



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
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**AMENDED CITY COUNCIL AGENDA
May 13, 2019**

A regular meeting of the Farmington City Council will be held on
Monday, May 13, 2019 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 8, 2019 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. Community Development Committee
 - c. Park & Recreation Committee
10. Items to be removed from City of Farmington Inventory – **NONE**

PUBLIC HEARING

11. Public hearing to discuss the proposed Animal Control Regulations/Ordinance No. 2019-04.

NEW BUSINESS

12. Set date for 4th of July fireworks display.

13. Request approval to amend Garland McKee drainage improvements contract with Olsson Associates, Inc.

14. Request approval to accept bid on Sports Complex parking & sidewalk and Rheas Mill Road sidewalk.

15. Ordinance 2019-03 – An ordinance setting forth certain regulations for the sale of alcohol, beer and wine for on-premise consumption in the city limits of Farmington, Arkansas.

16. Ordinance 2019-05 – An ordinance waiving the requirements of competitive bidding for the improvements to the traffic signal at Broyles and East Main for the City of Farmington Pursuant to Ark. Code Ann 14-58-303 (b)(2)(B).

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 8th, 2019

The regular meeting of the Farmington City Council scheduled for Monday, April 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 – Melissa Branch, 278 Pine Meadow, she has had an issue with the music being too loud at Brand New Church since July 2018. She would like to request the city have a noise ordinance. She advised there were several other neighbors who are upset and wanted to speak but the ball game was on tonight so they couldn't come. She would like for them to be on the agenda at the May meeting. She was also concerned that her personal contact information had been given out to someone at the church. City Business Manager McCarville told her all that information is subject to FOI if a complaint is filed.

Shannon O'Dell, Pastor Brand New Church, told the council that the church had ordered sound proof panels and sub-woofer containers to help with the noise. They had been ordered some time ago and are due to be installed this week. The church has hired Springdale Acoustics to test decibel readings and address the sound issues. He said some of the sound causing the problem is called shadow sound, sound carries thru the sewer T, which they have one behind the loading dock at the back of the church, which causes the decibels to go thru the cul-de-sac on Pine Meadow. The church holds music rehearsals at 7:30 am on Sunday and they have two services, music is over by approximately 11:45 am on Sundays.

Tiffany Rogers – 475 Browning Circle – Twin Falls. She informed the council she wanted to speak about pollution, specifically along HWY 62, lots of recyclables. They do not have lids for the recycle bins from waste management, would like to see the city have this negotiated for our residents, it would cut down on things blowing out of the bins. She would like the city to explore a green initiative to support recycling.

Approval of the minutes for the March 11th, 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 Lipford and a second by Council Member Morgan 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 - Police Chief Hubbard introduced 2 new officers, Dylan Crutchfield and Michael McCaslin.

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

Jeff Hatley with Ozark Regional Transit to present periodic report. Mr. Hatley reported that since the 2017 fire that devastated the fleet, ridership had been down for 2018 but was on the rise with an 8.2% increase so far for 2019. They received a grant to replace the final 12 buses from the fleet of 20 that were destroyed in the fire. The buses are on the assembly line as we speak, the recent government shutdown delayed the processing. Ozark Regional Transit is also building a new hub facility and they are partnering with Razorback Transit to increase ridership. Routes will soon be available on google maps so riders can map out their route and bus transfers.

Mayor Penn recognized that Boy Scout Troop #555 Farmington Troop was present, they are working on their citizenship requirements for their Eagle Scout requirements.

Set public hearing date of May 13th at 6:00 pm to discuss Farmington Animal Control Regulations/Ordinance

City Attorney Tennant said he has reviewed the past ordinance and is making changes to keep current with Washington County animal contract requirements as well as looking at things larger metro areas are doing. He is specifically adding more clarification and increasing fines for repeat offenders. Vicious animals will also be addressed. We need to set a public hearing for citizen input to heard. We will then review and discuss what changes or additions need to be made and then will have the ordinance for review in June.

On the motion of Council Member Spinks and a second by Council Member Lipford and by the consent of all Council Members present after a roll call vote, the motion to set a public hearing

date of May 13th at 6:00 PM to discuss Farmington Animal Control Regulations was approved 8-0.

Request approval to accept bid on improvements to Clyde Carnes Road. On the motion of Council Member Bell and a second by Council Member Mathews and by the consent of all Council Members present after a roll call vote, the motion to approve the contract for improvements to Clyde Carnes Road by Hutchens Construction in the amount of \$143,814.30 was approved 8-0.

Ordinance 2019-02 An Ordinance rezoning lots 1D and 1E of tract 1A of Twin Falls Addition, Phase 1 on HWY 62 from C-2, highway commercial, R-1 residential single family, as requested by Twin Falls Development LLC. On the motion of 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 Ordinance 2019-02 was approved 8-0. City Attorney Tennant read Ordinance 2019-02. A motion to approve the Emergency Clause for Ordinance 2019-02 was made by Council Member Bell and seconded by Council Member Cunningham, after a roll call vote, it was approved by all members present.

There being no further business to come before the council and on the motion of Council Member Lipford and seconded by Council Member Cunningham and by the consent of all members present, the meeting adjourned at 6:54 pm until the next regularly scheduled meeting to be held Monday May 13th, 2019 in the City Council Chambers at City Hall, located at 354 West Main Street, Farmington, Arkansas.

Approved;

City Clerk Kelly Penn

Mayor Ernie Penn

Financial

5/7/2019

GENERAL FUND

3:15 PM

Statement of Revenue and Expenditures

	Year-To-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
Revenue & Expenditures			
GENERAL REVENUES			
Revenue			
ACCIDENT REPORT REVENUES	660.00	1,500.00	44.00%
ACT 833	0.00	20,000.00	0.00%
ALCOHOL SALES TAX	1,188.16	3,000.00	39.61%
ANIMAL CONTROL REVENUES	1,125.00	2,500.00	45.00%
BUILDING INSPECTION FEES	47,315.00	88,449.74	53.49%
BUSINESS LICENSES	5,550.00	5,000.00	111.00%
CITY COURT FINES	45,052.81	110,000.00	40.96%
CITY SALES TAX REVENUES	462,312.15	1,150,000.00	40.20%
COUNTY TURNBACK	87,211.68	415,000.00	21.01%
DEVELOPMENT FEES	6,294.50	10,000.00	62.95%
FRANCHISE FEES	148,739.52	375,000.00	39.66%
GARAGE SALE PERMITS	280.00	3,000.00	9.33%
GRANTS	2,300.00	0.00	0.00%
INTEREST REVENUES	29,974.73	15,000.00	199.83%
MISCELLANEOUS REVENUES	6,706.96	12,563.96	53.38%
PARK RENTAL	400.00	1,400.00	28.57%
SALES TAX - OTHER	403,178.02	1,100,000.00	36.65%
SPORTS COMPLEX FEES	27,880.00	50,000.00	55.76%
SRO REIMBURSEMENT REVENUES	10,141.25	30,000.00	33.80%
STATE TURNBACK	32,287.17	95,000.00	33.99%
STREET COUNTY TURNBACK	8,653.03	0.00	0.00%
TRANSFER INCOME	0.00	700,000.00	0.00%
Revenue	\$1,327,249.98	\$4,187,413.70	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	53,590.84	160,000.00	33.49%
ADVERTISING EXPENSE	3,269.94	6,000.00	54.50%
BUILDING MAINT & CLEANING	11,212.02	40,000.00	28.03%
CREDIT CARD FEE EXPENSE	997.54	4,000.00	24.94%
ENGINEERING FEES	29,658.56	45,000.00	65.91%
INSURANCES EXPENSE	1,457.39	40,000.00	3.64%
LEGAL FEES	0.00	10,000.00	0.00%
MATERIALS & SUPPLIES EXPENSE	5,176.38	17,000.00	30.45%
MISCELLANEOUS EXPENSE	0.00	2,000.00	0.00%
NEW EQUIPMENT PURCHASE	2,769.06	10,000.00	27.69%
PAYROLL EXP - CITY ATTRNY	16,307.40	53,500.00	30.48%
PAYROLL EXP - ELECTED OFFICIAL	31,442.06	121,500.00	25.88%
PAYROLL EXP - REGULAR	70,771.35	223,000.00	31.74%
PLANNING COMMISSION	3,145.03	16,400.00	19.18%
POSTAGE EXPENSE	474.12	2,500.00	18.96%
PROFESSIONAL SERVICES	589.50	10,000.00	5.90%
REPAIR & MAINT - EQUIPMENT	274.38	0.00	0.00%
REPAIR & MAINT - OFFICE EQUIP	586.65	2,000.00	29.33%
RETURNED CHECK	0.00	250.00	0.00%
SERVICE CHARGES	0.00	150.00	0.00%
TECHNICAL SUPPORT	17,995.59	70,000.00	25.71%
TELECOMMUNICATION EXPENSES	824.60	1,000.00	82.46%
TRAVEL, TRAINING & MEETINGS	4,144.84	20,000.00	20.72%
UTILITIES EXPENSES	24,672.57	65,000.00	37.96%
Expenses	\$279,359.82	\$919,300.00	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	224.57	2,000.00	11.23%
MATERIALS & SUPPLIES EXPENSE	28.90	600.00	4.82%
NEW EQUIPMENT PURCHASE	0.00	500.00	0.00%
PAYROLL EXP - REGULAR	18,501.64	56,000.00	33.04%
PROFESSIONAL SERVICES	2,520.00	15,000.00	16.80%
REPAIR & MAINT - AUTOMOBILES	0.00	1,500.00	0.00%
REPAIR & MAINT - EQUIPMENT	49.23	500.00	9.85%
TRAVEL, TRAINING & MEETINGS	250.00	500.00	50.00%
UNIFORMS/GEAR EXPENSE	0.00	500.00	0.00%
	Expenses	\$21,574.34	\$77,100.00

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
BUILDING PERMIT DEPT			
Expenses			
BREATHALYZER EXPENSES	37.50	0.00	0.00%
FUEL EXPENSES	474.12	2,500.00	18.96%
PAYROLL EXP - REGULAR	25,173.53	85,000.00	29.62%
REPAIR & MAINT - AUTOMOBILES	0.00	1,500.00	0.00%
TRAVEL, TRAINING & MEETINGS	2,643.25	5,000.00	52.87%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
Expenses	\$28,328.40	\$95,000.00	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
FIRE DEPT			
Expenses			
ADVERTISING EXPENSE	609.00	0.00	0.00%
FUEL EXPENSES	2,023.85	6,000.00	33.73%
HAZMAT EXPENSES	2,270.12	2,400.00	94.59%
MATERIALS & SUPPLIES EXPENSE	2,762.88	8,500.00	32.50%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	23,400.00	6,500.00	360.00%
PAYROLL EXP - REGULAR	151,437.33	505,070.09	29.98%
REPAIR & MAINT - BUILDING	0.00	400.00	0.00%
REPAIR & MAINT - EQUIPMENT	470.43	4,000.00	11.76%
REPAIR & MAINT - TRUCK	3,805.35	6,000.00	63.42%
TRAVEL, TRAINING & MEETINGS	435.50	2,000.00	21.78%
UNIFORMS/GEAR EXPENSE	5,349.70	12,200.00	43.85%
Expenses	\$192,564.16	\$553,570.09	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
LEGAL FEES	6,000.00	18,000.00	33.33%
MATERIALS & SUPPLIES EXPENSE	683.22	3,000.00	22.77%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	3,000.00	0.00%
PAYROLL EXP - REGULAR	21,274.65	70,000.00	30.39%
POSTAGE EXPENSE	114.71	0.00	0.00%
SPECIAL COURT COSTS	0.00	6,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	0.00	3,500.00	0.00%
Expenses	\$28,072.58	\$103,900.00	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
LAW ENFORCE - POLICE			
Expenses			
ADVERTISING EXPENSE	90.00	0.00	0.00%
BREATHALYZER EXPENSES	190.09	700.00	27.16%
CAPITAL IMPROVEMENT	0.00	500,000.00	0.00%
DRUG TASK FORCE	0.00	2,000.00	0.00%
FUEL EXPENSES	8,338.83	36,000.00	23.16%
GRANT EXPENSE	2,507.96	0.00	0.00%
MATERIALS & SUPPLIES EXPENSE	21,074.89	50,000.00	42.15%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	46,572.00	56,000.00	83.16%
PAYROLL EXP - REGULAR	315,627.55	1,140,424.99	27.68%
PAYROLL EXP - SRO	26,389.42	69,644.41	37.89%
REPAIR & MAINT - AUTOMOBILES	7,807.84	25,000.00	31.23%
REPAIR & MAINT - EQUIPMENT	966.49	3,000.00	32.22%
TRAVEL, TRAINING & MEETINGS	1,000.00	10,000.00	10.00%
UNIFORMS/GEAR EXPENSE	7,104.22	12,000.00	59.20%
Expenses	\$437,669.29	\$1,905,269.40	

5/7/2019

GENERAL FUND

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Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
LIBRARY			
Expenses			
CAPITAL IMPROVEMENT	0.00	200,000.00	0.00%
LIBRARY TRANSFER	44,000.00	44,000.00	100.00%
Expenses	\$44,000.00	\$244,000.00	

5/7/2019

GENERAL FUND

3:15 PM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Apr 2019	Dec 2019	Percent of
	Actual		Budget
PARKS DEPT			
Expenses			
CAPITAL IMPROVEMENT	10,155.00	0.00	0.00%
FUEL EXPENSES	315.15	3,500.00	9.00%
MATERIALS & SUPPLIES EXPENSE	3,321.83	5,000.00	66.44%
MISCELLANEOUS EXPENSE	0.00	1,000.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	10,000.00	0.00%
PAYROLL EXP - REGULAR	51,715.53	162,774.21	31.77%
PAYROLL EXP - SPORTS COMPLEX	500.00	0.00	0.00%
PROFESSIONAL SERVICES	3,766.12	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	596.99	3,000.00	19.90%
SPORTS PARK FUEL	165.72	1,500.00	11.05%
SPORTS PARK MATERIALS	10,119.43	22,000.00	46.00%
SPORTS PARK NEW EQUIP	0.00	10,000.00	0.00%
SPORTS PARK PROF SERV	9,827.32	45,000.00	21.84%
SPORTS PARK REPAIR/MAINT	592.22	5,000.00	11.84%
SPORTS PARK UTILITIES	3,056.13	15,000.00	20.37%
UNIFORMS/GEAR EXPENSE	700.36	1,000.00	70.04%
UTILITIES EXPENSES	638.03	3,000.00	21.27%
Expenses	\$95,469.83	\$287,774.21	

STREET FUND
Statement of Revenue and Expenditures

	Year-To-Date Jan 2019 Apr 2019 Actual	Annual Budget Jan 2019 Dec 2019	Jan 2019 Dec 2019 Percent of Budget
Revenue & Expenditures			
Revenue			
GRANTS	38,803.55	0.00	0.00%
INTEREST REVENUES	476.09	500.00	95.22%
MISCELLANEOUS REVENUES	50.00	100.00	50.00%
STREET COUNTY TURNBACK	8,653.03	40,000.00	21.63%
STREET STATE TURNBACK	140,303.86	388,000.00	36.16%
TRANSFER INCOME	0.00	300,000.00	0.00%
Revenue	\$188,286.53	\$728,600.00	
Expenses			
ADDITIONAL SERVICES EXPENSE	79.06	0.00	0.00%
ADVERTISING EXPENSE	0.00	1,000.00	0.00%
BUILDING MAINT & CLEANING	8,550.00	0.00	0.00%
ENGINEERING FEES	11,601.70	30,000.00	38.67%
FUEL EXPENSES	1,450.66	8,000.00	18.13%
MATERIALS & SUPPLIES EXPENSE	2,607.74	10,000.00	26.08%
MISCELLANEOUS EXPENSE	82.37	500.00	16.47%
NEW EQUIPMENT PURCHASE	5,120.24	25,000.00	20.48%
PAYROLL EXP - REGULAR	55,837.52	185,000.00	30.18%
PROFESSIONAL SERVICES	165,350.00	1,000.00	16,535.00%
REPAIR & MAINT - BUILDING	2,060.61	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	862.16	10,000.00	8.62%
STREET LIGHTS	18,731.95	150,400.00	12.45%
STREET/ROAD REPAIRS	76,567.21	300,000.00	25.52%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	798.00	2,200.00	36.27%
UTILITIES EXPENSES	2,231.98	5,000.00	44.64%
Expenses	\$351,931.20	\$728,600.00	

