

CITY OF CHEROKEE VILLAGE, ARKANSAS
City Council Minutes
July 20, 2006

The monthly meeting was called to order at 7:00 PM Thursday, July 20, 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: Peter Martin, Petr Oberding, Scott Paul, Angela Petersen, Russ Stokes, Jan Torbit and Kent Viers

Also Present: Susan Maynard, City Clerk/Treasurer

Absent: June Chelsvig

AGENDA: Motion to adopt the agenda was made by Mr. Martin and seconded by Mr. Stokes. Discussion. Motion to add the Council's discussion of the "Disaster Awareness" booklet submitted by Mrs. Maynard to "New Business" was made by Mr. Martin and seconded by Mr. Paul. With a voice vote of seven ayes, motion carried.

PUBLIC COMMENTS ON THE AGENDA: None

MINUTES: Motion to approve the June 8, 2006 minutes as presented was made by Mr. Paul and seconded by Mrs. Torbit. With a voice vote of seven ayes, motion carried unanimously.

TREASURER'S REPORT: Motion to accept the June financial report was made by Mr. Stokes and seconded by Mrs. Torbit. Mr. Martin asked what "Leasehold Improvements" were. That is the Police Dept.'s shooting range. Mayor Maynard said that one-half of the Force qualified yesterday. With a voice vote of seven ayes, motion carried unanimously. Reports will be filed for audit.

CORRESPONDENCE: Mrs. Maynard read a letter from the Spring River Car Club to the Police Dept. thanking them for their contribution to the car show; a letter to the Police Dept. from Robert and Mary Weidner of O'Fallon, Missouri for Officer Wiles' helping them find their way through the Village; and a letter from the Boy Scouts of America to the Fire Dept. for their helping in their summer camp program.

REPORTS:

Fire Dept.: In packet. The Department responded to 16 calls; the firefighters trained for 204 hours; and the volunteers trained for four hours on apparatus. Chief Taylor was asked if we would be putting on a burn ban. He said, "Not yet." We are supposed to get rain this weekend.

Planning & Zoning: In packet. Permitted construction costs through June are \$9,594,411. A total of 210 roof repairs (\$853,429) have been permitted. Seven burnouts are in the process of being cleaned up – so far, no cost to the City.

We have hired an additional employee, Stu Harvey, to help Mr. DeLoach with building inspections. The new Inspector will be handling new construction, while Mr. DeLoach looks after all other construction and code enforcement issues.

The Commission also asked the Council to amend their budget by moving the \$10,000 allotted to clearing up burnouts and \$1,000 from 2005 Funds Balance to the following:

New Inspector's salary	\$ 5,600
Mileage for new Inspector	500
Cell phone for new Inspector	175
Payroll taxes for new Inspector	580
Additional mileage for Building Inspector	1,100
Additional salary for training of a new P & Z secretary to replace the current secretary who is retiring	<u>3,045</u>
Total	<u>\$ 11,000</u>

Mr. Viers made a motion to accept the budget revision. Mr. Paul seconded. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried.

Police Dept.: Mrs. Maynard read a letter given to Chief Goodwin by Sgt. K.C. Shultz informing us of his intent to resign from the Department. We have hired Anthony Wiles to cover the opening made when Ken Guidry resigned. At the time, the Department will use two part-time officers to cover the day shift. Mayor Maynard reported the Dept. is becoming real aggressive towards drugs. Mrs. Torbit asked how Judge Johnson was handling repeat offenders. The mayor said he would make a report available to the Council next meeting.

Street Dept.: In packet. Mayor Maynard said Pontiac Dr., Alleghney Dr. and part of Hospital Dr. have been paved. They are in the process of working on Cherokee Rd. at Cedar Valley Park, installing larger culverts. It should be ready to pave in one and one-half weeks.

Strategic Planning (ACE Committee): In packet.

UNFINISHED BUSINESS:

a. Animal Control issues: Lynja Taylor introduced herself and gave ideas on how to help pay for Animal Control by giving flea and tick baths, having an adoption program and offering grooming services to the public. She has worked with other entities in Wisconsin in this regard, and had her own grooming business for 25 years. She has also applied for the AC officer position, but would be willing to do all this when the need arises. She now picks up animals, takes care of them and tries to get them adopted.

Mayor Maynard and Mr. Martin attended the last Sharp County Quorum Court meeting. Our J.P.'s seem to be indifferent, as no one has called them on the issue, pro or con.

