



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

CITY COUNCIL AGENDA
May 14, 2018

A regular meeting of the Farmington City Council will be held on
Monday, May 14, 2018 at 6:00 p.m.
City Hall
354 W. Main Street, Farmington, Arkansas.

1. Call to Order – Mayor Ernie Penn
2. Roll Call – City Clerk Kelly Penn
3. Pledge of Allegiance
4. Comments from Citizens – the Council will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
5. Approval of the minutes – April 9, 2018 City Council Minutes
6. Financial Reports
7. Entertain a motion to read all ordinances and resolutions by title only.
8. Proclamations, special announcements, committee/commission appointments.
9. Committee Reports
 - a. Street Committee
 - b. City Beautification Committee
 - c. Economic Development Committee
 - d. Park & Recreation Committee
10. Items to be removed from City of Farmington Inventory - **none**

UNFINISHED BUSINESS

11. Ordinance No. 2018-05 – An ordinance to amend the wireless telecommunications ordinance for the City of Farmington, Arkansas, repeal all other ordinances and parts of ordinances in conflict herewith, and for other purposes. – **2nd reading**

12. Ordinance No. 2018-06 – An ordinance to establish standards for small wireless facilities to be placed in city rights-of-way in the City of Farmington, Arkansas; and for other purposes. – **2nd reading**

NEW BUSINESS

13. Resolution No. 2018-04 – A resolution setting a public hearing to discuss the closing of an easement 32 White Street, Farmington, Ar.

14. Request approval to order a box culvert for the Hunter Street bridge project.

15. Request approval to accept bid on Southwinds/Rainsong drainage project.

INFORMATIONAL ITEMS:

- A. City Business Manager Report
- B. Court Clerk Monthly Distribution Report
- C. Fire Department Report
- D. Police Department Report
- E. Building/Public Works Report
- F. Library Report
- G. Planning Commission Minutes

Minutes

Minutes of the Regular Farmington City Council Meeting April 9th, 2018

The regular meeting of the Farmington City Council scheduled for Monday, April 9th, 2018 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 were City Business Manager Melissa McCarville and City Attorney Tennant. Mayor Penn led the Pledge of Allegiance. Mayor Penn thanked the Council Members for their attendance at the Drainage Issue meeting.

Comments from Citizens – None

Approval of the minutes for the March 12th, 2018 regular meeting of the city council. On the motion of Council Member Lipford and seconded by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the minutes for the meeting were approved as presented 8-0.

Financial Reports – Mayor Penn presented the financial reports.

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 8-0.

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

Mayor Penn announced that the Annual Chamber of Commerce banquet will be held Tuesday April 10th at 6:00 pm at the High School. The date of the Mayor's annual prayer breakfast will be May 3rd, location and time will be furnished later.

Committee Reports – All committee reports were included in the council packets.

Items to be removed from City of Farmington Inventory

Removal of Dell OptiPlex SX270 computer, serial number BRFN341, inventory tag #0016.

City Business Manager McCarville requested that the computer be taken out of inventory. It was not working and we had been keeping it for parts only. On the motion of Council Member Cunningham and seconded by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0 to remove the Dell OptiPlex SX270 computer, serial number BRFN341, inventory tag #0016 from inventory.

New Business

Strategic Planning Discussion

Mayor Penn announced that Teresa Ray would be our Strategic Planning facilitator. Ms. Ray conducted the 2007 and 2011 Strategic Planning Sessions. She gave the council a brief overview of the past meetings and the city had accomplished all their goals set forth. It will take 4 or 5 meetings, with the first one consisting only of council members, planning commissioners and department heads, then the rest would be open to the public to get citizens input. The first meeting is set for April 17th at 6:00 Pm at City Hall.

Request Approval for permission to extend hours at Creekside Park.

Waylon Wilhite, representing First Baptist Church of Farmington approached the council about using Creekside Park to show free family friendly faith-based movies once a month. After much discussion it was decided that Mr. Wilhite could use the city property adjacent to the Farmington Public Library rather than the park. He will furnish portable bathroom facilities and be responsible for cleanup of the area after the movie. No motion was needed for this to happen.

Ordinance No. 2018-05 An Ordinance to amend the wireless telecommunications ordinance for the City of Farmington, Arkansas, repeal all other ordinances and parts of Ordinances in conflict herewith, and for other purposes.

After a brief presentation by City Attorney Tennant he recommended the council put the ordinance on its first reading by title only. Council Member Bell made a motion to put Ordinance 2018-05 on its first reading by title only. It was seconded by Council Member Parsley, and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. City Attorney Tennant read the Ordinance by title only.

Ordinance No. 2018-06 An Ordinance to establish standards for small wireless facilities to be placed in city right of ways in the City of Farmington, Arkansas and for other purposes.

After a brief presentation by City Attorney Tennant he recommended the council put the ordinance on its first reading by title only. Council Member Lipford made a motion to put Ordinance 2018-06 on its first reading by title only. It was seconded by Council Member Morgan, and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. City Attorney Tennant read the Ordinance by title only.

Before adjourning the meeting, Mayor Penn recognized Floyd Shelly for 10 years of service. The Mayor advised Fire Chief Cunningham had the new truck out front for Council Member's to see before they left the meeting. Mayor Penn also thanked the Police Officers in attendance, as it was part of new security protocol for public meetings for the city council and planning commission.

There being no further business to come before the council and on the motion of Council Member Lipford and seconded by Council Member Bryant and by the consent of all members present, the meeting adjourned at 7:03pm until the next regularly scheduled meeting to be held Monday May 14th, 2018 at in the City Council Chambers in City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;

City Clerk Kelly Penn

Mayor Ernie Penn

Financial

FARMINGTON SALES TAX COMPARISON

MONTH	CITY SALES TAX	CITY SALES TAX	Extra 1/2 penny	STATE SALES TAX	STATE SALES TAX
	2017	2018		2017	2018
JANUARY	\$ 57,103.51	\$ 63,631.38	\$ 32,409.74	\$ 94,536.33	\$ 95,058.02
FEBRUARY	\$ 61,852.68	\$ 76,812.89	\$ 45,591.25	\$ 105,195.78	\$ 111,896.20
MARCH	\$ 64,178.41	\$ 63,060.76	\$ 31,839.12	\$ 90,177.29	\$ 91,349.64
APRIL	\$ 64,037.29	\$ 59,653.41	\$ 35,241.53	\$ 89,619.16	\$ 91,794.18
MAY	\$ 66,577.23			\$ 99,256.59	
JUNE	\$ 61,111.32			\$ 93,107.16	
JULY	\$ 69,900.21			\$ 103,314.13	
AUGUST	\$ 66,619.94			\$ 100,462.04	
SEPTEMBER	\$ 65,692.07			\$ 98,935.97	
OCTOBER	\$ 61,517.09			\$ 100,562.81	
NOVEMBER	\$ 65,220.51			\$ 99,640.31	
DECEMBER	\$ 66,565.66			\$ 96,779.83	
TOTALS	\$ 770,375.92	\$ 263,158.44	\$ 145,081.64	\$ 1,171,587.40	\$ 390,098.04
Monthly Comparison - April 2017/April 2018		\$ (4,383.88)	Increase (Decrease)	\$ (2,208.86)	\$ 2,175.02
YTD comparison		Increase for 2018 over 2017 YTD - City Sales Tax	\$ 161,068.19	Increase for 2018 over 2017 YTD - State Sales Tax	\$ 10,569.48

Bond Fund Expense Account
April 2018

Street Construction Bond Fund

	Beginning Balance	
3/1/2018		\$2,430,504.18
April Expenses		
4/19/2018	Olssom/MWY	
		\$3,240.20
4/19/2018	Olssom/MWY	
		\$13,147.20
4/19/2018	Waco Title	
		\$158,407.75
March Interest		
3/1/2018		\$2,000.95
Statement Balance 4/30/2018		
		\$2,257,709.98

Park Construction Bond Fund

	Beginning Balance	
3/1/2018		\$2,054,007.09
April Expenses		
NO APRIL EXPENSES		
4/20/2018	BSN Sports (refund)	
		\$7,907.88
April Interest		
3/2/2018		\$1,697.13
Statement Balance 4/30/2018		
		\$2,063,612.10

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date Jan 2018 Apr 2018 Actual	Annual Budget Jan 2018 Dec 2018	Jan 2018 Dec 2018 Percent of Budget
Revenue & Expenditures			
GENERAL REVENUES			
Revenue			
ACCIDENT REPORT REVENUES	600.00	1,000.00	60.00%
ACT 833	0.00	20,000.00	0.00%
ALCOHOL SALES TAX	1,329.72	3,000.00	44.32%
ANIMAL CONTROL REVENUES	1,290.00	2,500.00	51.60%
BOND FUND REIMB REVENUES	131,737.61	0.00	0.00%
BUILDING INSPECTION FEES	31,714.00	60,000.00	52.86%
BUSINESS LICENSES	5,475.00	5,000.00	109.50%
CITY COURT FINES	44,710.05	100,000.00	44.71%
CITY SALES TAX REVENUES	408,240.08	850,000.00	48.03%
COUNTY TURNBACK	74,863.00	415,000.00	18.04%
DEVELOPMENT FEES	23,197.50	7,000.00	331.39%
FRANCHISE FEES	171,755.36	375,000.00	45.80%
GARAGE SALE PERMITS	170.00	3,000.00	5.67%
INTEREST REVENUES	2,235.95	2,000.00	111.80%
MISCELLANEOUS REVENUES	1,148.67	1,200.00	95.72%
PARK RENTAL	400.00	1,400.00	28.57%
SALES TAX - OTHER	390,098.04	1,090,000.00	35.79%
SPORTS COMPLEX FEES	28,525.00	50,000.00	57.05%
SRO REIMBURSEMENT REVENUES	3,736.00	25,000.00	14.94%
STATE TURNBACK	32,331.19	100,000.00	32.33%
Revenue	\$1,353,557.17	\$3,111,100.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	113,782.65	160,000.00	71.11%
ADVERTISING EXPENSE	902.68	7,000.00	12.90%
BUILDING MAINT & CLEANING	8,318.10	40,000.00	20.80%
CREDIT CARD FEE EXPENSE	1,341.54	4,000.00	33.54%
ELECTION EXPENSES	0.00	4,000.00	0.00%
INSURANCES EXPENSE	1,749.33	31,000.00	5.64%
LEGAL FEES	0.00	10,000.00	0.00%
MATERIALS & SUPPLIES EXPENSE	4,725.61	20,000.00	23.63%
MISCELLANEOUS EXPENSE	0.00	2,000.00	0.00%
NEW EQUIPMENT PURCHASE	2,581.46	10,000.00	25.81%
PAYROLL EXP - CITY ATTRNY	10,821.20	33,500.00	32.30%
PAYROLL EXP - ELECTED OFFICIAL	25,310.80	121,500.00	20.83%
PAYROLL EXP - REGULAR	76,424.88	225,000.00	33.97%
PLANNING COMMISSION	3,047.20	19,400.00	15.71%
POSTAGE EXPENSE	482.24	3,000.00	16.07%
PROFESSIONAL SERVICES	10,157.10	45,000.00	22.57%
REPAIR & MAINT - EQUIPMENT	73.95	0.00	0.00%
REPAIR & MAINT - OFFICE EQUIP	168.79	5,000.00	3.38%
RETURNED CHECK	125.00	250.00	50.00%
TECHNICAL SUPPORT	3,746.20	20,000.00	18.73%
TELECOMMUNICATION EXPENSES	0.00	1,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	5,867.18	11,000.00	53.34%
UTILITIES EXPENSES	25,118.28	60,000.00	41.86%
Expenses	\$294,744.19	\$832,650.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	292.43	2,000.00	14.62%
MATERIALS & SUPPLIES EXPENSE	69.63	600.00	11.61%
NEW EQUIPMENT PURCHASE	0.00	800.00	0.00%
PAYROLL EXP - REGULAR	19,722.05	56,000.00	35.22%
PROFESSIONAL SERVICES	3,454.00	20,000.00	17.27%
REPAIR & MAINT - EQUIPMENT	17.21	1,000.00	1.72%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	0.00	800.00	0.00%
Expenses	\$23,555.32	\$81,700.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	640.79	2,500.00	25.63%
PAYROLL EXP - REGULAR	26,989.64	80,500.00	33.53%
REPAIR & MAINT - AUTOMOBILES	70.54	1,500.00	4.70%
TRAVEL, TRAINING & MEETINGS	748.02	5,000.00	14.96%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
Expenses	\$28,448.99	\$90,500.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date Jan 2018 Apr 2018 Actual	Annual Budget Jan 2018 Dec 2018	Jan 2018 Dec 2018 Percent of Budget
FIRE DEPT			
Expenses			
FUEL EXPENSES	1,934.98	5,000.00	38.70%
HAZMAT EXPENSES	2,270.12	2,400.00	94.59%
MATERIALS & SUPPLIES EXPENSE	2,042.71	8,500.00	24.03%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	6,500.00	0.00%
PAYROLL EXP - REGULAR	127,719.07	380,000.00	33.61%
REPAIR & MAINT - EQUIPMENT	308.13	3,000.00	10.27%
REPAIR & MAINT - TRUCK	2,413.22	6,000.00	40.22%
TRAVEL, TRAINING & MEETINGS	122.00	3,000.00	4.07%
UNIFORMS/GEAR EXPENSE	2,878.98	12,200.00	23.60%
Expenses	\$139,689.21	\$427,100.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
MATERIALS & SUPPLIES EXPENSE	1,358.56	1,300.00	104.50%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	3,000.00	0.00%
PAYROLL EXP - REGULAR	33,116.76	103,000.00	32.15%
SPECIAL COURT COSTS	0.00	6,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	431.96	2,200.00	19.63%
Expenses	\$34,907.28	\$115,900.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
LAW ENFORCE - POLICE			
Expenses			
BREATHALYZER EXPENSES	188.62	700.00	26.95%
DRUG TASK FORCE	0.00	2,000.00	0.00%
FUEL EXPENSES	8,561.62	30,000.00	28.54%
MATERIALS & SUPPLIES EXPENSE	8,709.36	36,000.00	24.19%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	32,000.00	0.00%
PAYROLL EXP - REGULAR	295,324.61	890,000.00	33.18%
PAYROLL EXP - SRO	24,058.95	61,000.00	39.44%
REPAIR & MAINT - AUTOMOBILES	5,608.69	20,000.00	28.04%
REPAIR & MAINT - EQUIPMENT	573.27	3,000.00	19.11%
TRAVEL, TRAINING & MEETINGS	2,050.00	4,500.00	45.56%
UNIFORMS/GEAR EXPENSE	3,705.22	9,500.00	39.00%
Expenses	\$348,780.34	\$1,089,200.00	

5/3/2018

GENERAL FUND

12:21 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2018
	Jan 2018	Jan 2018	Dec 2018
	Apr 2018	Dec 2018	Percent of
	Actual		Budget
PARKS DEPT			
Expenses			
FUEL EXPENSES	855.90	3,000.00	28.53%
MATERIALS & SUPPLIES EXPENSE	574.23	4,500.00	12.76%
MISCELLANEOUS EXPENSE	0.00	1,000.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.00%
PAYROLL EXP - REGULAR	36,254.86	89,000.00	40.74%
PAYROLL EXP - SPORTS COMPLEX	14,030.09	55,000.00	25.51%
PROFESSIONAL SERVICES	665.00	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	1,152.58	4,000.00	28.81%
SPORTS PARK FUEL	218.66	1,500.00	14.58%
SPORTS PARK MATERIALS	8,099.53	14,000.00	57.85%
SPORTS PARK NEW EQUIP	0.00	12,000.00	0.00%
SPORTS PARK PROF SERV	5,078.82	40,000.00	12.70%
SPORTS PARK REPAIR/MAINT	304.42	6,000.00	5.07%
SPORTS PARK UNIFORMS	0.00	900.00	0.00%
SPORTS PARK UTILITIES	4,395.29	15,000.00	29.30%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
UTILITIES EXPENSES	712.65	3,000.00	23.76%
Expenses	\$72,342.03	\$259,900.00	

STREET FUND

12:13 PM

Statement of Revenue and Expenditures

	Year-To-Date		Annual Budget	Jan 2018
	Jan 2018	Apr 2018	Jan 2018	Dec 2018
	Actual		Dec 2018	Percent of Budget
Revenue & Expenditures				
STREET DEPT				
Revenue				
GRANTS	26,483.97		0.00	0.00%
INTEREST REVENUES	37.59		50.00	75.18%
MISCELLANEOUS REVENUES	0.00		100.00	0.00%
PAYMENT IN LIEU OF	120,000.00		0.00	0.00%
STREET CITY SALES TAX	0.00		170,000.00	0.00%
STREET COUNTY TURNBACK	7,341.62		40,000.00	18.35%
STREET STATE TURNBACK	135,673.60		388,000.00	34.97%
Revenue	\$289,536.78		\$598,150.00	
Expenses				
ADDITIONAL SERVICES EXPENSE	302.21		0.00	0.00%
ADVERTISING EXPENSE	0.00		1,500.00	0.00%
FUEL EXPENSES	1,503.78		8,000.00	18.80%
MATERIALS & SUPPLIES EXPENSE	4,772.38		10,000.00	47.72%
MISCELLANEOUS EXPENSE	125.97		500.00	25.19%
NEW EQUIPMENT PURCHASE	8,634.00		35,000.00	24.67%
PAYROLL EXP - REGULAR	60,182.86		190,000.00	31.68%
PROFESSIONAL SERVICES	36,628.23		20,000.00	183.14%
REPAIR & MAINT - EQUIPMENT	1,117.87		15,000.00	7.45%
STREET LIGHTS	16,413.27		165,000.00	9.95%
STREET/ROAD REPAIRS	4,200.00		100,000.00	4.20%
TRAVEL, TRAINING & MEETINGS	0.00		500.00	0.00%
UNIFORMS/GEAR EXPENSE	0.00		2,200.00	0.00%
UTILITIES EXPENSES	2,207.19		5,000.00	44.14%
Expenses	\$136,087.76		\$552,700.00	

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period Jan 2018 Apr 2018 Actual	Annual Budget Jan 2018 Dec 2018	Jan 2018 Dec 2018 Percent of Budget
Revenue & Expenditures			
Revenue			
FINES/LOST ITEMS	2,128.06	4,000.00	53.20%
INTEREST REVENUES	12.10	0.00	0.00%
MISCELLANEOUS REVENUES	1,349.49	0.00	0.00%
TRANS FROM GENERAL FUND	30,000.00	30,000.00	100.00%
WASHINGTON CO LIBRARY	66,324.00	156,977.00	42.25%
Revenue	\$99,813.65	\$190,977.00	
Expenses			
ADVERTISING EXPENSE		500.00	0.00%
BOOKS AND MEDIA	10,950.95	32,000.00	34.22%
INSURANCES EXPENSE		2,500.00	0.00%
MATERIALS & SUPPLIES EXPENSE	3,359.08	12,277.00	27.36%
MISCELLANEOUS EXPENSE		500.00	0.00%
NEW EQUIPMENT PURCHASE		2,000.00	0.00%
PAYROLL EXP - REGULAR	43,337.47	138,000.00	31.40%
POSTAGE EXPENSE		300.00	0.00%
PROGRAMS EXPENSE	400.00	2,500.00	16.00%
REPAIR & MAINT - BUILDING	1,679.09	6,000.00	27.98%
TECHNICAL SUPPORT		5,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	251.00	1,000.00	25.10%
UTILITIES EXPENSES	819.55	2,400.00	34.15%
Expenses	\$60,797.14	\$204,977.00	

Committee Reports

FARMINGTON ECONOMIC DEVELOPMENT

APRIL 26, 2018

ATTENDING: Chad Ball, Josh Frey, Gerri Harris, Melissa McCarvel, Tommy Cornwell, Judy Horne, Lynn Kutter, Diane Bryant

UPDATE ON STRATEGIC PLANNING;

Three areas of emphasis were decided from the first meeting of council members, city planners and various other department heads.

