

**CITY OF CHEROKEE VILLAGE, ARKANSAS  
CITY COUNCIL MINUTES  
AUGUST 20, 2009**

The Honorable Mayor Lloyd Hefley called the regular monthly meeting of the City Council to order at approximately 7:00 P.M. on Thursday, August 20, 2009.

Mayor Hefley led the Pledge of Allegiance which was followed by a moment of silent prayer.

**ROLL CALL:** Clerk Endrihs called roll. Present were: Peter Martin, Lynn Maxedon, VernaMae Newman, Billie Shelton, Russ Stokes, Tom Thone and Ray Torbit. Angie Petersen was absent. Attorney Jon Abele was also present

**PUBLIC COMMENTS ON AGENDA ITEMS (limit 3 minutes per speaker)**

Newman requested that Item 1 under UNFINISHED BUSINESS – Planning & Zoning Request for Two “White Areas,” be moved to Item 4 of NEW BUSINESS. Shelton moved that we save Item 1 for the working meeting so it can be discussed more thoroughly; seconded by Martin. The Mayor said there was a motion already on the floor, and he asked Newman to repeat her motion which was seconded by Maxedon. Much discussion followed. Roll call was taken on the motion to move to working meeting. YES votes – Martin and Shelton. NO votes – Torbit, Newman, Stokes, Thone and Maxedon. Item was moved to NEW BUSINESS, page 2 of Agenda.

**APPROVAL OF JULY 16, 2009 MINUTES:** Maxedon questioned page 3, paragraph next to the last, regarding the Animal Shelter as to whether it was voted to be called Cherokee Village Animal Center or Cherokee Village Animal Control. After rechecking the recording, Clerk Endrihs indicated that the correct name was Cherokee Village Animal Control. Newman moved that minutes be accepted as amended; seconded by Torbit and unanimously passed.

**MAYOR’S REPORT:** Mayor Hefley introduced his ABCV (A Better Cherokee Village) Steering Committee Members are Jason Rhodes, Pat Sasfai and Tracy Webb, all of whom will be working with Alderman Maxedon

**CLERK’S REPORT:** Clerk Endrihs reported that she and Romans attended the Arkansas Government Financial Officers Training Seminar held in Fort Smith, AR, July 29-31. (Report on file) Both also attended the Cherokee Village Business Association Meeting on August 13<sup>th</sup>. Alderman Maxedon made a presentation to the CV Business Association concerning an A & P tax the Council is discussing. Jack Lowe, representing the local Elks Club, presented the THUNDER ON THUNDERBIRD schedule for Labor Day (flyer on bulletin board). The annual October Fest is scheduled for Saturday, October 10<sup>th</sup> in the Village Center.

**FINANCIAL REPORT:** No questions were asked.

**CORRESPONDENCE:** None.

**DEPARTMENT REPORTS:**

**FIRE:** Chief Taylor reported that his Department responded to 16 calls during July. The Firefighters trained for 222 hours on various subjects and the Volunteers trained for 2 hours on Communications and 2 hours on Forcible Entry. He, Pendarvis and Deckard attended 32 hours of training in Incident Command System required by Department of Homeland Security and 3 more firefighters are scheduled for this training in August. The Baseheart Station roof has been replaced at bid price. (Report on file) Question was asked about the rumors going around regarding the fire in a house on Lake Chanute which apparently started in the car parked in the carport. Chief Taylor replied that there were no dry hydrants and two fire trucks were there within 7 minutes. He went on to say that in his 32 years experience with the Fire Department, he never found a dry water hydrant. Torbit asked who was taking care of the water hydrants. The Chief replied that the Cherokee Village Water Works checks out each hydrant on a timely basis and the information should be available at the Water Department. Hobie Wiseman, from the audience, indicated that Chief Taylor and his Fire Department should be commended as they kept the car from exploding and spreading to nearby homes.

