

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
JULY 17, 2008**

Mayor Lloyd Hefley called the monthly meeting of the Cherokee Village City Council to order at 7:00 P. M. on Thursday, July 17, 2008.

Mayor Hefley led the Pledge of Allegiance followed by a moment of silent prayer. He asked all to include Scott Goodwin and Jimmy Cherry in prayers re their medical conditions.

ROLL CALL: Clerk Endrihs called roll. Present were: Martin, Newman, Oberding, Stokes, Thone, and Viers; Paul & Petersen were absent. Also present was Attorney Jon Abele.

AGENDA: Stokes requested that the Budget listed under Committee Reports be moved to Old Business as it will require legislative action. Newman moved that the Agenda be accepted with the change, seconded by Stokes; unanimously passed.

PUBLIC COMMENTS ON AGENDA ITEMS: None.

APPROVAL OF JUNE 26, 2008 MINUTES: Viers moved that we accept the minutes as written; seconded by Thone; unanimously approved.

MAYOR'S REPORT: The Mayor had passed out a paper to the Council on which he indicated his plans for the City of Cherokee Village and also working with Sharp County and Mayors of the other cities in plans for building up the area. There are 3 things to be looked at county wide and they are #1 – 24/7 emergency room; #2 – Paving of highly travelled roads; and #3 – a sewer system which is long term and a costly investment.

CLERK'S REPORT: None.

FINANCIAL REPORT: Executive Assistant Romans said he was prepared to answer questions on the report and asked if there were any. He had no other report. There were no questions at this time.

CORRESPONDENCE: None.

DEPARTMENT REPORTS:

FIRE: Chief Taylor reported that his Department had responded to 15 calls in June. The Firefighters trained for 220 hours on various subjects. The volunteers trained for 2 hours on Fire Streams and 2 hours on Hose. The Fire Department has finished their Annual Apparatus Tests. (Report on file)

He went on to say that he had submitted a proposal for emergency generators to be installed in both the Fire and Police Departments. These are necessary to ensure that the area would not be without service during a power outage. The Annual July 4th Pancake Breakfast raised about \$1500 to be used for this project. He thanked Thrivent for Lutherans and Modern Woodmen of America for their matching funds as well as providing helpers for the day.

POLICE: In the absence of Chief Goodwin, the Mayor reported on the increase of crime in Cherokee Village during the last three months. The Mayor indicated that they are stealing copper, gasoline and anything they can get their hands on. As a result the officers are doing extra patrols in the higher crime areas to help solve these crimes. The Mayor said he would be meeting with Judge Brown and other Sharp County Mayors to discuss these increases and how things were being handled in their respective areas.

He indicated that Shane Hightower has completed 6 weeks of training as a Crime Scene Technician and that a new officer, Jason Martin, had been hired. Newman asked if we had anything in writing to keep these officers on duty here after all their schooling and training. At this time, there is not.

Two forms were included in the Police report. One was a CV Security Check Log where policemen could indicate the location, time, etc. of any break-in. The second was a Daily Activity Page Form to be completed by each officer. (Report on file)

Jason Martin, the new Police Officer, was introduced. He lives in Salem, is married and has three children. He works the 3-11 PM shift. Thone asked if he plans to stay with our Police Department for 10 years or more. He replied that he planned to stay at least 10 years "or until he gets his Master's Degree, whichever comes first."

STREETS: Jimmy Cherry reported that his Department bladed cold mix on Kiowa Drive, E. Lakeshore Drive, Saratoga Drive and N. Walla Walla Drive; dug soft spots on Samoset Drive, N. Walla Walla Drive and Pottawattamie Road. They patched streets, mowed, put in driveway approaches, trimmed brush, cleaned up fallen trees and cut corners; put up 7 street signs and 1 stop sign; worked on dirt work at Baseheart Fire Station; and worked on trucks, equipment and police cars as needed. (Report on file) The Pug Mill electric work is awaiting either the electric company or the electrician.

PLANNING & ZONING COMMISSION: Tom Hrezo reported first on the Permit Comparisons between the years 2007-2008. Total of permits for 2007 were 365 for Construction Cost total of \$2,911,576.75; and for 2008, Permits were 246 for Construction Cost of \$1,372,107.00. Roofing Permits issued for 2008 were 56 for total of \$198,845.00.