1. Trails should be referred to as Active Transportation Plan. That would include, sidewalks, walking, biking, hiking or skating. A non-motorized form of transportation is an active transportation method.
2. Creating a Hub or city center around the library. This received a high number of votes. To do this we would need a specific land use plan like Hendricks Village or the new Johnson plan.
3. Improving the appearance along Hwy 62.
4. Funding of any of these issues would be essential to the success of the program. It is recommended that we have a timeline and a funding source.
5. THE NEXT MEETING FOR STRATEGIC PLANNING WILL BE JUNE 2ND AT 10 am, location TBD

Information about possible grants from the Arkansas Park and Recreation Dept.

Could this be used to connect with Kessler Mt.?

Diane will communicate with Chuck Maxwell about the development of the western side of Mt. Kessler

What can we do in the short term to make a difference with our business?

Possibilities Include:

Having a Yard of the Month Contest. (Diane was to do some research and get back to the group.)

Awarding residents who have particularly attractive holiday decorations.

Awarding business that have great holiday decorations.

Giving out small trees or bulbs once a year. This will require some funding, but it will make our city look more attractive.

Other suggestions?

Agenda Item 11

ORDINANCE NO. 2018-05

AN ORDINANCE TO AMEND THE WIRELESS TELECOMMUNICATIONS ORDINANCE FOR THE CITY OF FARMINGTON, ARKANSAS, REPEAL ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES

WHEREAS, An ordinance was adopted on August 10, 2009 to provide a comprehensive wireless telecommunications facilities application and permit process to ensure the placement, construction or modification of wireless telecommunications facilities to establish a balanced, fair and efficient process for review and approval of such facilities to protect the health, safety and welfare of the citizens of the City of Farmington; and

WHEREAS, the ordinance was amended on July 11, 2011, in conjunction with the adoption of a revised zoning ordinance; and

WHEREAS, the Farmington Planning Commission voted on March 26, 2018, after a public hearing, to approve the amendment of the Wireless Telecommunications Ordinance, which addresses the latest federal laws for the location and installation of wireless telecommunication facilities.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS THAT:

Section 1: The revised Wireless Telecommunications Ordinance is attached hereto as Exhibit "A" and incorporated herein in its entirety.

Section 2: Repealing Clause. All other ordinances and parts of ordinances in conflict herewith, and more specifically Ordinance No. 2009-06, that was adopted on August 10, 2009, and Ordinance No. 2011-04 that was adopted on July 11, 2011, are hereby repealed.

Section 3: Severability Provision. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

PASSED AND APPROVED this 14th day of May, 2018.

APPROVED:

By: _____
Ernie Penn, Mayor

ATTEST:

By: _____
Kelly Penn, City Clerk

WIRELESS TELECOMMUNICATIONS ORDINANCE

INDEX

General Provisions

- 01 Purpose; legislative intent
- 02 Definitions
- 03 Overall policy, goals, and intent
- 04 Periodic regulatory review

Permit and Facilities

- 05 Permit required
- 06 Exemptions
- 07 Application
- 08 Application review costs
- 09 Public hearing and notice requirements
- 10 Action on application
- 11 Transfer/revocation of permit
- 12 Permit fee
- 13 Height of towers; compliance with codes and regulations
- 14 Signage

Enforcement

- 15 Performance security
- 16 Inspection
- 17 Compliance with federal and state regulations
- 18 Appeals
- 19 Penalties

GENERAL PROVISIONS

§ 1 PURPOSE AND LEGISLATIVE INTENT.

(A) The City recognizes that wireless communication facilities, and the location of them, are regulated by federal law, and this ordinance is not intended to conflict with federal law in any way. This ordinance has been adopted so that the location and installation of wireless communication facilities can be located and installed in a manner that best protects the health, welfare and safety of the citizens of Farmington, and seeks to regulate the location and installation only to the extent permitted by federal wireless facilities law.

(B) It is also specifically noted that the City has reviewed publicly owned property in Farmington, specifically property owned by the city and has noted that in many instances the location and institutional and public uses of that property make location of wireless facilities appropriate. This ordinance seeks to recognize this fact by encouraging the location of such facilities on City owned property wherever appropriate.

§ 2 DEFINITIONS.

For the purpose of this chapter and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

ACCESSORY FACILITY OR STRUCTURE. An accessory facility or structure serving or being used in conjunction with wireless facilities and located on the same property or lot as the wireless facilities including but not limited to, utility or transmission equipment, storage sheds or cabinets.

APPLICANT. Any wireless service provider submitting an application for a wireless facilities permit for wireless facilities.

APPLICATION. All necessary and appropriate documentation that an applicant submits in order to receive a wireless facilities permit for wireless facilities.

ANTENNA. A system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

BUILDING CODE. The most recently adopted or amended building code of the City of Farmington.

CITY. The City of Farmington as a municipality, its citizenry and the City of Farmington by and through its planning commission and/or governing body.

CO-LOCATION. The use of an existing tower or other structure to support one or more antennae to provide wireless services.

COMPLETED APPLICATION. An application that contains all the submittals, information and/or data required under this chapter and necessary to enable an informed decision to be made with respect to an application.

EFFECTIVE DATE OF THIS ORDINANCE. _____, the date on which Ordinance _____ became effective.

FAA. The Federal Aviation Administration, or its duly designated and authorized successor agency.

FCC. The Federal Communications Commission, or its duly designated and authorized successor agency.

GOVERNING BODY. The governing body of the City of Farmington.

GUYED TOWER. A telecommunication tower that is supported, in whole or in part, by guy wires and ground anchors.

HEIGHT. When referring to a tower or structure, the distance measured from the grade level to the highest point on the tower or structure, even if the highest point is an antenna or lightning protection device. A substantial amount of fill may not be added to the site in order to purposefully circumvent the height restrictions for towers within.

LATTICE TOWER. A tapered structure broad at the base and narrower at the top consisting of cross-members and diagonal bracing and without guyed support.

SUBSTANTIAL CHANGE/MODIFICATION

Substantially change means

- 1) the mounting or installation of the proposed antenna on the existing wireless facility would increase the existing height of the existing wireless facility by more than (10%) ten percent, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed (20') twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed such size limits if necessary to avoid interference with existing wireless communications equipment;
- 2) the mounting of the proposed antenna would involve adding an appurtenance to the body of the existing wireless facility that would protrude from the edge of the

existing wireless facility more than (20') twenty feet, or more than the width of the existing wireless facility at the level of the appurtenance, whichever is greater or

- 3) expansion of the boundaries of the leased or owned property surrounding the existing wireless facility by more than (10%) ten percent in area.

Ordinary repair and/or maintenance (which includes the replacement or upgrade of components with substantially similar components), without any material addition, removal or other material modification of any visible components or aspects of a wireless facility, shall not be considered a substantial modification for purposes of this chapter.

MODIFICATION or **MODIFY**. The addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or equipment. Adding a new wireless carrier or service provider to a wireless facilities tower or wireless facilities site as a co-location is a **MODIFICATION**.

MONOPOLE TOWER. A telecommunication tower consisting of a single pole or spire self-supported by a permanent foundation, constructed without guy wires and ground anchors.

PANEL ANTENNA. An inconspicuous, relatively flat, square or rectangular antenna designed to be affixed to the wall of a building or structure in order to receive and transmit signals from a telecommunication device.

PERSON. Any individual, corporation, estate, trust, partnership, joint stock company, association of two or more persons having a joint common interest, or any other entity.

PERSONAL WIRELESS SERVICES (PWS) or **PERSONAL COMMUNICATIONS SERVICE (PCS)**. These terms shall have the same meaning as defined and used in the 1996 Wireless facilities Act.

PLANNING COMMISSION. The Planning Commission of the City of Farmington.

STATE. The State of Arkansas.

STEALTH OR STEALTH TECHNOLOGY. Technology or practice intended to minimize aesthetic and visual impacts on the land, property, buildings, and other equipment adjacent to, surrounding, and in generally the same area as the requested location of such wireless facilities towers and equipment, which shall mean using the least visually and physically intrusive tower and/or equipment that is not technologically or commercially impracticable under the facts and circumstances.

STEALTH FACILITY. Any stealth telecommunication tower or equipment which is designed using stealth technology to blend into the surrounding environment. Examples of stealth facilities include, but are not limited to, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and telecommunication and/or personal wireless

services towers designed to look like flag poles, different varieties of trees, tree towers and power poles, which shall mean using the least visually and physically intrusive tower and/or equipment that is not technologically or commercially impracticable under the facts and circumstances

WIRELESS FACILITIES. The transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

WIRELESS FACILITIES PERMIT. The official document or permit by which an applicant is allowed to file for a building permit to construct and use wireless facilities as granted or issued by the city.

WIRELESS FACILITIES STRUCTURE. A structure used in the provision of services described in the definition of **WIRELESS FACILITIES**

TEMPORARY. Temporary in relation to all aspects and components of this chapter; something intended to, or that does, exist for fewer than 90 days.

TOWER. Any structure designed primarily to support one or more antennae.

WIRELESS FACILITIES. This term means the structure, facility or location designed, or intended to be used as, or used to support antennas or other wireless facilities transmitting or receiving devices, including without limit, towers of all types and kinds and structures, including, but not limited to buildings, church steeples, silos, water towers, signs or other structures that can be used as a support structure for antennas or their functional equivalent, and all related facilities and equipment such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, SMR, paging, 911, personal communications services (PCS), commercial satellite services, microwave services and any commercial wireless telecommunication service not licensed by the FCC.

§ 3 OVERALL POLICY, GOALS, AND INTENT.

In order to ensure that the placement, construction, and material modification of wireless facilities are conducted with due regard for the city's health, safety, public welfare, environmental features, the nature and character of the city and neighborhoods and other aspects of the quality of life specifically listed elsewhere in this chapter, the city hereby adopts an overall policy with respect to a wireless facilities permit for wireless facilities for the express purpose of achieving the following goals:

(A) Provision of adequate wireless services throughout the City to provide the citizens, businesses, healthcare facilities, schools, and other institutions with the coverage and capacity needed,

(B) Requiring a wireless facilities permit (in adherence with federal laws as interpreted by the FCC) for any new, co-location or substantial modification of a wireless facility.

(C) Implementing an application process for person(s) seeking a wireless facilities permit.

(D) Establishing a policy for examining an application for and issuing a wireless facilities permit that is both fair and consistent.

(E) Promoting and encouraging, wherever possible, the sharing and/or co-location of wireless facilities among service providers.

(F) Promoting and encouraging, wherever possible, the placement, height and quantity of wireless facilities in such a manner, including but not limited to:

- i. Requiring the use of stealth or camouflaged wireless facilities technology to minimize aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless facilities, which shall mean using the least visually and physically intrusive facility that is not technologically impracticable under the facts and circumstances.
- ii. Requiring the screening of the tower base and accessory ground equipment.
- iii. Requiring attractive screening, vegetation and landscaping where appropriate.
- iv. Minimization of noise and light.
- v. Creation of an environment where multiple carriers can be placed on each tower and needless over-proliferation of towers throughout the City is avoided.
- vi. Requiring appropriate environmental compliance.

§ 4 PERIODIC REGULATORY REVIEW.

(A) The city may at any time conduct a review and examination of this entire ordinance.

(B) If after such a periodic review and examination of this ordinance, the city determines that one or more provisions of this ordinance should be amended, repealed, revised, clarified, or deleted, then the city may take whatever measures are necessary in accordance with applicable law in order to accomplish the same. It is noted that where warranted, and in the best interests of the city, the city may repeal this entire ordinance at any time.

(C) Notwithstanding the provisions of divisions (A) and (B) of this section, the city may at any time and in any manner (to the extent permitted by federal and state law), amend, add, repeal, and/or delete one or more provisions of this ordinance.

§ 5 PERMIT REQUIRED.

(A) Placement of New Wireless Facilities or Communication Towers

- i. All New Communication or Wireless Facility Towers shall be required to first apply for and obtain a Conditional Use Permit from the City prior to applying for a wireless facilities or communications tower permit.
- ii. If a Conditional Use Permit to allow a new tower is approved by the City, no person shall be permitted to site, place, build, construct, or substantially modify a wireless facility after the effective date of this ordinance without having first completed the wireless facilities application and permit process and obtain the approval and wireless facilities permit from the City.
- iii. Notwithstanding anything to the contrary in this section, no wireless facilities permit shall be required for those facilities listed in Section 6.

(B) No person shall perform any construction of or on a wireless facility without having first obtained a building permit for such construction. In order to obtain a building permit for a wireless facility, the applicant must complete the wireless facilities permit process in addition to the building permit application.

(C) No person shall use a wireless facility for which a wireless facilities permit is required without the final inspection and approval of the wireless facility showing that the construction of the facility meets all requirements and conditions of the wireless facilities permit, and that all applicable building codes and related building requirements have been met.

(D) An applicant for or holder of a wireless facilities permit shall obtain, at its own expense, all permits and licenses required by applicable law, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the city, the Federal Communications Commission or other governmental agencies having jurisdiction over the wireless facility.

(E) Repair and maintenance of a wireless facility shall not require a wireless facilities permit.

§ 6 EXEMPTIONS.

The following shall be exempt from this chapter:

- (A) The city's fire and police departments or other public service facilities.
- (B) Over-the-air reception devices including the reception antennas for direct broadcast satellites and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception.
- (C) Facilities that are no more than thirty (30) feet in height that are used exclusively for private, non-commercial radio and television reception and private citizen's bands, and other

similar non-commercial wireless facilities unless otherwise subject to applicable zoning and building code requirements.

(D) Improvements to an existing facility that does not constitute a substantial modification as defined herein.

§ 7 APPLICATION.

(A) All applicants for a wireless facilities permit shall comply with the requirements set forth in this ordinance. Applications for wireless facilities shall be submitted to the City which shall at its discretion obtain the services of engineers, consultants or governmental agencies or officials to review, analyze, evaluate and make their evaluations and recommendations to City Staff and to the commission.

(B) The city may reject applications not meeting the requirements stated herein or which are incomplete (within the federally mandated timeframe). An application will be considered complete when the applicant has provided all submittals required by this section, including but not limited to all required data, reports, attachments, certifications, and authorizations.

(C) Any and all written representations made by the applicant to the city during the application process, and oral representations made on the record during a hearing before the Farmington Planning Commission or other public meeting, shall be deemed a part of the application and may be relied upon in good faith by the city and the members of its commission.

(D) An application for a wireless facilities permit shall be signed on behalf of the applicant by the person or persons preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information.

(E) The applicant shall provide written and notarized documentation to verify it has the right to proceed as proposed on the site and to employ such easements and/or other property interests to access the site as may be necessary for repair and maintenance of the facility. Such documentation may consist of an executed warranty deed or other conveyances clearly depicting the site and all easements for utilities, and ingress and egress.

(F) The applicant shall include a statement in writing:

- i. That the applicant's proposed wireless facilities shall be maintained in a safe manner, and in compliance with all conditions of the wireless facilities permit, without exception, as well as all applicable building codes and ordinances, including any and all applicable city, state and federal laws, rules, and regulations;
- ii. That the construction of the applicant's wireless facilities is legally permissible.

(G) That all engineering certifications shall bear the signature and seal of a professional engineer licensed in the State of Arkansas.

(H) **Wireless Communications**

The following general requirements shall apply to all new wireless communications facilities.

- i. Noise requirements. Equipment used in connection with a tower or antenna array shall not generate noise that can be heard beyond the site. This prohibition does not apply to air conditioning units no noisier than ordinary residential units or generators used in emergency situations where regular power supply for a facility is temporarily interrupted; provided that any permanently installed generator shall be equipped with a functional muffler and any onsite fuel storage meet all applicable building codes.
- ii. Compliance with federal regulations. Applicant shall comply with all applicable federal regulations. Proof of compliance shall be provided before the issuance of the facility building permit, or after the facility's construction.
- iii. *Lighting and signage.* Wireless communications facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Security lighting or motion-activated lighting may be used around the base of a tower and within the wireless communication facility, provided that the lighting is shielded in such a way that no light is directed towards adjacent properties or rights-of-way.
- iv. Signs shall be limited to those needed to identify the property and the owner and warn of any danger. No signs, symbols, identifying emblems, flags, or banners shall be allowed on towers.

(I) **New towers.** New wireless communications towers shall meet the following requirements:

- i. *Type of towers allowed.* New towers shall be limited to monopole type structures (with internal antennas) or other stealth/camouflaged type tower structures.
- ii. *Tower or antenna height limitations.* Towers or tower structures are permitted to a maximum height of 150 feet.
- iii. *Safety zone.* The minimum distance from the base of any tower to any residential dwelling unit shall be the tower height plus ten percent (10%) or the zoning/subdivision required setback, whichever is greater, unless all persons owning said residence or the land on which said residences are located sign a consent for the construction of said tower. This setback is considered a "safety zone." In the event that an existing structure (i.e. existing

water tower, building or pole) is proposed as a mount for a wireless communication facility, a safety zone shall not be required

- iv. *Camouflaging or stealth technology for new towers.* If the applicant demonstrates that it is not feasible to locate on an existing structure, towers shall be designed to be camouflaged including, but not limited to, use of compatible building materials and colors, screening, landscaping, and placement within trees, and other structures that may screen or partially screen the view of the tower from adjacent properties or rights-of-way.
- v. *Color of towers.* To the extent that any tower or antenna extends above the height of the vegetation immediately surrounding it, they shall be a neutral color, painted or unpainted, unless the FAA requires otherwise.
- vi. *Information required to process new tower Conditional Use Permit requests.*
 - a) Provide a map of the approximate geographic area that your project will serve;
 - b) All new tower applications shall include a letter of intent to locate from at least one carrier.
 - c) Provide a map showing the approximate location of all other existing communication towers within the area and a written explanation as to why co-location is not possible on an existing tower structure. Describe your efforts to co-locate your facility on one of the poles or towers that currently exists, or is under construction. The applicant should demonstrate a good faith effort to co-locate with other carriers. This paragraph does not apply to applicants who desire to construct a tower for the primary purpose of attracting other persons to collocate on the tower.
 - d) If the proposed tower is being constructed to provide service for a particular communications carrier, please provide a map that shows other adjacent existing or adjacent planned facilities that will be used by the wireless communication service provider who is making the application;
 - e) Provide a scaled site plan containing information showing the property boundaries, proposed tower lease area (if applicable), proposed tower, existing land use, surrounding land uses and zoning, access road(s) location and surface material, existing and proposed structures and topography. The plan shall indicate any existing significant trees or vegetation, proposed landscaping, fencing, parking areas, location of any signage and specifications on proposed lighting of the facility. The proposed surface material of the ingress/egress shall be considered in regard to compatibility with the surroundings.

f) Provide a letter stating why the proposed site was chosen.