**POLICE:** Chief Crook reported that the 8 promised hand-held radios from the Sheriff's Department have been received and are working better than the ones used previously. Tamara Taylor is scheduled to start Academy class that begins August 24<sup>th</sup> at Pocahontas. The Equipment Grant Award notification has been received in the amount of \$5450 and the equipment has been ordered. Chief Crook will be attending a training class on Investigation of Peer- to -Peer Internet File Sharing of Child Pornography August 27-28 in Fort Smith. He and Sgt Thatcher will be attending Emergency Management Training September 14-17 in Fulton County. Not so good news was that our City was not selected in the first round of the "Cops Grant," and no further action will be available until Fiscal Year June 2010. The Police Department membership has been approved with Regional Organized Crime Information Center. He further added that 127 Citation Totals by Violation and 49 Incident Primary Offense Totals were reported in July. (Report on file) Thone questioned about the office furniture that was in the chief's office. Chief Crook reported that it had been moved to the back area and set up for another officer. Martin then reminded all that he was still waiting for inventories from some of the departments. Chief Crook replied that the one for PD was completed by Chief French and an auxiliary officer; he will check on it and produce a copy to Council.

**ANIMAL CONTROL:** Chief Crook reported that total intakes were 40; total outgoes were 84. \$1507 was taken in; donations of goods continue to arrive and \$417 monetary donations were received during the adoption drive in front of Wal-Mart June 30-July 2. There were 535 volunteer hours logged. Construction of the deck, wheelchair ramp, steps and walkways to the steps and ramp is now completed. Office trailer still needs to be leveled. Painting is still needed on the outside of three buildings. A small storage building was donated by a resident of Cherokee Village and is being used to store animal food, supplies, etc. A thank you note will be sent to the donating individual. (Report on file) Maxedon asked about the radio ads asking for donations at a veterinary

clinic. Chief Crook replied that they are asking for donations which remain with the clinic to help defray the cost of treatment for the animals; none of these funds come to the City. An ongoing problem is the high water bill; so the Water Company has been asked to come out with their equipment to see where leak is coming from. The horses at the Animal Shelter were only there temporarily and will be leaving soon. There is also a need for another part time employee to replace Misty Andrews who resigned.

**STREET:** David Crayne reported that the first pass of debris removal had been completed in Sharp County sections and the final pass completed in Sections 1 and 4. The burn site is working well. Accurate records are being kept for FEMA and ADEM. The regular road crew is back working on the roads; Maintenance Department has completed multiple repairs and oil/filter changes and tracks regular versus FEMA costs. A signed grant from Department of Agriculture for cleaning Allegheny Park has been received and is scheduled for September. 52 resident calls for repair/assistance have been responded to and 11 driveway approaches have been completed. Crayne added that he had received word that the FEMA grant will be extended to February 2010.

Question was asked about the closing of Allegheny Drive Crayne replied that any street with no shoulders to park on and a detour around it would probably be closed because the trucks had to be parked on the street. Work can go much faster this way. If no detour route is available then it would be one lane travel only with a flagman at each end. He added that they would be in Fulton County area the next 10 working days.

**PLANNING & ZONING COMMISSION:** Jerry Adams reported on the Permit Comparison for the month. There were 302 construction types in 2008 as opposed to 290 in 2009 for total cost in 2008 of \$1,364,994 and in 2009 \$1,006,400. Roofing permits totaled 77 for cost of \$286,035. Permit jobs inspected were 83 and there were 65 permit jobs completed.

Adams also reported on Code Enforcement for July. 67 complaints were taken and there were 21 old complaints. 79 letters were mailed; 15 citations were issued and 25 personal contacts made. 188 complaints were verified. 71 jobs were completed in July. (Report on file)

Question was asked on the \$3,500 cost for razing property. DeLoach replied that \$1500 was spent on each of the two Omaha properties for demolition and \$500 on the other property which was done by the Street Department. He further added that \$1500 was received that very day from one of the owners that covered his razing of his property.

#### **COMMITTEE REPORTS:**

**PERSONNEL:** Newman reported that her committee did not meet and that she was waiting for job applications she had previously given to Attorney Mark Hayes to be returned. He was to check them over to see that they were in compliance with State laws.

