

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
JUNE 24, 2010**

The Honorable Mayor Lloyd Hefley called the meeting of the City Council to order at 6:30 PM, Thursday, June 24, 2010. Mayor Hefley then led the Pledge of Allegiance which was followed by a moment of silent prayer.

Clerk Endrihs called roll. Present were: Peter Martin, Lynn Maxedon, Verna Mae Newman, Russ Stokes, Tom Thone, Ray Torbit and Kent Viers. Absent: Angie Petersen and Attorney Jon Abele.

APPROVAL OF AGENDA: Newman moved that Alice Watson, representative from Liberty National Insurance, be added to agenda; seconded by Torbit and unanimously passed. Newman then moved that the corrected agenda be accepted; seconded by Stokes and unanimously passed.

PUBLIC COMMENTS ON AGENDA ITEMS:

APPROVAL OF JUNE 2, 2010 MINUTES: Stokes requested the following changes be made: Page 3, Item 7, Line 11 “2010” be added before 2011 and 2012. Page 4, Item 9, FLAG POLE, be changed to read “Stokes requested that the cost of replacing the flag pole in front of City Hall be investigated and included in 2011 Budget.”

MAYOR’S REPORT: Mayor Hefley introduced Andrew Bridges from White River Planning & Development District, Inc. Mr. Bridges presented a briefing on a 50/50 Park Grant Application. He explained the possibilities of our city applying for a grant up to \$250,000 in reimbursable matching funds. Since a public hearing is mandatory before any action can be taken, one has been set for Thursday, July 1st at 5:00 PM in City Hall. (Report on file)

CORRESPONDENCE: None to report.

DEPARTMENT REPORTS:

FIRE: Chief Taylor reported that his Department had responded to 40 calls during May. The Firefighters trained for a total of 529 hours with 320 hours on Incident Command System 300 and 400. The Volunteers trained for 2 hours on Fire Streams and 2 hours on Apparatus. The annual commercial inspections and the annual apparatus tests on all pumpers have been started. (Report on file) Torbit questioned the inspections and asked if they were all commercial buildings to which Chief Taylor replied that they also included churches and daycare centers.

POLICE: Chief Crook reported a total of 51 incidents taking place during May and a total of 56 Citations by Violation being issued. (Report on file) Chief Crook then went on to report his attendance at a training seminar in California which he was able to attend

with the total cost to the City to be less than \$100 after reimbursement. He was pleased with the topics presented as well as the Law Enforcement leaders with specific training or vast experience on the variety of subjects. He added that the information shared was up-to-date materials and concepts being used by agencies throughout the United States.

Chief Crook then indicated that he had heard of one program that he was interested in for our City. He talked it over with the Mayor and hoped to implement it. That is a "Senior Watch" Program. He contacted Bob Smith, who was definitely interested in the subject as he had been looking into himself. This program would work on a voluntary basis. Residents 60 years of age or older or who are 55 years old and have a disability would be eligible to enroll in the program. Voicent Broadcast By Phone – a complete Auto Dialer System would be used. The hope is to have things in place and have a public meeting in the near future to kick off the program. A meeting time and date will be announced in the media. (Report on file)

Chief Crook indicated that he has submitted an update to the COPS grant. He added that just to recap this grant would pay for an officer for three years and the City would have to retain this individual for another 12 months after the grant ended. It will be late summer or early winter before an answer is received.

The three new cars were picked up and are on the street with the color scheme being completed when the material arrives. Two were immediately put to use but the third had a radio problem which has been fixed. Thone questioned the number of cars to which the Chief responded that there were 8. Two of the Crown Vics have been sold and the third is to be used as a reserve vehicle. Chief is driving one of the new Chargers and the Criminal Investigative Officer is driving the Durango. He added that our Criminal Investigator has been instrumental in recovering several City signs and clearing up several thefts with the property being recovered.

