

## **MINUTES OF THE REGULAR FARMINGTON CITY COUNCIL MEETING MAY 8, 2023**

The regular meeting of the Farmington City Council scheduled for Monday, May 8, 2023 was called to order at 6:00 pm by Mayor Ernie Penn. City Clerk Kelly Penn called the roll and the following Council Members answered to their names: Diane Bryant, Keith Lipford, Brenda Cunningham, Sherry Mathews, Hunter Carnahan, Linda Bell, Bobby Morgan, and Kara Gardenhire. Also present was City Attorney Jay Moore and City Business Manager McCarville.

### **COMMENTS FROM THE CITIZENS**

Phyllis Young, 546 Goose Creek Road – Ms. Young asked the council to use their authority to reverse the approval of Goose Creek Village Phase 5 until the drainage is corrected, before they build any more homes. The water is damaging her property and making it unusable. She was told there would be no more water and that was a complete lie, the velocity of the water was washing away the topsoil. She invited Mayor Penn, Engineer Chris Brackett, and the City Council to see for themselves.

Hal Henson, 1165 East Creek Lane read a letter to the council (see attached) regarding parks from he and his wife.

City Attorney Jay Moore advised the council, regarding Phyllis Young's previous public comments and request, that due to pending litigation filed by Phyllis Young that he would not recommend them going to her property or speaking with her about this matter, that it was in the courts system now.

### **APPROVAL OF THE MINUTES FOR THE APRIL 10, 2023 REGULAR CITY COUNCIL MEETING**

On the motion of Council Member Bryant and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the minutes were approved as presented by a vote of 8-0.

### **FINANCIAL REPORTS**

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax was up 16.5 %. Monthly state sales tax was up 14.1%. Year to date, our total sales tax is up 4.1% versus 2022 sales tax numbers.

### **ENTERTAIN A MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY.**

On the motion of Council Member Carnahan and a second by Council Member Mathews and by the consent of all Council Members present after a roll call vote, the motion to read all Ordinances and Resolutions by title was approved 8-0.

### **PROCLAMATIONS, SPECIAL ANNOUNCEMENTS, COMMITTEE/COMMISSION APPOINTMENTS- NONE.**

### **COMMITTEE REPORTS -**

There were no written reports submitted.

Parks - Council Member Mathews announced they are in the design phase for Farmington Heights and hope to have something for council approval soon.

Community Development- Council Member Bryant said they had great turnout for the pickleball and line dancing at Creekside Park on Saturday.

## **ITEMS TO BE REMOVED FROM CITY OF FARMINGTON INVENTORY**

**LIBRARY-RACHEL SAWYER- REQUESTING THE REMOVAL OF THREE (3) COMPUTERS FROM THE LIBRARY INVENTORY.** On the motion of Council Member Bryant and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the motion to remove the 3 computers from library inventory: Dell Optiplex 3020, serial FV2YN52, inventory tag #712, AWE Early Literacy Station, serial #F6PTAC009318, inventory tag #240 and Dell Optiplex 3020, serial #5F6RM52, inventory tag #709 was approved 8-0.

**PUBLIC WORKS-FLOYD SHELLEY- REQUESTING THE REMOVAL OF 1999 WHITCO PRESSURE WASHER FROM PUBLIC WORKS INVENTORY.** On the motion of Council Member Bell and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion to remove the 1999 Whitco Pressure Washer, serial number 899-139, inventory tag number 820 from Public Works inventory was approved 8-0.

**PARKS-FLOYD SHELLEY-REQUESTING THE REMOVAL OF HUSTLER SUPER Z 60 INCH REAR DISCHARGE MOWER FROM PARKS DEPARTMENT INVENTORY (CREEKSIDE PARK)** On the motion of Council Member Bryant and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the motion to remove the Hustler Super Z 60-inch rear discharge mower, serial number 1403486 from Parks inventory was approved 8-0.

**PARKS-FLOYD SHELLEY-REQUESTING THE REMOVAL OF HUSTLER SUPER Z 72 INCH MOWER FROM PARKS DEPARTMENT INVENTORY (CREEKSIDE PARK).** On the motion of Council Member Morgan and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion to remove the Hustler Super Z 72-inch mower, serial number 13051273 from Parks inventory was approved 8-0.

