



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

**CITY COUNCIL AGENDA
September 9, 2019**

A regular meeting of the Farmington City Council will be held on
Monday, September 9, 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 – August 12, 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 – **SEE MEMO**

UNFINISHED BUSINESS

11. Ordinance 2019-07 – An ordinance to amend Ordinance No. 7.1, zoning regulations adopted in 2015, section 14.04.05, to provide for a planned unit development district that is designed to provide for developments that incorporate. **2nd Reading**

NEW BUSINESS

12. Ordinance 2019-09 – An ordinance to vacate a utility and drainage easement between lots 38 and 39 of Highlands Square North on Giles Road, City of Farmington, Arkansas and for other purposes.

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 August 12, 2019

The regular meeting of the Farmington City Council scheduled for Monday, August 12th, 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, Keith Lipford, Linda Bell, Brenda Cunningham, Bobby Morgan, Diane Bryant and Shelly Parsley. Council Member Abby Spinks was absent Also present were City Business Manager Melissa McCarville and City Attorney Steve Tennant. Mayor Penn led the Pledge of Allegiance.

Comments from Citizens – None

Approval of the minutes for the July 8th, 2019, Regular City Council Meeting. On the motion of Council Member Bryant and a second by Council Member Morgan and by the consent of all Council Members present after a roll call vote, the minutes were approved as presented 7-0.

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 Bryant and a second by Council Member Cunningham and by the consent of all Council Members present after a roll call vote, the motion to read all Ordinances and Resolutions by title only was approved 7-0.

Proclamations, Special Announcements, Committee/Commission Appointments. Committee Reports - There will be benefit softball game between the Police Department and Fire Department to benefit Shop with a Cop. Mayor Penn recognized Police Chief Hubbard's 19 years of service and Public Works Director Floyd Shelley's 11 years of service.

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

Public Hearing to discuss the request form Rausch Coleman to vacate a utility and drainage easement between lots 38 & 39 of Highlands Square North on Giles Road.

Public hearing opened at 6:05 pm, there were no speakers. Public Hearing closed at 6:06pm.

Ordinance 2019-07 An ordinance to amend Ordinance No 7.1, zoning regulations adopted in 2015, section 14.04.05, to provide for a planned unit development district that is designed to provide for developments that incorporate residential, commercial and related uses as a unit in the City of Farmington.

City Attorney Tennant gave the council a brief overview of the drafting of the ordinance and clarified that once a PUD is approved, they cannot change the design plan, the PUD will come before the planning commission and the city council for approval. Council members Bell and Lipford asked for clarification that the PUD could not be changed once it is approved due to the language of the ordinance. City Attorney Tennant confirmed that the PUD can not be changed once approved by the 2 governing bodies. Council Member Bell made a motion to place Ordinance 2019-07 on its first reading by title only. It was

seconded by Council Member Lipford, after a roll call vote it passed 5-2 with Council members Morgan and Parsley voting no. City Attorney Tennant read Ordinance 2019-07 by title only.

Ordinance 2019-08 An ordinance to amend Ordinance No 2018-09 to clarify the payment structure for the position of Deputy City Attorney for the City of Farmington.

City Attorney Tennant informed the council that this was a housekeeping item, that Legislative Audit requested that we update the language with regards to the deputy prosecutors. Council Member Lipford made a motion to suspend the rule requiring the reading of an ordinance in full on 3 different dates and for Ordinance 2019-08 be read 1 time by title only , it was seconded by Council Member Cunningham, and by the consent of all Council Members present after a roll call vote, the motion was approved 7-0. City Attorney Tennant read Ordinance 2019-08 by title only. Mayor Penn asked shall the Ordinance pass? After a roll call vote it was approved 7-0. Council Member Bell made a motion to approve an Emergency Clause for Ordinance 2019-08, it was seconded by council Member Bryant. After a roll call vote, it was approved by all those present 7-0.

There being no further business to come before the council and on the motion of Council Member Morgan and seconded by Council Member Bryant and by the consent of all members present, the meeting adjourned at 6:26 pm until the next regularly scheduled meeting to be held Monday September 9th, 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

MONTH	CITY SALES TAX	CITY SALES TAX	Extra sales tax	STATE 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	\$ 80,171.63	\$ 50,424.76	\$ 99,256.59	\$ 106,122.97
JUNE	\$ 70,180.31	\$ 82,900.52	\$ 52,203.64	\$ 93,107.16	\$ 105,622.89
JULY	\$ 76,809.32	\$ 82,566.32	\$ 52,819.45	\$ 103,314.13	\$ 108,198.98
AUGUST	\$ 81,987.06	\$ 80,753.54	\$ 51,006.66	\$ 100,462.04	\$ 107,009.33
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 -August 2018/August 2019	\$	(1,233.52)	Increase (Decrease)	\$ 5,313.77	\$ 6,547.29
YTD comparison		Increase for 2019 over 2018 YTD - City Sales Tax	\$ 58,315.77	Increase for 2019 over 2018 YTD - State Sales Tax	\$ 54,464.26
Additional Sales Tax Revenue			\$51,006.66	Total Sales Tax Increase YTD 2019	\$ 490,421.96

9/5/2019

GENERAL FUND

11:49 AM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget

Revenue & Expenditures

GENERAL REVENUES

Revenue

ACCIDENT REPORT REVENUES	1,230.00	1,500.00	82.00%
ACT 833	17,989.24	20,000.00	89.95%
ALCOHOL SALES TAX	2,665.04	3,000.00	88.83%
ANIMAL CONTROL REVENUES	2,275.00	2,500.00	91.00%
BUILDING INSPECTION FEES	90,507.00	88,449.74	102.33%
BUSINESS LICENSES	6,275.00	5,000.00	125.50%
CITY COURT FINES	98,925.71	110,000.00	89.93%
CITY SALES TAX REVENUES	995,158.67	1,150,000.00	86.54%
COUNTY TURNBACK	334,987.92	415,000.00	80.72%
DEVELOPMENT FEES	6,344.50	10,000.00	63.45%
Donations	5.00	0.00	0.00%
FRANCHISE FEES	271,504.95	375,000.00	72.40%
GARAGE SALE PERMITS	1,470.00	3,000.00	49.00%
GRANTS	2,300.00	0.00	0.00%
INTEREST REVENUES	51,915.69	15,000.00	346.10%
MISCELLANEOUS REVENUES	36,033.02	12,563.96	286.80%
PARK RENTAL	1,190.00	1,400.00	85.00%
SALES TAX - OTHER	830,132.19	1,100,000.00	75.47%
SPORTS COMPLEX FEES	35,421.50	50,000.00	70.84%
SRO REIMBURSEMENT REVENUES	28,450.86	30,000.00	94.84%
STATE TURNBACK	68,470.68	95,000.00	72.07%
STREET COUNTY TURNBACK	34,627.76	0.00	0.00%
TRANSFER INCOME	0.00	700,000.00	0.00%
Revenue	\$2,917,879.73	\$4,187,413.70	

9/5/2019

GENERAL FUND

11:29 AM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget
ADMINISTRATIVE DEPT			
Expenses			
ADDITIONAL SERVICES EXPENSE	139,705.82	160,000.00	87.32%
ADVERTISING EXPENSE	4,176.07	6,000.00	69.60%
BUILDING MAINT & CLEANING	19,682.08	40,000.00	49.21%
CREDIT CARD FEE EXPENSE	2,903.57	4,000.00	72.59%
ENGINEERING FEES	64,168.56	45,000.00	142.60%
INSURANCES EXPENSE	1,915.03	40,000.00	4.79%
LEGAL FEES	3,000.00	10,000.00	30.00%
MATERIALS & SUPPLIES EXPENSE	10,189.44	17,000.00	59.94%
MISCELLANEOUS EXPENSE	100.00	2,000.00	5.00%
NEW EQUIPMENT PURCHASE	2,769.06	10,000.00	27.69%
PAYROLL EXP - CITY ATTRNY	43,486.40	53,500.00	81.28%
PAYROLL EXP - ELECTED OFFICIAL	79,873.11	121,500.00	65.74%
PAYROLL EXP - REGULAR	151,066.10	223,000.00	67.74%
PLANNING COMMISSION	7,420.42	16,400.00	45.25%
POSTAGE EXPENSE	646.55	2,500.00	25.86%
PROFESSIONAL SERVICES	8,320.58	10,000.00	83.21%
REPAIR & MAINT - EQUIPMENT	2,096.21	0.00	0.00%
REPAIR & MAINT - OFFICE EQUIP	1,128.14	2,000.00	56.41%
RETURNED CHECK	0.00	250.00	0.00%
SERVICE CHARGES	60.00	150.00	40.00%
TECHNICAL SUPPORT	36,218.37	70,000.00	51.74%
TELECOMMUNICATION EXPENSES	2,114.26	1,000.00	211.43%
TRAVEL, TRAINING & MEETINGS	7,035.59	20,000.00	35.18%
UTILITIES EXPENSES	49,079.40	65,000.00	75.51%
Expenses	\$637,154.76	\$919,300.00	

9/5/2019

GENERAL FUND

11:29 AM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget
ANIMAL CONTROL DEPT			
Expenses			
FUEL EXPENSES	846.21	2,000.00	42.31%
MATERIALS & SUPPLIES EXPENSE	2,074.83	600.00	345.81%
NEW EQUIPMENT PURCHASE	0.00	500.00	0.00%
PAYROLL EXP - REGULAR	38,342.69	56,000.00	68.47%
PROFESSIONAL SERVICES	6,793.00	15,000.00	45.29%
REPAIR & MAINT - AUTOMOBILES	0.00	1,500.00	0.00%
REPAIR & MAINT - EQUIPMENT	49.23	500.00	9.85%
REPAIR & MAINT - TRUCK	15.00	0.00	0.00%
TRAVEL, TRAINING & MEETINGS	250.00	500.00	50.00%
UNIFORMS/GEAR EXPENSE	0.00	500.00	0.00%
Expenses	\$48,370.96	\$77,100.00	

