

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
MARCH 19, 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, March 19, 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, Billie Shelton, Angie Petersen, Tom Thone, VernaMae Newman and Russ Stokes. Absent was Ray Torbit. Attorney Jon Abele was also present.

APPROVAL OF AGENDA: Stokes moved that the Agenda be accepted; seconded by Newman; unanimously passed.

COMMENTS ON AGENDA ITEMS (limit 3 minutes per speaker): There were none.

APPROVAL OF FEBRUARY 19, 2009 MINUTES: Martin moved that they be accepted as presented; seconded by Petersen; unanimously passed.

APPROVAL OF MINUTES OF SPECIAL MEETING, MARCH 11, 2009: Newman moved that they be accepted as presented; seconded by Petersen; unanimously passed.

MAYOR'S REPORT: Mayor Hefley reported that he had attended the Rotary Club meeting on Monday, March 16th at which time he, as well as other city officials, was given a check for the additional workload caused by the ice storm. Cherokee Village received \$500.

CLERK'S REPORT: Clerk Endrihs reported that she and Terry Romans had attended the Spring River Chamber of Commerce Meeting on Tuesday, March 17, 2009 with guest speaker Grace Richeson of the Spring River Ambulance Service.

She also reported that the Chamber Radio auction will be held March 23rd, 24th, 26th and 27th at 8:00 P. M. on KOOL 104.7.

The Kelly Miller Circus will be in town on April 2nd in the Tri-County Farm & Ranch area with a show at 4:30 and second at 7:30 P. M.

FINANCIAL REPORT: Romans asked if anyone had any questions on the reports furnished to them. Thone questioned Line 16 of the Income Statement – Why the sudden increase in income? Romans replied that he had caught up with adding the interest and dividends on the CD's. Thone further questioned the increase in utility bills for Buildings and Grounds and the Fire Department? Romans replied that this was a result of the use of more propane used during the snow and ice storm. Thone went on to

question Line 350 – Police Department. – Repair and Maintenance – and asked if this was for the studded snow tires and work connected with? Romans replied that it was. Another question was on Line items 377 and 430 – AR Police Supply. Although this was cleared up in a previous month regarding uniforms, etc., Romans replied that if checks don't clear the bank until the following month, they won't show up on the Reconciliation Statement for the current month. Martin moved that line items be shown on the Reconciliation Statement. Shelton seconded. Discussion followed. Romans indicated that all the information was on the Sources and Use Statement which was e-mailed to the Aldermen because of the number of pages. Romans will look into it further as it requires a special type report which is not in the present Perception setup. Martin rescinded his motion so it can be discussed further at the next working meeting.

CORRESPONDENCE: Mayor Hefley indicated that he had sent out letters to Ash Flat Church of Christ, First Baptist Church of Cherokee Village, Highland Assembly of God, Lynette Stephens of the Ash Flat Dollar General Store, and to Mike Alexander of Wal-Mart, thanking each for help in taking care of our citizens, members of the utility companies, volunteers and others during the ice storm.

DEPARTMENT REPORTS:

FIRE: Chief Taylor reported that his Department had responded to 28 calls during the month of February. The Firefighters trained for a total of 204 hours on various subjects. The Volunteers trained for 2 hours on Apparatus and 2 hours on Fire Streams. The Department finished opening the streets for emergency access and worked on all equipment used in the clean up to return to its serviceable condition. (Report on file)

Newman questioned as to replacements. Chief Taylor replied that they will be giving an annual “new hire” test the end of April. Four individuals have applied to date. From the previous year's list, one individual has been hired to replace the fireman who left; and he is looking into hiring one more the end of April to replace the two who are retiring.

ANIMAL CONTROL: Chief French indicated he would give the Animal Control report prior to his Police report. He indicated that a total number of 41 animals were picked up (35 from Cherokee Village and 6 from Ozark Acres). Owners reclaimed 3; 2 dogs were euthanized; 36 adoptions took place; 18 were transported to rescue; and 12 were scheduled for transport to rescue for a total number of outgoes at 71. There were 570 volunteer hours for the month. An “Adopt a Thon” was held at Wal-Mart on February 27th at which time 5 dogs and 2 cats were adopted. A Spay/Neuter Clinic will be held March 31st to April 2nd. They are fully booked with 116 surgeries planned.