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period Jan 2019 Apr 2019 Actual	Annual Budget Jan 2019 Dec 2019	Jan 2019 Dec 2019 Percent of Budget
Revenue & Expenditures			
Revenue			
Donations	125.00	0.00	0.00%
FINES/LOST ITEMS	1,626.20	4,000.00	40.66%
INTEREST REVENUES	177.43	0.00	0.00%
TRANS FROM GENERAL FUND	44,000.00	44,000.00	100.00%
WASHINGTON CO LIBRARY	67,684.00	175,047.00	38.67%
Revenue	\$113,612.63	\$223,047.00	
Expenses			
ADVERTISING EXPENSE	162.72	1,000.00	16.27%
BOOKS AND MEDIA	13,358.75	32,000.00	41.75%
BUILDING MAINT & CLEANING	1,309.78	0.00	0.00%
MATERIALS & SUPPLIES EXPENSE	4,050.52	10,147.00	39.92%
MISCELLANEOUS EXPENSE	25.00	500.00	5.00%
NEW EQUIPMENT PURCHASE	584.11	3,000.00	19.47%
PAYROLL EXP - REGULAR	41,774.13	152,000.00	27.48%
POSTAGE EXPENSE		300.00	0.00%
PROFESSIONAL SERVICES		5,000.00	0.00%
PROGRAMS EXPENSE		4,000.00	0.00%
REPAIR & MAINT - BUILDING	137.19	3,700.00	3.71%
TECHNICAL SUPPORT	2,703.95	8,000.00	33.80%
TRAVEL, TRAINING & MEETINGS	157.00	1,000.00	15.70%
UTILITIES EXPENSES	658.97	2,400.00	27.46%
Expenses	\$64,922.12	\$223,047.00	

Bond Fund Expense Account
April 2019

Street Construction Bond Fund

	Beginning Balance	
4/1/2019		\$874,337.21
April Expenses		
4/3/2019	Southern Building	\$100,456.09
4/22/2019	Plymouth Engineering	\$703.50
4/4/2019	Olsson Associates	\$38,202.00
4/10/2019	Grubbs, Hoskyn, Barton, Wyatt, Inc.	\$219.50
4/25/2019	NEC, INC	\$57,316.95
4/30/2019	Olsson Associates	\$12,107.25
April Interest & Dividend		
4/30/2019		\$1,546.68
Statement Balance 3/31/2019		\$666,878.60

Park Construction Bond Fund

	Beginning Balance	
4/1/2019		\$1,330,115.13
April Expenses		
4/4/2019	Benchmark Construction	\$223,986.60
4/25/2019	Kyle Recreation	\$75,127.15
April Interest & Dividend Income		
4/30/2019		\$2,832.78
Refund		
4/29/2019		\$707.56
Statement Balance 4/30/2019		\$1,034,541.72

MONTH	CITY SALES TAX		Extra sales tax	STATE SALES TAX	
	2018	2019		2018	2019
JANUARY	\$ 63,631.38	\$ 73,651.00	\$ 43,904.12	\$ 94,536.33	\$ 102,295.43
FEBRUARY	\$ 76,812.89	\$ 81,454.71	\$ 51,707.94	\$ 105,195.78	\$ 113,136.70
MARCH	\$ 63,060.76	\$ 69,673.99	\$ 39,927.11	\$ 90,177.29	\$ 95,652.99
APRIL	\$ 59,653.41	\$ 66,345.13	\$ 35,648.25	\$ 89,619.16	\$ 92,093.45
MAY	\$ 67,065.94			\$ 99,256.59	
JUNE	\$ 70,180.31			\$ 93,107.16	
JULY	\$ 76,809.32			\$ 103,314.13	
AUGUST	\$ 81,987.06			\$ 100,462.04	
SEPTEMBER	\$ 77,087.72			\$ 98,935.97	
OCTOBER	\$ 79,744.01			\$ 100,562.81	
NOVEMBER	\$ 76,858.16			\$ 99,640.31	
DECEMBER	\$ 71,558.04			\$ 96,779.83	
Monthly Comparison - November 2017/November 2018	\$	6,691.72	Increase (Decrease)	\$ 9,166.01	\$ 2,474.29
YTD comparison	Increase for 2019 over 2018 YTD - City Sales Tax	\$ 21,274.67	Increase for 2019 over 2018 YTD - State Sales Tax	\$ 21,175.72	\$
Additional Sales Tax Revenue		\$35,648.25	Total Sales Tax Increase YTD 2019	\$ 213,637.81	

Committee Reports

Community Development Committee Meeting
April 24th at Farmington City Hall

In attendance were Sarah Livengood, Paul and Cindy Wallenburger, Diane Bryant, Melissa McCarvell, Josh Frye, Judy Iorne, Tura Graves, Chad Ball, Sherry Ganz, Kevin Gardenhire, and Ernie Penn

The meeting began at 12:15 with a report from Sarah Livengood. She represents an organization called HARK. HARK is not an acronym but it represents an overarching group that endeavors to coordinate care for people across NWA. HARK assists people in navigation the various community assistance groups such as Seven Hill, food banks, transportation, mental health, and disability services. It is a group that makes connectivity from the individual to the organization that can assist the person.

Our Next speaker was Mayor Paul Wallenburger from Fairfield Bay. That community was in decline several year ago with an aging population and many infrastructure problems. With effective leadership they have made it an attractive community in which to live.

Several areas of improvement follow:

1. They spend 2% of their budget for marketing and promotion.
2. They have two teams for future planning. One team looks at short range improvements the other team looks at long range planning. The long-range planning group looks a future endeavor in 2035.
3. They have established a community feel by encourage many to participate.
4. They have painted blue and green Adirondack chairs through the city at noticeable junctures.
5. They had 90 miles of undeveloped roads which they turned into trail for 4 wheelers. A growing sport for both young and old.
6. They encouraged a new hotel to locate there because they paved a nearby parking lot for their use and laid sidewalks for accessibility to the hotel.
7. Pickle Ball games are held throughout the city.
8. An all-volunteer recycling center was established where volunteers participate one day a week.
9. They created a Dog Park. It has been very popular.
10. They have turned sections of the park over to the Master Gardners to maintain. Master Gardners are required to contribute several hours to community projects to receive their certification.
11. Some groups painted fire hydrants to make the city more colorful and create more participation from the residents.
12. They are a Monarch City & the sign is placed on the roadway as you enter the city. They achieved this award by giving milkweed bushes to resident to plant in their yard. Milkweed bushes are very popular with Monarch Butterflies.
13. Flags are placed all over the city for various holidays such as the Fourth of July, Labor Day Veterans Day and others patriotic holidays. These flags only cost \$50 each and can be used for many years. The Arkansas Corrections Department made the flags for little or nothing.
14. They placed 40" TV at many of the restaurants in town. The TVs broadcast community events that are on the horizon. The community announcement lasts about 7 minutes. The TVs only cost about \$200 each so they are a great invest for their return.
15. Whenever they have a community event, they collect email address which are added to their database for communication to the public.
16. They spend \$4,000 per month for a professional firm to promote the city. It is Taylor Marketing out of LR.
17. They receive \$2,000 per year for Festival Grants plus they apply for many other grants and have been very successful at receiving those grants.

Submitted, Diane Bryant, Chair of Community Development

Next meeting May 23rd.

Agenda Item 11

ORDINANCE NO. 2019-04

AN ORDINANCE TO ADOPT ANIMAL CONTROL
REGULATIONS FOR THE CITY OF FARMINGTON, ARKANSAS

WHEREAS, the city adopted Animal Control Regulations in 2006 to replace in its entirety all ordinances previously passed in the City of Farmington; and

WHEREAS, numerous statutes have been enacted in recent years and the city has entered into an Interlocal Agreement with the Lester C. Howick Animal Shelter that is owned and operated by Washington County; therefore, it is necessary to adopt new and updated regulations to replace the regulations pertaining to animal control and reflect the provisions of the Interlocal Agreement with the Washington County Shelter.

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

Section 1: That Animal Control Regulations for the incorporated boundaries of the City of Farmington are hereby adopted and attached hereto as Exhibit "A" and incorporated herein in their entirety.

Section 2: Repealing Clause. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3: Severability Clause. In the event any part of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Section 4: Emergency Clause. That the city council of the City of Farmington, Arkansas further determines that it is necessary for the protection of health and safety of the citizens of Farmington and the general welfare of animals within the city boundaries; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the ordinance has been published as required by law.

PASSED AND APPROVED this 13th day May, 2019.

APPROVED:

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

ANIMAL CONTROL REGULATIONS

ARTICLE ONE - GENERAL PROVISIONS

Definitions:

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them, unless and except where the context clearly indicates a different meaning.

Abandoned. Any person in possession of an animal who knowingly refuses to provide care or properly house an animal as defined by these provisions; and further, abandoned means to desert, surrender or relinquish ownership and control.

Animal. Any living creature, domestic, exotic or wild.

Animal control officer. Any person designated by the mayor who is qualified to perform such duties under the ordinances of the City of Farmington, the animal control regulations and the laws of this state.

Animal Control Regulations. The regulations and penalties for violations as promulgated herein, which are also referred to as the "Code".

Aggressive behavior. Animal behavior that includes growling, baring teeth, snarling and/or lunging at a person or another animal.

Attack. Aggressive behavior by an animal that culminates into biting or scratching a person or another animal.

Bite. The term "bite" or "bitten" means any actual abrasion, scratch, puncture, tear, bruise or piercing of the skin caused by any animal which is actually or is suspected of being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite.

Cat. A feline of either sex, including cats that have been neutered or spayed.

City. City of Farmington, Arkansas.

Consumer. Any individual purchasing an animal from a retail pet store. A retail pet store shall not be considered a consumer.

Direct point chaining. Attaching an animal directly to a stationary object by means of a leash, rope, chain, cable or other material attached to the dog's collar or harness but does not include temporary restraint of a dog for purposes of vehicular transport.

Dog. A canine of either sex, including one neutered or spayed.

Domesticated animal. An animal that has adapted to life in close association with and to the advantage of humans, such as animals that are kept by humans as pets or as livestock.

Electronic containment device. A transmitter/receiver system for the confinement of dogs which consists of (1) a boundary wire that emits a radio signal, and (2) a battery-operated electronic device on the dog's collar which receives the radio signal and emits an audible warning beep and a corrective electrical stimulus as the dog approaches the wire.

Enclosure. A fence, pen, or structure forming or causing an enclosure of sufficient strength or construction to contain the specific animal and prevent the animal from escaping. Owners confining dogs or cats by means of an enclosure must provide a minimum space of 100 square feet (10x10) per dog or cat four (4) months of age or older.

Euthanasia. The humane killing of an animal accomplished by a method that utilizes anesthesia produced by an agent that causes painless loss of consciousness and subsequent death which is administered by a licensed veterinarian or a euthanasia technician licensed by the Drug Enforcement Administration and certified by the Department of Health.

Exotic animals. An animal that is not indigenous to or characteristic of North America, but not including commonly domesticated breeds of dogs, cats, and birds.

Feral cat. A cat that is untamed and evasive that was either born in the wild and lacks socialization or a cat that is living in the wild after being abandoned by its owner, without a permanent, indoor home.

Free-roaming cats. A cat who may be cared for by one or more residents of the immediate area (also known as community cats) who is/are known or unknown; a community cat may or may not be feral.

Habitual animal offender. Any animal owner or harbinger, who within any 12-month period, is charged with five (5) violations, arising out of separate incidents of this title which pertains to animals from which conviction, guilty plea, no contest plea, deferred judgment, or plea bargain results. The controlling date is the date of each animal ordinance violation, not the date of the plea entered, or the conviction resulting therefrom.

Harbor. For a period of three days or more, to keep and care for an animal or provide premises to which the animal returns.

Hobby Kennel. A hobby kennel is a noncommercial kennel at or adjoining a private residence, where more than five (5), but no more than ten (10) adult dogs are bred or kept for exhibition, for organized shows, field, working, and/or obedience trials, or for the enjoyment of the species. Adult dogs are dogs that are over 6 months of age.

Kennel. An enterprise wherein or whereupon the business of grooming or boarding dogs, or breeding dogs for sale, and selling such dogs, is carried on, and which does not in its usual course of business acquire dogs for resale to the public.

License. A license receipt and metal tag issued by the city after remittance of the levied permit fee providing a certification from a licensed veterinarian to prove that an animal is vaccinated against rabies in accordance with this Code and Arkansas state laws.

Owner. Any person who:

- (1) Has a right of property in a dog, cat or other animal;
- (2) Keeps, harbors, cares for, or acts as the custodian of a dog, cat, or other animal; or
- (3) Knowingly permits a dog, cat, or other animal to remain on or about any premises occupied by him or her.

Person. Any individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or any other legal entity.

Pet. The term “pet” shall be used interchangeably when referring to a dog, cat or other animal and used for abbreviation where so indicated in the Code.

Provocation. As used herein, provocation means causing a dog to bite or attack by:

- (1) Any intentional or accidental act of pulling, pinching, squeezing, kicking, hitting or striking the dog with an object or a part of a person's body, unless the person is responding to an attack or an immediate threat of attack by the dog as indicated by the dog's lunging, snarling or baring of its teeth;
- (2) Any sudden motion toward the dog or any attempt or threat to kick, hit or strike the dog with an object or part of a person's body, unless the person is responding to an attack or an immediate threat of attack by the dog as indicated by the dog's lunging, snarling, or baring of its teeth;
- (3) Any act of teasing or tormenting the dog;
- (4) Any act of grabbing, touching or holding of the dog's young or any sudden motion toward the dog's young;
- (5) Any act of holding, kicking, hitting, striking, or otherwise physically harming the dog's owner or other member of the dog owner's household;
- (6) Entry into the dog's area of confinement without the owner's presence, provided that this definition does not apply if the dog is confined in a particular manner for the purpose of causing provocation to prevent legal access to the premises in violation of this article; or
- (7) Any act of breaking and entering, or other unlawful entry, into the dog owner's residence, vehicle, or other property.

Public nuisance. Any animal or animals which:

- (1) Assaults, harasses or lashes out at passersby or passing vehicles.
- (2) Attacks other animals.
- (3) Trespasses on school grounds.
- (4) Is repeatedly at large.
- (5) Damages public or private property.
- (6) Interferes with refuse collection, spreads trash from refuse containers; or assaults, harasses or lashes out at utility meter readers.
- (7) Barks, whines, or howls in excessive, continuous, fashion or at untimely and unreasonable intervals.

Rabies quarantine services. Includes, but is not limited to, food, water, shelter, basic veterinary care during normal working hours, isolation of the animal from the public, and potential euthanasia.

Restraint. Any animal secured by leash or lead or under the control of an owner or one who harbors an animal.

Retail pet store. Any room or group of rooms, run, cage, compartment, exhibition pen, or tether, any part of which is within the State of Arkansas, wherein any animal is sold or kept, displayed, or offered for sale, to the public. It excludes kennels and catteries which sell animals directly to consumers. Also excluded are duly authorized animal shelters and duly incorporated humane societies dedicated to the care of unwanted animals which make those animals available for adoption, whether or not a fee for such adoption is charged. As used in this chapter, the term "retail pet store" includes its owners, officers, agents, operators, managers, and employees, and refers to any such enterprise whether in fact registered or not.

Running at large. Not under the physical control of the animal's owner, an authorized representative of the owner, or one who harbors the animal, either by leash, cord, chain, fence, or enclosure of sufficient strength or construction to contain the animal. An animal intruding upon the property of another person or upon public property and not under the physical control referred to herein shall be deemed "running at large." An animal within an automobile or other vehicle shall not be deemed "running at large" if the animal is physically confined to the vehicle. An animal shall not be considered "at large" when accompanied by the owner and under the physical control of the owner either by leash, cord, or chain.

Service animal. A dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, as defined by the Americans with Disabilities Act. Does not include an animal that is considered an "emotional support" animal unless it is also a trained service animal.

Shelter. The Lester C. Howick Animal Shelter in Fayetteville, Arkansas, which is owned and operated by Washington County, Arkansas to provide sheltering services for municipalities pursuant to Interlocal Agreements. When the term is used herein, it includes the shelter facilities and the personnel therein.

Sheltering Services. Includes, but is not limited to, food, water shelter, basic veterinary care during normal working hours, rabies quarantine services, impoundment, and potential euthanasia.

Stray Animal. A stray animal is defined as an animal that has no identification, such as a city tag, rabies tag or implanted microchip to allow an animal control officer or a law enforcement officer to determine the ownership of the animal; and further defined as an animal that has not been claimed by its owner.

Tether. A rope, chain, or cable of appropriate strength that is firmly anchored to the bed of an open bed pickup truck or similar vehicle in at least two places. Tether is to be used to restrain the animal and fastened to the animal by means of a harness or collar and to be the appropriate length as to afford the animal freedom to move about the vehicle, but to restrict the animal to a set radius to prevent it from reaching either side or the rear of the vehicle to prevent the animal from being thrown from, or fall from, or jump from the vehicle.

Tort. An act or omission that gives rise to injury or harm to another and amounts to a civil wrong for which courts impose liability.

Trap-Neuter-Return. The process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, and returning free-roaming or community cats to their original location.

Trolley system. A confinement system utilizing cables and a pulley. Only one (1) dog may be on each trolley system. The cable must be attached to a properly fitting collar or harness and be at least eight (8) feet in length. The trolley cable must be fixed to two (2) permanent points and no less than ten (10) feet long and mounted four (4) to seven (7) feet off the ground. There must be a swivel on at least one (1) end of the affixed cable to prevent entanglement and have the ability to slide on the horizontal cable with a stop at each end. No obstructions shall be in the trolley area. The system shall provide adequate room for normal postural adjustments, for exercise and access to water, food, and shelter.

Vaccination: The injection, subcutaneously or otherwise, of antirabic vaccine, as approved by the United States Department of Agriculture or the State board of Health and administered by a licensed veterinarian or agent of the Department of Health.