9/5/2019

GENERAL FUND

11:42 AM

Statement of Revenue and Expenditures

	<u>Year-to-Date</u>	<u>Annual Budget</u>	<u>Jan 2019</u>
	<u>Jan 2019</u>	<u>Jan 2019</u>	<u>Dec 2019</u>
	<u>Aug 2019</u>	<u>Dec 2019</u>	<u>Percent of</u>
	<u>Actual</u>		<u>Budget</u>
BUILDING PERMIT DEPT			
Expenses			
FUEL EXPENSES	1,245.11	2,500.00	49.80%
PAYROLL EXP - REGULAR	53,195.42	85,000.00	62.58%
REPAIR & MAINT - AUTOMOBILES	1,326.69	1,500.00	88.45%
TRAVEL, TRAINING & MEETINGS	3,581.31	5,000.00	71.63%
UNIFORMS/GEAR EXPENSE	0.00	1,000.00	0.00%
Expenses	\$59,348.53	\$95,000.00	

9/5/2019

GENERAL FUND

11:42 AM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget
FIRE DEPT			
Expenses			
ADVERTISING EXPENSE	609.00	0.00	0.00%
CAPITAL IMPROVEMENT	75,394.04	0.00	0.00%
FUEL EXPENSES	4,693.57	6,000.00	78.23%
HAZMAT EXPENSES	2,270.12	2,400.00	94.59%
MATERIALS & SUPPLIES EXPENSE	5,400.94	8,500.00	63.54%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	23,400.00	6,500.00	360.00%
PAYROLL EXP - REGULAR	310,726.02	505,070.09	61.52%
PROFESSIONAL SERVICES	360.00	0.00	0.00%
REPAIR & MAINT - BUILDING	0.00	400.00	0.00%
REPAIR & MAINT - EQUIPMENT	3,886.90	4,000.00	97.17%
REPAIR & MAINT - TRUCK	10,473.50	6,000.00	174.56%
TRAVEL, TRAINING & MEETINGS	1,922.31	2,000.00	96.12%
UNIFORMS/GEAR EXPENSE	10,909.70	12,200.00	89.42%
Expenses	\$450,046.10	\$553,570.09	

9/5/2019

GENERAL FUND

11:42 AM

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget
LAW ENFORCE - COURT			
Expenses			
LEGAL FEES	12,000.00	18,000.00	66.67%
MATERIALS & SUPPLIES EXPENSE	973.40	3,000.00	32.45%
MISCELLANEOUS EXPENSE	0.00	400.00	0.00%
NEW EQUIPMENT PURCHASE	0.00	3,000.00	0.00%
PAYROLL EXP - REGULAR	45,544.56	70,000.00	65.06%
POSTAGE EXPENSE	122.78	0.00	0.00%
SPECIAL COURT COSTS	0.00	6,000.00	0.00%
TRAVEL, TRAINING & MEETINGS	296.00	3,500.00	8.46%
Expenses	\$58,936.74	\$103,900.00	

9/5/2019

11:42 AM

GENERAL FUND

Statement of Revenue and Expenditures

	Year-to-Date	Annual Budget	Jan 2019
	Jan 2019	Jan 2019	Dec 2019
	Aug 2019	Dec 2019	Percent of
	Actual		Budget
LAW ENFORCE - POLICE			
Expenses			
ADVERTISING EXPENSE	90.00	0.00	0.00%
BREATHALYZER EXPENSES	419.36	700.00	59.91%
CAPITAL IMPROVEMENT	0.00	500,000.00	0.00%
DRUG TASK FORCE	0.00	2,000.00	0.00%
FUEL EXPENSES	23,558.67	36,000.00	65.44%
GRANT EXPENSE	2,507.96	0.00	0.00%
MATERIALS & SUPPLIES EXPENSE	37,396.13	50,000.00	74.79%
MISCELLANEOUS EXPENSE	0.00	500.00	0.00%
NEW EQUIPMENT PURCHASE	46,572.00	56,000.00	83.16%
PAYROLL EXP - REGULAR	639,820.83	1,140,424.99	56.10%
PAYROLL EXP - SRO	66,069.15	69,644.41	94.87%
REPAIR & MAINT - AUTOMOBILES	12,251.81	25,000.00	49.01%
REPAIR & MAINT - EQUIPMENT	1,769.56	3,000.00	58.99%
TRAVEL, TRAINING & MEETINGS	2,403.85	10,000.00	24.04%
UNIFORMS/GEAR EXPENSE	13,898.93	12,000.00	115.82%
Expenses	\$846,758.25	\$1,905,269.40	

9/5/2019

GENERAL FUND

11:42 AM

Statement of Revenue and Expenditures

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

LIBRARY FUND
Statement of Revenue and Expenditures

	Current Period Jan 2019 Aug 2019 Actual	Annual Budget Jan 2019 Dec 2019	Jan 2019 Dec 2019 Percent of Budget
Revenue & Expenditures			
Revenue			
Donations	275.00	0.00	0.00%
FINES/LOST ITEMS	3,451.85	4,000.00	86.30%
INTEREST REVENUES	391.21	0.00	0.00%
MISCELLANEOUS REVENUES	404.57	0.00	0.00%
TRANS FROM GENERAL FUND	44,000.00	44,000.00	100.00%
TRANS FROM GENERAL FUND	200,000.00	200,000.00	100.00%
WASHINGTON CO LIBRARY	121,368.00	175,047.00	69.33%
Revenue	\$369,890.63	\$423,047.00	
Expenses			
ADVERTISING EXPENSE	449.52	1,000.00	44.95%
BOOKS AND MEDIA	23,425.32	32,000.00	73.20%
BUILDING MAINT & CLEANING	2,357.58	0.00	0.00%
CAPITAL IMPROVEMENT	19,859.00	200,000.00	9.93%
MATERIALS & SUPPLIES EXPENSE	10,860.89	10,147.00	107.04%
MISCELLANEOUS EXPENSE	50.00	500.00	10.00%
NEW EQUIPMENT PURCHASE	584.11	3,000.00	19.47%
PAYROLL EXP - REGULAR	91,192.50	152,000.00	60.00%
POSTAGE EXPENSE	7.35	300.00	2.45%
PROFESSIONAL SERVICES	6,250.00	5,000.00	125.00%
PROGRAMS EXPENSE	760.00	4,000.00	19.00%
REPAIR & MAINT - BUILDING	312.46	3,700.00	8.44%
TECHNICAL SUPPORT	7,188.67	8,000.00	89.86%
TRAVEL, TRAINING & MEETINGS	329.30	1,000.00	32.93%
UTILITIES EXPENSES	1,342.13	2,400.00	55.92%
Expenses	\$164,968.83	\$423,047.00	

STREET FUND
Statement of Revenue and Expenditures

	Year-To-Date Jan 2019 Aug 2019 Actual	Annual Budget Jan 2019 Dec 2019	Jan 2019 Dec 2019 Percent of Budget
Revenue & Expenditures			
Revenue			
COUNTY TURNBACK	1,272.52	0.00	0.00%
GRANTS	373,139.01	0.00	0.00%
INTEREST REVENUES	1,027.14	500.00	205.43%
MISCELLANEOUS REVENUES	50.00	100.00	50.00%
STREET COUNTY TURNBACK	34,627.76	40,000.00	86.57%
STREET STATE TURNBACK	285,707.28	388,000.00	73.64%
TRANSFER INCOME	0.00	300,000.00	0.00%
Revenue	\$695,823.71	\$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%
CAPITAL IMPROVEMENT	48,117.50	0.00	0.00%
ENGINEERING FEES	11,601.70	30,000.00	38.67%
FUEL EXPENSES	4,506.64	8,000.00	56.33%
MATERIALS & SUPPLIES EXPENSE	15,327.88	10,000.00	153.28%
MISCELLANEOUS EXPENSE	583.86	500.00	116.77%
NEW EQUIPMENT PURCHASE	12,987.12	25,000.00	51.95%
PAYROLL EXP - REGULAR	117,638.02	185,000.00	63.59%
PROFESSIONAL SERVICES	722,300.53	1,000.00	72,230.05%
REPAIR & MAINT - BUILDING	2,060.61	0.00	0.00%
REPAIR & MAINT - EQUIPMENT	3,350.51	10,000.00	33.51%
STREET LIGHTS	70,159.39	150,400.00	46.65%
STREET/ROAD REPAIRS	95,664.41	300,000.00	31.89%
TRAVEL, TRAINING & MEETINGS	0.00	500.00	0.00%
UNIFORMS/GEAR EXPENSE	798.00	2,200.00	36.27%
UTILITIES EXPENSES	5,352.26	5,000.00	107.05%
Expenses	\$1,119,077.49	\$728,600.00	

**Bond Fund Expense Account
August 2019**

Street Construction Bond Fund

Beginning Balance	
8/1/2019	\$504,716.23
August Expenses	
8/14/2019 Olsson Associates	\$9,931.39
8/15/2019 Olsson & Associa1	\$3,771.41
August Interest & Dividend Income	
	898.64
Statement Balance 8/31/2019	\$491,912.07

