

## Minutes of the Regular Farmington City Council Meeting December 11th, 2017

The regular meeting of the Farmington City Council scheduled for Monday, December 11th, 2017 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: Patsy Pike, Sherry Mathews, Keith Lipford, Linda Bell, Brenda Cunningham, Bobby Morgan, Diane Bryant and Shelly Parsley. Also present was City Business Manager Melissa McCarville and City Attorney Tennant. Mayor Penn led the Pledge of Allegiance.

**Comments from Citizens** – No comments from the citizens at this time.

**Approval of the minutes for the November 13<sup>th</sup>, 2017 regular meeting of the city council.**

On the motion of Council Member Lipford and seconded by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the minutes for the meeting were approved as presented.

**Financial Reports** – Mayor Penn advised that all sales tax figures were in the financial packet and asked if anyone had any questions. There were none.

**Entertain a motion to read all Ordinances and Resolutions by title only**

On the motion of Council Member Morgan and seconded by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the motion to read all Ordinances and Resolutions by title only was approved.

**Proclamations, Special Announcements, Committee/Commission Appointments. Committee Reports**

Police Chief Hubbard introduced new officer Justin Collins and advised the council there would be a drop off receptacle at city hall for big boxes after the Christmas holiday rather than citizens having to place them curbside, this keeps thieves from targeting homes.

**Committee Reports** – All committee reports were included in the council packets. Council Member Pike commended Parks & Recreation Director Misty Wilson on getting the city a great discount on the order of new equipment.

## **Items to be removed from City of Farmington Inventory.**

### **Removal of 4 Inventory Items**

Public Works Director Floyd Shelley advised the council the following items needed to be removed from city inventory: Sandpro Groomer model 08703 Serial # 314000378 from Parks Inventory, Groomer Attachment model TSGL650T7C Serial # 13700 from Parks Inventory, New Holland Backhoe Bucket, Serial # 716399016, city tag #838 from Public Works inventory, New Holland TD5050 Tractor 7 Loader, VIN# ZAJN51780, city tag #354 from Public works inventory. A motion was made by Council Member Bryant and seconded by Council Member Bell to remove the items from inventory, by the consent of all Council Members present after a roll call vote, the motion was approved.

### **New Business**

#### **Appeal of the Planning Commission decision to deny rezoning of Lot 17 Rainsong from R-2 (Single Family residential) to MF-2 (Multi-Family Residential) Discussion of Audit Services**

City Attorney Tennant advised the Council Members that he was recommending the City Council table this item and send it back to the Planning Commission. There is a FEMA study currently being done that will give the planning commissioners more information than they had at the last meeting. Once the study is completed the Planning Commission along with engineers, will review all of the new information. He informed the citizens present at the meeting of the appeal process and how they could get the information once the study was completed. On the motion of Council Member Bell and seconded by Council Member Lipford a motion was made to table this and send it back to the Planning Commission, and by the consent of all Council Members present after a roll call vote, the motion was approved.

**Ordinance 2017-16 An Ordinance rezoning property at 65 Double springs containing approximately 5.65 acres from R-1, single family residential to R-3, zero lot lines single family residential as requested by Home Star Rentals, LLC.**

Tom Simms with Home Star Rentals, LLC advised the council that if this property was rezoned he would add 5 or 6 more lots with concept housing.

Mayor Penn opened the floor for public comments.

Barbara O'Brien, Ridgedale Drive, spoke in opposition to this rezoning. The residents in her neighborhood feel R-3 discredits the state statues for rezoning. R1 is the zoning in the entire area, she is opposed to spot zoning. Traffic would be increased terribly by passing this rezoning request. She quoted Mayor Penn from the August meeting in which he said "People come here because Farmington is different". Let's keep it that way.

Doug Falknor, 324 Ridgedale Drive, stated that a divided Planning Commission brought this to you. This property does not have a compelling reason to change it's zoning. R1 is not simply a place holder until something better comes along. R1 gives people continuity. People keep referring to how R3 looks in Fayetteville, R3 area is crammed in unusable areas, it looks good from the outside but the back looks terrible. There is no parking area, people are parking on the street. This property is not a fit for R3, R1 is what fits this area.

Linda Patterson, Ridgedale Drive, stated she had lived in a large city and did not want Farmington to turn into that.

Pat Page, Ridgedale Drive, stated traffic would be terrible with this rezoning, this property could have up to 5 cars per lot per a conversation she had with the developer. To increase traffic in this area would be irresponsible.

