

Minutes of the Regular Farmington City Council September 11th, 2023

The regular meeting of the Farmington City Council scheduled for Monday, September 11th, 2023, was called to order at 6:00 pm by Mayor Ernie Penn. City Clerk Kelly Penn called the roll and the following Council Members answered to their names: Diane Bryant, Brenda Cunningham, Sherry Mathews, Hunter Carnahan, Bobby Morgan, and Kara Gardenhire. Council Members Keith Lipford and Linda Bell were absent. Also present was City Attorney Jay Moore and City Business Manager Melissa McCarville.

Comments from Citizens - None.

Approval of the minutes for the Regular City Council Meeting August 14th, 2023, meeting.

On the motion of Council Member Bryant and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the minutes were approved as presented by a vote of 6-0.

Approval of the minutes for the Special City Council Meeting August 17th, 2023, meeting

On the motion of Council Member Carnahan and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the minutes were approved as presented by a vote of 6-0.

Financials

Mayor Penn presented the financial reports to the City Council. Monthly city sales tax increased 36.2%. Monthly state sales tax increased 5.9%. Year to date there is an increase of 8.44% compared to 2022. Mayor Penn advised that at the last planning commission meeting there was some confusion in the discussion about how park funds were allocated when cash in lieu funds were given. He stated there is a line item in the parks budget, in the financial report, in their agenda packet, which shows the earmarked funds. He also stated that ARDOT will be ready to bid on the HWY 170 project this fall. City Business Manager McCarville reminded the council that we pay those funds up front and are then reimbursed later so the financials will look much different in the future.

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

On the motion of Council Member Morgan and a second by Council Member Carnahan 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 6-0.

Proclamations, Special Announcements, Committee/Commission Appointments

Mayor Penn advised Farmington city clean up dates are September 29th and 30th, the drop off location is the public works building. The Fall Festival is September 30th at Creekside Park. Since the two have taken over we have had much more participation at the Farmers Market and the Fall Festival is much bigger this year. Mayor Penn informed the council the city had been released and dismissed from the lawsuit filed by Phillis Young. The lawsuit is still ongoing between Ms. Young and the other parties.

Committee Reports -There were no written reports submitted.

Parks Committee – Council Member Mathews advised that they had a preliminary plan for the Farmington Heights Neighborhood Park, and she would have something to present to the council soon.

Community Development – Council Member Bryant invited everyone to pickleball lessons and line dancing lessons at Creekside Park on Saturdays.

Items to be removed from City of Farmington Inventory-

Police Department- Jimmy Brotherton- Requesting the removal of Items from Inventory

On the motion of Council Member Bryant and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the motion to remove the following items (see below) from police inventory was approved 6-0.

Kenwood TK3180 NKP radio pkg. (hand held) serial # 70102374, city tag 529, Kenwood TK8180 radio, serial # 61100119, city tag 530, Kenwood TK8180 radio, serial # 61100120, city tag 531, Kenwood TK8180 radio, serial 70702986, city tag 543, Kenwood TK8180 radio, serial # 70703081, city tag 544, Remington 870 Shotgun, serial # D281238M, IOUF8 Inner Edge Light Bar, serial # 356, city tag 554, Guth Mod 34C, serial # G6967, city tag 941, Guth Mod 34C, serial # G6968, city tag 942, Kenwood TK8180K radio, serial # 90402049, city tag 569, Kenwood TK8180 radio, serial #90900747, city tag 576, Kenwood TK8180 radio, serial # 90900746, city tag 577, Kenwood TK3180 radio, serial # A9300920, city tag 591, Kenwood TK8180 radio, serial # 006011434, city tag 592, Kenwood TK8180 radio, serial # 90900778, city tag 585, Kenwood TK8180 radio, serial # 90900779, city tag 586, Kenwood TK3180 radio, serial # A9300432, city tag 587, Kenwood TK3180 radio, serial #A9300431, city tag 588, Kenwood TK3180K radio, serial # A9300819, city tag 597, Kenwood TK3180K radio, serial # A9300918, city tag 598, Kenwood TK318K radio, serial # A9300917, city tag 599, Kenwood TK3180K radio, serial # A9300921, city tag 596, Kenwood TK3180K radio, serial # A9300922, city tag 595, Kenwood TK3180K radio, serial # A9300923, city tag 594, Kenwood TK3180K radio, serial # A9300924, city tag 593, GHD Decatur Radar, serial # GHD -15760, city tag 608, UHF Mobile Radio Serial # B1C00989, city tag 632, UHF Mobile Radio Serial # B2701426, city tag 633, Kenwood NX-300K radio serial # B 5500915, city tag 654, Epson EX250 Projector serial # WFAK5X006678, city tag 655, NX-300K hand handheld radio serial # B6610733, city tag 668, NX-300G Kenwood handheld radio serial # B57101138P, city tag 669, NX-800K Kenwood radio serial # B6A10248, city tag 671, NX-800K Kenwood radio serial # B6A10249, city tag 670, NX-300K Kenwood radio serial # B6610741, city tag 675, NX-300K Kenwood handheld radio serial # B7710131, city tag 676, NX-800K Kenwood radio serial # B7610374, NX-800K Kenwood radio serial # B7610375, Chiroform Heavy Duty Chair serial # 10910205, city tag 683, Chiroform Heavy Duty Chair serial # 10910204, city tag 684.

Old Business

Ordinance No. 2023-13 An Ordinance ordering the razing (demolition) and removal of certain structure(s) within the city of Farmington Arkansas, located at 11520 Clubhouse Parkway; to declare an emergency and for other purposes.

