

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
SEPTEMBER 18, 2008**

The Honorable Mayor Lloyd Hefley called the regular monthly meeting of the City Council to order at 7:00 P.M., Thursday, September 18, 2008.

Mayor Hefley led the Pledge of Allegiance. Mayor Hefley asked that we remember the family of Jim Cherry and Kent Viers wife who is in the hospital in a moment of silent prayer.

Standing-in for Clerk Endrihs, Joan Romans called the roll:

Present: Martin, Paul, Stokes, Thone, Newman. City Attorney Jon Abele was also present.

AGENDA: Thone moved to approve the agenda, seconded by Newman; motion passed unanimously.

Mayor Hefley introduced Kay Van der Putten, of 2 Cheyenne Drive. She presented a letter from concerned citizens to various rental agents in doing business in Cherokee Village regarding renters and safety for the neighborhood to the Council. Ms. Van der Putten asked the City's help in controlling undesirable renters by requiring rental agents to do background checks, credit checks, reference checks and checking with the CVPD on potential renters. Ms. Van der Putten noted several instances; traffic hazards, all night parties, disregard for others property, theft of property, etc., as the reasons for concern. City Attorney, Jon Abele, stated this was asking the City to do something it's not capable of; this is private property and the owners can rent to whomever they want so long as they abide by the codes and regulations of the City. He stated the City doesn't have the authority to tell someone whom to rent to. Martin asked Attorney Abele if the City has the authority through ordinance to go after the property owner; is there an ordinance to deal with continuing problems with property owners? Attorney Abele stated there was through a public nuisance ordinance. Ms. Van der Putten was advised this was an issue for the rental agents and citizens should contact or continue to contact the CVPD when there are criminal issues.

PUBLIC COMMENTS: None

MINUTES:

Newman asked that the following corrections be made to the minutes: Page five under Animal Control CD state why we did this; we needed better drainage at the Animal Control Center and need about \$2,000 to do this. We approved to cash one CD and take the rest from the budget. Page five under Comments on City Related Items referencing the Lions Club Carnival to state that a permit had been approved and issued prior to the carnival. Building Inspector DeLoach asked that a correction be made on page three under Planning & Zoning; last sentence instead of CNA Properties is should be G & A Properties. Thone moved to accept the minutes of August 21st as corrected; seconded by Martin. Newman asked about the memorial service for Cy Bertram if it was to be in September or October. Mayor Hefley stated it was to be in October. Newman asked that under the Mayor's report on page one of the August minutes September be corrected to October. Stokes moved to accept the minutes of August 21st as corrected; seconded by Thone; motion passed unanimously.

MAYOR'S REPORT: Mayor Hefley reported that Larry Correll (SP) was appointed as Chairman of the Airport Committee to replace Gary Harris; and David Crayne will be the new Road and Street Superintendent to replace Jim Cherry.

CLERK'S REPORT: Mayor Hefley stated that Clerk Endrihs was attending the ARML Clerks Training Class in Fayetteville.

FINANCIAL REPORT: Romans asked if there were any questions on the report. Mayor Hefley stated that Crayne had asked to move line items 444 chip seal oil into item 446 cold mix oil. Crayne explained that the chip seal is not available and in order to repair streets we will need to use more cold mix. Thone asked if this was temporary. Crayne stated that it would be temporary as the company providing the chip seal is in reorganization and are unable to provide the material at this time. Martin asked if we could get the product from other suppliers. Crayne stated there weren't any other suppliers in Arkansas and because of the price of petroleum, other states don't want to give us a price right now. Newman moved to transfer line item 444 into line item 446; seconded by Stokes; motion passed unanimously.

Mayor Hefley requested to move line items 51, travel (lodging) and 52, travel (meals) into line item 53 travel (mileage/rental). Martin asked why? Romans noted only \$500 from lodging and \$400 from meals would be transferred. Mayor Hefley explained there are more trips planned this year and more funds are needed in the mileage/rental fund. Stokes moved to make the transfer; seconded by Newman; motion passed unanimously.

CORRESPONDENCE: None

REPORTS:

Fire Department: Chief Taylor reported that his department had responded to 20 calls during the month of August. Firefighters trained for a total of 188 hours on various topics and volunteers trained for two hours on Intro and two hours on Forcible Entry. The Department inspected the Highland School District buildings at the beginning of the school year. Firefighters held the annual Fill the Boot for MDA and collected just under \$1000. The two emergency generators for the Fire and Police repeaters are at Baseheart ready to be installed. Thone asked where the Strawberry River is located. Chief Taylor explained the CVFD responded to a water rescue in the Strawberry River for a young couple.

Police Department: Chief Goodwin reported a total of 68 violations, 66 Incident Primary Offenses, patrolled 10,700 miles and had 36 volunteer hours during the month of August. He reported several thefts. Newman asked about the problem on Cheyenne Drive (as noted in the letter provided by Ms. Van der Putten). Chief Goodwin stated there have been reports in this area. He stated there is a problem house and they have increased police activity in this area. He stated the problems depended on which version was being told but the situation was still being looked into. Chief Goodwin reported that 40 deer had been killed in the first week of the deer hunt.