He further announced that plans are underway to prepare for the upcoming 4th of July events. There will be regular officer on duty and others have volunteered to help. (Report on file)

ANIMAL CONTROL: Chief Crook also reported on the Animal Shelter. He indicated that there were a total of 24 intakes and a total of 67 outgoes. \$1909 was total income collected. Donations of goods and funds are coming in sporadically from local citizens. There was a total of 326 volunteer hours. Events scheduled: Adopt-A-Thon scheduled for June 25-26 and a Low Cost Spay & Neuter Clinic scheduled for August 10, 11, and 12. The TEA worker finished her scheduled 20 hours per week for a 12 week period June 11th but was extended for another 12 weeks. Community Service workers are needed to perform the various duties at the Animal Shelter; however, they are only being made available sporadically. There are still a number of ongoing projects/needs to be done. Thone questioned the high cost for the animal cages and would be checking this out. Chief Crook replied that he called around to fence people and other companies but the only person interested in taking on the job was a man from Evening Shade and that is who did the job. Stokes questioned the drop offs and indicated that a camera in the gate area should be set up so we can see who is doing the dumping. Stokes also requested that Mike Alexander from WalMart again be contacted for animal food donations (Report on file)

STREET: Superintendent Crayne reported that the FEMA audit was scheduled for June 14th and all project worksheets have been submitted to FEMA. The wait now is on U.S. Congress to appropriate money. He added that he had completed ICS 300 and 400 classes and test. His regular staff has been working on ROW clearing and culvert cleanout, pot holing & sign work, digging soft spots and adding base rock, reshaping ditches and repairing shoulders, cleaning debris from Golf Course Bridge, blading cold mix and putting three mowers to work on ROW. The Maintenance Department has completed multiple repairs and oil/filter changes and has serviced and repaired vehicles from FEMA Projects. In general his Department responded to 84 resident calls for repair or assistance, installed 22 street and stop signs and cleaned and straightened 72; and has advertised for bids on excavator and mulching head and hot mix overlay. (Report on file) Crayne indicated that he had asked for bids on buying an excavator with mulching head. The bid they want to go with is Linkbilt for excavator and Cutting Advanced Forestry Equipment for the mulching head for a total of \$156,163. This will be purchased from Clark Machinery Equipment who is also known for its maintenance of equipment. This particular piece of machinery is smaller than the County's but is perfect size to fit on one of the Street Department's available trailers. Stokes moved that this be done; seconded by Newman. Roll call vote was taken. YES votes – Martin, Maxedon, Newman, Stokes, Thone, Torbit and Viers. Motion carried.

The second bid was for hot mix overlay of Cherokee Road. Atlas Asphalt came in with lowest bid (they did the work last year also). The Street Committee and Chairman Stokes requested that option to include Santee Drive be added as it connects to Cherokee Road. Total cost of this would be \$149,289. Stokes moved that this be done and indicated that about \$95,000 could be appropriated from the 2 mil tax levy and the balance from the General Fund. Torbit seconded. Roll call vote was taken: YES votes – Martin, Maxedon, Newman, Stokes, Thone, Torbit and Viers. Motion carried. Thone asked how soon this could be done. Crayne replied that after authorization is given, it must be done within 60 days.

Crayne further added that he and the Mayor attended an ADEM meeting in Batesville and realized that the City could qualify for more funds and received a check for \$41,000. The 12 ½% coming from ADEM would be \$139,000. It was also realized that additional funding could be increased on donated resources for about \$60,000. AEDM approved it and will send it on to FEMA. He further indicated that there is about a quarter of a million dollars not shown on the recent budget as a result of the ice storm. Crayne hopes to use most of this on the streets and wants the Council to know about it so that when he comes back in another 60 days and asks for more overlay, it will be approved. Thone questioned the Misc Income of \$4,875. Crayne replied that it came from the cutting and sale of logs, mulch, etc.

COMMUNITY SERVICE: Before getting started on his report, DeLoach introduced Mike Eash to the Council.

