

**CITY OF CHEROKEE VILLAGE, ARKANSAS  
CITY COUNCIL MEETING  
APRIL 16, 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, April 16, 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: VernaMae Newman, Peter Martin, Ray Torbit, Angela Petersen, Russ Stokes, Tom Thone and Lynn Maxedon. Absent was Billie Shelton. Attorney Jon Abele was also present.

**APPROVAL OF AGENDA:** Martin moved that the Agenda be accepted; seconded by Newman; unanimously passed. There were no comments on Agenda items.

**APPROVAL OF MINUTES OF MARCH 19 AND APRIL 8, 2009:** Motion was made by Newman and seconded by Martin to approve both minutes; unanimously passed.

**MAYOR'S REPORT:** Mayor Hefley presented Petr Oberding and Kent Viers each with a plaque in honor of their service as Aldermen for the City of Cherokee Village. Due to absence of Scott Paul, he will receive his plaque at a later date.

Although under NEW BUSINESS, Mayor Hefley requested that the Special Use Permits be taken care. Newman moved and Thone seconded that the permit for "White Cane Days," May 1, 2009, submitted by the Lions Club, be passed; unanimously carried. Martin moved and Stokes seconded that the permit for The Elks Bike Ride on July 11, 2009, be passed; unanimously carried.

Mayor Hefley then introduced Jerry Smith from ASU Community & Economic Development Services, who issued an invitation to attend the Sharp County Focus Group Meeting scheduled for May 7 at 7:00 P.M. at the Sharp County Court House. Purpose of the meeting is to discuss ideas concerning potential economic development for all incorporated cities in Sharp County.

Steward W. Noland, P.E. then made a Natural Gas Presentation regarding bringing in natural gas to our area. This will be the first county wide natural gas project in Arkansas. Noland then fielded questions as to the process, funding, etc. He added that the natural gas project would be paid for by the sale of the commodity and not increase taxes in the county. Fulton County residents of Cherokee Village as well as other divided towns involved would also be covered. User agreements are to be sent out to residents in the covered areas who will have access to the services offered by this project. This agreement, if signed, is a binding contract that agrees to accept the service when it becomes available. The more who sign up the faster the project will go. .

**CLERK'S REPORT:** Clerk Endrihs reported that she and Judy Bickle attended the Cherokee Village Business Association Meeting April 9<sup>th</sup> and plans are underway for the annual 4<sup>th</sup> of July Fireworks Show.

**FINANCIAL REPORT:** Romans then presented the Financial Report., and answered the questions raised by the Council members regarding cost of propane, high bills for utilities at Animal Shelter, the CD – West Nile Virus – that was cashed in, etc. Martin moved that we accept the Financial Report; Newman seconded; unanimously passed.

**CORRESPONDENCE:** There was none to report.

**DEPARTMENT REPORTS:**

**FIRE** – Chief Taylor reported that his Department responded to 16 calls during the month of March. The Firefighters trained for a total of 184 hours on various subjects. The volunteers trained for two hours on Wildland Fires and 2 hours on Personal Protective Equipment. He reported that the FEMA paper work had been completed from the ice storm; the green pickup had been totaled and bought back for salvage. Other fire equipment is being repaired, polished, etc. (Rport on file).

Regarding employees, Chief Taylor replied that he had 15 and was 1 short of keeping all fire stations open with 24 hours coverage. One fireman has retired and has been replaced. Another will retire in May and a second fireman has been hired.

**POLICE:** Chief French reported that 118 Citations by Violation were issued in April and there were 52 Primary Offense Incidents. (Report on file) He thanked the residents of Cherokee Village for their calls regarding incidents in the area, speeders, etc. With their help, the Department has been able to cut down on incidents. Chief French reported that the COPS Grant has been sent in and reply should be received by September 30<sup>th</sup> to assist in hiring additional officers. He added that he has sent in the necessary paperwork for reimbursement through the Bulletproof Vest Program to cover vests already purchased as well as paperwork to secure more funding for purchase of additional vests. We should hear from the Law Enforcement Grant Program within two weeks. The Chief also indicated that he would be meeting with County Sheriff Dale Weaver and Darrell Zimmer, Coordinator of Fulton County Office of Emergency Management, to discuss Homeland Security funds and their distribution. One A-1 radio has been received and another will be shortly. He is working with Sheriff Weaver regarding laptop computers in police vehicles. The Dodge Durango was considered a total loss due to the ice storm and was bought back from insurance company for salvage. As a result the Mayor has released the Durango back to the Police Department for their use.