Animal Control: Chief Goodwin reported an animal intake of 69; 15 from Ozark Acres and 54 from Cherokee Village. He reported 26 adoptions, 26 to rescues in different areas, 4 surrenders, 13 strays, 4 to foster care, and 11 dogs and 1 cat euthanized. They received \$475 in donations, \$100 from reclaims, \$360 adoptions, \$140 surrenders and \$40.98 from recycling for a total of \$1,115.98. There were 830 volunteer hours, 270 drop-in volunteer hours and 12

volunteer hours to transport animals. The adoption booth at the Lions Carnival resulted in \$300 in donations. There will be an open house for the Feline House when it is completed. Goodwin reported that all cats have been moved to the Feline House. Martin asked if a procedure had been done. Goodwin said it had not but was being worked on. Thone asked if we had billed Ozark Acres. Goodwin stated that we haven't but will bill them for 50 animals at \$40 per animal.

Street Department: Street Superintendent Crayne reported 1.61 miles of Isleta Dr., parts of Isleta Cr. and Oklahoma Cr. were oiled and chipped. 500 tons of cold mix was made with the new Pugmill in one day. Repaired soft spots, bladed cold mix, patched potholes, put in driveway approaches, trimmed brush, mowed, bridge repairs, and maintained equipment for street and police departments. Newman asked if there had been an ad placed for the vacancy in the Street Department. Crayne stated that he thought it had; but after discussing it with the Mayor, he will delay hiring anyone until next spring since the winter months are not as busy. Thone asked if the driveway approaches were for new homes. Crayne stated most were but we also do repairs on old driveways. Thone asked if we charged for these. Crayne stated we do not as it's better for the City to do it so that it will seat to our road properly.

Planning & Zoning Commission: Tom Hrezo gave the Monthly Permit Comparison for 2007-2008. He noted the 2007 report had been adjusted to reflect the four new home permits and one commercial permit that were issued but not done. Hrezo reported 58 building inspections and 49 completions, code enforcement had 51 new complaints, 10 old complaints, mailed 60 letters, issued four citations, had 29 personal contacts and verified 135 complaints. Hrezo reported the Sphere of Influence Map has been completed and filed with the Counties. The map will be displayed in the hall next to Planning & Zoning. He also reported that next month there will be a gentleman coming from Jonesboro to provide a presentation of how we can digitize maps so we will have all of them on the computer. He reported that ParLago has defaulted on their Building Permit. He noted that they have received two bids one from Brink and Sons and one from Tony Donahoe for razing the two foundations on Lake Omaha and the one foundation left by G & A Properties. He stated that Brink and Sons was the less costly for comparison work to be done and asked the Council's approval to proceed with the clean up. Thone moved to proceed with the clean up; seconded by Paul; motion passed unanimously by a roll call vote.

Stokes asked about the maps and noted there is a guy in West Plains who has computerized maps that we may be able to use. Hrezo will check into this. Hrezo noted that SID and Real Estate Companies have been invited to the Map Presentation, as it may be beneficial to them also.

COMMITTEE REPORTS:

Roads and Street Committee: Russ Stokes said that David Crayne had reported most everything. Stokes stated they have been working on the bridges. He stated they have to use a canoe or flat bottom boat underneath the bridge in order to do the work. Thone asked if we are still getting a permit to remove the gravel. Romans stated we have applied for short-term authorization to do that. They are waiting on a \$200 check from the City and we will have the permits.

Website Committee: None

Newman asked about computer for P&Z there was a page in the packet but not listed under new business. Hrezo stated the Code Enforcement Officer does not have a computer and has to use the computer used by the Building Inspector. They want to buy a computer for the Building Inspector and give the Code Enforcement the old one so the Building Inspector's computer will

be compatible with the P&Z Secretary's computer. Hrezo stated this would be in the budget for next year. Martin asked why it wasn't compatible. Romans did not recall the situation. Martin suggested that they buy a laptop for the Code Enforcement Office so he can take it with him and record his findings as he does inspections. P&Z will look into going this direction and research the compatible issue with the other two computers.

OLD BUSINESS: Deer Hunt - Chief Goodwin previously reported on this item.

NEW BUSINESS:

Surplus Equipment – Stokes presented a list of nine items to be declared surplus equipment. Stokes moved to try to sell any items that are sellable and the ones that aren't be declared as junk and dispatched to recycling; seconded by Thone; motion passed unanimously

PUBLIC COMMENTS:

Mayor Hefley reported there is a Memorial Fund set up for Jimmie Cherry at the First National Bank and any contributions will be greatly appreciated.

Motion was made to adjourn and unanimously passed. Meeting adjourned at 8:00 p.m.

DATE: _____

APPROVED: _____
Mayor Lloyd Hefley

ATTEST: _____
Joan Romans, Acting Recorder