**STREETS- FLOYD SHELLEY- REQUESTING THE REMOVAL OF 2018 POLARIS RANGER FROM STREET DEPARTMENT INVENTORY.** On the motion of Council Member Bryant and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the motion to remove the 2018 Polaris Ranger, serial number 3NSRMA52JE902005 from Street Department inventory was approved 8-0.

## **OLD BUSINESS- NONE**

## **NEW BUSINESS**

### **RESOLUTION 2023-04 A RESOLUTION IN SUPPORT OF AN APPLICATION FOR THE MINI-STEP GRANT.**

Chief Hubbard requested approval to apply for the MINI-STEP grant through the Arkansas State Police in the amount of \$23,700.00 for 5 months of overtime for officers to work extra traffic enforcement for Click It or Ticket, Drive Sober or Get Pulled Over and Speed Mobilization from May 22nd, 2023 thru September 30th, 2023. Mayor Penn called for public comment, there was none. After questions from the Council Members, the motion made to approve Resolution 2023-04 by Council Member Carnahan and seconded by Council Member Bryant and by the consent of all Council Members present after a roll call vote, Resolution 2023-04 was approved 8-0.

### **ORDINANCE NO. 2023-07 AN ORDINANCE ESTABLISHING PROCEDURES AND MEASURES FOR ELECTRONIC FUNDS TRANSFERS (EFT) AND PAYMENTS AND OTHER RELATED PURPOSES.**

City Business Manager McCarville informed the council that the auditors from Legislative Audit had requested the city have in place an ordinance stating what our procedures were with regard to electronic funds transfers (EFT) for audit purposes. City Clerk Penn said that the city already has the procedures in place and has followed them for several years, but the Legislative Auditor had requested it in writing. Council Members questioned why it was asked for now and Mayor Penn said that each year legislative audit touches on different areas and asks for certain things to be updated or put in writing. City Attorney Moore said the auditors had looked over the ordinance prior to the

meeting and they approved it for council submission. The city will not be cited for any deficiencies with this in place. Mayor Penn asked for public comment, there was none. Council Member Carnahan made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-07 be read one time by title only, it was seconded by Council Member Morgan and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-07 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion passed 8-0. A motion to pass Ordinance 2023-07 with an Emergency Clause was made by Council Member Carnahan and seconded by Council Member Morgan and after a roll call vote the motion passed 8-0.

**ORDINANCE NO. 2023-08 AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FARMINGTON ARKANSAS DESIGN STANDARDS FOR MULTI-FAMILY HOUSING, PROVIDING FOR AN EMERGENCY CLAUSE AND OTHER PURPOSES.**

Urban Planner Courtney McNair from Garver Engineering addressed the council regarding changes made by the Planning Commission in the proposed ordinance. After discussion and questions of clarification from the Council, Mayor Penn asked for public comment. Phyllis Young, 546 Goose Creek, said we need quality housing, not quantity. Hal Henson 1165 East Creek Lane said he was in favor of the changes and that the council needed to be aware there is a need for affordable, not cheap, housing here and do they want to provide that? Council Member Bryant made a motion to approve Ordinance 2023-08 and it was seconded by Council Member Lipford, there was roll call vote and it was approved 8/0. Council Member Bryant asked if we needed an emergency clause, City Clerk Penn said no, that all they did was approve it for one reading with that motion, if she meant to suspend the rules and pass it all tonight, she would need to revoke and restate the previous motion.. Council Member Bryant revoked the previous motion with no objections from the city council. Council Member Bryant made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-08 be read one time by title only, it was seconded by Council Member Lipford and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-08 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion passed 8-0. A motion to pass Ordinance 2023-08 with an Emergency Clause was made by Council Member Morgan and seconded by Council Member Bryant and after a roll call vote the motion passed 8-0.

