

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, FEBRUARY 28, 2013
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 February 28, 2013. 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, Bill Circle, Les Covington, Linda O'Neal, Pamela Rowland, Tom Thone, Mayor Hefley and City Attorney Jon Abele; Verna Mae Newman was absent.

APPROVAL OF THE AGENDA: Thone moved to amend the agenda under New Business and add Item #5 – Break Room Renovations and Item #6 – Hiring of Mayor's Secretary. Adams stated he would like to add Item #7 – Budget Issue/Community Service Salary under New Business. Thone moved to approve the amended agenda, seconded by Adams and passed unanimously.

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

APPROVAL OF THE MINUTES: Adams moved to approve the minutes for the January 24, 2013 regular meeting of the C.V. City Council, seconded by Covington and passed unanimously. Covington moved to approve the minutes of the January 30, 2013 special meeting to approve the 2013 budget, seconded by Bratcher.

CORRESPONDENCE: Hamilton read an e-mail from Ray Torbit regarding the Farmers Market and recycle location. Discussion voicing pros and cons of both items by council followed the reading of Torbit's correspondence.

Russ Stokes presented plaques to Glenn Harris, Mike Eash and the Road & Street Dept. commending them for their work with Village Pride.

Mayor Hefley presented Fire Chief Mike Taylor a plaque for his retirement and commended him on his 36 years with the Fire Dept.

MAYOR'S REPORT: (report on file) Mayor Hefley gave the State of the City Address. 2012 Accomplishments by department were addressed; 2013 Goals were discussed.

FINANCIAL REPORT:

DEPARTMENT REPORTS:

- **FIRE:** (report on file) O'Neal inquired about move ups. Taylor stated this is when a third engine moves to Baseheart to take command and handles calls & radios when the two Baseheart engines are already on calls.

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

- **ANIMAL CONTROL:** (report on file) Adams encouraged everyone to visit Animal Control and look at the recent improvements. Thone inquired about the fence installation and stated we were improving SID's property. Harris stated State law required fencing. Rowland inquired about the cost of fencing and addressed the animals being dropped off over the current fencing. Harris stated he obtained 3 bids and accepted the lowest bid of \$8,000 for 670' of fencing with 2 double gates.

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

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

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

PLANNING & ZONING

- **PERMIT COMPARISONS:** (report on file) Harris read the report on file.

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

- **RESTORATION:** Bob Bickle stated the properties located at 98 E. Lakeshore and 14 Tonsue had been cleaned up. Bickle stated work will begin at 99 Cochise in the coming month with monies from the insurance company and the homeowner; Bickle stated one homeowner on Checotah would be starting his own clean up in March. Bickle stated papers had been filed and negotiations are in progress on the 4 townhomes that recently burned.

Thone inquired about the Planning & Zoning meeting; the report stated there are 1,300 maps still on hand. Thone stated there was \$1,000 anticipated revenue in the 2013 budget from map sales. Tom Hrezo stated the advertiser's commitment was complete and while maps will still be sold, some maps will be given out at special events and to the fireman.

COMMITTEES:

- **PERSONNEL:**

- **SAFETY:**

- **WEBSITE & GRANT:**

UNFINISHED BUSINESS:

1. Second Reading – **ORDINANCE NO 2013-01, AN ORDINANCE ESTABLISHING REGULATIONS, REQUIREMENTS, RESTRICTIONS, FEES AND TAXES FOR ALCOHOLIC BEVERAGES.** – Adams moved to suspend the rules and waive the requirement that an ordinance be read three times on three different days for our consideration of Ordinance 2013-01, dealing with the regulations, requirements, restrictions, fees and taxes for alcoholic beverages, and that the ordinance be brought up for final passage by this council without the necessity of reading the ordinance; seconded by O'Neal. A roll call vote was taken; there were 7 yeas, passing the reading of Ordinance 2013-01 by title only for the 2nd & 3rd readings. O'Neal moved to approve Ordinance 2013-01, seconded by Circle. A roll call vote was taken; there were 7 yeas, passing Ordinance 2013-01, an Ordinance Establishing Regulations, Requirements, Restrictions, Fees and Taxes for Alcoholic Beverages.