Vicious animal. Any animal which, unprovoked, approaches in a manner or attacks any person or domestic animal upon the streets, sidewalks, any other public ground or place and private property. The term and defenses to the designation of “vicious” are further defined in this Code.;

Wild animal. Any nonhuman primate, raccoon, skunk, fox, wolf, coyote, poisonous snake, leopard, panther, tiger, lion, lynx, or any other cold- or warm-blooded animal that can normally be found in the wild state, or the offspring borne to wild animals bred with domestic dogs or cats.

ARTICLE TWO – MINIMUM CARE FOR DOGS, CATS AND OTHER ANIMALS

2.1. *Animal shelter.*

- (a) All dogs, and other domesticated animals (also referred to as “pet” or “pets”), shall have continuous access to a structurally sound, moisture-proof and windproof animal shelter large enough to keep the animals reasonably clean and dry.
- (b) An animal shelter which does not protect animals from temperature extremes or precipitation, or which does not provide adequate ventilation or drainage, shall not comply with this section.
- (c) An animal’s shelter and bedding and other accessible space shall be maintained in a manner which minimizes the risk of the pet contracting disease, being injured or becoming infested with parasites.
- (d) Every owner of a pet shall maintain its pen and premises as not to constitute either a nuisance to adjoining property owners or a nuisance to the public generally. Pens or structures in which animals are confined or maintained shall be cleaned regularly so as to prevent offensive odors which would disturb a reasonable person in their residence, or at their workplace. The animals shall be confined or restrained in such a fashion that sound therefrom shall not be disturbing to such persons.

2.2. *Nutrition.*

- (a) It shall be unlawful for any person keeping or harboring any pet to fail, refuse or neglect to provide such pet with clean, fresh, potable water adequate for the pet's size, age, and physical condition. This water supply shall be either free flowing or provided in a removable receptacle that is weighted or secured to prevent tipping.
- (b) It shall be unlawful for any person keeping or harboring any pet to fail, refuse or neglect to provide such pet with wholesome foodstuff suitable for the pet's physical condition and age and in sufficient quantities to maintain an adequate level of nutrition for the pet.

2.3. *Exercise.*

- (a) The enclosure or confinement area for a pet shall encompass sufficient usable space to keep the animal in good condition.
- (b) When a pet is confined by means of a tether and cable run, the trolley system shall be configured to allow access to the maximum available exercise area.
- (c) When a dog, in particular, is confined outside by means of an enclosure or an electronic containment device, the following minimum space requirements shall be met:
 - (1) *Large dog.* For a dog that is larger than twenty (20) inches at the withers or that weighs more than fifty (50) pounds, the minimum confinement area per dog is one hundred (100) square feet.
 - (2) *Medium dog.* For a dog that is larger than twelve (12) inches at the withers and up to twenty (20) inches at the withers or that weighs over twenty (20) pounds and up to fifty (50) pounds, the minimum confinement area per dog is eighty (80) square feet.
 - (3) *Small dog.* For a dog that is twelve (12) inches or less at the withers or that weighs twenty (20) pounds or less, the minimum confinement area per dog is fifty (50) square feet.

ARTICLE THREE – NUMBER OF DOGS AND CATS

3.1. *Maximum number.* Except as set forth in the exceptions below, it shall be unlawful for more than five (5) adult dogs or five (5) adult cats, or a combination of adult dogs and adult cats that total five (5) animals, to be kept or harbored at any household or business in the city limits. Notwithstanding this provision, restrictive covenants of a subdivision and lease agreements between landlords and tenants which prohibit animals or allow less than five animals supersede this provision.

Exceptions. Section 3.1 of this Article does not apply to:

- (a) The normal place of business for animal hospitals or veterinary clinics;
- (b) Dog kennels and retail pet stores if the operator of the kennel facility or retail pet store has a city business license to operate the kennel facility or retail pet store.

ARTICLE FOUR—OTHER ANIMALS AND LIVESTOCK IN A-1, RE-1, AND RE-2 ZONING DISTRICTS

4.1. *Animals and livestock permitted.* To preserve the rural environment and character of the A-1 Agriculture, RE-1 Residential Estate, and RE-2 Residential Estate Districts, livestock and other animals shall be permitted in these zoning districts within the city limits, but not in excess and beyond the following limitations and exceptions as follows:

- (a) One (1) large animal, such as a horse, mule, cow, llama, or pig per one (1) acre of land in each lot or parcel.
- (b) One (1) small animal such as a goat, sheep, or emu per one-half (½) acre of land in each lot or parcel.
- (c) Ten (10) fowl or rabbits for each lot or parcel in the A-1 Agriculture District.
- (d) Six (6) fowl or rabbits for each lot or parcel in the RE-1 or RE-2 Districts.
- (e) Hobby kennels are permitted in A-1, RE-1, and RE-2 Districts. Kennels are permitted in A-1 Districts but are prohibited in RE-1 and RE-2 Districts.
- (f) The limits on animals and livestock does not apply in the A-1 Agriculture zone when rabbits, fowl and other animals are being raised in a lawful agricultural operation.

4.2. *Setback requirements.* To help safeguard and prevent animals from becoming public nuisances and to protect citizens from potential harm in the newly formed residential estate districts, the following setback requirements must be met in order to own or harbor livestock.

- (a) The primary dwelling for large animals in the A-1, RE-1, and RE-2 Districts must be at least 100 feet from any neighbor's home.
- (b) The primary dwelling for small animals in the A-1, RE-1, and RE-2 Districts must be at least 50 feet from any neighbor's home.
- (c) The primary dwelling for fowl, and rabbits in the A-1, RE-1, and R3E-2 Districts must be at least 100 feet from any neighbor's home
- (d) Fencing for any livestock must be constructed in such a manner that animals may not reach legs, necks, wings, or any other body part onto a neighbor's property, or to any shrubs or plants growing onto a neighbor's property.
- (e) Fencing shall be constructed in such a manner as to secure livestock and shall be maintained in good condition at all times.
- (f) Concentrated feed operations for confined livestock shall not be permitted in any zoning district in the city.
- (g) Manure shall not be allowed to accumulate to a point in which it creates an objectionable odor that is disturbing to any person within a reasonable proximity to the premises.

4.3. *Housing requirements for animals and livestock.*

- (a) All such animals must be provided with adequate housing. Floor space in such houses shall be in accordance with the following minimum requirements:
 - (1) For rabbits, four (4) square feet per animal over four (4) months of age.
 - (2) For turkeys, four (4) square feet per animal over four (4) months of age.
 - (3) For chickens and similar fowl, three (3) square feet per bird over four (4) months of age.
 - (4) For bantams, three (3) square feet per bird over four (4) months of age.
- (b) All pens or yards where such animals are kept shall be placed the following minimum distances from any residence other than that of the owner of same:
 - (1) Rabbits, ten (10) feet.
 - (2) All other animals referred to in paragraph (A) of this section, twenty-five (25) feet; provided, however, that chickens or similar fowls must be kept at least five (5) feet from the owner's residence as well as twenty-five (25) feet from any adjoining residence.

ARTICLE FIVE – SALE OF DOMESTIC ANIMALS PROHIBITED

5.1. *Sales.* The advertisement, display, offer for sale and sale of domestic animals is hereby forbidden along the rights-of-way of streets and roadways in the city. The term "domestic animals" shall include, but are not be limited to, the following:

- (a) Dogs;
- (b) Cats;
- (c) Rabbits; and
- (d) Birds of all kinds.

ARTICLE SIX – OWNING OR HARBORING WILD ANIMALS

6.1.

- (a) *Possession, maintenance, and keeping of wild animals are prohibited.* The possession or harboring of wild animals as a pet within the city is hereby prohibited and forbidden. The enforcement of the provisions in this section shall be the responsibility of law enforcement and animal control officers. Refusal to cooperate with law enforcement and animal control officers to remove the wild animal from the city limits shall be a separate offense, and each day in violation shall be a separate offense.

Exceptions. This section shall not apply to any safari park, circus, or sanctuary complying with applicable laws and regulations for possessing wild animals for the education and entertainment of the public.

- (b) *Possession, maintenance, and keeping of wild and nondomestic animals as exhibitions.* No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee.

Exceptions. This section shall not be construed to apply to zoological or safari parks, performing animal exhibitions, or circuses.

- (c) *Shooting or killing wild animals prohibited.* It shall be unlawful for any person to hunt, shoot, chase, wound, or kill any wild animal within the corporate limits of the city.
- (d) *Fines and expenses.* Any person found guilty of harboring or keeping a wild animal in the city in violation of the Code, shall pay all reasonable expenses associated with housing, removal, and euthanizing the animal, including shelter, food, and veterinarian expenses, if any, in addition to fines.

CHAPTER SEVEN – RABIES VACCINATION REQUIRED

7.1. Arkansas law requires all dogs, cats, and other animals to be vaccinated against rabies as required by the State Board of Health. While the term “other animals” is not defined, approved rabies vaccines are available for ferrets, horses, cattle and sheep.

7.2. All dogs and cats that are owned or harbored in the city shall be vaccinated by a licensed veterinarian against rabies annually or as required by the veterinarian that administered the vaccination. A metal tag evidencing such vaccination shall be attached to the harness or collar of every dog and cat in the city.

7.3. In case a tag for the animal licensing fee is lost or destroyed, a duplicate shall be issued by the city upon presentation of a receipt or other verification showing payment of said fee or receipt of such duplicate tag. In the event a tag for rabies vaccination is lost or destroyed a duplicate tag must be acquired from a licensed veterinarian. No tag shall be transferable from one animal to another. No refunds shall be made on any fee from one animal to another. No refunds shall be made on any fee due to the death of the animal or because the owner leaves the city before the expiration of the license period.

7.4. Any person who shall keep any animal which is subject to rabies in the city without first having such animal vaccinated for rabies annually, or as prescribed by a veterinarian, shall be in violation of this provision. Refusing to produce for inoculation against rabies any dog or cat in his or her possession is a violation of A.C.A. § 20-19-304. Upon conviction, the person shall be fined not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for each offense.

ARTICLE EIGHT – ANNUAL LICENSE AND TAG

8.1. *Levy and amount of license.* An animal licensing fee shall be levied and collected in the amount hereinafter provided for each dog and cat owned or harbored within the city. Said fee shall be paid to the city.

- (a) For each neutered male or spayed female, the license fee shall be \$5.00 annually. The fee for each unspayed female or unneutered male shall be \$10.00. The license fee shall be \$5.00 for animals under six months of age.
- (b) Should a dog or cat be brought into the city, the person owning or harboring such dog or cat shall have thirty (30) days in which to pay the licensing fee levied herein. Any person failing to pay said licensing fee within the thirty (30) day period shall be required to pay an additional fee of \$10.00.

8.2. *Issuance of license.* City officials shall issue a license receipt and a metal tag upon payment of the annual fee to indicate that the fee has been paid. The owner of a dog or cat must provide the certification by the licensed veterinarian that the animal was vaccinated. A receipt for payment or a handwritten note from a veterinarian is not acceptable proof of vaccination. The certification must show that the animal was vaccinated by a licensed veterinarian within one (1) year when applying for a license. Upon providing proof and payment of the fee, the city shall issue a license receipt and metal tag.

8.3. *License period.* A license, if not revoked, shall be valid for one year from the date of issuance. A license fee shall be levied each year and a new license shall be issued upon proof of rabies vaccination as provided herein. An owner shall have 30 days from the date the license expires to obtain a new license without penalty. Any person failing to obtain a license within such period shall be required to pay an additional fee of \$10.00.

8.4. *Tag to be attached to animal's collar.* It shall be the duty of the owner of a dog or cat within the city to attach the tag provided for in Section 8.2 to a collar securely fixed around the neck of the animal.

8.5. *Exceptions.* Nothing in this section shall be construed to apply to any dog or cat under the age of three months, or to dogs or cats in the city on a temporary basis for show or exhibition, or for breeding purposes.

8.6. *Service dogs for the disabled.* Dogs being raised, trained, and used to aid disabled persons shall be licensed without a fee while so owned and used, but shall not be exempt from registration or from any required vaccinations.

8.7. *Law enforcement.* Dogs used by any governmental agency for law enforcement purposes shall be licensed without fee but shall not be exempt from registration or from any required vaccinations. Verification of their status as a law enforcement dog shall be presented upon request.

ARTICLE NINE – CRUELTY TO ANIMALS

- 9.1. No person shall:
- (a) fail to provide his or her animals with sufficient good and wholesome food and water; shelter which provides protection from the weather including four sides with opening, roof, and floor; veterinary care when needed to prevent suffering; and with humane care and treatment.
 - (b) beat, cruelly ill-treat, torment, tease, overload, overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
 - (c) abandon any animal under circumstances subjecting it to the possibility of death, injury, starvation, dehydration or disease;
 - (d) subject any animal to cruel mistreatment of any kind or by any means or device, including tying or strapping with weights or heavy chains;
 - (e) subject any animal to the following if not performed by a licensed veterinarian: neutering or spaying; tail docking, ear cropping, or other surgical procedure;
 - (f) subject any animal in his or her custody to neglect under circumstances exposing the animal to injury, disease, unsanitary conditions, extreme temperatures, starvation, dehydration or death;
 - (g) kill or injure any animal belonging to another without legal privilege or consent of the owner; or
 - (h) carries or causes to be carried in or upon any motorized vehicle or boat an animal in a cruel or inhumane manner.

9.2. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and report the accident to the animal control officer or Farmington Police Department or to the local animal control authority.

9.3. No animal shall be chained or staked to a fixed point on a permanent basis. Dogs shall be kept in an enclosure or by a trolley system so placed that the animal may not intrude on other property, whether public or private, and provide adequate room for normal postural adjustments, exercise, and access to water, food, and shelter. The area where any animal is confined must provide proper and adequate drainage.

9.4. It shall be unlawful for any person to poison any animal or to distribute poison or other toxic substance in any manner whatsoever with the intent to harm, or for the purpose of poisoning any such animal, except for the purpose of controlling insects or rodents in accordance with accepted pest control methods.

9.5. It shall be unlawful to confine an animal in an unattended, enclosed vehicle where the outside temperature is 85° Fahrenheit or greater and the interior of the vehicle is not provided with conditioned air or adequate ventilation to maintain an internal temperature of 90° Fahrenheit or less;

or where the outside temperature is 30° Fahrenheit or less and the interior of the vehicle is not provided with heated air to maintain an internal temperature of at least 30° Fahrenheit.

9.6. *Authority to remove.* In order to protect the health and safety of an animal that is left unattended in a vehicle and is exposed to extreme heat or cold temperatures and to prevent an ongoing offense of cruelty to animals, if the animal is showing signs of heat or cold distress, the animal control officer, enforcement officer or emergency personnel who has probable cause to believe that Section 9.5 above is being violated shall have authority to enter the vehicle to remove the animal by any means reasonable under the circumstances. If it reasonably appears that there is time to contact the owner, or other person present in the immediate area with access to the vehicle, without serious injury to the animal, a reasonable effort to do so shall be made prior to entry into the vehicle to remove the animal. Pursuant to procedures set forth herein, a reasonable effort shall be made to contact the owner before the rescued animal is impounded.

9.7. *Evidence of distress.* For purposes of this section, “showing signs of heat or cold distress” means that the enforcement officer, emergency personnel, or animal control officer, reasonably believes that the animal displays one (1) or more of the following:

- (a) Fast heavy panting;
- (b) Weakness;
- (c) Respiratory difficulties;
- (d) Disorientation;
- (e) Convulsions.

ARTICLE TEN – KENNEL

10.1. In this section, the term “kennel” is further defined as an establishment wherein any person engages in the business of boarding, breeding, buying, grooming, letting for hire, training for a fee, or selling dogs or other animals.

10.2. All kennels shall, in addition to the other requirements of this Code, comply with the following minimum standards of this section. Failure to meet these standards shall be grounds for denial of a business license or revocation of a business license

- (a) Enclosures must be provided which shall allow adequate protection against weather extremes. Runs and/or cages with adequate drainage must be provided. Floors of buildings, runs and walls shall be made of an impervious material to permit proper cleaning and disinfecting.
- (b) Building temperatures shall be maintained at a comfortable level. Adequate ventilation shall be maintained.
- (c) Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages.

- (d) Cages are to be of material and construction that permit cleaning and sanitizing.
- (e) Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
- (f) Runs shall provide protection from the weather. Runs shall have an impervious surface.
- (g) All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
- (h) The food shall be free from contamination, wholesome, palatable, and of a sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.
- (i) All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and be of the removable type.
- (j) Kennels and boarding facilities, except licensed veterinarian facilities, shall provide an adequate exercise area of a minimum of twenty-five (25) feet by twenty-five (25) feet.

ARTICLE ELEVEN – RETAIL PET STORE

11.1. *Seller's compliance.*

- (a) No person shall sell, or offer for sale, any puppy, dog, kitten, cat, or any other domestic animal within the city limits without first complying with all terms and conditions contained in this section and applicable state law.
- (b) Retail pet stores are permitted on property that is zoned C1, C2 or Industrial within the city limits. Retail pet stores are strictly prohibited in the remaining zoning districts in the city.
- (c) Any person who owns, operates or establishes a retail pet store in the city shall provide proof of valid registration (and annual renewals thereafter) from the Director of the Arkansas Department of Health as a condition to receiving a city business license.
- (d) Any person who offers for sale any puppy, dog, kitten, cat, or any domestic animal in a retail pet store (hereinafter "seller") shall obtain a city business license, as required by city ordinances.