Mayor Penn asked Kenneth Lipsmeyer, property owner, if he wished to address the city council.

Kenneth Lipsmeyer, property owner – The pool has been drained and a fence has been partially put up and we are cleaning the inside of the building. We have 3 possible proposals and the possibility of the golf course purchase.

Council Member Bryant asked what holes? All of them? Mr. Lipsmeyer said no, just the property they own.

Council Member Cunningham asked what are the 3 proposals? She would like to see it refurbished for the community.

Council Member Gardenhire asked what his timeline was? Mr. Lipsmeyer said soon.

Council Member Carnahan asked for clarification of what soon meant? Mr. Lipsmeyer said 30-45 days.

Council Member Morgan asked Mr. Lipsmeyer if the building inspector had walked through the building yet to make sure it was stable. Mr. Lipsmeyer said he had been busy and had not had time to schedule that meeting yet.

Mayor Penn opened the floor to public comment.

Adrian Adkins, 11498 Clubhouse Parkway - I bought in Valley View about 3 ½ years ago. They only have a temporary barricade, a partial fence, that is going to prevent people from mowing who are trying to keep their places mowed. I would like to see them do something about the ticks and mosquitoes. It is never going to be a golf course again. I see this eye sore every day.

Ty Fawley – 11287 Kendall Court – I appreciate Mr. Lipsmeyer coming to face the question and people. The fencing was done at the last minute, it is not secure. Instead of cleaning the inside of the building, how about cleaning up the outside since we all have to see it. There are weeds, the fence is falling down. There are 460 households. We need a sense of community. He said there are 3 proposals, are they 3 separate ones? What type of proposals? Conversations or offers? I would like to see the clubhouse refurbished or maintained. Could they donate it to the city and make it a park?

Anita Nelson 11028 Coleman Court - They only mowed the driving range, not all of it. I would like to have the golf course back.

Guy Smith 11702 Clubhouse Parkway – They cannot even commit to mowing the property, I have no faith it will be cleaned up. Is someone going to buy the golf course? There is no golf course there anymore, no one is going to rebuild this course. They cannot commit to mowing, why would we give them time?

Adrian Adkins, 11498 Clubhouse Parkway – I want to be positive, can the city buy it and have a satellite or administrative offices or a park there?

Lisa Henson 11651 East Creek Drive – I live in Valley View and it is so beautiful. I have trespassed and walked the golf path and it is just beautiful. I want to restore brokenness, let this be a symbol of hope. I understand it is an eyesore, Mr. Lipsmeyer took responsibility, give us more time.

Hal Henson 11651 East Creek Drive – I wrote the original land contract, there have been golf course failures, I know you are not taking the land. Farmington Heights gets a park, how many residents do they have? Valley View has nothing.

Mayor Penn closed the floor to public comment and asked Mr. Lipsmeyer if he would like to answer any of the questions brought up by public comment.

Kenneth Lipsmeyer, property owner – It will not take hundreds of dollars to fix it, unless it is made into office space. I have real offers, I cannot divulge from whom, there is no guarantee they will happen. I am sorry for not being active sooner, but I am not afraid to listen. I need to get in touch with who is in charge of the mowing, I have questions. I need to get in touch with your building inspector too. It was not completely mowed last time.

City Attorney Moore gave Mr. Lipsmeyer the proper contact information and a timeline of when the city last mowed, and the last mowing was done by whoever their entity hired, not the city of Farmington. The next mowing date is September 15, 2023.

Council Member Carnahan asked Mr. Lipsmeyer who was the other partner and he replied Joe Stewart.

Council Member Gardenhire asked if the other owner was willing to sell? Mr. Lipsmeyer replied yes.

Council Member Bryant made a motion to suspend the rules reading of the ordinance in full and place the ordinance 2023-13 on its second reading by title only. It was seconded by Council Member Gardenhire, and after a roll call vote, the motion was approved 4-2, with Council Members Bryant, Cunningham, Mathews, and Gardenhire voting yes and Council Members Carnahan and Morgan voting no.

The ordinance will be placed on its final reading at the October city council meeting. Mayor Penn called for a brief recess to allow citizens to exit the chambers if they wished at 6:52 pm. The meeting was called back to order at 6:54 pm.

New Business

Resolution No. 2023-09 A Resolution waiving requirements of competitive bidding for site work for the fire training facility to be built at the Public Works building for the Farmington Fire Department pursuant to A.C.A § 14-58-303 (b) (20 (B))

After a brief presentation by Fire Chief Hellard, on the motion of Council Member Carnahan and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the motion to approve Resolution No. 2023-09 was approved 6-0.

Presentation & Review of 2021 & 2022 Legislative Audit

City Clerk Penn presented the 2021 & 2022 Legislative Audit findings to the city council. Due to Covid-19, the city was not audited in 2021 so the city had two audits performed this year. The City of Farmington had a clean audit and were found to have no deficiencies for either year. On the motion of Council Member Cunningham and a second by Council Member Bryant and by the consent of all Council Members present after a roll call vote, the motion to acknowledge the presentation of the 2021 & 2022 Legislative Audit was approved 6-0.

There being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Gardenhire and by the consent of all members present, the meeting adjourned at 7:08 pm until the next regularly scheduled meeting to be held Monday, October 9th, 2023, in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved: 

Mayor Ernie Penn

Attest: 

City Clerk Kelly Penn