- (1) Please submit a written statement describing how your proposed site and plan meet the City of Farmington's "Statement of Goals and Intent" (As listed in Section 3(f) of this ordinance)
- (2) Each Goal should be addressed individually and in detail.
- (3) The document should also include: visual aspects, setbacks, and proximity of single-family residences;
- (4) Describe how you will accommodate other antenna arrays that could co-locate on your facility. Describe how this accommodation will impact both your pole or tower, and your ground mounted facilities. Provide documentation of your provider's willingness (if applicable) to accommodate other providers who may be able to co-locate on your facility.

vii. *Optional balloon test and crane test photographs.* If the Planning Commission or City Staff find it necessary, the proposed tower shall be photographed from four locations taken 90° apart and (three hundred) 300 feet from the center of the tower (or wherever the tower can be seen best if three hundred, 300 feet from the center of the tower the view is obstructed, etc.). The proposed tower shall be superimposed on the photographs. A balloon or crane test may be performed to illustrate the height of the tower and photographed from the same four locations. The four locations shall be approved by the Planning Administrator (or other City designee).

viii. *Sight line representation.* A sight line representation shall be drawn from four points 90° apart and 100 feet from the proposed tower. Each sight line shall be depicted in section, drawn at one-inch equals (forty) 40 feet. The sections shall show all intervening trees and buildings.

(J) Review and Construction Requirements for new Communication Towers if Conditional Use Permit is granted

i. *Structural integrity and inspections of towers.*

a) If a conditional use permit for the tower is approved, the applicant shall provide a complete set of plans for the proposed tower and a site plan of the property or proposed lease area.

(1) Tower Plans:

- (a) Engineer Stamped Plans for the proposed Tower and an accompanying structural analysis
- (b) Engineer stamped plans for the proposed tower foundation based on the local geotechnical information gathered for the specific site.
- (c) A statement that the tower meets or exceeds design criteria for federal requirements regarding the construction of the tower.

(2) Site Plan

- (a) Name & address of owner, applicant & surveyor.
- (b) Date, scale (1"=100' preferred), and north arrow.
- (c) Vicinity map covering a minimum of one mile with a scale and north arrow indicating surrounding roads, municipal limit lines, growth area boundaries, state lines & county lines as applicable
- (d) Legal description of the property on which the tower is to be placed, with dimensions and angles sufficient to locate all lines. Property shall be located by Section, Township and Range, and tied to the nearest defined and referenced Section or Quarter Section Corner.
- (e) The precise location and dimensions of the proposed tower or existing tower as it is to be modified.
- (f) The location and identification of existing roads or access ways within and to the property (including proposed access easements).
- (g) The location and size of existing access and/or utility easements on or adjoining the property, or a note there are none.
- (h) The location of flood areas on the property or a note indicating there are none.
- (i) The location of USGS documented perennial and intermittent watercourses on or adjoining the property or a note indicating there are none.

- (j) The area set aside to accommodate future outbuildings and/or equipment pads to be placed on the property in the future in connection with the tower
 - (k) The location of all personal residences within the height of the tower (plus ten percent- 10%) from the perimeter of the base of the tower.
 - (l) The names of the owners of such residences and copies of their signed consent to the placement of the proposed tower (if applicable).
 - (m) The existing topography on the property, as per existing U.S. Geological Services survey maps or other more current source
 - (n) A note describing any plat and deed restrictions, or a note indicating there are none.
- (3) If a wireless communication facility fails to comply with the requirements and criteria above and within this code and constitutes a danger to persons or property, then upon written notice being provided to the owner of the tower, the owner shall have 90 days to bring such tower into compliance with such requirements and criteria. If the owner fails to bring such tower into compliance within 90 days, the city may terminate the owner's conditional use permit and/or cause the removal of such tower (at the owner's expense). In no instance shall this process prevent the City from taking whatever action to protect the public from imminent harm. Including but not limited to immediate removal of a tower.
- (4) By making application hereunder, the applicant agrees to regularly maintain and keep in a reasonably safe and workmanlike manner all towers, antenna arrays, fences and outbuildings owned by applicant which are located in the city. The applicant further agrees to conduct inspections of all such facilities not less frequently than every 12 months. The applicant agrees that said inspections shall be conducted by one or more designated persons holding a combination of education and experience so that they are reasonably capable of identifying functional problems with the facilities.
- b) Security fencing and anti-climbing device. Using security fencing, towers and equipment shall be enclosed by opaque fencing not less than

eight feet in height. The fencing material shall be wood or other opaque fencing material. The tower shall also be equipped with an appropriate anti-climbing device. The facility shall place signs indicating "No Trespassing," "High Voltage," or other pertinent information on the outside of the fence, unless it is decided that the goals of this ordinance would be better served by waiving these provisions in a particular instance. Barbed wire fencing or razor wire shall be discouraged.

- c) *Vegetative screening recommendations.* It is recommended that wireless communications facilities shall be surrounded by buffers of dense tree growth and understory vegetation in all directions to create an effective year-round visual buffer. Trees and vegetation may be existing on the subject property, installed as part of the proposed facility, or a combination of both. The need for screening shall be evaluated during the Conditional Use Permit process. If additional vegetative screening is determined to be necessary, the Planning Commission will consider adding a condition of approval that takes into account the following:
- (1) Vegetative screening should be designed to visually screen the area by using groups of clustered vegetation to achieve a screen natural in appearance. The screened area may exclude access and utility easements.
 - (2) The screened area should include a mixture of evergreen and deciduous vegetation types of varying heights. Depending on the setting and existing vegetation on or near the tower property or leased area, a landscape easement adjacent to the site/leased area may be required. If a landscape easement is needed, it must be at least a minimum of 15' in width.
 - (3) In order to effectively screen the tower site, for every 25 linear feet of perimeter of the leased area, property line (or defined property used for the tower site), the following landscaping is recommended to be installed:
 - (a) One (1) large tree
 - (b) Two (2) understory trees
 - (c) Five (5) large shrubs
 - (4) If there is existing vegetation onsite or within close proximity that currently provides screening for the site, then the Planning Administrator may determine that lesser amounts of additional landscaping may be needed. Offsite landscape easements may be required to assure the existing vegetation persists.
 - (5) A landscape plan depicting varieties, size (upon planting), and proposed placement of all landscape materials shall be

submitted with the Wireless Facilities application or the Conditional Use Permit application if necessary. All proposed or existing easements should also be shown (utility, access, rights of way, and landscape easements, etc.).

(6) Irrigation shall not be required, but the owners shall be required to care for the planted vegetation and replace any vegetation that does not survive.

d) *Setbacks from property lines.* Wireless communication facilities shall meet current setbacks as required by zoning.

ii. ***Co-location.***

The Planning Commission, following an administrative review without the requirement of an issuance of conditional use permit, may approve the following antenna installation (if said application is in compliance with all applicable requirements).

a) *Locating on existing structures.* Installation of an antenna or antenna array on an existing structure other than a tower (such as a building, light pole, electric transmission tower, water tank, or other free-standing non-residential structure) provided the antenna or antenna array and its support are not more than 20 feet in height.

b) *Locating on existing towers.* Additional antennas may be placed or upgraded upon any tower so long as such additional antenna would not violate any requirements of the conditional use permit or other provisions of the original approval. For the purpose of co-location, the applicant must submit information from a licensed professional engineer certifying the capacity of the tower for additional providers and a letter of intent from the applicant indicating their intent to share space.

Existing antennas may be replaced by updated antennas or equipment, however, a statement regarding the loading of the replacement equipment shall be submitted and the applicant shall certify that the loading of the proposed equipment shall be less than or equal to the existing equipment. If no certification can be made, then a structural analysis for the tower and the proposed equipment shall be required.

iii. ***Other requirements.***

a) *Wireless communications facilities placed on top of buildings.* When a wireless communications facility extends above the roof height of a building on which it is mounted, every effort shall be made to conceal the facility within or behind existing architectural features to limit its visibility from public ways. Stealth (RF Transparent) screening

visually appropriate to the specific site should be explored as an effective compatibility tool.

- b) *Wireless communications facilities placed on sides of buildings.* Antennas which are side-mounted on buildings shall be painted, constructed of, or have a stealth covering made up of materials to match the color of the building material directly behind them.
- c) *Expiration.* Once the CUP is approved, the applicant shall have one year to submit an application for a wireless facilities construction permit.

Except when due to circumstances beyond an applicant's reasonable control, all approved applications for a wireless facilities permit shall be constructed within 1 year of receiving building permit, or both CUP and building permit shall be deemed void and new applications must be submitted.

§ 8 APPLICATION REVIEW COSTS.

(A) The city may hire any engineer and/or consultant necessary to assist the city in reviewing and evaluating applications, and for inspecting construction and/or modification of wireless facilities

(B) For new towers, the CUP application fee shall be a non-refundable review fee of \$2,000.00 (two thousand dollars) at the time the application is accepted. In the event that engineering review fees exceed \$2,000.00, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred throughout the CUP review process.

(C) For co-location or new antennae applications, the application fee shall be a non-refundable review fee of \$300.00 (three hundred dollars) at the time the application is accepted. In the event that engineering review fees exceed \$300.00, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred throughout the review process.

(D) For administrative wireless facility applications for a new tower (following the approval of a CUP to allow a new towers), the application fee shall be a non-refundable review fee of \$500.00 (five hundred dollars) at the time the application is accepted. In the event that engineering review fees exceed \$500.00, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred throughout the review process.

§ 9 PUBLIC HEARING AND NOTICE REQUIREMENTS.

Notification of public hearings for conditional use permits shall occur as follows:

(A) *Public Hearing Required.* A public hearing shall be held by the Planning Commission for consideration of a conditional use permit.

- (B) *Notice of Public Hearing.* The applicant shall provide the following notice:
- i. *Who Gets Notice.* Notice of the proposed conditional use permit shall be given to all adjacent landowners.
 - ii. *Methods of Notice.* Notice shall be provided by the following methods, as required by this chapter:
 - iii. *Written Notice.* Written notice shall be provided at least fifteen (15) days prior to Planning Commission. Proof of notice shall be provided as required by the Farmington Zoning Regulations.
 - iv. *Posted Notice.* The City shall post notice at least fifteen (15) days prior to the Planning Commission meeting. Proof of notice shall be provided as required by this chapter.

§ 10 ACTION ON APPLICATION.

(A) The Planning Commission will undertake a review of a completed application in a timely fashion, compliant with federal regulations, consistent with its responsibilities, and shall act within a reasonable period of time given the relative complexity of the application and the circumstances, with due regard for the public's interest and need to be involved, and the applicant's desire for a timely resolution. When an application is complete, including the submission of all reports and other submittals required hereunder and same has been reviewed by the city's engineer and/or consultant, the Planning Commission shall act on the proposed permit within parameters compliant with federal regulations.

(B) After formally considering the application, the Planning Commission may approve, approve with conditions, or deny a wireless facilities permit, based on the applicant's compliance with the requirements of this ordinance. Its decision shall be in writing and shall be supported by substantial evidence contained in a written record and statements made by the applicant at public hearings and meetings of the Planning Commission.

(C) If the Planning Commission approves the wireless facilities permit and construction of facilities, then the applicant shall be notified of such approval in writing, and the wireless facilities permit shall be issued within five (5) calendar days of the Planning Commission's action.

(D) If the Planning Commission denies the wireless facilities permit, then the applicant shall be notified of such denial in writing within five (5) calendar days of the Planning Commission's action. Such written notice shall enumerate, with particularity, the specific deficiencies, omissions, and/or instances of noncompliance with the requirements of this ordinance.

(E) If the Planning Commission denies a wireless facilities permit, and the grounds for such denial concern matters that may be cured within a reasonable time, the applicant may amend, supplement, or re-submit its application within sixty (60) days of the Planning Commission's denial, and such amendment(s), supplement(s), or re-submission shall be

evaluated as part of the applicant's original application. All additional costs associated with the city's engineer and /or consultant shall be borne by the applicant.

§ 11 REVOCATION OF PERMIT.

A wireless facilities permit may, following a hearing upon due prior notice to the holder of the permit, be revoked, canceled, or terminated for a violation of the conditions and provisions of the wireless facilities permit. The CUP granted for the tower or facility, may, following a hearing upon due prior notice to the holder of the permit, be revoked, cancelled, or terminated for a material violation of this ordinance and the failure to cure the violation as provided in Section 15 hereinafter.

§ 13 HEIGHT OF TOWERS; COMPLIANCE WITH CODES AND REGULATIONS.

(A) Towers within the city limits of Farmington shall not exceed 150' in height.

(B) All wireless facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the city, state, or United States, including but not limited to the most currently adopted editions of the ANSI Code, National Electrical Safety Code and the International Building Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding, the more stringent rule shall apply.

(C) All utilities at a wireless facilities site shall be installed underground, to the extent practicable, and in compliance with all laws, ordinances, rules and regulations of the city.

(D) All wireless facilities sites shall include an access road, turn around space and parking, adequate to assure emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion in more remote areas of property zoned Agriculture. The construction of asphalt driveways and parking for facilities in industrial and commercial, and residential zones shall be in compliance with city building requirements.

(E) The following items must be provided to the City:

- i. A copy of the FCC license applicable for the intended use of the wireless facilities.
- ii. A copy of the structural analysis or structural design report for the proposed wireless facility.
- iii. A copy of the City of Farmington business license.

- iv. The applicant shall provide written documentation of FAA and FCC compliance as part of the Building/ Construction Permit application.

§ 14 SIGNAGE.

(A) Each wireless facility shall display a sign no larger than four square feet, containing the site identification number and emergency phone number(s) of the permit holder or other person (s) operating the facility. The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

(B) The applicant or future owner of the site shall update the site identification number and emergency phone number of the wireless facility as displayed on the required sign within 60 calendar days of any sale, assignment, or transfer.

ENFORCEMENT

§ 15 PERFORMANCE SECURITY, DEFAULT, and REMOVAL.

(A) If a wireless communication facility fails to comply with the requirements and criteria in this ordinance and constitutes a danger to persons or property, then upon written notice being provided to the owner of the tower, the owner shall have 90 (ninety) days to bring such tower into compliance with such requirements and criteria. If the owner fails to bring such tower into compliance within 90 (ninety) days, the city may terminate the owner's conditional use permit and/or cause the removal of such tower (at the owner's expense). In no instance shall this process prevent the City from taking immediate action to protect the public from imminent harm, which includes but is not limited to, immediate removal of a tower.

(B) By making application hereunder, the applicant agrees to regularly maintain and keep in a reasonably safe and workmanlike manner all towers, antenna arrays, fences and outbuildings owned by applicant which are located in the city. The applicant further agrees to conduct inspections of all such facilities not less frequently than every 12 (twelve) months. The applicant agrees that said inspections shall be conducted by one or more designated persons holding a combination of education and experience so that they are reasonably capable of identifying functional problems with the facilities.

§ 16 INSPECTION.

(A) In order to verify that the holder of a wireless facilities permit, and any and all lessees and/or licensees of wireless facilities, construct, maintain and operate such facilities in accordance with this ordinance and all state and federal rules and regulations, the wireless facilities permit issued for such facility, and all technical, safety, fire, building, and zoning codes, laws, ordinances and regulations and other applicable requirements, the city may inspect all facets of the permit holder's, lessee's or licensee's placement, construction, modification and

maintenance of such facilities, including, but not limited to, towers, antennas and buildings or other structures constructed or located on the permitted site.

§ 17 COMPLIANCE WITH FEDERAL AND STATE REGULATIONS.

(A) Any holder of such a wireless facilities permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any state or federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

(B) To the extent that applicable rules, regulations, standards, and provisions of any state or federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a wireless facilities permit, then the holder of such a wireless facilities permit shall conform the permitted wireless facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of six (6) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

(C) A final determination by a state or federal agency with jurisdiction that a rule or regulation has been violated shall be grounds to revoke a wireless facilities permit.

§ 18 APPEALS.

(A) All decisions by the Planning Commission regarding this ordinance must be appealed to a court of competent jurisdiction.

§ 19 PENALTIES.

(A) In addition to other remedies available in this ordinance, the city may impose against the holder of a wireless facilities permit the penalties as set forth below.

(B) A failure to obtain a permit when required or a violation of any wireless facilities permit issued pursuant to this ordinance is hereby declared to be an offense, punishable by a fine not exceeding \$500 (five hundred dollars) per occurrence upon conviction. Each week's continued violation shall constitute a separate additional violation.

(C) Notwithstanding anything in this section, the holder of a wireless facilities permit may not use the payment of fines to evade or avoid compliance with this ordinance or any section of this ordinance. An attempt to do so shall subject the holder of the wireless facilities permit to termination and revocation of its wireless facilities permit. The city may also seek injunctive relief to prevent the continued violation of this ordinance, without limiting other remedies available to the city.

Agenda Item 12

ORDINANCE NO. 2018-06

CITY OF FARMINGTON, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO ESTABLISH STANDARDS FOR SMALL WIRELESS FACILITIES TO BE PLACED IN CITY RIGHTS-OF-WAY IN THE CITY OF FARMINGTON, ARKANSAS; AND FOR OTHER PURPOSES

WHEREAS, the City of Farmington, Arkansas encourages wireless infrastructure investment and wishes to provide a fair and predictable process for the deployment of small wireless facilities while enabling the City of Farmington to promote management of the rights-of-way in the overall interests of the public health, safety and welfare; and

WHEREAS, the City of Farmington recognizes that small wireless facilities, including facilities commonly referred to as small cells and distributed antenna systems, are critical to delivering wireless access to advanced technology, broadband, and 911 services to residences, businesses, an schools within the City; and

WHEREAS, the City intends to fully comply with State and Federal Law to the extent it may preempt local municipal control.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS:

SECTION 1. DEFINITIONS

Small cell telecommunications facility (“Small Cell”). A facility, excluding a satellite television dish antenna, established for the purpose of providing wireless voice, data and/or image transmission within a designated service area. A small cell telecommunications facility must not be staffed, and consists of one or more antennas attached to a Support Structure. An antenna or wireless antenna base station which provides wireless voice, data and image transmission within a designated service area as part of a small cell telecommunications facility, and may not be larger than a maximum height of three (3) feet and a maximum width of two (2) feet.