11.2. *Consumer protections.* Any seller shall provide the purchaser (hereinafter "consumer") of any animal at the time of the sale of said animal a written statement of consumer rights, signed by the seller, which shall contain the following information and be substantially in the following form:

- (a) If, within ten days following the sale of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies such animal to be unfit for purchase due to illness, a congenital malformation which adversely affects the health of the animal or the presence of symptoms of a contagious or infectious disease, the seller, in addition to any other warranty, shall afford the consumer the right to retain the animal and to receive reimbursement from the seller for veterinary services from a licensed

veterinarian of the consumer's choosing, for the purposes of curing or attempting to cure the animal.

- (b) The reasonable value of reimbursable services rendered to cure or attempt to cure the animal shall not exceed the purchase price of the animal.
- (c) The reimbursement shall not include the cost of initial veterinary examination fees and diagnostic fees not directly related to the veterinarian's certificate that the animal is unfit for purchase pursuant to this section.
- (d) The certification that an animal is unfit for purchase, which shall be provided by an examining veterinarian to a consumer upon the examination of an animal subject to the provisions of this section, shall include, but not be limited to, information which identifies the type of animal; its breed, sex, and color; the owner; the date; the diagnosis of the animal; the treatment recommended, if any; and an estimate or the actual cost of such treatment.
- (e) The reimbursement required by subsections (a) and (b) of this section shall be made by the seller not later than ten business days following receipt of a signed veterinary certification as herein required.
- (f) The reimbursement required by subsection (a) and (b) of this section shall be made by the retail pet store not later than ten (10) business days following receipt of a signed veterinary certification as herein required.
- (g) A veterinary finding of intestinal parasites shall not be grounds for declaring the animal unfit for sale unless the animal is clinically ill due to such condition.
- (h) An animal may not be found unfit for sale on account of an injury sustained or illness contracted subsequent to the consumer's taking possession thereof.
- (i) In the event that a retail pet store wishes to contest a demand for reimbursement made by a consumer pursuant to this section, such retail pet store shall have the right to require the consumer to produce the animal for examination by a licensed veterinarian designated by such retail pet store.
- (j) Upon such examination, if the consumer and the retail pet store are unable to reach an agreement within ten (10) business days following receipt of the animal for such examination, the consumer may initiate an action in a court of competent jurisdiction to recover or obtain such reimbursement.

State law reference: Arkansas Retail Pet Store Consumer Protection Act of 1991 in A.C.A. §§ 4-97-101, et seq., as amended.

ARTICLE TWELVE – TRANSPORTATION OF ANIMALS

No person shall transport or carry any animal by motorized means unless the animal is safely enclosed within the vehicle or trailer, or enclosed in a portable kennel, crate, or dog box designed for this purpose, which is then fastened by a secure and appropriate means to the bed or the chassis of the vehicle. Dogs may be transported in open beds of pickup trucks provided they are secured in

the vehicle by means of a humane cross tether and/or harness, or if the sides, rails, or railing and back of the pickup trucks bed are at least five feet high. In all cases where animals are transported by motorized vehicles, it must be in a safe and humane manner that will prevent the animal from falling from, being thrown from, or jumping from the motorized vehicle or trailer being pulled by such.

ARTICLE THIRTEEN – NOISY ANIMALS, WASTE AND OFFENSIVE ODORS PROHIBITED

13.1. It shall be unlawful for any person to keep on his premises or under his control any noisy animal (e.g. loud or frequent barking, howling, or whining in excessive, continuous fashion or at untimely and unreasonable intervals) which shall disturb the peace and quiet of any person who may reside within reasonable proximity of the place where such animal is kept. An owner or harbinger violating this section may be required to train the animal with a humane “bark collar” or other devices for noise control.

13.2. The owner of an animal shall be responsible for the removal of any excrement deposited by the animal on public walks, recreation areas, public parks, or private property.

13.3. It shall be unlawful for any person owning or harboring any animal to fail to keep the premises where such animal is kept free from offensive odors to the extent that such odors are disturbing to any person residing within a reasonable proximity of said premises; and it shall be unlawful to allow the premises where any animal is kept to become unclean and a threat to the public health by failing to diligently and systematically remove all waste material from the premises.

ARTICLE FOURTEEN – RUNNING AT LARGE PROHIBITED

14.1. It shall be unlawful:

- (a) for any person to permit or allow any dogs to run at large within the corporate limits of the city, except working dogs under control of its owner in an A-1 Agricultural zone.
- (b) for the owner or the owner's representative to permit chickens, turkeys, or other fowl of any kind to run at large within the corporate limits of the city at any time.
- (c) for the owner or the owner's representative to permit any cat to run at large within the corporate limits of the city at any time.
- (d) for the owner or the owner's representative to permit or allow any animal to become a public nuisance. The term "permit" shall include the failure of the owner or individual(s) having charge of said animal to physically restrain the animal. The animal control officer shall be authorized to enter onto private property for the purpose of impounding an animal found running at large.

14.2. Trap-Neuter-Return programs shall not be permitted within the city limits.

14.3. *Livestock running at large prohibited.* No horse, mule, mare, colt, jack or jenny, or swine of any kind, sheep, goat, or cattle of any kind, shall be permitted to run at large. It is unlawful for the owner or person in charge of any such animals to permit any of such animals to run at large.

14.4. *Poultry.* All poultry within the corporate limits of the city shall be maintained in suitable houses, pens, or other enclosures by the owner or person having responsibility for the care and maintenance of the poultry.

14.5. *Maintenance of poultry houses.* Every poultry house maintained within the city shall be kept in a clean, sanitary condition. This provision applies to chicken coops for animals that are permitted pursuant to Article Four.

14.6. *Number of birds allowed in residential zones.*

- (a) It shall be lawful to keep poultry flocks of any size in A-1 Agricultural zones of the city, so long as it is a commercial poultry operation and the birds are confined.
- (b) It shall be lawful for any person to keep, permit, or allow any fowl within the corporate limits of the city in R-1, R-2 and R-O zones, under the following terms and conditions:
 - (1) No more than six hens shall be allowed for each single-family dwelling. No birds shall be allowed in multifamily complexes, including duplexes in MF-1 and MF-2 zones.
 - (2) No roosters shall be allowed.
 - (3) There shall be no outside slaughtering of birds.
 - (4) All fowl must be kept at all times in a secure enclosure. Secure enclosure shall include a self-contained coop and within a fenced in yard.
 - (5) Coops must be situated at least 25 feet from the nearest neighbor's residence.
 - (6) Enclosures must be kept in a neat and sanitary condition at all times and must be cleaned on a regular basis so as to prevent offensive odors.

14.7. Section 14.6 of this article is not intended to apply to indoor birds kept as pets, such as, but not limited to, parrots or parakeets, nor to the lawful transportation of fowl through the corporate limits of the city. Neither shall it apply to poultry farms kept in areas of the city which are zoned A-1 Agricultural.

State law reference: Domestic fowl running at large, A.C.A. § 5-62-122.

ARTICLE FIFTEEN--VICIOUS ANIMALS RESTRICTED

15.1. It shall be unlawful for any person to keep any vicious animal within the corporate limits of the city.

- (a) *Vicious dog designation.* A dog is considered vicious for purposes of this section if it:

- (1) causes death or serious physical injury to a person engaged in a lawful activity;
 - (2) attacks or bites without provocation a person engaged in a lawful activity;
 - (3) on more than one (1) occasion, while off the property of its owner and without provocation, exhibits aggressive behavior toward a person engaged in a lawful activity;
 - (4) on more than one (1) occasion, acts in a manner that causes or should cause its owner to know that the animal is potentially vicious;
 - (5) while off the property of its owner and without provocation, seriously injures another domesticated animal; or, in the owner's presence, on his property without provocation, seriously injures another domesticated animal;
 - (6) without provocation, kills a domesticated animal;
 - (7) is trained for dog fighting or is owned or kept for the purpose of dog fighting; or
 - (8) has been declared vicious, or has been given some other designation, by another governmental body under circumstances that would meet the grounds for vicious dog designation under the provisions of this article.
- (b) *Impoundment pending declaration.* Upon reasonable suspicion that a dog is vicious and poses a serious threat to public health or safety, the animal control officer or law enforcement officers may seek a warrant to seize the dog for quarantine or for impoundment at the Shelter, pending the vicious dog declaration process.
- (c) *Declaration of a vicious dog.*
- (1) *Notice to owner.* In instances where a dog, while off the property of its owner and without provocation, has repeatedly shown aggressive behavior toward people, but has not bitten a person or another animal, the dog shall nonetheless be declared vicious. After impounding the dog, the animal control officer shall attempt to contact the owner if the animal bears a city tag and/or a rabies tag and/or an implanted microchip. The animal control officer shall hold the dog for 24 hours. If the owner does not claim the dog within 24 hours, the dog shall be transported to the Shelter. Under the terms of an Interlocal Agreement between Washington County and the city, the dog shall receive sheltering services for three days. At the expiration of three days, the dog becomes the property of the county if it has not been reclaimed by its owner. Animals that have been impounded at the Shelter for vicious behavior are not eligible for adoption, so the animal shall be euthanized at the expiration of three days.
 - (2) *Unable to provide notice.* If, under the same circumstances above, where the owner of the impounded dog is unknown and the animal has no identification tags or implanted microchip, the animal control officer shall hold the animal for 24 hours. If an owner does not come forth to claim the stray dog within 24 hours, the animal shall be transported to the Shelter. Under the terms of an Interlocal Agreement between Washington County and the city, the dog shall receive sheltering services

for three days. At the end of three days, the dog becomes the property of the Shelter if it has not been reclaimed by its owner. Animals that have been impounded at the Shelter for vicious behavior are not eligible for adoption, so the animal shall be euthanized at the expiration of three days.

- (3) *Application of provision for cats.* Upon reasonable suspicion that a cat is vicious by its aggressive behavior and poses a serious threat to public health or safety, the same provisions apply. After impounding the cat, the owner will be notified if the cat bears a city tag and/or rabies tag and/or an implanted microchip. The provisions of the Interlocal Agreement between Washington County and the city regarding the sheltering services, reclamation and euthanizing a dog is the same for any animal that is impounded at the Shelter, including cats.

ARTICLE SIXTEEN – DEFENSES TO DETERMINATION OF ANIMAL AS VICIOUS

16.1. *Defense to determination of vicious:* It is a defense to the determination of an animal as vicious or potentially dangerous and to the prosecution of the owner of an animal:

- (a) If the threat, injury, or damage was sustained by a person who at the time was committing a willful trespass or other tort upon the premises occupied by the owner of the animal;
- (b) If the person was teasing, tormenting, abusing or assaulting the animal or has, in the past, been observed or reported to have teased, tormented, abused or assaulted the animal;
- (c) If the person was committing or attempting to commit a crime;
- (d) If the domestic animal killed was at the time teasing, tormenting, abusing or assaulting the animal;
- (e) If the animal was protecting or defending a person within the immediate vicinity of the animal from an attack or assault;
- (f) If the animal was injured and responding to pain; or
- (g) If the animal was protecting its offspring, itself or its kennelmates.

ARTICLE SEVENTEEN -- RABIES QUARANTINE, REMOVAL OR EUTHANIZING VICIOUS ANIMALS

17.1. *Impoundment for injury to a person.*

- (a) Any animal suspected of biting a human shall be quarantined in accordance with the provisions of A.C.A. § 20-19-301 (The Rabies Control Act). Animal control officers and law enforcement personnel shall have the authority to enter private property to take into custody any animal that has bitten any person or another animal.
- (b) When an animal is suspected of biting a person, and the animal control officer is unable to verify whether the animal has been vaccinated for rabies as required by the Code, the animal shall be transported to the Shelter to receive rabies quarantine services. If the

owner claims the animal but the rabies vaccination or certification has expired, the animal shall be provided rabies quarantine services for a period of ten (10) days, including the day of the bite. At the expiration of ten (10) days, the animal may be reclaimed by its owner. If the owner fails to pay all requisite expenses for impoundment or reclaim the animal at the expiration of ten (10) days, the animal will be euthanized.

- (c) When an animal is suspected of biting a person, the animal bears no form of identification, the owner is unknown, and the animal control officer is unable to verify whether the animal has been vaccinated for rabies as required by the Code, the Shelter shall provide rabies quarantine services for a period of up to three (3) days. If the animal has not been claimed by its owner, the Shelter shall declare the animal to be a stray. At the end of the three (3) day period, the animal shall be euthanized.
- (d) If a complaint has been filed in the district court against the owner or one who has harbored a vicious animal as described in Article 15.1 or obstructed any authorized officer from enforcing the provisions of this Article 17, the district court may direct the payment of all fines, costs and impoundment fees, and may, upon a finding that such animal is a vicious animal, the district court may order the animal to be euthanized in a humane manner, or permanently remove the animal from the corporate limits of the city. The failure to euthanize said animal or remove said animal from the corporate limits of the city within the time required by the court, the animal control officer shall seize the animal, and have it euthanized. Surrender of an animal by the owner or one harboring the animal to the animal control officer shall not render the individual immune from the fines, costs and impoundment fees prescribed by this ordinance.
- (e) Any person found guilty of harboring a vicious dog or other vicious animal in the city in violation of the Code, shall pay all reasonable expenses associated with housing, removal, and euthanizing the animal, including shelter, food, and veterinarian expenses, if any, in addition to fines.

ARTICLE EIGHTEEN—IMPOUNDMENT FOR OTHER OFFENCES

18.1. *Impoundment*

- (a) Animals running at large, and public nuisance and stray animals, shall be taken into custody by the animal control officer or law enforcement personnel. Whenever any animal impounded by the animal control officer or law enforcement personnel bears a city tag, and/or rabies tag and/or an implanted microchip, it shall be the duty of the animal control officer to notify the owner or the person to whom the tag was issued, if such person or owner can be located. The animal control officers and law enforcement officers are not responsible for locating owners who have failed to notify the city regarding a change of address or telephone/cell number.
- (b) The animal control authority may seize and impound any animal running at large, a public nuisance animal, a stray animal, or any animal reasonably suspected of having a

disease transmittable to human beings. All such animals shall be taken into custody without necessity of a filed complaint.

- (c) The animal control officer shall keep accurate and detailed records of the licensing, impoundment and disposition of all animals coming into city custody.

18.2. *Disposition of impounded animals will be as follows:*

- (a) *Licensed animals.* If a licensed animal has not been claimed and released to the owner, impounded licensed animals shall be transported to the Shelter. The Shelter shall provide sheltering services for a period of three (3) days, after which the animal shall become the property of the Shelter. If the animal is not claimed by its owner after the expiration of three (3) days, the animal shall be eligible for adoption and, at the sole discretion of the Shelter, may be euthanized. The owner of an animal impounded in the animal shelter shall be liable for such fees and charges, notwithstanding the destruction or adoption of the animal.
- (b) *Unlicensed animals.* If an unlicensed animal has not been claimed and released to the owner, impounded unlicensed animals shall be transported to the Shelter. The Shelter shall provide sheltering services for a period of three (3) days, after which the animal shall become the property of the Shelter. If the animal is not claimed by its owner after the expiration of three (3) days, the animal shall be eligible for adoption and, at the sole discretion of the Shelter, may be euthanized.

18.3. The animal control officer shall not release to the owner, and shall humanely destroy, any impounded animal upon the written opinion of a licensed veterinarian that destruction of the animal is necessary to prevent disease or injury to other animals or to humans, or due to the presence or reasonable suspicion of contagious disease, or due to reasonable suspicion of any other public health and safety threat.

18.4. The animal control authority may humanely euthanize any impounded animal upon reasonable evidence that the animal has sustained an injury or disease which will likely result in maiming and prolonged and severe suffering or death.

ARTICLE NINETEEN -- REDEMPTION OF ANIMALS

19.1. In order to redeem an animal, the owner is required to pay the city the impound fee currently charged by the Shelter and any additional expenses incurred by the city. The impoundment fee must be paid before the Shelter will release the animal. In addition, if the impounded animal is not currently licensed in the city, payment for a license is required, along with proof that the animal has been vaccinated for rabies within the past year. The failure or refusal to provide proof within ten (10) days that the animal's rabies vaccinations are current is a separate offense for which the owner may be charged.

19.2. The receipt for payment of the impoundment fee must be presented to the personnel at the Shelter. In addition to the impound fees, the Shelter will require the payment of daily fees it charges to house an animal and any additional charges it may have incurred while housing the animal, including veterinarian expenses.

19.3. The owner of an impounded animal who refuses to reclaim his or her animal and pay the required expenses of reclamation may be prosecuted for abandonment under the provisions of Article 9.1(c).

ARTICLE TWENTY—ENFORCEMENT OF REGULATIONS

20.1. The animal control officer shall be appointed by the mayor and shall perform the duties and exercise the powers prescribed by this chapter. In addition, the animal control officer shall perform such duties as may be delegated by the mayor, the city business manager and the Farmington City Council.

20.2. Law enforcement officers are authorized to issue warnings and criminal citations to any person(s) violating any provision of this chapter.