Total income of \$1,448. was taken in from adoptions, relinquish/surrenders, reclaims and cash/check donations. Dog and Cat food and litter continue to be donated by private citizens. He also reported on the events and needs of the Animal Shelter. (Report on file) Maxedon then asked about the purchase of the storage unit. Chief French replied that they are holding off on any major purchases until decision is made as to what course to take for the Shelter to include funding.

POLICE: Chief French reported a grand total of 61 Citations by Violation and 66 Incident Primary Offense Totals. (Report on File) He indicated that the Police Department is looking into setting up flashing lights on both sides of Iroquois Drive near

the elementary school. Police have been parked in the area each school day during the arrival and departure of students, and traffic has slowed down considerably. He went on to praise Shane Hightower for his work as Criminal Investigative Officer. To date he has brought about the solving of old crimes, arrest of those involved and the return of some stolen property amounting to approximately \$20,000.

Chief French indicated that he had checked to see that all police officers had a bullet proof vest. Since some did not; he, therefore, has ordered more to be paid at 50% by grant funds. After checking further, he found some funds still available from previous grant; however, he was going ahead with plans to submit a new grant as each vest costs close to \$750.

The Chief then presented his plan to bring the Police Department up to that of a Class I City with the same size and population. He told the Council that he wanted to apply for a “once in a lifetime” grant to hire 5 additional police officers so that the City would have 2 officers on each of 3 shifts with a supervisor. The only stipulation was that the Grant would cover the costs of the officers for three years and the City would have to agree to cover each of these individuals during their 4th year. Newman moved that we accept; seconded by Stokes. Roll call was taken. YES votes – Newman, Petersen and Stokes. NO votes: Martin, Shelton, Thone and Maxedon. Motion failed. Maxedon then moved that we hire three new officers as opposed to five. Martin seconded. Much discussion followed. Roll call was taken on Maxedon’s motion to hire 3 instead of 5. Roll Call was taken. YES votes – Newman, Martin, Shelton, Petersen, Stokes, and Maxedon. NO vote – Thone. The Chief went on to explain that the filing date for this grant is April 14th and other cities are also interested in going after it; so the sooner it is done and sent in the better the chances.

STREETS: Crayne reported that his Department had pushed debris-cleaned roads; cut trees and pushed to shoulders; chipped and cleared main roads; set up burn site; drove around with someone from Corps of Engineers to get a debris estimate on every road; set up public information by posting information at City Hall; Q&A session every Friday morning from 9:00 to 9:30, and the use of TV, radio and newspapers giving up- to-date reports. His Maintenance Department completed multiple repairs on Street vehicles, tracked regular versus FEMA costs and refitted trucks and trailers for debris. In general they had multiple meetings with FEMA and ADEM; hired six temporaries for debris pickups and one administrator; and prepared debris removal plan and hiring schedule. (Report on file) Crayne also introduced his new administrator, Carmen Wood, who is taking care of the FEMA paperwork, which allows Crayne to be out and about where and when necessary.

Crayne then asked for approval to purchase a used New Holland Debris Loader for \$11,400 and either purchase or rent another debris loader within the same price range. Crayne will check around for a similar deal to purchase or look into renting one. He is in need of a Boom/Bucket Truck for \$29,000 and considering renting a flatbed truck and gooseneck trailer for approximately \$600-700 per month. After much discussion, Martin moved that this be done; seconded by Stokes and unanimously passed. Martin also moved and Newman seconded that Crayne buy a GPS for documentation, up to \$600 in cost; unanimously passed.

Both Stokes and Mayor praised Crayne for the outstanding job he and his Department are doing in this clean up effort.

PLANNING & ZONING: Jerry Adams reported on the Permit Comparisons 2008-2009.