A small cell telecommunications antenna may be installed on existing rooftops, structures or support structures where permitted. A small cell telecommunications facility also consists of related equipment which may be located within a building, an equipment cabinet outside a building, an equipment cabinet on a rooftop when in a commercial zone or attached to a commercial structure, or when in a residential zone attached to a residential structure or rooftop, or an equipment room within a building. Such related equipment shall have a maximum square footage of ten (10) square feet and a maximum height of two (2) feet or facilities comprised of such higher limits as the FCC has excluded from review pursuant to 54 U.S.C. § 306108. Accessory Facilities may be located outside the primary equipment, and if so located, are not to be included in the calculation of equipment volume. Accessory Facilities includes, but is not limited to, any electric meter, concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch, cut-off switch and vertical cable runs for the connection of power and other services.

The placement of all antennas and equipment must comply with all applicable safety standards- including, but not limited to not exceeding the OSHA standards for RF exposure.

SECTION 2. PROPOSED SMALL CELL REGULATIONS

a. All new small cell individual or network applications requesting the installation of new support structures shall be approved via the Conditional Use Permit process only.

b. The primary goals of regulation of small cell infrastructure by the City shall be as follows:

- i. Health, safety, and welfare of Citizens;
- ii. Minimization of visual clutter;
- iii. Minimization of the number of traditional communication towers; and Provision of good wireless service to all citizens and organizations throughout the City.

c. All small cell installations (and any corresponding equipment) shall be installed only with the use of stealth concealment techniques.

The stealth concealment systems available allow for a variety of concealment methods including, but not limited to the following.

1. For location on newly proposed Structures;

- i. Smart poles (able to accommodate either single or multiple carriers),
- ii. Smart poles with streetlights,
- iii. Flag poles.

2. For location on existing Pole Structures;

- i. Stealth pole toppers (completely encased antennas to match the existing poles),
- ii. Stealth base cabinet enclosures (completely encases base cabinet equipment to match existing poles).

3. For location on existing Building Structures;

- i. New steeple, extension to existing steeple, and replacement steeple concealment structures,
- ii. Chimney concealment structures,
- iii. Chimney pot concealment structures,
- iv. Rooftop façade extension concealment,

- v. Rooftop cupola concealment,
- vi. Rooftop screen concealment,
- vii. Roof top pod concealment systems,
- viii. Building side grid concealment structures,
- ix. Rooftop or wall mounted lantern concealment structures.

SECTION 3. PREFERENCE FOR CO-LOCATION ON EXISTING STRUCTURES.

a. In order to reduce visual clutter and the addition of vertical elements to the townscape, the applicant must attempt to co-locate the antennas and ancillary equipment on or within existing structures, poles, etc.

- 1) All stealth proposals shall visually match existing structures, poles, or infrastructure on which the antennas and/or ancillary equipment shall be mounted.
- 2) All stealth proposals shall completely enclose, cover, or otherwise disguise all elements of the proposed system.

b. Administrative Approval of Co-Located Facilities and Facilities Located on Existing Structures subject to the construction approval process laid out in Section 5 of this ordinance. The Planning Administrator, following an Administrative Review, may approve the following facility installations:

- (1) Locating on Existing Structures. Installation of facilities on an existing structure (such as a building, light pole, electric transmission tower, water tank, or other free-standing non-residential structure) provided that the facilities do not extend any higher than five feet above the existing structure. The Planning Administrator may grant an additional variance, not to exceed ten (10) feet in height above the existing structure, when such additional height is necessary for improved functionality or safety.

c. If no existing poles or structures are present, or are limited in nature, then the addition of new stealth poles or other stealth structures may be considered.

SECTION 4. CUP PROPOSAL/APPLICATION DETAILS

- 1. The applicant shall submit the following items with their proposal, in order to comply with the CUP requirements for small cells which are in addition to the requirements for all CUPs in the city:
 - a. A completed CUP Application for a Small Cell Network
 - b. The appropriate review fee
 - c. A detailed diagram of the entire proposed small cell network for which the applicant is applying
 - d. Written statement detailing how the applicant has met the City's Stated goals for Small Cell Infrastructure (goals listed in Section 2, b above) as well as the CUP requirements for the city.

2. The applicant should clearly depict within their proposal which antenna, equipment, and other components; are proposed to be located on existing structures; and which (antenna, equipment, and other components) are proposed to be located on newly proposed structures.
3. All small cell proposals should be submitted by the applicant for review and conditional approval as an entire network package.
 - a. The submittal package shall consist of the entire network of proposed antennas and related equipment (equipment cabinets, additional electrical service or communications cables) proposed to be installed.
 - b. The submittal shall depict the proposed location and height of each antenna and equipment cabinet (or similar) and the stealth device used for each. The deployment of stealth techniques shall be uniform throughout the deployment, or tailored to be uniform to- or match particular existing structures.

SECTION 5. CONSTRUCTION APPROVAL PROCESS

- a. If the proposed small cell application CUP application is conditionally approved, then the following items shall be submitted for administrative review and final construction permit approval (within 12 months of CUP approval).
 1. A completed application for construction of a Small Cell Network.
 2. An updated submittal package as detailed in Section 4, items 2 and 3 above. This updated package should address any Conditions of the CUP.
 3. If offsite easements or agreements are needed for the placement of any antenna, cabling, or ancillary equipment, copies of all easements and/or agreements shall be submitted (financial lease or agreement information may be omitted)
 4. Loading information for all new and proposed antennas, ancillary equipment, and stealth equipment to be attached to both new and existing structures
 5. Detailed stealth concealment proposals for all new antennas and ancillary equipment.
 6. All necessary building permit applications and associated fees as deemed necessary by the City.
- b. If the proposed small cell application consists only of installations proposed on existing structures or facilities as defined in Section 3b of this ordinance, then the following items shall be submitted for administrative review and final construction permit approval.
 1. A completed application for construction of a Small Cell Network.
 2. An updated submittal package as detailed in Section 4, items 2 and 3 above.
 3. If offsite easements or attachment agreements are needed for the placement of any antenna, cabling, or ancillary equipment, copies of all easements and/or agreements shall be submitted (financial lease or agreement information may be omitted)
 4. Loading information for all new and proposed antennas, ancillary equipment, and stealth equipment to be attached to existing structures

5. Detailed stealth concealment proposals for all new antennas and ancillary equipment.
6. All necessary building permit applications and associated fees as deemed necessary by the City.

SECTION 6. SEVERIBILITY PROVISION In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

PASSED AND APPROVED this 14th day of May, 2018.

APPROVED:

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk
(SEAL)

Agenda Item 13

RESOLUTION NO. 2018-04

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF AN EASEMENT 32 WHITE STREET, FARMINGTON, AR.

WHEREAS, a petition has been filed with the City Council of the City of Farmington, Arkansas by Jeff and Samantha Stonecypher to abandon a street right of way/easement located within the corporate city limits of the City of Farmington, Arkansas; and

WHEREAS, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS:

1. That the City Council shall hear said petition at its regular meeting to be held at 354 West Main Street, Farmington, Arkansas on the 11th day of June, 2018 at 6:00 p.m.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and said hearing for the time and in the manner prescribed by law.

PASSED AND APPROVED on this 14th day of May, 2018.

APPROVED:

By: _____
Ernie Penn, Mayor

ATTEST:

By: _____
Kelly Penn, City Clerk



Vacation Application

Please fill this form out completely supplying all necessary information and documentation to support your request.

Property owner/Applicant:

Name: JEFF & SAMANTHA STONECYPHER

Address: 32 WHITE ST

City, State, Zip: Farmington, AR 72730 FARMINGTON, AR 72730

Phone: 847-603-4270 Email STONY32000@MSN.COM
479-225-7582

Applicant/Representative: I certify that the foregoing statements and answers herein made; all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of the application and determination of approval. I understand there may be conditions on approval.

[Signature] Date: 3/24/18
Signature

Property Owner/Authorized Agent: I certify that I am the owner of the subject property of this application and that I have read this application and consent to its filing. (If signed by authorized agent a letter from the property owner must accompany this application, indicating the agent is authorized to act on the owners behalf.)

[Signature] Date: 3/24/18
Signature

Requested Vacation (circle all that apply):

- Street
- Alley
- Easement

Please Include:

- Legal Description of the property (may be attached as exhibit "A");
- Complete the attached form for each adjacent property owner or utility involved.
- Description of what is being requested (attach survey):

EXHIBIT "A"

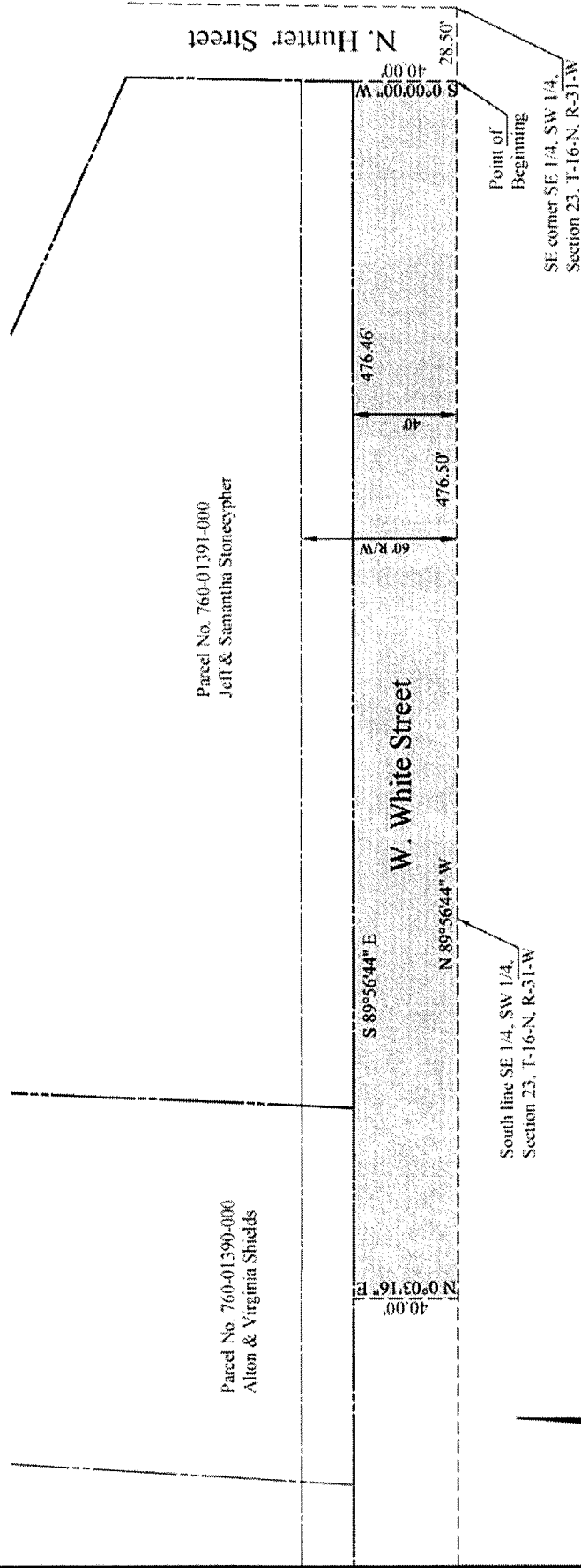
Part of the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of Section 23, Township 16 North, Range 31 West, described as follows: Beginning at a point 40 feet North of the Southeast corner of said 40-acre tract, and running thence North (87.8) feet; thence North 67 degrees West (147.9) feet; thence North 58 degrees West (74.5) feet; thence North 12 degrees 30 minutes West (196) feet; thence North 20 degrees 30 minutes West (174.5) feet, more or less, to an Oak Tree on the South Bank of the Creek; thence Southwesterly along the South bank of the Creek to a point where an existing fence intersects with the South bank of the Creek (which point is also the Northeast corner of a tract conveyed by R. C. Harding and Ruth Harding to George Osburn and Doris Osburn, husband and wife; thence South 3 degrees 25 minutes West (375) feet, more or less, along said existing fence (which said fence is the East boundary line of said tract conveyed by R. C. Harding and Ruth Harding to George Osburn and Doris Osburn, husband and wife) to a point on the North side of the Old Road, which said point is (563) feet West of the point of beginning; thence East (563) feet to the point of beginning.

Public Right of Way to be Vacated

Part of the Southeast Quarter, Southwest Quarter, Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, described as follows:
 Commencing at the Southeast corner of said Southeast Quarter, Southwest Quarter, North 89°56'44" West, 28.50 feet along the South line of said Southeast Quarter, Southwest Quarter to the point of beginning; thence continuing North 89°56'44" West, 476.50 feet along said South line; thence North 0°03'16" East, 40.00 feet; thence South 89°56'44" East, 476.46 feet; thence South 0°00'00" West, 40.00 feet to the point of beginning.
 Contains 19.061 Square feet or 0.438 acres of land, more or less.

Parcel No. 760-01391-000
 Jeff & Samantha Stonecypher

Parcel No. 760-01390-000
 Alton & Virginia Shields

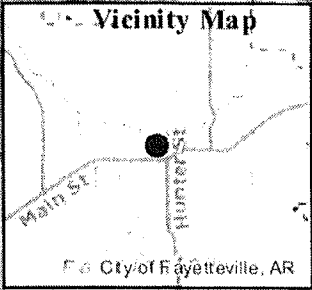


NOTE: All bearings and dimensions are taken from a survey by Robert J. Custer dated 6-7-17 and a survey by Buckley D. Blew dated 10-13-08 and recorded as Document No. 2008-00035086. No field work was completed by Ozark Civil Engineering, Inc.

Ozark
 Civil Engineering Inc.
 3214 N.W. AVIGNON WAY, SUITE 4
 BENTONVILLE, AR 72712
 479.464.8650 | OFFICE 479.464.9040 | FAX

SCALE: 1"=60' DATE: 8-22-17
 DRAWN BY: RD
 CHECKED BY: JB

Address Verification



★ Address Verification
● Current Address Steel



25 Yards

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT-OF-WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 3-16-18

Address / location of vacation request: 32 WHITE ST

Adjacent property address: 6 W MAIN ST

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I *do not* object to the vacation described above.

I *do* object to the requested vacation because:

Name of Adjacent Property Owner (printed) Barbara Schaefer, Trustee
Schaefer Family Revocable Trust w/t/d June 17, 2014
Schaefer Bypass Trust w/t/d 1/11/2016

Signature of Adjacent Property Owner Barbara Schaefer

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT OF WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 3-16-18

Address / location of vacation request: 32 WHITE ST

Adjacent property address: 30 W MAIN ST

I have been notified of the petition to vacate the following (*alley, easement, and/or right-of-way*), described as follows: (*Include legal description and graphic representation of what is being vacated*)

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I *do not object* to the vacation described above.

I *do object* to the requested vacation because:

Name of Adjacent Property Owner (*printed*) ALAN K. THOMPSON

Signature of Adjacent Property Owner Alan K. Thompson

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT-OF-WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 3/17/18

Address / location of vacation request: 32 WHITE ST

Adjacent property address: 26 W MAIN ST

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

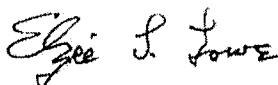
ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I **do not** object to the vacation described above.

I **do** object to the requested vacation because:

Name of Adjacent Property Owner (printed) ELZIE L. LOWE

Signature of Adjacent Property Owner 

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT-OF-WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 3-21-18

Address / location of vacation request: 32 WHITE ST

Adjacent property address: 40 WHITE ST

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I **do not object** to the vacation described above.

I **do object** to the requested vacation because:

Name of Adjacent Property Owner (printed) ALTON M SHIELDS

Signature of Adjacent Property Owner AM Shields

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 4/20/18

Address / location of vacation request: WEST WHITE ST., FARMINGTON

Adjacent property address: _____

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

Part of the SE 1/4 of the SW 1/4 of Section 23,
Township 16N, Range 31 West, Washington Co, AR
(see attached description & drawing)


ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I **do not** object to the vacation described above.

I **do** object to the requested vacation because:

Name of Adjacent Property Owner (printed) CHRISTIAN DICKEY
(SWEPCO)

Signature of Adjacent Property Owner 

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 4-16-18

Address / location of vacation request: 32 W. WHITE ST, FARMINGTON, AR

Adjacent property address: _____

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

Right of Way adjacent to South line of 32 W. White St.

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I **do not** object to the vacation described above.

I **do** object to the requested vacation because:

Private easement has been obtained from the property
owners for our existing utilities.

UTILITY REP.

Name of Adjacent Property Owner (printed) SHANE BELL - PGTELCO

UTILITY REP.

Signature of Adjacent Property Owner 

ADJACENT PROPERTY OWNER NOTIFICATION
FORM FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS
(One form must be completed for each adjacent property owner or utility provider)

Date: 4-16-18

Address / location of vacation request: 32 W. WHITE ST, FARMINGTON, AR

Adjacent property address: _____

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

Right of Way adjacent to South line of 32 W. White St.

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

do not object to the vacation described above.

I *do object* to the requested vacation because:

Private easement has been obtained from the property
owners for our existing utilities.

UTILITY REP.
Name of Adjacent Property Owner (printed) SHANE BELL - PGTELCO

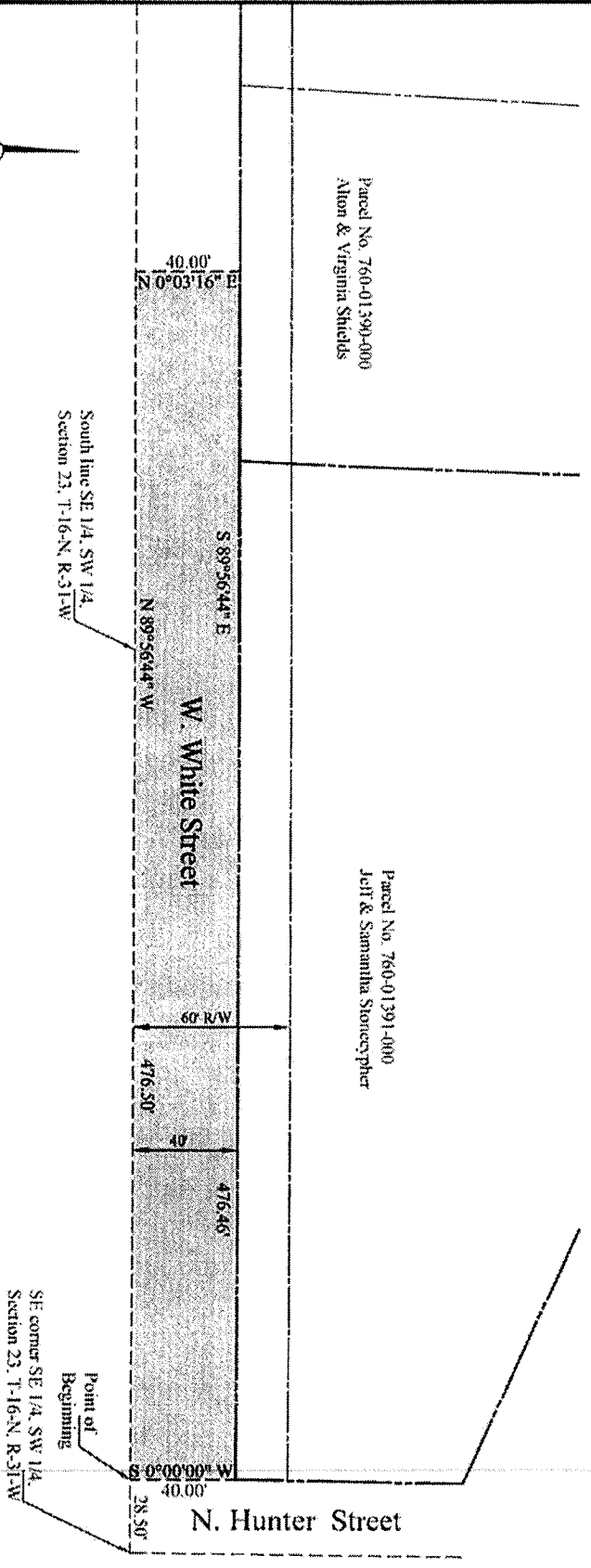
UTILITY REP.
Signature of Adjacent Property Owner 

Part of the Southeast Quarter, Southwest Quarter, Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, described as follows:
 Commencing at the Southeast corner of said Southeast Quarter, Southwest Quarter, thence North 89°56'44" West, 28.50 feet along the South line of said Southeast Quarter, Southwest Quarter to the point of beginning; thence continuing North 89°56'44" West, 476.50 feet along said South line; thence North 0°00'00" East, 40.00 feet; thence South 89°56'44" East, 476.46 feet; thence South 0°00'00" West, 40.00 feet to the point of beginning.
 Contains 19.061 Square feet or 0.438 acres of land, more or less.