The Code Enforcement Officer has been working very hard in the Village. He received 93 complaints; 105 letters of notification were sent out; 10 citations were issued and those receiving them must go to court unless problem is settled prior to court date. Personal contact was 18 and 135 verifications were made.. Things are getting cleaned up, complaints are being checked, etc.

Hrezo said the P&Z met and were requesting approval to remove the foundations on the corner of Iroquois Drive and E. Waketa Drive and two on Lake Omaha. The two on Omaha are part of the Parlago Group. Since word has been received from them, action on removal of these foundations will be delayed depending on future action taken by them. They indicated that the Styrofoam houses they had planned to build are now approved by the International Building Code. Bid from Tony Donahoe Company for \$3,625.00 has been received pending approval of Council. Martin questioned the legality of this move. Hrezo referred to Ordinance 99-8 which gives permission to take the first step. Attorney Abele was questioned. He indicated that this can be further proceeded with when the Ordinances listed under Old Business are passed. DeLoach also spoke on passing this request, so at least the paperwork can be started while waiting for the 90 days to pass before Ordinance is in effect after passage. Oberding moved that we proceed with necessary action to be followed in removing the foundation at Iroquois and E. Waketa Drives, seconded by Newman. Roll call taken – Yes votes: Newman, Oberding, Thone and Viers. NO – Martin & Stokes. Passed.

Hrezo also referred to Ordinance 2008-A which states 90 days for action to be taken. He indicated that this was not enough time to complete a home and that 180 days is better and also coincides with the IBC and Ordinance 2007-02. Much discussion followed on this subject.

Much discussion also followed on Standby Letter of Credit. This is not meant to hinder the work of the local people; but needed to deal with those builders from out of state who may start a project, skip town with no forwarding address, etc. Planning & Zoning Commission feels it is very important.

Thone questioned whether or not P&Z is overlooking all the work that is going on at the Animal Shelter. DeLoach replied that it is. The construction work is being inspected. Electrical work is being done by a licensed electrician. The septic systems are being put in by a reputable company and all this work is checked by DeLoach as well as other P&Z Committee members. Questions arose about plans for future expansion and would septic system be adequate for another dog house. DeLoach replied that it would. The Mayor indicated that we are going right now with what we have, and other work will be done in future if needed.

COMMITTEE REPORT

ROADS & STREETS: The Corps of Engineers and the Arkansas State Highway and Transportation Department are concerned about the condition of our 2 low water bridges and the placement of dredged and fill material around the Flathead Bridge. The other bridge is the Golf Course Bridge on Cherokee Road. (Report on File)

FINANCIAL REORTS: Questions were now asked. Newman asked if funds were coming in from County, SID, State, etc. Romans replied that they were. Stokes asked if the payments coming in were received time wise as in previous year and if the amount was less or more. Romans replied that they were arriving approximately the same time as last year and were up a little from last year. Newman wanted to know if the Fire Department found its money. Chief Taylor said that it was found in the LOPFI part. There was a mix up in date when report was run that was straightened out. Stokes moved that the Financial Report be accepted; seconded by Newman; unanimously passed. Romans will e-mail Council members a comparison copy of these figures from 2007 and 2008.

PERSONNEL: The Personnel Committee met on July 7th and discussed evaluation sheets, incident reports, a police log. Plans are to meet again on August 4th at 10:00 AM. Martin wanted to know if the incident reports were going to be available to Council. Newman did not think this was necessary for minor incidents; but Martin still would like to see them. Personnel Committee will discuss and go from there.

WEB SITE COMMITTEE: Romans indicated that this Committee is up and running. It is half done and should be completed and presented to the Council within the next month or two.

OLD BUSINESS:

A motion was made by Newman, seconded by Thone and unanimously carried, to read title only of Ordinance 2008-A – **AN ORDINANCE TO REQUIRE SUBSTANTIAL PROGRESS ON CONSTRUCTION WITHIN THE CITY; DEFINING SUBSTANTIAL PROGRESS; REQUIRING INSURANCE; AND PROVIDING A PROCEDURE TO OBTAIN AN EXTENSION FOR BUILDING PERMITS** was read by Clerk Endrihs. Newman moved to accept with the proposed changes; seconded by Thone. Roll call taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers. Passed.