20.3. *Citation to appear.* The citation to appear shall:

- (a) Contain a brief statement of the nature of the violation or the specific violation of the Code;
- (b) Be signed by an officer who is authorized to issue the citation; and
- (c) Be signed by the violator in which the violator promises to appear in district court on a certain date.

20.4. *Refusal to sign citation.* The citation to appear should be signed by the violator. If the violator refuses to sign the citation to appear, the officer issuing the citation may:

- (a) Indicate on the space provided for signature that the violator refused to sign, leave a copy of the citation with the person cited, and follow the usual procedure for filing the citation in district court; or
- (b) File a criminal affidavit and seek a warrant for the arrest of the offender.

20.5. *Enforcement orders.* An enforcement order is a written notice which mandates compliance with one (1) or more Code provisions by a certain date.

- (a) Law enforcement officers and animal control officers are authorized to issue an enforcement order provided that no enforcement order shall be issued if the noncompliant situation is one that presents an imminent risk of death or serious physical injury to any animal or person.
- (b) The enforcement order shall:
 - (1) Contain a brief statement of the nature of the violation;

- (2) Be signed by an officer who is authorized to issue it and who has personal knowledge of the violation; and
- (3) Contain a printed statement to be signed by the violator in which the violator promises to comply with the enforcement order by a certain date.

20.6. *Refusal to sign enforcement order.* The enforcement order should be signed by the violator. If the violator refuses to sign the enforcement order, the person issuing the enforcement order may:

- (a) Indicate the refusal of the violator to sign on the space provided for signature and leave a copy of the enforcement order with the person cited. The date of service for an unsigned order is the date the order is signed.
- (b) When an officer has personal knowledge of a violation but is unable to locate the violator, the enforcement order shall be posted at the violator's residence and a copy will be mailed to the violator by USPS First-Class mail. The date of service shall be three (3) days after the first-class letter is mailed.

20.7. *Interference with enforcement.* It shall be unlawful for any person to interfere with, assault, injure, or harass, any person authorized to enforce the Code while that person is engaged in any enforcement duties taken pursuant to the Code, or to otherwise obstruct or prevent an authorized person from the discharge of any such duty. Further, it shall be unlawful for any person to refuse to deliver any unlicensed or unvaccinated animal or any animal observed to be running at large to the animal control officer, or other authorized officer, upon demand for impounding.

ARTICLE TWENTY-ONE—PENALTIES

21.1. Whenever in this Code, an act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code, the doing of an act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code shall be punished by a fine of not more than \$1,000.00; provided, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the State of Arkansas but in no case shall any penalty be less than \$50.00. If the violation of the Code is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed \$250.00 for each day that the same is unlawfully continued.

21.2. Any person convicted of violating Article 9 of this Code, which is cruelty to animals as defined herein and in A.C.A. § 5-62-103(a), shall be fined, imprisoned and required to complete a psychiatric or psychological evaluation; and if determined appropriate, psychiatric or psychological counseling or treatment for a length of time prescribed by the court in accordance with A.C.A. §§ 5-62-103(c)-(e).

21.3. Any person found guilty of harboring a vicious dog or other vicious animal, or a wild animal or reptile in the city in violation of the Code, shall pay all reasonable expenses associated

with the impoundment fees at the Shelter, and any further expenses incurred to remove, or euthanize the animal, including veterinarian expenses, if any, in addition to fines.

Agenda Item 12

Set date for 4th of July fireworks display.

Agenda Item 13



May 2, 2019

Mayor Ernie Penn
City of Farmington
P.O. Box 150
Farmington, AR 72730

Re: Amendment to Proposal for Engineering Services
Garland McKee Drainage Improvements
Farmington, Arkansas
Olsson Project No. 018-0375

Dear Mayor Penn:

We understand the city of Farmington would like Olsson Associates, Inc. to revise the previously completed construction plans related to the project referenced above. Since the scope of this work was not included in the Letter Agreement dated December 7, 2017, we are providing the following amendment which sets forth the additional required scope and fees. Our detailed scope of work will include the following:

- Coordination and redesign to obtain the approval from property owners affected by the original design (Previously performed and invoiced)
- Perform detailed design of recommended drainage improvements and prepare construction documents, including plans and specifications.
- Prepare easement documents for use by the city for acquisition, if required.
- Prepare and submit a Clean Water Act, Section 404, nationwide permit notification to the U.S. Army Corps of Engineers (USACE), if required
- Scope does not currently include bid phase or construction phase services.

We propose to provide the services described above for the following lump sum fees. Payment shall be made within 30 days from the date of the invoices.

Original Design

Property Owner Coordination of previous design (Previously Paid) \$ 34,917.00

New Design

Detailed Design and Construction Documents of redesign	\$ 33,250.00
Preparation of Easements	\$ 1,500.00
Clean Water Act, Section 404, Nationwide Permit, if needed	\$ 2,500.00
	<u>\$ 37,250.00</u>

Total	\$ 72,167.00
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Mayor Ernie Penn
May 2, 2019
Page 2 of 2

All provisions of the original Agreement not specifically amended herein shall remain unchanged. Please indicate your agreement to the terms described above by signing and returning a copy of this letter by fax, email, or mail.

OLSSON ASSOCIATES, INC.

By _____ By _____
Brad B. Hammond, P.E. Team Leader Ron Mersch, Office Leader

CITY OF FARMINGTON, AR

By _____
Signature
Printed Name Mayor Ernie Penn Dated: _____

Agenda Item 14



Plymouth Engineering, PLLC

5714 Walden Street · Lowell, AR 72745
(479) 595-5934 · www.plymoutheng.com

May 7, 2019

Melissa McCarville
City of Farmington
354 W. Main Street – P.O. Box 150
Farmington, AR 72730

Re: Sports Complex Sidewalk and Parking / Rhea's Mill Road Sidewalk
Recommendation of Bid Award

Dear Mrs. McCarville:

This afternoon four bids were received from general contractors for your project. The low bid for the project, in the amount of \$138,654.76, was offered by Southern Building Services, Inc. of West Fork, Arkansas.

Southern Building Services is currently in the final stages of construction on your new Public Works building, and all reports are that their work has been more than satisfactory. They are listed by the Arkansas Contractors' Licensing Board in the Commercial category, Municipal & Utility Construction categories, with no complaints or violations and an unlimited bid budget limit.

Accordingly, Plymouth Engineering recommends that the City of Farmington award the construction contract to Southern Building Services, Inc. in the amount of \$138,654.76.

Please let me know how we can further assist you. We appreciate the opportunity to work with you on this project.

Sincerely,

David A. Gilbert, P.E.

c: File

Agenda Item 15

ORDINANCE NO. 2019-03

**AN ORDINANCE SETTING FORTH CERTAIN
REGULATIONS FOR THE SALE OF ALCOHOL,
BEER AND WINE FOR ON-PREMISE CONSUMPTION
IN THE CITY LIMITS OF FARMINGTON, ARKANSAS**

WHEREAS, pursuant to an election of the people of Washington County, Arkansas, the sale of alcohol, beer and wine is permitted in Washington County; and

WHEREAS, pursuant to a Local Option Election during the 2016 General Election, the citizens of the City of Farmington voted for the sale and manufacture of alcoholic beverages; and

WHEREAS, the Local Option Election provided for the sale of packaged alcoholic beverages and the sale of alcoholic beverages with a private club permit, but it does not authorize the sale of alcoholic beverages for on-premise consumption of spirits, wine and beer (referred to as “liquor by the drink”) which, until 2017, required a majority vote at a referendum election; and

WHEREAS, in 2017, Ark. Code Ann. § 3-9-203(d)(l) was amended to provide as follows: A ...city ...may authorize by ordinance the sale of alcoholic beverages for on-premises consumption under [state law] if the ... city is located in ...a county that authorized the manufacture and sale of intoxicating liquor; and

WHEREAS, an ordinance providing for the sale of alcoholic beverages for on-premise consumption will provide the establishments within the city the opportunity to acquire a mixed drink permit instead of a private club permit, which will authorize the establishments to purchase product on the wholesale level and thus be more competitive with establishments in the adjoining cities; and

WHEREAS, in order to comply with applicable state laws, and to promote the competitiveness and orderly operation of businesses which will sell spirits, beer and wine on-premises in Farmington, the city council adopts the following regulations:

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

SECTION 1. The City of Farmington hereby recognizes that the sale of spirits, beer and wine by the drink is thoroughly regulated by the State of Arkansas, and nothing in this ordinance shall contradict the laws of Arkansas.

SECTION 2. The City of Farmington hereby authorizes, by this ordinance, the sale of alcoholic spirits, beer and wine by the drink for on-premises consumption in licensed businesses.

SECTION 3. The definitions, terms and provisions of Ark. Code Ann., Title 3 (Ark. Code Ann. §§ 3-1-101 et seq. as amended from time to time) and all regulations promulgated thereunder, relating to liquor, beer, and wine are hereby adopted and made a part of this chapter. Applicants for and holders of permits and other persons shall conform to the provisions set forth in statutes and regulations promulgated thereunder and to the provisions of this ordinance. Violations of the state statutes and regulations, which are adopted and incorporated by reference into this ordinance, shall subject the offender, upon conviction, to the penalties prescribed by state law.

SECTION 4. It shall be unlawful for any person in the City of Farmington to sell, or offer for sale any alcoholic beverage for consumption on the licensed premises except as follows: (1) Monday through Saturday from 7:00 a.m. to 11 p.m. and (2) Sunday from 10:00 a.m. to 10 p.m.

SECTION 5. Any person convicted of violating this ordinance shall be punished up to the maximum provided in A.C.A. § 3-9-204, if applicable; otherwise, as provided in this section for each violation. In addition to any penalties imposed by the state for a permit violation, any person, firm or corporation licensed by the State of Arkansas to sell alcoholic beverages and any employee thereof violating the provisions of this ordinance shall, upon conviction, for a first offense be fined not more than \$100; for a second offense, be fined not more than \$500; and each subsequent offense thereafter be fined not more than \$1,000 for each such separate offense. For purposes of this section, it is considered a separate violation for each person served or permitted to consume alcoholic beverages during the prohibited hours as set out in this ordinance.

SECTION 6. Provisions of this ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid each invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 7. Emergency Clause. That the city council of the City of Farmington, Arkansas further determines that it is necessary to enact this ordinance without delay to allow establishments to sell alcoholic beverages by the drink as provided by Ark. Code Ann. § 3-9-2039(d)(1) and apply for a permit that will make them more competitive with businesses in adjoining cities; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the ordinance has been published as required by law.

PASSED AND APPROVED this 13th day of May, 2019.

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk

Agenda Item 16

ORDINANCE NO. 2019-05

AN ORDINANCE WAIVING REQUIREMENTS OF COMPETITIVE BIDDING FOR THE REPAIR AND IMPROVEMENTS TO THE TRAFFIC SIGNAL AT THE INTERSECTION OF BROYLES AND EAST MAIN FOR THE CITY OF FARMINGTON PURSUANT TO ARK. CODE ANN. § 14-58-303 (b)(2)(B)

WHEREAS, the City of Farmington has an immediate need for repairs and improvements to the traffic signal at the intersection of Broyles and East Main; and

WHEREAS, SignalTek, Inc. has serviced traffic lights in the City of Farmington since 2007 and presently has a maintenance agreement with the city; and

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

SECTION 1: That due to the serious and immediate need for repairs to the traffic signal at the intersection of Broyles and East Main, and because SignalTek, Inc. is the only company in the immediate area that can provide the services needed, it is imperative that the city contract with SignalTek, Inc. without delay.

SECTION 2: That in accordance with Ark. Code Ann. § 14-58-303(b)(2)(B), which states, "the governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible nor practical", the City of Farmington, Arkansas, through its city council, is hereby authorized to repair the traffic signal at Broyles and East Main..

SECTION 3: Emergency Clause: That the Farmington City Council further determines that there is an immediate need to repair and improve the traffic signal for the safety of the citizens of Farmington, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 13th day of May, 2019.

Ernie Penn, Mayor

ATTEST:

Kelly Penn, City Clerk



SIGNALTEK

P.O. Box 14788
Oklahoma City, OK 73113
(405) 524-1341

To: City Of Farmington	Contact: Brian Hubbard
Address: 372 W. Main Farmington, AR 72730	Phone: 479-267-3411
	Fax: (479) 267-5897
Project Name: City Of Farmington Broyles And Main	Bid Number:
Project Location: Broyles And Main, Farmington, AR	Bid Date: 5/2/2019

Thank you for this opportunity to offer you this proposal.

Line #	Item Description	Unit Price	Total Price
01001	TRAFFIC SIGNAL CABLE (5C/14 A.W.G.)	\$3.25	\$4,875.00
01002	CONDUIT (3")	\$54.25	\$4,340.00
01003	CONCRETE PULL BOX	\$1,875.00	\$3,750.00
01004	VIDEO CABLE	\$4.00	\$1,200.00
01005	CABINET CONTROLLER	\$5,525.00	\$5,525.00
01006	MMU	\$1,375.00	\$1,375.00
01007	DETECTION RACK (16 Channel)	\$1,575.00	\$1,575.00
01008	VIDEO PROCESSOR, ECONOLITE CARD (2 CAMERA)	\$4,125.00	\$12,375.00
01009	POWER SUPPLY	\$525.00	\$525.00
01010	MOBILIZATION	\$1,425.00	\$1,425.00

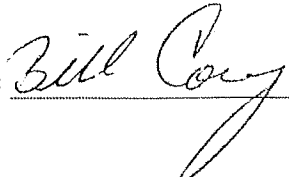
Total Bid Price: \$36,965.00

Notes:

- The above prices do not include Performance and Payment Bond. Add 1% if bonds are required.
- All items and sections of this quotation are tied together and may not be selected individually without prior consent from TLS.
- City of Farmington to be responsible for all Traffic Control.
- This quotation is firm for 15 days.
- This proposal is ONLY for the known damage that is visible. Cabinet equipment component damage (if any) is not covered by this proposal.

Payment Terms:

Terms for Payment are NET 30 days from date of our invoice.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: SignalTek</p> <p>Authorized Signature: </p> <p>Estimator: _____</p>
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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 13, 2019
City Council Meeting

- Isaac Navarro (8) has a work anniversary this month, thank him for his service!
- The right-of-way acquisition for Hwy 170 is underway. Several properties have been settled.
- The annual clean-up for 2019 will be in the fall. We want to be situated in our new building before we decide on how to manage this event.
- We will be planning a ribbon cutting and grand opening for our public works building! When a date is set we will let you know.
- Work continues on the expansion of Creekside Park. We get calls weekly asking what is going on in that area. Rumors are rampant that housing is being developed. Please do your best to dispel those rumors. The park plan is available on our Facebook page or here at City Hall; encourage folks to take a look at what we are planning. Also, we have had some vandalism on the new construction; it will be fixed and there will not be additional cost.
- The signal at Broyles and Main was not working properly over last weekend. We are doing all we can to get it fixed. Right now it has been "patched". We are working on a permanent fix.
- We will have a bid approval for the sidewalk on Rheas Mill and parking and sidewalk at the Sport's Complex. If you have questions let us know.
- Auditors are here!

*"To plant a garden is to believe in tomorrow."
~Audrey Hepburn*



2019 FARMINGTON DISTRICT COURT MONTHLY DISTRIBUTION WORKSHEET MONTH OF APRIL

ADMIN OF JUSTICE FUND	Check #1	Dept. of Finance and Administration	Total for Check # 1	\$2,608.40	Chk#2087
	Check #2	General Fund	Total for Check # 2	\$1,814.85	Chk#2088
	Check #3	Washington County Treasurer (Act 1256)	Total for Check # 3	\$1,532.75	Chk#2089
Total Checks Admin of Justice					\$5,956.00

COURT COST & FINE	Check #4	Administration of Justice Fund				
		CCCR- Court Cost-Criminal		\$2,211.00		
		CCCRO-CourtCost Criminal Ordinance		\$5.00		
		CCDRUG-Court Costs - Drug		\$15.00		
		CCDWI-Court Cost DWI		\$770.00		
		CCTR- Court Cost-Traffic		\$2,305.00		
		CCTRO- Court Cost-Traffic Ordinance		\$600.00		
		CCSEAT - Court Cost - Seat Belt		\$25.00		
		CCFTPI - Fail to Present Insurance		\$25.00		
				Total for Check # 4 (Chk#3501)		\$5,956.00
	Check #5	General Fund				
		FINE- Fines Collected		\$6,065.50		
		WF - Warrant Fee		\$30.00		
	FTPRFL-FTPR+60 Days Fines-Local		\$25.00			
	NLIFL-No Liability Ins. Fines		\$555.00			
	FTPRLOC-Fines Local		\$115.00			
			Total for Check # 5 (Chk#3502)		\$6,790.50	
Check #6	Court Automation Fund					
	CFEE-Local Court Automation		\$1,062.50			
			Total for Check # 6 (Chk#3503)		\$1,062.50	
Check #7	Department of Finance & Administration					
	CFEES - State Court Automation Fee		\$1,077.50			
	DCSAF - Drug Crime Special Assess Fee		\$50.00			
	DVSFF - Domestic Violence Shelter Fund Fee		\$75.00			
	NIFS - New Installment Fee - State		\$2,140.00			
			Total for Check # 7 (Chk#3504)		\$3,342.50	
Check #8	Arkansas State Treasury					
	DRUG - Drug Abuse Prevention and Treatment Fund		\$25.00			
			Total for Check # 8 (Chk#3505)		\$25.00	
Check #9	Washington County Treasurer					
	JBAF - Jail Booking and Admin Fee		\$50.00			
	CJF - County Jail Fee		\$1,295.00			
			Total for Check # 9 (Chk#3506)		\$1,345.00	
Check #10	RF - Restitution Fee					
	Milissa Parsley, Reschke/TR-17-250		\$25.00			
			Total for Check # 10 (Chk#3507)		\$25.00	
Check #11	RDP - Refund Due Payer					
	James Kenneth Earl - CR-19-222, TR-18-948		\$490.00			
			Total for Check # 11 (Chk#3508)		\$490.00	
Check #12	RDP - Refund Due Payer					
	Heather Hill - CR-19-153		\$50.00			
			Total for Check # 12 (Chk#3509)		\$50.00	
Check #13	RDP - Refund Due Payer					
	Amanda Lee Zamora - CR-19-95		\$50.00			
			Total for Check # 13 (Chk#3510)		\$50.00	
				Monthly Total	\$19,136.50	
				Year To Date	\$97,203.50	

Ernie Penn 5-1-19
 Ernie Penn, Mayor Date

Kim Bentley 5/01/19
 Kim Bentley, Chief Court Clerk Date

Graham Nations, District Judge Date



Fire Department

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

Mark Cunningham
Fire Chief

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

April 2019 Monthly Report for Mayor and City Council

The fire department responded to over 77 calls in April and that is average for all of last year. We already have 323 Calls for the year and that is up for an average of 80 calls per month so far this year.

