

**MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, NOVEMBER 15, 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 November 15, 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, Ray Torbit, Kent Viers, Mayor Hefley and City Attorney Jon Abele.

APPROVAL OF THE AGENDA: Councilman Viers moved to approve the agenda, seconded by Councilman Newman. Councilman Bratcher moved to remove the third reading of Ordinance 2012-AA from the agenda until a later date. Councilman Maxedon discussed what he felt were pros and cons of the rental ordinance. Clerk Hamilton stated Deb Galkoski phoned to advise she would be unable to attend the meeting; Galkoski was listed to speak on the rental ordinance under Unfinished Business. Hamilton stated Item 1 under New Business should be on the agenda for the December Council Meeting. Newman called for a roll call vote to remove the third reading from the agenda; there were four yeas; Adams, Newman, Stokes and Torbit voted no. Mayor Hefley voted yes to pass the removal of the third reading of the rental ordinance from the agenda to allow time for revisions. Maxedon moved to approve the amended agenda striking Items 1 and 3 under Unfinished Business, seconded by Stokes and passed unanimously.

PUBLIC COMMENTS ON AGENDA ITEMS: (limit 3 minutes per person) Peter Martin stated he appreciated the Council removing the third reading of the proposed rental housing ordinance and requested a public meeting be held to include private citizens and not just realtors. Martin stated the citizens who have rental property should be included in the discussions. Bill Olson introduced himself as the incoming president for the Arkansas Realtors Association; Olson stated the association has assisted other municipalities with similar ordinances and has acted as a bridge between tenants and property owners. Olson offered to assist the City of Cherokee Village with the language used in the ordinance and stated he would be happy to attend meetings to do so.

APPROVAL OF THE MINUTES: Councilman Viers moved to approve minutes for the October 18, 2012 regular meeting of the C.V. City Council, seconded by Councilman Newman and passed unanimously.

CORRESPONDENCE: None

MAYOR'S REPORT: None

FINANCIAL REPORT: Councilman Thone stated a correction needed to be made to the Financial Reserve line item on page 16 of the Statement of Revenues & Expenditures; Clerk Hamilton will correct a typographical error. Councilman Viers moved to approve the Financial Report with corrections, seconded by Councilman Stokes and passed unanimously.

DEPARTMENT REPORTS:

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

- **POLICE:** (report on file) Councilman Thone asked Chief Crook if the City had a written policy for high speed pursuits in place, in reference to the recent Highland Police pursuit. Chief Crook replied there was a policy but it, as well as Highland's policy, needs to be updated. Thone asked what the City's policy stated; Crook stated he did not have the policy with him and did not want to misquote the policy. Crook stated all policies should be reviewed annually. Thone asked Chief Crook if he concurred, given the type roads in the Village, that high speed chases should not take place. Crook stated he did not with a broad statement such as that; Crook stated it would depend on the reason for the attempted stop. Thone asked where on the City's streets a high speed chase could take place; Crook stated any, if necessary, as it depends on the crime you are attempting to stop someone for. Councilman Viers inquired if the City lost a vehicle in a recent accident; Crook stated the City did. Viers inquired about the circumstances; Crook stated when an officer was coming off-duty, the officer coming on-duty received a motor vehicle call where a couple was entrapped in a vehicle. Crook stated the officer coming off-duty checked back on duty to assist the officer on duty and attempted to pass a car and the car turned into the side of the police car. Viers inquired about the possibility of police officers also serving as volunteer firemen; Crook stated he would not require it but would offer it to the officers if Chief Taylor approved of it and they could not volunteer while on duty.

- **ANIMAL CONTROL:** (report on file) Councilman Adams inquired about the changes with Animal Control. Glenn Harris stated there had been a change in the Animal Control Officer and stated Shorlyn Morris was no longer with Animal Control. Harris stated Angie Myal was currently in charge of the operations at Animal Control and had been employed by the City for nearly six (6) months. Harris stated a lot of clean up had taken place at Animal Control and old structures had been removed. Harris stated Animal Control had received several donations in the past month, including a pallet of dog and cat food from Wal-Mart. Harris stated the TOPS organization has been a supporter of Animal Control and has donated many blankets and other items. Harris stated there was a spay/neuter clinic this week at the shelter and approximately one-hundred fifty (150) to one-hundred sixty (160) animals would be spayed and neutered. Harris stated the dog house for donations was ready for use and there would be an article in an upcoming paper to advise people of its purpose. Harris stated the art class from Highland Middle School painted the dog house. Harris stated the dog house would

be relocated on Wednesdays to the recycle area and it would also be located at the Farmers Market during the Christmas sale. Councilman Thone asked if we were maintaining the number of animals at the shelter; Harris stated Animal Control was working hard to find suitable homes for the animals to prevent euthemizing the animals. Councilman Bratcher stated he would be attending a Christmas function where attendees were asked to bring a donation for the shelter in lieu of a gift; Bratcher stated he would give Harris more details later. Harris stated thank you letters were being mailed to all individuals donating to the shelter.

