

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MEETING
APRIL 21, 2011
(meetings are video recorded)**

Mayor Lloyd Hefley called the meeting of the City Council to order at approximately 6:30 PM, Thursday April 21, 2011. He then led the Pledge of Allegiance which was followed by a moment of silent prayer.

Clerk Hamilton called roll: Present were Jerry Adams, Curtis Bratcher, Ken Viers, Russ Stokes, Tom Thone, Ray Torbit and Verna Mae Newman. Attorney Jon Abele was also present. Lynn Maxedon was absent.

APPROVAL OF AGENDA: Newman brought up that City Council planned for May 5, 2011, is National Day of Prayer. She proposed that the Financial Task Force and City Council be postponed to a later date. Mayor Hefley said the aforementioned meetings will be on May 12, 2011, due to the conflict.

Thone asked the Council if they are going to address the Budget problem by adding taxes.

Bratcher moved to approve the agenda with change of date for meetings, seconded by Adams and unanimously passed.

PUBLIC COMMENTS ON AGENDA ITEMS: none

APPROVAL OF THE APRIL 7, 2011 MINUTES: Adams moved to approve the minutes, seconded by Torbit and unanimously passed.

CORRESPONDANCE: Clerk Hamilton read a letter addressed to Charles DeLoach from Steve and Lyne Wayne thanking him for his professionalism, answering their questions, and making them feel truly welcomed to Cherokee Village.

MAYORS REPORT: Mayor Hefley announced that he had received a Grant in the amount of \$1,000.00 for the cities new Farmers Market. This Grant was awarded by The Arkansas Community Foundation and the Blue & You Foundation.

FINANCIAL REPORT: (report on file)

DEPARTMENT REPORTS:

FIRE: (report on file) Newman asked Chief Taylor if there were more fires, than usual, this year. Chief Taylor said that there were, due to the dry conditions. Newman also stated that people had spoken to her about the Fire Trucks being on the road so much. Chief Taylor explained that the Fire Trucks must be run everyday for their required tests.

POLICE: (report on file) Chief Crook announced that Chris Spurlock graduated from the Police Academy in the top 10 %.

ANIMAL CONTROL: (report on file) Torbit announced that the AHAH group has been certified as a 501 C organization.

STREET: (report on file)

COMMUNITY SERVICE: (report on file)

DISTRICT COURT: (report on file)

PLANNING & ZONING COMMISSION: (report on file) Thone asked about two homes on Thunderbird, by Los Indios, if they had obtained permits. DeLoach stated that they were started before Los Indios was annexed, and at that time the City had no jurisdiction.

PERMIT COMPARISONS: (report on file)

CODE ENFORCEMENT: (report on file)

COMMITTEES:

PERSONNEL: Newman stated that every department has evaluation sheets and said that each employee will be evaluated a least once a year. Newman also said that she was very pleased of the evaluations thus far.

SAFETY: Torbit mentioned that one of the Fire Trucks had to go to Little Rock for warranty work for repairs. Chief Taylor said the repairs were made in a day. Chief Crook stated that three of the Dodge Chargers have had stabilizer problems and are being fixed.

WEBITE & GRANT: Bratcher stated that the new website is up and running and it has taken several man hours to complete the updating.

UNFINISHED BUSINESS: none

NEW BUSINESS:

1. Ordinance 2011 – B. Franchise fee to Cherokee Village Water Works.

City Attorney, Jon Abele, said there was a wrong date in Ordinance 2011-B, that the date of June 30, 2011, should read July 31, 2011.

Clerk Hamilton read Ordinance 2011- B, AN ORDINANCE GRANTING A FRANCHISE TO CHEROKEE VILLAGE WATER WORKS FOR THE PROVISION OF WATER SERVICES WITHIN THE CITY, IMPOSING A FRANCHISE FEE, AND FOR OTHER PURPOSES. (report on file)

Mayor Hefley asked for a roll call vote. Clerk Hamilton called the roll call vote. There were 6 yeas, Thone voted no, passing the Ordinance 2011-B, 5/1 on the first reading.

Adams moved to suspend the rules by reading Ordinance 2011–B by title only for the next reading, seconded by Newman. All were in favor, except for Thone.

Clerk Hamilton called roll call vote for the second reading. There were 6 yeas, Thone voted no, passing the Ordinance 2011-B, 5/1, on the second reading.

Adams moved to suspend the rules by reading Ordinance 2011-B by title only for the next reading, seconded by Torbit. All were in favor, except for Thone.

Clerk Hamilton called roll call vote for the third reading. There were 6 yeas, Thone voted no, passing the Ordinance 2011-B, 5/1, on the third reading.

2. Clerk Hamilton read Ordinance 2011-C. AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE PERCENT SALES AND USE TAX WITHIN THE CITY OF CHEROKEE VILLAGE, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO. (report on file)

There was much discussion on the percentage amount requested. Bratcher asked if Sales tax is on real estate. Attorney Abele stated that taxes are pretty much on everything. However, should the amount be over \$2,500.00, one may ask for money back from the state.

Newman stated that this vote is just to get this Ordinance on the ballot, for the citizens to vote on it.

Thone wanted to know why we chose 1 %, he also asked how much revenue this would produce. Mayor Hefley stated the minimum amount would be \$50,000.00. The question was asked how this would be done. Mayor Hefley responded this would be a Special Election and the cost would be \$2,100.00 to \$2,800.00.

Mayor Hefley asked for the motion to vote. Newman moved to vote on Ordinance 2011-C, seconded by Adams. Clerk Hamilton called a roll call vote. There were 5 yeas, Bratcher and Thone voted no, passing the Ordinance, 5/2, on the first reading.

Second reading will be at the City Council Meeting on May 12, 2011.

COMMENTS ON CITY RELATED ITEMS:

Dave Grueger told City Council that he was all for the Franchise Fee. But he questioned the 1 % Sales and Use tax and asked if they thought putting taxes on everything would keep businesses from moving to the City. It was earlier stated that all the cities around us already have a Sales and Use tax, 1% to 2%. Mayor Hefley stated this is an issue we are asking our citizens to vote on.

Steve Thompson spoke of the budget shortfalls. He stated he felt like the reason last years financial records looked good was because of FEMA reimbursements. He also questioned why the Council voted to buy a building for \$87,000.00, for a Farmers Market. Mayor Hefley explained to Thompson, that the building was bought in 2010. Right now, the City Streets Department uses half of it for storage. In the future, the City wants to use it

for an emergency center, as our City presently does not have one. Mayor Hefley also stated that part of the building will be used for the Farmers Market, this summer.

ANNOUNCEMENTS: Mayor Hefley announced that the Financial Task Force meeting will be at 6:00 PM, with City Council at 6:30 PM on May 12, 2011.

ADJOURNMENT: Stokes moved to adjourn the meeting at approximately 7:30 PM, seconded by Newman and unanimously passed.

DATE: 5/13/11

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Lana Hamilton
Lana Hamilton, City Clerk/Treasurer