

**MINUTES**  
**CITY OF CHEROKEE VILLAGE, ARKANSAS**  
**REGULAR CITY COUNCIL MEETING**  
**6:30 P.M., THURSDAY, DECEMBER 17, 2015**  
**CHEROKEE VILLAGE CITY HALL**  
**(meetings are video recorded)**

Mayor Stokes, called the regular meeting of the City Council to order at 6:30 p.m. on Thursday, December 17, 2015. He led the Pledge of Allegiance followed by a moment of prayer.

Roll was called by Clerk Lana Hamilton. Present were Jerry Adams, Les Covington, Chuck Kristopeit, Chuck McMahon, Rob Smith, Steve Thompson, Mayor Stokes and City Attorney Jon Abele; absent were Bill Circle and Pamela Rowland.

**APPROVAL OF THE AGENDA:** Adams moved to approve the amended agenda, seconded by Covington and passed unanimously.

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

**APPROVAL OF THE MINUTES:** Thompson moved to approve the November 19, 2015 council minutes, seconded by Kristopeit and passed unanimously.

**CORRESPONDENCE:** Clerk Hamilton read a letter addressed to Mayor Stokes from Governor Asa Hutchison stating the city would be receiving a matching grant for pavilion construction in 2016 in the amount of \$19,900. Bob Bickle submitted a letter announcing his retirement from the Planning and Zoning Commission. Stokes thanked Bickle for his service to the City.

**FINANCIAL REPORT:** Adams moved to approve the financials for audit, seconded by McMahon and passed unanimously.

**MAYOR'S REPORT:** Mayor Stokes presented Clerk Hamilton with a plaque for her service to the City.

**DEPARTMENT REPORTS:**

- **FIRE:** (report on file) Mayor Stokes reported he visited Baseheart Fire Station on November 18, 2015. Stokes stated Chief Pendarvis reported 201 lift assists were performed in 2015 and a total of 435 calls were recorded all year. Stokes stated citizens appreciate the service of the Fire Department when they are able to respond to emergency calls and arrive before the ambulance service.

- **POLICE:** (report on file) Mayor Stokes stated Officer Trivett was out of Academy and back on duty.

- **ANIMAL CONTROL:** (report on file) Mayor Stokes reported that a spay/neuter clinic would be coming up and the dates and times would be advertised in the local newspaper. Stokes also stated a transport company was coming to take all of the remaining animals, with the exception of a couple dogs, to another shelter in Illinois, according to Phil Caves. Stokes stated he thought the shelter was doing a great job.

- **STREET:** (report on file) – Mayor Stokes reported considerable amount of roadside trimming was being done to allow sunlight to reach roads in the event of possible winter weather. Stokes also reported seeing considerable work being done on drainage of city creeks to alleviate water crossing the roads.

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

- **DISTRICT COURT:** (report on file) – Mayor Stokes reported Clerk Sandra Elliott had collected nearly \$100,000 in court fines in 2015, which is considerably higher than previous years.

### **PLANNING & ZONING –**

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

- **PARKS & PLANNING:** (report on file)

- **RESTORATION:** Bob Bickle stated Phil Caves would be taking over following Bickle's retirement. Bickle also stated despite retiring, he would continue with zoning ordinances. Bickle suggested to council they needed to vote on 2007 Fire Rules for the City. Bickle voiced a need to complete work on setbacks.

**A & P COMMISSION REPORT:** Chuck Kristopeit mentioned the impact of the 60<sup>th</sup> Anniversary Celebration and reported a total revenue of \$2700. Kristopeit stated sales in 2015 were \$267,000 above 2014 sales. Kristopeit also reported Pat Clary was working on a report reflecting those figures.

### **COMMITTEES:**

- **GRANTS:**

- **PUBLIC SAFETY:**

### **UNFINISHED BUSINESS:**

1. **ORDINANCE NO. 2015 - XX: AN ORDINANCE REPEALING ORDINANCES NO. 2000-03, 2003-04, 2007-03, AND 2011-7 PRESCRIBING AND ESTABLISHING A PERMIT AND CODE TO DO BUSINESS WITHING THE CITY OF CHEROKEE VILLAGE, ARKANSAS; TO LEVY AND ANNUAL OCCUPATION FEE FOR THE CARRYING ON OF CERTAIN BUSINESS, TRADES, OCCUPATIONS, INDUSTRIES, VOCATIONS AND PROFESSIONS WITHIN THE CITY OF CHEROKEE VILLGE, ARKANSAS; ESTABLISHING THE TIME HWEN SUCH FEE SHALL BE PAID, COLLECTIONS, ESTABLISHING PENALTIES FOR THE VIOLATION OF CHEROKEE VILLAGE ANNUAL OCCUPATION PERMIT ORDINANCE AND ENFORCEMENT THEROF; PROVIDE SUPERVISION AND REGULATION FOR THE WELFARE AND FURTURE DEVELOPMENT OF THE BUSINESS COMMUNITY OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS, AND FOR THE OTHER PURPOSES.** - Covington moved to read **ORDINANCE NO. 2015 - XX**, by title only, seconded by Thompson. Clerk Hamilton read **ORDINANCE NO. 2015 - XX** by title only

for the third and final reading. Kristopeit moved to pass **ORDINANCE NO. 2015 - XX**, seconded by Adams. A roll call vote was taken; there were 6 yeas, passing **ORDINANCE NO. 2015 - XX** unanimously.