**ABCV (A Better Cherokee Village) -** Maxedon indicated that this committee would meet the 1<sup>st</sup> Tuesday of each month at 5:30 PM in City Hall. A web site has been set up – [ABCV@centurytel.net](mailto:ABCV@centurytel.net); and anyone who has input is to e-mail his/her request to that site. The stipulation, however, is that the request must be signed; otherwise no action will be taken.

**UNFINISHED BUSINESS: Cover Letter – Approval on Rezoning Request.**

The Planning and Zoning Commission would like to submit this request for approval by the City Council with the following restrictions:

All Zoning codes for the City of Cherokee Village shall apply  
Copy of the official notice of this re-zoning addition will be recorded in the appropriate court house within 30 days of this approval.

**Location of rezoning district:**

1531 Highway 289 North better known as the Spring River Animal Shelter located in the Mandan addition.

**Description of the rezoning:**

In order to protect the City of Cherokee Village, because of personnel changes, the Planning and Zoning Commission would like to make the following changes:

**From:** R-1b – Parks

**To:** District A – Agriculture District

Discussion followed on the change to Agriculture District and how it would affect the area. Since this is the area involving Animal Control, the animals would be limited to what the Shelter handles. No action was taken.

**NEW BUSINESS:**

1. Notice of Hearing for Council to consider and determine the costs of razing the foundation of LOT 4, BLOCK 11, TOHATCHI ADDITION, SHARP COUNTY, ARKANSAS—WEGGELAND DEVELOPMENT, OWNER.

Attorney Abele suggested that this be postponed until the proper notification has been given to owner.

2. TEMPORARY SPECIAL USE PERMIT – White Cane Days – requested by the Lions Club for October 1<sup>st</sup> and 2<sup>nd</sup> at the corner of Okmulgee Drive and Iroquois. Martin motioned to approve; seconded by Stokes. Discussion followed as to traffic safety in this particular area for cars stopping, turning, etc. It was suggested that warning signs be put up on both ends of Iroquois Drive and on Okmulgee prior to coming to the corner at Iroquois. Council then unanimously agreed to pass this permit with the appropriate warning signs.

3. TEMPORARY SPECIAL Use Permit - Lions Club plan a Carnival for September. 3-6, Choctaw Center, 5-11 PM each day. Martin moved to pass this request; seconded by Shelton and unanimously passed.

4. Planning and Zoning Request for Two “White Areas.” The Planning & Zoning Commission, at their regular meeting, voted to ask Council to set the date(s) and time(s) for the Council to hold a public hearing for the property owners of the Section 30, Township 19 North, Range 5 West of the 5<sup>th</sup> Principal Meridian Sharp County, Arkansas (Big Oak Estate) and Section 19, Township 19 North, Range 5 West Sharp County, Arkansas (160 Acre Privately Owned Hunting Area), proposed annexed “White Areas.” This public hearing will give the property owners an opportunity to express their views on annexing their area into the City of Cherokee Village. Newman moved that this proposal be accepted; seconded by Maxedon. Much discussion followed. Roll call was taken: - YES votes – Newman, Torbit, Stokes, Thone and Maxedon. NO votes – Martin and Shelton. Motion passed. Per Attorney Abele, the proposed meeting should be October 14<sup>th</sup> at 7:00 PM and letters of notification be sent ASAP so as to arrive at least 16 days before September 28, 2009. He also added that a proposed ordinance needs to be ready to vote on at the regular monthly council meeting on October 15<sup>th</sup>.

**COMMENTS ON CITY RELATED ITEMS (limit 3minutes per speaker):** None.

**ANNOUNCEMENTS:** None.

**ADJOURNMENT:** Newman moved that meeting be adjourned; unanimously passed. Meeting ended at approximately 8:05 P.M.

**DATE:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_  
**Lloyd Hefley, Mayor**

**ATTEST:** \_\_\_\_\_  
**Phyllis J. Endrihs, Clerk/Treasurer**