Park Construction Bond Fund

Beginning Balance	
8/1/2019	\$65,453.40
August Expenses	
8/6/2019 Benchmark Construction	\$65,580.37
August Interest & Dividend Income	
8/31/2019	\$126.97
Statement Balance 8/31/2019	\$0.00

Proclamations,
special
announcements
and
appointments

*Office of the Mayor
City of Farmington
Proclamation*

WHEREAS, the pink ribbon reminds us that breast cancer is the most commonly diagnosed cancer in women and the second most common cause of cancer deaths in women in the United States. When breast cancer is detected in the early stage, there is a 99% and 85% five- year survival rate for localized and regional female breast cancer, respectively. However, when breast cancer is detected when it has already spread to distant parts of the body, the five-year survival is 27%; and

WHEREAS, thirty of the seventy-five counties in Arkansas do not have fixed mammography facilities, and this creates a barrier for many women to easily access mammography, thereby possibly increasing their mortality rate; and

WHEREAS, breast cancer knows no boundaries, be it age, gender, socio-economic status, or geographical location. Despite tremendous progress by research breakthroughs for breast cancer, more than 42,000 people still die of breast cancer every year in the United States; and


WHEREAS, it is estimated that in the United States 268,600 women and 2,670 men will be diagnosed with breast cancer during 2019, and approximately 41,760 women and 500 men will die of the disease. In Arkansas this year, an estimated 2,210 new cases in females will be detected and 410 breast cancer deaths will occur; and

WHEREAS, October is National Breast Cancer Awareness Month, and October 4th is designated as Go Pink for the Cure Day to bring awareness of the importance of mammography and to renew its commitment to removing obstacles that prevent women from seeking mammograms;

NOW, THEREFORE, I Ernie Penn, Mayor of Farmington, do hereby proclaim October 4, 2019, as

GO PINK FOR THE CURE DAY

in the City of Farmington, Arkansas, and I urge all citizens, to join me in helping to promote efforts for the prevention and treatment of this deadly disease.


Ernie Penn, Farmington Mayor



Agenda Item 10

(remove from inventory)



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

MEMO

To: Farmington City Council
Ernie Penn, Mayor
Kelly Penn, City Clerk
From: Brenda Coleman
Re: Remove HP Laserjet Enterprise 600 M60 and HP Laserjet P4015N printers from city inventory
Date: September 9, 2019

Recommendation

Requesting the removal of the Hp Laserjet Enterprise 600 M60 printer, serial #CND CGC6P7, inventory tag #0095 and HP Laserjet P4015N printer, serial #CNDY203413, inventory tag #367.

Background

Printers are old and no longer work.

Budget Impact

none

Agenda Item 11

ORDINANCE NO. 2019-07

AN ORDINANCE TO AMEND ORDINANCE NO. 7.1, ZONING REGULATIONS ADOPTED IN 2015, SECTION 14.04.05, TO PROVIDE FOR A PLANNED UNIT DEVELOPMENT DISTRICT THAT IS DESIGNED TO PROVIDE FOR DEVELOPMENTS THAT INCORPORATE RESIDENTIAL, COMMERCIAL AND RELATED USES AS A UNIT IN THE CITY OF FARMINGTON

WHEREAS, the City Council of the City of Farmington, pursuant to authority granted by the Arkansas General Assembly in Title 14, Chapter 56, Subchapter 4 of the Arkansas Code of 1987 Annotated, as amended, adopted zoning regulations to provide for orderly growth and development of Farmington; for protection of the character and stability of residential and commercial properties, and for other purposes; and

WHEREAS, the Farmington Planning Commission has worked diligently to amend the existing ordinance to provide for Planned Unit Developments which will provide for small and large-scale developments incorporating a single type or a variety of residential, commercial, and related uses that are planned and developed as a unit; and

WHEREAS, after planning commission work sessions, a public hearing was held on July 22, 2019, and after the public discussion, the Farmington Planning Commission adopted regulations for the Planned Unit Development District for the city council's consideration.

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

Section 1: That the zoning regulations for Planned Unit Developments should be and are hereby adopted and Ordinance 7.1, as adopted in 2015 (Ordinance 2015-06), Section 14.04.05 should be amended as presented. The regulations consist of the text, which is attached hereto and made a part hereof, which will be on file in the Office of the Farmington City Clerk.

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 to enact this ordinance without unnecessary delay; 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 9th day of September, 2019.

APPROVED:

By: _____
Ernie Penn, Mayor

ATTEST:

By: _____
Kelly Penn, City Clerk

PUD—Planned Unit Development District.

A. PURPOSE.

1) The overall purpose of the Planned Unit Development (PUD) zoning district is to achieve a more functional and aesthetically pleasing plan that assures compatibility with all existing and future surrounding land uses.

2) In addition, the planned unit development district (PUD) is established to permit the subdivision of land and zoning review into one process. The combination review permits a development proposal to be acted upon simultaneously by the developer and the city. This system is advantageous when the developer that plats the land and provides access and utilities also provides the amenities that make the overall project marketable. An additional advantage is that the approved PUD plan remains intact even if transfer in ownership occurs. The approved PUD plan represents a commitment by both the developer and the city.

The PUD process permits more flexibility in the choice of building types, the arrangement of varied land uses, and the use of generalized rather than specific development regulation. By permitting and encouraging the use of Planned Unit Developments, the Planning Commission and the city council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the city.

B. INTENT

The Planned Unit Development should:

- a. Facilitate and encourage a maximum of social and community interactions and activity among those who live, work, shop, and play there.
- b. Provide open space not only for traditional private use in setbacks and yards surrounding structures, but also conveniently located open space in residential and commercial areas for the benefit of the community and public as places for relaxation, recreation and social interaction.
- c. Achieve a pattern of development which preserves and enhances natural features and native vegetation, prevents soil erosion, and protects water quality.
- d. Allow a creative approach to the use of land and related physical development.
- e. Encourage an efficient use of land resulting in smaller networks of utilities and streets, and thereby lowering costs.

The PUD regulations are designed to provide for small- and large-scale developments incorporating a single type or a variety of residential, commercial, and related uses that are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites.

C. GENERAL ELIGIBILITY AND PHASING REQUIREMENTS

1. *Ownership control.*

The land in a PUD shall be owned, leased, or otherwise controlled by a person, firm, group of individuals, partnership, corporation, or trust, provided assurances are given through the procedures contained herein that the project can be successfully completed. A copy of the current deed will be required as a part of the application process. The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this ordinance.

2. *Minimum district area.*

The minimum area for a PUD district shall be four acres. In calculating the minimum area for a PUD district, the measurements shall include the area of all dedicated streets entirely within the boundary of the proposed PUD, and one-half of the area of all boundary or perimeter streets.

3. *Uses permitted.*

In order to increase creativity and flexibility in the development of areas suitable for a planned unit development, there are no specifically prescribed uses required within the boundaries of a planned unit development. However, proposed zoning uses and locations shall be appropriate to protect, enhance and reasonably conform to surrounding land uses.

The developer shall be responsible for preparation of a specific list of permitted uses within the specific planned unit development requested. The development list shall also include all specific information required by this ordinance.

All commercial uses shall be restricted to closed buildings except parking lots, plant nurseries, temporary farmers markets and craft fairs, promotional events, and normal pump island fuel services.

4. *Screening and Landscaping.*

In order to enhance the integrity and attractiveness of the development, and when deemed necessary to protect adjacent properties, the planning commission shall require landscaping and screening as part of a PUD. The nature and extent of screening and landscaping shall be determined by the planning commission in relation to the overall character of the development and its specific location. The required screening shall be submitted to the planning commission as part of the preliminary development plan. Landscape plans shall show the general location, type and quality (size/age) of plant material. Screening plans shall include typical details of fences, berms and plant material to be used.

5. *Parking and off-street loading.*

All uses established with a planned unit development district shall comply with the off-street parking and loading requirements as established in the city's zoning regulations. However, the requirements for individual structures or lots may be met through either provision of adequate parking on the lot on which such structure is so located, or upon adjacent property which is under the control of a property owners' association, to which said lot is an automatic participant. In no case, however, shall the cumulative requirements of all parking and off-street loading requirements be less than if said uses were individually established and located in any other zoning district within the city.

6. *Open Space.*

Due to the flexibility allowed in development density, well-designed open space is an important factor in providing for innovative design and visual attractiveness. A minimum of ten (10) percent of gross residential areas shall be designated as common usable open space.

7. *Phasing.* Submissions of proposals of entire ownerships is encouraged, however, applicants may submit a phased development plan for incorporating incremental final and plats for subareas of the entire ownership. Phased development must indicate the entire ownership on a boundary survey with all proposed streets and drainage. Where this is done, the applicant shall adhere to the approved development schedule for the phased submission of final development plan and plat.

If the applicant cannot adhere to the time period approved, a written request for extension may be submitted to the planning commission for approval of a maximum of two (2) one-year extensions. Additional extensions shall require approval of the city council.

The development of the PUD may be planned in phases; provided, that as part of the general submission, a development schedule is approved which describes:

A. The parcels that are to be constructed upon in each phase, and the date of each phase submission.

B. The number of units to be built in each submission.

C. Each stage within the PUD shall be so planned and related to existing and/or planned services and facilities, including commercial space, such that each phase is self-sufficient and not dependent on later phases and so that failure to proceed to the subsequent stages will not have any adverse impacts on the PUD, its surroundings, or the community in general. Each stage shall also be planned so as to ensure that green space and any other amenities will be provided along with proposed construction at each phase of construction.