NEW BUSINESS:

1. **NOTICE OF HEARING TO CONSIDER RAZE & REMOVAL RESOLUTIONS FOR:** Lot 1, Block 2, East Lake Addition to Cherokee Village Subdivision, Sharp County, Arkansas --- Jacques F. & Kathleen M. Hill, Owners – Bob Bickle rescinded the request as the property has already been cleaned up.

2. **NOTICE OF HEATING TO CONSIDER RAZE & REMOVAL RESOLUTION FOR:** Lot 8, Block 32, Santa Fe Addition to Cherokee Village subdivision, Sharp County, Arkansas --- Joshua Miller, Owner. – Bob Bickle rescinded the request as the property has already been cleaned up.

3. First Reading – **ORDINANCE 2013 – A & P, AN ORDINANCE CREATING THE CHEROKEE VILLAGE ADVERTISING AND PROMOTION COMMISSION, LEVYING A GROSS RECEIPTS TAX, AND OTHER PURPOSES.** – Adams moved to suspend the rules and waive the requirement that an ordinance be read three times on three different days for our consideration of Ordinance number 2013 – A & P, dealing with an ordinance creating the Cherokee Village advertising and promotion commission, levying a gross receipts tax, and other purposes, and that the ordinance be brought up for final passage by this council without the necessity of reading the ordinance, seconded by O'Neal. Bratcher amended the motion to read by title only, seconded by Adams. Clerk Hamilton read Ordinance 2013 A & P by title only. City Attorney, Jon Abele, stated the ordinance can address only one issue and addresses both the new commission and the new tax, which require separate ordinances. Mayor Hefley stated the Ordinance would be broken out into two separate ordinances; one addressing the commission and one addressing the tax and brought up at a later date.

4. **Ron Rhodes and David Walker to talk about the Cherokee Village Sewer System which is for sale.** – David Walker handed out packets to council to review. Walker discussed the process to council. After lengthy discussion there was no motion made by council to proceed with the study. Ron Rhodes was not present to discuss the sale of the existing sewer system.

5. **Break Room Renovations** – Thone read a memo addressed to city employees regarding break room renovations. After lengthy discussion, Thone moved to not proceed with renovations, seconded by Bratcher. A roll call vote was taken; there were 6 yeas with Pamela Rowland abstaining, passing the motion to not proceed with the renovations.

6. **Mayor's Secretary** – Thone addressed a rumor he heard which stated a secretary had already been hired for the Mayor. Mayor Hefley said it was not true. Thone asked if the Mayor planned on hiring a secretary; the Mayor replied it was not in the budget; therefore, he could not hire one. Glenn Harris stated when the A & P Ordinance passes and the Rental Ordinance goes into affect, the Municipal Leagues states you have to have a commission and the commission has to have a secretary Harris stated current staffing could not handle this and a part-time person would have to be hired; Thone stated Harris had previously stated no additional personnel would be required. O'Neal stated should the position be required, it should be an advertised position, not just hiring from within. Adams stated the Personnel Committee should be involved in the hiring process. Thone stated it was not in the budget, O'Neal stated there needed to be better communication, Covington stated the reserves had already been cut from 10% to 5%. O'Neal stated the City was still under a hiring freeze as well.

7. **Budget Issue – Salary Issue** – Glenn Harris stated he overlooked a budget pay raise item for Phil Caves under Community Service. Harris asked permission from council to move \$870 from other expense line items within Community Service to cover the cost. Adams moved to approve moving monies within the Community Service budget to cover the cost of the raise, seconded by Rowland and passing unanimously.

8. **Police Vehicles** – Chief Crook stated he needed approval in the minutes to provide to the bank for approval of the purchase of new police vehicles financed over 3 years. Covington moved to approve the purchase of new police cars, seconded by Circle and passing unanimously.

COMMENTS OF CITY RELATED ITEMS: (limit 3 minutes per person) Peter Martin approached the podium and further discussed the sewer issue. Martin also addressed resolutions vs. ordinances in regards to spending within an approved budget.

ANNOUNCEMENTS: None

ADJOURNMENT: Adams moved to adjourn the meeting at 8:20 p.m., seconded by Bratcher and passed unanimously.

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

DATE: _____

APPROVED:

Lloyd Hefley, Mayor

ATTEST: _____
Lana Hamilton, City Clerk/Treasurer