The month of April was quite different for us because of all the rain that we received in the month. We had so much rain that everything greened up which in turn stopped most of our outside fires getting out along with the brush fires. We have been very fortunate to not have flooding that we normally experience this time of year, I guess that it was spread out enough that it soaked in enough to keep it from flooding.

This month we concentrated our training on fire training as well as swift water training and we still getting ready for flooding season that hasn't happened yet. We sent three firefighters to swift water training and they all passed and are certified now, and they names are Aaron Spahn, Andrew Patton and Logan Hattabaugh.

We started our fire hydrant maintenance in April and we have already completed that task because we now have a crew all around the clock and they can complete it a lot faster now.

We have started our fire hose testing and hope to get it done by next month.

We enjoyed the hero's lunch that was provided for us, and we would like to tell everyone involved with it, THANK YOU! It's always nice to feel appreciated.

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

Mark Cunningham
Fire Chief

Farmington Police Dept.

Offenses for Month 4/2018 and 4/2019

5/3/2019 1:00:13 PM

	<u>2018</u>	<u>2019</u>
AGENCY ASSIST	1	0
ASSAULT - 3RD DEGREE / CREATES APPREHENSION OF IMMINENT INJURY	0	1
ASSAULT ON FAMILY OR HOUSEHOLD MEMBER - 3RD DEGREE / APPREHENSION OF IMMINE	1	0
BATTERY - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY	1	0
Breaking or Entering/Vehicle	2	0
BURGLARY, RESIDENTIAL	1	0
CARELESS DRIVING	1	0
CONTEMPT	1	0
CRIMINAL IMPERSONATION / 2ND DEGREE / ASSUMES FALSE IDENTITY	1	1
CRIMINAL MISCHIEF - 2ND DEGREE / RECKLESSLY DESTROYS	1	1
CRIMINAL TRESPASS IN OR ON A VEHICLE OR STRUCTURE / PREMISES	1	0
DISORDERLY CONDUCT / UNREASONABLE OR EXCESSIVE BEHAVIOR	1	0
DOMESTIC BATTERING - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY	0	1
DRIVING ON SUSPENDED LICENSE	3	2
DUI - UNDER AGE DUI LAW / MORE THAN .02% BUT LESS THAN .08%	1	0
DWI (UNLAWFUL ACT)	3	1
DWI - DRUGS (UNLAWFUL ACT)	1	0
DWI - OPERATION OF VEHICLE DURING DWI LICENSE SUSPENSION OR REVOCATION	1	0
Excess Speed	2	1
FAILURE TO APPEAR		

	<u>2018</u>	<u>2019</u>
	8	13
Failure to Maintain Control	1	0
FAILURE TO PAY FINES & COSTS	19	34
Fictitious Tags	0	1
FLEEING	0	1
Flight from Officer/foot	1	0
FRAUD - POSSESS CONTROLLED SUBSTANCE BY FRAUD, FORGERY, THEFT	0	1
FURNISHING PROHIBITED ARTICLES	1	1
HARASSING COMMUNICATIONS / TELEPHONE, TELEGRAPH, MAIL, OR ANY WRITTEN FORM	1	0
HARASSMENT / STRIKE, SHOVES, KICKS, OFFENSIVE PHYSICAL CONTACT, OR THREATE	0	1
Ignition Interlock Devices Violation	1	0
Improper Turn	1	0
Info Only	0	1
INTERFERENCE WITH CUSTODY	1	0
No Proof Insurance	5	1
No Proof of Ownership	2	0
No Seat Belt	1	0
OBSTRUCTING GOVERNMENTAL OPERATIONS / OBSTRUCTS, IMPAIRS, HINDERS, THE PER	1	3
OBSTRUCTING GOVERNMENTAL OPERATIONS / REFUSES TO PROVIDE INFORMATION FOR A	0	1
Obstruction of Vision-windshield	1	0
POSSESSING INSTRUMENTS OF CRIME	0	1
POSSESSION OF A CONTROLLED SUBSTANCE - MARIJUANA	4	1
Possession of Drug Paraphernalia	2	1

	<u>2018</u>	<u>2019</u>
POSSESSION OF DRUG PARAPHERNALIA	9	11
POSSESSION OF DRUG PARAPHERNALIA - FELONY	0	2
POSSESSION OF FIREARM BY CERTAIN PERSONS	1	1
POSSESSION OF METH OR COCAINE GT 10GM BUT LT 200GM	0	1
POSSESSION OF METH OR COCAINE LT 2GM	4	8
POSSESSION OF METH OR COCAINE PURPOSE TO DELIVER LT 2GM	0	1
POSSESSION OF SCH IV OR V LT 28GM	2	0
PUBLIC INTOXICATION / DRINKING IN PUBLIC	1	1
PURCHASE, POSSESSION OF INTOXICATING LIQUOR BY MINOR	3	0
RECKLESS DRIVING	1	2
RESISTING ARREST - REFUSAL TO SUBMIT TO ARREST / ACTIVE OR PASSIVE REFUSAL	1	0
Run Stop Sign	2	1
Run Stop(red) Light	0	1
RUNAWAY	2	0
SEXUAL ASSAULT 4th	0	1
SHOPLIFTING \$1,000 OR LESS	1	0
Tail Lights/Reflectors (Improper)	2	0
TERRORISTIC THREATENING	0	1
TERRORISTIC THREATENING/2nd Degree	1	1
THEFT \$1,000 OR LESS - ALL OTHERS	1	1
THEFT \$1,000 OR LESS - FROM BUILDING	1	0
THEFT \$1,000 OR LESS - FROM VEHICLE	2	0
THEFT \$5,000 OR LESS BUT GREATER THAN \$1000 - ALL OTHERS		

	<u>2018</u>	<u>2019</u>
	0	1
THEFT BY RECEIVING	1	1
THEFT BY RECEIVING \$1,000 OR LESS	0	1
THEFT BY RECEIVING \$1,000 OR LESS	0	1
THEFT BY RECEIVING LESS THAN \$25,000 BUT GREATER THAN \$5000	1	0
THEFT BY RECEIVING LESS THAN \$5,000 BUT GREATER THAN \$1000	0	2
THEFT OF PROPERTY - LOST, MISLAID, DELIVERED BY MISTAKE	0	1
THEFT OF PROPERTY / ALL OTHER	1	1
THEFT OF PROPERTY CRIMINAL EPISODE	0	1
UNATTENDED DEATH/NATURAL CAUSES	1	0
UNLAWFUL TRANSFER OF STOLEN PROPERTY TO A PAWN SHOP OR BROKER	0	1
VIOLATION OF IMPLIED CONSENT	1	0
VIOLATION OF IMPLIED CONSENT(underage)	1	0
VIOLATION OF OPEN CONTAINER	1	0
Totals:	114	112

APRIL

	Citation	Warning	Warrant	Total
Bates - Howard	26	5	0	31
Bertorello - James	11	12	0	23
Collins - John	18	2	0	20
Crutchfield - Dylan	6	9	2	17
Long - Dustin	9	8	1	18
Mahone - Taron	55	16	1	72
Mccaslin - Michael	4	20	0	24
Stine - Jacob	15	25	0	40
Talley - Taylor	3	13	1	17
<u>Totals</u>	<u>147</u>	<u>110</u>	<u>5</u>	<u>262</u>
<u>Averages</u>	<u>16.33</u>	<u>12.22</u>	<u>0.56</u>	<u>29.11</u>

Permit Report

04/01/2019 - 04/30/2019

Permit #	Permit Date	Site Address	Permit Type	Type of Building	Description of Work	Square Foot	Material & Labor	Total Fees
2515	4/30/2019	32 E Main	Plumbing/Gas	Commercial	Redo plumbing for salon	0	400	\$20.00
2514	4/29/2019	68 E Main Unit A	Electric	Commercial	Electrical for tenant	2,500	3,200	\$30.00
2512	4/26/2019	11066 Hwy 170	Storage Building	Residential	Storage building	1,200	21,900	\$120.00
2511	4/26/2019	42 Double Springs South	Demo	Commercial	Demolition of old high school	0	0	\$50.00
2510	4/26/2019	10824 Blue Sky	Building	Residential	Remodel existing house	0	20,000	\$110.00
2509	4/24/2019	465 Concho	Building	Residential	New House	2,066	253,000	\$919.00
2508	4/24/2019	505 Vista Del Valle	Building	Residential	New House	2,095	257,000	\$931.00
2507	4/24/2019	746 Rheas Mill	Electric	Residential	Installation of solar panels	0	70,000	\$340.00
2506	4/23/2019	165 Terry	Pool	Residential	New Pool	0	36,781	\$195.00
2505	4/22/2019	11131 Waterleaf	Building	Residential	New House	2,411	280,000	\$25.00
2504	4/22/2019	48 Cherry	Plumbing/Gas	Residential	Replaced gas line	0	1,200	\$20.00
2503	4/19/2019	480 Vista Del Valle	Mechanical	Residential	HVAC for new house	1,808	3,725	\$30.00
2502	4/19/2019	472 Vista Del Valle	Mechanical	Residential	HVAC for new house	2,095	3,725	\$30.00
2501	4/19/2019	466 Vista Del Valle	Mechanical	Residential	HVAC for new house	1,808	3,725	\$30.00
2500	4/19/2019	421 Concho	Mechanical	Residential	HVAC for new house	2,095	3,725	\$30.00

2499	4/19/2019	451 Concho	Mechanical	Residential	HVAC for new house	1,955	3,725	\$30.00
2498	4/19/2019	678 Bison Run	Mechanical	Residential	HVAC for new house	1,808	3,725	\$30.00
2497	4/19/2019	445 Vista Del Valle	Mechanical	Residential	HVAC for new house	2,384	3,725	\$30.00
2496	4/19/2019	199 Louise	Electric	Residential	Electric for remodel	0	2,500	\$25.00
2495	4/17/2019	68 Main St Suite 1	Plumbing/Gas	Commercial	Plumbing for ice cream parlour	0	7,000	\$45.00
2494	4/16/2019	9 Locust	Mechanical	Residential	HVAC for remodel	1,920	6,800	\$45.00
2493	4/15/2019	10968 Windswept	Building	Residential	New House	2,430	298,000	\$1,054.00
2492	4/15/2019	10920 Windswept	Building	Residential	New House	2,385	292,000	\$1,036.00
2491	4/15/2019	466 Vista Del Valle	Electric	Residential	Electric for new house	1,808	4,900	\$35.00
2490	4/15/2019	99 Broyles	Plumbing/Gas	Commercial	Plumbing for bathroom at Creekside	0	54,557	\$0.00
2489	4/15/2019	9 Locust	Plumbing/Gas	Residential	Plumbing for tenant finish out	1,920	11,000	\$65.00
2488	4/8/2019	32 White	Building	Residential	New House	2,924	358,000	\$1,234.00
2475	4/5/2019	199 Louise	Building	Residential	Remodel existing house	0	500	\$20.00
2469	4/5/2019	415 Otoe	Building	Residential	New House	2,477	304,000	\$1,072.00
2468	4/5/2019	489 Otoe	Building	Residential	New House	2,552	313,000	\$1,099.00
2467	4/5/2019	488 Otoe	Building	Residential	New House	2,398	294,000	\$1,042.00
2466	4/5/2019	482 Otoe	Building	Residential	New House	2,630	323,000	\$1,129.00
2465	4/5/2019	480 Vista Del Valle	Electric	Residential	Electric for new house	1,808	4,900	\$35.00
2464	4/5/2019	472 Vista Del Valle	Electric	Residential	Electric for new house	2,095	4,900	\$35.00

2463	4/5/2019	678 Bison Run	Electric	Residential	Electric for new house	1,808	4,900	\$35.00
2462	4/4/2019	512 Twin Falls	Electric	Commercial	Electrical for small storage addition	0	500	\$20.00
2461	4/3/2019	476 Otoe	Building	Residential	New House	2,252	276,000	\$988.00
2460	4/3/2019	358 Otoe	Building	Residential	New House	2,298	282,000	\$1,006.00
2459	4/3/2019	352 Otoe	Building	Residential	New House	2,493	306,000	\$1,078.00
2458	4/3/2019	346 Otoe	Building	Residential	New House	2,351	288,000	\$1,024.00
2457	4/3/2019	340 Otoe	Building	Residential	New House	2,552	313,000	\$1,099.00
2456	4/3/2019	85 Chickasaw	Building	Residential	New House	2,477	304,000	\$1,072.00
2455	4/3/2019	180 Wesley Stevens	Plumbing/Gas	Residential	Plumbing for new house	3,015	12,000	\$70.00
2446	4/3/2019	425 Tacoma	Building	Residential	New House	2,477	304,000	\$1,072.00
2445	4/3/2019	431 Tacoma	Building	Residential	New House	2,297	282,000	\$1,006.00
2444	4/3/2019	437 Tacoma	Building	Residential	New House	2,356	289,000	\$1,027.00
2443	4/3/2019	443 Tacoma	Building	Residential	New House	2,298	282,000	\$1,006.00
2442	4/3/2019	449 Tacoma	Building	Residential	New House	2,496	306,000	\$1,078.00
2441	4/3/2019	455 Tacoma	Building	Residential	New House	2,250	276,000	\$988.00
2440	4/3/2019	467 Tacoma	Building	Residential	New House	2,519	309,000	\$1,087.00
2439	4/3/2019	475 Tacoma	Building	Residential	New House	2,477	304,000	\$1,072.00
2438	4/3/2019	481 Tacoma	Building	Residential	New House	2,157	265,000	\$955.00
2437	4/3/2019	487 Tacoma	Building	Residential	New House	2,281	280,000	\$1,000.00
2436	4/2/2019	472 Vista Del Valle	Building	Residential	New House	2,095	257,000	\$931.00
2435	4/1/2019	80 Main	Electric	Commercial	Adding 30 amp plug for food trailer	0	500	\$20.00
Total Records: 55								\$28,575.00
								5/1/2019

Library

Circulation and Patron Services

2019	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
Total Circulation	4,101	3,528	4,783	4,047								
YTD Circulation	4,101	7,629	12,412	16,459								
Holds Satisfied	845	760	774	792								
YTD Hold Satisfied	845	1,605	2,379	3,171								
PAC Logins	766	729	742	704								
YTD PAC Logins	766	1,495	2,237	2,941								
New Cardholders	46	31	23	33								
YTD New Cardholders	46	77	100	133								

2018	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
Total Circulation	3,657	3,471	3,930	3,945	4,144	4,705	4,640	4,678	4,116	4,615	4,051	3,571
YTD Circulation	3,657	7,128	11,058	15,003	19,147	23,852	28,492	33,170	37,286	41,901	45,952	49,523
Holds Satisfied	684	650	681	661	680	673	765	768	726	832	737	750
YTD Hold Satisfied	684	1,334	2,015	2,676	3,356	4,029	4,794	5,562	6,288	7,120	7,857	8,607
PAC Logins	870	784	969	929	821	795	892	806	712	767	712	772
YTD PAC Logins	870	1,654	2,623	3,552	4,373	5,168	6,060	6,866	7,578	8,345	9,057	9,829
New Cardholders	39	38	11	22	34	62	33	38	36	39	25	35
YTD New Cardholders	39	77	88	110	144	206	239	277	313	352	377	412