**NEW BUSINESS:**

1 –NOTICE OF HEARING TO CONSIDER RAZE AND REMOVAL RESOLUTION FOR: LOT 6, BLOCK 24, CHICKASAW 4<sup>TH</sup> ADDITION, SHARP COUNTY, ARKANSAS (DEANA E. MOORE, OWNER(S).) – **ITEM STRICKEN FROM AGENDA.**

2 – NOTICE OF HEARING TO CONSIDER RAZE AND REMOVAL RESOLUTION FOR: LOT 9, BLOCK 6, CHICKASAW FIRST ADDITION (18 Chickasaw Drive) TO CHEROKEE VILLAGE SUBDIVISION, SHARP COUNTY, ARKANSAS (JESSICA LA CRAZE, OWNER(S).) La Craze was present and after lengthy discussion, Smith made a motion to move this item to January agenda, seconded by Thompson and passed unanimously.

3 –NOTICE OF HEARING TO CONSIDER RAZE AND REMOVAL RESOLUTION FOR: LOT 2, BLOCK 1, SANTA FE FIRST ADDITION (4 Guyon Drive) TO CHEROKEE VILLAGE SUBDIVISION, FULTON COUNTY, ARKANSAS (ROBIN COX, OWNER(S).) Phil Caves stated certified mail had been sent and returned, but the letter sent through regular mail was delivered. Covington moved to proceed with the Raze and Removal of the property located at 4 Guyon Drive, seconded by Thompson. A roll call vote was taken; there were 6 yeas, passing the motion unanimously.

4 –NOTICE OF HEARING TO CONSIDER RAZE AND REMOVAL RESOLUTION FOR: LOT 36, BLOCK 4, BROKEN BOW ADDITION (7 Warclub Drive) TO CHEROKEE VILLAGE SUBDIVISION, SHARP COUNTY, ARKANSAS (JAMES R. WEAVER, OWNER(S).) Phil Caves reported that it had been 120+ days since certified mail was sent and signed for. Covington moved to proceed with the Raze and Removal of the property located at 7 Warclub Drive, seconded by Thompson. A roll call vote was taken; there were 6 yeas, passing the motion unanimously.

5 – Mayor Stokes appointed Verna Mae Newman and Joe Waggoner to the Planning and Zoning Commission for 3 year terms, effective January 1, 2016.

6 – Chief Crook reported a surplus in his fuel budget and stated he would like to use the surplus to pay off the Police Department vehicles that are currently being paid for in payments, in the amount of approximately \$8,000. Covington made a motion to move the money on line items in the budget to reflect this request and to facilitate the pay off of said vehicles. McMahon seconded the motion. There was a roll call vote taken; there were 6 yeas, passing the motion unanimously

7 - S.I.D. Facility Agreement: Stokes reported the facility agreement is to be separate from the payment agreement and effective for 7 years. Smith questioned whether or not a 10 year agreement was required to be eligible for funding or grants. Chief Pendarvis stated some are 5 year eligibility and some are 10 year. Pendarvis stated that he believed S.I.D. would provide a letter reflecting a 10 year agreement between them and the City, if need be, for grant funding approval. Smith moved to approve the facility agreement for 7 years, seconded by Covington. A roll call vote was taken; there were 6 yeas, passing the motion unanimously.

8 – S.I.D. Pay Agreement: Stokes reported the pay agreement is to be separate from the facility agreement and effective for 7 years. Payment agreement is reduced to 34%

total payment from S.I.D. to be split between Fire and Street departments. Smith stated he did not want to accept agreement as written. Kristopeit stated concerns that the agreement would be taking away from essential services to take care of non-essential services. Thompson stated being a retirement community, the lakes and recreational facilities were essential services and needed to be kept up. Mayor Stokes stated an error of \$8000 in revenue was found in the Street Department budget which would make up for the \$6200 loss in the 1% reduction on the new contract. After brief discussion, Thompson moved to approve the payment agreement as written, seconded by Covington. There was a roll call vote taken. There were 3 yeas and 3 nays. Agreement was not approved and motion not passed. Smith then recommended Mayor Stokes resume talks with S.I.D. for a better rate. Thompson asked Street and Fire Department heads to approach council and voice any concerns they might have about the new proposed agreement. Pendarvis and Kylo reported that the proposed \$6200 reduction would allow maintenance of departments and not make or break either department. Smith made a motion to reconsider the S.I.D. payment agreement, seconded by Covington. A roll call vote taken; there were 6 yeas passing the motion unanimously. Covington then made a motion to accept the S.I.D. agreement as initially presented, seconded by Thompson. A roll call vote was taken, passing unanimously.

9 – RESOLUTION NO. 2015-22: A RESOLUTION APPROVING THE 2016 ANNUAL OPERATION BUDGET FOR THE CITY OF CHEROKEE VILLAGE. (USING THE 2015 BUDGET UNTIL NEW 2016 BUDGET IS APPROVED). Covington made a motion to approve the 2016 budget, seconded by Thompson. A roll call vote was taken; there were 6 yeas, passing the motion unanimously.

**WRMC REPORT:** (report on file) James Mack Street gave an update on the facility.

**COMMENTS OF CITY RELATED ITEMS:** Douglas McArthur addressed council and stated even though he doesn't use the golf courses, pools, or lakes, he lived here because of the beauty of them all and understood the need to maintain them. McArthur also questioned whether or not owners of condemned homes could get a building permit to remodel them, and how much time would be given for remodel to be completed before further action was taken.

Peter Martin approached council concerning the S.I.D. payment agreement, stating that he believed Mayor Stokes to be a good negotiator and suggested council look into payments owed by S.I.D. to the city when delinquent taxes are paid.

**ANNOUNCEMENTS:**

**ADJOURNMENT:** Smith moved to adjourn the meeting at 8:35 p.m., seconded by Adams and passed unanimously.

**DATE:** 1-29-16

APPROVED: Russell Stokes, Jr.  
Russell Stokes, Jr., Mayor

ATTEST: Stephanie Johnson  
Stephanie Johnson, City Clerk/Treasurer