As an interim measure, we will take the animals to the North Arkansas Boarding Kennel for the five days, and the Batesville Animal Control Dept. will euthanize and dispose of any we take down there. We will make up a guide to put in the paper and on our website.

b. Animal Control Sales Tax Ordinance #1, 3rd Reading: It was decided to table this until we decide if we want a sales tax or millage.

c. Animal Control Sales Tax Ordinance #2, 1st Reading: Motion to have the first reading of the Ordinance was made by Mr. Martin and seconded by Mrs. Torbit. Discussion. With a vote of seven ayes, motion carried. Mayor Maynard asked Mrs. Maynard to read **An ordinance calling a special election in the City of Cherokee village, Arkansas, on the question of levying a one percent sales and use tax.** Motion to accept the first reading of the ordinance was made by Mrs. Torbit and seconded by Mrs. Petersen. Discussion. Motion to table both ordinances regarding a one percent sales tax for Animal Control and look into the revenue that a property tax would bring in was made by Mr. Martin and seconded by Mr. Paul. Discussion. With a vote of six ayes, motion carried. Mr. Viers said he didn't feel that people would have any say in the matter if a millage was used. Motion to have an ordinance drafted and figures available for a millage at the August meeting (perhaps including a "Sunset" clause – ten years?) was made by Mr. Viers and seconded by Mr. Stokes. Discussion. With a vote of seven ayes, motion carried.

NEW BUSINESS:

a. Attorney resolution: It was decided to table this issue until the August meeting when we will have the name of an attorney willing to take our cases. Mayor Maynard has asked Mr. Kisse, but he has not returned an answer.

b. NIMS Ordinance: Mayor Maynard asked Mrs. Maynard to read **An ordinance adopting the National Incident Management System (NIMS) as the standard for incident management by the City of Cherokee Village, Sharp and Fulton Counties, Arkansas.** Mr. Martin made a motion to accept the first reading of the ordinance. Mr. Viers seconded. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried.

Mr. Martin 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: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried. Mrs. Maynard read the Ordinance, title only, for the second time.

Mr. Martin made a motion to accept the second reading of the ordinance. Mr. Stokes seconded. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried.

Mr. Martin made a motion to waive the rules and place the Ordinance on its third and final reading. Mr. Oberding seconded the motion. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried. Mrs. Maynard read the Ordinance, title only, for the third time.

Mr. Martin made a motion to accept the third reading of the Ordinance. Mr. Oberding seconded the motion. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried. Having been read three times, this Ordinance is declared passed. It will be **Ordinance 2006-07**.

Mr. Martin made a motion to accept the emergency clause. Mr. Oberding seconded the motion. Discussion. The Clerk/Treasurer called the roll: Peter Martin, yes; Petr Oberding, yes; Scott Paul, yes; Angela Petersen, yes; Russ Stokes, yes; Jan Torbit, yes; and Kent Viers, yes. With a vote of seven ayes, motion carried.

c. Disaster Awareness booklet: The booklet was reviewed, and it was agreed to table the issue until the August meeting so Mrs. Maynard can make the desired changes and get a price for printing the booklet.

PUBLIC COMMENTS: It was suggested that we get an ordinance so we can fine owners of rental property, when the renters have violations against the property. Some states have rental property inspections.

MEETINGS AND ANNOUNCEMENTS:

Friday, July 21, 9:00 AM; District Court, City Hall

Wednesday, August 2, 3:00 PM; Road Committee, City Hall

Monday, August 7, 1:00 PM; Planning & Zoning Commission, City Hall

Monday, August 14, 6:00 PM; Sharp County Quorum Court, Ash Flat Courthouse

Monday, August 14, 7:00 PM; Fulton County Quorum Court, Salem Courthouse

Thursday, August 17, 1:00 PM; ACE Committee Meeting, City Hall

Thursday, August 17, 7:00 PM; City Council Meeting, City Hall

Friday, August 18, 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

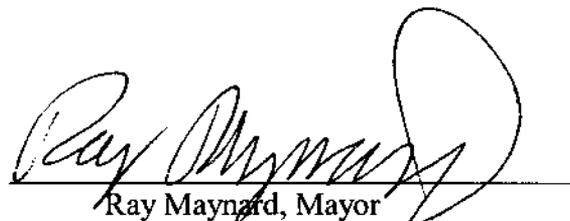
Re-cycling open every Wednesday 8:00 – 11:00 AM, weather permitting, City Hall Parking Lot

ADJOURNMENT:

Motioned to adjourn was made by Mr. Martin and seconded by Mrs. Torbit. With a voice vote of seven ayes, motion carried unanimously. Meeting adjourned at 8:35 PM.

DATE: August 17, 2006

APPROVED:


Ray Maynard, Mayor

ATTEST:


Susan E. Maynard, Clerk/Treasurer