

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MEETING
6:30 P.M., THURSDAY APRIL 20, 2023
CHEROKEE VILLAGE CITY HALL
(Meetings are video recorded)

Mayor Steven R. Rose called the meeting of the City Council to order at 6:30 p.m. on APRIL 20, 2023. Mayor Rose led the Pledge of Allegiance, followed by a moment of silence.

Roll was called by City Clerk, Penny Trumpy. Present: Pam Rowland, Heather Harrison, Jeff Tatum, Eddie Ishmael, Steve Thompson, Rob Smith, Peter Martin. Steven R. Rose Mayor, City Attorney Jon Abele. Absent: Andrew Hefley

APPROVAL OF THE AGENDA: Agenda was amended to include

1. New Business #4 – Thompson – CV Depository Review Committee
2. Old Business #3 Changing of meeting Date and Time.
3. Executive Session - Personal

Mayor Rose asked for approval of the amended agenda. Council Member Tatum moved to approve the amended agenda, seconded by Council Member Rowland, Roll call vote: Rowland yea, Harrison yea, Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea. 7 yeas, 0 nays. Agenda approved as amended.

PUBLIC COMMENTS ON AGENDA ITEMS: Marianne Quick addressed Old Business item #2. Medical Insurance for elected officials. Mrs. Quick expressed changes should be done at the beginning of, or at the end of the terms of elected officials. It looks as if benefits for the officials are being enhanced by elected officials.

APPROVAL OF MINUTES: Mayor Rose called for a motion to accepted the March 16, 2023 City Council Meeting minutes. Council Member Rowland motioned to accept the March 16, 2023 minutes, seconded by Council Member Tatum. Motion passed with Council Member Martin abstaining. (6 yea's, 0 nay's 1 abstain)

Council Member Martin suggests there be a back up recording of the meeting due to the equipment failure of last month's recording. These recorders are \$50.00 and the Clerk will have a back up recording.

Correspondence: None

Financial Report: Council Member Tatum asked for updates on the Police cars and Fire Trucks purchases. Police Chief Lane reported June 1st is the projected date for new police cars. Fire Chief Dienst reported things are progressing. Mayor Rose states "Financials filed as submitted".

Mayors Report:

- Paula Musick resigned as Animal Control Officer due to moving out of state. Carryn Nugent has accepted the job and is doing a great job.
- Bridge project is proceeding.
- Received notification that the Air Port received \$150,000 (90/10 split) grant for improvement of the taxi ways.
- Myles Clem graduated from the Police Academy. Mr. Clem graduated #2 of 45 in his class. Great job.
- Charlie Akers has been busy overseeing repairs to the bathrooms at Tohi Trails due to the cold weather.
- Joey Sheets and the street dept have made progress on the extension at Tohi Trail.
- Animal Control has broken ground on building the Meow Manner Cat House.
- Meeting with ARDOT on May 8th at 11:30 on the Street aid grant. This is a \$300,000 grant for streets improvements.

Department Reports: See Cherokee Village Web site for reports.

Mayor asked for updates from:

- Police Chief – none
- Fire Chief – There was a structure fire Saturday from the storms. Been working on the requirements for Workers Comp Rule #32. Mayor Rose continued to explain the work on the mitigation plan to comply with Rule #32 and regulations of Workers Comp.
- Street Dept – none
- Advertising and Promotions: (A&P) – Council Member Rowland updated the Eclipse and the Pie Fest are coming up. Council Member Smith shared there is a meeting on May 11, at Ozarka for the Eclipse. Everyone is invited to attend.

