

**MINUTES  
CITY OF CHEROKEE VILLAGE, ARKANSAS  
REGULAR CITY COUNCIL MEETING  
6:30 P.M., THURSDAY, MAY 17, 2012  
CHEROKEE VILLAGE CITY HALL  
(meetings are video recorded)**

Mayor Lloyd Hefley called the regular meeting of the City Council to order at 6:30 p.m. on May 17, 2012. He led the Pledge of Allegiance followed by a moment of silent prayer.

Roll was called by City Clerk Lana Hamilton. Present were Jerry Adams, Curtis Bratcher, Lynn Maxedon, Verna Mae Newman, Russ Stokes, Tom Thone, Kent Viers, Mayor Hefley and City Attorney Jon Abele. Absent was Ray Torbit.

**APPROVAL OF THE AGENDA:** Councilman Viers moved to approve the agenda, seconded by Councilman Newman and passed unanimously.

**PUBLIC COMMENTS ON AGENDA ITEMS:** (limit 3 minutes per person)

**APPROVAL OF THE MINUTES:** Councilman Maxedon moved to approve minutes for the April 19, 2012 regular meeting of the C.V. City Council, seconded by Councilman Viers and unanimously passed.

**CORRESPONDENCE:** Councilman Maxedon requested the certified letter received from Mark Langle be read. Clerk Hamilton was provided with a copy of said letter and read for the record. Maxedon recommended we review the item addressed in the letter pertaining to the number of council members on Planning & Zoning. City Attorney, Jon Abele, stated there is a maximum of two (2) members.

**MAYOR'S REPORT:** No report.

**FINANCIAL REPORT:** Councilman Adams inquired about revenues received from the 1% city sales tax. Clerk Hamilton reported the City had received approximately Twenty-One Thousand Dollars (\$21,000) on the three (3) payments received to date, and explained the payment periods for receipt of the tax revenue.

**DEPARTMENT REPORTS**

- **FIRE:** (report on file)

- **POLICE:** (report on file)

- **ANIMAL CONTROL:** (report on file)

- **STREET:** (report on file) Councilman Adams thanked the Street Dept. for their cooperation and assistance at the Farmers Market and stated they had done an excellent job painting the roofs on the large building and roofing the smaller building.

- **COMMUNITY SERVICE:** (report on file)

- **DISTRICT COURT:** (report on file)

**PLANNING & ZONING**

- **PERMIT COMPARISONS:** (report on file)

- **CODE ENFORCEMENT:** (report on file) Councilman Thone raised the issue of loose animals/limits on animals per owner. Code Enforcement officer, Glenn Harris, reported there are problems catching some loose animals and some have to be tranquilized. Harris asked Chief Rickey Crook to speak on this subject. Crook stated Animal Control responds to all calls, but have a limited staff with a larger number of loose animals. There have been incidences of animals being put down by court order.

Councilman Thone requested an update on the abandoned hospital. Glenn Harris stated the State Department of Environmental Quality had been to the hospital three (3) times over the past year and a half and reported a lawsuit has been filed against the owners. The case has been assigned a judge, a docket number and will be presented in Circuit Court. The abandoned building contains hazardous chemicals and drugs. Thone asked if sales tax would be on the November ballot to fund a new hospital; Mayor Hefley stated a critical hospital designation is trying to be obtained by the hospital board.

**COMMITTEES**

- **PERSONNEL:** No report.

- **SAFETY:** No report.

- **WEBSITE & GRANT:** No report.

**UNFINISHED BUSINESS:**

1. LED Sign update – Councilman Stokes stated Sign Systems of Jonesboro replaced panels on both sides of the LED sign and installed a photocell to help conserve energy and all work performed was with no charge to the city. Stokes was pleased with the work performed by the Sign Systems of Jonesboro and the manufacturer. Stokes stated he would write a thank you letter to the firm.

**NEW BUSINESS:**

1. Temporary Special Use Permit for Lions Club – Carnival at Choctaw Center – May 24, 2012 – Maxedon made a motion to approve the request for a temporary Special Use

Permit for the Lions Club carnival at Choctaw Center; motion was seconded by Bratcher and unanimously passed.