DeLoach then reported that total community service hours for May were 85 at Animal Shelter, 175 with the Street Department and 172.5 at City Hall. Total Community Service hours were 432.5 with fines paid off at \$7.50 per hour for \$3238.75. Total mandatory hours for May were 136 at Animal shelter, 112 at Street Department and 8 in

City Hall. There were 64 volunteer hours at the Street Department for a total of 752.5 hours.

COMMITTEE REPORTS:

PERSONNEL: Newman indicated that her group did not meet this month.

ABCV (A BETTER CHEROKEE VILLAGE): Maxedon reported that his group met in City Hall on June 22nd. Discussion was on points each one felt needed to be in the 20 years Plan. The highest priority item was a hospital and there is soon to be released a feasibility study of this priority. Other points were discussed and no conclusions reached; however further discussion will take place at next meeting. Maxedon indicated that anyone interested in this Committee is invited to attend his meeting which meets once a month. Date and time is in the paper as well as announced on the radio.

Martin asked about the Gas project. Maxedon indicated that even though it has been shut down at present, they are looking into more funding, possible grants, etc. to bring it back into the picture.

Maxadon then thanked Russ Stokes for putting up Cherokee Village signs and indicated that a thank you note had also been sent to the Master Gardeners.

PLANNING & ZONING COMMISSION: Hrezo reported that there were 134 Construction type permits issued in May for a total cost of \$6312.50 as opposed to 197 permits issued in 2009 for a total cost of \$6,340.00. (Report on file)

Year to date income from permit fees is \$11,313.00 and current roofing permits totaled 28 permits for cost of \$101.398. Eighty-five were inspected and 26 were completed.

Code Enforcement report for May indicated 13 complaints taken, 15 old complaints, 15 letters mailed, 2 Citations issued, 126 personal contacts and verifications, 1 dump site and 3 condemned notices issued. 45 jobs were completed in May. (Report on file)

Maxedon questioned the Water Bill Program of ½ million dollars and wanted to know what this entailed. DeLoach replied that the Water Company is building a complete office complex as well a Maintenance Shop. Upon completion, they will no longer be in the Village Mall but will have office, vehicles, maintenance, etc. all on Otter Creek Lane. Martin asked about the flood plain and DeLoach replied that it is not in flood plain area as that was the first thing he checked.

Thone asked about the condemned buildings. Hrezo replied that there were three houses all burned out. To condemn them was the first step. DeLoach indicated that he had bids on his desk to bring to next meeting about demolition. Two of the houses have been torn down and are in the process of being rebuilt. Martin questioned the septic system on one to which DeLoach replied that when he receives a Building Permit, the septic system will be checked.

UNFINISHED BUSINESS:

1. **3rd Reading – ORDINANCE NO. 2120-X (Revised) –AN ORDINANCE TO ADOPT A CITY SUBDIVISION CODE BY REFERENCE; AND FOR OTHER PURPOSES.** Clerk Endrihs read the Ordinance. Newman moved that this Ordinance be passed; seconded by Maxedon. Roll call was taken. YES votes – Martin, Maxedon, Newman, Stokes, Thone, Torbit and Viers. Motion carried.

