

## **Minutes of the Regular Farmington City Council July 8, 2019**

The regular meeting of the Farmington City Council scheduled for Monday, July 8th, 2019 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: Sherry Mathews, Abigail Spinks, Keith Lipford, Linda Bell, Brenda Cunningham, Bobby Morgan, Diane Bryant and Shelly Parsley. Also present were City Business Manager Melissa McCarville and City Attorney Steve Tennant. Mayor Penn led the Pledge of Allegiance.

### **Comments from Citizens –**

**Approval of the minutes for the June 10th, 2019, Regular City Council Meeting.** On the motion of Council Member Bryant and a second by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the minutes 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 Spinks and a second by Council Member Bryant 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 - None**

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

**Items to be removed from City of Farmington Inventory - None**

**Old Business – NONE**

**New Business**

**Resolution 2019-04 A resolution setting a public hearing to discuss the utility and drainage easement vacation between lots 38 & 39 of Highlands Square North on Giles Road**

A motion by Council Member Bryant and a second by Council Member Parsley and by the consent of all Council Members present after a roll call vote, the motion to approve Resolution 2019-04 was approved 8-0. City Attorney Tennant read the resolution by title only.

**Ordinance 2019-06 An ordinance to prohibit noise that injures or endangers the comfort, repose and peace of others and provide for penalties for violations thereof.**

City Attorney Tennant gave the council a brief overview of the drafting of the ordinance. It was drafted by Quantitative Standards, which means it's based on science and sound intensity measurements. It was drafted using the American National Scientific Standards and will stand up constitutionally. The Police Department has all the equipment needed to measure sound decibels. Chief Hubbard is in support of the frequency projections used in the ordinance and the numbers are up to current decibel ranges for today's sounds and music. He advised this is a complaint driven enforcement, his department is not going to be monitoring everyone that drives thru town or has music playing. Mayor Penn opened the Public Comment session.

Shannon O'Dell, Pastor of Brand New Church on Main Street - Thank you council and Mr. Mayor for the defined lines and we are very grateful to have this in place. We would ask that until this goes into effect that the tickets being written to us happen after the service rather than in the middle of the Lords Supper. Again, we are very grateful.

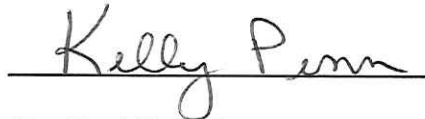
Melissa Branch - Thank you very much. Its been a year since I tried to talk to someone at city hall. How many feet is the boundary? World Health Organization says 50 decibels is to loud and I am not sure what we are doing. I haven't seen the ordinance. I have nothing against any person or congregation all I am asking for are guidelines. Thank you.

Public Comment was closed and sent back tot the council. The question was posed could the city be in violation of the ordinance with the Annual Fireworks display. City Attorney Tennant suggested that we amend that section to add all event sponsored by the city.

Council Member Bell made a motion to suspend the rule requiring the reading of an ordinance in full on 3 different dates and for Ordinance 2019-06 be read 1 time by title only and to amend section B, subsection 3 b to add athletic events, school events and city sponsored events. It was seconded by Council Member Lipford, and by the consent of all Council Members present after a roll call vote, the motion was approved 8-0. City Attorney Tennant read Ordinance 2019-06 by title only. Mayor Penn asked shall the Ordinance pass? After a roll call vote it was approved 8-0. City Attorney Tennant read Ordinance 2019-06 by title only. Council Member Bryant made a motion to approve an Emergency Clause for Ordinance 2019-06, it was seconded by council Member Cunningham. After a roll call vote, it was approved by all those present 8-0.

There being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Lipford and by the consent of all members present, the meeting adjourned at 6:24 pm until the next regularly scheduled meeting to be held Monday August 12th, 2019 in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;

A handwritten signature in black ink that reads "Kelly Penn". The signature is written in a cursive style and is positioned above a solid horizontal line.

City Clerk Kelly Penn

A handwritten signature in blue ink that reads "Ernie Penn". The signature is written in a cursive style and is positioned above a solid horizontal line.

Mayor Ernie Penn

