

CITY OF CHEROKEE VILLAGE, ARKANSAS
City Council Minutes
February 16, 2006

The monthly meeting was called to order at 7:00 PM Thursday, February 16, 2006 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.

ROLL CALL:

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

Also Present: Susan Maynard, City Clerk/Treasurer

Absent: R.T. Starken, Attorney

AGENDA: Motion to adopt the agenda, with the addition of the Mayor's State of the City address, was made by Mr. Martin and seconded by Mrs. Torbit. Discussion. With a voice vote of eight ayes, motion carried.

PUBLIC COMMENTS ON THE AGENDA: None

Mayor Maynard gave his "State of the City" address in which he touched on the achievements of the past year and what he is looking forward to doing this year.

Ozarka College: Oral Henderson introduced the new president, Dr. Dusty Johnston. Dr. Johnston gave his thoughts on the problems with the continuing gap between the "Have's" and the "Have nots." He said the way to decrease this gap is through education, and that the key thing is financial assistance.

Karla Rush told of the Ozarka College Foundation, of which resident Sharron Mathis is a board member. She also told us of, and needs our help getting the word out, a \$10,000 scholarship named for Jim Fenton. They have a federal grant which will match all donations made through September. We can help by distributing brochures and having a link on our website.

MINUTES: Motion to approve the January 17, 2006 minutes as presented was made by Mrs. Torbit and seconded by Mrs. Chelsvig. With a voice vote of eight ayes, motion carried unanimously.

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

CORRESPONDENCE: Mrs. Maynard read letters from the U.S. Justice Dept. regarding a COPS grant application; and from Mrs. Bushnell regarding the Police Dept.'s helping them with her sister.

REPORTS:

Fire Dept.: Chief Mike Taylor gave the January report. There were a total of 43 calls including three structure fires of which one was moderate. The full time firefighters trained for 166 hours, with the volunteers training for six hours. He was asked if it was possible to ticket someone for unauthorized burning, to which he answered "yes," but we haven't yet. Most people are not aware of the burn bans. We have purchased seven signs which say "Burn Ban in Effect." These will be placed at all entrances to the City.

Mr. Oberding stressed his concern about the water leaking out of Omaha Dam, and if there was anything that we could do. Chief Taylor said the firefighters who are certified scuba divers must do this work on their time off as he can't take them off duty for private work. He has given Jimmy Chandler a list of divers and their days off.

Planning & Zoning: In packet. Mr. Thompson reported there are two new homes under construction since January 1.

Police Dept.: Chief Goodwin gave the January report. He was asked how illegal dumping is being treated. If we know a name, the person can be cited into court, but the judge usually dismisses the charges if the trash has been removed.

Street Dept.: In packet.

Strategic Planning: In packet.

UNFINISHED BUSINESS:

a. Amend Ordinance 99-2: Motion to suspend the rules and read the ordinance, title only was made by Mr. Martin and seconded by Mrs. Torbit. Discussion. With a voice vote of eight ayes, motion carried. Mayor Maynard asked Mrs. Maynard to read **An Ordinance to amend Ordinance 99-2 to allow the parking of school buses within the city limits of Cherokee Village, Arkansas**, title only. Motion to accept the second reading of the ordinance was made by Mr. Martin and seconded by Mrs. Chelsvig. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, no; Kent Viers, yes; June Chelsvig, yes; Peter Martin, yes; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried.

B. 2003-12 Septic ordinance amendment: Motion to suspend the rules and read the ordinance, title only was made by Mr. Martin and seconded by Mr. Stokes. Discussion. With a voice vote of eight ayes, motion carried. Mayor Maynard asked Mrs. Maynard to read **an ordinance to amend Ordinance 2003-12 to regulate installation and repair of sewage disposal systems in the City of Cherokee Village, Fulton and Sharp Counties, Arkansas**, title only. Mr. Stokes made a motion to accept the second reading of the ordinance. Mr. Martin seconded. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, yes; Petr Oberding, yes; and Scott Paul, yes. With a vote of eight ayes, motion carried.

c. Sharp County dispatch: Mayor Maynard said that he had met with the Sharp County Judge and Sheriff, and obtained a copy of the dispatch budget. The approximate cost per A.C.I.C. transaction is \$.0472. The 5% surcharge on the phone bills has never been enough to fully pay for 9-1-1, even when it was by itself. We will probably end up having to pay for dispatch one way or another. Motion to pay for the first quarter dispatch service fee, but not to sign an agreement yet was made by Mr. Martin and seconded by Mr. Paul. Discussion. We need a definition of the dispatch services we will be provided with. Mr. Martin suggested Chief Goodwin and Chief Taylor get together and define what we expect of Sharp County. The Sheriff is prepared to receive something. We would have a logistics issue if we went with Fulton County, in that the dispatchers would have to get us back up from Sharp County. Chief Taylor was asked how this would affect our ISO rating. He replied that dispatch is only 10% of the issue, while the water department is 40% and the Fire Dept. makes up the remaining 50%. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, yes; Petr Oberding, yes; and Scott Paul, yes. With a vote of eight ayes, motion carried.