**ANIMAL SHELTER:** Chief French reported that the total number of Intakes for March was 38 with 36 coming from Cherokee Village and 2 from Ozark Acres. There were 4 owner Reclaims, 11 Deaths (2 of natural causes and 9 dogs euthanized due to severe illness); 11 Adoptions and 31 Transported to Rescue for Adoption with 5 scheduled for Transport to Rescue for a total of 62 Outgoes. Total income was \$500.21; goods were donated by private citizens. He especially thanked both Val Pour and Lois Mock for their donations of \$500 each. This money will go towards pouring a cement floor in dog house #2 which will eliminate the dirt floor issue completely. They also donated materials from B&B Supply to finish out the floor to ceiling cat enclosures in the

front room of the Cat House. Volunteer hours were 416, and the needs for the Shelter were presented. (Report on file)

**STREETS:** David Crayne presented the report. He indicated that a debris removal plan had been set up; a bucket truck purchased; the burn site was working well, the loading crews were working in 3 sections. Public info was available daily at City Hall, a Q&A session is held on Fridays at 9:00 AM; with plans updated weekly on TV, radio, in the newspaper and also on the city website. The paperwork was being done for FEMA and ADEM. Temporary help has been hired for debris removal. The Maintenance Department has completed multiple repairs and oil/filter changes; tracked regular versus FEMA costs and built conveyor system for pug mill. Crayne has met multiple times with FEMA and ADEM. There will be future hires for debris removal in order to put regular street employees back on street work. Two sources for cold mix and chip seal oil have been secured. Crayne reported that he had bought a GPS since last month's approval and would like to purchase a laptop computer for \$659. Reason for asking for approval is that he is buying from Computer Source (where Martin works). Cost is \$15 more but the upkeep and help will be local should there be a problem. Newman motioned that this be done; Maxedon seconded. Roll Call was taken - YES votes: Newman, Torbit, Petersen, Stokes, Thone and Maxedon. Martin abstained. Crayne also requested permission to advertise for bids to go after the tree hangers. The company hired would do their job, his FEMA crew would pick up and be paid by FEMA and there would be an individual travelling with to take pictures of everything that is done as required by FEMA. Martin moved that this be done; Newman seconded; unanimously approved.

**COMMITTEE REPORTS:**

**PERSONNEL:** Newman indicated that her group would be meeting on May 4<sup>th</sup>.

**ROADS & STREETS:** Nothing to report as Crayne covered it all.

**PLANNING AND ZONING COMMISSION:** Jerry Adams reported that there were 103 Type Constructions during 2009 as opposed to 96 in 2008. A total of 36 roofing permits were issued; 45 permit jobs were inspected; and 41 permit jobs were completed.

The Code Enforcement officer was on medical leave for two weeks during March; however, there were 18 complaints in addition to the 12 old, 21 letters were mailed and 8 citations were issued; 7 personal contacts were made and 158 verifications were made.

Adams went on to say that they would like to annex all of the 6 white areas on the map at one time. The engineer from the Arkansas Municipal League is coming up to meet with them on May 6<sup>th</sup> to give them directions in proceeding with this plan. Since this is the night of the City working meeting, he would be available to present his plan to the Council. In answer to a question regarding the Beach Club, Adams replied that this would have to be handled differently..

**UNFINISHED BUSINESS:**

**ORDINANCE NO. 2009-2 – AN ORDINANCE REGULATING DISPOSAL OF SURPLUS MUNICIPAL EQUIPMENT AND/OR PROPERTY.** Since this was the second reading, Martin moved that title only be read; seconded by Newman; unanimously carried. Clerk Endrihs read title only. Stokes moved that we accept the second reading; seconded by Martin. Roll Call taken – YES votes: Newman, Martin, Torbit, Petersen, Stokes, Thone and Maxedon.

**ORDINANCE NO 2009-3 – AN ORDINANCE REGULATING THE OPERATIONS OF ALL-TERRAIN VEHICLES (ATVS), LAWN TRACTORS, RIDING MOWERS, GO-CARTS, GOLF CARTS; AND MOTOR-DRIVEN CYCLES AND/OR MO-PEDS WITH ENGINE DISPLACEMENT OF 250CC OR LESS.** As there were two proposals, Clerk Endrihs checked with Attorney Abele. His suggestion was to make Stokes proposal 2009-A and Maxedon’s proposal Amendment to 2009-A. Clerk Endrihs then read Stokes proposal. Martin moved that this be accepted; seconded by Newman. YES votes – Newman, Martin, Torbit, Petersen, and Stokes; NO votes – Thone and Maxedon.

**NEW BUSINESS:**

**RESOLUTION NO. 2009-2 – A RESOLUTION DECLARING APRIL TO BE “CHILD ABUSE PREVENTION MONTH” IN THE CITY OF CHEROKEE VILLAGE; AND FOR OTHER PURPOSES.** Newman moved that this be passed; seconded by Martin and unanimously passed. Resolution was published in the VILLAGER JOURNAL.

**ANNOUNCEMENTS:** There will be a special City Council meeting Monday, April 20<sup>th</sup> at 6:30 PM regarding “Animal Control.”

Stokes announced that a roadside pickup will be April 18<sup>th</sup> with rain date of April 24<sup>th</sup> and an area- wide cleanup is set for Saturday, May 9<sup>th</sup> 8:30 AM until 2:00 PM.

Since we can’t have two subjects at a special called meeting, Martin requested that the Council meet at 6:15 PM on April 20<sup>th</sup> to vote on “Sharp County, AR Hazard Mitigation Plan.”

**ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 9:18 PM.

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

**SIGNED:** \_\_\_\_\_

**Lloyd Hefley, Mayor**

**ATTEST:** \_\_\_\_\_

**Phyllis Endrihs, Clerk/Treasurer**