



Mayor Ernie Penn

City Attorney Jay Moore

City Clerk Kelly Penn

City Council Member Sherry Mathews  
Ward 1 Position 1

Council Member Keith Lipford  
Ward 2 Position 1

Council Member Brenda Cunningham  
Ward 3 Position 1

Council Member Diane Bryant  
Ward 4 Position 1

Council Member Hunter Carnahar  
Ward 1 Position 2

Council Member Linda Bell  
Ward 2 Position 2

Council Member Bobby Morgan  
Ward 3 Position 2

Council Member Kara Gardenhire  
Ward 4 Position 2

A meeting of the Farmington City Council was held on November 12, 2024, at 6:00 p.m. in the Council Chambers at Farmington City Hall, located at 354 West Main Street, Farmington Arkansas. Mayor Ernie Penn called the meeting to order.

PRESENT: Council Members Diane Bryant, Keith Lipford, Brenda Cunningham, Sherry Mathews, Hunter Carnahan, Linda Bell, Bobby Morgan, Kara Gardenhire, City Attorney Jay Moore, City Clerk Kelly Penn, City Business Manager Melissa McCarville, Press and Audience Members.

#### Pledge of Allegiance

**Comments from Citizens – All comments will be taken under advisement with no action taken.**

#### Approval of October 14<sup>th</sup>, 2024, City Council Minutes

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

#### Financial Reports

Mayor Penn presented the financial reports to the City Council. The monthly city sales tax increased by 1.034 %. The monthly state/county sales tax increased by 1.031 %.

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

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

#### Proclamations, Special Announcements, Committee/Commission Appointments - None

#### Committee Reports – None.

**Items to be removed from the City of Farmington Inventory – Police Department- Removal of 2 Units**

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 remove 2 Dodge Charger Units from inventory, Unit 15-01 VIN 2C3CDXAR6GH298129 and Unit 160-01 2C3CDXAR6FH837055 was approved 8-0.

**Items to be removed from the City of Farmington Inventory – Administration – Removal of Sonic Firewall TZ400**

On the motion of Council Member Carnahan and a second by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the motion to remove 1 Sonic Firewall TZ400, serial number 18B169884D9C, inventory tag 726 was approved 8-0.

**Old Business**

City Clerk Kelly Penn advised the council members that Ordinance 2024-13 came back to the city council because, even though the motion passed at the last meeting, it did not have the required two thirds majority vote to suspend the rule requiring the ordinance to be read one time by title only. The ordinance is now presented on its second reading by title only.

**Ordinance No 2024-13 An Ordinance rezoning property at 229 N. Broyles Street, from A-1 Agriculture, to MF-2, Residential Multi Family as requested by MRS enterprises.**

Mayor Penn asked for public comment, there was none.

A motion was made by Council Member Bell and a second by Council Member Carnahan to suspend the rules and place Ordinance 2024-13 on its second and third reading by title only, and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. City Attorney Moore read Ordinance No. 2024-13 by title only. Mayor Penn asked "Shall the ordinance pass?". After a roll call vote, the motion to pass Ordinance No 2024-13 was approved 7-1 with Council Member Gardenhire voting no. A motion was made by Council Member Carnahan and seconded by Council Member Mathews to approve the emergency clause for Ordinance No. 2024-13. After a roll call vote, the Emergency Clause was approved 8-0.

**Ordinance No. 2024-14 An Ordinance rezoning property on Wesley Stevens Road, parcel #760-018027-000, From A-1 Agriculture to RE-2, Residential Estate as requested by Steven Church.**

Mayor Penn asked for public comments, we had the following citizens speak with concerns about the increase in traffic, drainage issues, flooding and increases in tax value and posting on the rezoning request.

Craig Hardin, 4790 Plymouth Rock Road – He had several concerns regarding density and drainage issues. He questioned city staff if the sign regarding the rezoning request had been posted properly. He said he never saw anything posted.

Linda Hammons, 70 Wesley Stevens Road – She has lived here all her life, and she has concerns about the rezoning. If there is any road expansion it will come up to her front door, the road already has a lot of traffic. She is afraid her property taxes will triple, the drainage is an issue, her house is now at an incline, that area was annexed into the city years ago. They are still on a septic system. What sewer will this be on? There are no streetlights on her road, no sidewalks.

City Attorney Moore stated the developers would be required to improve their side of the road, there would be thirty homes on a septic system and for everyone to remember this vote is strictly for the rezoning, not the property development, which will go to the planning commission first.

Michael Cros, 441 Twin Falls Drive -He stated he is one of the buyers of the property and if this vote is delayed it will cause a monetary loss for him, he is supposed to close the end of this month. He asked if the city could go ahead with approval tonight.

April Hardin, 4790 Plymouth Rock Place – She had attended the planning commission meeting and wanted an explanation of zoning requirements. A planning commissioner told her she should be glad it's RE-two instead of five homes on one acre.

Dan Helton, 746 Rheas Mill Road – concerns with flooding and traffic increase.

Michelle James, 695 Rheas Mill Road – Flooding has been an issue since 2022, traffic congestion on Rheas Mill Road in the school zone is terrible. Speeding is also a concern. If they have to go in and widen the road how will that impact her property?

In light of the inquiry by Craig Hardin regarding the posting of the rezoning and the fact we cannot verify at this meeting, the City Attorney advised we table the item until this could be verified.

Council Member Carnahan made a motion, with a second by Council Member Morgan to table Ordinance No. 2024-14, and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. City Attorney Moore will notify all parties of the status of the public notification.

City Attorney Moore left the meeting at 6:49 pm.

**Resolution No. 2024-11 A Resolution Adopting the 2023 Washington County Hazard Mitigation Plan Update**

On the motion of Council Member Bell and a second by Council Member Carnahan and by the consent of all Council Members present after a roll call vote, the motion to approve Resolution No.2024-11 was approved 8-0.

**Sewer Discussion**

Ali Carr from Crafton and Tull Engineers addressed the council on behalf of Riverwood Homes and D.R. Horton. They have been advised by the Arkansas Health Department after their review of the water and sewer capacity in conjunction with their consultants, RJN Group, that they will need to increase the size of their lines to a 15-inch capacity to finish the project or an 18-inch line for any future growth. If the 18-inch line is not put in, going forward, the city of Farmington will reach full sewer capacity in 2030. The council was furnished with a color-coded map of the affected areas and future growth areas. They would like the city to cost share the expense to put in the 18-inch line. She will gather information, including the contractors' bid and engineering costs, and bring it back to the council for consideration and discussion in 2025. After questions by council members, Mayor Penn asked for any public comment.

Mark Marquess advised the council that to help offset the cost, the city could consider Impact Fees for future growth. Most cities charge these, and we should consider it.

Planning Commissioner Norm Tcuring – Growth, you can try and stop it but it's coming, if you don't increase the sewer to 18-inch lines growth will stop. You are going to have a great new jr. high on 170 and people are going to want to build out there. We can control it, whose coming and the acres per home.

There being no further business to come before the council, a motion to adjourn the meeting was made by Council Member and seconded by Council Member was approved 8-0, The meeting adjourned at 7:05 until the next regularly scheduled meeting to be held Monday, December 9th, 2024, in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Mayor Ernie Penn



Kelly Penn, City Clerk