D. PUD APPLICATION REVIEW PROCEDURES.

The application procedure shall consist of three (3) phases:

1. *Pre-application Conference with City Staff*

2. *Preliminary Development Plan Review*

3. *Final Plat*

1. *Pre-application Conference with City Staff*

Before submitting an application, the landowner or authorized agent shall confer with city staff in order to become familiar with the development review process. The staff shall inform the applicant of any perceived problems that may arise. A further purpose of the pre-application conference is to make sure that the applicant has, or will be able to, submit the necessary information for filing the application. The intent of this conference is to provide guidance to the applicant prior to incurring substantial expense in the preparation of plans, surveys and other data required in a preliminary plan.

At the time of the conference the developer should provide the following information on a map or aerial photograph:

1. Street pattern proposed and existing street or right-of-way.
2. Location of all bordering streets.
3. General size and shape of lots.
4. Topography.
5. Legal description of property.
6. Proposed land uses and identify of adjacent land owners.
7. Location of existing utilities.
8. Existing water courses and flood plains.
9. Existing and/or proposed tree cover.
10. Existing adjacent developments.
11. Any additional information the developer feels is pertinent.
12. Name and address of owner(s) and developer(s).

2. Preliminary Development Plan Review

An application seeking a PUD rezoning of a parcel of property shall be submitted to the City of Farmington, including all necessary documents and fees. This will include: site plan, drainage plan and a completed checklist. The following must be included as well as any other information required by the Planning Commission:

1. Completed application form which includes: name and address of person preparing application, name and address of property owner, including written, notarized documentation to verify that the applicant has permission to locate on property, zoning district, size of property, postal address and tax parcel number.
2. Payment of non-refundable review fee of \$1,000 is required at the time the application is accepted. In the event engineering review fees and costs exceed \$1,000, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred prior to review by the Farmington Planning Commission. In the event the Farmington Planning Commission requires modifications to the development and additional engineering fees and costs are incurred, the owners and/or developers shall reimburse the City of Farmington before building permits are sold for the development.
3. A descriptive statement of the objective(s) for the new facility or material modification and the need for the type of facility and/or capacity requirements.
4. Fifteen (15) copies of the site plan folded to a size of no greater than 10" X 10 ½ ".
5. List of adjacent property owners and copy of notification letter that will be sent.
6. White receipts from post office and green cards from registered letters (at least 7 days prior to the meeting).
7. Proof of publication of public hearing notice, should be published a minimum of 10 days prior to planning commission meeting (proof must be provided at least 7 days prior to the meeting).

The Following Shall Appear on the Site Plan:

1. Names, addresses and telephone numbers of the record owners, applicant, surveyor, architect, engineer and person preparing the plat.
2. Names, addresses and property lines and zoning of all property owners adjacent to the exterior boundaries of the project including across streets and rights of way shall be located at the general location of their property.*
3. North arrow, graphic scale, acreage, date of preparation, zoning classification and proposed use.
4. Complete and accurate legend.
5. Title block located in the lower right hand corner indicating the name and type of project, scale, firm or individual preparing drawings, date and revision.
6. Note regarding wetlands determination, if any. Note if Army Corps of Engineers determination is in progress.
7. Written legal description. (If the project is in more than one tract the legal for each individual tract must be provided.)
8. P.O.B. from a permanent well-defined reference point, P.O.B. must be clearly labeled.
9. Clear representation of the FEMA Designated 100-year Floodplain and or Floodway and base flood elevations. Reference the FIRM panel number and effective date and the Corps of Engineers Flood Hazard Study.
10. Status of regulatory permits:
 - a. NPDES Storm Water Permit
 - b. 404 Permit
11. Provide a benchmark, clearly defined with a precision of 1/100th of a foot. This benchmark must be tied to NAVD 88 datum; Benchmarks include but are not limited to, the following: fire hydrant, manhole rim, drainage structure abutment, etc.
12. Spot elevations at grade breaks along the flow line of drainage swales.
13. A general vicinity map of the project at a scale of 1" = 2000'
14. The location of all existing structures. Dimensions of buildings and setbacks from the building to property lines.

15. Street right-of-way lines clearly labeled. The drawing shall depict any future ROW needs as determined by the AHTD and/or Master Street Plan. Future ROW as well as existing ROW and center lines should be shown and dimensioned.
16. Existing topographic information with source of the information noted. Show:
 - a. Two foot contour for ground slope between level and ten percent.
 - b. Four foot contour interval for ground slope exceeding 10%.
17. Preliminary grading plan.

Existing Utilities and Drainage Improvements (Copy of the Drainage Criteria Manual can be obtained from the City of Farmington)

1. Show all known on-site and off-site existing utilities, drainage improvements and easements (dimensioned) and provide the structures, locations, types and condition and note them as "existing" on the plat.
2. Existing easements shall show the name of the easement holder, purpose of the easement, and book and page number for the easement. If an easement is blanket or indeterminate in nature, a note to this effect should be placed on the plan.

Proposed Utilities

1. Regarding all proposed storm sewer structures and drainage structures:
 - a. Provide structure location and types.
 - b. Provide pipe types and sizes.
2. Regarding all proposed sanitary sewer systems
 - a. Provide pipe locations, sizes and types.
 - b. Manhole locations.
3. Note the occurrence of any previous sanitary sewer overflow problems on-site or in the proximity of the site
4. If a septic system is to be utilized, note that on the plat. Show the location and test data for all percolation tests.
5. Regarding all proposed water systems on or near the site:
 - a. Provide pipe locations, sizes and types.
 - b. Note the static pressure and flow of the nearest hydrant.

- c. Show the location of proposed fire hydrants, meters, valves, backflow preventers and related appurtenances.
6. All proposed underground or surface utility lines if determined: (this category includes but is not limited to telephone, electrical, natural gas and cable.)
 - a. Locations of all related structures.
 - b. Locations of all lines above and below ground.
 - c. A note shall be placed where streets will be placed under the existing overhead facilities and the approximate change in the grade for the proposed street.
7. The width, approximate locations and purposes of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress or other public purposes within and adjacent to the project.

Proposed and Existing Streets, Rights-of –way and Easements

1. The location, widths and names (avoid using first names of people for new streets) of all existing and proposed streets, allies, paths and other rights-of-way, whether public or private within and adjacent to the project; private easements within and adjacent to the project; and the centerline curve data; and all curb return radii. Private streets shall be clearly identified and named.
2. A layout of adjoining property sufficient detail to show the effect of proposed and existing streets (including those on the master street plan), adjoining lots and off-site easements. This information can be obtained from the Master Street Plan.
3. The location of all existing and proposed street lights (at every intersection, cul-de-sac and every 300 feet, and associated easements to serve each light.)

Site Specific Information

1. Provide a note describing any off-site improvements.
2. The location of known existing or abandoned water wells, sumps, cesspools, springs, water impoundments and underground structures within the project.
3. The location of known existing or proposed ground leases or access agreements, if known. (e.g. shared parking lots, drives, areas of land that will be leased.)
4. The location of all known potentially dangerous areas, including areas subject to flooding, slope stability, settlement, excessive noise, previously filled areas and the means of mitigating the hazards (abatement wall, signage, etc.)
5. The boundaries, acreage and use of existing and proposed public area in and adjacent to the project. If land is to be offered for dedication for park and recreation purposes it shall be designated.

6. For residential development, indicate the use and list in a table the number of units and bedrooms.
7. For non-residential use, indicate the gross floor area and if for multiple uses, the floor area devoted to each type of use.
8. The location and size of existing and proposed signs, if any.
9. Location and width of curb cuts and driveways. Dimension all driveways and curb cuts from side property line and surrounding intersections.
10. Location, size, surfacing, landscaping and arrangement of parking and loading areas. Indicate pattern of traffic flow; include a table showing required, provided and handicapped accessible parking spaces.
11. Location of buffer strips, fences or screen walls, where required (check the zoning ordinance).
12. Location of existing and purposed sidewalks.
13. Finished floor elevation of existing and purposed structures.
14. Indicate location and type of garbage service (Large Scale Developments only.) Dimension turnaround area at dumpster location.
15. A description of commonly held areas, if applicable.
16. Draft of covenants, conditions and restrictions, if any.
17. Draft POA agreements, if any.
18. A written description of requested variances and waivers from any city requirements.
19. Show required building setbacks for large scale developments. Provide a note on the plat of the current setback requirements for the PUD. A variance is necessary from the Board of Adjustment for proposed setbacks less than those set forth in the zoning district.
20. Preliminary drainage plan as required by the consulting engineer.

*All applicants submitting requests for PUD zoning before the Farmington Planning Commission shall provide written notice of the time and place of the regular or special meeting to the owners of all real property adjacent to the project. The notice shall include the name and address of the applicant, location of the project, and the time and place of the scheduled meeting. Notices shall be sent by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax Collector's Office. Applicants must submit a verified affidavit attesting to the delivery of the notice to all owners of real property adjacent to the project, a copy of the notice to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to above must be submitted fourteen (14) days prior to the regular or special meeting of the planning commission.

The application and plan will be submitted to the Technical Plat review committee. Any requirements of this committee shall be passed on to the planning commission for review and approval. Compliance with these requirements will become a part of the record and must be completed prior to approval.

A public hearing for the preliminary plan shall be set no later than sixty (60) days after filing and shall be legally advertised and adjacent property owners will be notified, as specified in the zoning ordinance.

