

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
MAY 21, 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, May 21, 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, Billie Shelton, Angela Petersen, Russ Stokes and Tom Thone. Absent was Lynn Maxedon. Attorney Abele was also present.

APPROVAL OF AGENDA: Martin moved that P&Z Proposals be moved to the working meeting. After discussion, a roll call was taken. YES Votes: Martin, Shelton and Thone. NO votes: Newman, Torbit, Petersen, and Stokes. Motion to move the PZ Proposals to a working meeting was defeated. Martin asked about a promotion of an employee. Council then went into Executive Session. Upon return, it was reported that no action would be taken at this time. Thone moved that the Agenda be approved; Newman requested that an item be added to the Agenda – change in date for July meeting Newman then seconded the Agenda; unanimously accepted as corrected..

APPROVAL OF MINUTES: Martin motioned that we accept all the minutes. Torbit asked that the spelling of Council be changed on the Special Meeting of April 20, 2009, ANIMAL CONTROL, from “Counsel” to “Council.” He further requested that the cost of \$400 be added to the working meeting minutes of May 6th for the cost of a monthly ad in SPRING RIVER SURVIVAL GUIDE. Martin then seconded the approval of the minutes with the corrections; unanimously passed.

MAYOR’S REPORT: The Mayor reported on correspondence he received from Chad Gallagher of Legacy Consulting which included a Summary Report of a recent visit to Cherokee Village. (Copy on file). The Mayor asked Council to review this report, come up with suggestions for making Cherokee Village a Class I City, form a plan, map out a blueprint of what to work on now and in the years to come. We can discuss this in further detail at a working meeting.

CLERK’S REPORT: Clerk Endrihs reported that Mayor Hefley, Terry Romans and she attended the Spring River Chamber of Commerce meeting at Fredrick’s Restaurant, Highland, April 21st. State Representative David Cook was the guest speaker and commented on some of the legislative sessions to include the state lottery, the animal cruelty act and the tobacco tax. Romans and she also attended the District Clerks Meeting held in Maumelle April 23-24th.

Judy Bickle, Administrative Assistant and Clerk Endrihs attended the Cherokee Village Business Association Meeting on May 14th. This group plans to look into fund raisers to help with the 4th of July fireworks expenses.

Torbit requested that a copy of a brief report of meetings attended be placed in the Council packet each month. Clerk Endrihs agreed to do so.

FINANCIAL REPORT: Thone questioned the use of Variance Cards and wanted to know how they were handled. No invoices are sent out as the property owners are only coming to the Village on a part- time basis during the year or not at all in one year. It was suggested that a letter be sent out reminding the owner to pick up a Variance Card when in the area. This Card is good for one year. It was indicated that Judy Bickle at the front desk handles this matter; however, Romans agreed to check it out.

Thone then questioned the payment of \$1250 from Ozark Acres for Animal Control. The Mayor indicated that he felt the contract was an either/or deal that if one party wanted out; so be it; otherwise things would continue as is. He indicated he would check on this further. Other questions were asked on line items and answers given by Romans.

CORRESPONDENCE: The letter dated May 6, 2009 from Chad Gallagher, to include the Summary Report from their recent site visit, was brought up in Mayor's report.

DEPARTMENT REPORTS:

FIRE: There was no representative as Chief Taylor was on leave and Pendarvis was sent to another meeting by the Mayor. (Report on file)

POLICE: Chief French reported that there were 100 Citations by Violation issued and 58 Primary Offense Totals. (Report on file) He further added that the COPS Grant notification should be received by September 30 although it is anticipated sooner. He has been working on the Vest Grant and has received a grant for in-car cameras which will require no payment from us. The Durango is waiting for an insurance payment and is on the list to get into Black Rock Technical School to be repaired. All these grants are saving the Police Department approximately \$5000. Eight hand-held radios have also been received from Sharp County Sheriff.

