

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, MAY 19, 2016
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, May 19, 2016. Stokes led the Pledge of Allegiance followed by a moment of prayer.

Roll was called by Clerk Stephanie Johnson. Present were Jerry Adams, Bill Circle, Chuck Kristopeit, Chuck McMahon, Pamela Rowland, Mayor Stokes, and City Attorney Jon Abele, absent was Les Covington.

APPROVAL OF THE AGENDA: Thompson moved to approve the agenda, seconded by Smith and passed unanimously.

PUBLIC COMMENTS ON AGENDA ITEMS:

APPROVAL OF THE MINUTES: Rowland moved to approve the April 21, 2016 council minutes, seconded by Kristopeit and passed unanimously.

CORRESPONDENCE:

FINANCIAL REPORT: McMahon moved to approve corrected March financials, seconded by Adams and passed unanimously. McMahon moved to approve April financials, seconded by Adams and passed unanimously.

MAYOR'S REPORT: Mayor Stokes asked Council to review the Wellness Program information from WRMC to be discussed at a later date.

DEPARTMENT REPORTS:

ANIMAL CONTROL: (report on file) Mayor Stokes stated there was a nice article in the newspaper about the Animal Control officer, Ms. Housmann. Stokes also reported Friends of Cherokee Animals having an adoption drive at Tri-County on May 14, where volunteers were adopting out tom cats.

COMMUNITY SERVICE: (report on file) Mayor Stokes reported Community Service workers working at the Animal Shelter and City Hall.

DISTRICT COURT: (report on file)

FIRE: (report on file) Mayor Stokes reported Greg Scott Hart being hired May 2, 2016 to replace Captain Russell Tanner.

PLANNING & ZONING/CODE ENFORCEMENT: (report on file) Mayor Stokes reported a special variance meeting had taken place May 12, 2016 to approve a structured play center to be built for a young girl that lives in Cherokee Village. The

child suffers from a debilitating ailment preventing her from being outside and after the Make-A-Wish foundation was contacted, a gentleman donated all of the supplies to complete the structure.

POLICE: (report on file)

STREET: (report on file) Adams reported receiving several calls concerning mowing not being done on city streets and asked Superintendent Kylo to give an update. Kylo reported every day that it isn't raining and is dry enough; the Street Department will have mowers out. Kylo stated 3 out of 4 mowers were operable and heavier populated areas would be mowed first. Kylo stated wet weather had prevented work.

OTHER REPORTS

A & P COMMISSION: (report on file)

GRANTS: (report on file)

PUBLIC SAFETY COMMITTEE: (report on file) David Woods gave an update on OEM, reporting he was working with vendors to try and provide weather radios to City Hall to sell. Woods stated he was under the impression he would be on the agenda for the OEM appointment. Mayor Stokes apologized for not having that on the agenda. Rowland asked that Woods be added to the agenda under Public Safety in the future. Thompson then made a motion to suspend the rules and add the OEM appointment to the current agenda, seconded by Rowland. A roll call vote was taken; there were 7 yeas, passing the motion unanimously. Thompson then moved to appoint David Woods as Coordinator of the Office of Emergency Management for the City of Cherokee Village, seconded by Rowland. A roll call vote was taken; there were 7 yeas, passing the motion unanimously.

ROAD & STREETS COMMITTEE: (report on file)

OLD BUSINESS:

1. Joyce Ramsdell asked Council to reconsider UTV usage through permits. Mayor Stokes reported contacting City Attorney, Municipal League Attorney, and a private attorney to review state statute concerning this issue. Stokes stated state statute specifically states that recreational vehicles are not permitted on city streets. Thompson added the city cannot take on the liability of allowing the UTV usage on city streets and allow citizens to break state laws and statutes. Rowland encouraged Ramsdell to contact Arkansas Attorney General and see if they would consider reclassifying what a UTV is and its appropriate usage on city streets.
2. **ORDINANCE NO. 2016-01: AN ORDINANCE ESTABLISHING A BASE RATE OF SALARY FOR THE NEWLY ELECTED MAYOR AND CITY CLERK/TREASURER OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS, AND FOR OTHER PURPOSES.** Adams moved to read **ORDINANCE NO. 2016-01**, by title only, seconded by Smith. Clerk Johnson read **ORDINANCE NO. 2016-01** by title only for the 3rd and final reading. Smith moved to approve the 3rd reading of **ORDINANCE 2016-01**, seconded by Adams. A roll call vote was taken; there were 7 yeas, passing the motion unanimously.

