

MINUTES
CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MEETING
6:30 P.M., THURSDAY May 18, 2023
CHEROKEE VILLAGE CITY HALL
(Meetings are video recorded)

Steven R. Rose, Mayor called the meeting of the City Council to order at 6:30 p.m. on May 18, 2023. Mayor Rose led the Pledge of Allegiance, followed by a moment of silents.

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

APPROVAL OF THE AGENDA: Council Member Ishmael motioned to accept the agenda, seconded by Council Member Thompson. (7 yeas 0 nays) Agenda approved.

PUBLIC COMMENTS ON AGENDA ITEMS: None

APPROVAL OF MINUTES: Mayor Rose called for a motion to accept the April 20, 2023 City Council meeting minutes. Council Member Smith motioned to accept the April 20, 2023 minutes, seconded by Council Member Martin. (7 yea's, 0 nays) Minutes approved.

Correspondence: None

Financial Report: Council Member Thompson questioned the outlay of cost for the roof for Baseheart Fire Station due to being replaced. Mayor Rose explained the insurance checks were not paid until 2023. Council Member Thompson questioned page #5 – repair / maintenance was for the City Hall roof. Council Member Thompson asked if there is an offset for this expense. That is a treasurer question. Council Member J Tatum motioned to accept the financial report, seconded by Council Member Ishmael. (7 yeas, 0 nays 1 abstained). Motion passed.

Mayors Report:

- Mayor Rose gave an update on the conversations with ARDOT about the bridge project. When ARDOT is ready for bids, they will send the Mayor the paperwork required. It is all on track and funded.
- Street Superintendent Joey Sheets, and the Mayor met with Jonathan Clements and Brandon Love from Arkansas Department of Transportation about the street aid grant program. Flathead Drive was chosen by the highway department and the City qualifies for the full \$300,000 grant, which will be enough to do about a mile and a half of the roadway. The Resolution to be approved by Council will be presented at a later date.
- All Water Customers should have received a letter from Cherokee Village Waterworks about changing the way meters are read. City Hall has received several phone calls concerning the letter. Mayor Rose encourages everyone that has questions or did not receive a letter to stop by the Water Office or call them.
- The Senior Center now has lights, and emergency exit lights to meet codes. The next step is replacing worn flooring. They are happy and understand repairs will be done in steps.
- A City Wide Health and Safety Team have been formed to comply with Workers Compensation Rule #32. Members of the Team are Fire Chief Kal Dienst, Planning & Zoning, Charlie Ackers and Street Dept Superintendent Joey Sheets.
- Meow Manor is progressing at the Animal Control Center. You can view pictures of the progress on the face book page Adaptables of Cherokee Village.

Department Reports: See Cherokee Village Web site for reports.

Mayor Rose asked Council Member Smith and Rowland if they would like to update Council on the Eclipse. Council Member Smith reported the meetings in the past and the future. A & P is working on and attending meetings for planning. Council Member Smith requested the Eclipse be on the agenda until the event happens.

Vacant Council Seat. Rachel Tatum was the only person to file a petition for this position. Mayor Rose asked Rachel 3 questions to which she replied.

- What prompted you to move to and how long have you lived in Cherokee Village?
 - I have lived in Cherokee Village for 9 years.
- Have you been elected or appointed to a position, if so explain?
 - I was appointed to the Glencoe Fire Dept Board.
- What do you view the responsibilities of a Council Member to be?
 - For the Citizens voices to be heard.
- If appointed do you and will you commit the time to the Council position that is required?
 - Yes, I will.

Mayor Rose asked Council Members if they had any questions.