Tom Simms, Home Star Rentals LLC, said only 5 more homes would be added, to the north of this property there are duplexes and this would be a perfect mix. Farmington needs more affordable housing. Farmington does not have that now. Council Member Bryant asked how many homes would be built, Mr. Simms replied 23. Council Member Bell then asked how many were being built, Mr. Simms replied again, 23. Alderman Lifpford stated we are not voting on the design concept, only the zoning request. Mayor Penn advised the council they were only considering the rezoning request. The Planning Commission would handle concept issues.

Jessica Collins, Sugar Pines, stated that the homes were \$180,000 to \$200,00 homes. She stated that when the issue was last discussed Council Member Bryant stated they were cute but she wouldn't want them in her back yard, well neither did she. Jessica said she spoke with some people that lived on Rurple road and most of those homes are rented by college students. There will be an increase in traffic, she is not a fan of this.

Bruce Barrows, 323 Ridgedale, stated he was against the traffic and speeding and if this passed he wanted speed bumps installed.

Robert Mann, Chairman of the Planning Commission said because of the split vote he wanted it to come before the council.

Mayor Penn closed the public comment section of the meeting. City Attorney Tennant advised the Council Members that you can do multi family but these are single family residences. Council Member Bryant asked Fire Chief Cunningham what the fire codes said about this, he advised if there are 30 homes they are required to have 2 entrances or sprinkler systems installed in the homes. Council Member Lipford added this request is not specific, it depends on the density. Council Member Bryant asked City Business Manger McCarville if the city had a long-range plan and was this included on it. She replied yes, we have a long-range plan, Planning Commission Chairman Mann stated that R-3 zoning did not exist when the City's Master Plan was done years ago. Council Member Bell acknowledged the citizens had all brought up good vaild points for them to consider and she appreciated their input. Mayor Penn advised the council needed to make a motion to take action. Ordinance 2017-16 failed for lack of a motion, meaning the zoning request was denied.

**Ordinance 2017-17 An Ordinance rezoning property at Lot 17 Rainsong containing approximately 2.05 from R-2 single family residential to MF – 2 multi-family residential as requested by Southwinds Real Estate**

This item was removed from the agenda at developer's request.

**Request approval of contract with Earthplan Design Alternatives for Floodplain Administration.**

A motion was made by Council Member Morgan and seconded by Council Member Cunningham to approve both contracts presented. After a roll call vote the motion passed with the consent of all members present.

**Request approval of contract with Earthplan Design Alternative for MS4 Stormwater Compliance.**

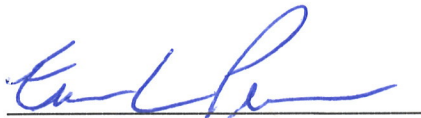
This contract was approved in the previous items motion. See above.

**Request approval of proposal for engineering services with McGoodwin, Williams & Yates.**

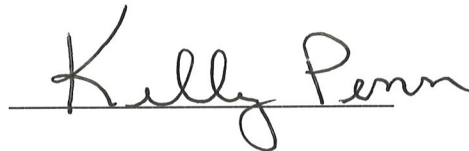
Engineer Brackett advised the council that the culverts on Garland McKee road could only handle a 20-year storm runoff. A detention pond would not be able to sufficiently handle this capacity either. He advised it is better to address the undersized culverts that would cause backup and flooding instead of depending on a detention pond. Mayor Penn advised that these culverts were approved by the county back before this property was in the city of Farmington. We need to explore different type of drainage, it's currently at a 90-degree angle. Engineer Brackett said it could be expensive but nothing can prevent all of the issues. Council Member Bell advised she had not been out there recently and wanted to know if this was still primarily agriculture land. Engineer Brackett advised her it was not. The developer has options to help with the drainage but 7 more lots would not make a difference. The earlier proposed detention pond is not the most viable option for the project. Council Member Bryant wanted to know if the developer could contribute money to help with drainage. Mayor Penn advised the developer was going to donate all the land in place of cash, the land the detention pond was on. The city would be responsible for maintaining it. Engineer Brackett reiterated the detention pond will not help with the flooding alone, we need to fix the culvert issues. Alderman Bell asked if he could give a ball park price estimate. Engineer Brackett advised he could not, there was a lot of analysis that had to be done and multiple options presented at varying costs. A motion was made by Council Member Bryant and seconded by Council Member Lipford to approve the proposal for engineering services. After a roll call vote the motion passed with the consent of all members present.

There being no further business to come before the council and on the motion of Council Member Pike and seconded by Council Member Lipford and by the consent of all members present, the meeting adjourned at 6:56 pm until the next regularly scheduled meeting to be held Monday January 8<sup>th</sup>, 2018 at in the City Council Chambers in City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;



Mayor Ernie Penn



City Clerk Kelly Penn