NEW BUSINESS:

a. Ordinance to amend 2005 budget: Mayor Maynard asked Mrs. Maynard to read **An ordinance providing for the adoption of an amended budget for the City of Cherokee Village, Arkansas, for**

the twelve (12) months beginning January 1, 2005 and ending December 31, 2005, appropriating money for each item of expenditure therein provided for; and for other purposes. Mr. Stokes made a motion to accept the first reading of the ordinance. Mrs. Chelsvig seconded. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried.

Mr. Stokes made a motion to waive the rules and place the Ordinance on its second reading, title only. Mrs. Torbit seconded the motion. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried. Mrs. Maynard read the Ordinance, title only, for the second time.

Mrs. Chelsvig made a motion to accept the second reading of the ordinance. Mrs. Torbit seconded. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried.

Mr. Stokes made a motion to waive the rules and place the Ordinance on its third and final reading. Mr. Paul seconded the motion. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried. Mrs. Maynard read the Ordinance, title only, for the third time.

Mr. Paul made a motion to accept the Ordinance. Mr. Viers seconded the motion. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2006-02**.

Mr. Paul made a motion to accept the emergency clause. Mrs. Chelsvig seconded the motion. Discussion. The Clerk/Treasurer called the roll: Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; Kent Viers, yes; June Chelsvig, yes; Peter Martin, no; Petr Oberding, yes; and Scott Paul, yes. With a vote of seven ayes, motion carried.

b. Purchase new fire truck: Mayor Maynard passed out copies of his proposed revised 2006 budget, based on actual monies received from the S.I.D. in January. We received a \$95,000 adjustment for 2005 for fire and \$45,000 for streets.

Chief Taylor said of the five fire trucks we have now, three are 1973's. If we can get a new one, it would go to the Onaga Station. Engine #1 would be moved to the Omaha Station. Engine #2 would be moved to back-up. Engine #3 (gas burner) would be taken out of service and sold. Parts are hard to find for these engines, and the engines are only worth about \$7,000. Our ISO rating is not dependent on the age of the fire trucks. A new engine should have a life of 30 years.

Mayor Maynard said that with the balance of 833 funds, Engine #1 insurance proceeds (above expenses), State Capital Improvement grants and the SID adjustment, there should be more than enough money to purchase a new fire truck and a new pickup for the Chief. We will use the reverse Internet auction to purchase this engine.

Mr. Martin made a motion to use the same exact bid specs for this engine as we had for Engine #5. Mr. Paul seconded the motion. Discussion. Chief Taylor said there were some things he would like to have different for this engine. Mr. Martin withdrew his motion.

c. Additional equipment and funding for street repair: Mayor Maynard requested purchasing a new backhoe and hiring an additional operator to run it. That way we could have two teams preparing roads for resurfacing. He would also like to hire a contractor to put down a hot mix wedge course on Allegheny and Cherokee Rd. between the new bridge and the intersection of Highway 175 and Okmulgee Dr. This would be less expensive than having our own crew use cold mix patching and would make a better road. We would still do the finish coat of chip-seal.

Mayor Maynard added that we may still receive more than expected from SID due to the 2005 sale of 2,900 lots.

Mayor Maynard reported when he met with the Sharp County Sheriff he asked them to put in a satellite receiver so our officers can talk with Central Dispatch with their hand-held radios. (At this time there are many places this cannot be done.) The Sheriff has agreed and asked for an equipment list and they would order it.

PUBLIC COMMENTS:

MEETINGS AND ANNOUNCEMENTS:

Friday, February 17, 9:00 AM; District Court, City Hall

Wednesday, March 1, 3:00 PM; Road Committee, City Hall

Monday, March 6, 1:00 PM; Planning & Zoning Commission, City Hall

Monday, March 13, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse

Monday, March 13, 7:00 PM; Fulton County Quorum Court, Salem Courthouse

Thursday, March 16, 7:00 PM; City Council Meeting, City Hall

Friday, March 17, 9:00 AM; District Court, City Hall

Cherokee Lodge (Senior Citizen's Center) open,

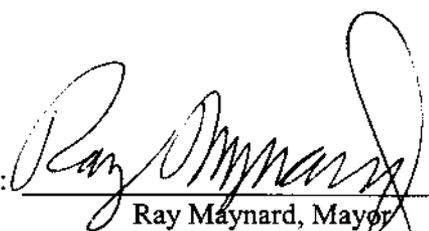
Monday through Friday, 9 – 2, unless otherwise noted; lunch at 11:30 AM

ADJOURNMENT:

Motioned to adjourn was made by Mr. Martin and seconded by Mr. Stokes. With a voice vote of eight ayes, motion carried unanimously. Meeting adjourned at 9:05 PM.

DATE: March 16, 2006

APPROVED: _____


Ray Maynard, Mayor

ATTEST: _____


Susan E. Maynard, Clerk/Treasurer