- Council Member Rowland asked "What guarantee would there be on FOIA rules being broken."
 - Mrs. Tatum stated "With me being on the Fire Dept Board and Jeff being Fire Chief, we have that situation now. There are things we cannot discuss outside of meetings.
- Council Member Harrison made the statement: This is not personal, but I asked myself how I would feel about any of us having a spouse as a member on Council? I have issues with this. Is the ward getting represented as best as it can.
 - Mrs. Tatum stated she stands her ground and makes her own decisions to what she feels are best.
- Council Member Martin expressed concern on past experiences of husband and wife serving and conflict it causes.
- Council Member Thompson discussed the issue Council Member Martin expressed was public perceived and not operational. There have been 2 different occasions of this that worked for the City. Mrs. Tatum is the only one who stepped up to completing the petition packets.
- Council Member Rowland expressed her concern that if this Council did not address this they would not be doing their jobs.
 - Mrs. Tatum stated there were citizens in her ward that encouraged her to run.
- Council Member J Tatum express concern that not one person on Council asked him what his thoughts were. When asked Council Member J Tatum, stated that it does not concern him as there are times that Mrs. Tatum must keep him in line as a board member and him being Fire Chief.
- Mayor Rose read a email from Jon Wilkerson, AR Municipal League's Legal team on ARK Code Ann. §21-8-304a, concerning two people who are married or related from serving on the council together. There is no state law prohibiting two people who are married or related from serving on the council together.
- Council Member Harrison expressed her concerns and also this is not against Mrs. Tatum but in general.

Council Member Rowland questioned not going into Executive Sessions. Due to there being only 1 candidate it is not necessary to go into Executive Session.

Council Member Thompson motioned to nominate Rachel Tatum as Council Member, seconded by Council Member Martin. Roll Call vote: Rowland yea, Harrison yea, J Tatum abstained, Ishmael yea, Thompson yea, Smith nay, Martin yea. (5 yeas, 1 nay, 1 abstained). Motion passed

Mayor Rose gave the oath of office to Rachel Tatum as Council Member. Council Member R Tatum took her seat on Council.

Old Business:

1. **Phone System** Steve Thompson / Committee – no update due to personal business. Concern is the cost estimate.
2. **Changing of Council Meeting Date and Time.** During the Working meeting it was discussed to stay on the 3rd Thursday of the month. It was suggested to move the starting time back to 6 PM starting in July. Council Member Smith motioned to move the starting time of Council Meeting to 6 PM starting in July, 2023, seconded by Council Member Harrison. (8 yeas, 0 nays) Motion passed.
3. **Trash Ordinance – Pamela Rowland Tabled** until June due to working on the detail and working with the City Attorney.
4. **Update on the Senior Center repairs (electrical and flooring)** This was discussed in the Mayors report.

New Business:

1. **Resolution 2023-08 A Resolution to Declare Items Surplus Property and to remove said items from the City of Cherokee Village property Asset List. Fire Chief Dienst.** Council Member Martin moved to passed Resolution 2023-08, seconded by Council Member Smith. Roll Call vote: Harrison yea, J Tatum yea, R Tatum yea, Ishmael yea, Thompson yea, Smith yea, Martin yea, Rowland yea. (8 yeas, 0 nays) Motion passed.

Council Member Thompson apologies for an oversight on his part for not putting the Kiwanis's Pancake Breakfast Special permit on the agenda. May 27, 2023, from 7 – 11 am. Council Member Thompson motioned to approve the Special Use Permit, seconded by Council Member Martin. (8 yeas, 0 nays,) Motion passed. Mr. Thompson will need to complete paperwork and submit insurance.

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

- Nathan Birdsell spoke on concerns of dock permits. He is the owner of Double D Dock Service. The dock was approved by SID and permits from City. There is a problem with the dock being painted and not galvanized. There are no laws against marine paint. After discussion, Mayor Rose asked Mr. Birdsell to leave his contact number and Mayor Rose would contact him on Friday to try to resolve this issue.

ADJOURNMENT: Council Member Martin moved to adjourn the meeting at 7:30 p.m., seconded by Council Member Thompson and passed unanimously.

DATE: June 27, 2023

APPROVED: _____


Steven R. Rose, Mayor

ATTEST: _____


Penny Trumpy, City Clerk