Old Business:

1. 3rd Reading of Ordinance 2023-02 title was read by Mayor Rose.
 - a. Council Member Martin moved to pass Ordinance 2023-02 by reading of title only, seconded by Council Member Smith. Roll call vote: Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea, Harrison yea. (7 yea's, 0 nay's) Motion passed.
 - b. Council Member Martin moved to pass Ordinance 2023-02, seconded by Council Member Smith. Roll call vote: Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea, Harrison yea, Tatum yea. (7 yea's, 0 nay's) Motion passed.
 - c. Council Member Martin moved to pass the Emergency clause for Ordinance 2023-02, seconded by Council Member Smith. Roll call vote: Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea, Harrison yea, Tatum yea. (7 yea's, 0 nay's) Motion passed.
2. Medical Insurance for elected officials. Council Member Tatum request permission from Mayor Rose to comment before the discussion started. Council Member Tatum – This topic was brought up last year before elections. If you need to blame someone then blame me (Council Member Tatum). Council has addressed salary and I think insurance need to be addressed also. Council Member Smith request to speak. How can the city find this in the budget, with \$175,000 deficit? Not right now. Council Member Rowland states that there are still employees that do not get full benefits and this should be looked into. Elected officials knew what they were getting into when they ran for the position. Council Member Thompson stated, the previous Mayor did not require medical insurance due to being on Medicare. This was discussed in budget meetings. This is not the case of the current Mayor. Council needs to examine the deficit. Council Member Thompson discussed a few financial items that will be changing / improving. Council Member Tatum express that if you want good elected official the City needs to offer salaries and benefits to attract and keep them. Council Member Rowland asked Council to consider the streets that need repair and that each Council Member receives \$0.00 as a Council Member. Our first responsibility is the citizens. Mayor Rose expressed that he did not ask for the increase in salary. This was not a raise but a restoration of salary. Mayor Rose said insurance would be great but he did not ask for it either. Mayor Rose continues with he has a resignation from a city employee who accepted a job in a different city because he would get APERS retirement. Mayor Rose would like Council to look at offering APERS to city employees at budget time. Mayor Rose answered Council Member Martins question that he does not receive anything but his salary of \$21,050.00 per year. Council Member Martin was under the understanding that Mayors and City Clerks automatically are enrolled in benefits or must opt out. Council Member Thompson reminded Council they voted post election to reduce the salary and that Council voted at the last Council meeting to restore the salaries not a raise. Attorney Jon Abele stated that Mayor and Clerk can get insurance through ML. They have to pay for it personally. Tabled until a later date after Council reviews the budget quarterly. Council Member Martin moved to vote on the tabled motion from March. All motions have been resended to be addressed at a later time.
3. Council Meeting date change: Change to the 2nd Monday at 6 pm. Mayor talked to all Department Heads and they are good with this date. Council Member Martin says this does not work for him. Council Member Harrison asked about working meetings. Mayor Rose said discussion was to have working meetings as needed. Council Member Thompson asked Council Member Tatum if he had conflict on Thursday but his conflict is Tuesdays. Council Member Tatum stated he remembers the Clerk saying there would be a problem with financials being ready. The Clerk stated the financials

would be 30 days behind. (Junes reports would be financials ending April 30th). Council Member Thompson asked if there was any conflict on the 2nd Thursday of the Month. Council Member Rowland asked Council Member Martin what his conflict was to which he stated His business was recording meetings. Council Member Thompson called for a vote for Council Meetings to be moved to the 2nd Monday of each month at 6 pm. Seconded by Council Member Tatum. More discussion on conflicts followed. Roll Call Vote: Smith nay, Martin nay, Rowland nay, Harrison nay, Tatum yea, Ishmael yea, Thompson yea, (quorum is 2/3 vote of total 8 – 5 needed) Mayor abstained. Motion failed. Council Member Harrison moved to table this motion until after discussion at working meeting, seconded by Council Member Rowland. (6 yea's 0 nay's 1 abstained)

New Business:

