

**CITY OF CHEROKEE VILLAGE  
CITY COUNCIL MINUTES  
MAY 5, 2010**

**OPENING:**

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF SILENT PRAYER:**

**ROLL CALL:** Clerk Endrihs called roll. Present were: Peter Martin, Lynn Maxedon, Verna Mae Newman, Angie Petersen, Tom Thone, and Ray Torbit. Absent was Russ Stokes. Attorney Jon Abele was also present.

**ACCEPTANCE OF AGENDA:** Because of the absence of Romans, suggestion was made to table all budget items until the regular meeting. Newman requested that we add under New Business the filling of the Alderman position. Thone seconded and motion was unanimously carried.

**APPROVAL OF MARCH 18 MINUTES:** After reviewing the answer to question on page 3 which was raised at the April 15<sup>th</sup> meeting, Thone moved that these minutes be accepted; seconded by Newman. Roll call was taken. YES votes – Martin, Maxedon, Newman, Petersen, Thone and Torbit.

**APPROVAL OF APRIL 15, 2010 MINUTES:** Maxedon questioned the writing of 2 Resolutions giving the Mayor authority to write two letters re: a. that the City oppose the Federal law to mandate Collective Bargaining and b. A request to Sharp County to correct/update their 911 Data Base. This was passed at the April 15<sup>th</sup> meeting. Much discussion followed in that Martin felt that Resolutions should be written so all can vote on contents as opposed to letters. Maxedon moved that these minutes be accepted; seconded by Newman. Roll call was taken. YES votes - Maxedon, Newman, Petersen, Thone, Torbit and Martin.

**APPROVAL OF APRIL 23, 2010 MINUTES:** Maxedon moved that these minutes be accepted; seconded by Martin; unanimously carried.

**UNFINISHED BUSINESS:** 2<sup>nd</sup> Reading of ORDINANCE NO. 2010-B – AN ORDINANCE ANNEXING CERTAIN LANDS, KNOWN AS MANDAN II ADDITION, THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CHEROKEE VILLAGE; AND FOR OTHER PURPOSES. Newman moved that title only be read; seconded by Martin and unanimously approved. Clerk Endrihs then read the title. Newman moved that the 2<sup>nd</sup> reading be approved; seconded by Maxedon. Roll call was taken: YES votes – Petersen, Thone, Torbit, Maxedon and Newman. NO vote – Martin for following reasons: 1. Because of disparities with SID; 2. Planning and Zoning sub division rules; and 3. Discharge of fire arms in Village Ordinances.

**NEW BUSINESS:**

1. TEMPORARY SPECIAL PERMIT FOR PROGRESSIVE EYE CENTER, INC. TO HOLD THEIR SECOND ANNUAL KIDS FUND DAY ON JUNE 19, 2010 FROM 9:00 – 12:00 NOON. Martin moved that this be approved; seconded by Newman and unanimously carried.
2. Public Hearing Notice Concerning Adoption Master Street Plan and Subdivision Code.
3. Copy of Master Street Plan.
4. Copy of Subdivision and Development Code.
5. Signed Resolution, Planning & Zoning Chairman, Adopting Master Street Plan and Subdivision Code. Tom Hrezo, Chairman of the Planning and Zoning Commission presented items 2-5 with explanations on each and fielded questions regarding the topics.
6. **ORDINANCE NO. 2010-X** – AN ORDINANCE TO ADOPT A CITY SUBDIVISION CODE BY REFERENCE; AND FOR OTHER PURPOSES.

**AND**

7. **RESOLUTION NO. 2010-P** – A RESOLUTION ADOPTING A MASTER STREET PLAN AND SUBDIVISION CODE FOR THE CHEROKEE VILLAGE, ARKANSAS PLANNING AREA.

**WERE BOTH TABLED UNTIL NEXT MEETING**

8. **ORDINANCE 2010-C** – AN ORDINANCE ANNEXING CERTAIN LANDS KNOWN AS SOUTHWIND TRACE ADDITION, THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CHEROKEE VILLAGE; AND FOR OTHER PURPOSES. Maxedon moved that this not be passed, that it be reviewed more; seconded by Martin. After much discussion regarding the beginning and end of Dunn Lane, right of way areas as allowed by the county, etc., a roll call vote was taken as to whether to review more; YES votes – Martin and Maxedon. NO votes – Newman, Petersen, Thone and Torbit. Newman then moved that we pass the 1<sup>st</sup> reading; seconded by Torbit. Roll call vote was taken. YES votes – Petersen, Thone, Torbit and Newman. NO votes – Martin and Maxedon. 1<sup>st</sup> reading passed.
9. **ORDINANCE NO. 2010-D** – AN ORDINANCE TO REGULATE THE CONSTRUCTION AND PLACEMENT OF SIGNS, PROVIDE FOR THE VIOLATION OF SUCH REGULATION, AND FOR OTHER PURPOSES. Questions arose as to kinds of signs, portable or permanent, etc. Attorney Abele suggested that each Alderman take this home, read it, study the signs as they drive around the Village and come back at next meeting with decision.
10. **ORDINANCE NO. 2010-E** – AN ORDINANCE PERMITTING EMPLOYEES AND OFFICIALS TO DO BUSINESS WITH THE CITY. Martin questioned why this was being done? Attorney Abele explained that this is a blanket Ordinance to cover relatives of employees who do business with the City. At time of hire, the new employee is to disclose any relative whose business could be used by the City at one time or another. As long as this info is disclosed, there should be no problem. Newman indicated that this question should appear on the application for hire. Thone moved that this be passed; seconded by Newman.

Roll call vote was taken. YES votes – Torbit, Thone, Petersen, Newman, Maxedon and Martin. 1<sup>st</sup> reading passed.

**11. APPOINTMENT OF ALDERMAN TO FILL VACANT SLOT.** Since this is a public office, there is no need to go into Executive Session. Newman moved that Kent Viers be appointed to fill the vacancy; seconded by Torbit. Martin objected in that it was not in accordance with previous written procedures and that because this is an election year, he should only fill out the balance of this year; however, Viers was asked to fill out the balance of the term vacated by Shelton. Torbit indicated that the ARML would have no objection. The Mayor then asked Attorney Abele for guidance. Abele checked the law book and could find no objection. Roll call was then taken. YES votes – Newman, Petersen, Thone Maxedon and Torbit. Martin abstained. The Mayor requested that the paper be notified of this decision.

Chief Ricky Crook then requested permission to speak. It was granted and he wanted to let everyone know that he was nominated by Chief Montie Sims, President, Arkansas Association of Chiefs of Police, Dardanelle, AR to attend the National Center for Rural Law Enforcement’s Rural Executive Department of Justice, Bureau of Justice Assistance. This three and a half day course for rural law enforcement executives is a direct result of the need for education and training expressed by rural Sheriffs and Chiefs of Police. This training is scheduled May 17-20, 2010 in Sacramento, CA. Lodging, meals and travel costs related to the training will be paid for by the NCRLE and all travel arrangements will be made by NCRLE’S staff. A copy of the letter was passed to each Aldermen and the audience applauded.

**ADJOURNMENT:** Newman moved that meeting be adjourned at 7:47 PM; unanimously carried.

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

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

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

