday, December 12, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse
Monday, December 12, 7:00 PM; Fulton County Quorum Court, Salem Courthouse
Thursday, December 15, 7:00 PM; City Council Meeting, City Hall
Friday, December 16, 9:00 AM; District Court, 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 Wednesday 9:00 - noon, weather permitting, City Hall Prkg Lot

ADJOURNMENT:

Motioned to adjourn was made by Mr. Martin and seconded by Mrs. Torbit. With a voice vote of six ayes, motion carried unanimously. Meeting adjourned at 8:45 PM.

DATE: December 15, 2005

APPROVED: 

Ray Maynard, Mayor

ATTEST: 

Susan E. Maynard, Clerk/Treasurer