

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MEETING
JULY 7, 2011
(meetings are video recorded)**

Mayor Lloyd Hefley called the meeting of the City Council to order at approximately 6:45 PM, Thursday, July 7, 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, Lynn Maxedon, Verna Mae Newman, Russ Stokes, Tom Thone, Ray Torbit, and Kent Viers. Attorney Jon Abele was also present.

APPROVAL OF AGENDA: Maxedon amended the agenda, under new business, by adding: 1. discuss voting on the revised budget and; 2. discuss a retirement incentive. Bratcher also amended the agenda, under new business, to discuss adopting a reserve policy. Thone moved to approve the agenda with the amendments, seconded by Maxedon and unanimously passed.

PUBLIC COMMENTS ON AGENDA ITEMS: none

APPROVAL OF THE JUNE 23, 2011 MINUTES: Viers moved to approve the minutes, seconded by Torbit and unanimously passed.

CORRESPONDANCE: Clerk Hamilton read a letter from Jan Lefevre who is an Alderwoman in Monroe, Wisconsin. Ms. Lefevre and her friend bought several lots in Cherokee Village, when they were on vacation here this summer. While she was here, she heard about the auction that Bill Matselboba was conducting, to get donations for the Animal Shelter. She donated a tray that she mosaiced for the auction, and wished the auction a big success. Torbit clarified that this is not the City of Cherokee Villages auction, this auction is being done by a private citizen to raise money for the Animal Control Shelter.

ITEMS FOR DISCUSSION: Mayor Hefley announced that he will open, and work at the Farmers Market opening July 9, 2011. Newman asked how many vendors we had signed up, his reply was four vendors at this time. Torbit said that he heard a radio ad that there was a Farmers Market on Tuesdays and Thursdays here at City Hall. Torbit went on to say that we need to clarify that this ad is not the same as the City's Farmers Market. Thone said that he heard a citizen was not issued a permit to sell at City Hall, and wanted to know why. Mayor Hefley explained that there was a Resolution from 2002 that said the permit would only allow a Farmers Market on Saturdays, at City Hall. Mayor Hefley explained that we have not enforced this Resolution, allowing people to sell in the parking lot whatever day they wanted to. He also said that he did not want to run these people off after the permit had already been issued. Thone asked since we have issued another permit, would the other person get a permit. Newman objected, saying that in the past we have not had a Farmers Market, but now that we do, we should not

allow anyone to sell in the parking lot. The Mayor also recommended that an Ordinance should be presented to Council to prevent people from selling in the City Hall parking lot, as long as the City has the Farmers Market. Adams explained that he had tried very hard to work with the people, with the permit, trying to get them to sell at the City's Farmers Market, but to no avail. Newman asked if anything could be done to rescind the permit. Charles DeLoach said if the City Council wanted to rescind the permit, he would enforce it, also stating we will not be able to give any permits to groups like the Shriners, who sell Vidalia Onions each year. Adams suggested that we invite them to sell at the Farmers Market. Newman moved to rescind the permit because we have a Farmers Market, seconded by Adams. There were 5 yeas, Bratcher, Maxedon and Thone voted no, passing to rescind permit.

UNFINISHED BUSINESS:

1. Bill Matselboba, a Cherokee Village resident, spoke to City Council about the values of having an Animal Shelter. He asked the Council to find a common ground, compromise, compassion and money. Matselboba is worried that if the Shelter were to close, there will be many more stray dogs and cats, causing many more problems. He states that between himself and AHHA, they have saved the city money on the cost of food. They have reinstated the WalMart free food program, have the barrels out so people can donate food, and plan to have more events to raise money to feed the animals. The Mayor said the City appreciated all the efforts and all the donations, including the 6,000 pounds of food that Matselboba got from Hirsch Farm and Feed. (report on file)
2. Update on the Water Franchise. Mayor Hefley has not been in touch with Steve Rose nor Water Board at this time.

NEW BUSINESS:

1. A Temporary Special Use Permit for Bill Matselboba, for an auction to raise money for the Animal Shelter, and refreshments, on July 9, 2011, at the City Hall. Bratcher moved to give the Special Use Permit, seconded by Newman and unanimously passed.
2. Maxedon moved to accept the revised budget with two changes. Line item 100 (supplies such as: food, pet tags, litter and maintenance supplies) change back to \$5,000.00 and line item 124 (repairs and Maintenance on Buildings and Grounds) change to \$3,400.00, seconded by Newman. Mayor called for discussion. Thone asked if Column D would be the actual budget. Maxedon said yes, as Column D was updated to a tighter budget than the one Council had passed in December. Stokes replied that he had not checked his e-mail, and had not been able to review, asked if Council could postpone the vote. The Mayor concurred that this revised budget had just been sent out and he was concerned Council had not enough time to review thoroughly. Maxedon moved to table his motion and re-visit this at the next City Council meeting, seconded by Stokes and unanimously passed.
3. Maxedon motioned to give 1. \$500.00 incentive to any employee that would take retirement and; 2. extend this incentive of \$500.00 to any employee that would drop to

half time. He would want the City to pay these employees for any vacation earned. He would also propose the offer be subject to approval by the employees Managers and the Mayor because they need to have control over this process. The Mayor questioned if this should be in the form of a Resolution. The City Attorney, Jon Abele said as long as Council is not changing policy, it would be alright to vote on this matter. This motion was seconded by Thone. The Mayor asked for discussion.

Torbit said that he does not believe we can ask the Police, Fire and Road Departments to go half time because the City would lose several areas of coverage. Maxedon explained that he didn't say everybody, that the Mayor and Department Heads would have control over this. The Mayor called for a roll call vote. Clerk Hamilton called roll, there were six no's, Thone and Maxedon voted yes, the incentives were not passed.

4. Bratcher told Council that the 2011 Budget is water under the Bridge, and that the Council needed to be thinking about 2012. Bratcher proposed policy, to establish a comprehensive set of reserve policies for the City that will serve as a guideline for operational and strategic decision making related to financial matters. (report on file)

COMMENTS ON CITY RELATED ITEMS:

The City Attorney, Jon Abele announced that it had been brought to his attention, that the Council voted to resend the permit for people to sell produce in the parking lot, and Council turned around and issued a permit for an event in the parking lot. Newman said that it was comparing apples to oranges, this is a special use permit for an auction. Adams explained that he didn't see it being the same because the special use permit was only a one day event, the other permits issued were for a whole season.

ANNOUNCEMENTS: none

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

DATE: 7/27/2011

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Lana Hamilton
Lana Hamilton, City Clerk/Treasurer