- 3. RECLASSIFICATION OF ASSETS:** Mayor Stokes stated to satisfy legal requirements and audit, four pieces of equipment used by the Street Department that have been scrapped need to be recorded. These four pieces of equipment include:

- #79 Everfocus EDSR900 Security System; System Replaced
- #57 2005 New Holland 451 Sickle Bar Mower; Scrapped for parts
- #97 2013 New Holland Sickle Bar Mower; Scrapped for parts
- 1997 Pitmanless Sickle Bar Mower; Scrapped for parts

Motion was made by Thompson to reclassify assets, seconded by Kristopeit. There were 7 yeas, passing the motion unanimously.

NEW BUSINESS:

- 1. LOT DONATION:** Lot 11, Block 07, Mohave, Cherokee Village, AR, Fulton County. Mayor Stokes reported after visiting the lot, it was deemed not functional for a storm siren location. After much discussion, a motion was made by Kristopeit to accept the lot donation, seconded by Rowland. There were 5 yeas, 2 nays, passing the motion.
- 2. LOT DONATION:** Lot 8, Block 15, Crow 3, Red Wing Drive, Cherokee Village, AR, Sharp County. Mayor Stokes reported taxes would need to be paid by the City. Adams made a motion to accept the lot donation, seconded by Rowland. A roll call vote was taken; there were 3 yeas, and 4 nays, declining the lot donation.
- 3. NOTICE OF HEARING TO CONSIDER RAZE AND REMOVAL RESOLUTION FOR: LOT 2, BLOCK 3, FIRST ADDITION (4 HIAWATHA DRIVE) TO CHEROKEE VILLAGE SUBDIVISION, SHARP COUNTY, ARKANSAS (RICHARD MENDES, OWNER(S).)** City Attorney Jon Abele asked Council to adopt a resolution to authorize the collection of costs for the razing and removal of a nuisance on the property in the amount of \$1,282.38. A motion was then made by Thompson to pass **RESOLUTION NO. 2016-08**, seconded by Rowland. A roll call vote was taken; there were 7 yeas, passing the motion unanimously.
- 4. ORDINANCE NO. 2016-02: AN ORDINANCE TO REPEAL ORDINANCE NO. 2011-08, AN ORDINANCE ADOPTING A RESERVE AND BALANCED BUDGET POLICY, AND FOR OTHER PURPOSES** - Smith moved to suspend the rules for 3 readings of the ordinance on three different days, seconded by Kristopeit. A roll call vote was taken; there were 7 yeas, passing the motion to suspend the rule for readings unanimously. Smith moved to adopt Ordinance 2016-02, seconded by Rowland. A roll call vote was taken; there were 7 yeas, passing the motion to adopt Ordinance 2016-02 unanimously. Adams moved to adopt the emergency clause, seconded by Kristopeit. A roll call vote was taken; there were 7 yeas, passing the motion to adopt the emergency clause unanimously.
- 5. TEMPORARY SPECIAL USE PERMIT REQUEST/CHEROKEE VILLAGE KIWANIS CLUB/PANCAKE BREAKFAST:** Mayor Stokes asked Council for approval of permit request; all members approved unanimously.

6. TEMPORARY SPECIAL USE PERMIT REQUEST/ EDDIE ISHMAEL/SERIES OF OUTDOOR MOVIES: Mayor Stokes asked for a motion to approve the temporary permit. Thompson made a motion to approve, seconded by Smith. Motion passed unanimously.

COMMENTS ON CITY RELATED BUSINESS: Peter Martin addressed Council and told Thompson he appreciated his questioning the number of lots the city would accept as donations.

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

ANNOUNCEMENTS:

ADJOURNMENT: Rowland moved to adjourn the meeting at 7:41 p.m., seconded by Smith and passed unanimously.

DATE: _____

APPROVED: _____
Russell Stokes, Jr., Mayor

ATTEST: _____
Stephanie Johnson, City Clerk/Treasurer