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

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

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

PLANNING & ZONING

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

- **CODE ENFORCEMENT:** (report on file)

- **RESTORATION:** Bob Bickle stated there were five (5) properties on the list for clean-up and letters have been mailed out; four (4) properties are burnouts and one (1) property is abandoned. Bickle stated they were investigating the burnouts with insurance companies. Bickle stated there are countless rentals he has checked on in the past few months that have been turned over for restoration and clean up. Councilman Maxedon complimented Bickle on the work his committee has done.

COMMITTEES:

- **PERSONNEL:**

- **SAFETY:**

- **WEBSITE & GRANT:** Councilman Newman asked if the City website was being maintained by the Street Dept.; Carmen Evance replied it was.

UNFINISHED BUSINESS:

1. Deb Galkoski from Southern Pines to talk about the Rental housing code Ordinance. As noted under Approval of Agenda, item removed from agenda.

2. Steve Thompson from Edward Jones to talk about the Rental housing code Ordinance. Steve Thompson read a letter addressed to City Council. Thompson requested Council make a motion to hold a public hearing prior to the next reading of the rental ordinance. (copy of letter on file)

3. Third Reading – Ordinance 2012-AA – An ordinance providing for the establishment of a rental housing code for Cherokee Village purposes. As noted under Approval of Agenda, item removed from agenda until a later date. City Attorney, Jon Abele, stated there would be some minor revisions made to the agreement.

NEW BUSINESS:

1. Notice of Hearing to consider raze and removal resolution for: Lot 21, Block 13A, Kima 2 addition to Cherokee Village subdivision, Sharp County, Arkansas, Larry Goodwin, Owner. As noted under Approval of Agenda, item removed from agenda.

2. Mayor to replace Stan Jagow with Chuck Kristopeit to finish out the term on Planning and Zoning. Mayor Hefley announced the replacement of Stan Jagow on the Planning & Zoning Committee by Chuck Kristopeit. Maxedon moved to approve the appointment, seconded by Councilman Newman and passed unanimously.

3. Ordinance R-2012-AB – An ordinance to revise Ordinance R-2012-01. Clerk Hamilton read Ordinance R-2012, temporary number AB, by title only, an ordinance to revise Ordinance R-2012-01, replacing Ordinance 2002-02. Maxedon moved to suspend the rules and read Ordinance R-2012-AB by title only, seconded by Torbit and passed unanimously. Councilman Maxedon moved to approve the 1st reading of Ordinance R-2012-AB, seconded by Newman and passed unanimously. Maxedon moved to suspend the rules and read the 2nd reading of Ordinance R-2012-AB, by title only, seconded by Torbit and passed unanimously. Clerk Hamilton read the 2nd reading of Ordinance R-2012-AB, by title only. Newman moved to pass the 2nd reading of Ordinance R-2012-AB, by title only, seconded by Adams. Maxedon moved to approve the 3rd reading of Ordinance R-2012-AB, by title only, seconded by Councilman Viers. Clerk Hamilton read the 3rd reading of Ordinance R-2012-AB, by title only. Newman moved to pass the 3rd reading, by title only, seconded by Torbit and passed unanimously. Mayor Hefley called for a roll call vote; there were eight (8) yeas, passing Ordinance R-2012-AB unanimously. Maxedon moved to invoke the emergency clause as CenturyTel would like a response by the end of the year, seconded by Stokes and passed unanimously. Clerk Hamilton read the emergency clause. Newman moved to approve the emergency clause, seconded by Torbit and passed unanimously. Mayor Hefley called for a roll call vote; there were eight (8) yeas, passing unanimously.

4. Temporary Special Use Permit – Highland Elks Lodge No. 2539 for November 17, 2012 for a Turkey Shoot. Councilman Maxedon moved to approve the temporary special use permit, seconded by Stokes and passed unanimously.

Councilman Bratcher moved to hold no less than one public meeting to be publicized in the paper, prior to the third reading of Ordinance 2012-AA, an ordinance providing for the establishment of a rental housing code for Cherokee Village purposes, seconded by Thone and passed unanimously.

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

ANNOUNCEMENTS:

1. Mayor Hefley announced there will be a Christmas Craft Show at the Farmers Market on November 23rd and 24th from 9 a.m. until 4 p.m. each day.
2. Mayor Hefley announced there will be Christmas in the Village December 1st thru 3rd in Town Center; Mayor Hefley invited everyone to come out and participate.

ADJOURNMENT: Councilman Newman moved to adjourn the meeting at 7:20 p.m., seconded Viers and passed unanimously.

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

DATE: 12/21/2012

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Lana Hamilton
Lana Hamilton, City Clerk/Treasurer