ANIMAL CONTROL: Chief French reported that there were presently 28 animals from Cherokee Village and 5 from Ozark Acres for a total of 33 Intakes for the month of May. There were 8 owner reclaims, 0 deaths, 28 adoptions, 13 transported to Rescue for Adoption and 7 scheduled for Transport to Rescue for total Outgoes of 56. Total income received was \$2,442; and donations are being made of dog and cat food and litter as well as monetary donations. Two Adopt-A-Thons were held as was a low cost Spay & Neuter Clinic. The next Spay & Neuter Clinic is scheduled for June 30-July 2nd. There were 356 total volunteer hours. (Report on file)

STREETS: David Crayne reported on debris removal, a contract with K&P Tree Service for hangers and hazardous trees; the good working system at the burn site; the work information being updated and given to public daily via radio stations; and his Q&A session still going on Friday mornings from 9:00-9.30 A.M. Crayne further indicated that he was quite busy with keeping accurate records for FEMA and ADEM. (Report on file) Crayne commented that he had received a grant to acquire 2 trucks for hauling debris. He further indicated that he had 13 full time and 3 part time temporary

debris removal personnel and was in need of 5-6 more for ground work/chipping, so he can put his regular crew to work fixing potholes and regular street jobs.

PLANNING AND ZONING COMMISSION: Jerry Adams reported on Permit comparison 2008 versus 2009. He indicated that in 2008 there were 135 construction cost permits issued for a total of \$569,343 and in 2009 there were 158 permits issued for a total of \$369,861; 48 roofing permits were issued for a total of \$162,610; 76 permit jobs were inspected and 63 jobs completed. (Report on file)

CODE ENFORCEMENT FOR APRIL: Adams reported that Kincaid had received 41 complaints in April and had 11 old complaints, 55 letters were mailed, 8 personal contacts made and 61 verifications done. He completed 6 and was on medical leave for two and a half weeks. (Report on file)

COMMITTEE REPORTS:

PERSONNEL: Newman reported that her committee received 27 applications for District Clerk, interviewed 10 people and submitted 5 applications to the Mayor. Out of the five, one was hired for City District Clerk, and one hired for Judge Johnson.

ROADS & STREETS: Stokes did not have anything to add to Crayne's report; however, he took the time to praise Crayne and his department for the great job being done in the Village to clean up the storm debris.

UNFINISHED BUSINESS: Third reading of **ORDINANCE NO 2009-02 – AN ORDINANCE REGULATING DISPOSAL OF SURPLUS MUNICIPAL EQUIPMENT AND/OR PROPERTY.** Martin moved that title only be read; seconded by Stokes; unanimously carried. Clerk Endrihs read the title. Martin moved that this Ordinance be passed; seconded by Stokes; unanimously passed.

Second reading of **ORDINANCE 2009-03 – AN ORDINANCE REGULATING THE OPERATION 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.** Stokes moved that we read title only; seconded by Martin. Clerk Endrihs read the Ordinance. Stokes moved that this Ordinance be passed; Martin seconded; unanimously passed.

NEW BUSINESS: RESOLUTION NO. 2009-04 – A RESOLUTION OPPOSING PROPOSED LEGISLATION IMPLEMENTING LARGE AIRCRAFT SECURITY PROGRAM. Martin moved that this be passed; Stokes seconded; unanimously passed.

TEMPORARY SPECIAL USE PERMIT NO 2009-04 – The Lions Club requested the use of Choctaw Center for a carnival from June 4-7, 2009. Thone moved that this be passed and Shelton seconded it; unanimously passed.

PLANNING AND ZONING PROPOSALS: Jerry Adams presented three separate proposals from the Planning and Zoning Commission and suggested that each section be reviewed and voted on separately with the thought in mind of the Future Growth of

Cherokee Village. The first proposal concerned the **WHITE AREAS**; second **SUBDIVISION**; and third **BEACH CLUB**. After much discussion and further explanation by Tom Hrezo, Thone moved that we accept **SUBDIVISION** with a limit of \$7000 for Mr. Jim von Tungeln's fee and table the **WHITE AREAS** and **BEACH CLUB** until later; seconded by Stokes. More discussion followed with comment from a resident of one of the areas in question. Roll call was taken. YES votes: Newman, Martin, Torbit, Shelton, Petersen, Stokes, and Thone. (Proposal on file)

JUNE COUNCIL MEETING DATE: Due to the fact that the Arkansas Municipal League 75th Anniversary will be celebrated in Hot Springs during the time of our regular scheduled meeting, Newman proposed changing the meeting date to June 25th; seconded by Torbit; unanimously passed.

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

ADJOURNMENT: Stokes moved that the meeting be adjourned; seconded by Newman; unanimously passed. Meeting ended at 9:12 P. M.

DATE: _____

SIGNED: _____
Lloyd Hefley, Mayor

ATTEST: _____
Phyllis J. Endrihs, Clerk/Treasurer

