

**CITY OF CHEROKEE VILLAGE, ARKANSAS  
CITY COUNCIL MINUTES  
“SPECIAL” MEETING  
APRIL 8, 2009**

The Honorable Mayor Lloyd Hefley attempted to call the special meeting to order at approximately 6:35 PM on Wednesday, April 8, 2009.

Because there were two items on the Agenda, much discussion followed as to whether or not this can be done at a “Special” meeting. According to Freedom of Information Act, Martin indicated that it could not be done legally. The Mayor had spoken with Attorney Abele earlier in the day and was informed that it could be done. Question now was whether or not to even have a meeting. Martin also indicated that the Aldermen should have been advised in writing prior to the meeting, that the phone calls made only brought up one topic instead of two, that the media did not receive sufficient notification, etc.

**ROLL CALL:** After it was determined to have the meeting, Clerk Endrihs called roll. Present were VernaMae Newman, Ray Torbit, Angie Petersen, Russ Stokes, Peter Martin, Billie Shelton, Tom Thone and Lynn Maxedon.

**APPROVAL OF AGENDA:** Newman motioned that we follow the agenda with COPS Grant being legislated and Golf Cart issue being discussed. Roll Call was taken. YES votes – Newman, Torbit, Petersen, and Stokes; NO votes –Martin, Shelton, Thone and Maxedon. As it was a tie vote and the COPS Grant had to meet a deadline, the Mayor voted YES.

Chief French then took over. He had originally requested permission to file a “Cops” Grant for 5 additional police officers. At previous Council meeting, the council approved 3. Chief French had worked on his proposal to cover a fourth and made this presentation to the Council and those in attendance. Much discussion followed on the need for an additional officer, the cost after the third year as to whether or not the City could pick up the salary tab after completion of the third year. Additional uniforms, vehicles, equipment were also discussed. Martin moved that we not hire an additional person; seconded by Thone. Roll call was taken: YES votes that no additional officer be hired: Martin, Shelton, Thone and Maxedon. NO votes – Newman, Torbit and Petersen; Stokes abstained. No additional officer will be hired.

Chief French then thanked the Council for their consideration of his request. He would now go ahead and send his grant request in for three officers prior to the April 14<sup>th</sup> deadline.

With the legislative action taken, the floor was now open for discussion on Ordinance 2009-3 pertaining to the operation of ATV’s UTV’s, golf carts, etc. within the City of Cherokee Village. Stokes had prepared the original Ordinance 2009-3 for discussion at the working meeting. Since that time, he had contacted David Schoen from the Arkansas

Municipal League and Attorney Abele and had prepared a redraft of his original Ordinance. After reading the redraft now marked 2009-3B, he indicated that Maxedon had prepared a similar one marked 2009-3A which did not agree fully with Stokes' Ordinance. Some major issues in both included age of driver, licensed or unlicensed, ability to do the speed limit of 30 mph, equipment on the vehicle such as working brakes, rearview mirror, flag on rear of vehicle that could be seen by other drivers – especially on hills, roads to drive legally, hours of operation, etc. The law prohibits driving on Federal or State Highways as well as County Roads; however, the City could establish rules governing such vehicles. Newman indicated that mileage should be a determining factor of driving said vehicles to and from golf course. A resident indicated that golf carts can go 30 mph and speed limits in most places are 30 mph. Stokes stated that most cars/trucks don't drive the speed limit, to which the resident replied that if the speed laws were enforced, there would be no need for the Ordinance.

As the meeting was drawing to a close, the Mayor indicated that this Ordinance would again be discussed at our monthly meeting with the attorney present. Shelton stated that mileage should be a definite factor on certain roads as some – Pottawattamie – hit 40 mph in Fulton County and would be hazardous for golf carts. Also there is a need to look at other types of motor driven scooters, bikes, etc.

Motion to adjourn was agreed upon. Meeting ended at approximately 8:30 P.M.

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

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

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