2. **RESOLUTION 2010 – P (Revised) – A RESOLUTION ADOPTING A MASTER STREET PLAN FOR THE CHEROKEE VILLAGE, ARKANSAS PLANNING AREA.** Newman motioned that this be passed; seconded by Torbit. Maxedon asked that the Plan map be updated before we vote. Hrezo indicated that this was the reason for making this a Resolution rather than an Ordinance as it would be effective the day it passed. He added that the sections voted in by Ordinance call for waiting 90 days after passing before they are effective. This way the resolution can pass and can be changed. Stokes motioned that the Resolution be amended to move Section 2 to 3 and put the following in Section 2 – That the Master Street Plan shall be reviewed annually and updated accordingly; seconded by Maxedon. Roll Call vote was taken on the amendment. YES votes – Martin, Maxedon, Newman, Stokes, Viers, Thone and Torbit. NO vote – Newman. Stokes moved that the amended Resolution be passed; seconded by Maxedon. Roll call vote was then taken. YES votes – Martin, Maxedon, Newman, Stokes, Thone, Torbit and Viers.
3. **ELECTRONIC BACKUP DECISION:** - Romans explained the costs and workings of this program. Maxedon asked if the new copy machine could do the scanning to which Romans replied that this was possible and could cut costs; however, a separate scanner would be more convenient. David Gruger from the audience indicated that he had recently purchased a new scanner and would bring it in for Romans to look at it. Since Romans will be gone this next week, he could bring it in the following week. The work would be done here, possibly with the help of a Highland HS student. This is how it is being done in Highland. Council was again reminded that they could see the work in progress by stopping at the Highland City Hall. Martin suggested that someone from EDCO come to one of our working meetings and explain the program, its features, etc. in full prior to purchase. After much discussion Newman motioned that this program is needed to be done; seconded by Stokes. Roll call vote was taken. YES votes – Martin, Maxedon, Newman, Stokes, Viers, and Torbit. NO vote – Thone.

NEW BUSINESS:

1. **TEMPORARY SPECIAL USE PERMIT** – Donations to be collected by the American Red Cross June 25, 2010. Locations: Carol’s Lakeside Diner and Village Market. Maxedon moved that this be passed; seconded by Newman and unanimously carried.
2. **PURCHASE OF NEW FLAG POLE:** Per Stokes’ request at the last meeting, that costs and all be investigated for purchase of a new flag pole to replace our present one in front of City Hall, DeLoach presented the costs and differences in flag poles. One flag pole to carry two flags would need to be 35’ tall and would cost \$2,095..A three flag system similar to the one SID has over in Papoose Park would be one flag pole 25’ and two 20’ each and that cost would be \$2495. Flags and shipping would be free. He recommended the purchase of the 3 flag poles for total cost of \$2,495 as they were on sale now because of the 4th of July holiday and prices would no doubt go up after that. Stokes indicated that if funds were available this year, it would be best to go ahead with the purchase. After much discussion, Newman moved that the 3 flag pole set up be purchased now to

replace the current flag pole in front of City Hall; seconded by Torbit.. Roll Call vote was taken. YES votes - Newman, Stokes, Thone and Torbit. NO votes – Martin, Maxedon and Viers. Motion carried.

- 3. **BUDGET:** Postponed until the July meeting.
- 4. **FINANCIAL REPORT:** Torbit questioned the number of checks written from Payroll Fund. Romans explained that the Fire Department gets paid every 15 days, Street Department every two weeks and on the alternate two weeks the Administrative Section, Police, PZ, Distict Court, Animal Control and Community Service are paid either by Direct Deposit and/or paper check. Taxes are also paid out of PayRoll Fund. This Fund is reimbursed by the individual Departments.

COMMENTS ON CITY RELATED ITEMS (limit 3 minutes per speaker):

Martin asked if there were any plans on the park proposal. Mayor Hefley replied that this was just getting underway and asked everyone to be at the Public Hearing on July 1st at 5:00 PM to voice his/her opinion on what they would like to see take place in Cherokee Village.

Torbit asked about the #2 Tekakwitha purchase. Mayor indicated that this had already been done; however, the former owners would take care of the Termit Inspection at the cost of \$850.

Martin asked the audience if the new mikes were working. The reply was that they were working so much better than any other prior meeting.

NEXT MEETING: There will be no meeting the first week in July due to the 4th of July holiday. This was approved in the May 20, 2010 minutes. The regular City Council meeting will be July 15, 2010.

ADJOURNMENT: Newman moved that the meeting be adjourned at approximately 9:00 PM.

DATE: _____

APPROVED: _____
Lloyd Hefley, Mayor

ATTEST: _____
Phyllis J. Endrihs, Clerk/Treasurer