Public Right of Way to be Vacated

Parcel No. 760-01390-000
Alton & Virginia Shields

Parcel No. 760-01391-000
Jeff & Samantha Stoner, phr



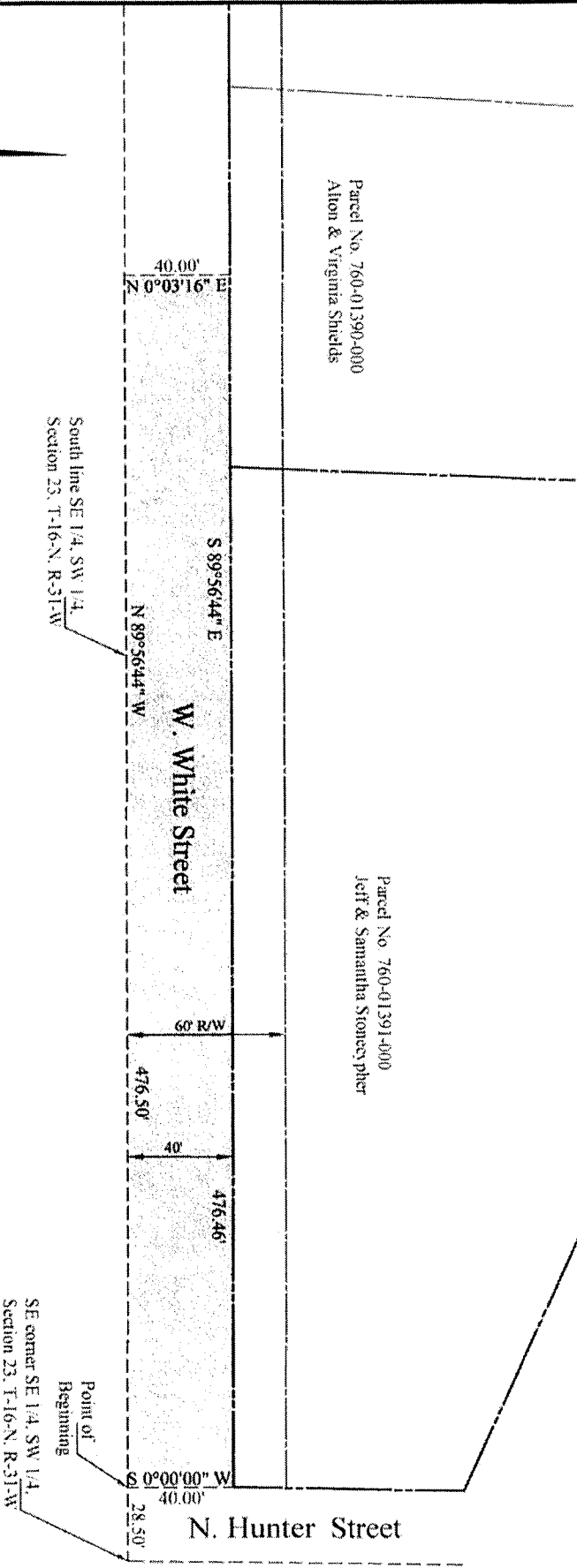
NOTE: All bearings and dimensions are taken from a survey by Robert J. Custer dated 6-7-17 and a survey by Buckley D. Blew dated 10-13-08 and recorded as Document No. 2008-00035086. No field work was completed by Ozark Civil Engineering, Inc.

Civil Engineering Inc.
 3214 NW AVONSON WAY, SUITE 4
 BENTONVILLE AR 72712
 478-684-8850 | OFFICE 478-684-8040 | FAX

SCALE: 1"=60'
 DRAWN BY: RD
 CHECKED BY: JB
 DATE: 8-22-17

Public Right of Way to be Vacated

Part of the Southeast Quarter, Southwest Quarter, Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, described as follows:
 Commencing at the Southeast corner of said Southeast Quarter, Southwest Quarter, thence North 89°56'44" West, 28.50 feet along the South line of said Southeast Quarter, Southwest Quarter to the point of beginning; thence continuing North 89°56'44" West, 476.50 feet along said South line; thence North 0°03'16" East, 40.00 feet; thence South 89°56'44" East, 476.46 feet; thence South 0°00'00" West, 40.00 feet to the point of beginning.
 Contains 19,061 Square feet or 0.438 acres of land, more or less.




Parcel No. 760-01390-000
Alton & Virginia Shields

Parcel No. 760-01391-000
Jeff & Samantha Stoner, phr



NOTE: All bearings and dimensions are taken from a survey by Robert J. Caster dated 6-7-17 and a survey by Buckley D. Blew dated 10-13-08 and recorded as Document No. 2008-00035086. No field work was completed by Ozark Civil Engineering, Inc.



Civil Engineering Inc.
 3214 NW AVIGNON WAY, SUITE 4
 BENTONVILLE, AR 72712
 479-484-0850 | OFFICE 479-484-8040 | FAX

SCALE 1"=60'
 DRAWN BY RD
 DATE 8-22-17
 CHECKED BY JR

Utility Notification

FOR THE RIGHT OF WAY, ALLEY, AND EASEMENT VACATION REQUEST
(One form must be completed for each adjacent property owner or utility provider)

Date: 4/18/2018

Address / location of vacation request: 32 White Street Farmington, AR

Adjacent property address: Cox Communications 4901 S 48th Street

I have been notified of the petition to vacate the following (alley, easement, and/or right-of-way), described as follows: (Include legal description and graphic representation of what is being vacated)

ADJACENT PROPERTY OWNERS COMMENTS (please check one):

I have been notified of the requested vacation and decline to comment.

I *do not object* to the vacation described above.

I *do object* to the requested vacation because:

Cox Communications can sign off on this request once our existing lines within this Right of Way are shown within a utility easement.

Name of Adjacent Property Owner (printed) Cox Communications

Signature of Adjacent Property Owner 

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 4/13/2018

UTILITY COMPANY: CITY OF FAYETTEVILLE WATER & SEWER

APPLICANT NAME: JEFF STONECYPHER APPLICANT PHONE: 479-273-4469

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:


General location / Address W. WHITE ST PER ATTACHMENT

(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

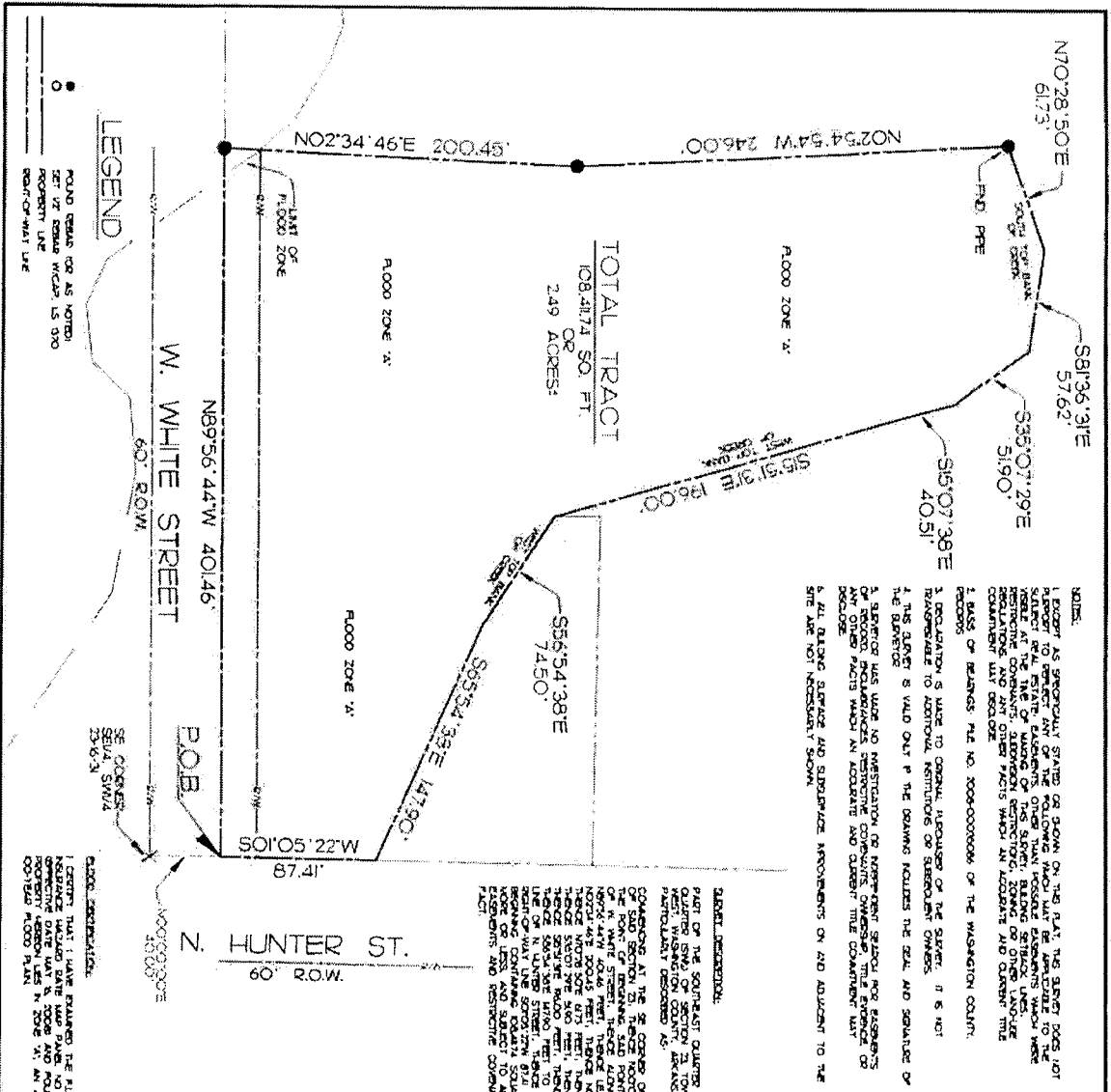
UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)
20 FOOT EASEMENT CENTERED ON EXISTING 6-INCH WATER LINE
20 FOOT EASEMENT CENTERED ON EXISTING 8-INCH SANITARY SEWER LINE

No objections provided the following conditions are met:

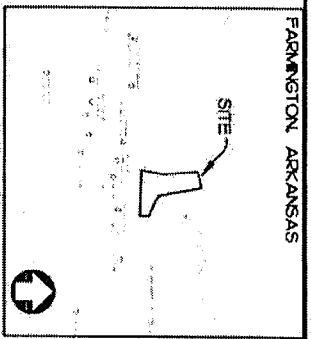

Signature of Utility Company Representative

W&S OPERATIONS MANAGER
Title



NOTES:

1. EXCEPT AS SPECIFICALLY STATED ON THIS PLAT, THIS SURVEY DOES NOT REPRESENT REAL ESTATE. EASEMENTS OTHER THAN HOUSING EASEMENTS SHALL BE RESULT AT THE TIME OF RECORDING OF THIS SURVEY. BEARING STRIKES UNLESS OTHERWISE SPECIFIED. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF. THE PROPERTY LINES SHOWN ON THIS PLAT ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY OTHER FACTS WHICH WOULD IN ANY MANNER AFFECT THE ACCURACY OF THIS SURVEY.
2. BASIS OF BEARINGS: PLAT NO. 1009-0000006 OF THE WASHINGTON COUNTY RECORDS.
3. REGULATORY: 5. HAVE TO OBTAIN APPROVAL OF THE SURVEY. 6. IS NOT REGULATORY TO APPROVAL PERMITS OF SEWERAGE OWNERS.
4. THE SURVEY IS VALID ONLY IF THE BOUNDARIES INCLUDE THE SEAL AND SIGNATURE OF THE SURVEYOR.
5. A SURVEYOR HAS BEEN DESIGNATED TO INVESTIGATE AND REPORT ON THE ACCURACY OF ANY OTHER FACTS WHICH WOULD IN ANY MANNER AFFECT THE ACCURACY OF THIS SURVEY.
6. ALL BUILDING SURVEYS AND SUBDIVISION ARRANGEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN.



VICINITY MAP (N.T.S.)

SECTION 2, CERTIFICATE:

I, CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MARKERS ARE TO THE BEST OF MY KNOWLEDGE AND BELIEF CORRECTLY ESTABLISHED AND SHOWN ON THIS PLAT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYOR'S BOUNDARY SURVEYS, PER THE STATE OF ARKANSAS.

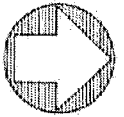
ROBERT J. CASTER, P.L.S., ARKANSAS
 DATE: _____

CERTIFICATE OF AUTHORIZATION
 COA CERTIFICATE NUMBER: 3049

SECTION 1, CERTIFICATE:

CONSIDERING THAT THE SE CORNER OF THE 2ND OF THE 2ND OF SECTION 21, TOWNSHIP 33 NORTH, RANGE 3 WEST, COUNTY OF WASHINGTON, STATE OF ARKANSAS, IS LOCATED AT THE POINT OF BEGINNING SAID PLAT BEING IN THE SOUTHWEST CORNER OF THE QUARTER SECTION 21, TOWNSHIP 33 NORTH, RANGE 3 WEST, COUNTY OF WASHINGTON, STATE OF ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEARING STRIKES UNLESS OTHERWISE SPECIFIED. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF. THE PROPERTY LINES SHOWN ON THIS PLAT ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY OTHER FACTS WHICH WOULD IN ANY MANNER AFFECT THE ACCURACY OF THIS SURVEY.



STATE SURVEY CODE: 000-66-39-0-23-230-72-870

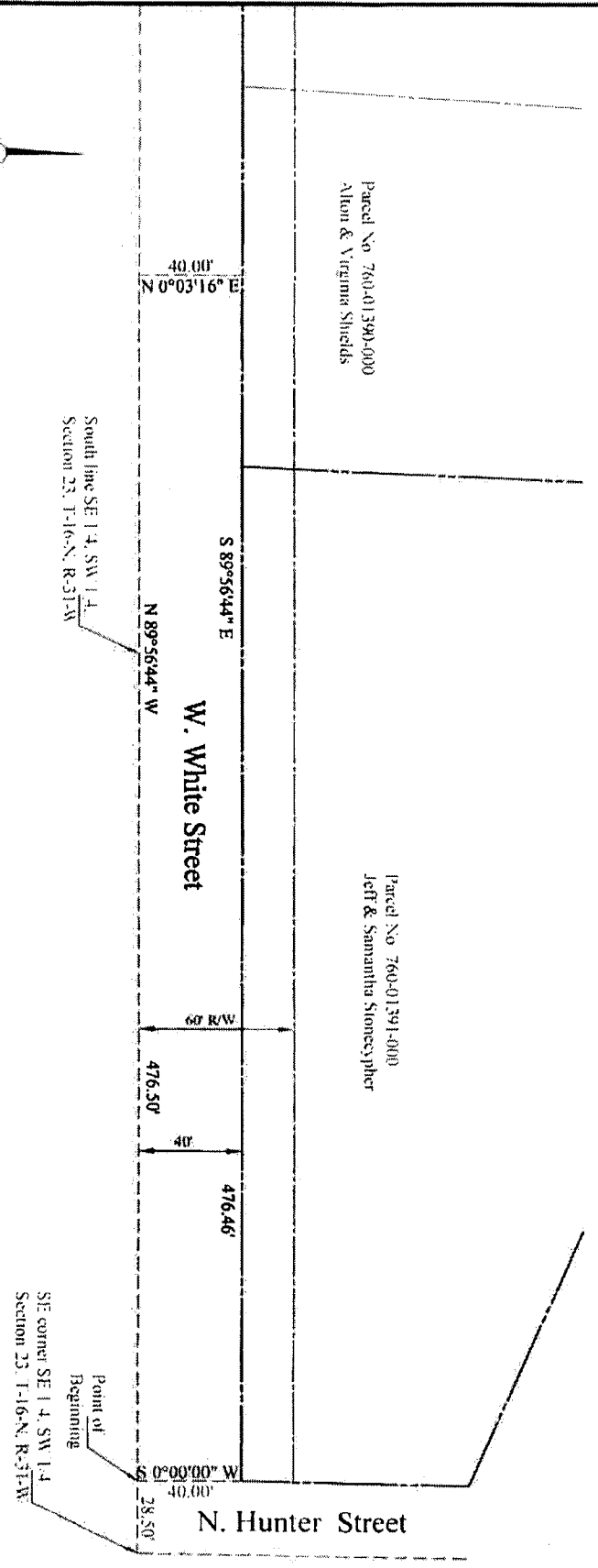
CASTER & ASSOCIATES
 LAND SURVEYING, INC.
 770 SE 7 Street, Suite 2
 Benton, AR 72712
 Telefax: 479-848-4444




SCALE: 1" = 60'	DATE: 8-2-87
BOUNDARY SURVEY STONECIPHER PROPERTY	
32 WHITE STREET FARMINGTON, WASHINGTON COUNTY, ARKANSAS	
JOB #	DATE
1003	8-2-87
BY: [Signature]	PRICE: 1.00

Public Right of Way to be Vacated

Part of the Southeast Quarter, Southwest Quarter, Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, described as follows:
 Commencing at the Southeast corner of said Southeast Quarter, Southwest Quarter, North 89°56'44" West, 28.50 feet along the South line of said Southeast Quarter, Southwest Quarter to the point of beginning, thence continuing North 89°56'44" West, 476.50 feet along said South line; thence North 0°03'16" East, 40.00 feet; thence South 89°56'44" East, 476.46 feet; thence South 0°00'00" West, 40.00 feet to the point of beginning.
 Contains 19,061 Square Feet or 0.438 acres of land, more or less.