Total construction costs for 2008 were \$226,103 as opposed to 2009 of \$121,900. There were a total of 12 roofing permits issued for \$44,350. Permit jobs inspected were 11 and jobs completed were 10. (Report on file)

CODE ENFORCEMENT FOR FEBRUARY: Adams reported that 23 complaints were taken, there were 8 old complaints, 14 letters were mailed, 2 citations issued, 14 personal contacts made, 94 verifications (verified complaints/while driving discovered violations); completed 15. Thone asked if it were Code Enforcement job or Police Department to check on a blue car which has been parked for a week or more in a cul-de-sac off Route 175 Spur near the Fulton County Line. This will be checked per Chief French.

COMMITTEE REPORTS:

VILLAGE PRIDE – Stokes stated that the Annual Spring Roadside Pickup will be on April 18th. Volunteers will be needed.

Adams then reported that the Elks Club Adopt-a-Spot group cleaned the highway from the Copper Feather up to King Catfish with the excellent help of the Boy Scouts last weekend.

PERSONNEL – Newman said her Committee meets the 1st Monday of each month and plans to meet with the individual Department Heads in setting up the Handbook. As each department has some different rules, the hope is to develop a section for each Department.

ROADS & STREETS – Stokes reported that this committee will now be meeting on the 1st Tuesday of the month at 4:00 PM.

WEBSITE – Mayor Hefley indicated that Curtis Bratcher is taking a look at this.

UNFINISHED BUSINESS: ORDINANCE NO. 2009-1 –AN ORDINANCE REGULATING CAPITAL EXPENDITURES. As this was the third reading, Martin moved that title only be read, seconded by Petersen; unanimously passed. Clerk Endrihs read the title; Martin moved that this Ordinance be passed; seconded by Newman. Roll call taken: YES votes – Newman, Martin, Shelton, Petersen, Stokes, Thone, and Maxedon. Ordinance passed.

NEW BUSINESS: DeLoach indicated that the money budgeted for a computer in the 2008 budget was not paid for until 2009 when the bill was received. He then requested that the \$885.96 expenditure be moved from our Computer Equipment Expense 2009 Budget to Computer Equipment Expense 2008 Budget. Newman moved that this be done; Thone seconded; unanimously passed.

Clerk Endrihs then read **ORDINANCE NO. 2009-2 – AN ORDINANCE REGULATING DISPOSAL OF SURPLUS MUNICIPAL EQUIPMENT AND/OR PROPERTY.** Martin moved that the total in Section 4 be changed from \$20,000 to \$5,000. After much discussion and a lack of a second, Martin rescinded his motion. Stokes moved that the first reading be accepted; seconded by Shelton. Roll call was taken: YES votes: Martin, Newman, Shelton, Petersen, Stokes, Thone and Maxedon. Passed. Martin reminded the Departments that completed and up-to-date inventories would help with this Ordinance.

ORDINANCE 2009-3 – AN ORDINANCE REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES (ATV’S), UTILITY-TERRAIN VEHICLES (UTV’S)GOLF CARTS, AND OTHER UNLICENSED PRIVATELY OWNED MOTORIZED VEHICLES IN THE CITY OF CHEROKEE VILLAGE,

ARKANSAS. The Mayor requested that this be postponed to the working meeting due to the controversial issues. Unanimously agreed.

The Kiwanis requested a permit to hold their annual pancake breakfast in the City Hall area outside the Police Station on May 23rd. Chief French indicated that this would be okay if they degrease the area outside the police station when finished. Martin moved that this be passed if they have insurance; Newman seconded; unanimously approved.

COMMENTS ON CITY RELATED ITEMS (limit 3 minutes per speaker): Mrs. Wiseman indicated that something has to be done regarding the mikes as there is still a problem in hearing some of the Council members.

Thone questioned the use of the Senior Center for private parties. Was this prearranged and who with? Are any rental monies taken? Needs to be a policy in writing so that the public knows it is available for use. Mayor Hefley agreed to look into this.

ANNOUNCEMENT: There will be another Animal Control Special Council Meeting on Monday, April 20, 2009 at 6:30 PM.

ADJOURNMENT: Motion was made and unanimously agreed to adjourn the meeting. Meeting was adjourned at approximately 9:00 P. M.

DATE PASSED: _____

APPROVED: _____
Lloyd Hefley, Mayor

ATTEST: _____
Phyllis J. Endrihs, Clerk/Treasurer