

**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**REGULAR CITY COUNCIL MEETING**  
**OCTOBER 20, 2011**  
**6:30 P.M. AT CHEROKEE VILLAGE CITY HALL**  
**(meetings are video recorded)**

Mayor Lloyd Hefley called the meeting of the City Council to order at approximately 6:30 P.M., Thursday, October 20, 2011. He then led the Pledge of Allegiance which was followed by a moment of silent prayer.

Clerk Lana Hamilton called roll. Present were Councilmen Jerry Adams, Curtis Bratcher, Lynn Maxedon, Verna Mae Newman, Russ Stokes, Tom Thone, Ray Torbit, Kent Viers, Mayor Lloyd Hefley and Attorney Jon Abele.

**APPROVAL OF AGENDA:** A motion was made by Maxedon to approve the agenda, seconded by Stokes and approved unanimously.

**PUBLIC COMMENTS ON AGENDA ITEMS (limit 3 minutes per person) - None**

**APPROVAL OF MINUTES:** On the minutes of the September 15, 2011 meeting, one correction was pointed out by Jerry Adams. On the bottom of the second page, under SAFETY, Adams should be changed to Torbit "said that Fire Chief Michael Taylor, etc." Correction will be made.

Another correction was requested by Stokes. He said that he did not request a plaque be made to change the name of the Street Maintenance Building to the David Crayne Building. His intention was to rename the building only and not to have a plaque made. Correction will be made.

Stokes moved that the minutes be accepted with the proposed corrections. Torbit seconded and motion passed unanimously.

**CORRESPONDENCE:**

1. Clerk Hamilton read a card from Darcy Bauer to Police Chief Rickey Crook and team in appreciation for their work.
2. Clerk Hamilton read a card from George & Theresia Sandoval to Cherokee Village Police Officers in appreciation for checking on their house.
3. Clerk Hamilton read a card from Diana Deats commending the Animal Control Officer on a job well done.
4. Clerk Hamilton read a letter from Debi Zeiger to City Council Members commending City Hall employees for the great job that they do.

**MAYOR'S REPORT - None**

**FINANCIAL REPORT** – The requested corrected August financial report was in the packet of each council member. Thone had requested a correction on page 8, and that correction was made. Newman moved that the corrected August financial report be accepted, seconded by Adams and passed unanimously.

Newman moved that the September financial report be accepted, seconded by Adams and passed unanimously.

## **DEPARTMENT REPORTS:**

**FIRE** – report on file

**POLICE** – report on file

**ANIMAL CONTROL** – Torbit reported that the group, AHHA, is no longer associated with the City Animal Control and will no longer work with the city and the animals.

When Torbit was questioned about why they were no longer going to help the city, he wasn't sure but the Mayor was able to give some clarification. He said they told him they were aggravated with all the calls they were getting requesting veterinarian supplies, etc. They just got tired of getting so many calls and requests on their phones, specifically from the Animal Control Officer. They gave the Mayor a check for the balance of what they had collected and he thanked them for the work they have done for the city.

**STREET** – Newman pointed out that the Street Department report states that they will be removing gravel from the river, around the golf course low water bridge, starting in September and finishing in mid-October. She asked where that project stood. Stokes answered that, at this time, the project is approximately 98% complete.

**COMMUNITY SERVICE** – report on file

**DISTRICT COURT** – report on file

**PLANNING & ZONING** – Stokes made a comment that he thought the C.V. map project went very well. He was pleased to see the new large C.V. map in the glass case on the outside of the building. Tom Hrezo, chairman of the map committee, thanked Liz Keel, Planning and Zoning, and Mike Eash, Community Service for their efforts in getting the large map placed outside the building. Hrezo announced that there are currently 2000 new maps for sale for \$1.50 each. Torbit asked Hrezo if the wards had been designated on the maps and Hrezo said that these maps would have to be legal maps for that to happen. These maps are informational only and not legal, so it wasn't possible to get the wards put in.

**PERMIT COMPARISONS** – report on file

**CODE ENFORCEMENT** – report on file

## **COMMITTEES:**

**PERSONNEL** – report on file

**SAFETY** – report on file

**WEBSITE & GRANT** – report on file

## UNFINISHED BUSINESS

1. Clerk Hamilton read the third reading of **Ordinance No. 2011-Y, in regards to repeal Ordinance No. 2003-4 and amending Ordinance No. 2000-03.** Maxedon moved to pass this ordinance, seconded by Adams and passed unanimously. Ordinance on file.
2. Maxedon moved that Ordinance 2011-Z be read for the third time, seconded by Adams and passed unanimously. Clerk Hamilton read third reading of **Ordinance 2011-Z, in regards to amend Ordinance No. 2000-03.** Maxedon moved to pass this ordinance, seconded by Newman and passed unanimously. Ordinance on file.
3. Maxedon requested that there be a first reading of **Ordinance No. 2011-E, in Regards to an Ordinance of the City Council of the City of Cherokee Village, Arkansas, Adopting a Reserve Policy and Balanced Budget.** Stokes seconded and it passed unanimously. Clerk Hamilton read the ordinance in its entirety. Bratcher then moved that the Ordinance be accepted, Stoke seconded but with a few grammatical changes. Adams seconded Stoke's second and the motion passed unanimously. Ordinance on file.