NOTE: All bearings and dimensions are taken from a survey by Robert J. Casier dated 6-7-17 and a survey by Buckley D. Blaw dated 10-13-08 and recorded as Document No. 2008-00035086. No field work was completed by Ozark Civil Engineering, Inc.



Ozark
Civil Engineering Inc.

3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.484.8850 | OFFICE: 479.484.8040 | FAX

DATE: 8-22-17	
DRAWN BY: JED	
CHECKED BY: JH	

UTILITY RELEASE FORM

Utility Company BlackHills Energy Date 4/10/2018

Requested Vacation Jeff Stonecypher

I have been notified of the petition to vacate the following White St public ROW described as follows:

Legal Description to of area to be vacated: _____

_____ Part of the Southeast Quarter, Southwest Quarter, Section 23, Township 16 North, Range 31 West, Washington County, Arkansas, described as follows:

_____ Commencing at the Southeast corner of said Southeast Quarter, Southwest Quarter, thence North 89°56'44" West, 28.50 feet along the South line of said Southeast Quarter, Southwest Quarter to the point of beginning, thence continuing North 89°56'44" West, 476.50 feet along said South line, thence North 0°03'16" East, 40.00 feet, thence South 89°56'44" East, 476.46 feet, thence South 0°00'00" West, 40.00 feet to the point of beginning.

_____ Contains 19,061 Square feet or 0.438 acres of land, more or less

UTILITY COMPANY COMMENTS (Send release form to the applicant's provided address).

- No objections to the vacation(s) described above.
- No objections to the vacation(s) described above, provided the following described easements are retained.
- Objects to the vacation(s) described above, reason described below.

A 10' utility easement remain whereas the existing gas line being the centerline of said easement.

Darrin Chism Utility Const Manager
Printed Name & Title of Utility Company Representative


Signature



Doc ID: 017947560002 Type: REL
 Kind: EASEMENT
 Recorded: 04/06/2018 at 10:53:22 AM
 Fee Amt: \$20.00 Page 1 of 2
 Washington County, AR
 Kyle Sylvester Circuit Clerk

File **2018-00009638**



Date: **4/6/2018**

Job# 18-090

Easement # 1

EASEMENT FOR COMMUNICATIONS CABLE

THIS EASEMENT, entered into by **Jeff Stonecypher and Samantha Stonecypher**, 32 West White Street, Farmington, AR., 72730, herein referred to as GRANTORS, and Prairie Grove Telephone Company, GRANTEE, wherein GRANTORS, in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged, do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto GRANTEE, its associated and allied companies, its and their respective successors and assigns, a permanent right and easement to construct, operate, maintain, reconstruct, inspect, and remove a communications cable upon Grantor's land situated in Washington County, State of Arkansas , described as follows:

A 10' wide communications easement (being 5 feet on either side of existing placed cable) located on that portion of a tract of land as recorded in Book 2015, Pages 19670, in part of the SE SW of Section 23, T-16-N, R-31-W, in the office of the Circuit Clerk, Washington County, Arkansas, being described as follows:


Beginning at the southwest corner of said parcel thence easterly with the center line being parallel to any existing placed cable being across the southern portion of the above described parcel also known as the abandon public right of way of White Street for a distance of 480 feet, more or less, on parcel 760-01391-000.

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto Grantee, and to its successors assigns forever, including, (1) the right to construct, operate and maintain, or licenses others to do so, service lines for utility services upon, over or under said tract of land, (2) to install gates in any fences crossing said easement, and (3) to clear and keep cleared all trees, overhanging branches, roots, brush and other obstructions from said land..

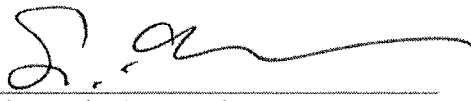
Grantors covenant that they and their heirs, successors, administrators and assigns shall and will WARRANT AND DEFEND the title to the premises unto the said Grantee, and to its successors and assigns forever against the lawful claims of all persons whomsoever; and further that the Grantee, its successors and assigns, may quietly enjoy the premises for the uses herein stated. Grantors warrant that they have no knowledge of environmental hazards affecting the land, except those disclosed to Grantee; Grantors agree to hold Grantee harmless for liability arising from undisclosed hazards.

GRANTEE MAILING ADDRESS: Prairie Grove Telephone Company, P.O. Box 1010, Prairie Grove, AR 72753-1010

Signed and executed this 6th day of April, 2018



Jeff Stonecypher

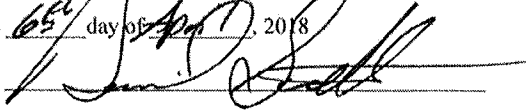


Samantha Stonecypher

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON


BEFORE ME, the undersigned authority, on this day personally appeared Jeff Stonecypher and Samantha Stonecypher, known to me to be the person/s whose name/s is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same for uses, purposes and considerations therein expressed as his/hers/their free and voluntary act and deed.

Given under my hand and seal of office this the 6th day of April, 2018


DAVID SWATLOSKI
NOTARY PUBLIC-STATE OF ARKANSAS
LONOKE COUNTY
My Commission Expires 7-29-2023
Commission # 12395235

Notary Public,
My Commission Expires 7-29-2023

Washington County, AR
I certify this instrument was filed on
04/06/2018 10:53:22 AM
and recorded in Real Estate
File Number 2018-00009638
Kyle Sylvester - Circuit Clerk

by  _____

Agenda Item 14



354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

Memo

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk
From: Melissa McCarville
Re: Request approval to order a box culvert for the Hunter Street bridge project
Date: May 3, 2018

Recommendation

City staff recommends allowing the engineer to proceed with ordering the box culvert for this project.

Background

As you know this bridge has been damaged many times over the years during flood events.

Discussion

The design is complete and we know the fix will take a large box culvert that can be manufactured by Scurlock Industries. After speaking with them, we found that getting the culvert may take 6 weeks. In order to expedite this project we would like to order the culvert now, with your permission, so that by the time we have advertised and received bids the culvert would be available. Our engineer has spoken with Scurlock, and they have stated that the cost for the culvert sections (including taxes and delivery) will be approximately \$41,500. That price is for the culvert sections only, and doesn't include headwalls, wing walls, railing, etc. There could be some variation, but this should be very close to the actual price.

Budget Impact

We would like to request a not to exceed figure of \$50,000. This project will be paid with bond funds.

Agenda Item 15

May 9, 2018

Mayor Ernie Penn
City of Farmington
345 W. Main Street
Farmington, Arkansas 72730

Re: Recommendation of Award
Southwinds Subdivision Drainage Improvements
City of Farmington, Arkansas
MWY/OA Plans No. F0053/018-0026

Dear Mayor Penn:

Bids were received Farmington City Hall, 345 W. Main Street, at 2:00 p.m. on Tuesday, May 8, 2018, for the above referenced project. The low bid was submitted by Diamond C Construction of Gentry, Arkansas, in the amount of \$260,036.01. A summary of the bid totals is shown below:

	TOTAL BASE BID	DEDUCTIVE ALTERNATE TOTAL BID ACCEPTING
Diamond C Construction	\$348,154.73	\$260,036.01
Fochtman Enterprises, Inc.	\$368,031.00	\$287,678.00
TNT, Inc.	\$371,596.00	\$303,403.00

A copy of the certified bid tabulation is enclosed. Our opinion of probable construction cost for the Base Bid prior to receipt of bids was \$357,000.00.

However, based on our understanding of the City's budget for this project, it is our recommendation that the Council accept the Deductive Alternate.

The low bidder, Diamond C Construction, complied with all the bidding requirements, including the submittal of a Bid Bond. We have reviewed the qualifications submitted and based upon the information furnished, we believe them to be qualified to complete the work.

While we have no way of verifying the present financial condition of Diamond C Construction, the contract documents require the furnishing of 100 percent performance and payment bonds prior to authorization of the Notice to Proceed of construction. We recommend that the Council award this contract to Diamond C Construction in the amount bid of \$260,036.01, accepting the Deductive Alternate. We trust the City Council will concur with this recommendation.

Mayor Ernie Penn
May 9, 2018
Page 2

The contract documents require substantial completion of the project within 120 days and full completion and ready for final payment within 150 calendar days from the date of issuance of the Notice to Proceed.

If you have any questions or need any additional information, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "C B Brackett". The signature is fluid and cursive, with a large, stylized initial "C" and a prominent star-like flourish at the end of the name.

Christopher B. Brackett, P. E.
Senior Engineer

CBB:bp
Enclosures



McGoodwin Williams & Yates
 ENGINEERING & CONSTRUCTION
 302 E Millspaugh - Fayetteville, Arkansas - 72703
 Phone: 479-443-3404 Fax: 479-443-4340

TABULATION OF BIDS RECEIVED May 8, 2018
 Southwinds Subdivision Drainage Improvements

Farmingington, Arkansas
MWY Project No. F-53

Company:
 Arkansas License No.:
Address:
 City-State:

Diamond C Construction
 318010318
 P.O. Box 803
 Gentry, AR 72734

Fotchman Enterprises, Inc.
 0038990718
 P.O. Drawer 1168
 Fayetteville, AR 72702

T-N-T, Inc.
 0157420319
 4844 Alma Highway
 Van Buren, AR 72956

Schedule A - Southwinds Drainage Improvements

Item No.	Estimated Quantity	Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Lump Sum	Mobilization	\$ 10,005.00	\$ 10,005.00	\$ 17,500.00	\$ 17,500.00	\$ 10,000.00	\$ 10,000.00
2	Lump Sum	Trench and Excavation Safety Systems	\$ 2,415.00	\$ 2,415.00	\$ 1,000.00	\$ 1,000.00	\$ 4,500.00	\$ 4,500.00
3	Lump Sum	Traffic Control	\$ 920.00	\$ 920.00	\$ 30,000.00	\$ 30,000.00	\$ 16,000.00	\$ 16,000.00
4	Lump Sum	Sediment Control	\$ 6,238.75	\$ 6,238.75	\$ 8,000.00	\$ 8,000.00	\$ 10,500.00	\$ 10,500.00
5	180	48" RCP within roadway (CL 4)	\$ 216.46	\$ 38,962.80	\$ 184.00	\$ 33,120.00	\$ 238.00	\$ 42,840.00
6	283	48" RCP outside roadway (CL 3)	\$ 147.11	\$ 41,632.13	\$ 133.00	\$ 37,639.00	\$ 175.00	\$ 49,525.00
7	157	36" x 60" Elliptical RCP outside roadway (CL 3)	\$ 184.59	\$ 28,980.63	\$ 178.00	\$ 27,946.00	\$ 192.00	\$ 30,144.00
8	27	18" Class III RCP within roadway	\$ 176.76	\$ 4,772.52	\$ 83.00	\$ 2,241.00	\$ 110.00	\$ 2,970.00
9	1	48" RCP FES w/ Curtain Wall	\$ 4,945.00	\$ 4,945.00	\$ 2,800.00	\$ 2,800.00	\$ 4,000.00	\$ 4,000.00
10	1	Concrete Energy Dissipation Apron	\$ 1,420.25	\$ 1,420.25	\$ 1,200.00	\$ 1,200.00	\$ 2,500.00	\$ 2,500.00
11	1,200	Excavation (Swale Grading)	\$ 11.70	\$ 14,040.00	\$ 12.00	\$ 14,400.00	\$ 15.00	\$ 18,000.00
12	484	Solid Sod	\$ 4.76	\$ 2,303.84	\$ 7.00	\$ 3,388.00	\$ 7.00	\$ 3,388.00
13	89	Erosion Control Matting	\$ 13.25	\$ 1,179.25	\$ 5.00	\$ 445.00	\$ 18.00	\$ 1,602.00
14	2	Curb inlet Special in Road	\$ 5,347.50	\$ 10,695.00	\$ 7,650.00	\$ 15,300.00	\$ 7,500.00	\$ 15,000.00
15	1	5' x 8' Curb Inlet	\$ 5,347.50	\$ 5,347.50	\$ 5,429.00	\$ 5,429.00	\$ 5,500.00	\$ 5,500.00
16	1	4' x 4' Curb Inlet	\$ 3,220.00	\$ 3,220.00	\$ 3,000.00	\$ 3,000.00	\$ 3,560.00	\$ 3,560.00
17	2	4' Curb Inlet Extension	\$ 1,868.75	\$ 3,737.50	\$ 900.00	\$ 1,800.00	\$ 800.00	\$ 1,600.00
18	3	12' Curb Inlet Extension	\$ 5,826.67	\$ 17,480.01	\$ 2,100.00	\$ 6,300.00	\$ 2,400.00	\$ 7,200.00
19	95	Trench Drain	\$ 529.61	\$ 50,312.95	\$ 475.00	\$ 45,125.00	\$ 420.00	\$ 39,900.00
20	190	Remove and replace Curb and Gutter	\$ 36.32	\$ 6,900.80	\$ 30.00	\$ 5,700.00	\$ 32.00	\$ 6,080.00

Item No.	Estimated Quantity	Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
21	200	Asphalt Street Repair	\$ 44.00	\$ 8,800.00	\$ 90.00	\$ 18,000.00	\$ 28.00	\$ 5,600.00
22	45	Remove and Replace Concrete Driveway	\$ 86.89	\$ 3,910.05	\$ 100.00	\$ 4,500.00	\$ 70.00	\$ 3,150.00
23	45	Remove and Replace Concrete Sidewalk	\$ 66.45	\$ 2,990.25	\$ 88.00	\$ 3,960.00	\$ 60.00	\$ 2,700.00
24	1	Vertical offset of 8" Waterline	\$ 11,500.00	\$ 11,500.00	\$ 14,500.00	\$ 14,500.00	\$ 4,800.00	\$ 4,800.00
25	2	Relocate Sewer Service	\$ 1,581.25	\$ 3,162.50	\$ 1,500.00	\$ 3,000.00	\$ 250.00	\$ 500.00
26	1	Relocate Water Service	\$ 2,116.00	\$ 2,116.00	\$ 2,900.00	\$ 2,900.00	\$ 1,830.00	\$ 1,830.00
27	35	16" Diameter Split Steel Casing	\$ 239.86	\$ 8,395.10	\$ 170.00	\$ 5,950.00	\$ 170.00	\$ 5,950.00
28	2	Remove and Dispose Existing Inlet	\$ 1,035.00	\$ 2,070.00	\$ 2,300.00	\$ 4,600.00	\$ 1,150.00	\$ 2,300.00
29	1,150	Hydro-Seed and Mulch	\$ 2.10	\$ 2,415.00	\$ 1.40	\$ 1,610.00	\$ 5.00	\$ 5,750.00
30	2	5' x 10' Curb Inlet	\$ 5,347.50	\$ 10,695.00	\$ 5,850.00	\$ 11,700.00	\$ 8,000.00	\$ 16,000.00
Subtotal - Schedule A - Southwinds Drainage improvements (Items 1-30)				\$ 311,562.83		\$ 333,053.00		\$ 323,389.00

Schedule B - Rainsong Drainage Improvements


Item No.	Estimated Quantity	Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
31	185	5.5 Square Yards 5.5-Inch Concrete Channel	\$ 87.65	\$ 16,215.25	\$ 103.00	\$ 19,055.00	\$ 135.00	\$ 24,975.00
32	1	North Headwall	\$ 6,313.50	\$ 6,313.50	\$ 6,455.00	\$ 6,455.00	\$ 10,000.00	\$ 10,000.00
33	1	South Headwall	\$ 7,480.75	\$ 7,480.75	\$ 4,000.00	\$ 4,000.00	\$ 5,500.00	\$ 5,500.00
34	1	30" RCP FES w/ Curtain Wall	\$ 1,725.00	\$ 1,725.00	\$ 2,400.00	\$ 2,400.00	\$ 1,600.00	\$ 1,600.00
35	520	Hydro-Seed and Mulch	\$ 2.22	\$ 1,154.40	\$ 1.40	\$ 728.00	\$ 6.00	\$ 3,120.00
36	60	Excavation (swale/structure)	\$ 13.80	\$ 828.00	\$ 14.00	\$ 840.00	\$ 17.00	\$ 1,020.00
37	1	Connection to Existing Box	\$ 2,875.00	\$ 2,875.00	\$ 1,500.00	\$ 1,500.00	\$ 2,000.00	\$ 2,000.00
Subtotal - Schedule B - Rainsong Drainage improvements (Items 31-37)				\$ 36,591.90		\$ 34,978.00		\$ 48,215.00

TOTAL Bid - Schedule A & B - (Items 1-37)				\$ 348,154.73		\$ 368,031.00		\$ 371,604.00
--	--	--	--	----------------------	--	----------------------	--	----------------------

Deductive Alternative - Delete Inlets 103-I, 104-I & Pipes 103-P, 102-P and all associated work.

Item No.	Estimated Quantity	Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
7	-157	36" x 60" Elliptical RCP outside roadway (CL 3)	\$ 184.59	\$ (28,980.63)	\$ 178.00	\$ (27,946.00)	\$ 192.00	\$ (30,144.00)
8	-27	18" Class III RCP within roadway	\$ 176.76	\$ (4,772.52)	\$ 83.00	\$ (2,241.00)	\$ 110.00	\$ (2,970.00)
12	-231	Solid Sod	\$ 4.76	\$ (1,099.56)	\$ 7.00	\$ (1,617.00)	\$ 7.00	\$ (1,617.00)
15	-1	5' x 8' Curb Inlet	\$ 5,347.50	\$ (5,347.50)	\$ 5,429.00	\$ (5,429.00)	\$ 5,500.00	\$ (5,500.00)
16	-1	4' x 4' Curb Inlet	\$ 3,220.00	\$ (3,220.00)	\$ 3,000.00	\$ (3,000.00)	\$ 3,560.00	\$ (3,560.00)
18	-2	12' Curb Inlet Extension	\$ 5,826.67	\$ (11,653.34)	\$ 2,100.00	\$ (4,200.00)	\$ 2,400.00	\$ (4,800.00)
20	-36	Remove and replace Curb and Gutter	\$ 36.32	\$ (1,307.52)	\$ 30.00	\$ (1,080.00)	\$ 32.00	\$ (1,152.00)
21	-15	Asphalt Street Repair	\$ 44.00	\$ (660.00)	\$ 90.00	\$ (1,350.00)	\$ 28.00	\$ (420.00)
22	-45	Remove and Replace Concrete Driveway	\$ 86.89	\$ (3,910.05)	\$ 100.00	\$ (4,500.00)	\$ 70.00	\$ (3,150.00)
23	-30	Remove and Replace Concrete Sidwalk	\$ 66.45	\$ (1,993.50)	\$ 88.00	\$ (2,640.00)	\$ 60.00	\$ (1,800.00)
24	-1	Vertical offset of 8" Waterline	\$ 11,500.00	\$ (11,500.00)	\$ 14,500.00	\$ (14,500.00)	\$ 4,800.00	\$ (4,800.00)
25	-2	Relocate Sewer Service	\$ 1,581.25	\$ (3,162.50)	\$ 1,500.00	\$ (3,000.00)	\$ 250.00	\$ (500.00)
26	-1	Relocate Water Service	\$ 2,116.00	\$ (2,116.00)	\$ 2,900.00	\$ (2,900.00)	\$ 1,830.00	\$ (1,830.00)
27	-35	16" Diameter Split Steel Casing	\$ 239.86	\$ (8,395.10)	\$ 170.00	\$ (5,950.00)	\$ 170.00	\$ (5,950.00)
Subtotal - Deductive Alternative (Items 7, 8, 12, 15, 16, 18, 20-27)				\$ (88,118.22)		\$ (80,353.00)		\$ (68,193.00)
TOTAL - Schedule A & B Less Deductive Alternative				\$ 260,036.51		\$ 287,678.00		\$ 303,411.00

* Mathematical error corrected by Engineer


 Christopher B. Brackett, P.E. - Arkansas No. 10628

Informational Items



354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

City Business Manager Report
May 14, 2018
City Council Meeting

- Isaac Navarro (7) has a work anniversary this month, thank him for his service!
- We opened bids for the Southwinds/Rainsong. Results are available in your packets. A recommendation will be provided at the Council meeting.
- What a great turnout at the Mayor's prayer breakfast! Thanks for attending!
- We had one expenditure over \$10,000.00 this month out of the General Fund, which was the Council approved \$25,000.00 payment to Area Agency on Aging for our Senior Center. In addition, we purchased the property on Broyles. Details of that purchase are in the financial report for the bond funds.
- We are now the proud owners of nearly 6 acres north of Williams Elementary School on Broyles. Development of our Public Works building is ongoing. Documents will be submitted for the project to be reviewed at the June Planning Commission meeting.
- Design is complete on the Hunter Street bridge project. We hope to advertise this month and have a proposal next month.
- We have heard from Legislative Audit. They plan to begin our 2017 audit in June.