**ORDINANCE NO. 2023-09 AN ORDINANCE ADOPTING THE 2021 ARKANSAS FIRE PREVENTION CODE CONTAINING FIRE PREVENTION BUILDING AND RESIDENTIAL CODES.**

Code Enforcement Officer Rick Bramall advised the council the new 2021 standards had finally been adopted by the state of Arkansas in 2023, the delay was caused by the Covid-19 epidemic. Mayor Penn asked for public comment, there was none. Council Member Bell made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-09 be read one time by title only, it was seconded by Council Member Carnahan and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-09 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion to approve Ordinance 2023-09 passed 8-0. A motion to pass Ordinance 2023-09 with an Emergency Clause was made by Council Member Bell and seconded by Council Member Bryant and after a roll call vote the motion passed 8-0.

**ORDINANCE NO. 2023-10 AN ORDINANCE REZONING PROPERTY AT 152 WEST HILL STREET FROM R-2, SINGLE FAMILY RESIDENTIAL, TO MF-1 RESIDENTIAL, MULTI-FAMILY RESIDENTIAL AS REQUESTED BY SIEBERT, INC.**

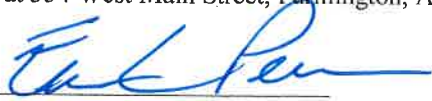
After discussion about the actual legal address of the property, Council Member Bryant asked that we use the parcel number instead of the street address. City Attorney Moore said that was fine and he would make the appropriate changes and add parcel number 760-01596-001 to the title of the ordinance in addition to the proposed address. Mayor Penn asked for public comment, there was none. Council Member Carnahan made a motion to suspend the rule requiring the reading of an ordinance in full on three different dates be suspended and for Ordinance 2023-10 be read one time by title only, it was seconded by Council Member Bryant and after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance 2023-10 by title only. Mayor Penn asked Shall the ordinance pass? After a roll call vote, the motion passed 8-0. A motion to pass Ordinance 2023-10 with an Emergency Clause was made by Council Member Bell and seconded by Council Member Carnahan and after a roll call vote the motion passed 8-0.

**ACCEPT THE BID FROM LONESTAR TACTICAL BUILDINGS FOR BUILDING THE FIRE TRAINING FACILITY.**

Fire Chief Hellard requested the council approval to accept the bid from Lonestar Tactical Buildings in the amount of \$270,350.16. Mayor Penn asked for public comment, there was none. After council discussion a motion was made by Council Member Carnahan and seconded by Council Member Mathews and by the consent of all Council Members present after a roll call vote, the motion to approve the bid from Lonestar Tactical Buildings in the amount of \$270,350.16 was approved 8-0.

There being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Lipford and by the consent of all members present, the meeting adjourned at 6:57 pm until the next regularly scheduled meeting to be held Monday, June 12th, 2023 in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved: \_\_\_\_\_



Mayor Ernie Penn

Attest: \_\_\_\_\_



City Clerk Kelly Penn

Dear Farmington City Council Members,

As a citizen of Farmington, I am writing to express my strong support for the development and implementation of a Parks and Recreation master plan that will help create a recognizable and affordable brand for our city as a Park and Recreation City in the region.

I believe that investing in our Parks and Recreation facilities is critical to the well-being and quality of life of our residents. A Parks and Recreation master plan can help ensure that our city's Parks and Recreation offerings are responsive to the needs and desires of the community, and are accessible, affordable, and sustainable.

Moreover, creating a recognizable and affordable brand as a Park and Recreation City in the region can bring significant benefits to our city. It can help attract visitors, new residents, and businesses to the area, while also promoting community engagement and enhancing the overall quality of life for our residents.

To achieve this goal, I urge the City Council to “up their effort and openness” toward working with willing and passionate residents as well as all stakeholders in Farmington who could benefit from a Parks and Recreation Master Plan. Also, to consider hiring a consultant expert on Parks and Recreation or a strategist to provide guidance and support in the development and implementation of a Parks and Recreation master plan. A consultant or strategist can bring valuable expertise and insights, offer innovative ideas and strategies, and provide guidance on how to effectively engage with the community and stakeholders to promote our Parks and Recreation brand.

I strongly believe that the development and implementation of a Parks and Recreation master plan can have a transformative impact on our city that will enhance community and business life, and I urge the City Council to adopt this as a strategy. Thank you for your attention as well as your willingness to investigate the opportunity and possibilities that a Farmington Parks and Recreation master plan could provide for all of us.

Sincerely, Hal and Lisa Bell Henson

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