## NEW BUSINESS

1. Clerk Hamilton read the entire first reading of **Ordinance No. 2011-X, an Ordinance Repealing Ordinance No. 2000-04, Ordinance No. 2003-05 and Ordinance No. 2008-02 and Providing for Building Permit Fees and Penalties for Violations Whereof and For Other Purposes.** Newman moved that the first reading of the Ordinance be accepted, seconded by Stokes and pass unanimously. Ordinance on file.
2. Cherokee Village Signs at South Entrance; lease agreement with Eben Daggett and survey. Stokes moved that this be tabled until next meeting because he has some information that may be pertinent to the issue, seconded by Adams and passed unanimously.
3. Glenn Harris, Code Enforcement Officer, gave a Power Point presentation on the proposed nature trail. This nature trail would be funded by a \$100,000 non-matching grant from the state of Arkansas. If the council approves, Harris will apply for the grant by the deadline of October 24, 2011 (he will overnight it.) The proposed nature trail would be approximately  $\frac{3}{4}$  mile long with two entrance/exit points. It will be paved and will be handi-capped accessible. There will be men's and women's bathrooms and an outdoor amphitheater for teaching, presentations, etc. There will be signs identifying different bushes, trees, wildlife and fowl that are native to the area. It will remain mostly wooded except for a couple of areas that will have log benches and weed-eating a few inches out on both sides of the trail for easy access. The proposed trail will be open seven days a week from sun-up to sun-down.
4. Resolution No. 2011-W, **Whereas the City of Cherokee Village, Arkansas Recognizes the Need to Provide or Improve Public Access for the Observation of Arkansas' Wildlife.** Newman moved that the resolution be accepted as read, seconded

by Adams and approved by all of the council with the exception of Thone, who voted 'No'. Resolution on file.

5. **Resolution No. 2011-P, a Resolution Assessing a Five Mill Tax Against the Real and Personal Property Within the Corporate Limits of the City of Cherokee Village, Arkansas.** Resolution was read by Clerk Hamilton. Newman moved to approve the resolution increasing the current 2 mil tax to a 5 mil tax . Maxedon made a motion to revise the Resolution from 5 mils to 3 mils and pass it, seconded by Stokes and passed by a vote of 3 nos (Adams, Bratcher and Newman) and 5 yeas (Maxedon, Stokes, Thone, Torbit and Viers.) Counsel then advised that the last motion changed the Resolution from 5 to 3 mil tax but another vote was required to pass it. Considerable discussion followed with concern expressed by the firemen. Maxedon asked for the vote to pass the Resolution, seconded by Stokes and the vote was a tie with 4 yeas (Maxedon, Stokes, Torbit and Thone) and 4 nos (Adams, Bratcher, Newman and Viers). The motion failed because 5 yeas are required. Newman then moved to pass the original Resolution at 5 mils, seconded by Adams, and passed by a vote of 5 yeas (Adams, Bratcher, Newman, Torbit and Viers) to 3 nos (Maxedon, Stokes and Thone.)

6. Temporary Special Use Permit No. 2011-07 issued to Highland Elks for a November Turkey Shoot. Torbit moved to allow the permit, seconded by Adams, and passed unanimously.

7. Temporary Special Use Permit No. 2011-08 issued to Highland Elks for December Turkey Shoot. Stokes moved to allow the permit, seconded by Adams, and passed unanimously.

**COMMENTS OF CITY RELATED ITEM (limit 3 minutes per person) - none**

**ANNOUNCEMENTS - none**

**ADJOURNMENT:** Newman moved to adjourn, seconded by Stokes and approved by all at approximately 8:10 P.M.

**NOTE:** Minutes were prepared and submitted by Assistant to Clerk Hamilton, Cindy Harris

**DATE:** 11/18/11

**APPROVED:** Lloyd Hefley  
Lloyd Hefley, Mayor

**ATTEST:** Lana Hamilton  
Lana Hamilton, City Clerk/Treasurer