

**Minutes – Special Council Meeting
CITY OF CHEROKEE VILLAGE, ARKANSAS
Tuesday, April 9, 2024, 6:00 P.M.,
CHEROKEE VILLAGE CITY HALL**

CALL TO ORDER – Mayor Rose call the meeting to order at 6:03 PM.

PLEDGE OF ALLEGIANCE – Mayor Rose lead the Pledge of Allegiance.

MOMENT OF SILENCE – A moment of silence was observed

ROLL CALL, ESTABLISH QUORUM HARRISON __P__, R TATUM __P__, THOMPSON __P__, MARTIN __A__, SMITH __P__, ISHMAEL __P__, J TATUM __A__, ROWLAND __P__ (phone)__.

APPROVAL OF AGENDA – Council Member Ishmael motioned to approve the agenda, seconded by Council Member R Tatum. Motion passed 6 yes

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

NEW BUSINESS:

1. Cherokee Village Waterworks Facilities Board of Sharp County, Arkansas VS Cherokee Village Suburban Improvement District No 1 VS The City of Cherokee Village, Lawsuit, SETTLEMENT.

a. APPROVE SETTLEMENT AGREEMENT –

- The City of Cherokee Village is released form the Lawsuit with prejudice. (Dismissed with prejudice means that a **civil lawsuit** has been dismissed based on merits of the case after a judgment has been issued. When a case is dismissed with prejudice, the plaintiff is barred from filing a lawsuit on the same issue at a later date.)
- Council Member Ishmael motioned to accept the Waterworks Settlement, seconded by Council Member Thompson.
- Council Member Thompson asked what the total Attorney's fees are for this lawsuit. Mayor Rose replied that the City has not received an invoice yet. Mayor Rose will try to have those figures at the Council Meeting next Thursday.
- R TATUM __Y__, THOMPSON __Y__, SMITH __Y__, ISHMAEL __Y__, ROWLAND __Y__, HARRISON __Y__ Motioned passed 6 yes.

b. APPROVE MEDIATION EXPENSE – Council Member Thompson motioned to pay the Mediation fee of \$2116.67, seconded by Council Member Smith.

- Both Council Member Smith and Ishmael express disagreement that the City has to pay Mediation and Attorney fees for a lawsuit that the City should have never been included in.
- THOMPSON __Y__, SMITH __Y__, ISHMAEL __ABSTAINED__, ROWLAND __Y__, HARRISON __Y__, R TATUM __Y__, 5 YES – 1 ABSTAINED

Mayor Rose expressed that his door is always open for discussion. Mayor Rose also thanked everyone for coming to the meeting tonight. Mayor Rose gave a reminder that the City Council Meeting is next Thursday (4/18/24 at 6 pm) and all are welcome.

Comments for the public. Cynthia Lee and Sue Bishop asked Council a few questions to which Council answered.

ADJOURNMENT – Council Member R Tatum motioned to adjourn, seconded by Council Member Smith. Meeting adjourned at 6:25 PM

DATE: 4/19/24

APPROVED: _____

Steven R. Rose, Mayor

ATTEST: _____

Penny Trumpy, City Clerk