Motion was made by Martin, seconded by Newman and unanimously carried to read title only of Ordinance 2008-B – **AN ORDINANCE TO CORRECT UNSIGHTLY OR UNSANITARY CONDITIONS ON REAL PROPERTY AND TO PROVIDE A PROCEDURE FOR GIVING NOTICE AND ORDER TO PROPERTY OWNERS WITH UNSIGHTLY OR UNSANITARY CONDITIONS ON THEIR PROPERTY.** Martin moved that we accept, seconded by Newman. Roll call taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers. Passed.

Motion was made by Martin, seconded by Oberding and unanimously carried to read title only of Ordinance 2008-C – **AN ORDINANCE PROVIDING FOR THE REMOVAL OR RAZING OF BUILDINGS WITHIN THE CITY LIMITS OF CHEROKEE VILLAGE, ARKANSAS, THAT ARE DILAPIDATED, UNSIGHTLY, UNSAFE, UNSANITARY, OBNOXIOUS OR DETRIMENTAL TO THE PUBLIC WELFARE.** Martin moved that we accept, seconded by Oberding. Roll call was taken. YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers. Passed.

BUDGET: The 2008 Amended Budget was then presented. It was suggested to go over Department by Department. Stokes raised question on Line item 371 for expenditures. The additional amount requested would cover the cost of the sales tax on the Pug Mill plus \$70 difference. Newman moved that we accept the budget for the Streets with the amendment; seconded by Stokes; roll call was taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

Fire – Stokes raised question on the Fire Prevention/Firewise; however, there was no income shown. Suggestion was made to add Fire Prevention line item to Income. Correction will be made regarding Computer Expense and Software. Newman moved to accept this budget with the proposed changes; seconded by Viers; roll call taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

Police – Stokes asked if an additional police officer was included in the proposed budget. Romans replied that one has been. Stokes indicated that in working on the 2009 budget that fuel costs be added across the board. Newman moved that we accept this budget; seconded by Viers; roll call was taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

Planning & Zoning – Newman moved that we accept this budget; seconded by Oberding; roll call was taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

District Court – Newman moved that we accept this budget; seconded by Oberding; roll call was taken – YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

Building & Grounds – Questions were raised on the increase in Line item 112 – Janitorial & Breakdown Service. What was the cost last year? Who does our cleaning? How often? How much per hour? Etc. The Mayor said that this would be checked out; however, it was fairly close to last year's figures. Stokes moved that we accept this budget; seconded by Thone; roll call was taken – YES votes from Newman, Stokes, Thone and Viers; NO votes from Martin and Oberding.

Animal Control – Newman moved that we accept this budget; Viers seconded. Discussion followed. Thone thought things might be getting out of hand. Katherin

Norton Estate CD was to be checked as to where the money is to go. (Check revealed that it is to be used for the general care of the animals.) As soon as the electricity is hooked up to the freezer, more euthanasia will take place on those animals that have been there for more than five days, which should cut Vet costs. Roll call was taken - YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers.

Administration – After much discussion on the amounts requested for Admin, Newman moved that we accept this budget; seconded by Viers – YES votes from Newman and Viers; NO votes from Martin, Oberding, Stokes and Thone. Further discussion followed regarding the Mayor's Discretionary Fund request for \$10,000.00. Newman then moved to accept the Administrative Budget minus Line Item 35, Mayor's Discretionary Fund; seconded by Thone. Roll call taken – YES votes from Newman, Oberding, Thone and Viers; NO votes from Martin and Stokes.

NEW BUSINESS: Cherokee Village City Lions requested approval of a Temporary Special Use Permit for a carnival to be held August 29-30, 2008. Newman moved that we accept; Martin seconded. Roll call was taken. YES votes from Newman, Martin, Oberding, Stokes, Thone and Viers. Passed.

PUBLIC COMMENTS: City related issues (3 minutes per speaker). None.

ADJOURNMENT: Stokes moved that meeting be adjourned; unanimously passed.

DATE: 08-21-08

APPROVED: 
Lloyd Hefley, Mayor

ATTEST: 
Phyllis J. Endrihs, Clerk/Treasurer