At the public hearing before the planning commission, the applicant and interested citizens will have the opportunity to discuss the merits of the development proposal. The planning commission will assess the proposal in light of ordinance guidelines and will take action after weighing the recommendations of staff, the developer's presentation and the community response. The commission shall approve, grant approval with conditions on specified modifications, or disapprove the development proposal.

If the planning commission approves the preliminary plan, it will be forwarded to the city council for their review. The city council may grant or deny as submitted or as amended, defer for requested changes or information, or return the application to the planning commission for further study. The council may direct the planning commission to reconsider specific aspects of the preliminary plan. If the preliminary plan is approved, an ordinance shall be prepared which incorporates the plan or conditions. The developer shall provide construction plans to be approved by the City Engineer prior to issuance of a grading permit.

If a preliminary plan is conditionally approved, the applicant shall have ninety (90) days from the date of planning commission action granting approval to submit a revised preliminary plan. If City Staff determines such revisions are in conformance with the planning commission's specific recommendations, it shall be forwarded to the city council for disposition. If the revisions are determined not to be in conformance with the intent of the conditional approval, the revised development plan will be resubmitted to the planning commission for public hearing.

If the development is multi-family and/or commercial in nature, after preliminary plan approval; building permits may be issued at this time. However, all regional infrastructure (including streets and drainage) must be in place prior to a certificate of occupancy for any structure.

Appeals from the action of the planning commission shall be filed with the city clerk. The content of the of the appeal filing shall consist of (1) a cover letter addressed to the mayor and city council setting forth the request; (2) a copy of the application indicating the planning commission action and property executed by the staff. This filing shall occur within thirty (30) calendar days of the action of the planning commission.

3. Final Plat

Final Plat approved as a whole or in phases by the planning commission and city council following its review for conformity with the preliminary development plan. In the case of single family residential development; the final plat shall be approved prior to the issuance of any building permits within any portion of the planned unit development where single family lots are proposed. The final plat shall be recorded prior to the issuance of a building permit.

In cases where a phased preliminary development plan is approved, an approved submission schedule for incremental final plat shall be followed. Requests for extensions shall be submitted in writing to the planning commission, which shall not unreasonably withhold approval. A maximum of two (2) one-year extensions may be granted by the planning commission. Additional extensions shall require approval by the city council. Extensions must be applied for before the time elapses on preliminary approvals.

The final plat review shall be conducted by the planning commission and staff. They will review the final plat to determine that no substantial changes were made to those elements of the plan agreed upon in the preliminary development plan. If substantial changes are found to have been made to the agreed elements, then the application must be resubmitted for preliminary development plan review.

The final plat shall be deemed to be in substantial compliance, after review by City staff, with the preliminary development plan provided the plan does not:

- a. Increase proposed floor area for nonresidential use by more than five (5) percent.
- b. Increase total building coverage by more than five (5) percent.
- c. Increase total number of dwelling units by more than five (5) percent within a given phase. Fluctuation shall be permissible, provided overall density is maintained.

A public hearing need not be held to consider modifications on location and design of infrastructure improvements as detailed in the subdivision regulations.

If the planning commission finds only minor differences exist in the final plat, then the commission shall approve final disposition.

Approval or disapproval of a final plat by the planning commission shall occur within sixty (60) days of the filing of the plat. If the plan as submitted contains deviations of substance from the previously approved preliminary development plan the planning commission may, after meeting with the landowner, refuse to grant final approval and shall so advise the landowner of said refusal, giving the reasons such deviations are not in the public interest.

The landowner may either submit a final plat in conformance with the preliminary plan or file a written appeal with the city council within thirty (30) days of the refusal date. The city council shall consider the appeal at its next regularly scheduled meeting.

After the approval of the preliminary plat but before improvements are started, the developer shall submit engineering plans, a final drainage report, and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with storm water drainage standards to City Staff for review and written approval prior to commencement of improvements. During the same period, the developer shall submit water and sewer plans and specifications to the appropriate water and sewer personnel. No work shall begin without prior approval of City Staff.

All streets which are to be dedicated to the city as public streets within the planned unit development boundaries shall be dedicated and constructed in conformance with the street construction regulations of the City of Farmington and must adhere to the city's master street plan.

Before the final plat has been approved, the applicant shall assure installation of required public improvements as required for final plat approval in the city subdivision regulations. After compliance has been reached with all provisions of the PUD regulation and subdivision regulation, the engineer of record shall present to the staff the original documents, which after application of proper signatures shall be recorded with the county clerk's office.

E. Submission requirements.

As part of the application process, the applicant shall be required to submit the following documents and information.

1. Preliminary development plan and plat.

- a. An application and checklist
- b. A copy of the deed for the property
- c. A statement describing the character of the development and including the rationale behind the assumptions and choices made by the application.
- d. A site plan as described in this regulation.
- e. A development schedule indicating the approximate date when construction of the development or stages of the development can be expected to begin and to be completed.
- f. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD, including land areas, and dwelling units.
- g. A preliminary plat in accordance with the subdivision regulations for the city.

2. Final plat.

Information required on final plat: The following information, as well as any additional information the Planning Commission may require, shall be clearly shown on the final plat.

1. The name of the proposed PUD.
2. The boundary lines of the proposed PUD as determined by accurate field survey by a registered surveyor of the state of Arkansas. Length and bearings of courses shall be shown.
3. The total acreage of the proposed PUD.
4. Date of preparation, scale (1"=200', 1"=50') and north arrow.

5. Dimensions of all streets, alleys, easements, block, lot, parcel lines and buildings line and/or setback lines.
6. Location of monuments.
7. Location of railroad right-of-way and any other property owned by utilities.
8. Name of all streets.
9. Dedication by owner of all streets, alleys and lands for public use.
10. All easements and right-of-way granted by the owner.
11. Street curvature characteristics.
12. The following supporting data:
 - a. Certificate of ownership and dedication.
 - b. Certificate of accuracy – engineer and/or surveyor.
 - c. Certificate of approval of water and sewer system by State Health Department and/or the City of Fayetteville or the Washington Water Authority Water Superintendent.
 - d. Certificate of approval of streets and utilities by city official.
 - e. Certificate of approval of building set-back dimensions by City Building Inspector.
 - f. Certificate of approval for recording by the Planning Commission.
 - g. Certificate of plat acceptance by City Council and any other pertinent information or data.

Additional information to be submitted attached to final plat:

- A. Any restrictive covenants applicable to the lots intended for sale.
- B. Where the land to be developed abuts on the right-of-way of any existing or proposed state highway, the approval of the Arkansas State Highway Department shall be obtained and submitted attached to the final plat.
- C. Where the developer does not provide connections with municipal water and sewer systems, any and all water and sewer improvements must be approved by the Arkansas State Health Department. Such written approval shall be submitted attached to the final plat.
- D. Any plat lying outside the city limits of Farmington but within the planning area boundary shall be accompanied by a letter from the County Judge stating that the county has reviewed the plat and will accept the roads as part of the county system and the developer has agreed to comply with all county requirements.

Discrepancies: If boundary discrepancies are found the Planning Commission may require at the sub divider's expense a re-survey of the proposed PUD.

Approval: The Planning Commission shall approve or disapprove the final plat within ninety (90) days after its submission. If disapproved, the reasons therefore shall be recorded in the minutes of the Planning Commission. Failure of the Planning Commission to act within ninety (90) days from the date of the application shall be deemed approval of the plat. (Ord. No. 80-8.1, Sec. 2.) Building permits may be issued upon request by the owner or developer based on the approved final development plan and plat.

F. Modification of plan and plat.

Waivers or variances are not permitted. If, after the development of the PUD has commenced, it becomes either impossible or unconscionable for the applicant to adhere to the approved plan and plat, a modified plan and plat, consistent in intent, can be submitted to the planning commission for public hearing, with notice to adjacent property owners, and the city council for final approval. The modified plan and plat may be substituted for the original plan and plat upon approval by both the planning commission and the city council to the extent it is deemed just and proper so as to relieve the difficulty or hardship in question, provided that such relief may be granted without detriment to the public interest.

If the development of the PUD is abandoned by developer, the PUD zoning shall remain until a new developer brings a zoning request that is approved by City Planning Commission and City Council. This does not mean that the initial PUD developer can ask for rezoning after the PUD is approved.

Agenda Item 12

ORDINANCE NO. 2019-09

AN ORDINANCE TO VACATE A UTILITY AND DRAINAGE EASEMENT BETWEEN LOTS 38 AND 39 OF HIGHLANDS SQUARE NORTH ON GILES ROAD, CITY OF FARMINGTON, ARKANSAS AND FOR OTHER PURPOSES

WHEREAS, a petition was duly filed with the city council of the City of Farmington, Arkansas on the 5th day of May, 2019 asking the city council to vacate a utility and drainage easement between lots 38 and 39 of Highlands Square North on Giles Road, which is described as follows, to-wit:

PART OF LOT 38 AND LOT 39 OF HIGHLANDS SQUARE NORTH, AS PER PLAT RECORD 0023-00000294 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 39 OF SAID HIGHLANDS SQUARE NORTH;
THENCE ALONG THE SOUTH LINE THEREOF N87°47'16"W 21.60 FEET TO THE POINT OF BEGINNING;
THENCE S24°23'10"W 10.80 FEET;
THENCE N87°47'16"W 186.62 FEET;
THENCE N03°27'13"E 20.00 FEET;
THENCE S87°47'16"E 194.34 FEET;
THENCE S24°23'10"W 10.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3810 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

WHEREAS, after due notice as required by law, the council has, on August 12, 2019, heard all persons desiring to be heard on the question and has ascertained that the real property, hereinbefore described has heretofore been dedicated as a utility and drainage easement; has never been actually used for this purpose, and that the public interest and welfare will not be adversely affected by abandonment of this easement.