Library

Computer Use

2019	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Early Literacy Station Users	121	111	126	118								
YTD Early Literacy Station Users	121	232	358	476								
Users	309	295	306	229								
YTD Users	309	604	910	1,139								
Device Checkout	0	1	6	4								
YTD Device Checkout	0	1	7	11								
2018	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Early Literacy Station Users	101	114	134	105	112	126	103	130	114	128	96	102
YTD Early Literacy Station Users	101	215	349	454	566	692	795	925	1,039	1,167	1,263	1,365
Users	231	245	235	241	237	256	240	259	284*	253	266	249
YTD Users	231	476	711	952	1,189	1,445	1,685	1,944	2,228	2,481	2,747	2,996
Device Checkout	0	0	1	2	4	6	2	5	2	1	0	0
YTD Device Checkout	0	0	1	3	7	13	15	20	22	23	23	23

*beg using software to track public computer use

Library

Miscellaneous Services

	2019	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Color Print Services		21	14	6	43								
YTD Color Print Services		21	35	41	84								
Copy/Print Services		2,080	2,093	2,744	1,846								
YTD Copy/Print Services		2,080	4,173	6,917	8,763								
Fax Services		44	56	89	49								
YTD Fax Services		44	100	189	238								
Notary Services		8	18	8	5								
YTD Notary Services		8	26	34	39								
Reference Transactions		367	257	234	229								
YTD Reference Transactions		367	624	858	1,087								
Scanning Services		35	35	12	18								
YTD Scanning Services		35	70	82	100								
Staff Supervised Volunteer Hours		13	23	37	28								
YTD Staff Supervised Volunteer Hours		13	36	73	101								
Test Proctor		0	0	1	4								
YTD Test Proctor		0	0	1	5								
2018		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Color Print Services		28	32	37	34	16	347	23	28	5	9	8	18
YTD Color Print Services		28	60	97	131	147	494	517	545	550	559	567	585
Copy/Print Services		929	1,420	1,412	2,029	1,389	1,206	1,374	1,670	1,509	1,578	1,433	1,197
YTD Copy/Print Services		929	2,349	3,761	5,790	7,179	8,385	9,759	11,429	12,938	14,516	15,949	17,146
Fax Services		90	71	74	142	94	68	75	128	100	93	77	45
YTD Fax Services		90	161	235	377	471	539	614	742	842	935	1,012	1,057
Notary Services		2	1	2	1	3	8	7	7	3	5	9	17
YTD Notary Services		2	3	5	6	9	17	24	31	34	39	48	65
Reference Transactions		221	248	346	275	213	273	352	379	239	329	220	235
YTD Reference Transactions		221	469	815	1,090	1,303	1,576	1,928	2,307	2,546	2,875	3,095	3,330
Scanning Services		20	14	39	41	15	17	15	65	83	59	24	27
YTD Scanning Services		20	34	73	114	129	146	161	226	309	368	392	419
Staff Supervised Volunteer Hours		35	33	27	14	9	38	21	5	19	37	12	21
YTD Staff Supervised Volunteer Hours		35	68	95	109	118	156	177	182	201	238	250	271
Test Proctor		0	0	0	0	0	1	1	1	0	0	0	0
YTD Test Proctor		0	0	0	0	0	1	2	3	3	3	3	3

Library

Programs and Meetings

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2019												
Book Club			10	12								
Community Story Time	50	76	83	86								
Japanese language Study Group				2								
Kids Book Club/Tween STEM Club		2	5	4								
Kindergarten Story Time			166	77	104							
LEGO® Club			18	14	16							
Little Maker's		11		4								
Meeting Room Use		13	20	11	10							
Nonfiction Book Club			2	3	1							
Seuss Saturday				23								
Technology Instruction Session	1	1	1	1	1							
Theater Performance by YAG		40										
After School Tutor Group												
Total Monthly Program Attendance	64	308	219	222								
Number of Juvenile Programs	6	9	9	9								
Number of Young Adult Programs		0	0	0								
Number of Adult Programs		1	2	2								
Number of Non-library Meeting Room Events	2	2	2	2								

Library

Daily Visitors

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2019												
Visits	2,439	2,534	2,732	2,312								
YTD Visits	2,439	4,973	7,705	10,017								
2018												
Visits	2,170	2,183	2,584	2,384	2,358	n/a	2,963	2,500	2,711	2,920	2,281	2,440
YTD Visits	2,170	4,353	6,937	9,321	11,679	11,679	14,642	17,142	19,853	22,773	25,054	27,494

Farmington Public Library
Board Meeting
April 9, 2019
6:00 p.m.

Call to Order: Meeting called to order by President Hummel at 6:05 p.m. Members present: Anita Sampley, Betty Hummel, Regina Sherwood, Linda Morrow, LaDeana Mullinix, Phyllis Shaw and Librarian, Rachel Sawyer.

Approval of the November 13, 2018 minutes. Linda made the motion to approve the November minutes and LaDeana seconded it. The motion passed, 6-0

Approval to accept all prior votes as members sworn in for services. The Board members were collectively sworn in by Ernie Penn, Farmington Mayor, and signed their oaths of service. LaDeana made the motion to retro-actively confirm all votes passed by the Board for calendar 2018 including position for Children's Librarian, initial revisions and recommendations for the Policy Handbook, acceptance of the 2018 budget and approval for the 2019 budget. Anita seconded it. The motion passed, 6-0

Approval to accept all reports as written from A-F. Linda moved to accept all the reports as presented and discussed. Regina seconded it and the motion passed, 6-0

a. Director's Report

Opened the evening of December 1 for the Christmas Parade and Tree Lighting. About 250 people visited the library that evening. At the last friends meeting, members wanted to investigate paying for lights for the building in future years.

Attended Technology Plan training provided by the State Library on December 4.

Met with Eric from Key Architecture on December 4 to discuss preliminary renovation plans. Met with architects again on 4/9, reviewed preliminary plans and later this month architects will provide another revision of plans with today's suggestions included.

Attended city's mandatory storm water training meeting.

Planned non-fiction book club reading list for 2019 and created promotional materials for both book clubs.

Filled part-time Library Assistant position. Scott Baker started February 2. He previously worked for WCLS and for their Greenland branch. He comes highly recommended from county staff and lives in Farmington. We had more than 30 applicants and interviewed the three most qualified.

Started planning our first teen summer reading program. Goal is to attract new teens to the library and offer teens the opportunity to explore new interests and interact with one another while being a positive example for children enrolled in the summer reading program. Program is for teens going into grade 7-12 and will include reading challenges, activities, and special events. It will be hosted on our summer reading software, Wandoo.

Attended monthly city council and department head meetings and WCLS board and director's meetings.

Displayed teen book award winners.

Applied for and received a \$750 Walmart Community Grant for Friends on February 15 for youth programming equipment and supplies. Friends' group provided that some of the grant money would go toward purchase of chess sets, games, books, etc. for teen's.

Completed E-rate form 470 for request for services for fiscal year 2019.

Starting March 1, all WCLS libraries will utilize automatic renewals. Eligible materials will renew automatically two days before items are due. The renewal loan period will extend from the original due date. Eligible Farmington owned materials include print books and audiobooks. DVD and music CD materials have no renewals. Materials that have holds placed on them by other patrons are not eligible for renewal. I hope to present results from a new public input survey and present some preliminary work on 2020-2025 strategic goals.

b. Children's Librarian Report

Joy Poynor

Children's Services Librarian

November through the end of February was a busy time for the library. Those are always busy months for a Children's Library given that there are several major holidays during that time and children are also out of school for several weeks. Almost every program I did during the 1st quarter had a theme focused on fall, winter, or the major holidays. In addition to our normal programming, we also added the *Little Maker's Cubetto Coding Program*, an early coding program for ages 4-6, and provided crafts and popcorn during the Farmington Area Kiwanis Disney Christmas Parade.

Displays

- Thanksgiving
- Fall
- Christmas, Kwanza, & Hanukah
- Winter
- National Hobby Month
- Valentine's Day
- Black History
- New Books

Donations

- Thanks to a generous \$500 donation from Perry and Shirley Franklin, we were able to buy new Children's Audio Books on CD.
- Betty Hummel donated a Cubetto coding robot and accessories to the Children's Library. We did one coding program with this robot during the 1st quarter it was a success with both the children and the parents. We are so thankful to Mrs. Hummel for her wonderful gift and will continue to do coding programs using the Cubetto.

Jane Vest Children's Room Passive Activity

- From December through February I added a small felt board with felt pieces so children could make their own snowmen with different noses, eyes, mittens, hats, and scarves. I also made a Rudolf with 10 different colored noses children could change out.

Special Program

- Christmas Parade
 - Provided crafts and fresh popcorn during the Farmington Area Kiwanis Disney Christmas parade. We used our new popcorn machine given to us by The Friends of

the Farmington Library and it was a huge success. Many people came into the library just to get popcorn and stayed to do crafts with their children.



2018 Annual Report

LETTER FROM THE LIBRARIAN

Dear Friend of the Library,

2018 was a spectacular year and we could not have done it without your support. We increased our children's program offerings, added a second book discussion group, and upgraded our public access computing services. We spent the year listening to our patrons and striving to incorporate the community's needs into future programs and services. We remain determined to help our community thrive by providing you with the answers and resources you seek.

The Farmington Public Library is a community center bringing together a diverse group of patrons of all ages. We are more than just a place to browse for books. We are an office for the new small business owner, a meeting place for students to study, and an entertainment venue of discovery for the family with young children. It should be no surprise that after five years in our home across from the post office and over a decade of serving the community, we are looking toward the future.

Many things are in store for 2019—more eBooks and audiobooks will be added to the Overdrive App than ever before, expanded Summer Reading programming to include teen offerings, added STEAM programming for preschool and early elementary age children, and renovation and construction to reconfigure and add new, better functioning spaces.

Thank you for your continued trust and support. We rely on advocates like you to keep us growing, improving, and mattering in the lives of all the people we serve.

Rachel Sawyer
Librarian



2018 Annual Report

SERVICE SUMMARY

Visitors made about 30,000 trips to the library in 2018. Over 4,000 patrons have active library cards and access to a physical collection of approximately 20,000 items with more available through other Washington County libraries including eBooks and audiobooks on Arkansas Library2Go.

Children's Services

In 2018, Children's Services continued its successful programs and special events while building lasting partnerships. 94 programs reached 2,885 children and caregivers, a 70% increase from 2017. Story times are the cornerstone of children's services and in 2018 the library began offering them year-round. The Summer Reading Club had the highest number of sign ups to date, with 210 children collecting over 1,500 hourly reading prizes.

Adult & Volunteer Services

Two book discussion groups met monthly at the library, including a new nonfiction book club. In March, the library once again offered well attended painting classes. Over 270 hours of volunteer time was logged by 19 volunteers. Volunteers donate their time to the library by helping with shelving, displays, programs, and special projects.

Other Services

In addition to offering one-on-one technology instruction, the library also offers copy/print and document scanning services to its customers. Since adding document scanning services in 2016, the demand for the service has continued to increase. In 2018, staff assisted patrons with 419 scans.

LIBRARY USAGE	2017	2018
Items Borrowed	48,584	49,523
New Library Cards Issued	352	412
Early Literacy Station Sessions	1,229	1,365
Reference Questions Answered	2,549	3,330
Number of Programs for Children	45	94
Children's Program Attendance	1,700	2,885
Number of Programs for Adults	18	25
Adult Program Attendance	179	156
Volunteer Hours	344	271



2018 Annual Report

ABOUT US

Board of Trustees

Betty Hummel
Linda Morrow
LaDeana Mullinix
Anita Sampley
Nadine Sewak
Phyllis Shaw
Jill Simpson
Jane Vest

County Library Board Representative

Jane Vest
Travis Warren

Staff

Kevin Kyger
Joy Poynor
Chris Rubin
Derek Salmonson
Rachel Sawyer

Friends of the Library

Retha Beal
Diana Benson
Jim Binns
Diane Bryant

LaVerne Cooper
Edna Davis
Doris Dehne
Sue Farrer
Perry Franklin
Shirley Franklin
John Holland

Judy Horne
Tanya Huckabee
Betty Hummel
Felicia McCollum
Mick McFarland
Ginger Mathis
Jeri Ann Olson
Patsy Pike

Rae Dunn
Nadine Sewak
Phyllis Shaw
Sharon Short
Andrew Spranza
Vicki Spranza
Larry Ray Tackett
Karen Takemoto
Nora Taylor
Shawna Thorup
Lillie Anna Us

Jane Vest
Betty Williams
Rehea Youde

Donors

Shirley and Perry Franklin
Budgie Harris

Volunteer Presenters and Partnering Organizations

Arkansas Game and Fish
Boston Mountain Recycling
Dr. Katherine Auld
Farmington Fire Dept.
Farmington Garden Club
FHS Cardinal Crew
Inside Out
KNWA's Dan Skoff
Ray Murphy
U of A Music Department

Summer Reading Grants and Sponsors

Amazeum
Dollar General
Farmington Dental
Fast Lane Entertainment
Freddy's

Hardee's
Lokomotion
Naturals Baseball
Sonic
Target
Walmart

Volunteers

Susan Demoss
Hannah Dimmitt
Joelle Gish
Charles Harper
Kyle Harris
Kiyara Harvey
Hannah Hodges
Josie Holland
Joshua Jowers
Gracee Martin
Makayla Molnar
Linda Morrow
Nhi Pham
Katelyn Rateliff
Jaynae Ruiz
Violet Shows
Hunter Stratton
Dylan Walthers
Kaylee White

In Memory

Jane Vest, board member and longtime Friend of the Farmington Library, passed away in 2018. Jane was also a book club member and spent many a Friday volunteering at the library. A dedication of the children's room in memory of Jane is being planned for 2019. Delta McAdoo and Janie Steele also passed away in 2018. Delta was an avid reader with many adoring neighbors in Farmington. After Delta stopped driving in 2013, staff delivered books to her often. In addition to being a local historian, Janie was a friend to the Farmington community and a city council member for many years. She was one of the best sources for information about our city's history.



Strategic Goals 2015-2020

FACILITIES AND SPACES

Make available safe, modern, and useful spaces that meet changing user needs.

Year 1: Build on an environment that provides the technologies to facilitate learning. Advance digital offerings by providing computing devices that meet a variety of needs.

Year 2: Plan for expansion to meet population growth.

Begin providing functional outdoor spaces by utilizing the almost two acres the library sits on.

Year 5: By 2020, expand to allow for effective program delivery and increased services. Expansion to have an emphasis on meeting room and special use space to include a multi-purpose room, study rooms, and computer training lab/media space.

ACCESS AND LEARNING

Promote literacy and lifelong learning in the community by increasing the number of library users. Continue to focus on digital literacy and provide programming that promotes financial and family success as well as health and wellness.

Year 1: Increase the variety of program offerings and number of programs/events available to library users.

Year 2: Continue creating sustainable programming that will be appreciated for years to come. Provide users with print and digital materials that allow them to meet their educational goals.

Year 5: By 2020, increase staff to implement successful and sustainable program offerings at the library and through outreach to Farmington education institutions and organizations.

CULTURE AND INCLUSION

Build strong relationships with community leaders and educators to plan new ways to serve the needs of every community member.

Year 1: Strengthen partnerships with community-based organizations and government agencies.

Year 2: Devise plan for providing cultural programming like outdoor concerts and theatre performances.

