

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, NOVEMBER 21, 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, November 21, 2013. He led the Pledge of Allegiance followed by a moment of silent prayer.

Roll was called by Clerk Lana Hamilton. Present were Jerry Adams, Bill Circle, Les Covington, Chuck McMahon, Verna Mae Newman, Linda O'Neal, Pamela Rowland, Tom Thone, Mayor Hefley and City Attorney Jon Abele.

APPROVAL OF THE AGENDA: Rowland moved to amend Item #5 – Recognizing Harvestfest committee members, under New Business, to Item #1, seconded by Covington and passed unanimously. Newman moved to approve the amended agenda, seconded by Circle and passed unanimously.

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

APPROVAL OF THE MINUTES: Thone moved to approve the October 17th, 2013 council minutes, seconded by Newman and passed unanimously.

CORRESPONDENCE:

1 – Clerk Hamilton read an e-mail from Jerry Farris of A-State to our Fire Dept. staff thanking them for their assistance and suggestions during a trip to the South Fork River for their lab work.

2 – Clerk Hamilton read a letter from Patti Girman addressed to City Hall thanking the Street Dept. for a job well done concerning the removal of tree limbs blocking their view at the end of their driveway on Cherokee Rd.

3 – Clerk Hamilton read a letter from Krista Quinn, Executive Director, of the Arkansas Flower and Garden Show, granting the City a \$1,000 grant for the Tohi Nature Trail from the "Greening of Arkansas" grant program.

MAYOR'S REPORT:

FINANCIAL REPORT: Newman moved to approve the financials for audit, seconded by O'Neal and passed unanimously.

DEPARTMENT REPORTS:

- **FIRE:** (report on file) Thone asked about the 10 lift assist calls in 10 days at 18 Hutoka Drive; Chief Pendarvis stated this situation was an elderly man, diagnosed with cancer, who fell several times and has since passed away. Thone asked if there were any agencies in the area that could be contacted to help families needing assistance; Pendarvis stated there were and they have contacted them.

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

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

- **STREET:** (report on file) – Adams addressed the application for the Corp of Engineers to remove rocks and debris at Flathead bridge from the Southfork River; Adams asked if we had applied with them before. Russ Stokes stated the City had applied before and they would be dredging the same area as before; the bridge needs to be replaced but the City has not applied for the funds to replace the bridge. Carmen Evance stated the Corp of Engineers & ADEC forms were signed on 11/21/2013 and the Street Dept. is awaiting acknowledgement and the work will be performed during the winter months.

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

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

PLANNING & ZONING -Thone inquired about the flood plain survey; Bob Bickle stated the properties located on Lakes Cherokee & Sequoyah were nearly finished and the largest number of uncompleted surveys were for properties located on Lake Thunderbird; there are several properties on Sequoyah that are in the flood plain. Bickle stated notification of the survey results needed to be mailed to homeowners. Where home sales or foreclosures were in the process, these surveys are being completed first.

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

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

- **RESTORATION:** Jerry Adams stated Restoration has done an excellent job, especially on the townhouses. Bickle stated the townhouses were finalized and #99 Cochise was complete thru the foundation but needed to be seeded & fertilized. Bickle stated the insurance companies had been billed where there was insurance; Bickle stated the Street Dept. would be paid out of the insurance proceeds for man-hours and machines. Bickle stated #13 Powhattan was next on the list and there is a second burnout on Powhattan.

A & P COMMISSION REPORT: Adams stated A & P has prepared their 2014 budget.

COMMITTEES:

- PERSONNEL:

- SAFETY:

- WEBSITE & GRANT:

UNFINISHED BUSINESS:

NEW BUSINESS:

1 - Pamela Rowland reported there were 152 volunteers at Harvestfest and recognized the Harvestfest committee members, giving special thanks to several members. Rowland also stated there was a net profit of \$6,509.82 after all expenses and there were approximately 2,500 attendees at the event which showed great support from the entire community and the quad city area.

2 - Special Use Permit for Winterfest parade – Adams moved to approve the Special Use Permit for Winterfest parade, seconded by Rowland and passed unanimously.

3 - Special Use Permit for Winterfest festival – Adams moved to approve the Special Use Permit for Winterfest festival, seconded by Rowland and passed unanimously.

4 – Advocates for Active Youth to request the use of the recycling center – Preston Rowe, stated he had last spoken at the August council meeting; since then they have gotten registered with the State and are waiting on their tax exempt status. Rowe stated the AAY was requesting the use of the recycle center for practice and a fundraiser (written request on file). Rowe stated the AAY has the support of the community and they will provide a list of participant's names & numbers and nobody will be allowed to enter if not on the approved list. Newman stated she watched the AAY perform during Harvestfest and there was also a large crowd watching; Newman stated she was in favor of allowing the use of the recycle center. Rowland stated Rowe was the president and "caretaker" of the group. O'Neal stated the City should call the Municipal League regarding insurance. Jon Abele stated if someone were injured, they would be responsible for their own injuries. Abele stated the City falls under Sovereign Immunity. Abele stated safety equipment should be used while practicing. Rowland stated the people holding the dog instruction classes do not have insurance either and there have been no issues with that. McMahon stated the City needed a release from parents of minors participating. Rowland stated the group would need to obtain a Special Use Permits for events. Newman moved to approve the use of the building provided consent papers are furnished, seconded by Rowland and passed unanimously. Thone inquired about recovered stolen property in the building; Chief Crook stated the property was secured in a separate room. A roll call vote was taken, there were 8 yeas, passing the motion for the AAY to use the recycle center building for

practices. Rowe will meet with Glenn Harris of Building & Grounds to discuss access after the Thanksgiving holiday.

5 – Resolution No. 2013-Z – **A resolution to authorize and approve the transfer of certain property to the City of Cherokee Village** – Resolution 2013-Z was read by Clerk Hamilton. Bob Bickle requested the minutes of the 11/12/13 City Property Utilization Commission meeting be read by the Clerk; Clerk Hamilton read the minutes. Newman moved to accept the resolution, seconded by Rowland. After lengthy discussion, Rowland amended the motion and moved to accept the resolution with the stipulation no more than \$10,143.87 be spent on the property, seconded by Newman. Mayor Hefley called for a roll call vote; there were 3 yeas; Circle, Covington, McMahon, O'Neal & Thone voted no. Motion to accept Resolution 2013-Z did not pass.

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

Peter Martin spoke about the FEMA survey; Martin stated Lake Sequoyah was surveyed 6" under the top of the damn; Martin stated Lake Cherokee was below Lake Sequoyah which would mean it and the entire Town Center area would be below the flood level which does not make sense. Martin asked why the measurements were taken from the top of the damn and stated someone official should look into why measurements are being taken from that point. Martin also addressed the AAY and stated this might be a good time to start a "Parks" section of Cherokee Village so they can be covered under insurance and possibly have a community center with services.

ANNOUNCEMENTS: Thone announced there would a meeting regarding the proposed hospital at Quorum Court, Monday the 25th at 6:00 p.m. at the Ash Flat Court House.

ADJOURNMENT: Newman moved to adjourn the meeting at 7:45 p.m., seconded by Rowland and passed unanimously.

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

DATE: 12-20-13

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Lana Hamilton
Lana Hamilton, City Clerk/Treasurer