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

Section 1. The City of Farmington, Arkansas hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the easement running between lots 38 and 39 of Highlands Square North on Giles Road that is described as follows, to-wit:

PART OF LOT 38 AND LOT 39 OF HIGHLANDS SQUARE NORTH, AS PER PLAT RECORD 0023-00000294 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 39 OF SAID HIGHLANDS SQUARE NORTH;
THENCE ALONG THE SOUTH LINE THEREOF N87°47'16"W 21.60 FEET TO THE POINT OF BEGINNING;
THENCE S24°23'10"W 10.80 FEET;
THENCE N87°47'16"W 186.62 FEET;
THENCE N03°27'13"E 20.00 FEET;
THENCE S87°47'16"E 194.34 FEET;
THENCE S24°23'10"W 10.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3810 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. Emergency Clause. This ordinance shall take effect and be in force from and after its passage and approval.

Passed this 9th day of September, 2019.

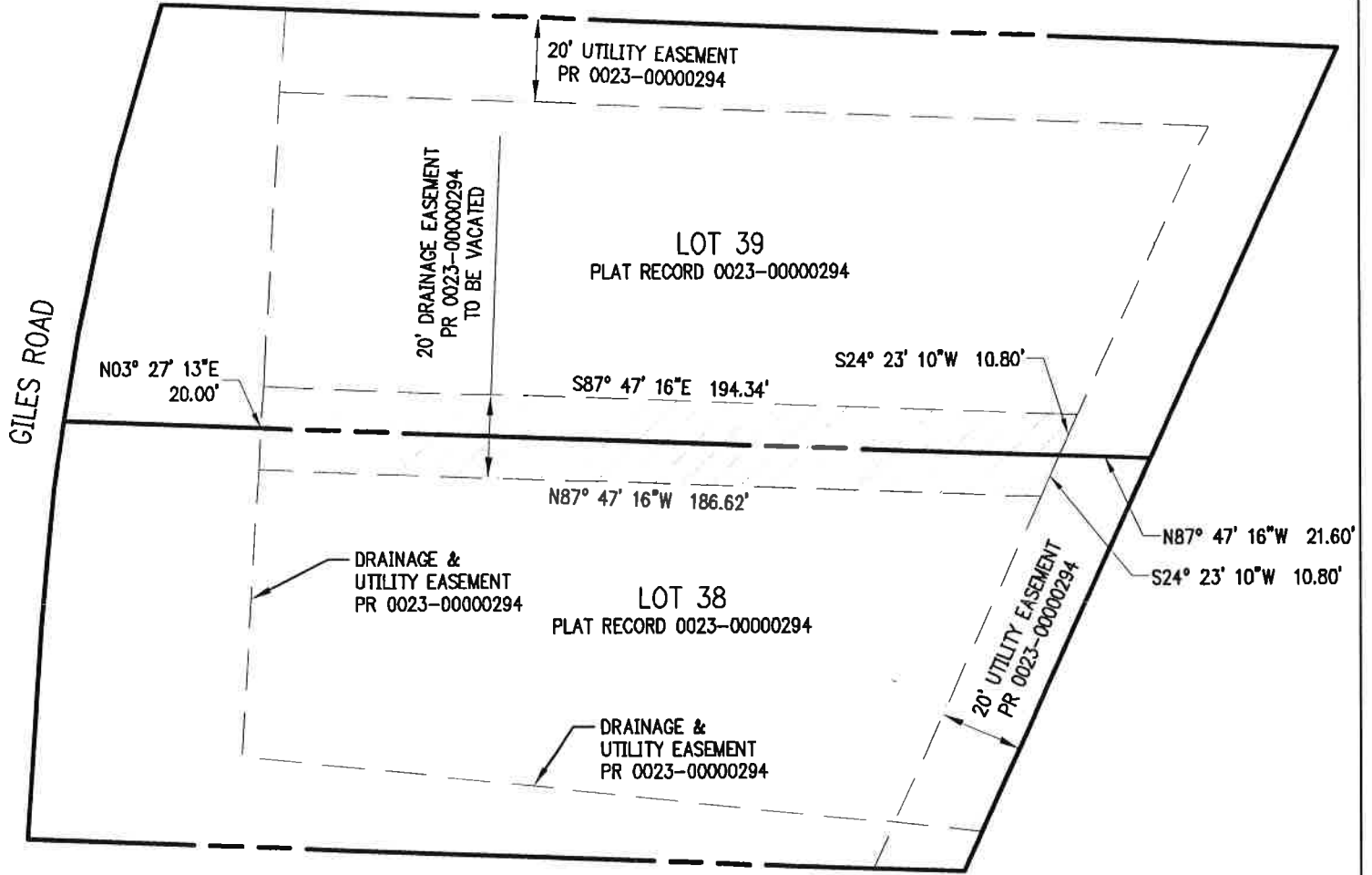
Approved:

Mayor Ernie Penn

Attest:

Kelly Penn, City Clerk

EXHIBIT



NOTE:
THIS EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

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www.craftontull.com

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PROJECT NO.:	DRAWN BY:	DATE:	SHEET:	CHECKED:
14105400		08/13/2019	1 OF 1	

Informational Items



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

City Business Manager Report
September 9, 2019
City Council Meeting

- Shasta will all celebrate two years with the City this month. Thank her for her service!
- The right-of-way acquisition for Hwy 170 is 66% complete.
- The annual clean-up for 2019 will be October 4-5, 2019. It will be at our new public works facility.
- Take a look at the new City Website: <https://cityoffarmingtonar.com>. It is updated and sleek. Beautiful new photos and easier operation. Let us know what you think!!
- Creekside Park is near completion. Work continues on the pavilion, which should be the last item to complete.
- Fall Festival will be September 28, 2019 from 10:00 am – 2:00 pm. It will be held at Creekside Park.
- We met with ArDot about the State Aid to Cities project to improve Double Springs from Rheas Mill to Hwy 62. At this point they plan to bid the project in January.
- We had our exit interview with Legislative Audit. No surprises! In the next couple of months we should have the final document to present for your review.
- Our codification of ordinances is close to completion.

"Perfection is not attainable, but if we chase perfection we can catch excellence."

~ Vince Lombardi



2019 FARMINGTON DISTRICT COURT MONTHLY DISTRIBUTION WORKSHEET MONTH OF AUGUST

ADMIN OF JUSTICE FUND	Check #1	Dept. of Finance and Administration	Total for Check # 1	\$1,282.40	Chk#2099
	Check #2	General Fund	Total for Check # 2	\$1,814.85	Chk#2100
	Check #3	Washington County Treasurer (Act 1256)	Total for Check # 3	\$1,532.75	Chk#2101
Total Checks Admin of Justice					\$4,630.00

COURT COST & FINE	Check #4	Administration of Justice Fund			
		CCCR- Court Cost-Criminal		\$1,840.00	
		CCDWI-Court Cost DWI		\$325.00	
		CCTR- Court Cost-Traffic		\$1,855.00	
		CCTRO- Court Cost-Traffic Ordinance		\$585.00	
		CCSEAT - Court Cost - Seat Belt		\$25.00	
		Total for Check # 4 (Chk#3534)			\$4,630.00
	Check #5	General Fund			
		FINE- Fines Collected		\$5,456.00	
		PBFF - Professional Bond Forfeit Fee		\$345.00	
		WF - Warrant Fee		\$65.00	
	NLIFL-No Liability Ins. Fines		\$646.00		
	FTPRLC-Fines Local		\$155.00		
	Total for Check # 5 (Chk#3535)			\$6,667.00	
Check #6	Court Automation Fund				
	CFEE-Local Court Automation		\$1,130.00		
	Total for Check # 6 (Chk#3536)			\$1,130.00	
Check #7	Department of Finance & Administration				
	CFEES - State Court Automation Fee		\$1,130.00		
	DCSAF - Drug Crime Special Assess Fee		\$358.00		
	OPF - Overweight Penalty Fee		\$30.00		
	DVPPF - Domestic Violence Peace Fund Fee		\$25.00		
	NIFS - New Installment Fee - State		\$2,225.00		
	Total for Check # 7 (Chk#3537)			\$3,768.00	
Check #8	Arkansas State Treasury				
	DRUG - Drug Abuse Prevention and Treatment Fund		\$60.00		
	Total for Check # 8 (Chk#3538)			\$60.00	
Check #9	Washington County Treasurer				
	JBAF - Jail Booking and Admin Fee		\$155.00		
	CJF - County Jail Fee		\$979.00		
	Total for Check # 9 (Chk#3539)			\$1,134.00	
Check #10	RF - Restitution Fee				
	Instant Money Pawn/Michael E. Rodgers Case No. CR-16-374		\$10.00		
	Total for Check # 10 (Chk#3540)			\$10.00	
Check #11	RF - Restitution Fee				
	Milissa Parsley, Reschke/TR-17-250		\$15.00		
	Total for Check # 11 (Chk#3541)			\$15.00	

Monthly Total \$17,414.00
Year To Date \$204,101.50

Ernie Penn
9-3-19
Kim Bentley
9/03/19

Ernie Penn, Mayor Date
 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

August 2019 Monthly Report for Mayor and City Council

- The fire department responded to over 80 calls during the month of August and that has become about average for this year for calls.
- We have a total of 658 runs year to date.
- We have received more rain this year than has ever been recorded. Having all the rain has cut down on the number of brush fires this year.
- We had our 1991 GMC brush truck pump go down, so we had to replace the whole pump, tank as well as the motor. We just received the new one back from the builders and have it back in service at this time.
- We have added two new firefighters to our number of volunteers, their names are Carson Ricker and Keven Carroll, both are already trained and ready to go, of course we will have to train them in the way we do things and our operating procedures.
- I would like to invite everyone to the battle of the badges, the fire department against the police department in a softball game to raise funds for the shop with a cop program.