Year 5: By 2020, establish the library as a champion for Northwest Arkansas's growing creative community. Continue to improve services to all library users through opportunities for residents to be creative and socialize in a safe, comfortable space.

e. Amended Budget

LIBRARY

ITEM	INCOME ACTUAL	BUDGET 2018	AMOUNT LEFT 2018	AMEND 2018
INCOME				
FINES	\$ 5,744.29	\$ 4,000.00	\$ 1,744.29	\$ 5,744.29
GRANTS	\$ -	\$ -	\$ -	\$ -
INTEREST	\$ 245.53	\$ -	\$ 245.53	\$ 245.53
MISCELLANOUS	\$ 2,834.28	\$ -	\$ -	\$ 2,834.28
GENERAL FUND	\$ 30,000.00	\$ 30,000.00	\$ -	\$ 30,000.00
WASH CO. LIBRARY	\$ 170,972.00	\$ 156,977.00	\$ 13,995.00	\$ 170,972.00
			\$ -	
TOTAL	\$ 209,796.10	\$ 190,977.00	\$ 15,984.82	\$ 209,796.10
EXPENSES	ACTUAL	BUDGET 2018	AMOUNT LEFT IN 2018 BUDGET	AMENDED 2018 BUDGET
ADVERTISING	\$ -	\$ 500.00	\$0.00	\$ -
BOOKS AND MEDIA	\$ 30,708.68	\$ 32,000.00	\$1,291.32	\$ 30,708.68
BUILDING MAINT & CLEANING	\$ 1,440.70	\$ -		\$ 1,440.70
INSURANCE	\$ -	\$ 2,500.00	\$2,500.00	\$ -
MATERIALS AND SUPP	\$ 17,316.42	\$ 12,277.00	(\$5,039.42)	\$ 17,316.42
MISCELLANOUS	\$ -	\$ 500.00	\$500.00	\$ -
NEW EQUIPMENT	\$ 1,888.99	\$ 2,000.00	\$111.01	\$ 1,888.99
PAYROLL & BENEFITS	\$ 135,931.97	\$ 138,000.00	\$2,068.03	\$ 135,931.97
POSTAGE	\$ 50.00	\$ 300.00	\$250.00	\$ 50.00
PROGRAMS	\$ 700.00	\$ 2,500.00	\$1,800.00	\$ 700.00
REPAIR-MAINT BUILD	\$ 4,254.43	\$ 6,000.00	\$1,745.57	\$ 4,254.43
TECHNICAL SUPPORT	\$ 4,055.00	\$ 5,000.00	\$945.00	\$ 4,055.00
TRAVEL, TRAINING, MEETINGS	\$ 525.00	\$ 1,000.00	\$475.00	\$ 525.00
UTILITES	\$ 2,043.58	\$ 2,400.00	\$356.42	\$ 2,043.58
TOTAL EXPENSE	\$ 198,914.77	\$ 204,977.00	\$ 6,062.23	\$ 198,914.77
TOTAL INCOME-EXPENSE	\$ 10,881.33	CARRY OVER		

f. Financial Report

1:28 PM
02/20/19

Farmington Public Library Transaction List by Date January 2019

Type	Date	Num	Name	Memo	Account	Split	Amount
Jan 19							
Deposit	01/03/2019				Checking at Arvest Bank - Web	Fines, Fees	117.00
Deposit	01/10/2019				Checking at Arvest Bank - Web	Donations	20.00
Deposit	01/10/2019				Checking at Arvest Bank - Web	Fines, Fees	75.80
Check	01/10/2019		Baker & Taylor	BAKER & TAYLOR BT0109 City of Farmington	Checking at Arvest Bank - Web	Books and Media	-2,131.76
Check	01/10/2019			BAKER & TAYLOR BT0109 City of Farmington	Checking at Arvest Bank - Web	Books and Media	-443.33
Check	01/11/2019		PG Telco	PG TELCO TELE BILL FARMINGTON PUBLIC	Checking at Arvest Bank - Web	ISP and Telephone	-166.49
Check	01/14/2019				Checking at Arvest Bank - Web	Payroll Expenses	-4,872.21
Bill Pmt -CCard	01/15/2019		Adobe		Credit Card	Accounts Payable	-209.86
Bill Pmt -CCard	01/15/2019		Google		Credit Card	Accounts Payable	-15.00
Bill Pmt -CCard	01/15/2019		Adobe		Credit Card	Accounts Payable	-149.90
Bill Pmt -CCard	01/15/2019		Google		Credit Card	Accounts Payable	-16.00
Deposit	01/17/2019				Checking at Arvest Bank - Web	Fines, Fees	120.44
Deposit	01/17/2019				Checking at Arvest Bank - Web	Washington County	14,000.00
Deposit	01/17/2019				Checking at Arvest Bank - Web	Washington County	13,421.00
Check	01/18/2019	1248	Arkansas State Police		Checking at Arvest Bank - Web	Miscellaneous	-25.00
Check	01/23/2019	1247	Lotus Landscapes		Checking at Arvest Bank - Web	Landscaping and Irrigation	-353.37
Deposit	01/24/2019				Checking at Arvest Bank - Web	Fines, Fees	85.10
Check	01/28/2019				Checking at Arvest Bank - Web	Payroll Expenses	-4,872.21
Deposit	01/30/2019				Checking at Arvest Bank - Web	Fines, Fees	84.46
Deposit	01/31/2019				Checking at Arvest Bank - Web	Interest	49.01
Jan 19							

9:19 AM
03/22/19

Farmington Public Library
February 2019

Type	Date	Name	Memo	Account	Split	Amount
Feb 19						
Deposit	02/05/2019			Checking at Arvest Bank - Web	Fines, Fees	81.40
Check	02/06/2019	Baker & Taylor	BAKER & TAYLOR BT0205 City of Farmington	Checking at Arvest Bank - Web	Books and Media	-2,258.11
Check	02/06/2019	Baker & Taylor	BAKER & TAYLOR BT0205 City of Farmington	Checking at Arvest Bank - Web	Books and Media	-682.89
Check	02/11/2019			Checking at Arvest Bank - Web	Payroll Expenses	-5,222.94
Check	02/11/2019	PG Telco	PG TELCO TELE BILL FARMINGTON PUBLI	Checking at Arvest Bank - Web	ISP and Telephone	-166.19
Deposit	02/14/2019			Checking at Arvest Bank - Web	Fines, Fees	97.95
Bill Pmt-CCard	02/18/2019	Amazon	Program Supplies	Credit Card	Accounts Payable	-16.00
Bill Pmt-CCard	02/18/2019	Etsy	Program Supplies	Credit Card	Accounts Payable	-86.00
Bill Pmt-CCard	02/18/2019	Amazon	Program Supplies	Credit Card	Accounts Payable	-41.56
Bill Pmt-CCard	02/18/2019	Amazon	Books and Media	Credit Card	Accounts Payable	-43.88
Bill Pmt-CCard	02/18/2019	The Library Store	Materials and Supplies	Credit Card	Accounts Payable	-114.01
Bill Pmt-CCard	02/18/2019	American Library Association	marked Materials (Travel)	Credit Card	Accounts Payable	-257.00
Bill Pmt-CCard	02/18/2019	Demco	Materials and Supplies	Credit Card	Accounts Payable	-69.35
Bill Pmt-CCard	02/18/2019	Demco Software	Tech Support	Credit Card	Accounts Payable	-723.75
Bill Pmt-CCard	02/18/2019	Adobe	Tech Support	Credit Card	Accounts Payable	-44.07
Bill Pmt-CCard	02/18/2019	TechSoup	Tech Support	Credit Card	Accounts Payable	-75.00
Bill Pmt-CCard	02/18/2019	Recorded Books	Books and Media	Credit Card	Accounts Payable	-411.28
Bill Pmt-CCard	02/18/2019	Amazon	Books and Media	Credit Card	Accounts Payable	-10.40
Bill Pmt-CCard	02/18/2019	Junior Library Guild	Books and Media	Credit Card	Accounts Payable	-309.90
Bill Pmt-CCard	02/18/2019	Hemco Business Solutions	Materials and Supplies	Credit Card	Accounts Payable	-597.70
Bill Pmt-CCard	02/18/2019	Amazon	Books and Media	Credit Card	Accounts Payable	-18.96
Bill Pmt-CCard	02/18/2019	USPS	Materials (Postage)	Credit Card	Accounts Payable	-106.70
Bill Pmt-CCard	02/18/2019	American Library Association	Travel, Training and Meetings	Credit Card	Accounts Payable	-72.00
Bill Pmt-CCard	02/18/2019	Arkansas Library Association	Travel, Training and Meetings	Credit Card	Accounts Payable	-85.00
Bill Pmt-CCard	02/18/2019	Amazon	Books and Media	Credit Card	Accounts Payable	-72.82
Bill Pmt-CCard	02/18/2019	The Library Store	Materials and Supplies	Credit Card	Accounts Payable	-93.28
Bill Pmt-CCard	02/18/2019	Google	Tech Support	Credit Card	Accounts Payable	-16.00
Deposit	02/20/2019			Checking at Arvest Bank - Web	Fines, Fees	88.30
Check	02/25/2019			Checking at Arvest Bank - Web	Payroll Expenses	-5,300.88
Check	02/25/2019	City of Farmington	DLX For Business BUS PROD CITY OF FARMING	Checking at Arvest Bank - Web	Materials and Supplies	-262.13
Deposit	02/28/2019			Checking at Arvest Bank - Web	Fines, Fees	129.69
Deposit	02/28/2019			Checking at Arvest Bank - Web	Washington County	13,421.00
Check	02/28/2019	DPS		Checking at Arvest Bank - Web	Printing and Printer Leases	-260.64
Deposit	02/28/2019			Checking at Arvest Bank - Web	Interest	38.80
Feb 19						

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period Jan 2019 Feb 2019 Actual	Annual Budget Jan 2019 Dec 2019	Jan 2019 Dec 2019 Percent of Budget
Revenue & Expenditures			
Revenue			
Donations	20.00	0.00	0.00%
FINES/LOST ITEMS	871.13	4,000.00	21.78%
INTEREST REVENUES	81.91	0.00	0.00%
TRANS FROM GENERAL FUND		44,000.00	0.00%
WASHINGTON CO LIBRARY	40,842.00	175,047.00	23.33%
Revenue	\$41,815.04	\$223,047.00	
Expenses			
ADVERTISING EXPENSE		1,000.00	0.00%
BOOKS AND MEDIA	6,382.16	32,000.00	19.94%
BUILDING MAINT & CLEANING	333.37	0.00	0.00%
MATERIALS & SUPPLIES EXPENSE	2,044.00	10,147.00	20.14%
MISCELLANEOUS EXPENSE	25.00	500.00	5.00%
NEW EQUIPMENT PURCHASE		3,000.00	0.00%
PAYROLL EXP - REGULAR	20,268.24	152,000.00	13.33%
POSTAGE EXPENSE		300.00	0.00%
PROFESSIONAL SERVICES		5,000.00	0.00%
PROGRAMS EXPENSE		4,000.00	0.00%
REPAIR & MAINT - BUILDING		3,700.00	0.00%
TECHNICAL SUPPORT	864.72	8,000.00	10.81%
TRAVEL, TRAINING & MEETINGS	157.00	1,000.00	15.70%
UTILITIES EXPENSES	332.68	2,400.00	13.86%
Expenses	\$30,407.17	\$223,047.00	

Farmington Public Library
Account Balance by Month

	Revenue	Expenses	Balance
Ending Balance 2017			\$183,627.91
Jan-18	\$28,174.05	\$17,093.04	\$194,708.92
Feb-18	\$13,663.42	\$15,363.01	\$193,009.33
Mar-18	\$44,267.35	\$13,179.78	\$224,096.90
Apr-18	\$13,726.80	\$14,430.64	\$223,393.06
May-18	\$13,506.60	\$14,093.05	\$222,806.61
Jun-18	\$13,899.45	\$19,379.99	\$217,326.07
Jul-18	\$13,581.75	\$20,502.86	\$210,404.96
Aug-18	\$13,728.46	\$17,530.22	\$206,603.20
Sep-18	\$13,614.84	\$16,908.08	\$203,309.96
Oct-18	\$14,247.98	\$13,959.85	\$203,598.09
Nov-18	\$13,408.92	\$17,467.68	\$199,539.33
Dec-18	\$13,976.48	\$13,946.88	\$199,568.93
Ending Balance 2018			\$199,568.93
Jan-19	\$27,966.80	\$18,293.82	\$209,241.91
Feb-19	\$13,848.24	\$17,434.17	\$205,655.98
Mar-19			
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			

Request approval of Fines and Fees schedule and update of Policy Manual to include revised fines and fees. The Board reviewed the document and unanimously agreed that the changes in the fines and fees were appropriate. LaDeana moved to approve the Farmington Public Library Fines and Fees Schedule (effective May 1, 2019) as written. Regina seconded it. The motion passed, 6-0

Farmington Public Library Fines and Fees Schedule
(Effective May 1, 2019)

Farmington Public Library is dedicated to providing quality services with minimal cost to our patrons. Patrons borrowing materials owned by libraries other than Farmington Public Library must inquire with the library that owns the material regarding late and lost items.

Document Service Fees	
Copies & prints in black and white (including mistakes)	\$0.15 per page
Copies & prints in color (including mistakes)	\$0.50 per page
Faxes (excluding cover sheet unless it is the only page)	\$1.00 per page

Card Fees	
Library card for non-resident	\$25 per year
Replacement card (patron must show identification)	\$1.00

Overdue Fines and Replacement Cost	
Late materials (except equipment)	\$0.10 per day (maximum fee \$2.00)
Lost and damaged materials and equipment	Material list price Replacement materials of the same title may be accepted instead on a case by case basis (except equipment)
Items returned with missing parts	May be subject to late fines or material may be billed to patron
Late equipment (laptops, Chromebooks, and iPads)	\$5.00 per hour (in house) and \$5.00 per day circulating (maximum fee \$50)
Replacement cost for laptops	\$500
Replacement cost for Chromebooks	\$300
Replacement cost for iPads	\$500

Request approval of Technology Plan. Due to time constraints there was general verbal consensus of the Board members to table the Technology Plan to the June meeting.

Resolution to dedicate \$150,000 to building from reserves. Linda moved to accept the resolution to dedicate \$150,000 from the checking account reserves for renovation and improvements to the existing building. Anita seconded and the motion passed 6-0

New Business:

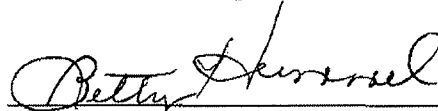
Evaluate By-laws samples and prepare draft Farmington Library Bylaws for the June Meeting. Linda Morrow, Phyllis Shaw and Betty Hummel will review data April 18th and report to the Board in June. LaDeana Mullinex volunteered to provide assistance, if needed.

Adjourned: The meeting was adjourned at 7:15 p.m.

Next meeting scheduled for June 11, 2019.

Submitted by Board Secretary: Phyllis Shaw

Approved by Library Board at a public meeting, following public notice on April 9, 2019.

A handwritten signature in cursive script that reads "Betty Hummel". The signature is written in black ink and is positioned above a horizontal line.

Betty Hummel, Board President

Planning Commission Minutes
March 25, 2019

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

PRESENT

Robert Mann, Chair
Gerry Harris
Howard Carter
Chad Ball
Bobby Wilson
Judy Horne
Jay Moore

ABSENT

Toni Lindsey

City Employees Present: Ernie Penn, Mayor;
Melissa McCarville, City Business Manager; Rick
Bramall, City Inspector

2. **Approval of Minutes:** February 25, 2018 Minutes were approved as amended.

3. **Comments from Citizens:**

Jill Toering; 306 Claybrook Dr. - asked if there would be any effect from the new legislation being passed? It was determined there would be no effect.

Public Hearing:

4. **Variance request on lot splits for 12293 Little Elm Rd. as presented by Justin Silva:**

Justin Silva was present to discuss the request. Opening comments from the City stated that the reason why they are coming to the Planning Commission for a Variance is due to the maximum splits that can be done administratively. Justin Silva explained the request for 6 more splits off of tract 2. This was maxed out for the amount that could be done when administrative lot splits.

Public Comment:

No Public comments were made.

City Comment:

Melissa explained that this is in our jurisdiction for planning area. This cannot be done for another 10 years. Jay asked for clarification as to how the 6 tracts were being split. It was explained that they had split it into four tracts and the 2nd tract would be split into 6 tracts. This would normally be considered a subdivision but they are asking for a variance to have larger tracts instead of falling into subdivision definition.

They asked about the for sale sign on the property. Justin Silva explained that it is for sale but if it sells then they would proceed differently. Since the property has not sold they are going to split the tract to

make more 2 acre lots to sell and also divide between the children. Gerry Harris asked Melissa if this would be considered a large scale/ subdivision. It was also discussed street improvements, etc... Mark Silva who lives at 12198 Little Elm Rd. across from the property in question said there was 12.35 acres listed which would be split into 6 acres which would be 2 acres or more for each parcel. These will have paved frontage to Little Elm. Jay Moore stated he felt like it was in line with the area.

Robert Mann wanted to know about if there would be street improvements done or required. Gerry Harris stated that she wouldn't want commercial to go into those lots. Mark Silva addressed the concern that there would be not commercial. He had been approached by Farmers Coop and the Training Center which are commercial businesses and told them no.

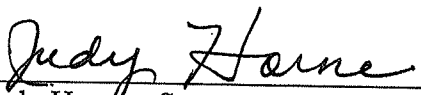
Chad Ball asked about flooding concern on the property or that the drainage would change and make things worse. Mark Silva stated that the water drains off to the corner of another lot which was going to be made into a pond for horses. The impact will be little due to the lots sitting on higher ground. Jay stated that there are 6 houses north of the area in question. Steve Tennant stated by definition of a subdivision in our ordinance we would be opening the City to later issues if we approve the variance. This is by our definition becoming a subdivision. Ball stated that it would be less dense zoning RE-1 with 1 unit per 2 acres. Melissa pointed out that we have no jurisdiction on zoning or use. Mark Silva stated they were going to put covenants on the deed. They were told that we do not enforce covenants that are a civil matter.

Jay had asked if we have ever done something like this before. Melissa stated we have done this before and gave an example of a development off Goosecreek. The questions that were asked were: is it appropriate use? Minimal impact to the area? Conforms to the area? Mann stated that if we deny them they can take us to court for an appeal.

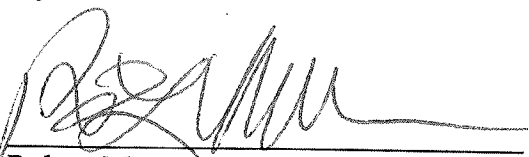
The subdivision does not allow control over street improvements. Mark stated that the neighbors love the idea of putting in more residential lots. They do not want the commercial use to be out there. It was said that if they do not comply it opens the door for issues. This fits into a subdivision and doesn't fall into the exception. This would be rewriting the rules. If it is denied at this time then it cannot be split again for 10 years which would be in 2029. Justin Silva explained that he was trying to get the 2 acre tracts because there is a high demand for them but you cannot find them.

Robert Mann called the question to approve the Variance request on lot splits for 12293 Little Elm Rd. Upon roll call, the ayes were: Jay Moore and Chad Ball, no's were: Howard Carter, Gerry Harris, Judy Horne and Bobby Wilson, absent: Toni Lindsey. The motion denied 2-4.

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



Judy Horne - Secretary



Robert Mann - Chair