*"The only person you should try to be better than is the person you were yesterday."
—Anonymous*



2018 FARMINGTON DISTRICT COURT MONTHLY DISTRIBUTION WORKSHEET MONTH OF APRIL

ADMIN OF JUSTICE FUND

Check #1	Dept. of Finance and Administration	Total for Check # 1	\$3,892.40	Chk#2051
Check #2	General Fund	Total for Check # 2	\$1,814.85	Chk#2052
Check #3	Washington County Treasurer (Act 1256)	Total for Check # 3	\$1,532.75	Chk#2053
Total Checks Admin of Justice				\$7,240.00

COURT COST & FINE

Check #4	Administration of Justice Fund			
	CCCR- Court Cost-Criminal		\$1,410.00	
	CCTR- Court Cost-Traffic		\$2,700.00	
	CCTRO- Court Cost-Traffic Ordinance		\$2,455.00	
	CCSEAT - Court Cost - Seat Belt		\$75.00	
	CCDWI-Court Cost DWI		\$600.00	
Total for Check # 4 (Chk#3383)				\$7,240.00
Check #5	General Fund			
	FINE- Fines Collected		\$8,011.67	
	WFCITY - Warrant Fee - City		\$20.00	
	NLIFL-No Liability Ins. Fines		\$887.00	
	FTPRLOC-Fines Local		\$295.00	
Total for Check # 5 (Chk#3384)				\$9,213.67
Check #6	Court Automation Fund			
	CFEE-Local Court Automation		\$945.00	
Total for Check # 6 (Chk#3385)				\$945.00
Check #7	Department of Finance & Administration			
	CFEES - State Court Automation Fee		\$950.00	
	DCSAF - Drug Crime Special Assess Fee		\$60.00	
	NIFS - New Installment Fee - State		\$1,810.00	
	AHPZFS-AHP "Z" Ticket Fines - 50% State		\$175.00	
	FTPRAHP - FTRP Fines - AHP		\$5.00	
Total for Check # 7 (Chk#3386)				\$3,000.00
Check #8	Washington County Treasurer			
	JBAF - Jail Booking and Admin Fee		\$10.00	
	CJF - County Jail Fee		\$1,687.00	
Total for Check # 8 (Chk#3387)				\$1,697.00
Check #9	RF - Restitution Fee			
	Walmart Neighborhood Market, Blair/ CR-16-227 & CR-16-228		\$50.00	
Total for Check # 9 (Chk#3388)				\$50.00
Check #10	RF - Restitution Fee			
	Walmart Neighborhood Market, Tracy Terhune/ CR-17-306		\$35.00	
Total for Check # 10 (Chk#3389)				\$35.00
Check #11	RF - Restitution Fee			
	Chic Gypsy Boutique, Samantha Jean Way/ CR-18-21		\$138.00	
Total for Check # 11 (Chk#3390)				\$138.00
Check #12	RDP - Refund Due Payer			
	Tisha Dawn Baran, Case No.CR-15-357		\$220.00	
Total for Check # 12 (Chk#3391)				\$220.00

Monthly Total \$22,538.67
Year To Date \$87,813.82

Ernie Penn, Mayor 5/1/18
Date

Kim Bentley, Court Clerk 5/1/18
Date

Graham Nations, District Judge _____
Date



City of Farmington
372 W. Main st.
P.O. Box 150
Farmington, AR 72730

Fire Department

Mark Cunningham
Fire Chief

Phone 479-267-3338
Fax 479-267-3302

April 2018 Monthly Report for Mayor and City Council

The fire department responded to over 85 calls during the month of April and that is over our average for all of last year for calls, and is only one call different than last month number of calls. The weather has made us do things a little different than what we planned for again. The colder conditions have been a challenge for us, and I can't remember another year that is has been this cold this late in the year. Usually April is warmer and we can do our hose testing and hydrant maintenance by the end of April but not this year.

This month we finally finished the new truck procuring the tools and appliances and installing all of the different sizes hoses and everything that we need to fight fire with.

We were able to send three of our firefighters to swift water training this month for a three day class and all of them passed with a 100% on their tests, we are so proud of them. The season for flooding and rescues is upon us, and now we have three more who will be able to respond to calls when people try to cross waters that they shouldn't be trying to cross, as well as those that get flooded out of their homes. We now have about half of our firefighters that are certified swift water responders and rescuers.

If weather permits us we will finish our hose testing sometime in May and then start fire hydrant testing and maintenance that we do every year, so if you get calls about fire hydrants running or wet around them, it is just us doing maintenance on our fire hydrants.

Thank you as always for your continued support of the fire department;

Mark Cunningham
Fire Chief

Farmington Police Dept.

Offenses for Month 4/2017 and 4/2018

5/2/2018 7:09:51 AM

	<u>2017</u>	<u>2018</u>
AGENCY ASSIST		
AA	2	1
ASSAULT ON FAMILY OR HOUSEHOLD MEMBER - 3RD DEGREE / APPREHENSION OF IMMINE		
5-26-309	0	1
BATTERY - 1ST DEGREE		
5-13-201A	1	0
BATTERY - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY		
5-13-203A(1)	0	1
Breaking or Entering/Vehicle		
5-39-202	2	2
BURGLARY, RESIDENTIAL		
5-39-201A(1)	1	1
CARELESS DRIVING		
27-51-104	2	1
CONTEMPT		
16-10-108	0	1
CRIMINAL IMPERSONATION / 2ND DEGREE / ASSUMES FALSE IDENTITY		
5-37-208(2)	0	1
CRIMINAL MISCHIEF - 2ND DEGREE / PURPOSELY TAMPERS		
5-38-204(a)(2)	1	0
CRIMINAL MISCHIEF - 2ND DEGREE / RECKLESSLY DESTROYS		
5-38-204(a)(1)	0	2
CRIMINAL SOLICITATION - CLASS A MISDEMEANOR (GROUP B OFFENSES)		
5-3-301(6)	1	0
DISORDERLY CONDUCT / UNREASONABLE OR EXCESSIVE BEHAVIOR		
5-71-207A(2)	0	1
DOMESTIC BATTERING - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY		
5-26-305A(2)	1	0
DRIVING ON SUSPENDED LICENSE		
27-16-303	2	3
DUI - UNDER AGE DUI LAW / MORE THAN .02% BUT LESS THAN .08%		
5-65-303B	0	1
DWI (UNLAWFUL ACT)		
5-65-103A	3	3
DWI - DRUGS (UNLAWFUL ACT)		
5-65-103B	1	1
DWI - OPERATION OF VEHICLE DURING DWI LICENSE SUSPENSION OR REVOCATION		
5-65-105	0	1
ENDANGERING THE WELFARE OF MINOR - 3RD DEGREE		

	<u>2017</u>	<u>2018</u>
5-27-207(b)	2	0
Excess Speed		
27-51-201	0	2
FAILURE TO APPEAR		
5-54-120	0	8
Failure to Maintain Control		
27-51-104(6)	1	1
FAILURE TO PAY FINES & COSTS		
5-4-203	6	19
FAILURE TO REGISTER - FAILURE TO COMPLY WITH REPORTING REQUIREMENTS		
12-12-904	1	0
Flight from Officer/foot		
5-54-125C3d1	0	1
FRAUDULENT USE OF A CREDIT CARD / CARD OR ACCOUNT NUMBER IS STOLEN		
5-37-207A(1)	1	0
FURNISHING PROHIBITED ARTICLES		
5-54-119	0	1
HARASSING COMMUNICATIONS / TELEPHONE, TELEGRAPH, MAIL, OR ANY WRITTEN FORM		
5-71-209A(1)	0	1
Ignition Interlock Devices Violation		
5-65-118	0	1
Improper Turn		
27-51-401	0	1
INTERFERENCE WITH CUSTODY		
5-26-502(a)	0	1
Leaving Scene of Accident/Personal Injury		
27-53-101	1	0
Leaving Scene of Accident/Property Damage		
27-53-102	1	0
No Proof Insurance		
27-22-104	0	5
No Proof of Ownership		
27-14-701C	0	2
No Seat Belt		
27-37-702	0	1
OBSTRUCTING GOVERNMENTAL OPERATIONS / OBSTRUCTS, IMPAIRS, HINDERS, THE PER		
5-54-102A(1)	0	1
Obstruction of Vision-windshield		
27-37-302	0	1
POSSESSING INSTRUMENTS OF CRIME		
5-73-102	1	0
POSSESSION OF A CONTROLLED SUBSTANCE - MARIJUANA		
5-64-401	1	4
POSSESSION OF DRUG PARAPHERNALIA		
5-64-443	0	9

	<u>2017</u>	<u>2018</u>
Possession of Drug Paraphernalia		
5-64-403(c)(1)(A)(i)	0	2
POSSESSION OF FIREARM BY CERTAIN PERSONS		
5-73-103	0	1
POSSESSION OF METH OR COCAINE LT 2GM		
5-64-419B(1)A	0	4
POSSESSION OF SCH IV OR V LT 28GM		
5-64-419B(4)A	0	2
POSSESSION OF SCH VI WITH PURPOSE TO DELIVERY		
5-64-436	1	0
PUBLIC INTOXICATION / DRINKING IN PUBLIC		
5-71-212	1	1
PURCHASE, POSSESSION OF INTOXICATING LIQUOR BY MINOR		
3-3-203	0	3
RECKLESS DRIVING		
27-50-308	0	1
RESISTING ARREST - REFUSAL TO SUBMIT TO ARREST / ACTIVE OR PASSIVE REFUSAL		
5-54-103B(1)	0	1
Right of Roadway		
27-51-301(A)	1	0
Run Stop Sign		
27-51-601	0	2
Run Stop(red) Light		
27-51-107	1	0
RUNAWAY		
90I	0	2
SHOPLIFTING \$1,000 OR LESS		
5-36-116	0	1
Tail Lights/Reflectors (Improper)		
27-36-215	0	2
TERRORISTIC THREATENING/2nd Degree		
5-13-301(2)A	1	1
THEFT \$1,000 OR LESS - ALL OTHERS		
5-36-103(b)(4)(A)	4	1
THEFT \$1,000 OR LESS - FROM BUILDING		
5-36-103(b)(4)(A)	0	1
THEFT \$1,000 OR LESS - FROM VEHICLE		
5-36-103(b)(4)(A)	2	2
THEFT BY RECEIVING		
5-36-106	0	1
THEFT BY RECEIVING LESS THAN \$25,000 BUT GREATER THAN \$5000		
5-36-106(e)(2)	0	1
THEFT OF PROPERTY - LOST, MISLAID, DELIVERED BY MISTAKE		
5-36-105	1	0
THEFT OF PROPERTY / ALL OTHER		

	<u>2017</u>	<u>2018</u>
5-36-103A(1)	1	1
UNATTENDED DEATH/NATURAL CAUSES		
DEATH	0	1
VIOLATION OF IMPLIED CONCENT		
5-65-205	1	1
VIOLATION OF IMPLIED CONSENT(underage)		
5-65-310	1	1
VIOLATION OF OPEN CONTAINER		
2009-01	1	1
Totals:	48	114

Farmington Police Dept.

Tickets Issued by Officer and Month for 2018

5/2/2018 7:07:30 AM

Officer	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Bertorello, James	22	16	17	3	0	0	0	0	0	0	0	0	58
Brotherton, James	11	15	15	17	3	0	0	0	0	0	0	0	61
Catron, Joshua	27	24	28	5	0	0	0	0	0	0	0	0	84
Collins, John	1	0	0	0	0	0	0	0	0	0	0	0	1
Collins, Justin	79	40	53	46	2	0	0	0	0	0	0	0	220
Long, Dustin	25	30	33	5	0	0	0	0	0	0	0	0	93
Mahone, Taron	132	67	107	109	4	0	0	0	0	0	0	0	419
Parrish, Chad	1	0	2	0	0	0	0	0	0	0	0	0	3
Talley, Taylor	65	55	41	26	7	0	0	0	0	0	0	0	194
Wilbanks, Johnie	0	1	0	0	0	0	0	0	0	0	0	0	1
Totals:	363	248	296	211	16	0	0	0	0	0	0	0	1134



Permit Report

04/01/2018 - 04/30/2018

Permit #	Permit Date	Site Address	Description of Work	Square Foot	Contractor	Material & Labor	Total Fees
2011	4/30/2018	644 Arroyo	New House	1,808	Riggins Construction	210,000	\$790.00
2010	4/30/2018	435 La Riata	New House	2,095	Riggins Construction	244,000	\$892.00
2009	4/30/2018	271 W Main	Electrical remodel for a church	0	Hill Electric	5,000	\$35.00
2008	4/27/2018	611 Double Springs	HVAC for new house	3,729	Sturdivants Heating and Air	9,250	\$60.00
2007	4/27/2018	611 Double Springs	Electric for new house	3,729	Obarr Electrical	9,500	\$60.00
2006	4/27/2018	323 E Main	Updating from 1 phase to 3	0	Quality Electric	1,100	\$20.00
2005	4/18/2018	503 Orchard Creek Drive	Pool for new house	3,193	Megalodon Pools	430,000	\$225.00
2003	4/16/2018	10910 Garland McKee	Electric for new house	3,123	Lonestar Electric	10,000	\$60.00
2002	4/16/2018	10958 Garland McKee	Electric for new house	3,778	Lonestar Electric	10,000	\$60.00
2001	4/16/2018	11006 Garland McKee	Electric for new house	3,283	Lonestar Electric	10,000	\$60.00
2000	4/9/2018	10884 Windswept	Electric for new house	2,956	Metro Lighting	5,000	\$35.00
1998	4/9/2018	10896 Windswept	Electric for new house	2,958	Metro Lighting	5,000	\$35.00
1997	4/9/2018	290 E Main	Framing for the bathroom	0	Pick-It Construction	2,000	\$20.00
1996	4/6/2018	442 La Riata	HVAC for new house	1,808	Anderson Heating and Air	3,850	\$30.00
1995	4/6/2018	470 La Riata	HVAC for new house	1,964	Anderson Heating and Air	3,850	\$30.00
1994	4/6/2018	498 La Riata	HVAC for new house	1,808	Anderson Heating and Air	3,850	\$30.00
1993	4/6/2018	428 La Riata	HVAC for new house	1,964	Anderson Heating and Air	3,850	\$30.00
1992	4/4/2018	10910	New House	3,123	Trademark	363,000	\$1,249.00

		Garland McKee			Custom Homes		
1991	4/4/2018	428 La Riata	Electric for new house	1,964	Fast Electric	5,100	\$40.00
1990	4/4/2018	498 La Riata	Electric for new house	1,808	Fast Electric	5,100	\$40.00
1989	4/4/2018	470 La Riata	Electric for new house	1,964	Fast Electric	5,100	\$40.00
1988	4/4/2018	442 La Riata	Electric for new house	1,808	Fast Electric	5,100	\$40.00
1987	4/3/2018	114 Neal Street	Electrical and mechanical repair on fire damaged building	1,660	Bunting Electric- Heating and air	6,000	\$40.00
1986	4/2/2018	110 E Main	Addition to existing bank	1,245	Pick-It Construction	221,000	\$1,345.00
1985	4/2/2018	10958 Garland McKee	New House	3,778	Trademark Custom Homes	439,000	\$1,477.00
1984	4/2/2018	11006 Garland McKee	New House	3,283	Trademark Custom Homes	382,000	\$1,306.00
							\$8,049.00

Total Records: 26

4/30/2018

Page: 1 of 1

Library
Circulation and Patron Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2018												
Total Circulation	3,657	3,471	3,930	3,945								
YTD Circulation	3,657	7,128	11,058	15,003								
Holds Satisfied	684	650	681	661								
YTD Hold Satisfied	684	1,334	2,015	2,676								
PAC Logins	870	784	969	929								
YTD PAC Logins	870	1,654	2,623	3,552								
New Cardholders	39	38	11	22								
YTD New Cardholders	39	77	88	110								

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2017												
Total Circulation	4,294	3,602	4,182	4,076	4,186	4,897	4,356	3,669	4,121	4,121	3,658	3,422
YTD Circulation	4,294	7,896	12,078	16,154	20,340	25,237	29,593	33,262	37,383	41,504	45,162	48,584
Holds Satisfied	809	742	767	800	763	803	679	772	734	734	805	621
YTD Hold Satisfied	809	1,551	2,318	3,118	3,881	4,684	5,363	6,135	6,869	7,674	8,350	8,971
PAC Logins	869	758	901	826	840	837	754	806	710	886	799	744
YTD PAC Logins	869	1,627	2,528	3,354	4,194	5,031	5,785	6,591	7,301	8,187	8,986	9,730
New Cardholders	39	26	32	29	26	52	32	34	25	21	22	14
YTD New Cardholders	39	65	97	126	152	204	236	270	295	316	338	352

Library
Computer Use

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Early Literacy Station Users	101	114	134	105								
YTD Early Literacy Station Users	101	215	349	454								
Users	231	245	235	241								
YTD Users	231	476	711	952								
Device Checkout	0	0	1	2								
YTD Device Checkout	0	0	1	3								
2017												
Early Literacy Station Users	95	86	96	93	109	105	123	128	103	110	97	84
YTD Early Literacy Station Users	95	181	277	370	479	584	707	835	938	1,048	1,145	1,229
Users	314	293	301	271	308	224	241	365	334	237	221	264
YTD Users	314	607	908	1,179	1,487	1,711	1,952	2,317	2,651	2,888	3,109	3,373
Device Checkout	0	0	0	0	2	3	0	4	2	0	0	0
YTD Device Checkout	0	0	0	0	2	5	5	9	11	11	11	11