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

Mark Cunningham
Fire Chief

Farmington Police Dept.

Offenses for Month 8/2018 and 8/2019

9/4/2019 10:09:44 AM

	<u>2018</u>	<u>2019</u>
AGENCY ASSIST		
	1	0
ASSAULT ON FAMILY OR HOUSEHOLD MEMBER - 3RD DEGREE / APPREHENSION OF IMMINE		
	4	0
BATTERY - 2ND DEGREE / INJURE POLICE, FIRE, CODE ENFORCE, CORRECTIONAL IN LINE OF DUTY		
	1	0
BATTERY - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY		
	1	1
Breaking or Entering/Vehicle		
	2	0
BURGLARY, COMMERCIAL		
	2	0
BURGLARY, RESIDENTIAL		
	3	1
CARELESS DRIVING		
	2	0
COMMUNICATING A FALSE ALARM / CAUSE ACTION BY AN OFFICIAL OR AGENCY		
	0	1
CONTEMPT		
	0	1
CRIMINAL MISCHIEF - 1ST DEGREE PROPERTY OF ANOTHER VALUE \$500 OR LESS		
	2	0
CRIMINAL MISCHIEF - 1ST DEGREE / PROPERTY OF ANOTHER VALUE \$500 OR MORE		
	2	1
CRIMINAL MISCHIEF - 2ND DEGREE / RECKLESSLY DESTROYS		
	3	0
CRIMINAL TRESPASS IN OR ON A VEHICLE OR STRUCTURE / PREMISES		
	5	0
DISORDERLY CONDUCT		
	3	0
DISORDERLY CONDUCT / OBSTRUCTS VEHICULAR OR PEDESTRIAN TRAFFIC		
	1	0
DISORDERLY CONDUCT / UNREASONABLE OR EXCESSIVE BEHAVIOR		
	1	0
DOMESTIC BATTERING - 3RD DEGREE / PURPOSE OF CAUSING INJURY, CAUSES INJURY		
	2	2
Drivers License Required		
	1	1
DRIVING ON SUSPENDED LICENSE		

	<u>2018</u>	<u>2019</u>
	3	0
DWI (UNLAWFUL ACT)	4	3
ENDANGER WELFARE OF MINOR-1ST DEGREE-RISK OF DEATH / PHYSICAL INJURY-DESERT UNDER 10	0	1
Excess Speed	0	1
FAILURE TO APPEAR	23	17
FAILURE TO COMPLY TO COURT ORDER - NO ARREST	0	1
FAILURE TO PAY FINES & COSTS	23	17
FLEEING	1	0
Flight from Officer/foot	0	1
FORGERY	1	0
FRAUDULENT USE OF A CREDIT CARD / CARD OR ACCOUNT NUMBER IS STOLEN	1	0
HARASSMENT / IN PUBLIC USES OR MAKES OBSCENE LANGUAGE OR GESTURE TO PROVOKE	0	1
HARASSMENT / SURVEILLANCE AT ONES SCHOOL, WORK, VEHICLE, HOME, TO HARASS,	0	1
Leaving Scene of Accident/Property Damage	0	2
Left of Center	1	1
LOST AND FOUND	0	1
No Proof Insurance	3	1
No Tag Light	1	0
No Turn Signal	1	0
OBSTRUCTING GOVERNMENTAL OPERATIONS / OBSTRUCTS, IMPAIRS, HINDERS, THE PER	0	1
OBSTRUCTING GOVERNMENTAL OPERATIONS / REFUSES TO PROVIDE INFORMATION FOR A	2	0
OPEN ALCHOLIC CONTAINER	0	1
POSSESSION OF A CONTROLLED SUBSTANCE - MARIJUANA	3	0

	<u>2018</u>	<u>2019</u>
POSSESSION OF A COUNTERFEIT SUBSTANCE		
	0	1
POSSESSION OF DRUG PARAPHERNALIA		
	9	5
Possession of Drug Paraphernalia		
	2	1
POSSESSION OF DRUG PARAPHERNALIA - FELONY		
	0	2
POSSESSION OF DRUG PARAPHERNALIA - MISDEMEANOR		
	0	1
POSSESSION OF METH OR COCAINE GT 10GM BUT LT 200GM		
	1	0
POSSESSION OF METH OR COCAINE LT 2GM		
	3	5
POSSESSION OF METH OR COCAINE PURPOSE TO DELIVER GT 10GM BUT LT 200GM		
	0	2
POSSESSION OF METH OR COCAINE PURPOSE TO DELIVER GT 2GM BUT LT 10GM		
	2	0
POSSESSION OF SCH IV OR V LT 28GM		
	0	2
POSSESSION OF SCH VI WITH PURPOSE TO DELIVERY		
	2	0
PUBLIC INTOXICATION / DRINKING IN PUBLIC		
	8	0
RESISTING ARREST - REFUSAL TO SUBMIT TO ARREST / ACTIVE OR PASSIVE REFUSAL		
	4	0
Run Stop(red) Light		
	2	0
SEXUAL ASSAULT - 4TH DEGREE		
	0	1
Tail Lights/Reflectors (Improper)		
	1	0
TAMPER WITH PHYSICAL EVIDENCE- OBSTRUCT PROSECUTION /DEFENSE FELONY		
	1	0
THEFT \$1,000 OR LESS - ALL OTHERS		
	4	2
THEFT \$1,000 OR LESS - FROM BUILDING		
	3	1
THEFT \$1,000 OR LESS - FROM VEHICLE		
	4	1
THEFT \$5,000 OR LESS BUT GREATER THAN \$1000 - FROM BUILDING		
	0	1
THEFT BY RECEIVING		
	1	0
THEFT BY RECEIVING \$1,000 OR LESS		

	<u>2018</u>	<u>2019</u>
THEFT OF PROPERTY / ALL OTHER	0	1
THEFT OF VEHICLE VALUED AT \$5,000 OR LESS BUT GREATER THAN \$1,000	2	0
VIOLATION OF IMPLIED CONSENT	1	0
	1	1
Totals:	154	85

AUGUST	Citation	Warning	Warrant	Total
Bates - Howard	17	4	0	21
Bertorello - James	4	15	1	20
Brotherton - James	0	2	0	2
Catron - Joshua	0	1	1	2
Collins - John	3	5	0	8
Crutchfield - Dylan	19	5	0	24
Long - Dustin	7	16	1	24
Mahone - Taron	31	7	1	39
Mccaslin - Michael	1	0	0	1
Parrish - Chad	0	0	1	1
Stine - Jacob	15	21	0	36
Talley - Taylor	5	22	0	27
Thompson - Michael	1	0	8	9
Virgin - Billie	0	0	1	1
<u>Totals</u>	<u>103</u>	<u>98</u>	<u>14</u>	<u>215</u>
<u>Averages</u>	<u>7.36</u>	<u>7</u>	<u>1</u>	<u>15.36</u>

Permit Report

8/1/2019 - 8/30/2019

Permit #	Permit Date	Site Address	Permit Type	Type of Building	Description of Work	Square Foot	Contractor	Total Fees
2745	8/29/2019	10886 Blue Sky	Plumbing/Gas	Residential	Replacing water line	0	Paschal Heat and Air	\$20.00
2744	8/29/2019	248 W Main	Plumbing/Gas	Commercial	Water line replacement	0	Cedar Valley Plumbing	\$25.00
2743	8/27/2019	29 W Main	Electric	Commercial	New Monopole	0	King Electric	\$20.00
2742	8/27/2019	379 Tacoma	Plumbing/Gas	Residential	Plumbing for new house	2,265	Pinnacle Plumbing	\$50.00
2741	8/27/2019	184 Louise	Mechanical	Residential	HVAC change out	0	Morrow Heat and Air	\$35.00
2740	8/26/2019	12251 Richardson	Mechanical	Residential	HVAC for new house	2,053	Kimbel Mechanical	\$35.00
2739	8/26/2019	422 Rheas Mill	Electric	Residential	Electric for shop	0	Powerhouse Electric	\$20.00
2738	8/26/2019	227 Briar Hill	Mechanical	Residential	HVAC change out	0	Morrow Heat and Air	\$40.00
2737	8/26/2019	239 Sundown	Plumbing/Gas	Residential	RPZ for irrigation system	0	Edge Plumbing	\$20.00
2736	8/26/2019	91 Chickasaw	Building	Residential	New House	2,707	Trademark Custom Homes	\$1,156.00
2735	8/26/2019	278 Wolfe	Electric	Residential	Replacing disconnect enclosure	0	MC Electric	\$20.00
2734	8/26/2019	278 Wolfe	Plumbing/Gas	Residential	Adding Bury Hydrant	0	Above and Beyond Plumbing	\$20.00
2733	8/19/2019	455 Windgate	Building	Residential	New House	2,627	Cox Development LLC	\$1,126.00