2. Temporary Special Use Permit for Cherokee Village Business Association – Fireworks Display July 4<sup>th</sup>, 2012 - Maxedon made a motion to accept the request for a temporary Special Use Permit for the CV Business Association fireworks display July 4<sup>th</sup> 2012; motion was seconded by Newman and unanimously passed.

3. Cherokee Village Planning & Zoning Commission recommends Mayor Hefley to appoint the following named people to the Planning and Promotion Committee: Hugh Buie, Scott Paul, Sharon Walton, Mike Chandler, Lynn Maxedon – Newman made a motion to accept the appointment of the named parties to the Planning and Promotion Committee, seconded by Thone and unanimously passed.

4. City Council approval to rent the fenced in pasture area at Animal Control to a couple who has 2 or 3 horses. They have offered to pay \$100 a month to house these horses until they find a permanent home. We will not be responsible for feeding them. Additionally the horses will help keep the grass “mowed” – Glenn Harris reported that Arkansas for Animals, a non-profit, chartered Arkansas organization would like to rent an approximate acre+ area from the city. Dianna Ladner is the director for the organization whose mission is to temporarily place horses that have been abandoned, abused or given up until permanent placement can be found. There would be a month-to-month lease at a cost of One Hundred Dollars (\$100) per month collected by the City of Cherokee; the lease can be terminated by either party with a fifteen (15) day notice. A group from Searcy would be responsible for maintaining the health and food for the horses; the City would only be responsible for providing water. Newman stated the horses would eliminate the need for mowing the area which is partially inaccessible to mowers due to the rocky terrain. Maxedon made a motion to accept on the terms as outlined by Harris, and that the maximum animals be no more than two (2) horses and two (2) colts and that no wild horses be allowed, seconded by Newman and passed unanimously. Maxedon stated no wild animals should be permitted because CV Animal Control is a public place and wild horses can destroy fences and be dangerous. Councilman Stokes made the suggestion that no more than two (2) horses be housed on the small acreage. City Attorney, Jon Abele, was asked if there needed to be additional stipulations to the agreement due to liability; Abele stated there needed to be none.

**COMMENTS OF CITY RELATED ITEMS:** (limit 3 minutes per person)

1. Peter Martin approached the podium in reference to Alderman holding positions on the Planning & Zoning committee; he stated it was not necessary for an Alderman to sit on the committee. Martin stated City Council had the last word over Planning & Zoning and it could be a conflict to sit on both committees.

2. Linda O'Neal approached the podium and stated she had attended three (3) city meetings in the recent past and felt they were run professionally and she felt invited at all meetings and had been able to participate.

**ANNOUNCEMENTS:**

1. Councilman Adams announced the opening of the Farmers Market with the Spring River Community Wide Yard Sale on May 25<sup>th</sup> & 26<sup>th</sup> 2012. Hours of operation are from 8 a.m. until 2 p.m. There is a one time fee of ten dollars (\$10) for booth rental for the year; Adams stated twenty-five (25) vendors have signed up for the garage sale to date and the only remaining space would be located outside. The focus of the Farmers Market is to provide locally grown produce to the community for the non-profit market. The Farmers Market is funded by donations and grants and there is no cost to the City of Cherokee.

2. Adams reported on the spring roadside clean-up held on April 28, 2012; fifty-five (55) people participated, 300 miles of road were covered during the clean-up and there are plans to hold a fall clean-up. Adams thanked Councilman Stokes for his work with Village Pride and this effort.

3. Adams reported on the city wide drop off held on May 5, 2012; two (2) forty (40) yard containers were filled with large items. Adams thanked Glenn Harris for his help on this effort; Adams also commended Mike Eash for his hard work and for coordinating the community service workers on this effort and his efforts at the Farmers Market.

**ADJOURNMENT:** Councilman Newman moved to adjourn the meeting at 7:15 p.m., seconded by Stokes and unanimously passed.

**NOTE:** Minutes are prepared by Kathi Blackwell, Assistant to Clerk/Treasurer Lana Hamilton (with Hamilton's approval)

**DATE:** 08-10-2012

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

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