Library
Miscellaneous Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Color Print Services	28	32	37	34								
YTD Color Print Services	28	60	97	131								
Copy/Print Services	929	1,420	1,412	2,029								
YTD Copy/Print Services	929	2,349	3,761	5,790								
Fax Services	90	71	74	142								
YTD Fax Services	90	161	235	377								
Notary Services	2	1	2	1								
YTD Notary Services	2	3	5	6								
Reference Transactions	221	248	346	275								
YTD Reference Transactions	221	469	815	1,090								
Scanning Services	20	14	39	41								
YTD Scanning Services	20	34	73	114								
Staff Supervised Volunteer Hours	35	33	27	14								
YTD Staff Supervised Volunteer Hours	35	68	95	109								
Test Proctor	0	0	0	0								
YTD Test Proctor	0	0	0	0								
2017												
Color Print Services	53	31	24	20	110	40	59	49	14	21	56	36
YTD Color Print Services	53	84	108	128	238	278	337	386	400	421	477	513
Copy/Print Services	1,205	1,336	1,373	1,211	1,696	1,429	1,677	1,627	1,730	1,453	1,411	1,798
YTD Copy/Print Services	1,205	2,541	3,914	5,125	6,821	8,250	9,927	11,554	13,284	14,737	16,148	17,946
Fax Services	38	35	39	51	87	78	55	72	103	108	69	77
YTD Fax Services	38	73	112	163	250	328	383	455	558	666	735	812
Notary Services	9	0	10	17	5	10	4	6	5	10	0	0
YTD Notary Services	9	9	19	36	41	51	55	61	66	76	76	76
Reference Transactions	189	188	235	241	204	224	241	291	240	195	122	179
YTD Reference Transactions	189	377	612	853	1,057	1,281	1,522	1,813	2,053	2,248	2,370	2,549
Scanning Services	18	14	15	28	18	22	10	21	24	23	25	33
YTD Scanning Services	18	32	47	75	93	115	125	146	170	193	218	251
Staff Supervised Volunteer Hours	46	53	45	68	17	13	11	21	21	34	13	2
YTD Staff Supervised Volunteer Hours	46	99	144	212	229	242	253	274	295	329	342	344
Test Proctor	0	0	0	0	0	1	1	0	2	3	0	3
YTD Test Proctor	0	0	0	0	0	1	2	2	4	7	7	10

Library
Programs and Meetings

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Book Club		8	10	9								
Community Story Time		51	57	56								
Kids Book Club	3	16	14	7								
Kindergarten Story Time		111	226	187								
Meeting Room Use		7		7								
Nonfiction Book Club			1	1								
Painting Class			18									
Technology Instruction	1	5	3	3								
Theater Performance by YAG		34										
Total Monthly Program Attendance	4	232	329	263								
Number of Juvenile Programs	1	8	9	8								
Number of Young Adult Programs		0	0	0								
Number of Adult Programs	1	2	5	2								
Number of Non-Library Meeting Room Events		1		1								

Library
Daily Visitors

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018												
Visits	2,170	2,183	2,584	2,384								
YTD Visits	2,170	4,353	6,937	9,321								
2017												
Visits	2,431	2,526	2,616	2,553	2,381	3,078	2,659	2,617	2,491	2,827	2,244	2,307
YTD Visits	2,431	4,957	7,573	10,126	12,507	15,585	18,244	20,861	23,352	26,179	28,423	30,730

Planning Commission Minutes
March 26, 2018

1. **ROLL CALL** – Meeting was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Jay Moore
Gerry Harris
Bobby Wilson
Robert Mann, Chair
Judy Horne
Matt Hutcherson
Toni Bahn

ABSENT

Howard Carter

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Inspector; Steve Tennant, City Attorney; Chris Brackett, City Engineer

2. **Approval of Minutes:** February 26, 2018 Minutes were approved as written.
3. **Comments from Citizens:** No comments from citizens.

PUBLIC HEARING

4A. Rezoning Request for 133 E. Neal St. from R-1 to MF- 1, presented by Jerry Coyle:

Jerry Coyle was present to discuss the request. It is proposed to place a duplex on the property.

Comments from the City:

Rick Bramall said that the property meets all requirements for building a duplex and being rezoned. Steve stated that after researching he was not able to find any restrictive covenants for the subdivision. Matt Hutcherson asked if they could build a duplex because of the lot size. Rick Bramall explained that it will indeed fit in the lot. He further explained that the setback requirements would be met. Judy Horne expressed her concerns for the space as well as the location of where the duplex would be built. She also asked if there would be a landscaping screen required because of how close the duplex would be to the surrounding houses. Melissa McCarville said that there would be no required landscape screen to be put into place.

Public Comment:

Janie Steele, 149 Neal St. – stated there was no covenant put into place when the subdivision was built. She would like to see the area stay as residential housing instead of multi- family.

Samantha Jerry, 132 Neal St. – she is concerned about the traffic flow into the area. The new light that was placed at the four way stop has caused people to try to cut through their neighborhood. This is a safety issue. There have been 2-5 vehicles added to every one vehicle that usually comes through. The duplexes have caused a delay in couples coming to buy the existing ranch style homes.

Steve Williams, 140 Neal St. – that neighborhood is all family homes. He was concerned that if they put one duplex in that area that it would not stop there. He doesn't want that view. He has lived there all his life and he just doesn't want to see the subdivision become part of a duplex area.

Jeff Thomas, 148 Neal St. – he is concerned about the property values decreasing and safety issues due to traffic influx due to population increase.

Comments from the City:

Steve Tennant provided clarification for what MF-1 zoning requires.

Robert Mann called the question to approve the rezone request for 133 E. Neal St. from R-1 to MF-1. Upon roll call, no's were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, Judy Horne and Bobby Wilson; absent, Howard Carter.

4B. Variance request for Lot 6 Holland Crossing Commercial subdivision- variance of the requirement to process a large scale development application, presented by Jesse Fulcher:

Jesse Fulcher from Rausch Coleman presented on the variance request for Lot 6 Holland Crossing. This lot is 10,000 sq. ft. lot. This has been mainly used as a storage unit for 10 years. The reason for the request stemmed from a recent tractor that was stolen out of the lot. They are requested this to get everything put up and out of sight so that doesn't happen again. This area is already developed, follows large scale development requirements and there will be little to no impact on traffic. It has appropriate landscaping. They would just need the site plan reviewed and approved.

Comments by the City:

Steve Tennant asked what the current building is. It is a storage yard that is already zoned commercial. Melissa McCarville brought it to everyone's attention about drainage. It was suggested that they waive the requirement for large scale but then require a drainage plan. Chris Brackett stated that after all the requirements they should just go through large scale development. Jay Moore agreed that they should go through large scale development process.

Public Comment: No public comment.

Jerry Coyle made the comment that he believes this should be determined as a case by case basis. There are two different opinions. If they have to do all these improvements that are required by the large scale the expense goes up which is not what he wants.

Robert Mann called the question to approve the variance request for Lot 6 Holland Crossing Commercial subdivision. Upon roll call, no's were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, Judy Horne and Bobby Wilson; absent, Howard Carter.

5. Set Public Hearing for cell tower ordinance:

Steve Tennant opened the discussion about the landscaping around the perimeter of the structure. He stated that he would like to see a landscape screen around the base of the structure rather than

landscape around the base. There were questions from the Planning Commission, the City staff as well as the public as to when it would be required to do the landscaping. Juliette Richie addressed the questions with the conditional use permit process. This would allow evaluating the compatibility for the landscaping requirements. The screening would become a recommendation for this structure.

More questions were asked about the paving which are addressed by the Conditional Use Permit requirements. This will be included in the site plan which is submitted with the application process. Jay Moore addressed a concern for a possible lawsuit against the City and the Planning Commission for not having it clearly stated to determine if this is required. Melissa McCarville addressed that the paving ordinance might come into effect because of parking within the site.

Tom Kicklak stated that the cell tower Conditional Use permit has to address all the issues. This would trigger building permits as well as any ordinances. He asked Rick if this would go through large scale. Rick replied R-2 would go through large scale but R-0 would not trigger large scale requirements.

Public comment:

Jill Toering, 306 Claybrook- Cell tower is in a visible area. This will cause limited area to grow and also will ruin the property values.

Jay Moore made a motion to accept the ordinance as amended by Steve Tennant and Juliette Richie. Gerry Harris seconded the motion.

Robert Mann called the question to approve the Cell Tower Ordinance. Upon roll call, ayes were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, and Bobby Wilson; the no's, Judy Horne; absent, Howard Carter.

Small wireless cell tower had no changes and was passed with a unanimous yes.

6. Adjournment: Having no further business, meeting was adjourned.



Judy Horne - Secretary



Robert Mann - Chair



Washington County Regional Ambulance Authority- 2017 Annual Report

Washington County Regional Ambulance Authority-Central EMS provides exclusive emergency medical services to the cities of Fayetteville, Elkins, Elm Springs, Farmington, Greenland, Goshen, Lincoln, Johnson, Prairie Grove, Tontitown, West Fork, Winslow and unincorporated Washington County. As a local and state leader in the field of pre-hospital emergency medicine, Central EMS partners with local hospitals to enhance care for patients suffering a heart attack, stroke and victims of traumatic injuries.

Service Area: 920 sq. miles
 EMD/EFD Dispatchers: 13
 Number of Stations: 10

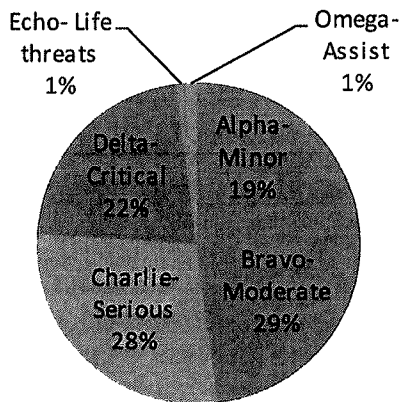
Population: 149,492
 Emergency Medical Technicians: 50
 Non-Emergency Ambulances: 2

EMS Full Time Staff: 124
 Paramedics: 36
 Emergency Ambulances: 10

Call Volume				
	2014	2015	2016	2017
Total Ambulance Calls	16666	17834	21056	21347
Emergency Calls	13282	14332	17131	17237
Emergency Transports	8951	9265	10587	11234
Emergency Non-Transports	4331	5065	6564	6003
Non-Emergency Transfers	3384	3505	3914	3475
Wheelchair	4745	5165	533	0

Community	Total Ambulance Calls			Dispatch Performance			
	2015	2016	2017	2014	2015	2016	2017
Cincinnati	61	60	70	Emergency Call Processing Time < 2 min (120 sec)			
Elkins	418	446	432	Fractile Answer Time- 911 < 3 rings (6 sec) 90%			
Elm Springs	0	91	76	Overall Center EMD Compliance > 90%			
Evansville	30	28	25	38.4	31.0	32.0	32.0
Farmington	723	730	773	98.6%	98.4%	98.8%	98.6%
Fayetteville	12452	14311	14623	98.8%	98.5%	98.5%	98.7%
Goshen	268	341	311				
Greenland	83	154	129				
Johnson	152	373	291				
Lincoln	707	724	776				
Morrow	68	100	84				
Nob Hill	10	474	489				
Prairie Grove	989	1052	1194				
Round Mtn	125	180	172				
Strickler	69	101	86				
Sunset	25	24	19				
Tontitown	11	326	317				
Wedington	193	182	155				
West Fork	599	682	644				
Wheeler	103	119	130				
Whitehouse	69	55	74				
Winslow/Bstn Mtn	183	248	239				
Other	496	255	238				
Total	17834	21056	21347				

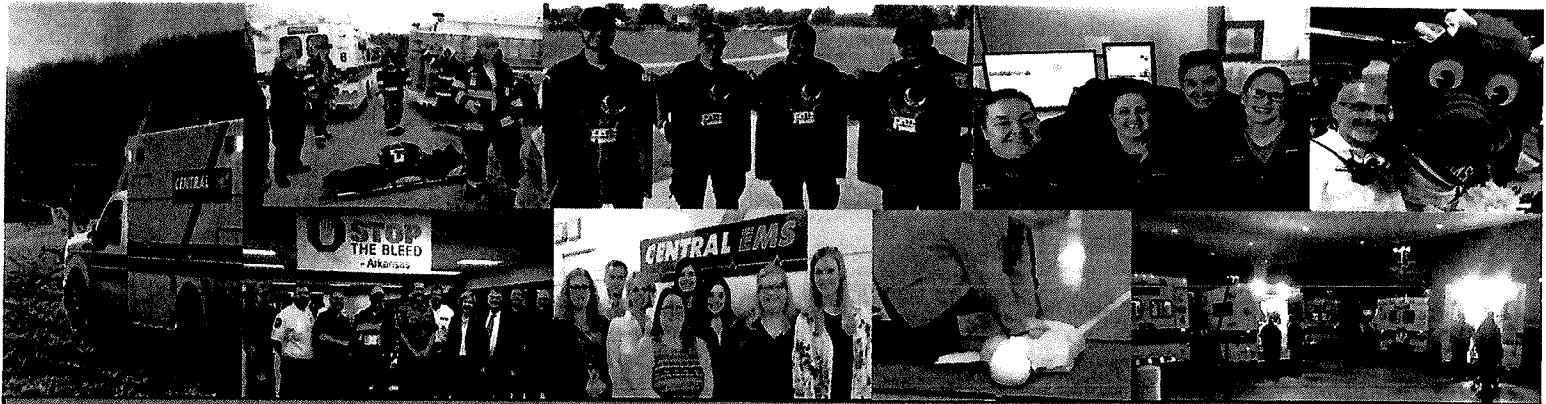
Dispatch Priority- Emergency Calls



Call Type	Total		
	2015	2016	2017
Cardiac Arrest	182	211	228
Cardiac/Respiratory	1833	2196	2403
Medical	7680	10623	9315
Traffic Accident	1060	1448	1287
Trauma	2468	2886	2890
Inter-facility	3567	3942	3475
Standby/Special Event	336	719	614
Wheelchair	5165	533	0

Washington County Regional Ambulance Authority

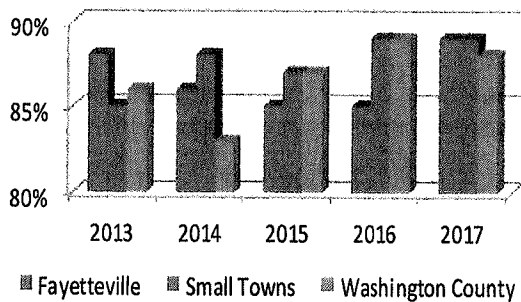




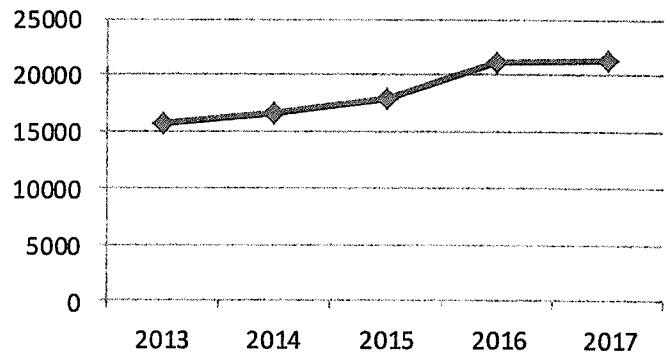
Service Highlights

Specialized Care	2014	2015	2016	2017	Training/Community Activities	2014	2015	2016	2017
Cardiac Arrest Save Rate ¹	22%	27%	33%	29%	LEFR's Training ⁶ (hrs)	0	0	392	1662
STEMI ²	65	41	50	70	Central EMS Education (hrs)	4830	4140	5687	15394
Trauma Alert ³	118	99	139	136	Fire Department Education (hrs)	1986	7612	4069	4819
CPAP ⁴	45	52	73	75	Community Education (hrs)	1362	1278	1866	5860
PAI Completed ⁵	25	29	55	58	Medical Standby for Community Events (hrs)	1740	1867	3141	2594

Emergency Ambulance Response Time (Goal 90%)



Total Ambulance Calls



Significant Events

- Provided a 6% merit increase for Central EMS employees.
- Purchased property at 833 So. Crossover, Station 8, to better serve Fayetteville, Elkins and Goshen.
- Purchased and implemented state of the art TriTech computer aided dispatch software.
- Improved billing processes to increase net collection rate to 84.2% which represents 82.5% of operating revenue.
- Completed renovation on Station 9 and added 3 bay garage.
- Received Arkansas State Trauma Grant for \$30,261.89 which we applied toward the purchase of Intabrite laryngoscopes for improved airway management.
- Received General Improvement Fund (GIF) grant of \$1770.00 from Sen. Uvaldi Lindsey for Hands-Only CPR program.
- Completed 15th annual CAMP Rescue, a combined effort between Central EMS, the Washington County Sheriff's Office and Washington County Rural Fire Association, trained 26 youth in CPR, First Aid and basic Fire Safety.
- Graduated Colin Olson, Eve Griggs and Tina Fuller from the NWACC Paramedic Program; and Michael Downing, Amanda Chandler, Chelsea Chambers, Jason Quillin from the Crowder College Paramedic Program. Congratulations!
- Recognized Thompson Kongmany as the 2017 *Employee of the Year*, chosen by his Battalion Chiefs as someone who exemplifies the values of Central EMS: *Honesty, Integrity, Professionalism, Compassion, Respect, Trust and Commitment*.
- Travelled over 596,208 miles and used 65,977 gallons of fuel with our fleet of 30 vehicles.
- Provided professional development program for Central EMS leadership staff.
- Recognized by the American Heart Association for excellence in care for heart attack patients by receiving the Mission Lifeline Gold award.

¹ 29% of the patients that present in cardiac arrest arrive at the hospital with a pulse. The national average is 10%.

² Paramedics complete, interpret and transmit 12-Lead EKGs to WRMC Emergency Department and Cardiac Catheterization Lab for patients with EKG changes indicative of a heart attack. The goal is to reduce the time from onset of chest pain to catheterization-reperfusion of the heart muscle.

³ Early notification of the trauma center of a major or moderate trauma injury allowing the trauma team to assemble during patient transport to the emergency department.

⁴ Continuous Positive Airway Pressure (CPAP) provides for non-invasive delivery of ventilation to clear the lungs of fluids seen in Congestive Heart Failure patients. This therapy reduces the need for tracheal intubation and therefore may reduce the hospital stay for the patient.

⁵ Pharmacological Assisted Intubation (PAI) allows for the use of paralyzing agents to assist Paramedics in providing emergency airway management for the critically ill or injured patient.

⁶ LEFR's is first responder training for law enforcement and is integrated training with law enforcement, fire and EMS for active shooter preparedness.