2732	8/19/2019	449 Windgate	Building	Residential	New House	2,824	Cox Development LLC	\$1,198.00
2731	8/19/2019	32 White	Mechanical	Residential	HVAC for new house	2,924	Advantage Heat and Air	\$65.00
2730	8/19/2019	465 Windgate	Building	Residential	New House	2,906	Cox Development LLC	\$1,228.00
2729	8/19/2019	461 Windgate	Building	Residential	New House	2,709	Cox Development LLC	\$1,156.00
2728	8/16/2019	89 Old Depot	Electric	Residential	Electric repair for meter pull.	0	Burl Smith Electric	\$20.00
2727	8/15/2019	278 Wolfe	Building	Residential	Adding Solar Panels	0	Ozark Solar, Inc	\$75.00
2726	8/15/2019	321 Willow	Mechanical	Residential	HVAC change out	0	Morrow Heat and Air	\$35.00
2725	8/15/2019	425 Tacoma	Building	Residential	Reinspection Fee	2,477	Trademark Custom Homes	\$25.00
2724	8/13/2019	12283 Richardson	Building	Residential	New House	2,053	Rausch Coleman Homes	\$916.00
2723	8/13/2019	76 Rob	Mechanical	Residential	HVAC change out	0	Snowman Heating and cooling	\$25.00
2722	8/13/2019	11460 Frisco	Electric	Residential	Electric for new house	2,690	A & L Electric	\$45.00
2721	8/12/2019	12251 Richardson	Building	Residential	New House	2,053	Rausch Coleman Homes	\$916.00
2720	8/12/2019	444 Vista Del Valle	Electric	Residential	Electric for new house	2,095	Fast Electric	\$35.00
2719	8/12/2019	431 Vista Del Valle	Electric	Residential	Electric for new house	2,095	Fast Electric	\$35.00

2718	8/9/2019	12723 Tyler	Electric	Residential	Upgrade service	0	Buzz Electrical Service	\$25.00
2717	8/8/2019	71 James	Electric	Residential	Electric for Shed	0	Homeowner	\$20.00
2716	8/7/2019	472 Aster	Building	Residential	New storm shelter	24	Tornado tough Tornado shelters	\$35.00
2715	8/5/2019	11758 East Creek	Building	Residential	Remodel patio	0	Beeson Remodel and home repair	\$45.00
2714	8/5/2019	60 E Main	Mechanical	Commercial	Commercial Kitchen Hood	0	Crawford Heat Air and Refrigeration	\$160.00
2713	8/5/2019	36 Wesley Stevens	Mechanical	Residential	HVAC for new house/Minisplit in garage	3,023	Adonai Air	\$65.00
2712	8/5/2019	453 Goose Creek	Mechanical	Residential	HVAC for new house	700	Adonai Air	\$50.00
2711	8/5/2019	453 Goose Creek	Electric	Residential	Electric for addition	700	Michael Lewis	\$20.00
2710	8/2/2019	72 Neal	Electric	Residential	Solar Panel system	0	Sunpro Solar	\$200.00
2709	8/1/2019	87 James	Building	Residential	Small addition and remodel	0	Homeowner	\$135.00
Total Records: 37								\$9,116.00

8/30/2019

Library

Circulation and Patron Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2019												
Total Circulation	4,101	3,528	4,783	4,047	4,015	5,343	5,458	4,826				
YTD Circulation	4,101	7,629	12,412	16,459	20,474	25,817	31,275	36,101				
Holds Satisfied	845	760	774	792	795	678	777	800				
YTD Hold Satisfied	845	1,605	2,379	3,171	3,966	4,644	5,421	6,221				
PAC Logins	766	729	742	704	878	842	749	834				
YTD PAC Logins	766	1,495	2,237	2,941	3,819	4,661	5,410	6,244				
New Cardholders	46	31	23	33	37	66	39	40				
YTD New Cardholders	46	77	100	133	170	236	275	315				

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2018												
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

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2019												
Early Literacy Station Users	121	111	126	118	151	163	166	172				
YTD Early Literacy Station Users	121	232	358	476	627	790	956	1,128				
Users	309	295	306	229	243	254	246	288				
YTD Users	309	604	910	1,139	1,382	1,636	1,882	2,170				
Device Checkout	0	1	6	4	0	0	0	0				
YTD Device Checkout	0	1	7	11	11	11	11	11				
2018												
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

*began using software to track public computer use

Library

Miscellaneous Services

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2019												
Color Print Services	21	14	6	43	28	16	9	8				
YTD Color Print Services	21	35	41	84	112	128	137	145				
Copy/Print Services	2,080	2,093	2,744	1,846	1,470	1,509	1,299	1,341				
YTD Copy/Print Services	2,080	4,173	6,917	8,763	10,233	11,742	13,041	14,382				
Fax Services	44	56	89	49	69	82	88	138				
YTD Fax Services	44	100	189	238	307	389	477	615				
Notary Services	8	18	8	5	4	12	6	2				
YTD Notary Services	8	26	34	39	43	55	61	63				
Reference Transactions	367	257	234	229	298	216	145	297				
YTD Reference Transactions	367	624	858	1,087	1,385	1,601	1,746	2,043				
Scanning Services	35	35	12	18	58	14	16	25				
YTD Scanning Services	35	70	82	100	158	172	188	213				
Staff Supervised Volunteer Hours	13	23	37	28	27	41	61	40				
YTD Staff Supervised Volunteer Hours	13	36	73	101	128	169	230	270				
Test Proctor	0	0	1	4	5	1	3	2				
YTD Test Proctor	0	0	1	5	10	11	14	16				
2018												
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												
Community Story Time	50	76	83	86		141	139					
Kids Book Club/Tween STEM Club	2	5	4	2								
Kindergarten Story Time		166	77	104								
LEGO® Club		18	14	16		67	20					
Little Maker's		11	4									
Meeting Room Use		13	11	10				24				
Nonfiction Book Club		2	3	1	2	1	2	3				
Seuss Saturday			23									
Tabletop Gaming Club						14						
Technology Instruction Session	1	1	1	1	1	1						
Theater Performance by YAG		40										
A Universe of Stories Children's Programs						181	73					
A Universe of Stories Craft Fridays						125	52					
A Universe of Stories Teen Programs						5						
Total Monthly Program Attendance	64	308	219	222	16	542	298	14				
Number of Juvenile Programs	6	9	9	9	0	20	9	0				
Number of Young Adult Programs		0	0	0	0	7	0	0				
Number of Adult Programs		1	2	2	2	2	2	2				
Number of Non-library Meeting Room Events	2	2	2	1	0	0	0	3				

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	n/a	n/a	2,737	2,445				
YTD Visits	2,439	4,973	7,705	10,017	10,017	10,017	12,754	15,199				
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

Planning Commission Minutes July 22, 2019

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

PRESENT

Robert Mann, Chair
Chad Ball
Toni Lindsey
Gerry Harris
Judy Horne
Bobby Wilson
Jay Moore

ABSENT

Howard Carter

City Employees Present: Mayor Ernie Penn;
Melissa McCarville, City Business Manager; Steve
Tennant, City Attorney

2. **Approval of Minutes:** June 24, 2019 Minutes were approved as written. Jay Moore and Bobby Wilson abstained, having been absent from that meeting.

3. **Comments from Citizens:** Melissa advised the Commission that new legislation has been enacted and all meetings must be videotaped in addition to the audio recording. Everyone must speak directly into the microphones to ensure the voice recording is audible.

NOTE: *Before attending to Agenda Items in Public Hearing portion of the agenda, all Commissioners voted unanimously to allow 4B. Variance for the Property line adjustment on Parcel #760-02391-000 at 433 Goosecreek to be addressed first, with consideration of PUD zoning to follow.*

PUBLIC HEARING

4B. Variance: Property line adjustment on Parcel #760-02391-000:

Property owner Chelsea Mahaffey explained that they wish to divide their A-1 zoned property into two separate lots. The way this needs to be done due to flooding issues and fencing for their cattle will prevent the lots from meeting the two-acre minimum requirement for A-1. Therefore, a variance is being requested.

Chad Ball noted that there were two entryways to one lot. Only one will be used.

Other commissioners were in agreement that this variance appeared to actually improve the land use at this particular site.

Public Comment: None.

Upon roll call, the Planning Commission passed the Variance request unanimously.

4A. Review of the proposed amendment to the zoning ordinance to include PUD (Planned Unit Development):

Melissa opened the discussion addressing concerns from Rick Brammall, City Inspector and Chris Brackett, City Engineer. It was determined that the City will keep the stipulation that permits will be

issued after the Final Plat has been approved. Even if the PUD has a multi-use area, Single Family has to be final platted before they issue permits. Melissa had talked with planners in another city and for a PUD they are required to go through flood and final plat if dealing with Single Family areas.

Chad Ball asked if the \$1,000 review fee would be refunded or kept if the PUD doesn't go through. The fee is non-refundable.

Chad was also concerned about the City's status if fees run high. Melissa explained that engineering fees are billed every month to the development company.

Jay Moore asked about recourse for not paying the Engineering fees for a huge development. It was explained that if that happens, the City will stop the development from progressing to the next stages until they are paid in full.

Commissioners thanked Chad Ball for his work in expediting the proposed PUD addition to the Zoning Ordinance.

The Planning Commission voted unanimously to forward the proposed Planned Unit Development Zone, with the amended, to the City Council for their consideration at the August 12, 2019 meeting. Upon roll call, the motion to send to City Council passed unanimously.

Other Business:

In other business, it was noted that some type of work is being done at the corner of Bethel Blacktop Road and Little Elm Road (an area that had previously been considered for a sports athletic complex) but had been denied by Planning Commission.

6. Adjournment: Having no further business the Planning Commission meeting was adjourned.



Judy Horne - Secretary


Robert Mann - Chair