1. Declaration of Council Vacancy. Mayor Rose read Andrew Hefley's resignation letter for Ward 2 position 2, term 2023-2026. Council Member Martin moved to drop the required 10 signatures. Mayor Rose responded if they want to serve the Council the least they can do is get 10 signatures. The steps to publish the vacancy notice in the paper, deadlines for filing, time to verify signatures are register voters and live in Ward 2, and be interviewed at the May Council Meeting. Council Member Martin moved to accept the resignation from Andrew Hefley, seconded by Council Member Smith. All in favor (7 yea's, 0 nay's) Motion passed.
2. ORDINANCE 2023-04 – AN ORDINANCE AMENDING ORDINANCE 2020-03, AN ORDINANCE DEFINING AND LIMITING CONDITIONS FOR OPEN BURNING WITHIN THE CITY LIMITS OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS; PROVIDING FOR ENFORCEMENT DECLARING AN EMERGENCY TO EXIST.
 - a. Council Member Tatum moved to place Ordinance 2023-04 on the floor, seconded by Council Member Thompson.
 - b. 1st reading of Ordinance 2023-04 by Clerk. Council Member Martin moved to accept the first reading of Ordinance 2023-04, seconded by Council Member Smith, Roll Call vote: Harrison yea, Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea. (7 yea's 0 nay's) Motion passed.
 - c. Council Member Martin moved to suspend the rules and consider Ordinance 2023-04 for final passage. Roll call vote: Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea, Harrison yea. (7 yea's 0 nay's) Motion passed.
 - d. Council Member Martin moved to pass Ordinance 2023-04, seconded by Council Member Thompson. Roll Call Vote: Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea, Harrison yea, Tatum yea. (7 yea's 0 nay's) Motion passed.
 - e. Council Member Martin moved to pass the Emergency clause for Ordinance 2023-04, seconded by Council Member Thompson. Roll Call Vote: Rowland yea, Harrison yea, Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea. (7 yea's 0 nay's) Motion passed.
3. Trash Ordinance – Council Member Rowland stated after being contacted through Face book concerning complaints on trash bills, pick up dates and billing amounts, she would address this subject. The terms of the Waste Management contract does not match the verbiage in the City Ordinances. Mayor Rose has been in conversation with Waste Management about the City contract which states there can be increases annually. The Ordinance will need to be amended to match the contract. Council Member Rowland asked the Ordinance be amended and listed on Old Business on May's agenda.
4. CV Depository Review Committee – Council Member Thomas summarized the plan to improve the security and efficiency of the City of Cherokee Village budget funds in local financial institutions. There will be an improved income of approximately \$60,000. FNBC has reviewed and submitted a contract for Councils approval. The Mayor has the authority to sign.
 - a. Council Member Martin moved to accept the Depository Review Committee's proposal, and allow the Mayor to enter into contract with FNBC and First Community Bank, seconded by

Council Member Rowland. Roll Call Vote: Harrison yea, Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea. (7 yea's 0 nay's) Motion passed.

5. Proclamation Kids to the Parks Day was ready by the Clerk.
6. Special Use Permits No 2023-05 Shakespeare in the Park, No 2023-06 Music at the Gazebo.
 - a. Council Member Martin moved to pass Special Use Permits No 2023-05 & 2023-06, seconded by Council Member Tatum. (7 yea's 0 nay's) Motion passed.

Police Chief recognized:

- Sergeant Bryan Buchanan being promoted to Lieutenant.
- Officer Anthony Wiles being promoted to Sergeant.

Congratulations to Bryan and Anthony.

Council Member Smith moved to go to Executive Session to discuss personnel, seconded by Council Member Tatum at 8:17 pm.

Mayor Rose called Council back in session at 8:43. Council did not reach a conclusion.

COMMENTS/QUESTIONS ON CITY RELATED BUSINESS: (limit 3 minutes per person)

Mayor Rose gave Marianne Quick a chance to comment as she had signed up but Mrs. Quick declined.

ADJOURNMENT: Council Member Martin moved to adjourn the meeting at 8:44 p.m., seconded by Council Member Tatum and passed unanimously.

DATE: 05/22/2023

APPROVED: _____

Steven R. Rose
Steven R. Rose, Mayor

ATTEST: _____

Penny Trumpy
Penny Trumpy, City Clerk

