

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, JUNE 18, 2020
CHEROKEE VILLAGE CITY HALL
(Meetings are video recorded)

Roll was called by Clerk Deb Weichinger. Present were Les Covington, Chuck Kristopeit, Thomas Rupard, Rob Smith, Steve Thompson, Mayor Stokes and City Attorney Jon Abele. Present via Zoom: Jerry Adams & Pamela Rowland. (Ward 2, Position 1 is vacant).

APPROVAL OF THE AGENDA: Council Member Rob Smith moved to approve the council minutes, second by Council Member Les Covington and passed unanimously.

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

- Bill Mateselboba: comments on trash ordinance.

APPROVAL OF THE MINUTES (April 30, 2020): Council Member Rob Smith moved to approve the council minutes of May 21, 2020, second by Council Member Steve Thompson and passed unanimously.

CORRESPONDENCE: June 6, 2020: A letter from Nell Shannon voicing appreciation on the statute and improvements to Tohi Trail. An e-mail was received from Steve and Cory Wiley dated June 3, 2020. It stated that they are so appreciative to David Woods, CVPD, and the OEM team, in all they did to bring their daughter Kristen home.

FINANCIAL REPORT: Council Member Les Covington moved to approve the May 2020 financials to be filed for audit, second by Council Member Rob Smith. Roll call vote passed unanimously.

MAYOR'S REPORT:

- Cherokee Village Sewer sold to St. John's Glen utility operation company from St. Louis, Missouri.
- NEA Hospital Jonesboro – on Monday (6/22/2020): free Covid 19 testing will be available via drive through 10-6.
- Finances are solid, this month highest SID and sales & use tax revenues were the highest received in the Mayors' tenure.
- District Court will be held June 19, 2020 for the first time since February 2020.

DEPARTMENT REPORTS:

ANIMAL CONTROL: (report on file)

COMMUNITY SERVICE: (no report)

DISTRICT COURT: (report on file)

FIRE: (report on file)

P & Z / CODE ENFORCEMENT: (report on file)

City Inspector Swiatkowski: 26 Quapaw Dr, Block 1 Lot 15 in the Quapaw Addition. This home caught fire last year. P & Z started the process last year and nothing was done. All certified letters were signed for and no responses were received. Four notifications were sent. It has been boarded up; now the entire back side of the home is open. Mrs. Ellert is the owner and is not present, residence is in California. A motion was made by Les Covington and seconded by Robert Smith to proceed in the raze and removal of this property. Motion passed unanimously.

POLICE: (report on file)

STREET DEPARTMENT: (report on file)

City of Cherokee Village, Regular City Council Minutes of Jun 18, 2020

OTHER REPORTS:

A & P Report: (report on file)

The fireworks for Thunder on Thunderbird were cancelled as well as the 65th Anniversary of Cherokee Village celebration due to the Covid-19 threat and social distancing restrictions. Focus will turn to the possibility of Thunder on Thunderbird fireworks July of 2021. The A & P Commission will work to facilitate the celebration of the 70th Anniversary of Cherokee Village.

AIRPORT REPORT: (report on file)

GRANT REPORT: (no report)

OEM SIREN: (no report)

P & Z COMMISSION: (report on file)

SID: (report on file)

STREETS COMMITTEE :(no report)

TRI-COUNTY SOLID WASTE: (no report)

WELCOME CENTER: (no report)

OLD BUSINESS:

- 1. Ordinance 2020-__:** **An Ordinance to Provide for the Collection and Control of Solid Waste in the City of Cherokee Village, Arkansas; and for Other Purposes** Clerk read proposed ordinance. Council Member Rowland asked how this will be enforced. What will be the actual process? City Hall does not intend to be in the collecting party. Mr. Able, the city attorney, stated that the city has a solid waste management system. Mr. Able stated that the two ways billing is done within this statute are: 1.) The city bills monthly, quarterly, etc. or 2.) or add to the personal property tax and it is billed annually. Delinquency would be added to the personal property tax. The water company has the ability but not the obligation to add this to the billing. The city currently only has a franchise agreement to collect trash in the city. There is currently no municipal trash service in Cherokee Village. Mr. Thompson stated that the city is required to provide a solid waste collection process. The city can delegate this through a third party. The city can designate a collection agency for this service. This should not be an additional service of Code Enforcement. Mrs. Rowland asked why businesses are not included as well. Mr. Able stated the franchise agreement is in reference to residential use only. Mrs. Rowland asked if businesses could be added to this ordinance. Mr. Able clarified that the only exceptions are unoccupied residential properties. City council or the Mayor's offices cannot exempt residences. The city can request a listing to see what residents are under contract. Rental units would use the same process as water and electricity. Mr. Thompson stated that billing is quarterly with Waste Connections. Mrs. Rowland asked for a motion to amend the residency of 90 days instead of 30 days. This was seconded by Mr. Smith. Motion to amendment failed. Mr. Adams stated that the entire section 13 is too heavy handed. Mr. Thompson stated the moment you begin making exceptions, you complicate enforcement. Mrs. Rowland motioned to remove section 13 entirely, seconded by Mr. Adams. Motion failed. Mr. Adams asked how enforcement was possible. Mr. Covington stated that it would be enforced like all other ordinances. After some discussion, Council Member Smith made the motion to approve the first reading of this ordinance, Mr. Covington seconded. Mr. Able stated first reading of ordinance was not necessary. Mr. Covington asked if modifications can be made at the second reading without the need to start over. Mr. Able said yes this can be done.

NEW BUSINESS:

- 1. Ms. Karen Page:** information about trails in Cherokee Village. Internet surveys indicated that a Tohi Trail expansion would be welcomed. These polls were conducted on Nextdoor and Facebook. Voters were limited to residents of Cherokee Village only. 78% were positive on average. Ms. Page is requesting monies as a citizen for our community. This is grant that requires the participation of the city. The city would have to the choice to use in kind, \$8,000 and

- the grant would provide \$31,000. After much discussion, Mr. Adams made the motion to approve the Trail Grant Resolution, seconded by Mr. Covington. Motioned passed. Mr. Rupard abstained.
2. Laura Mashburn: is purchasing 1 Mohave Dr. It was condemned last year, wants to purchase, would like to have raze and removal not done so that she can purchase property. It was condemned last year in October. After much discussion, Mr. Smith made the motion to grant a 30 day extension to Mr. & Mrs. Mashburn (next meeting in July) provided they prove proof of ownership and all official documentation, seconded by Mr. Covington, motion passed.
 3. Darryl Beason/ Elizabeth Beason left.
 4. Mr. Peter Martin: suggested that state statute be reviewed before the next meeting to clarify for the Trash Ordinance. Some definitions should be explained: spell out rental, occupied, and what is mandatory. Garbage should be mandated to be put into a container, not a bag. Bags can be accessed by animals and create a mess. Cans should be required, not optional.

COMMENTS:

ANNOUNCEMENTS:

ADJOURNMENT: Council Member Covington moved to adjourn the meeting at 8:12 p.m., second by Council Member Rupert.

DATE: 7/17/2020

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

ATTEST: Deborah Weichinger
Deborah Weichinger, City Clerk